

**MINUTES  
CITY COUNCIL MEETING  
APRIL 19, 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 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 Lang called the meeting to order at 7:05 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Nancy Greenstein.

**ROLL CALL:**

**PRESENT:** Heilman, Koretz, Land, Guarriello,  
Mayor Lang

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

**REPORT OF CLOSED SESSION:** City Attorney Jenkins reported that Council had convened at 6:00 p.m. and recessed into a closed session for the purpose of discussing the following matters of pending litigation: the City of Alhambra v. Ikemoto-- discussion of amicus participation in that case; Dromy v. the City of West Hollywood; Rein & Lichtenstein v. the City of West Hollywood; SORE v. the City of West Hollywood; and the Delaney litigation. The Council also discussed several matters of potential litigation as well as acquisition of property.

**APPROVAL OF AGENDA: ACTION:** Approve the agenda as submitted. Motion Land second Guarriello. Hearing no objection it was so ordered.

Councilmember Land requested that the meeting be adjourned in memory of Christopher Fairchild.

**PROCLAMATIONS AND COMMENDATIONS:** Councilmember Guarriello presented a commendation congratulating Councilmember John Heilman on being named Whittier College Professor of the Year, 1993. Mayor Lang presented a commendation to Ruth Williams for her service to the City of West Hollywood before, during and after incorporation, including her service as a member of the Public Safety Commission and the Rent Stabilization

Commission. Mayor Lang also presented commendations to Alfred Jones, the CityLine lead driver, Nancy Perez, CityLine dispatcher, and Michael Carr, CityLine driver, for their outstanding service in locating two missing children.

**TREASURER'S REPORT:** The Treasurer's Report for January 1993 was given by City Treasurer Jonathan Ahearn.

Councilmember Heilman announced an Open Forum on hate crimes and gay bashing, to be held on Tuesday, May 4, 1993, from 7:30 to 9:00 p.m. at West Hollywood Park. The Forum is sponsored by the City, the Sheriff's Conference Committee, and by West Hollywood Citizens for Better Police Protection, and co-sponsored by many other organizations.

**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 that the State Legislature will soon be considering the State budget. They are considering transferring property tax revenues to school district; will create a deficit for cities; urge residents to contact the State governor's office and legislators. Information can be obtained from City Hall. The City Manager introduced Rick Mathis, representing Bill Rosendahl of Century Cable, who was present to respond regarding recent FCC requirements for cable television.

Mr. Mathis announced that by the end of the year the system would be upgraded from 60 channels to 78 channels. Regarding rates, Century just had a rate increase; however, Century is waiting to hear from FCC on what their mandates are, and will fully comply with all FCC requirements. Rates may be rolled back to September, and possibly before September, up to ten percent; but Century is waiting to hear the exact formula. Mr. Mathis also talked about the upgraded quality of service that is now being given by Century.

Following his presentation, the Councilmembers questioned Mr. Mathis regarding Century Cable's rate increase, special rates, and discounts for low-income seniors. Councilmember Land suggested that a meeting be held between Century Cable and a subcommittee of the City Council and the Human Services Commission, to discuss the possibility of a discount for the disabled. Councilmember Heilman asked why 78 channels is necessary. Mr. Mathis explained that they wanted a common lineup with other cities handled by Century; this will increase channel capacity.

**ADDITIONAL COMMENDATIONS:** Councilmember Koretz presented commendations to the following persons and organizations for their work in controlling pet overpopulation: Melinda Tramaglio, Lt. Rose Cardona, Ed Cuperda, the Pet Department in

West Hollywood, the Robertson Blvd. Animal Hospital, and the Doris Day Pet Foundation.

**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.

The following persons came forward to address the City Council: Paul Amirault, West Hollywood: On behalf of W.H. Citizens for Better Police Protection. Encourage everyone to attend the gay-bashing and hate crime forum on May 4. Chris Fairchild-- his contributions as a leader and a friend; will be sorely missed.

Mike Radcliffe, West Hollywood: Announce Westech Security Conference to be held at Werle Building on April 28. Commend two City programs: 1) the facade and landscaping program run by Bee Wilkening, and 2) the graffiti removal program headed by Sam Baxter. Thank those people very much. Oppose utility tax on cable TV rates. Support the original concept of the marketing corporation. Our emphasis should be in retaining the businesses we have here; we don't need more tourism.

Vicky Williams, West Hollywood (East End): Comments on the homeless shelter. Two people told me they couldn't get help from the shelter. Would like recycling center moved. Would like an anti-panhandling law.

Joseph Jimenez, West Hollywood: Comments regarding Chris Fairchild. Despite his passing away we will continue his cause.

Roslyn Krause, West Hollywood: Banner on top of Cedars Sinai this weekend, said "we need animal testing." Don't renew their parking agreement until they stop this torture of animals.

Jeanne Dobrin, West Hollywood: I saw 100 to 150 demonstrators today against animal testing at Cedars. I'm back here tonight by public demand. No public packet available.

David Cooley, West Hollywood: Support for shared parking resolution.

Donny Cacy, West Hollywood: Business Owner. Opposed to public phones being added on Santa Monica Blvd.; causes problems.

Michaeljohn Horne, Human Services Commission: Regarding cable rates for people who are disabled.

Effie Reuveni, West Hollywood: Century Cable is behaving like a monopoly.

**2. CONSENT CALENDAR:** The following routine matters were acted upon by one motion to approve with the consent of the Council.

**ACTION:** Approve Consent Calendar Items 2a, b, c, d, e, f, g, h, i, j, k, l, m, n, o, p, q, r, s, t, u, v, w, x, y, and z. Motion Guarriello second Land. Hearing no objection it was so

ordered.

**a. Posting of Agenda:** The agenda for the meeting of Monday, April 19, 1993 was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, April 14, 1993.

**ACTION:** Receive and file.

Approved as part of the Consent Calendar.

**b. Demand Register No. 242, Resolution No. 1118.**

**Demand Register No. 243, and 244, Resolution No. 1119**

**ACTION:** Approve Demand Register No. 242 and adopt Resolution No. 1118, and approve Demand Register Nos. 243 and 244 and adopt Resolution No. 1119.

Approved as part of the Consent Calendar.

**c. Treasurer's Report - January, 1993:** **ACTION:** Receive and file.

Approved as part of the Consent Calendar.

**d. Minutes: March 15, 1993**

**March 30, 1993**

**ACTION:** Approve the minutes of March 15, 1993 and the minutes of March 30, 1993.

Approved as part of the Consent Calendar.

**e. Claims: Mitchell Kitay  
Charlotte Chatton  
Louise Ashby**

**ACTION:** Deny the claims of Mitchell Kitay, Charlotte Chatton, and Louise Ashby without comment and refer to the City's claims adjustor.

Approved as part of the Consent Calendar.

**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. Ordinance No. 361 - Transportation Demand Management:**

**ACTION:** Waive further reading and adopt on second reading Ordinance No. 361, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING REQUIREMENTS FOR TRANSPORTATION DEMAND MANAGEMENT AND AMENDING CHAPTER II OF ARTICLE III AND CHAPTERS 9300, 9380, AND 9490 OF ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE." Approved as part of the Consent Calendar.

**h. Ordinance No. 362 - Adopting Chapter 9800 as Part of the Municipal Code:** **ACTION:** Waive further reading and adopt on second reading Ordinance No. 362, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE (ZONING ORDINANCE) BY ADOPTING CHAPTER 9800 (PROPERTY MAINTENANCE STANDARDS)."

Approved as part of the Consent Calendar.

**i. Extension of Agreement for Consultant Services for Proposed Parking Structure Site:** ACTION: Authorize the City Manager to enter into a supplemental consultant services agreement with LPA, Inc. in an amount not to exceed \$4,800. Approved as part of the Consent Calendar.

**j. Christopher Street West - Gay and Lesbian Pride Parade and Festival:** ACTION: 1) Approve the use of West Hollywood Park and City property for the 1993 Gay and Lesbian Pride Festival and authorize the City Manager to sign the agreement permitting said use; 2) Authorize the use of Santa Monica Blvd. between Crescent Heights Blvd. and Robertson Blvd. for the 1993 Gay and Lesbian Pride Parade; and 3) Agree that the City of West Hollywood will serve as an official sponsor for both events. Approved as part of the Consent Calendar.

**k. PERS Contract Amendment - Two-Year Benefit Credit - Resolution of Intention and Certificate of Compliance:** ACTIONS: 1) Adopt Resolution of Intention to amend the City's contract to provide Section 20818 (two years additional service credit) for certain local miscellaneous members--Resolution No. 1120, "RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD"; 2) adopt the Certification of Compliance with Government Code Section 7507 establishing a period for employees wishing to take advantage of this opportunity. Approved as part of the Consent Calendar.

**l. Resolution of Rent Stabilization Commission Amending the Rent Stabilization Regulations Regarding Adjustments to the Maximum Allowable Rents for Security Related Building Improvements and for the Addition or Removal of Housing Services:** ACTION: Approve Rent Stabilization Commission Resolution No. 93-09, amending the Rent Stabilization Regulations regarding adjustments to the Maximum Allowable Rent for building improvements and for the addition or removal of housing services. Approved as part of the Consent Calendar.

**m. Contract with Lenny Goldberg, Rent Stabilization Lobbyist in Sacramento:** ACTION: Approve the revised contract between the City and Lenny Goldberg and Associates to provide for Rent Control lobbyist services. Approved as part of the Consent Calendar.

**n. HIV Task Force Report Implementation Plan:** ACTIONS: 1) Direct staff to begin implementation of the task force recommendations; 2) approve use of \$28,667 in Social Services contract funds set aside for this purpose.

Approved as part of the Consent Calendar.

**o. Execution of Community Development Block Grant Blanket Contract Amendment:** ACTION: Approve the Community Development Block Grant Program Reimbursable Contract Amendment No. 2 with the County of Los Angeles for 1993-1994 and authorize the City Manager to sign four original copies.  
Approved as part of the Consent Calendar.

**p. Assignment of Contract with Architectural Museum Services to Chase & Burnett:** ACTION: Approve the assignment of contract from Architectural Museum Services to Chase & Burnett for provision of architectural design assistance under the Commercial Revitalization Project and authorize the City Manager to sign and execute the consent to assignment.  
Approved as part of the Consent Calendar.

**q. Resolution in Support of S.636 (Edward Kennedy), Freedom of Access to Clinic Entrances Act of 1993:** ACTIONS: 1) Adopt Resolution No. 1121, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING U.S. SENATE BILL S.636 (EDWARD KENNEDY), FREEDOM OF ACCESS TO CLINIC ENTRANCES ACT OF 1993"; 2) direct staff to send a copy of this resolution to Senator Kennedy and to members of the California delegation to Congress.  
Approved as part of the Consent Calendar.

**r. Resolution in Support of Assembly Bill 1548, Relative to Awarding Damages to Victims of Stalkers:** ACTIONS: 1) Adopt Resolution No. 1122, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING ASSEMBLY BILL NO. 1548 (DEIRDRE ALPERT), AN ACT TO ADD SECTION 3298 TO THE CIVIL CODE, RELATIVE TO AWARDING DAMAGES TO VICTIMS OF STALKERS"; 2) direct staff to send copies of this resolution to the Assemblymember and State Senator representing West Hollywood, as well as to Assemblymember Alpert; 3) direct the City's Sacramento lobbyist to lobby for the passage of this bill.  
Approved as part of the Consent Calendar.

**s. Resolution in Support of Natural Gas Research and Development Funding:** ACTION: Adopt Resolution No. 1123, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF NATURAL GAS RESEARCH AND DEVELOPMENT."  
Approved as part of the Consent Calendar.

**t. Resolution in Support of AB 418 (Friedman), Removing Exemptions for Banks and Financial Corporations, and SB 980 (T. Hayden), Authorizing Local Jurisdictions to Levy Taxes on Alcohol and Cigarettes:** ACTIONS: 1) Adopt Resolution No. 1124, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 418, REMOVING EXEMPTIONS FOR BANKS AND FINANCIAL CORPORATIONS, AND SB 980, AUTHORIZING LOCAL JURISDICTIONS TO LEVY TAXES ON ALCOHOL AND CIGARETTES"; 2)

direct staff to send copies of this resolution to the chair of the Assembly Revenue and Taxation Committee and to Assemblyperson Terry Friedman and to State Senator Tom Hayden; 3) direct the City's Sacramento lobbyist to lobby for the removal of AB 418 from the suspense file and to support its passage and the passage of SB 980.  
Approved as part of the Consent Calendar.

**u. Request for Proposal/Parks Master Plan: ACTION:** Authorize staff to solicit proposals for the master planning of Plummer Park and West Hollywood Park.  
Approved as part of the Consent Calendar.

**v. Resignation of Ruth Williams from Rent Stabilization Commission: ACTION:** Accept with regret the resignation of Ruth Williams from the Rent Stabilization Commission and direct the City Clerk to post a notice of vacancy and accept applications.  
Approved as part of the Consent Calendar.

**w. Contract for Mapping Services for the City of West Hollywood: ACTION:** Approve and authorize the city Manager to enter into a professional services contract with Radius Maps for the preparation of mailing labels, address lists, radius maps and zoning maps for the notification needs of the Department of Community Development.  
Approved as part of the Consent Calendar.

**x. Santa Monica Blvd. Monorail Study: ACTION:** Authorize the City Manager to execute an agreement, in a form approved by the City Attorney, with Gensler and Associates and six other parties for the preparation and management of a study to evaluate the feasibility of using an elevated guideway transit system along Santa Monica Boulevard, with the City of West Hollywood's financial obligation under the agreement not to exceed \$10,000.  
Approved as part of the Consent Calendar.

**y. Approve Award of Bid for Fabrication of Permit Parking Materials: ACTION:** Approve the issuance of a purchase order for the fabrication of residential bumper stickers and guest/commercial permits to Weldon, Williams and Lick. Approve the issuance of a purchase order for the fabrication of expiration stickers and one-day visitor permits to Rydin Sign and Decal.  
Approved as part of the Consent Calendar.

**z. Excellence in Service - A West Hollywood Public Service Program: ACTIONS:** 1) Approve the recommendations given in the staff report; 2) direct that the recommendations given in the staff report be implemented by the appropriate staff.  
Approved as part of the Consent Calendar.

**PUBLIC HEARINGS**

**ITEMS 3 AND 4 WERE COMBINED AND HEARD AS A SINGLE PUBLIC HEARING:**

**3. APPEAL OF PLANNING COMMISSION APPROVAL OF CONDITIONAL USE PERMIT 92-17, TO ALLOW ADDITIONAL ROOF-TOP MICROWAVE ANTENNAS AND CELLULAR ANTENNAS AT AN UNMANNED CELLULAR TELEPHONE FACILITY LOCATED AT 8899 BEVERLY BLVD.:**

**4. APPEAL OF PLANNING COMMISSION APPROVAL OF CONDITIONAL USE PERMIT 92-19, TO ALLOW ADDITIONAL ROOF-TOP MICROWAVE ANTENNAS AND CELLULAR ANTENNAS AT AN UNMANNED CELLULAR TELEPHONE FACILITY LOCATED AT 8228 SUNSET BLVD.:**

The staff report was given by John Jakupcak, who reported that the Planning Commission's decisions were appealed because of safety concerns about radio frequency technology. The FCC has adopted guidelines; FCC approval has been received. Staff recommends denial of both appeals.

The Deputy City Clerk reported that notices were published on April 7 in the L.A. Independent and posted at City Hall and the three required places.

Mayor Lang opened the public hearing and the following persons came forward to address the Council:

Mary Worley, West Hollywood (Appellant): Cell sites emit high-frequency radiation. Microwave antennas are used to intentionally dispense microwave radiation into the public air space. Quotations from articles about research, health hazards. More research is needed. No enforceable exposure standards; lack of guidelines. Some communities have not renewed cell sites. People with AIDS who lived closest to cell site had shortest lifespan.

Neil Fitzpatrick, Director of External Affairs for PacTel Cellular: (Set up charts.) Reported on various levels of radiation-- We are actually a little television or radio station; we operate at that frequency level. Next is operating power level; typically between one and one hundred watts; comparison to radio/TV. The sun at noon is one hundred milliwatts. The range is extremely low power. Regarding health issues, can't be proven one way or the other; no scientific evidence of health hazard.

Carol Rodriguez, 8909 Rosewood, West Hollywood: My husband and I live within 200 feet of proposed site. My husband suffers from arhythmia, has a pacemaker, takes medication. We worry about PacTel's wanting to double the emission capacity; what effect on my husband's pacemaker, arhythmia. We can't even have a microwave oven. My husband complains about always being tired. Too old to move.



Roslyn Krause, West Hollywood: Last couple months I've been having bad headaches; doctors can't find cause; have scheduled a brain scan. I live 300 feet away from four cellular antennas; didn't have headaches before they were put up. Stop placing these antennas until it can be proven they are harmless.

Mark Wolper, Los Angeles: I suggest we wait till we get further information on dangers. We also have to address the combined effect of TV, radio, etc. We need to limit the combined effect. Adjectives that have appeared in publications: headache, irritability, heart trouble, etc.

Dean Brown, PacTel Cellular: What we are considering here tonight are minor modifications. Part of this allows us to use lower power levels; we'll be seeing a decrease in emissions. The Planning Commission does have specific conditions of approval. We must conform to FCC, get approval from PUC.

Effie Reuveni, West Hollywood: FCC just launched a whole new investigation. Do not approve till we are sure it is safe.  
Nina Parkinson, West Hollywood: Opposed to cell sites.

Mary Worley (Rebuttal): TV transmitters are not 100 to 150 feet from residential housing. Additional impact on HIV patients. We are not scientists, but everyone does agree more studies are needed. We should look at the positives and the negatives. On negative side: not a revenue producing business; W.H. population will be subject to hazards of long-term exposure; harmful to AIDS patients; possibility of lawsuits against the City. The burden of proof should be on the applicant to prove there are no health risks. Wait till results of five-year research has been completed.

Neil Fitzpatrick (Rebuttal): We have 350 sites, approximately. No proven health hazard. We meet all standards that have been set. This will allow us to operate at a lower level.

Councilmembers Heilman and Koretz asked about the frequency and about safety. Mr. Fitzpatrick replied that this is much lower than gamma or X-rays. The changes will lower the danger; very low power levels.

Mayor Lang closed the public hearing and asked for Council discussion.

Mayor Pro Tem Guarriello stated he is concerned about the health of the City. Councilmember Heilman said he is willing to go along with the recommendation, particularly based on testimony that it would actually decrease the risk. Councilmember Land also commented that what is being proposed will even lower the frequency, which will make it better for the community. Councilmember Koretz commented that this is

similar to the malathion issue; the overall presence of these sites is still a concern. However, denying the appeal will reduce the danger to the public.

**MOTION:** A motion was made by Councilmember Land, seconded by Heilman, to deny the appeal, and uphold Planning Commission's approval.

Councilmember Koretz suggested a substitute motion to postpone this for a month for Council to do research, and suggested that his office could focus on it; there are some foundations which have worldwide access to information, such as with malathion.

Councilmember Land withdrew her motion, with the consent of Heilman, and made a substitute motion. **ACTION:** To reopen the public hearing and continue open to June 7, 1993, for more research. Motion Land second Koretz. Hearing no objection it was so ordered.

Mayor Lang called a recess at 8:45 p.m.  
Council reconvened at 9:00 p.m.

**5. A) GENERAL PLAN AMENDMENT 93-04 (INCLUDES GENERAL PLAN AMENDMENTS 92-04, 93-01 and 93-03), TO AMEND THE GENERAL PLAN REGARDING HEIGHT RESTRICTIONS FROM 8500 TO 8720 SUNSET BLVD.; TO CHANGE THE GENERAL PLAN DESIGNATION FOR 835 TO 889 N. SAN VICENTE BLVD. FROM MEDIUM-DENSITY RESIDENTIAL (R3.1) TO HIGH-DENSITY RESIDENTIAL (R4); TO CHANGE THE GENERAL PLAN DESIGNATION FOR 612 AND 616 N. WEST KNOLL DRIVE FROM LOW-DENSITY RESIDENTIAL (R2) TO LOCAL SERVING AND SPECIALTY COMMERCIAL (C1.1);**

**B) ZONING MAP AMENDMENT 90-01--835-889 N. SAN VICENTE BLVD.--TO REZONE PROPERTIES FROM R3A (MEDIUM-DENSITY RESIDENTIAL TO R4 (HIGH-DENSITY RESIDENTIAL);**

**C) ZONING MAP AMENDMENT 92-05--612 AND 616 N. WEST KNOLL DRIVE--TO CHANGE ZONING FROM LOW-DENSITY RESIDENTIAL (R2) TO LOCAL SERVING AND SPECIALTY COMMERCIAL (C1A):**

Jennifer Davis, Community Development Department, gave the staff report. The first amendment was previously approved but due to a lawsuit City is required to reapprove. Second, San Vicente--changing the zoning to R4 would allow more housing to be constructed. Surrounding areas are R4. Staff recommends all the lots in this area of San Vicente be rezoned. Regarding 612 and 616 N. West Knoll, the applicant has indicated that he only wishes to replace the two residential units on his properties and to provide additional parking for his adjacent antique showroom. Based on this knowledge, the Planning Commission and staff recommend that only the easterly 80 feet be rezoned to C1A; the westerly 50 feet would remain zoned R2.

The Deputy City Clerk reported that three notices had been published on April 7, 1993, in the Los Angeles Independent: a one-quarter page notice regarding the rezoning of 835-889 N.

San Vicente, a one-quarter page notice regarding General Plan Amendment 93-04, and a regular legal notice regarding Zoning Map Amendment 92-05, for 612 and 616 W. Knoll. In addition, notices were posted at City Hall and the three required posting places.

The following persons came forward to address the City Council:

Peggy Roland, Rolling Hills Estates: Property owner at 615-617 West Knoll Drive, across the street from the lot mentioned. Opposed to this zoning change because I don't see the need. Recommend return this request to the Planning Commission for further study.

Jamie Wolfe, West Hollywood: On behalf of W.H. Urban Conservation League. Regarding San Vicente. On sign I saw posted, only the six addresses were posted. Ask you to postpone until CEQA requirements more fully complied with.

Ron Tyburski, West Hollywood: Regarding 612 and 616 West Knoll. Encourage Council to approve. Mr. Rabie has a proven track record with the City.

Bob Kelly, West Hollywood: In support of proposal for 612 and 616 West Knoll.

Paul Dooks, West Hollywood: Homeowner on West Knoll, manager of Antiques International. In support of proposal for 612 and 616 West Knoll.

Arlen Andelson (Applicant): Regarding San Vicente. Am here to respond to any opposition or questions or need for rebuttal. Agree with staff report.

Sidney Smilove, Los Angeles: (Live above Sunset, not a resident of West Hollywood.) Regarding 8500 to 8720 Sunset--opposed to increased heights.

Anne Browning, Planning Manager, stated for clarification, the real change is a setback change. It is where the height can occur that will change.

Jeanne Dobrin, West Hollywood: Regarding West Knoll, the zoning code does provide for enhancement of properties like these. Have the properties on San Vicente been registered with rent control? Is there a plan for them to pay in-lieu fees for removal of rent control units? The shrinking down of residential to commercial has gone on for many years under County; hope you will not continue to do this.

Anne Browning pointed out that this proposal is a General Plan Amendment; there are no specific projects for approval tonight. Any proposed project will have to come before the Planning Commission for approval.

Mayor Pro Tem Guarriello commented that when he ran for office he promised that anything can be built as long as it doesn't infringe on residential.

Councilmember Land questioned whether noticing requirements were met. City Attorney Jenkins stated that those people here tonight have received notice; there are multiple forms of noticing done, to assure that people will be noticed.

Mayor Lang closed the public hearing and asked for any Council discussion.

Mayor Pro Tem Guarriello stated that he has no problem with the recommendations for Sunset and San Vicente, but will not vote for the zoning change on 612 and 616 West Knoll. Councilmember Heilman said that he has no problems with any of the proposals, and the applicant's request on 612 and 616 is reasonable and should be approved as originally requested, not as modified by the Planning Commission, with the understanding that if the project is not built as currently proposed, it would revert back to a residential zone.

City Attorney Jenkins pointed out that what is before Council is a General Plan amendment and a zone change, not any specific project; in fact he would advise Council to ignore anything in the agenda packet that addresses potential projects. This is a legislative action designed to identify what the appropriate zone designation should be, what future type of land use is most appropriate for this particular property. This is not the approval of a particular project.

**ACTION:** To approve the staff recommendation with respect to the General Plan and with respect to the properties on Sunset and San Vicente. Motion Heilman second Koretz.  
**AYES:** Guarriello, Heilman, Koretz, Land, Mayor Lang.  
**NOES:** None.  
Motion carried.

**FURTHER ACTION:** To approve the staff recommendation with respect to the West Knoll property. Motion Heilman second Land.  
**AYES:** Heilman, Koretz, Land, Mayor Lang.  
**NOES:** Guarriello.  
Motion carried.

**FURTHER ACTION:** To adopt Resolution No. 1125, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING GENERAL PLAN AMENDMENT 93-04 FOR PROPERTIES LOCATED AT 8500-8720 SUNSET BOULEVARD, 835-889 N. SAN VICENTE BOULEVARD, AND 612 AND 616 N. WEST KNOLL DRIVE, WEST HOLLYWOOD, CALIFORNIA"; and introduce on first reading Ordinance No. 363, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, ADOPTING ZONING MAP AMENDMENT 92-05 AND ZONING MAP AMENDMENT 90-01 FOR PROPERTIES LOCATED AT 835-889 N. SAN VICENTE BOULEVARD, AND 612 AND 616 N. WEST KNOLL DRIVE, WEST HOLLYWOOD, CALIFORNIA." Motion Heilman second Land.  
**AYES:** Heilman, Koretz, Land, Mayor Lang.  
**NOES:** Guarriello.

Motion carried.

**UNFINISHED BUSINESS**

**6. STATUS REPORT ON THE COMMUNITY DEVELOPMENT PERMIT EXPEDITING AND CODE CONSOLIDATION PROJECT: RECOMMENDED ACTIONS:** 1) Direct staff to complete the internal documents, meet with the ad hoc committee one to two additional times to finalize these documents; 2) direct staff to prepare a report regarding the City's design review process, including a work program for recommending changes to the process.

Anne Browning, Planning Manager, stated that there are two issues tonight: first, staff is seeking direction from Council on the level of involvement of the streamlining committee from this point on; and second, the streamlining committee has become interested in the discussion of design review as an issue that has been a deterrent to development. Ms. Browning suggested that Council, if interested, direct staff to come back with a report on how to address the issue of design review for the City.

Following the staff report there were questions and discussion by Council.

**ACTION:** Approve staff's recommendation, directing staff to complete the work of the streamlining project as originally described, but expanding the task force to include additional representatives and proceed to also evaluate the design review process--with the clarification that the expanded task force would include architects, designers, and a representative from the Planning Commission, and with the further clarification that Council does not intend to create a design review board. Motion Heilman second Guarriello. Hearing no objection it was so ordered.

**COUNCILMEMBER COMMENTS:** Councilmember Heilman introduced his new deputy, Fran Solomon. Councilmember Heilman announced the March on Washington this weekend for gay and lesbian and bisexual rights, and encouraged everyone to attend. For those who are not going, there will be a rally in Pasadena. Councilmember Heilman, since he will be in Washington next week, thanked Mayor Lang in advance for serving as Mayor and congratulated Mayor Pro Tem Guarriello on being elevated to Mayor.

Councilmember Land reminded everyone that Tuesday, April 20, is election day; she also asked the City Manager to address the issue of pay phones on Santa Monica Blvd. at the next meeting. Councilmember Land also volunteered herself and Mayor Pro Tem Guarriello, to meet with the Cable TV representatives. Guarriello agreed. Councilmember Land commented that her office and Mayor Lang's office are working on the issue of

panhandling, and will have recommendations to the Council at the end of May or the first meeting in June.

Mayor Lang commented that the committee has been working very hard on the panhandling issue, and is coming up with various recommendations. She commented that there is a policy that the homeless shelter does not accept walk-ins, people must be referred. If the community feels walk-ins is a good idea, that policy could be reviewed. Mayor Lang said that regarding animal testing at Cedars--they have vociferously denied that they do any testing that is harmful to the animals; she suggested that Council do more research on this. Councilmember Koretz said he was looking into this; he commented that Cedars did admit that they had purchased stolen pets, but when they discovered this, they had discontinued it. Mayor Lang announced that Mayor Pro Tem Guarriello would become Mayor next Monday night at 6:30 at Fiesta Hall, and everyone is invited.

#### **NEW BUSINESS**

**7. A RESOLUTION IN SUPPORT OF AB 13, A STATEWIDE WORKPLACE SMOKING BAN:** Councilmember Koretz reported that this bill, introduced by Terry Friedman, would establish a Statewide smoking ban in all enclosed workplaces. In addition to saving lives, this would prevent an explosion of workers' compensation claims.

The following person addressed the Council on this Item:  
Gloria Vassy, West Hollywood: In support.

**ACTION:** 1) Adopt Resolution No. 1126, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 13, A BILL TO ESTABLISH A STATEWIDE SMOKING BAN IN ENCLOSED WORKPLACES." 2) Direct staff to provide a copy of Resolution No. 1126 to the appropriate representatives in the State Assembly and Senate. Motion Koretz second Land. Hearing no objection it was so ordered.

**8. SCHEDULING CITY COUNCIL STUDY SESSIONS - HISTORICALLY LOW RENTS; TENANT HOMEOWNERSHIP PROGRAMS; CHANGES TO SIGN ORDINANCE: ACTIONS:** 1) Schedule a joint study session with the Rent Stabilization Commission for June 14, 1993, at 6:00 p.m. Concurrently, schedule a study session on Tenant Homeownership Programs, to follow immediately after the Rent Stabilization discussion. 2) Schedule a study session for Monday, May 24, 1993, to discuss changes to the Sign Ordinance. Motion Heilman second Land. Hearing no objection it was so ordered.

**EXCLUDED CONSENT CALENDAR:** Items removed from the Consent Calendar for separate discussion shall be considered at this time. (There were no Items removed for separate discussion.)

**LEGISLATIVE**

**9. PROPOSED ORDINANCE AMENDING THE ANIMAL CONTROL ORDINANCE AND CHAPTER III OF ARTICLE III OF THE WEST HOLLYWOOD MUNICIPAL CODE (PET LICENSING/SPAY-NEUTERING):** Councilmember Koretz commented that animal overpopulation is a serious problem; this overpopulation problem has been addressed by putting to death eight to ten million animals each year nationally and around 70,000 animals in Los Angeles County alone. The method of dealing with animal overpopulation in this country has been to let them breed and then kill the excess animals each year--an outrageous approach. He thanked the Animal Welfare Task Force for the work they have put in for over a year to develop a workable ordinance.

Council Deputy Leah Archibald reported that the Animal Welfare Task force feels strongly that preventing surplus animals through sterilization is important. No changes proposed regarding licensing dogs. This mirrors the County requirement for cat licensing. Benefits for cat licensing: aid in return of lost cats, raise the status of cats. Additional fee for unaltered cats or dogs. Discount for senior citizens. The Animal Welfare Task Force held several public meetings. People wishing to breed animals must apply for a breeder's license; limits breeding to once in 12 months. Will establish a recording procedure upon transfer of a dog or cat. Will establish a monitoring system for feral cat colonies. Education of the public. A safer environment for animals; animal licensing more convenient. Will allow residents with more than three cats to own them if they can adequately care for them.

The following persons came forward to address the City Council:

Stan Lothridge: Opposed to licensing cats.

Sonndra May, West Hollywood, Member of Animal Task Force:

Expressed appreciation to Council. In support of this ordinance; lowers pet overpopulation. Will benefit cats.

There are breakaway collars available; that way they can have a license which will reunite them with owners if they are lost.

Lt. Rose Cardona, L.A. Dept. of Animal Control: Regarding cat licensing. Last year we picked up 35 cats; this year 12. If these cats had licensing we could easily locate owners. The City of Carson licenses cats.

Edward Cbrda, President of L.A. SPCA: It's not easy to adapt to change; but change is absolutely necessary, particularly for cats. At least 50 percent of animals handled by animal control are cats. Most dead animals picked up are cats. We have feral cat colonies. We should kill the crisis of pet overpopulation and not the animals.

Carole Ellis, Chair of W.H. Animal Welfare Task Force: This task force has worked over a year and a half on this ordinance. L.A. and Pasadena are working on a similar

Ordinance.

Jamie Penn, Animal Welfare Task Force, President of Pet Assistance Foundation: Killing the surplus is a burden on the taxpayer, costs \$35 per animal. Urge you to pass this.

Doris Romeo, West Hollywood: Urge you to pass this.

Frank McMillan, Veterinarian: Medical benefits of spaying and neutering. Eliminates risk of diseases of the reproductive system. Reduces roaming by male cats. Plays a role in public health; less risk of rabies.

Holly Engelman, West Hollywood: I have three cats I've adopted. Concerned about collars; cats might get hooked on something. Don't see how this ordinance will reach the people who need to be reached.

Jeanne Dobrin, West Hollywood: Don't see how the ordinance will change things. More people might abandon their pets if they have to pay fees. Will there be any enforcement? The proliferation of food serving establishments.

Gloria Vassy, West Hollywood: Owner of two neutered cats. Why should we have to pay \$5 a year? How enforce this?

Sybil Zaden, West Hollywood: Suggest one-time registration for indoor cats. You won't make a responsible pet owner with a cat license.

Following the public testimony, Council questioned staff and held discussion.

Councilmember Land suggested exploring a yearly fee for unaltered cats and a one-time fee for altered. Councilmember Koretz suggested a hardship clause, for people who cannot afford to pay the fee. Councilmember Heilman was concerned that it would be difficult to enforce the requirement for a dog and cat breeding permit.

Motion by Koretz to introduce the ordinance on first reading.  
(No second.)

Councilmember Heilman said he is supportive of the proposed licensing if seniors and low-income people are taken into account. He would like to get additional information on State law regarding the fees (why there is a limit on what can be charged for unaltered animals).

**ACTION:** Continue this Item for staff to bring back a revised Ordinance, taking into consideration Council's comments, and to hold a public hearing at that time. Approved by consensus.

**CITIZEN COMMENTS:**

Gloria Vassy, West Hollywood: Like to see a balanced budget; People should be able to come in off the street to the homeless shelter. Cedars animal testing--Last chance for Animals. Comment on Chris Fairchild--in praise.

Sarah Bradshaw, L.A.: On behalf of Save Our Services, a coalition of community groups, elected officials, etc.



Concerned about cutbacks in services by Gas Company. Ask you to endorse our efforts. Gas company no longer turns off gas when there is a vacancy.

Stan Lothridge, West Hollywood: The people who spoke on homeless animals live outside of West Hollywood; they see it from a different perspective.

**10. TIME LIMITATION IN RENT INCREASE CASES - EXTENDING THE 115-DAY DECISION DEADLINE:** ACTION: Introduce on first reading Ordinance No. 364, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING EXTENSIONS OF TIME FOR ISSUANCE OF FINAL DECISIONS IN RENT INCREASE CASES."

Motion Heilman second Guarriello. Hearing no objection it was so ordered.

**11. AMENDMENTS TO THE ZONING ORDINANCE (TO CORRECT ERRORS, SIMPLIFY PROCEDURES, CLARIFY STANDARDS, ELIMINATE CONFLICTS AND REFLECT POLICY CHANGES):** ACTION: Introduce on first reading Ordinance No. 365, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, AMENDING CHAPTERS 9210, 9220, 9300, 9380, 9510, 9560, 9620 AND 9700 OF ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE (ZONING ORDINANCE)." Motion Land second Guarriello. Hearing no objection it was so ordered.

**COUNCILMEMBER COMMENTS:** Additional general comments, announcements, requests of staff and/or other issues of concern to Councilmembers shall be presented at this time. There were no additional Councilmember comments.

**ADJOURNMENT:** The meeting was adjourned at 11:20 p.m. in memory of Christopher Fairchild, to Monday, April 26, at Fiesta Hall, Plummer Park, for City Council reorganization.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 3RD DAY OF MAY, 1993.

  
MAYOR

ATTEST:

  
CITY CLERK