

**MINUTES
CITY COUNCIL MEETING
JULY 6, 1993
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 City Attorney gave 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 7:12 p.m.

PLEDGE OF ALLEGIANCE: The Pledge was led by Los Angeles Councilman Marvin Braude.

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

ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

REPORT OF CLOSED SESSION: City Attorney Jenkins reported that the meeting was called to order at 6:00 p.m., at which time the Council recessed into a closed session, for the purpose of discussing a matter of potential litigation, a matter of pending litigation entitled Dromy v. the City of West Hollywood, several matters of employee negotiations, and the potential acquisition of property for City Hall. In addition, the City Council acted on two claims, the claims of Waste Management of North America and John Philip Jones--the City Council approved the claim of John Philip Jones and adopted the staff recommendation on Waste Management of North America.

APPROVAL OF AGENDA: Councilmember Heilman noted his objection to Item 2g. Items 2p and 2u were pulled for separate discussion. Item 2t and Item 8 were pulled from the agenda at request of staff. **ACTION:** Approve the agenda as amended. Motion Land second Koretz. Hearing no objection it was so ordered.

PROCLAMATIONS AND COMMENDATIONS: Councilmember Land presented commendations to the following businesses which had located in the City or had done substantial renovations to their properties: 9000 Sunset Building, Babylon, Cafe Tabac, Replay, and Circus of Books.

TREASURER'S REPORT: Jonathan Ahearn gave the Treasurer's report for May 1993.

CITY MANAGER'S REPORT: This time has been set aside for the City Manager to update the Council on important items initiated by staff or previously requested by the City Council. City Manager Brotzman reported on the budget.

1. CITIZEN COMMENTS: This time has been set aside for members of the public to address the City Council on Consent Calendar items, other agenda items if the member of the public cannot be present later in the meeting at the time the item is heard by the Council, and items of general interest. Testimony for public hearings will only be taken at the time of the hearing. This period shall be limited to 20 minutes, with no more than two minutes for each speaker.

Mayor Guarriello announced that there were some persons who had to leave early, so he called on them first.

The following persons came forward to address the City Council:

Marvin Braude, Councilman, Los Angeles: Urge you to cooperate with City of L.A. in passing ban on smoking in restaurants.

Jeff Horton, Board of Education: Now represent the City of West Hollywood. Commend Council, Land for item regarding the school district (Item 7). Need to all pull together. Serve as model for others; I will share this with other cities. Thank you for bringing this forward.

Reneta Bowers: Regarding Item 7. I had one of the few private schools in West Hollywood, 475 students. Came tonight because I was inspired by this on your agenda. Commend the City for taking the courage and initiative.

Jack Foreman, Warner Hollywood Studios: re the exodus of film production from So. Calif. and the need for interjurisdictional film permitting. If we can cross jurisdictions, this will be a tremendous benefit to film industry and the community. Also, Chamber of Commerce working with City in the business retention and expansion task force. I volunteered on that task force re crime situation. Urge City to reinstate the \$200,000 removed from the Sheriff's budget.

Mike Radcliffe, West Hollywood Community Alliance: Opposed to cutting Sheriff's Department.

Rita Guarriello, West Hollywood: Object strongly to item p being on Consent and to the way it is worded. Asking for \$24 million loan for fire station, city hall, etc. No mention of how to pay back.

Paul Amirault, Chair, W.H. Citizens for Better Police Protection: We'd like to see contract minutes reports for the last year. Opposed to cuts in police protection.

Ethel Shapiro, West Hollywood: Re Item p, need more proof we are fiscally able to do this.

Stuart Anderson, Los Angeles: Support the emerging

Transportation Management Organization for West Hollywood area.
Russ Wilson, Koontz Hardware: Time to protect the businesses
in West Hollywood.

City Manager Brotzman responded to several issues raised during
citizen comments. Discussions with Sheriff's Dept. are
continuing. Replied to comments regarding bonds. We are
looking at 3 parcels for City Hall. The cost to the City will
be much less than the rent we are now paying. Issue of fire
station is very critical. We've anticipated \$200,000 a year to
fund the cost of the Fire Station - the bond issue would cover
the cost of both the Fire Station and the parking structure.
The issue of the homeless shelter presents a potential
opportunity for the City. Looking at taking advantage of the
current financial times. Areas where there are potential
savings.

2. CONSENT CALENDAR: The following routine matters were
acted upon by one motion to approve with the consent of the
Council or were removed by any Councilmember for separate
discussion. Items removed for separate discussion were heard
following New Business Items. ACTION: Approve Consent
Calendar items 2a, b, c, d, e, f, g (noting the objection of
Councilmembers Heilman and Land), h, i j, k, l, m, n, o, q, r,
s, v, and w. Motion Heilman second Land. Hearing no objection
it was so ordered.

a. Posting of Agenda: The agenda for the meeting of
Tuesday, July 6, 1993, was posted at City Hall, Plummer Park,
the West Hollywood Library and the Sheriff's Station on
Wednesday, June 30, 1993.
ACTION: Receive and file.
Approved as part of the Consent Calendar.

b. Demand Register No. 249, Resolution No. 1159.
ACTION: Approve Demand Register No. 249 and adopt Resolution
No. 1159.
Approved as part of the Consent Calendar.

c. Treasurer's Report - May 1993: ACTION: Receive and
file.
Approved as part of the Consent Calendar.

d. Minutes: June 21, 1993
ACTION: Approve the minutes of June 21, 1993.
Approved as part of the Consent Calendar.

**e. Claims: Earl and Bernice Adams
Waste Management of North America Inc.
Southern California Gas Company
John Philip Jones
James Fortner**
ACTION: Deny the claims of Earl and Bernice Adams, Southern

California Gas Company, and James Fortner without comment and refer to the City's claims adjustor. Take action on the claims of Waste Management of North America Inc. and John Philip Jones as discussed in Closed Session on July 6, 1993.

f. 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.

g. Resolutions Granting Appeals by Mary Worley and Others Regarding Cellular Antenna Sites at 8899 Beverly Blvd. and 8228 Sunset Blvd.: ACTIONS: 1) Approve and adopt Resolution No. 1160, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD GRANTING AN APPEAL BY MARY WORLEY AND OTHERS OF THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT 92-17 ON AN APPLICATION OF NANCY PATTERSON FOR PACTEL CELLULAR TO PERMIT ADDITIONAL ROOF-TOP MICROWAVE ANTENNAS AND CELLULAR ANTENNAS AT AN UNSTAFFED CELLULAR TELEPHONE FACILITY LOCATED AT 8899 BEVERLY BOULEVARD, WEST HOLLYWOOD"; 2) Approve and adopt Resolution No. 1161, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD GRANTING AN APPEAL BY MARY WORLEY AND OTHERS OF THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT 92-19 ON AN APPLICATION OF NANCY PATTERSON FOR PACTEL CELLULAR TO PERMIT ADDITIONAL ROOF-TOP MICROWAVE ANTENNAS AND CELLULAR ANTENNAS AT AN UNSTAFFED CELLULAR TELEPHONE FACILITY LOCATED AT 8228 SUNSET BOULEVARD, WEST HOLLYWOOD." Noting the no votes by Heilman and Land, approved as part of the Consent Calendar.

h. Award of Consultant Services Agreement for Preparation of Park Master Plans: ACTION: Authorize the City Manager to sign the Agreement for Consultant Services with Purkiss.Rose-RSI of Fullerton, California, in the amount of \$23,800 to prepare park renovation master plans for Plummer Park and West Hollywood Park. Approved as part of the Consent Calendar.

i. Social Services Contract Extensions: ACTION: Approve 1993-94 Social Services funding allocations as listed on Attachment A (to staff report), and authorize staff to execute contract extensions from October 1, 1993 to September 30, 1994. Approved as part of the Consent Calendar.

j. Ordinance No. 372, Amendment to Rent Stabilization Ordinance to Limit the Amount of Actual Increases in Rent for Existing Residential Tenancies: ACTION: Waive further reading and adopt on second reading Ordinance No. 372, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE TO LIMIT THE AMOUNT OF ACTUAL INCREASES IN RENT FOR EXISTING RESIDENTIAL TENANCIES."

Approved as part of the Consent Calendar.

k. Ordinance No. 373, Amendment to Rent Stabilization Ordinance Regarding Relocation Fees for Lower Income Tenants and for Tenants Who Vacate a Rental Unit Pursuant to an Order Issued by a Code Enforcement Officer: ACTION: Waive further reading and adopt on second reading Ordinance No. 373, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING RELOCATION FEES FOR LOWER INCOME TENANTS AND FOR TENANTS WHO VACATE A RENTAL UNIT PURSUANT TO AN ORDER ISSUED BY A CODE ENFORCEMENT OFFICER."
Approved as part of the Consent Calendar.

l. Ordinance No. 374, Establishing Uniform Parking Citation Processing Procedures: ACTION: Waive further reading and adopt on second reading Ordinance No. 374, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING UNIFORM PARKING CITATION PROCESSING PROCEDURES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."
Approved as part of the Consent Calendar.

m. Amendment to Agreement with Willdan Associates for CDBG Building-Related Services: ACTION: Approve an Amendment to the Agreement for Consultant Services with Willdan Associates to provide building and safety-related services associated with the City's CDBG-funded rehabilitation programs adding \$27,000 in CDBG funds and extending the term of the agreement through June 30, 1994; and authorize the City Manager to sign the Amendment to the Agreement.
Approved as part of the Consent Calendar.

n. Amendments to Agreements for Architectural Services for Commercial Revitalization Project: ACTION: Approve the amendments to the agreements with AKAR, Inc., and Chase & Burnett, Inc. in order to: (1) extend the term of the agreements to June 30, 1994; (2) increase the amount of compensation paid per storefront from \$1,150 to \$1,200; and, (3) add \$12,300 to the contract amount for each consultant in order to continue providing Community Development Block Grant (CDBG)-funded architectural design assistance services for fiscal year 1993-1994 and authorize the City Manager to sign the amendments on behalf of the City.
Approved as part of the Consent Calendar.

o. Amendment to Agreement with Valley Economic Development Center, Inc. to Implement the Small Business Technical Assistance Program: ACTION: Approve an amendment adding \$20,000 to the contract amount, extending the time of performance until June 30, 1994, and adjusting the Scope of Services to provide for assistance to twice as many businesses (by reducing the maximum consulting hours available per client from 40 hours to 20 hours), and authorize the City Manager to sign the amendment.

Approved as part of the Consent Calendar.

p. Resolution Declaring Intention to Reimburse Expenditures from the Proceeds of Obligations to be Issued by the City and Directing Certain Actions: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY.

Finance Director Arevalo explained that this item is simply a resolution of intention which will allow the City to repay the General Fund for costs incurred from now until each project is placed before the City Council. This meets IRS requirements. Each project will be individually approved. The following persons came forward to address the City Council:

Mike Radcliffe, West Hollywood: Issue of trust here. Take this issue to the voters.

Bruce Traub, West Hollywood: Abbe jumping on wish list. This is the way the City shows its intentions. Quoted from fiscal impact.

Charlie Mercer, West Hollywood: Attempting to create deep pockets for the City. Interest rate-- You should pause, get more information before you pass this.

Mayor Guarriello stated that he wanted a staff report on each item, to come back under New Business.

City Manager Brotzman assured the Mayor that each will come to council with a full comprehensive staff report; all be under New Business or Public Hearings.

There was discussion by Council regarding what types of items should be on Consent Calendar. Councilmember Koretz asked staff to take note that if they expect anyone to want to talk on an item or expect anyone on Council to oppose an item, it should go somewhere else on the agenda, not on Consent Calendar.

ACTION: Adopt Resolution No. 1162, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING INTENTION TO REIMBURSE EXPENDITURES FROM THE PROCEEDS OF OBLIGATIONS TO BE ISSUED BY THE CITY AND DIRECTING CERTAIN ACTIONS," with directions as given on New Business and/or Public Hearings, and include rehab of HIV Clinic and Park Master Plan Improvements. Motion Heilman second Lang. Hearing no objection it was so ordered.

q. Approval of 1993-94 Work Programs: ACTION: Adopt the FY 1993-94 work programs and direct the City Manager to implement their contents.

Approved as part of the Consent Calendar.

r. Resolution in Support of SB 527 (Presley): ACTION: Approve and adopt Resolution No. 1163, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 527 (PRESLEY), AMENDING THE LANDSCAPING AND LIGHTING ACT OF 1972."

Approved as part of the Consent Calendar.

s. Approval of Rent Stabilization Commission Resolution No. 93-13 Establishing the Amount of the 1993 General Adjustment: ACTION: Approve Rent Stabilization Commission Resolution 93-13: A RESOLUTION OF THE RENT STABILIZATION COMMISSION OF THE CITY OF WEST HOLLYWOOD ESTABLISHING THE AMOUNT OF THE GENERAL ADJUSTMENT FOR THE YEAR 1993-1994. Approved as part of the Consent Calendar.

t. Amendments to the Rent Stabilization Regulations Regarding the Effective Date of Rent Adjustment Decisions and the Effect of Appeals and Compliance Determination Requests: THIS ITEM WAS PULLED FROM THE AGENDA AT REQUEST OF STAFF.

u. Resolution Supporting the West Hollywood Area Transportation Management Organization: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Joan English gave the staff report. City Manager Brotzman commented that there were no public hearings held because no budget allocations were made. In reply to another allegation regarding federal funding of the shuttle, there is no federal funding in the shuttle program. There was an allegation that we had committed large expenditures--no expenditures were committed on behalf of this project. The actions taken were entirely consistent with direction Council had given.

The following person came forward to address the City Council: Mike Radcliffe, West Hollywood: We support the chamber in this endeavor.

ACTION: Adopt Resolution No. 1164, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE WEST HOLLYWOOD AREA TRANSPORTATION MANAGEMENT ORGANIZATION." Motion Heilman second Land. Noting the objection of Guarriello it was so ordered.

v. Resolution Supporting AB 1100, the "Health Insurance Access and Equity Act": ACTION: 1) Adopt Resolution No. 1165, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING AB 1100, the 'HEALTH INSURANCE ACCESS AND EQUITY ACT'"; 2) Forward copies of the above resolution to appropriate legislators in Sacramento. Approved as part of the Consent Calendar.

w. Resolution Opposing SB 690 With Relation to Unlawful Detainer Process: ACTION: 1) Adopt Resolution No. 1166, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING SB 690 WITH RELATION TO UNLAWFUL DETAINER PROCESS"; 2) Forward copies of the above to the appropriate legislators in Sacramento. Approved as part of the Consent Calendar.

At this point in time, Mayor Guarriello asked for and received consensus for moving item 9, smoking in public places and places of employment, to this spot on the agenda. For clarity, it will be recorded in its original spot on the agenda in the minutes.

PUBLIC HEARINGS

3. LEVY OF ANNUAL ASSESSMENT FOR 1991 LIGHTING AND LANDSCAPING ASSESSMENT DISTRICT: The staff report was given by Finance Director Arevalo. Mayor Guarriello opened the public hearing and the following persons came forward to address the Council:

Mike Radcliff, West Hollywood, spoke in favor of this item. No one else coming forward to speak, Mayor Guarriello closed the public hearing and returned this item to the Council for discussion.

ACTION: Adopt Resolution No. 1167, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING A DIAGRAM AND ASSESSMENT FOR THE 1993-94 FISCAL YEAR IN CONNECTION WITH 1991 LIGHTING AND LANDSCAPING ASSESSMENT DISTRICT PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE." Motion Heilman second Land. Hearing no objection it was so ordered.

COUNCILMEMBER COMMENTS: This portion of the meeting has been set aside for general comments, announcements, requests of staff, and/or other issues of concern from members of the City Council.

Councilmembers commented on the 4th of July celebration at Plummer Park and commended staff for the good work.

Councilmember Land commented that the City of Cambridge and Philadelphia, based on West Hollywood's action, had also adopted a resolution regarding the Declaration of Human Rights that was before the United Nations committee, and letters were written to the U.N. from across the country. What was eventually adopted by the U.N. was stronger than what they had adopted before.

Mayor Guarriello announced that Fire Station No. 7 will not be taken away.

ADJOURNMENT OF THE CITY COUNCIL TO A MEETING OF THE WEST HOLLYWOOD HOUSING AUTHORITY The City Council adjourned at 9:10 p.m. and reconvened as the West Hollywood Housing Authority for the following item.

4. RESOLUTION APPROVING THE SUBMITTAL OF AN APPLICATION TO THE FEDERAL HOUSING AND URBAN DEVELOPMENT PROGRAM (HUD) FOR FUNDING UNDER THE SHELTER PLUS CARE PROGRAM: The staff report was

given by Debbie Potter. ACTION: Adopt Resolution No. HA-6, "A RESOLUTION OF THE WEST HOLLYWOOD HOUSING AUTHORITY APPROVING THE SUBMITTAL OF AN APPLICATION TO THE FEDERAL HOUSING & URBAN DEVELOPMENT DEPARTMENT FOR FUNDING UNDER THE SHELTER PLUS CARE PROGRAM." Motion Land second Heilman. Hearing no objection it was so ordered.

ADJOURNMENT OF THE HOUSING AUTHORITY TO THE MEETING OF THE WEST HOLLYWOOD CITY COUNCIL The Housing Authority adjourned at 9:13 and the City Council reconvened.

UNFINISHED BUSINESS

5. APPOINTMENTS TO FINE ARTS ADVISORY BOARD; APPOINTMENT TO HUMAN SERVICES COMMISSION: RECOMMENDED ACTIONS: Accept nominations for the Fine Arts Advisory Board, and make two at-large appointments. In addition, it is recommended that Councilmember Heilman, if prepared, make one appointment to the Human Services Commission. THIS ITEM WAS TABLED TO THE NEXT MEETING.

6. IMPLEMENTATION OF EAST END REVITALIZATION TASK FORCE REPORT: Debbie Potter, Economic Development Director, reported that this item grew out of a Council study session on May 10th. In addition to other requests, she asked for authorization to move forward with a blight analysis, the first step in establishing a redevelopment project area.

Rhonda Sherman of Community Development Department reported on AB 1290, a redevelopment reform bill which is moving through the State legislature.

Mayor Guarriello commented that he does not want pocket parks near residential areas.

Ms. Potter replied that they would be in residential areas, but she is proposing that the City retain a consultant to explore feasibility and identify locations. They would only be recommended where the residents supported the parks.

Mayor Pro Tem Land commented that she was comfortable with looking at having pocket parks achieve the goals we want, but we should look at ways to mitigate potential problems. She said that Kamish Blume of Human Services Department has done a study and identified community garden spaces; that study should be utilized in identifying park spaces.

Mayor Pro Tem Land asked that someone from the Landscaping Division be included on the Safety through Environmental Design Task Force.

Councilmember Heilman said that Human Services is already doing a study of the Parks--maybe be a good idea to utilize someone

already familiar with West Hollywood. He suggested that the money that is set aside be spent on a demonstration project. Maybe just lease space for a time, a vacant lot, and try to convert it, to show people how it could be done. If it turns out that it doesn't work well, we can always back away from it.

Councilmember Koretz was not against the pocket parks, but cautioned against problems with the homeless; on redevelopment, he suggested getting input from business community.

The following persons came forward to address the City Council:

Mike Radcliffe, West Hollywood Community Alliance:

We are not interested in a redevelopment agency. Not interested in pocket parks--we have two parks on the East End. Involve property owners in your planning.

Thomas Crail, West Hollywood, Director of W.H. Chamber of Commerce: served on this Task Force--Regarding enhanced parking opportunities--ask that Council look at parking as one of the most basic things to be evaluated in the report. Secondly, open space is vital to the community. Finally, regarding redevelopment, should be assessed, property owners on East Side should be invited to participate.

ACTIONS: 1) Regarding the Implementation Timeline: a) direct appropriate staff to implement the timeline; b) approve the transfer of \$50,000 in CDBG funds from the Commercial Revitalization Program to the newly created Pocket Parks/Open Space Planning Project; c) appoint David Behr, Planning Commissioner, John Altschul, Public Safety Commissioner, Gregg Gossett, Crime Prevention Deputy, Brent Mullins, Building Official, and Scott Boses, business owner, to the Safety Through Environmental Design Task Force. 2) Direct staff to further explore redevelopment as a tool to carry out many of the East End Revitalization Task Force Report recommendations. Incorporate the suggestions made by Council during discussion, including: look at having an intern do the recommended supply/demand and shared parking analyses, or if it can't be done any other way, look at shifting some funds when mid-year budget is done (a lot of material that we have could be put together without having to expend funds); include Sam Baxter from Landscape Division on Safety Through Environmental Design Task Force. Motion Heilman second Lang. Hearing no objection it was so ordered.

NEW BUSINESS

7. COOPERATION BETWEEN THE CITY OF WEST HOLLYWOOD, COMMUNITY RESIDENTS AND SCHOOLS TO IDENTIFY AND PROVIDE SERVICES AND SUPPORT TO YOUNG PEOPLE AND THEIR FAMILIES:

Councilmember Heilman reported on this item.

Mayor Pro Tem Land read a letter from the principal of West

Hollywood Elementary School expressing gratitude and support for this item.

ACTION: 1) Direct staff to organize and participate in a series of three meetings to be co-hosted by area Los Angeles School Board Member Jeff Horton, inviting parents from the local community and representatives from area schools to explore ways the City can better address the needs of families and young people in the community; 2) Direct staff to review the report from the National League of Cities, Families and Communities, and determine whether and how those recommendations can be implemented in West Hollywood; 3) Direct staff to review and evaluate the report from the National League of Cities, Education: Everybody's Business; 4) Direct staff to draft a list of recommendations based on the collective input of the participants of all three meetings and submit those recommendations to Council and other appropriate decision-making bodies.

Motion Land second Lang. Hearing no objection it was so ordered.

EXCLUDED CONSENT CALENDAR: Consent Calendar Items 2p and 2u were discussed at this time, but are listed in their original position on the agenda.

CITIZEN COMMENTS: This time has been set aside for the public to address the Council on any item of interest that could not be heard under Item 1 at the beginning of the meeting. The following persons came forward to address the City Council:

Mary Worley, West Hollywood: Regarding cellular sites, health risks.

Kevin Notre, West Hollywood : Regarding general adjustment for rent increases; low income seniors can't afford. Should revise process to make fair for tenants in the future.

Stan Lothridge, West Hollywood: People should be called on to speak in the order they turned in slips. Thanks for voting down utility user tax.

Mayor Guarriello explained that he promised business people he would let them speak first this evening. At other times it will go on same as always.

Bruce Traub, West Hollywood: Thanked the Mayor for fighting utility user tax; thanked Koretz for backing him. Criticism of item 2p being on Consent Calendar. Should be \$20,000 limit on all items put on consent.

Roslyn Krause, West Hollywood: The evils of pocket parks. What happened to the \$22,000 for Halloween Parade?

LEGISLATIVE

8. AMENDMENT TO THE RENT STABILIZATION ORDINANCE REGARDING RENT ADJUSTMENT HEARINGS AND THE EFFECT OF APPEALS:

THIS ITEM WAS PULLED FROM THE AGENDA AT REQUEST OF STAFF.

9. PROPOSED AMENDMENT TO CHAPTER VI OF ARTICLE IV OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING SMOKING IN PUBLIC PLACES AND PLACES OF EMPLOYMENT: THIS ITEM WAS HEARD FOLLOWING CONSENT CALENDAR BUT IS LISTED HERE FOR CLARITY. The staff report was given by Councilmember Koretz. Studies show waitresses have highest death rate; die more often of lung cancer. Been found even minimal exposure increases chances of lung cancer. We've tried to address concerns about lost business. It appears Beverly Hills will join us, Santa Monica looking at this.

The following persons came forward to address the City Council:

Mike Radcliffe, West Hollywood: Pres., West Hollywood Community Alliance. Opposed - can't be enforced. Restaurants can't take any loss at this time.

Budd Kops, West Hollywood: Opposed. Wait and see what the State will do.

Herb Tums, West Hollywood: Support. Smoking is not a right, it's a privilege. My right to live in healthy environment.

Patrick Rous, owner Cafe Detoille, West Hollywood: Opposed. Of my customers, more than 50 percent are smokers.

Veronica Winsayer, Santa Monica: Support no-smoking. Strongly believe should not be allowed in public places.

Parker Acosta: Representing Rafters, West Hollywood. Opposed to the smoking ban in restaurants and bars.

Gene Tolegian, West Hollywood: Opposed to the ordinance.

Mikki Peabody, Los Angeles: Urge pass, including restaurants with bars.

Alan Zovar, resident Agoura, work in Encino: Support the ban.

Dexter Donham, West Hollywood: In favor of the ban on smoking.

Carroll Devine, Northridge: Support the ban. Three years ago made all of Jack DePoe's smoke-free--my sales have increased.

Michael LeChasseur, Manager of Rage, West Hollywood: Opposed. 85% of customers are smokers.

Ronn Teitelbaum, founder and chair of Johnny Rocket's: Six years ago I opened; now have 48 restaurants, all nonsmoking.

Pamela Rowan, Woodland Hills: Waitress in a restaurant-- support the ban.

Brad Swanson, Woodland Hills: Restaurant employee. Question--why is there no smoking in these chambers? Support the ban.

Esther Schiller, Newbury Park: Support the ban on smoking.

David Cooley, West Hollywood: Opposed. Create a task force, and see what can be worked out.

Gilda Franklin, Los Angeles: Support ban.

Kevin Notre, West Hollywood: Support ban.

No one else coming forward to speak, Mayor Guarriello returned this item to the Council for discussion.

ACTION: 1) Introduce on first reading Ordinance No. 375, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING SMOKING IN PUBLIC PLACES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE"; 2) Forward copies of this ordinance to the cities of Beverly Hills and Santa Monica, along with a letter advising that the City of West Hollywood has passed this ordinance on first reading, and may delay final adoption of the ordinance until such time as the City Council is satisfied that these cities are moving toward joining West Hollywood and Los Angeles in enacting a ban on smoking in restaurants.

Motion Koretz second Lang.

AYES: Heilman, Koretz, Land, Lang.

NOES: None.

ABSTAIN: Mayor Guarriello.

Motion carried.

Mayor Guarriello called a recess at 8:55 p.m.

Council reconvened at 9:05 p.m., and returned to Item 3 on the agenda.

COUNCILMEMBER COMMENTS: Additional general comments, announcements, requests of staff and/or other issues of concern to Councilmembers shall be presented at this time.

The City Council adjourned to a closed session at 10:30 p.m. Council reconvened at 11:04 p.m. and adjourned to the next regular Council Meeting on Monday, July 19, 1993, for a closed session at 6:00 p.m. and a regular meeting at 7:00 p.m.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 19TH DAY OF JULY, 1993.


MAYOR

ATTEST:


CITY CLERK