

**MINUTES  
CITY COUNCIL MEETING  
FEBRUARY 1, 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 7:13 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Bruce Traub.

**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 the City Council convened at 6:00 p.m. and adjourned to a closed session during which they discussed several matters of pending litigation: Tohl vs City of West Hollywood, Rein and Lichtenstein vs City of West Hollywood, and Ozeran vs City of West Hollywood; Authorized amicus participation in Freedom Newspapers litigation and the Oden vs. Public Retirement System litigation and discussed matters of negotiations with the City's negotiator and two matters of potential litigation.  
**ACTION:** Approve claim of Cornelius Duncan. Motion Heilman second Guarriello. Hearing no objection it was so ordered.

**APPROVAL OF AGENDA:** Items 6 and 7 are tabled. Correct the resolution in item 2g to read "7:00 p.m. to 7:00 a.m every day". Motion Heilman second Land. Hearing no objection it was so ordered.

**PROCLAMATIONS AND COMMENDATIONS:** Mayor Lang announced that tonight's meeting will be adjourned in memory of Ross Stuart Thayer, domestic partner of Public Safety Commissioner Jim Gordon.

**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. Mr. Brotzman reported that a study session will be held on the 22nd of February by the City Council to review the financial projections for the coming fiscal year and develop options and recommendations in view of the fact that the State budget will further impact the City next year. This will be an opportunity for public to give input. We'll be distributing a newsletter to the public.

**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.

Bruce Traub, West Hollywood: Budget shortage. Object to Utility User Tax.

Richard Banta, West Hollywood: On behalf of Ethel Shapiro. Oppose utility tax.

Roslyn Krause, West Hollywood: Attended the Safety Fair. People had a good time.

Budd Kops, West Hollywood: Cut down on services, hiring, etc. Cut Marketing funds.

Kevin Notre, West Hollywood: AB 157, dangerous bill. Urge everyone voice concern to the Legislature.

Rick Zamarripa: Re Clinton's statement on gays in the military. Support Clinton in his efforts.

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

**ACTION:** Approve the Consent Calendar items 2a, b, c, d, e, f, g (as amended under approval of agenda), h, i, j, k, l, m, n, o and p. Motion Land second Heilman. Hearing no objection it was so ordered.

**a. Posting of Agenda:** The agenda for the meeting of Monday, February 1, 1993, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, January 27, 1993.

**ACTION:** Receive and file.

Approved as part of the Consent Calendar.

**b. Demand Register No. 238, Resolution No. 1082.**

**ACTION:** Approve Demand Register No. 238 and adopt Resolution No. 1082.

Approved as part of the Consent Calendar.

**c. Minutes: January 19, 1993.**

**ACTION:** Approve the minutes of January 19, 1993.

Approved as part of the Consent Calendar.

- d. Claims:** Debra P. Anderson  
Roxane Ilona Berger  
Sarah Lee and Anthony Romagnole  
Paul Anthony Weber  
Sue Schneider  
Robert Nirenberg  
Charles Bruflat  
Cornelius Duncan

**ACTION:** Take action on the claim of Cornelius Duncan as discussed in Closed Session on January 4, 1993 and February 1, 1993. Deny the claims of Debra P. Anderson, Roxane Ilona Berger, Sarah Lee and Anthony Romagnole, Paul Anthony Weber, Sue Schneider, Robert Nirenberg, and Charles Bruflat without comment and refer to the City claims adjustor.  
Approved as part of the Consent Calendar.

**e. 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.

**f. Resolution Implementing the West Hollywood General Plan Circulation Element Through the Authorization of the Use of Certain Roadway Design Features:** **ACTION:** Adopt Resolution No. 1083, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IMPLEMENTING THE WEST HOLLYWOOD GENERAL PLAN CIRCULATION ELEMENT THROUGH THE AUTHORIZATION OF CERTAIN ROADWAY DESIGN FEATURES."  
Approved as part of the Consent Calendar.

**g. Resolution Implementing Policies 5.3.1 and 5.3.3 of its General Plan Circulation Element Through the Closure of Hammond Street at Certain Hours:** **ACTION:** Adopt Resolution No. 1084, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD FINDING THE CLOSURE OF HAMMOND STREET DURING SPECIFIED HOURS NECESSARY TO IMPLEMENT GENERAL PLAN CIRCULATION ELEMENT POLICIES AND CONSISTENT WITH PROVISIONS FOR THE HEALTH AND SAFETY OF THE CITIZENS OF WEST HOLLYWOOD," as amended during approval of agenda.  
Approved as part of the Consent Calendar.

**h. Amendment to Agreement with Prince Enterprises for the Maintenance of Parking Meters:** **ACTION:** Authorize the City Manager to sign an amendment to the contract with Prince Enterprises, Inc., to increase the monthly maintenance fee.  
Approved as part of the Consent Calendar.

**i. Authorization to Sign Agreement with Southern California Edison for Utility-Owned Street Light System:** **ACTION:** Authorize the City Manager to sign the application and contract for street light services with Southern California Edison (SCE).  
Approved as part of the Consent Calendar.

**j. Scheduling a Joint Study Session of the City Council and Rent Stabilization Commission:** ACTION: Schedule a joint study session with the Rent Stabilization Commission for March 29, 1993, at 7:00 p.m.  
Approved as part of the Consent Calendar.

**k. Approve Agreement for Professional Services with City Tax Consultant for Annual Levy of Assessments for Special Districts:** ACTION: Authorize the City Manager to contract for professional services with Robert N. Brown, City Tax Consultant, for all City Special Districts for an amount not to exceed \$16,500 plus direct cost of noticing.  
Approved as part of the Consent Calendar.

**l. Adoption of Ordinance No. 358, Amending the Zoning Ordinance and the Zoning Map with Regard to Non-Residential Parking:** ACTION: Waive further reading and adopt on second reading Ordinance No. 358, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING AMENDMENTS TO CHAPTERS 9200, 9300, 9400 AND 9500 OF ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE (ZONING ORDINANCE) AND AMENDMENTS TO THE OFFICIAL ZONING MAP PERTAINING TO NON-RESIDENTIAL PARKING (ZTA 93-01, ZMA 93-01)."  
Approved as part of the Consent Calendar.

**m. Resolution in Support of SJR 1 -- Relative to Abortion:** ACTIONS: 1) Adopt Resolution No. 1085, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SENATE JOINT RESOLUTION NO. 1 -- RELATIVE TO ABORTION (CALDERON); 2) direct the City's lobbyist in Sacramento to lobby State legislative leaders on behalf of SJR 1; and 3) direct staff to send a copy of this resolution to Senator Calderon.  
Approved as part of the Consent Calendar.

**n. Resolution Opposing Governor Wilson's Proposal to Eliminate the Renter's Tax Credit:** ACTIONS: 1) Adopt Resolution No. 1086, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING GOVERNOR WILSON'S PROPOSAL TO ELIMINATE THE RENTER'S TAX CREDIT"; 2) direct the City's lobbyist in Sacramento to lobby against the Governor's proposal; and 3) direct staff to send a copy of the Resolution to Governor Wilson, State Senator Tom Hayden, Assembly Member Burt Margolin, Assembly Speaker Willie Brown, Senate President Pro Tempore David Roberti, and members of the Revenue and Tax Committee.  
Approved as part of the Consent Calendar.

**o. Resolution Opposing AB 157, Which Eliminates All Forms of Rent Control:** ACTION: Adopt Resolution No. 1087, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING CALIFORNIA STATE ASSEMBLY BILL 157, WHICH ELIMINATES ALL FORMS OF RENT CONTROL AND FORBIDS LOCALITIES FROM WRITING OR ENFORCING SUCH ORDINANCES."  
Approved as part of the Consent Calendar.

**p. Approval of a Resolution Establishing Vacancy Rates for Multi-Family Residential Units:** ACTION: Approve and adopt Resolution No. 1088, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING VACANCY RATES FOR MULTI-FAMILY RESIDENTIAL UNITS."  
Approved as part of the Consent Calendar.

#### **PUBLIC HEARINGS**

**3. APPEAL OF TRANSPORTATION COMMISSION'S DECISION TO AMEND BIJAN ENTERPRISES INC. (CELEBRITY CAB CO.) TAXICAB OPERATOR'S LICENSE (HEARING ON THE RECORD):** The staff report was given by Lucy Dyke and the procedure for this item was reviewed. Burton Cutler, applicant: Requested that he be allowed to submit additional evidence he was not prepared to produce during the Transportation Commission hearings. ACTION: Not to admit new information. Doesn't add anything new to the record. Motion Heilman second Land. Hearing no objection it was so ordered. Appellant will have ten minutes: Burton Cutler: Bijan owns no cabs. All are independent operators that use the trade name. Bijan represented itself as sole owner. In June was owned by Century Transit Inc. Bijan should be investigated. Owner/operators had no contract with Bijan. Not knowing true owners of company endangers the public health and safety. Asked Council and City Attorney to launch an investigation and disallow this company to operate.

Applicant--John Gantus, Glendale: Truly don't know how to respond. No evidence was brought forward; personal vendetta against the company. Mr. Cutler did not oppose them at the hearing before the Transportation Commission.

ACTION: Deny the appeal of the Transportation Commission's decision to amend Bijan Enterprise Inc.'s taxicab operator's license and uphold the findings of Transportation Commission Resolution No. TC 92-011. Motion Heilman second Land.  
AYES: Guarriello, Land, Koretz, Heilman, Lang  
NOES: None.  
Motion carried.

**4. GREENACRE AVENUE PARKING STUDY: RECOMMENDED ACTION:** Approve and adopt the following Summary of Recommendations from the Executive Summary of the Greenacre Avenue Parking Study:  
1) Do not implement preferential parking within the boundaries of the study area at this time. 2) Reevaluate the conditions on Greenacre Avenue in the future at the direction of the Transportation Commission and/or the City Council following the participation of residents, businesses and staff in the Dispute Resolution Process. Should the City Council decide mediation has proven unsuccessful in addressing resident concerns, the Council may, at their discretion, impose preferential parking on any of the streets in the study area.  
3) Investigate the feasibility of utilizing vacant residential lots for interim surface parking for residents only to improve

parking conditions on Detroit Street and Formosa Avenue where occupancy levels are highest.

4) Reevaluate the process for establishing preferential parking districts. Establish specific criteria for review of petitions to determine if an initial assessment of parking is warranted. Perform initial assessment only if petition criteria are met. Establish evaluation criteria to determine the scope before performing a full scale parking study of the area.

The Deputy City Clerk reported that this item was noticed in the L. A. Independent Newspaper and posted at Plummer Park, the San Vicente Library, the Sheriff's Station and City Hall.

The staff report was given by by Don Korotsky. At this time preferential parking is not recommended by staff as on-street parking is widely available. Also, a dispute resolution service meeting is scheduled for February 8, 1993.

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

Mary Belle Breitmeir, West Hollywood: supports permit parking and would also like speed bumps.

Max Weitman, West Hollywood: supports permit parking.

David Einsiedler, West Hollywood: supports permit parking.

Mayor Lang closed the public hearing and returned the item to the City Council for discussion.

**ACTION:** Direction was given to staff to let the mediation process proceed and continue this item to the first meeting in March. Motion Land - approved by consensus of the Council.

**5. APPEAL OF PLANNING COMMISSION DECISION APPROVING DEVELOPMENT PERMIT 92-02, MINOR CONDITIONAL USE PERMIT 92-17, AND VARIANCE 92-01 ON AN APPLICATION OF TOWER RECORDS FOR THE CONSTRUCTION OF A PARKING STRUCTURE AT 8801 SUNSET BOULEVARD:**

**RECOMMENDED ACTION:** Uphold Planning Commission approval of Development Permit 92-02 and adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT PERMIT 92-02, MINOR CONDITIONAL USE PERMIT 92-17, VARIANCE 92-01 AND A NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN ON AN APPLICATION OF TOWER RECORDS FOR THE CONSTRUCTION OF A PARKING STRUCTURE AT 8801 SUNSET BOULEVARD, WEST HOLLYWOOD." The proposed resolution has been revised to include the recommended change outlined on the last page of the staff report (regarding disaster recovery center).

The Deputy City Clerk reported that this item was noticed in the L. A. Independent Newspaper and posted at Plummer Park, the San Vicente Library, the Sheriff's Station and City Hall.

The staff was given by report by Jennifer Davis. Mayor Lang opened the public hearing and the following persons came forward to address the Council:

David Jeffries, West Hollywood - Appellant: More crime, more cars, lower property values, greater traffic.

Benjamin Clavan, applicant: Tower has gone through three major plans. Tower is under pressure to maintain their business. This will be a much safer building now, with rolldown gates at night and attendants during the day. The complaints are with development in general.

John Altschul, West Hollywood: support for the project.

Gary Pierson, West Hollywood, Book Soup: in favor; recommend Council approve.

Paula Raymond, West Hollywood: opposed to the project.

Richard Maggio, West Hollywood: support the project.

Bob Leeds, West Hollywood: Opposed. Invasion of neighborhood rights.

Sybil Zaden, West Hollywood: The neighbors on Horn voted unanimously to support the structure.

David Weissfeld, West Hollywood: Support the structure.

Kyle Bradshaw, West Hollywood: Support the structure.

Mr. Jeffries, appellant, gave his rebuttal and stated that his concerns are greatly answered if they do what they say they will do, such as internal cameras. Would like them to also look into the possibility of rounding the building to protect the next door neighbor.

Bruce Monahan: rebuttal for applicant, architect for Tower.

There has been no stronger critic than City staff. Made sure we addressed the problems of neighborhood. Garage internally ramped. Tower has been a responsive client. Strongly support.

No one else coming forward to speak, Mayor Lang closed the public hearing and returned this item to the Council for discussion.

Councilmember Heilman stated, for the record, that he had visited and inspected the site. He asked staff to work with the applicant to deal with the set-back area security issue.

Also, put the requirement for security cameras in writing.

Would like to allow them to use the front of the structure for posters, art, etc., on approval of staff. Discuss bathrooms on the site with developer, but not make a condition of approval - may not be feasible. Would like to see access to the structure on Horn. Staff directed to look at the question of making it rounded, with the applicant, in the interim.

Lucy Dyke stated that it's possible to approve the structure as it is and see how it goes; and could then change later.

ACTION: Close the public testimony period and continue the matter over to the first meeting in March for the adoption of the Resolution. Motion Heilman second Land. Hearing no objection it was so ordered.

**6. RESOLUTION ESTABLISHING FEES FOR THE TOWING OF TAXICABS:**  
REMOVED FROM THE AGENDA AT REQUEST OF STAFF; NO FURTHER  
CONTINUANCE.

**COUNCILMEMBER COMMENTS:** This portion of the meeting shall be set aside for general comments, announcements, requests of staff, and/or other issues of concern from members of the City Council. There were no comments at this time.

**UNFINISHED BUSINESS**

**7. SPECIAL ELECTION FOR THE SUBMITTAL OF A MEASURE AUTHORIZING THE ESTABLISHMENT AND OPERATION OF CARD CLUBS IN THE CITY OF WEST HOLLYWOOD:** THIS ITEM HAS BEEN PULLED FROM THE AGENDA AT THE REQUEST OF THE CITY ATTORNEY.

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

**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 speakers at this time.

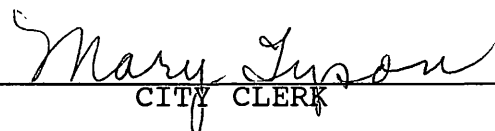
**COUNCILMEMBER COMMENTS:** Additional general comments, announcements, requests of staff and/or other issues of concern to Councilmembers shall be presented at this time. There were no comments at this time.

**ADJOURNMENT** The meeting was adjourned at 9:25 p.m., in memory of Ross Stuart Thayer, to a regular adjourned meeting, Tuesday, February 16, 1993, at 6:00 p.m. for closed session and 7:00 p.m. for the regular meeting at West Hollywood Park Auditorium.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 16TH DAY OF FEBRUARY, 1993.

  
MAYOR

ATTEST:

  
CITY CLERK