

**MINUTES
CITY COUNCIL MEETING
MARCH 15, 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 Lang called the meeting to order at 7:10 p.m.

PLEDGE OF ALLEGIANCE: The Pledge was led by Gary Davis (person from audience).

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

ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

REPORT OF CLOSED SESSION: City Attorney Jenkins reported that the regular City Council meeting was convened at 6:30 p.m., at which time the City Council recessed into a closed session for the purpose of addressing two matters of pending litigation entitled West Hollywood vs. Beverly Towers and Dromy vs. City of West Hollywood, and in addition to discuss two claims filed against the City by Krista Kahl and Terese Trzcinski. The City Council took action on those claims by approving the claim of Terese Trzcinski and denying the claim of Krista Kahl. At approximately 7:00 p.m. the City Council returned from closed session and convened the open session for this evening's regular City Council meeting.

APPROVAL OF AGENDA: Councilmember Land stated that she would like to add an urgency item to the Consent Calendar, to support President Clinton's Economic Recovery Plan. Motion Guarriello second Koretz. Hearing no objection it was so ordered. Further action: Pull 2j, 2k, and 2r. Table 2c (to next meeting). Councilmember Heilman said he would not pull 2q but would like to report on it under Proclamations and Commendations. **ACTION:** Approve agenda as amended. Motion Heilman second Land. Hearing no objection it was so ordered.

PROCLAMATIONS AND COMMENDATIONS: Councilmember Land presented Business Recognition awards to four businesses for upgrading the appearance of commercial buildings: Irwin Held for Barney's Beanery, Michell Weiss of Weiss Development, Donald Epstein for 8900 Melrose Avenue, and Bob and John Pohle and Nita Felser for Fastframe of West Hollywood. Mayor Lang announced that she had a Commendation for Child and Family Services on the occasion of the dedication of the Head Start Program on Friday, March 26.

Councilmember Heilman announced that, as part of Consent Calendar Item 2g, there would be a Town Hall Meeting at West Hollywood Park Auditorium on Thursday, March 25; and he invited everyone who is interested in this issue to attend and see how they can help lift the ban on gays and lesbians in the military.

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 commented that Item 6, Revenue Options, is basically an authorization to begin notice and provide information to the community; it is not to authorize or establish a tax rate. He stated that he or his staff would be happy to meet with any group to discuss fiscal issues, because it is important that people have an understanding of what is in the City budget.

Mayor Lang announced that there is some information on the back table that came out of her office, which shows what neighboring cities have done and are doing in relation to this.

Councilmember Koretz presented a commendation to Mike McNeilly, a well-known street artist who uses his art work for AIDS education and other social education, and who has chosen West Hollywood as the place to unveil three of his most recent works. Mr. McNeilly thanked the people of West Hollywood and the City Council.

2. 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:

Christian Shea, West Hollywood: (Read a poem which he had written, called "1993," on the subject of the homeless.)
Gary Davis, PWA, reside at Harper Community Apartments:
Aid for AIDS discriminates against tenants of W.H. Community Housing Corporation buildings.

Mike Radcliffe, West Hollywood, President, West Hollywood Community Alliance: We will be holding a security conference in April with Chamber of Commerce of Hollywood and of Beverly Hills. Westec is sponsoring; invite Council participation. We do not support the type of ad put in the paper by the Chamber of Commerce. Try and save the "blue whale" (Pacific Design Center). Why is your staff trying to defend all its programs? At least look at your programs and evaluate what their real value is.

Donny Cacy, 7-11, West Hollywood: Opposed to utility tax. More phones are being added on Santa Monica Blvd. Will bring in prostitutes and panhandlers.

Budd Kops, West Hollywood: Regarding ad by Chamber of Commerce. Thomas Crail is guilty of reverse discrimination; he should go; does not represent this City.

Nicole A. Perlman, West Hollywood: On behalf of Women's Advisory Council, urge City Council to pressure lawmakers to pass HR 796, Clinic Access bill. (Item 2k)

Ethel Shapiro, West Hollywood: I asked many people; they did not know anything about the proposed utility users tax; those who did know expressed anger and opposition. Urge you postpone this issue to a more propitious time.

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 Items 2a, b, d, e, f, g, h, i, l, m, n, o, p, q, s, t, and u. Motion to approve Consent Calendar. Hearing no objection it was so ordered.

a. Posting of Agenda: The agenda for the meeting of Monday, March 15, 1993, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, March 10, 1993. ACTION: Receive and file. Approved as part of the Consent Calendar.

b. Demand Register No. 241, Resolution No. 1110.
ACTION: Approve Demand Register No. 241 and adopt Resolution No. 1110.
Approved as part of the Consent Calendar.

c. Treasurer's Report - January, 1993: THE TREASURER'S REPORT WAS TABLED UNDER APPROVAL OF AGENDA, AT REQUEST OF STAFF.

d. Minutes: March 1, 1993.
ACTION: Approve the minutes of March 1, 1993.
Approved as part of the Consent Calendar.

**e. Claims: Krista Kahl
Terese Trzcinski**
ACTION: Take action on the claims of Krista Kahl and Terese Trzcinski as discussed in Closed Session on March 15, 1993.

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. Resolution Granting the Appeals of Sarah Durant and I. Robert Beton, Denying the Designation of 995, 1003 and 1010-1012 N. Hancock Avenue as Contributing Structures Within the Craftsman District: ACTION: Adopt Resolution No. 1111, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, GRANTING THE APPEALS OF SARAH DURANT AND I. ROBERT BETON AND DENYING THE DESIGNATION OF 995, 1003 AND 1010-1012 N. HANCOCK AVENUE AS CONTRIBUTING PROPERTIES WITHIN THE CRAFTSMAN DISTRICT, AN HISTORIC DISTRICT OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA."
Approved as part of the Consent Calendar.

h. Adoption of Ordinance No. 360, Making Amendments to the Taxicab Regulation Ordinance: ACTION: Waive further reading and adopt on second reading Ordinance No. 360, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATING TO THE REGULATION OF TAXICABS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."
Approved as part of the Consent Calendar.

i. Approval of \$500,000 Loan to West Hollywood Community Housing Corporation for Acquisition of 988 Palm Avenue: ACTIONS: 1) Approve the Regulatory Agreement, Promissory Note and Deed of Trust providing a \$500,000 loan to acquire 988 Palm Avenue to the West Hollywood Community Housing Corporation and authorize the Mayor to sign the required documents, all of which are on file with the City Clerk. 2) Approve an unsecured \$75,000 predevelopment loan for 988 Palm Avenue to the West Hollywood Community Housing Corporation contingent upon the corporation's repayment of the \$75,000 predevelopment loan on Laurel-Norton. Direct staff to prepare the Promissory Note and authorize the Mayor to sign the Note.
Approved as part of the Consent Calendar.

j. Resolution Calling for a Nationwide Ban on the Production and Use of the Pesticide Methyl Bromide: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Koretz reported that the U.S. is the largest producer of methyl bromide, a highly toxic chemical which is harmful to the ozone layer. ACTIONS: 1) Adopt Resolution No. 1112, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING FOR A NATIONWIDE BAN ON THE PRODUCTION AND USE OF THE PESTICIDE METHYL BROMIDE"; 2) Direct staff to provide a copy of the City Council's Resolution No. 1112 to the appropriate representatives in the United States House of Representatives and Senate. Motion Koretz second Heilman. Hearing no objection and noting the absence of Mayor Lang, it was so ordered. (Mayor Lang had stepped out at this time for a few moments.)

k. Resolution in Support of HR 796: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Koretz reported on this Item. ACTIONS: 1) Adopt Resolution No. 1113, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF HR 796, THE "FREEDOM OF ACCESS TO CLINIC ENTRANCES ACT OF 1993"; 2) Direct staff to provide a copy of the City Council's Resolution No. 1113 to the appropriate representatives in the United States House of Representatives and Senate (after the Senate legislation has been introduced). Motion Land second Koretz. Hearing no objection and noting the absence of Mayor Lang, it was so ordered.

l. Agreement for Parking Meter Collection and Verification Services: ACTION: Extend the agreement with Federal Armored Express, Inc. for a period of one year, with the same terms and conditions and authorize the City Manager to sign. Approved as part of the Consent Calendar.

m. Resolution Amending the Local Procedures for Implementing the California Environmental Quality Act (Indicates City's Participation in the 1992 Congestion Management Program for L.A. County): ACTION: Adopt Resolution No. 1114, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE LOCAL PROCEDURES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT." Approved as part of the Consent Calendar.

n. Settlement Agreement - West Hollywood Urban Conservation League: ACTION: Approve the Settlement Agreement between the City of West Hollywood, the West Hollywood Urban Conservation League, and 1320 Associates. Approved as part of the Consent Calendar.

o. Recreation Staff/Aquatics - Employment Status: ACTION: Designate the status of certain recreation aquatics staff from "temporary" to "regular part-time," including one Pool Manager, two Lifeguards, and one Locker Room Attendant. Approved as part of the Consent Calendar.

p. Amendment to Agreement - Multi-Unit Recycling: ACTION: Approve the Amendment to Agreement by and between the City of West Hollywood and West Hollywood Recycling Services for the collection and Marketing of Recyclable Material from Multi-Unit Buildings to allow Paragraph 4.2 of the Agreement to reschedule monthly compensation withholding as recommended and authorize the City Manager to sign the amendment. Approved as part of the Consent Calendar.

q. Lifting the Ban: Lesbians and Gays in the Military:
1) Authorize the Lesbian and Gay Advisory Council (LGAC) to coordinate West Hollywood's participation in the following:
a) Host an informal Town Hall Meeting incorporating a panel discussion and open mike session at 7 p.m. on Thursday, March 25th, at West Hollywood Park Auditorium, in co-sponsorship with

the Human Rights Campaign Fund (HRCF) and supported by the Coalition of Organizations;

b) Authorize the LGAC to participate in and facilitate fundraising efforts sponsored by the Coalition of Organizations to fund community efforts, including a business/nightclub fundraising weekend.

c) Authorize City participation in the Allen Schindler Memorial March, to begin at 1 p.m. on Sunday, March 28th at the Harbor Boulevard entrance to the Vincent Thomas Bridge.

d) Encourage resident participation in the March on Washington for Lesbian, Gay & Bi Equal Rights and Liberation to be held on April 25, in Washington, D.C.

e) Endorse a letter writing and telephone campaign to Congressional leaders.

2) Public Information Outreach - Direct the Public Information Officer to coordinate outreach on these events in conjunction with the Lesbian and Gay Advisory Council.

Approved as part of the Consent Calendar.

r. Senate Bill No. 310--Regarding Penalty for Drive-by Shootings: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. RECOMMENDED ACTIONS: 1) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING SENATE BILL NO. 310--AN ACT TO AMEND SECTIONS 189 AND 190.2 OF THE PENAL CODE, RELATING TO MURDER, AS INTRODUCED BY SENATOR RUBEN AYALA."

Councilmembers Heilman and Land stated that they would vote no on this item because they are opposed to the death penalty. Councilmember Koretz said he is also opposed to the death penalty, and he felt that it would not divert people from drive-by shootings. Due to the lack of support, Councilmember Guarriello withdrew this Item from consideration.

s. State Assembly Bill No. 514--An Act to Amend 186.26 of the Penal Code, Relating to Criminal Street Gangs: ACTIONS:

1) Adopt Resolution No. 1116, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING ASSEMBLY BILL NO. 514--RELATING TO CRIMINAL STREET GANGS, AS INTRODUCED BY ASSEMBLY-MEMBER MIKE GOTCH"; 2) Direct staff to send copies of Resolution No. 1116 and letters to our elected state representatives asking them to support AB 514.

Approved as part of the Consent Calendar.

t. Assembly Joint Resolution No. 8--Relative to Immigrants: ACTION: Adopt Resolution No. 1117, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING ASSEMBLY JOINT RESOLUTION NO. 8--RELATIVE TO IMMIGRANTS, AS INTRODUCED BY ASSEMBLYMEMBER GIL FERGUSON."

Approved as part of the Consent Calendar.

u. Support of President Clinton's Economic Recovery Plan: (Added to Consent Calendar as an urgency item.) ACTION: Adopt Resolution No. 1115, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING PRESIDENT BILL CLINTON'S

ECONOMIC RECOVERY PLAN." Direct staff to send copies of the Resolution to our Congressional delegation.
Approved as part of the Consent Calendar.

PUBLIC HEARINGS

3. WEST HOLLYWOOD INTEGRATED WASTE MANAGEMENT PLAN - APPROVAL OF THE WEST HOLLYWOOD SOURCE REDUCTION AND RECYCLING ELEMENT AND THE HOUSEHOLD HAZARDOUS WASTE ELEMENT:

David Hare, Acting Manager of the Environmental Services Division, reported that the documents before Council tonight are in light of recent legislation designed to aid in our landfill disposal crisis. AB 939, passed in 1989, requires each municipality to reduce the amount of waste sent to landfills by 25 percent by 1995 and 50 percent by the year 2000. Each city is required to file with the State a Source Reduction and Recycling Element and a Household Hazardous Waste Element. These documents will guide the City to meet State mandates by implementing programs which reduce waste, reuse goods, and offer recycling programs to the community.

Following the staff report, the Councilmembers questioned staff regarding why the figures are in the report if they are not the correct figures, whether new staff would be hired, and whether a structure would be constructed in West Hollywood.

Councilmember Land emphasized the importance of public education, including the Russian and Spanish-speaking population.

Mayor Lang stated that since there were no speaker slips, it would not be necessary to open and close the public hearing.

ACTIONS: 1) Approve the Source Reduction and Recycling Element;
2) Approve the Household Hazardous Waste Element.

Motion Heilman second Guarriello.

AYES: Guarriello, Heilman, Koretz, Land, Mayor Lang.

NOES: None.

Motion carried.

4. TRANSPORTATION DEMAND MANAGEMENT (TDM) ORDINANCE - AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE BY ADDING CHAPTER II TO ARTICLE III AND AMENDING SECTIONS 9300, 9380 AND 9490:

Lucy Dyke, Transportation Manager, reported that this ordinance is essentially a codification of the standard conditions that have been applied to new developments with regard to transportation demand management. It does not apply to existing businesses, but only to new development projects. It has been reviewed by both the Planning Commission and Transportation Commission.

Councilmember Heilman requested that staff provide a more formalized report on projects which have had some kind of TDM condition imposed and what the results have been--have they

worked, what problems have been created, and what things aren't working, so we can change those. Heilman also asked about ways to promote ridesharing for existing businesses.

Lucy Dyke said that one of the things done is that the City and the Chamber of Commerce participated in an application for money to start a Transportation Management Organization. This Organization will help businesses to comply with regulations.

Councilmember Land suggested creating some kind of informational brochure or flyer, which could be included whenever there are any mailings being done to businesses.

Lucy Dyke read into the record five corrections to the TDM Ordinance: 1) On page 9, Section 2, paragraph "R" of Section 9309 should be paragraph "Y". 2) On page 9, Section 4, the Section being amended is 9382, not 9381. 3) On page 11, Section 5(E)(6), the language should be replaced with the following: "If the Director or Planning Commission requires additional bicycle parking, showers or clothes lockers pursuant to this Section, the Director or Planning Commission shall cause prompt, written notice of that decision to be given the developer. Such a decision may then be appealed as provided in Section 9627 of this Code." 4) On page 13, Section 9388(0) should be amended to replace the word "etc." at the end of the first paragraph with "and such other information as the Director reasonably determines to be required for a complete understanding of the proposed parking operations plan." 5) On page 14, Section 10 of the Ordinance should begin with the words "Section 9498 of".

Mayor Lang opened the public hearing, and, no one coming forward to speak, the hearing was closed.

ACTION: Introduce on first 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."

Motion Land second Koretz.

AYES: Guarriello, Heilman, Koretz, Land, Mayor Lang.

NOES: None.

Motion carried.

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

Councilmember Heilman commented that he went to the National League of Cities' Conference recently, and participated in working groups on health care reform; in talking with people on HIV issues, the level of awareness was encouraging; if anyone has any input on health care reform, he would be glad to pass it along.

Councilmember Land commented on the Item which she had added to

the Consent Calendar, which was in support of Clinton's economic plan, and listed some of the highlights of that plan--ISTEA, the Intermodal Service Transportation Efficiency Act, which would provide infrastructure money for our State highways; funding Head Start Programs; one-time grants to homeless organizations; increasing CDBG funds; summer youth employment program; and a number of other programs that would have a direct impact on cities. She urged people to write to their congress- persons in support.

UNFINISHED BUSINESS

5. **REPORT ON CITYLINE:** Lucy Dyke, Transportation Manager, reported that the review of the Cityline shuttle program showed that people are actually using it. The survey revealed that about 76,000 people used it in 1992. 47,000 trips were taken during the day; about 83% of the people during the day were transit-dependent people. At night-time 29,000 used it; 86% were not regular transit users, and 25% say that they would be driving if they weren't using Cityline. That means there were about 750 auto trips avoided (monthly). Also, the DUI's-- driving under the influence of alcohol arrests--were reduced 25% in the year that Cityline was operating at nighttime. The people taking Cityline are supporting West Hollywood businesses. Seventy-eight percent of night riders and 67% of people in the day say they are using West Hollywood businesses more because they can get to them. Thirty-four local entities are helping support the service--putting out flyers and letting their patrons know. It has also been used to bring conventioners from other parts of the City. Fulfills social service needs: medical trips, grocery trips, linking senior housing sites with rest of City. Cheaper to operate than some other services. The people who use the service like it; repeat riders; positive comments--convenient, close to home. A step in the right direction toward getting people to use other modes of transportation. An innovation award has been received for the program.

Following the staff report, Council directed questions to staff.

The following persons came forward to address the City Council:

Mike Radcliffe, West Hollywood: Opposed to CityLine; people don't ride it; not a viable system.

G. Bruce Traub, West Hollywood: Shuttle is always empty or only one or two people. Too many transportation systems.

Bob Chill, West Hollywood: An infirm senior; use the shuttle regularly.

Sally Barringer, West Hollywood: In support. Suggest a stop at Santa Monica and Fuller. Like to thank Council for starting CityLine.

Councilmember Koretz emphasized that information on routes,

etc., should be posted at each shuttle stop. Councilmember Heilman said that putting a stop at Santa Monica and Fuller was a good suggestion; after the route is finalized, it would be appropriate to have the map and times posted at all the stops; hope we'll ask the drivers if they have suggestions or comments; maybe get that all done by the end of the fiscal year. Councilmember Land felt it is on its way to being a complete success. Councilmember Guarriello stressed that he wants more people to ride the shuttle.

NEW BUSINESS

- 6. REVENUE OPTIONS: RECOMMENDED ACTIONS:** 1) If Council determines to pursue this action, staff requests that Council:
- (a) Approve the initiation of the public notification process of the City's intent to enact a Utility Users Tax of up to 7-1/2% on any or all of the following utilities: Telephone Use, including interstate and international calls; Gas; Electricity; Water; and Cable Television.
 - (b) Approve the initiation of the public notification process of the City's intent to raise the Transient Occupancy Tax from twelve up to as much as thirteen percent.
- (2) Direct staff to develop proposed expenditure reductions for the March 30 public meeting.

City Manager Brotzman reported that a new State law requires that before there is a new tax or fee imposed, there must be a public information program in order to provide as much information as possible to the community--that is the purpose of this Item. The City is facing a shortfall in revenue this year. Due to the deficit in the State budget, the State of California has been restructuring the allocation of tax revenues. Last year almost \$600,000 was taken from the City budget and transferred to schools. This year 1.1 or 1.2 million dollars is proposed to be transferred from the City's budget; the State proposes to transfer a significant portion of the property tax revenue from cities to the schools; the State will then decrease its allocation to schools. The City this year will have to consider either serious cutbacks in services or levying additional taxes and fees. The notice before you tonight is a process that will involve two public hearings, one on March 30 and another at the first meeting in May. Your action tonight is to start a public information program as required by law. After that process you may then consider whether you wish to levy a tax on utilities or a tax on hotels, and if so, at what level.

At this time Councilmember Guarriello said that he needed to make a statement, and made the following comments: He personally has contacted businesses, landlords, renters, and City employees, and there was an overwhelming concern about taxation. Now this item is on the agenda. The recommendations do not show alternate percentages; don't specify the utilities to be taxed. In view of cable and water increases, cable and water should not be under consideration. Suggest the City

Manager come back to Council with a budget tailored to the City at present, leaving enough room to maneuver if further cuts in revenue are due from the State. If Council has to increase taxes, should not be done till we know how much the State will take. Request that this Item be tabled.

The following persons came forward to address the City Council:
Christian Shea, West Hollywood: (Read from a poem he had composed). The recommendation is vague.

Mike Radcliffe, President, West Hollywood Community Alliance: We will conduct a survey of our membership.

Budd Kops, West Hollywood: (Read a "story" about taxing peasants.) Wants expenditure cutbacks.

Charlie Mercer, Sunset Strip Assoc., West Hollywood: Will read to you a letter from managers of West Hollywood hotels--are vigorously opposed to raising transient occupancy tax, and opposed to utility user tax. Will eliminate our competitive edge against neighboring cities. Propose you cut your own budget.

Bruce Traub, West Hollywood: Support Charlie Mercer's letter. When you raise taxes you collect less revenue.

Norman Hammer, Los Angeles, Sunset Strip Assoc.: Opposed.

Steve Martin, W.H. Democratic Club: Ask that Council go back and make each Department rationalize for each dollar spent. Budget could be balanced without utility tax being imposed.

Ethel Shapiro, West Hollywood: Request this issue be tabled, until the City residents are fully informed.

Following the public speakers, Council held discussion. City Manager Brotzman said that the recommendation provides flexibility so that Council can choose to set one rate or another, on one utility or on five.

Councilmember Heilman said he'd like the meeting on March 30th to focus on budget cuts, then after that they could consider the taxes. Brotzman said that would mean only that the revenue flow would start later in the fiscal year, since there must be a 45-day notice period, with two hearings. Councilmember Land commented that she'd like everything done as publicly as possible, to be up front with the public and with each other.

Councilmember Koretz said that he would not consider a 7 1/2 percent level of taxation. He asked how the gambling initiative fits in. City Manager Brotzman replied that if the gambling initiative passes, it would take eight months to a year to generate a revenue flow; the revenue depends entirely upon the operators of the facility; also, we don't know exactly how much money the State will take from us; if for some reason the State takes nothing or the gambling club generates a lot of revenue, Council could act quickly to rescind the tax. As a final comment, Brotzman stated that the more direction Council can give on the 30th, the easier it will be for staff to get through the budget process and assist Council in setting a tax rate.

ACTION: Approve the staff recommendation but with the meeting on March 30 to focus on budget cuts; if after that there are not sufficient cuts, then proceed with the public notification process. Motion Heilman second Koretz.
AYES: Guarriello, Heilman, Koretz, Land, Lang.
NOES: None.
Motion carries.

EXCLUDED CONSENT CALENDAR: Items 2j, 2k, and 2r were discussed at this time, but are listed in their original position for clarity.

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. There were no citizen comments at this time.

LEGISLATIVE

7. AMENDMENT TO ZONING ORDINANCE - ORDINANCE ADOPTING CHAPTER 9800 (PROPERTY MAINTENANCE STANDARDS) AS A PART OF THE WEST HOLLYWOOD MUNICIPAL CODE: City Attorney Jenkins noted that the Council had conducted a public hearing on this item, as well as other proposed amendments to the zoning ordinance, at its last meeting. There were suggestions for changes; however, this particular Chapter was not slated for any changes; staff would like to move forward on this item sooner than the rest; and that is why this was brought back as a separate ordinance, dealing solely with property maintenance standards, in order to enhance the City's code enforcement efforts. The remaining items will be brought back at the second meeting in April.

Councilmember Land said she'd like to direct the City Manager to set up a meeting within the next couple of months between a couple of Councilmembers and the judges in Beverly Hills, in order to inform them of new provisions in our zoning ordinance, since there have been some problems with the judges not quite understanding or agreeing with our provisions. Councilmember Koretz volunteered himself and Councilmember Land. Agreed by consensus.

ACTION: Introduce on first 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). Motion Heilman second Guarriello.
AYES: Guarriello, Heilman, Koretz, Land, Mayor Lang.
NOES: None.
Motion carried.

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 Council comments at this time.

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ADJOURNMENT: The meeting was adjourned at 9:30 p.m. to a study session on Monday, March 29 at 7:00 p.m. in the Community Conference Room--which meeting will be adjourned to March 30 at 7:00 p.m. at Plummer Park.

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


MAYOR

ATTEST:

