

**MINUTES  
CITY COUNCIL MEETING  
MARCH 7, 1994  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**6:00 P.M. - CLOSED SESSION:** This time has been set aside for the City Council to meet in closed session to discuss matters pertaining to litigation (pursuant to Government Code Section 54956.9(a), potential litigation (pursuant to Government Code Section 54956.9(b), and (c)), personnel, and/or claims. The Mayor or the City Attorney will give an additional oral report of the closed session at the commencement of the public portion of the meeting.

**7:00 P.M. - REGULAR MEETING**

**CALL TO ORDER:** Mayor Guarriello called the meeting to order at 7:05 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Andonia Katsaros.

**ROLL CALL: PRESENT:** Heilman, Koretz, Land, Lang, and Mayor Guarriello

**ALSO PRESENT:** City Manager Brotzman  
City Attorney Jenkins

**REPORT OF CLOSED SESSION:** City Attorney Jenkins reported that the regular City Council meeting convened at 6:00 and recessed into Closed Session. Two matters of existing litigation were discussed--ROAR vs. City of West Hollywood and Concerned Citizens and Apartment Association vs. City of West Hollywood. Also discussed were two matters of potential and threatened litigation. The City Council approved the claim of Anthony Acquavella, and gave direction to the City's labor negotiator. The Closed Session was adjourned at 7:00 p.m.

**APPROVAL OF AGENDA:**

Mayor Guarriello moved Item 4.B to the Consent Calendar.

Mayor Guarriello stated that an Urgency Item, a Resolution supporting SB2061, was to be added to the Consent Calendar.

Mayor Guarriello removed Items 2.K. and 2.L. for discussion.

Councilmember Heilman requested that the meeting be adjourned in the memory of Mark Haskins, who was very active in the gay and lesbian community, and had provided assistance to the City's Public Safety Office.

**ACTION:** Approve the Agenda as amended. Motion Heilman, second Guarriello and unanimously carried.

**PROCLAMATIONS AND COMMENDATIONS:**

Mayor Pro Tem Land presented Commendations to the following Parking Enforcement Officers for providing exemplary traffic control and other services during the aftermath of the January 17th earthquake: Keith Walker, Sam Ohan, Jon Bryant, Ron Kinsey, Deogracias Hamac, Trent Lewis, Antonio Pineda, Michael Dull, and Joel DeGuzman.

Commendations were presented to Clifton King, Alfred Jones, Michael Carr, Wilulfo Marin, Manuel Salazar, Cynthia Perkins, Vicki Arambel, Brian Hunt, Linda Evans, Nancy Perez, Lucy Mendez, and Martha Cornejo for exemplary emergency transportation services, and to Abraham Ochoa and Robert Salisbury for exemplary street maintenance services, during the recent state of emergency as a result of the earthquake.

**1. CITIZEN COMMENTS:**

MIKE RADCLIFFE, WEST HOLLYWOOD, spoke regarding a letter sent by City Manager Brotzman.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding the revisions to the zoning ordinance and inquired if speakers could have more than two minutes to speak on the various text amendments.

CRAIG REUSS, WEST HOLLYWOOD, spoke regarding the formation of a Candidates Forum and indicated it will be on March 22, 1994 in Fiesta Hall at Plummer Park.

DONNY CACY, WEST HOLLYWOOD, invited residents to a reception on Tuesday, March 8th at 4:00 p.m. at the Bel Age Hotel to meet the new Sheriff's Department Captain.

LARRY SALAZAR, LOS ANGELES, WEST HOLLYWOOD FREE ENTERPRISE PROJECT, asked the Council to consider leaving West Hollywood to free enterprise. He encouraged Councilmembers to call him regarding the exclusive franchise.

TIM OLSON, WEST HOLLYWOOD, encouraged residents to get involved in the election process; invited citizens to Candidates Forum on Tuesday, March 8th, and encouraged the City Council to approve the cablecasting of the Forum.

JOSEPH JIMENEZ, WEST HOLLYWOOD, urged the Council to cablecast the Forum on Tuesday, March 8th.

KIPUKAI KUALII, WEST HOLLYWOOD, PRESIDENT OF AFSCME LOCAL, on behalf of employees, extended gratitude and best wishes to Assistant City Manager Bob Edgerly on his retirement.

STEVE ROSE, WEST HOLLYWOOD, POINSETTIA NEIGHBORHOOD RESIDENTS' ASSOCIATION, spoke regarding the prostitution and drug crimes that directly affect the residents on Poinsettia and Greenacres. He suggested the establishment of a Sheriff's sub-station in that area. He presented a petition with signatures of approximately 150 citizens and asked for the establishment of a citizen task force by March 21, 1994.

CHARLIE MERCER, LOS ANGELES, extended an invitation to the Council and the entire community for the Candidates Forum tomorrow night at 6:30 p.m. Fifteen organizations are participating.

DAN PALLOTTA, LOS ANGELES, PRODUCER OF CALIFORNIA AIDS RIDE, spoke regarding the California AIDS Ride. He indicated they will have a celebration on May 7, 1994. He invited the

Council to ride the last victory mile with the participants.

GILBERT LOPEZ, WEST HOLLYWOOD, HUMAN SERVICES COMMISSIONER, (Pamela Farber, Recreation Specialist, was also present) spoke regarding a program between the Sheriff's Department and youth--the Sheriff's Activity League. He provided an update on the success of the program. He thanked the Council for their support and invited the Council to the one year anniversary.

BOE TRUMBULL, WEST HOLLYWOOD, of West Hollywood Business Coalition, encouraged the cablecasting of the Candidates Forum.

**CITY MANAGER'S REPORT:** City Manager Brotzman addressed the issue regarding the Sheriff's sub-station on the east side and the issue of prostitution. He indicated that the Sheriff's Department has been aggressively enforcing prostitution laws for the past four or five months, and there have been an enormous number of arrests both on Santa Monica Boulevard and on the Sunset Strip.

Regarding candidates forums, he indicated that he feels there should be as many candidates forums as possible. The City has historically worked with the Chamber to cablecast their forum, and the forums have been handled professionally and without bias to any particular candidate. If the City is going to cablecast a forum, we must be sure it does not contain a bias for any candidate that is running for office. The City had originally declined to offer the cablecast of the March 22 forum because not all the organizations and candidates been approached. As of last week, we were advised that all the candidates had been approached. The Public Information staff was asked to survey all the candidates to insure they had all been approached and were available and that the forum could be conducted in a nonpartisan and nonbiased manner. Those tests have been met, and in fact there is an item on tonight's agenda recommending that the Council consider cablecasting not only this forum, but provide additional resources to cablecast other forums, provided they are unbiased, so that the Community has an opportunity to fairly hear each candidate.

**REPORT ON DOLLAR AMOUNTS ON CONSENT CALENDAR:**

City Clerk Love reported that the fiscal impact of the amended Consent Calendar for March 7, 1994, is \$3,400 in expenditures.

**2. CONSENT CALENDAR:**

**ACTION:** Approve the Consent Calendar as amended.  
Motion Land, second Heilman and unanimously carried.

**A. POSTING OF AGENDA:** The agenda for the meeting of Monday, March 7, 1994, was posted at City Hall, Plummer Park, and the Sheriff's Station on Thursday, March 3, 1994, and at the West Hollywood Library on Friday, March 4, 1994.

**ACTION:** Receive and file. Approved as part of the Consent Calendar.

**B. APPROVAL OF MINUTES: February 22, 1994**

**ACTION:** Approve the minutes of February 22, 1994. Approved as part of the Consent Calendar.

**C. WAIVER OF FURTHER READING:**

**ACTION:** After the City Attorney has read the title of any Ordinance on tonight's agenda, the further reading thereof be waived. Approved as part of the Consent Calendar.

**D. CLAIMS: Eleanor Geschwind  
Neal Eglash  
Anthony Acquavella**

**ACTION:** Deny the claims of Eleanor Geschwind and Neal Eglash without comment and refer to the City's claims adjustor. Take action on claim of Anthony Acquavella as discussed in Closed Session on March 7, 1994. Approved as part of the Consent Calendar.

**E. DEMAND REGISTER NO. 265, RESOLUTION NO. 94-1267.**

**ACTION:** Approve Demand Register No. 265 and adopt Resolution No. 94-1267. Approved as part of the Consent Calendar.

**F. TREASURER'S REPORT: January, 1994**

**ACTION:** Receive and file. Approved as part of the Consent Calendar.

**G. WOMEN'S HISTORY MONTH EVENTS:**

**ACTION:** Direct the appropriate City staff to work with the Women's Advisory Council to promote Women's History Month events. Approved as part of the Consent Calendar.

**H. CALIFORNIA AIDS RIDE:**

**ACTION:** 1) Approve the use of West Hollywood Park and City property for the 1994 California AIDS Ride closing ceremonies; 2) Authorize the use of a portion of San Vicente Boulevard between the West Hollywood Park parking lot entrance and the RTD/PDC entrance for the California AIDS Ride closing ceremonies on Saturday, May 7, 1994. The library entrance will not be affected; 3) Agree that the City of West Hollywood will serve as an official co-sponsor for the event. Approved as part of the Consent Calendar.

**I. ELECTION RESOLUTIONS ORDERING THE CANVASS OF RESULTS AND ESTABLISHING VOTING PRECINCTS, POLLING PLACES, AND APPOINTING PRECINCT BOARD MEMBERS:**

**ACTION:** 1) Adopt Resolution No. 94-1268, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ORDERING THE CANVASS OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 12, 1994, BE MADE BY THE CITY CLERK"; 2) Adopt Resolution No. 94-1269, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST

HOLLYWOOD ESTABLISHING VOTING PRECINCTS AND POLLING PLACES, APPOINTING PRECINCT BOARD MEMBERS AND FIXING COMPENSATION FOR THE GENERAL MUNICIPAL ELECTION ON TUESDAY, APRIL 12, 1994, CALLED BY RESOLUTION NO. 1221 OF THE CITY COUNCIL." Approved as part of the Consent Calendar.

- J. WEST WEEK PARKING AND CIRCULATION PLAN:**  
ACTION: 1) Authorize the closure of San Vicente Boulevard from Melrose Avenue to Santa Monica Boulevard from 6 a.m. Wednesday, March 23, 1994 through 12 p.m. Friday, March 25, 1994; 2) Approve the issuance of 200 one-day visitor permits to accommodate the anticipated parking demand. Approved as part of the Consent Calendar.
- K. APPROVAL OF CONTRACT FOR SUNSET BOULEVARD BROKER/USER BUSINESS ATTRACTION MAP:**  
ACTION: Removed from the Consent Calendar and appears under Excluded Consent Calendar.
- L. WEST HOLLYWOOD HOMELESS ORGANIZATION CONTRACT AMENDMENT:**  
ACTION: Removed from the Consent Calendar and appears under Excluded Consent Calendar.
- M. RESOLUTION IN SUPPORT OF SB2061:**  
(THIS ITEM WAS ADDED TO THE CONSENT CALENDAR AS AN URGENCY ITEM UNDER APPROVAL OF AGENDA.)  
ACTION: Adopt Resolution No. 94-1270, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB2061, A BILL TO EXTEND HEALTH CARE PARTICIPATION TO DOMESTIC PARTNERS OF PUBLIC AGENCY EMPLOYEES IN THE PERS HEALTH CARE PROGRAM."  
Approved as part of the Consent Calendar.
- N. 1994 HALLOWEEN CELEBRATION: (4.B.)**  
(MOVED TO THE CONSENT CALENDAR UNDER APPROVAL OF AGENDA.) ACTION: 1) Authorize the City Manager to enter into a three-year agreement with Academy Tent and Canvas to co-produce the celebration on Santa Monica Boulevard on Halloween night; 2) approve the closure of Santa Monica Boulevard between La Cienega Boulevard and Almont Drive, and the closure of Robertson Boulevard between Melrose Boulevard and Santa Monica Boulevard from 4:00 p.m., October 31, 1994 until 4:00 a.m., November 1, 1994; 3) approve the closure of San Vicente Boulevard between Santa Monica Boulevard and Melrose Boulevard, from 4:00 p.m., October 31, 1994, until 4:00 a.m., November 1, 1994; 4) direct staff to notify the California Department of Transportation that the City accepts liability for traffic re-routing caused by the closure of the street; 5) direct staff to request that the Pacific Design Center parking structure remain open until 4:00 a.m. on the evening of October 31-November 1, 1994; 6) waive permit parking. Approved as part of the Consent Calendar.

**3. PUBLIC HEARINGS:**

**A. PUBLIC HEARING TO CONSIDER CENTURY CABLE'S BASIC CABLE TELEVISION SERVICE RATES CHARGED TO SUBSCRIBERS WITHIN THE WEST HOLLYWOOD FRANCHISE AREA:**

City Clerk Love reported that notice of this hearing was published in the West Hollywood Independent on March 2, 1994.

Helen Goss, Public Information Officer, introduced Michael Katz, consultant on the rate regulation of Century cable, and Don Stern, the cable specialist in the City Attorney's office. Ms. Goss provided background information as outlined in the staff report dated March 7, 1994. She pointed out that Century Cable has asked that this hearing be delayed; however, staff feels it should not be delayed. Staff has worked with them to meet all the deadlines of the FCC.

Michael Katz, consultant, provided an overview of his review of Century Cable's submission of Form 393.

Don Stern, City Attorney's office, reported that the City received a letter from the attorneys in Washington D.C. who represent Century Cable, and they essentially accuse the City of not giving them a fair chance to present their case. Mr. Stern stated that he does not see that there are deficiencies in the City's review, and to date Century has refused to change its Form 393, except to provide a signature page.

Mr. Stern recommended that the City Council adopt the resolution which orders rate refunds and a rate reduction; and if Century comes in with any revised 393 forms, the City will look at them.

City Attorney Jenkins asked if the Council adopts the resolution and Century Cable comes back with additional information is the City Council precluded from making adjustments to its decision.

Mr. Stern indicated that he doesn't believe so. He also stated that West Hollywood is on the forefront; he doesn't know of any other cities that are as far along in this as West Hollywood. The law has already changed, and will be announced the 15th of this month, and will reduce rates another seven percent. He is virtually certain that the FCC will make provisions for cities which have adopted rate regulation, to go back and revisit this issue.

Mr. Jenkins asked if Century can appeal Council's decision to the FCC.

Mr. Stern indicated that Century could appeal to the FCC and may even provide additional information for the calculations.

Mayor Guarriello opened the public hearing and the following persons addressed the Council:

MAUREEN MUNCE, WEST HOLLYWOOD, stated her dissatisfaction with the cable service and that she is forced to pay for services she doesn't use.

ANDONIA KATSAROS, WEST HOLLYWOOD, supported the adoption of the resolution to roll back rates.

CRAIG REUSS, WEST HOLLYWOOD, stated his support for the adoption of the resolution. He indicated that Century Cable is non-responsive to the consumers, also.

EFFIE REUVENI, WEST HOLLYWOOD, spoke in support of the resolution to roll back rates, and encouraged Council to make a decision tonight.

SIBYL ZADEN, WEST HOLLYWOOD, urged Council to take control of the rates.

Helen Goss indicated for the record that she has received over 500 written and verbal complaints regarding the rates since this process began in August; since the publication of the notice for this hearing a half dozen written and verbal complaints were logged.

At the suggestion of Mr. Stern, Councilmember Heilman asked if there was any representative from Century Cable who may wish to speak. (No response.)

Councilmember Heilman commended staff for the hard work on moving this forward especially with the constantly changing regulations. He also inquired about the reconfiguration of the cable channel line-ups.

Ms. Goss indicated that this is a judgment call she made--she recommends waiting until the FCC deals with this issue. To incorporate the ala carte issues at this point may delay other aspects of the resolution.

Councilmember Heilman indicated that he wants to make sure that we follow up on notifying the FCC, if that is a requirement, and also that we have some control over the notification to the cable subscribers, so that the information is clear to the subscribers.

Mr. Katz indicated that when the rate order goes through, Century will have the option to appeal. As far as refunds, the FCC rules give them a couple of choices about how to do refunds. In regard to channel lineups, the FCC has taken the position that local authorities do not have control over the content of channels.

Mayor Pro Tem Land stated she feels comfortable in supporting this resolution but wished to make clear that although the Council may vote on this, Century may

appeal and it may be a long time before subscribers see a rollback on their bills.

Ms. Goss indicated that no one knows how aggressive the FCC will be in resolving these matters.

Mr. Stern indicated that the cable company has one appeal to the FCC. He also stated that the burden of proof that the rate is reasonable is on the cable company.

**ACTION:**

1) Deny Century Cable's request to continue the public hearing; 2) approve and adopt Resolution No. 94-1271, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REGULATING BASIC TIER CABLE TELEVISION RATES FOR SERVICES, EQUIPMENT AND INSTALLATION PROVIDED BY CENTURY SOUTHWEST CABLE TELEVISION," which includes among other things a reduction of \$3.72 per month for basic service, retroactive to September 1, 1993, 3) with the modification requiring Century to provide written notice of the rate reduction in their bills; 4) direct staff to follow up on the February '94 FCC regulations; and, 5) ask staff, if possible, to follow up on the suggestion to do further checking of Century's figures by doublechecking the numbers that they have provided us.

Motion Heilman, seconded by Land and unanimously carried.

Ms. Goss stated that she was planning to incorporate into the 1994-95 budget process a review of our franchise fee, because we have never gone back and looked at their numbers. She indicated that is an expensive process but we have an obligation to our cable subscribers and our community.

- B. ADDITION OF DOHENY DRIVE BETWEEN LLOYD PLACE AND KEITH AVENUE TO PREFERENTIAL PARKING DISTRICT 5:**  
City Clerk Love reported that notice of this hearing was published in the West Hollywood Independent on February 23, 1994. In addition, notices were mailed to each address within a 500 foot radius of the proposed permit parking area.

Don Korotsky, Acting Parking Manager, provided background information as outlined in the staff report dated March 7, 1994.

Mayor Guarriello opened the public hearing.

As know one wished to speak on this issue the public hearing was closed.

**ACTION:** Introduce for first reading, Ordinance No. 94-401, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD EXPANDING PREFERENTIAL PARKING DISTRICT 5 TO INCLUDE THE EAST SIDE OF DOHENY DRIVE BETWEEN LLOYD PLACE AND



KEITH AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

Motion Heilman, seconded Guarriello and unanimously carried.

The Council recessed at 8:50 p.m.  
The Council reconvened at 9:05 p.m.

C. **ZONE TEXT AMENDMENT 93-05 CONCERNING ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE, CHAPTERS 9300, 9380, 9510, 9620 AND 9700:**

Mayor Guarriello indicated that due to the complexity of this text amendment, each speaker would be allowed 4 minutes to speak, if they desired.

City Clerk Love reported that notice of this hearing was published in the West Hollywood Independent on February 9, 1994, by a one-quarter page notice.

Tim Foy, Planning Division, provided background information as outlined in the staff report dated March 7, 1994.

He indicated he had distributed a revised ordinance due to input received by the Planning Commission, and reviewed the changes which had been incorporated.

Mayor Guarriello opened the public hearing.

ENID JOFFE, SOUTHERN CALIFORNIA EDISON, ROSEMEAD, regarding electric vehicle recharging stations, indicated that they have been working with staff and providing technical assistance. She stated that Edison feels comfortable with the draft ordinance as it is financially feasible for the developer to do at the outset of a development rather than coming back after.

EFFIE REUVENI, WEST HOLLYWOOD, spoke against the outdoor display portion of the ordinance.

JEANNE DOBRIN, WEST HOLLYWOOD, indicated that because the State has not developed standards regarding electric vehicle recharging stations, then West Hollywood is premature in adopting this ordinance as it would not be economically feasible. She also spoke against the outdoor display portion of the ordinance.

Mayor Guarriello indicated that he had received two letters, from Montgomery Management and from Gary Dunzig, opposed to the proposed outdoor display standards.

Mr. Foy stated that the ordinance does not reflect two minor changes which were suggested by the City Attorney. The two changes are, 1) it would not allow the Community Development Director to approve goods for display other than those specifically listed, and 2) take out the phrase "swap meet-like" appearance.

He also stated that, with regard to the electric vehicle portion of the ordinance, the City Building Manager is still working with technical people from Edison to write that portion of the ordinance that concerns what must be provided, in a way that will minimize developers' costs now and maximize future opportunities to take advantage of subsidies. That will be rewritten by the second reading of the ordinance.

Mayor Pro Tem Land inquired why this revision was proposed with regard to outdoor display.

Community Development Director Forbes stated that in the late Fall a number of businesses located on Santa Monica Boulevard came to the Department and requested that they be allowed to display their goods outside their stores, in an attractive manner. These were businesses that sell antiques and specialty items, and depend on drive-by business, especially during the holidays. Advertising in the usual ways does not work for them. It was decided to see what would happen if this was allowed under very limited conditions. When staff saw how it worked, they researched what other cities do, and drew up the proposed zoning text amendment.

Mayor Pro Tem Land asked about the the response by the Planning Commission.

Ms. Forbes indicated that there was much discussion on this and the vote was 4-3.

Ms. Land stated her concerns about cluttering the sidewalks. She also commented that we need to move forward on electric vehicle recharging.

Councilmember Koretz stated he concurs with Mayor Pro Tem Land on the outdoor display issue. He indicated he has received a lot of input from residents and businesses who had concerns regarding this issue. As the sponsor of the electric vehicles portion of the ordinance, he agrees now is the time to go forward.

Councilmember Lang stated her concern about the outdoor display issue.

Councilmember Heilman indicated he has some of the same concerns; however Council has on other occasions said that they want to be responsive to the business community, and this was a request by businesses who felt they couldn't get enough visibility through signage.

Regarding electric vehicles, Councilmember Heilman suggested that some of the spaces could be common area spaces or guest spaces, so that it could be accessed by everyone in a building and not just certain assigned units. He also addressed some concerns about the

the definition of the bar area of a restaurant--it seems that a restaurant that only serves sandwiches and salads could allow smoking.

Anne Browning, Planning Manager, replied that the definition of bar in the code allows for the service of those things.

Councilmember Koretz indicated that we do not want to make this ordinance any more restrictive than the City of Los Angeles' ordinance; by tightening up our ordinance we would make it more restrictive; so he would favor the language staff has proposed.

Mayor Guarriello stated that he has a problem with the outdoor display and would rather see the East Side be revitalized and not cluttered. He feels there would be many problems, especially with putting food outside. Also, the sidewalks are very small.

Mayor Pro Tem Land agreed that there are some items that would just clutter up the sidewalks; however, some of the items would actually add to the ambiance on the street. She would like to see some outdoor display allowed during the holidays or special events, but fewer things allowed for outdoor display.

Mayor Guarriello commented that he would go along with having it for holidays or a special event, but not all year.

Councilmember Heilman stated that perhaps we could talk to the merchants between Olive and Crescent Heights, for example, and have some weekend where we try it out; maybe use the Easter Holiday as an experiment and do some sort of survey of the merchants after, to find out whether they thought it was positive or negative.

Mayor Pro Tem Land suggested this could be done quarterly. She said that Easter is very soon, maybe it could be for the Spring.

Councilmember Heilman stated that he has a problem with Section 24, the definition of bar area, where it states "any tables at which meals are not served." Tables are not the bar area.

Mayor Pro Tem Land commented that Council had agreed to keep West Hollywood's ordinance the same as Los Angeles' ordinance.

Ms. Browning stated that L.A.'s ordinance doesn't contain a definition, which makes theirs harder to enforce.

Mayor Guarriello stated that code enforcement should check up on restaurants and not enforce on a complaint basis only.

Councilmember Koretz stated that West Hollywood's ordinance should be kept similar to L.A.'s.

Mayor Guarriello suggested looking at other Los Angeles and Santa Monica's ordinances before going further.

Councilmember Heilman suggested looking at time issues also.

Councilmember Heilman stated for the record, the issue of the height of walls potentially affects the building where he lives, but it would not influence his vote.

**ACTION:** Remove Section 4, regarding outdoor display standards, and Section 24, the definition of the bar area of a restaurant, and introduce for first reading, as amended, Ordinance No. 94-402, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING AMENDMENTS TO CHAPTERS 9220, 9300, 9380, 9450, 9510, 9620 AND 9700 OF ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE (ZONING ORDINANCE).

Motion Land, seconded Koretz and unanimously carried.

**COUNCILMEMBER COMMENTS:**

Councilmember Heilman stated that a very good report on earthquake preparedness was presented by Dr. Kerry Sieh from Cal-Tech. Dr. Sieh suggested hiring a consultant to address concerns of building safety, public safety, potential faults in West Hollywood, and concerns about the City's public services and infrastructure. Councilmember Heilman directed staff to evaluate whether we need to hire a consultant.

In addition, he stated that one of the the City's long-term employees, Mark Handley, retired and Council wishes him well. He congratulated some residents who had completed the L.A. Marathon on Sunday in very good time--Rick Munoz, Louis Ambrose, Melinda Brown, and Toya Morris.

Mayor Pro Tem Land stated that March is Women's History Month and there is a Women in Business mixer on March 10 and on March 22 there will be a forum on nontraditional careers at the Hyatt on Sunset.

**4. UNFINISHED BUSINESS:**

**A. 1993-94 FISCAL YEAR - MID-YEAR BUDGET REPORT:**

Paul Arevalo, Finance Director, provided background information as outlined in the staff report dated March 7, 1994.

Councilmember Heilman restated for clarification the financial impacts.

Mayor Guarriello inquired why the Council Finance Committee recommendations with regard to setting aside money for catastrophic situations were not being

implemented.

Finance Director Arevalo stated the policy was adopted after the approval of the '93-'94 budget; however it will impact the 1994-95 budget.

Mayor Pro Tem Land pointed out that the parking fine revenue is due to more efficient collection, and not that there are more citations being issued.

Mr. Arevalo stated that in terms of tickets, there is an incremental change, but it plays a very small role; in addition, staff will recommend as part of the '94-'95 budget that a portion of parking fines be allocated to the parking trust fund.

Mayor Pro Tem Land commented on the importance of attracting businesses that produce revenue, and also helping other businesses.

**ACTION:** Amend the City of West Hollywood's 1993-94 General Fund Budget by reducing total revenue estimates by \$100,000 and reducing Capital Expenditures by \$125,000.

Motion Guarriello, seconded Heilman and unanimously carried.

**B. 1994 HALLOWEEN CELEBRATION:**

**ACTION:** This Item was moved to Consent Calendar and approved as part of the Consent Calendar.

**C. GENERAL FUND LOAN TO PARKING FUND TO PURCHASE PROPERTY LOCATED AT 8383 SANTA MONICA BOULEVARD:**

**ACTION:** Approve a loan of \$550,000 from the General Fund to the Parking Development fund to pay for the property at 8383 Santa Monica Boulevard in anticipation of reimbursement through a bond sale, and appropriate \$1,750,000 in the Parking Improvement Fund.

Motion Heilman, seconded Lang and unanimously carried.

**D. INCREASING BUDGET FOR CITY HALL, WITHIN PROJECTED ANNUAL DEBT SERVICE PAYMENTS:**

City Manager Brotzman provided background information as outlined in the staff report dated March 7, 1994.

Councilmember Koretz indicated that the "moment" frame is necessary and supports it.

Mayor Guarriello inquired whether this was part of the negotiation.

City Manager Brotzman responded that the building does meet current code. He is only bringing this "moment" frame to the Council for consideration since if it were a new building it would be required.

Councilmember Heilman concurred with Councilmember Koretz regarding the "moment" frame.

City Manager Brotzman indicated that the City is seeking a rated bond and the interest rate would be less than what is projected in the staff report.

Mayor Pro Tem Land stated that as we move forward with this project we need to make sure we are not pricing ourselves into the next level.

Meg Gilbert stated that adding the moment frame does add some time to the construction; we are looking at an April, 1995, move-in date.

**ACTION:** Increase the estimated project costs by \$510,000 and approve the addition of a "moment" frame to enhance seismic stability of the building at an additional \$390,000 for a total project cost of \$9,300,000.

Motion Heilman, seconded Koretz and unanimously carried.

- E. APPOINTMENTS TO THE FINE ARTS ADVISORY BOARD:**  
Councilmember Lang provided information on Susan Sayre Batton, who had submitted an application for the Fine Arts Advisory Board.

**ACTION:** Appoint Susan Sayre Batton to the Fine Arts Advisory Board with a term ending May 31, 1994.  
Motion Lang, seconded Land and unanimously carried.

**5. NEW BUSINESS:**

**A. RECOMMENDATIONS TO FURTHER ENHANCE THE PERMIT STREAMLINING PROCESS:**

Deputy Leah Archibald provided background information as outlined in the staff report dated March 7, 1994.

Councilmember Koretz added that the goal of this is to add certainty to the process and add greater coordination between departments.

STAN LOTHBRIDGE, WEST HOLLYWOOD, said he takes exception to extending development permits from 12 to 15 months and having their extension at the sole discretion of the Director of Community Development. He also stated that building permits are granted by the Planning Commission after the public has given their comment; it would be wrong to eliminate opportunity for public comment.

Ms. Archibald commented that this does not change approval procedures; it merely establishes an in-house routing system of existing approval procedures.

Councilmember Heilman inquired about the master application permit.

Ms. Archibald stated that there would be one cover sheet with all the information pertinent to every department, and then appropriate schedules of information would be attached.

**ACTION:** 1) Direct staff to design a master application packet for all City permits related to development; 2) Direct staff to draft an information sheet to attach to the master application which outlines the approval process in two phases (pre-and post- Planning Commission approval) and provides an approximate schedule of events that the applicant can expect to occur before, during and after the project is approved by the Planning Commission; 3) Direct each department which is involved with the permit approval process to include a list of appropriate contacts in other agencies in the application packet to facilitate communication between the applicant and any other agency that they may need to seek approval or information from (i.e. County Health Department, Caltrans, Southern California Edison); 4) Direct all departments involved in the permit approval process to establish business attraction and retention as a fundamental goal, and demonstrate this intent by adding it to all of the appropriate work programs; 5) Direct the Community Development Department to coordinate and execute this effort, and to make a progress report to Council the first meeting in June.

Motion Heilman, seconded Guarriello and unanimously carried.

- B. RESOLUTION IN SUPPORT OF AB 3210, A BILL TO RESTRICT THE SALE AND OWNERSHIP OF FIREARMS:**  
Councilmember Koretz provided information as outlined in the staff report dated March 7, 1994.

MIKE RADCLIFFE, WEST HOLLYWOOD, spoke against trying to restrict legal sale and ownership of firearms.

MARTIN STRUDLER, WEST HOLLYWOOD, urged the adoption of this resolution.

STAN LOTHRIE, WEST HOLLYWOOD, indicated this measure goes against the constitutional right to bear arms. He spoke against the adoption of the resolution.

**ACTION:** 1) Adopt Resolution No. 94-1272, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 3210, A BILL TO RESTRICT THE SALE AND OWNERSHIP OF FIREARMS"; 2) Forward copies of this resolution to State legislators to encourage support of this proposal.

Motion Koretz, seconded Land and unanimously carried.

- C. CABLECASTING 1994 CITY COUNCIL CANDIDATES FORUM ON CITY CHANNEL 10:**  
Helen Goss, Public Information, provided information as outlined in the staff report dated March 7, 1994.

She asked that Council adopt one of two options--either cablecast all three forums live, and then replay at the end of the week, or tape the forums and give the tapes to the individuals coordinating the forums, who could submit the tape for public access programming. Ms. Goss also reported on what is done by other cities.

MIKE RADCLIFFE, WEST HOLLYWOOD, stated that candidates forums should be cablecast.

CHARLIE MERCER, LOS ANGELES, supported the cablecasting of all three forums.

BURTON CUTLER, WEST HOLLYWOOD, stated that with 11 candidates it makes it difficult to solicit support, and he supported the cablecasting of all the forums.

MARTIN STRUDLER, WEST HOLLYWOOD, indicated that the City cable channel is the only avenue of communication with the residents. He stated that 15 citywide organizations joined together to produce this candidates forum; he feels all should be televised.

EFFIE REUVENI, WEST HOLLYWOOD, supports the cablecasting of the candidates forum on March 8, 1994.

STAN LOTHBRIDGE, WEST HOLLYWOOD, stated that he doesn't believe the City Manager, and that the Chamber's forums are biased; all candidates must be heard and the issues brought before us.

CRAIG REUSS, WEST HOLLYWOOD, stated reasons why the ACES forum (March 22) should be cablecast. Encouraged the cablecasting of all three forums.

Councilmember Heilman indicated that he supports the cablecasting of all the forums. He stated that some guidelines need to be developed for the future.

Councilmember Lang indicated that either all forums should be cablecast, or none, in order to be fair.

ACTION: 1) Approve staff's recommendation 1.a., which is to cablecast on City Channel 10 the three forums that have been planned (March 8, March 22, and the Chamber of Commerce Candidate Forum), and replay the following Friday or Saturday, and direct PIO/CATV staff to work with the sponsoring organizations on matters of content and production to ensure that all candidates are treated fairly; 2) Direct staff to develop a policy for City Council approval for cablecasting Candidate Forums in future years.

Motion Land, seconded Guarriello and unanimously carried.

**EXCLUDED CONSENT CALENDAR:**

**2.K. APPROVAL OF CONTRACT FOR SUNSET BOULEVARD BROKER/USER**



**BUSINESS ATTRACTION MAP:**

MIKE RADCLIFFE, WEST HOLLYWOOD, stated that a contract for Sunset Boulevard brokers should have been done through the Sunset Strip Association and a local person should have been involved.

**ACTION:** Authorize the City Manager to enter into a \$6,715.00 contract with Amies Communications, to develop and produce a Sunset Boulevard Broker/User Business Attraction Map.

Motion Guarriello, seconded Heilman and unanimously carried.

**2.L. WEST HOLLYWOOD HOMELESS ORGANIZATION CONTRACT AMENDMENT:**

MIKE RADCLIFFE, WEST HOLLYWOOD, stated that the homeless shelter should not be allowed to spend \$9,900 for facilities in the City of Hollywood. He stated that these monies (for both 2.K. and 2.L.) should be spent in West Hollywood on West Hollywood projects.

**ACTION:** Authorize an amendment to the Social Services contract with West Hollywood Homeless Organization (WHHO) allowing for: 1) Reimbursement to WHHO of a one-time rental deposit, not to exceed \$9,900, and 2) Authorization of an amount, not to exceed \$9,900 per month, beginning in March 1994, for WHHO to use solely for the purpose of renting a facility to provide services until repairs are completed on the Homeless Shelter, and WHHO is able to move back in.

Motion Guarriello, seconded Land and unanimously carried.

**CITIZEN COMMENTS:**

REBECCA WHITE, WEST HOLLYWOOD, spoke on behalf of El Rescate, a nonprofit agency which works with refugees from Central America. She asked Council to consider waiving some of the fees for their fundraising event, which will be held at Le Mondrian Hotel on March 21st.

DANIEL KOVATCH, WEST HOLLYWOOD, thanked Council for agreeing to cablecast the forum on March 8. Spoke against the franchising of the waste hauling.

ALAN RODWAY, WEST HOLLYWOOD, thanked the Council for the Taxi Coupon Program. He stated that the crime rate near Detroit is really bad and suggested a foot patrol in that area.

**6. LEGISLATIVE:**

**A. ORDINANCE AMENDING SECTIONS 6317 AND 6353 OF THE BUSINESS LICENSE ORDINANCE PERTAINING TO THE ISSUANCE OF BUSINESS LICENSES TO GUN DEALERS:**

Mayor Pro Tem Land provided background information as outlined in the staff report dated March 7, 1994. She reviewed changes which had been made by the City

Attorney.

STAN LOTHIDGE, WEST HOLLYWOOD, stated his concerns about the ordinance.

Councilmember Koretz indicated he reviewed the changes and had no problems with the ordinance.

**ACTION:** Approve the ordinance in concept and bring back on March 21, 1994, for introduction on first reading.

Motion Land, seconded Koretz and unanimously carried.

**COUNCILMEMBER COMMENTS:**

Councilmember Heilman asked the City Manager to follow up regarding El Rescate.

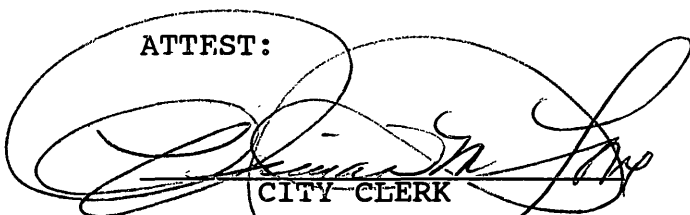
Councilmember Lang informed the City Manager that the House of Blues has lights which say "West," but nothing else.

**ADJOURNMENT:** The meeting was adjourned at 11:30 p.m. to Monday, March 21, 1994, at West Hollywood Park, 627 N. San Vicente Boulevard, for a closed session at 6:00 p.m. and the regular meeting at 7:00 p.m.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 21ST DAY OF MARCH, 1994.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK