

**MINUTES
CITY COUNCIL MEETING
JANUARY 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 7:10 p.m.

PLEDGE OF ALLEGIANCE: The Pledge was led by Jeff Richmond.

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

ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

REPORT OF CLOSED SESSION: City Attorney Jenkins announced that no closed session was held this evening.

APPROVAL OF AGENDA: Item 5 to be continued at the request of the applicant. Item 2h pulled for separate discussion. Approved by consensus.

PROCLAMATIONS AND COMMENDATIONS: A commendation was presented to Ms. Inna Katsnelson, Gastronom Deli, who prepared 60 homemade Chanukah lunches for the West Hollywood homeless shelter over the holidays.

TREASURER'S REPORT: City Treasurer Jonathan Ahearn presented the Treasurer's Reports for October and November, 1992.

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. (The City Manager gave his report later in the meeting, but it is listed here for clarity.) City Manager Brotzman reported that the past week he had attended a meeting of the command personnel from the Sheriff's Department and representatives from the City Manager's Office of cities throughout Los Angeles County that contract with Sheriff's Department; there is a strong interest

in more community-oriented policing. Things discussed included ways to increase length of time of officers within a specific station, and opportunities for promotion within stations. Brotzman also reported that the W.H. Homeless Organization is having a fundraiser on January 31 at Roxbury. The homeless program is running at full occupancy; becoming less dependent on the City.

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:

Stan Lothridge, West Hollywood: Object to Item 4 for public hearing tonight regarding parking issues. Residents in those areas were not notified. Was told by Anne Browning that there is no requirement to notify individual property owners. An error in the public notice.

Jeanne Dobrin, West Hollywood: Item 4 has been put on the agenda in unseemly haste.

Mary Worley, West Hollywood: Residents on Rosewood were not notified. In the future, newspaper notices should list the names of the streets affected.

Fran Solomon, West Hollywood: In support of the Reproductive Freedom Act.

Bruce Traub, West Hollywood: Question the notification regarding the parking overlay issue. The original people involved in the General Plan should be notified and there should be input from them.

2. CONSENT CALENDAR: The following routine matters were acted upon by one motion to approve with the consent of the Council or were removed for separate discussion. Items removed for separate discussion were heard following New Business Items.

ACTION: Approve Consent Calendar Items 2a, b, c, d, f, g, i, j, and k. Motion Land second Heilman. Hearing no objection it was so ordered.

a. Posting of Agenda: The agenda for the meeting of Tuesday, January 19, 1993 was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, January 13, 1993. **ACTION:** Receive and file. Approved as part of the Consent Calendar.

b. Demand Register No. 237, Resolution No. 1078.
ACTION: Approve Demand Register No. 237 and adopt Resolution No. 1078.
Approved as part of the Consent Calendar.

c. Treasurer's Report - October, November, 1992.

ACTION: Receive and file.

Approved as part of the Consent Calendar.

d. Minutes: January 4, 1993

ACTION: Approve the minutes of January 4, 1993.

Approved as part of the Consent Calendar.

e. Claims: None this period.

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. 356 - Warner Studios - Zoning Ordinance

Text Amendment: ACTION: Adopt on second reading Ordinance No. 356, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING AN AMENDMENT TO SECTION 9226.C.2 OF CHAPTER 9220 OF ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE."

Approved as part of the Consent Calendar.

h. Ordinance No. 357 - Warner Studios - Development

Agreement: THIS ITEM WAS CONSIDERED UNDER EXCLUDED CONSENT CALENDAR, BUT IS LISTED HERE FOR CLARITY. As a follow-up to the January 4 discussion on the Warner Studios development, Mayor Lang appointed two Council subcommittees. First, on the fine arts subcommittee, Mayor Lang appointed herself and Councilmember Koretz. Second, to deal with the other issues that pertain to the development, Mayor Lang appointed Councilmembers Heilman and Guarriello. Councilmember Land suggested that both subcommittees look at things comprehensively; make sure there is the same staff person at meetings of both subcommittees, and if it seems that each subcommittee is operating separately and not considering what the other subcommittee is doing, then Council may want to re-look at whether this is the best way to do it. Direction was given that both subcommittees should look at things as comprehensively as possible. Councilmember Heilman, as a clarification, stated that everything that comes from the subcommittee, including the arts component, is subject to final review by Council. Gay Forbes suggested that the staff could play that role of providing continuity and relating the information back and forth between the two subcommittees.

ACTION: Adopt on second reading Ordinance No. 357, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT AGREEMENT NO. 92-01 IN CONNECTION WITH WARNER HOLLYWOOD STUDIOS COMPREHENSIVE DEVELOPMENT LOCATED AT 1041 N. FORMOSA AVENUE AND 7116-56 SANTA MONICA BOULEVARD." Motion Land second Koretz. Hearing no objection it was so ordered.

i. Resolution Certifying the Environmental Impact Report

for a Comprehensive Expansion Plan for Warner Studios:

ACTION: Approve and adopt Resolution No. 1079, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CERTIFYING THE ENVIRONMENTAL IMPACT REPORT PREPARED FOR WARNER HOLLYWOOD STUDIOS FOR A DEVELOPMENT PLAN LOCATED AT 1041 N. FORMOSA AVENUE AND 7116-7156 SANTA MONICA BOULEVARD."
Approved as part of the Consent Calendar.

j. Authorization to Execute a Mills Act Contract Between the City of West Hollywood and Howard Steier, Owner of a Contributing Building Within the Courtyard Thematic District, Located at 8468 Fountain Avenue, West Hollywood: **ACTION:** Authorize the Mayor to execute an Historical Property Preservation Agreement (Mills Act Contract) between the City of West Hollywood and Howard Steier, owner of the local cultural resource located at 8468 Fountain Avenue, West Hollywood, California.
Approved as part of the Consent Calendar.

k. Award of Bid for Offsite Photocopying/Low-End Printing:
ACTION: Authorize the City Manager to enter into a contract with Sir Speedy, 8730 Santa Monica Boulevard, for the period of February 1, 1993 - June 30, 1994, with an option to extend annually for five years at the discretion of the City Manager, for offsite photocopying and low-end printing, and reject all other bids.
Approved as part of the Consent Calendar.

PUBLIC HEARINGS

3. ABATEMENT HEARING FOR PROPERTY LOCATED AT 8223 W. NORTON AVENUE AND RESOLUTION DECLARING THE PROPERTY A PUBLIC NUISANCE AND ORDERING THE ABATEMENT OF SUCH NUISANCE: Sue Wilcox, Code Enforcement Officer, gave the staff report. Council discussed whether to fence the property, and how the City could recover its costs. City Attorney Jenkins said that the Council does have the authority to fence the property; to go on and off the property after that, would have to go through normal administrative procedure; to recover costs, the City can put a lien on the property and foreclose--force the sale.

ACTION: Confirm the action and decision of the City Manager and declare the condition on the vacant lot to constitute a public nuisance for being injurious to health and safety and for interfering with the comfortable enjoyment of property, pursuant to the findings required in Section 4400 of the West Hollywood Municipal Code; 2) order the abatement of the weeds, trash and debris on the property within thirty (30) days of notice of the Council's decision and order the City Manager to abate the public nuisance in the event that the property owner fails to comply with the abatement order; 3) order the property owner to maintain the property in accordance with all requirements of

Chapter XI, Article IV in future and instruct the City Manager to return the case to the City Council for further abatement orders if this does not happen; 4) amend the Resolution to add in Section 6, in addition to removing weeds, trash and debris, "securing the property with an appropriate fence," and adopt, as amended, Resolution No. 1080, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DECLARING THE CONDITION OF THE PROPERTY LOCATED AT 8223 W. NORTON AVENUE, WEST HOLLYWOOD, CALIFORNIA 90069, TO BE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT OF SUCH NUISANCE"; 4) instruct the City Clerk to notify all owners and possessors of the subject property of the decision of the City Council.

Motion Heilman second Guarriello.

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

NOES: None.

Motion carried.

4. RESOLUTION ADOPTING GENERAL PLAN AMENDMENT 93-01 AMENDING CHAPTER 1.0, LAND USE, AND AMENDMENTS TO THE GENERAL PLAN MAP RELATING TO NON-RESIDENTIAL PARKING OVERLAY; ORDINANCE REVISING THE ZONING ORDINANCE, CHAPTERS 9200, 9300, 9400, AND 9500 AND THE ZONING MAP: Councilmember Guarriello questioned whether there was appropriate noticing. City Attorney Jenkins stated that publishing of a notice is permitted as an alternative in cases where more than 1,000 properties are affected by the proposed action; although the notice referred to the wrong day of the week, the date itself was correct, and anyone reading the notice could look at the calendar or call the City for clarification.

Anne Browning, Planning Manager, reported that the Council would be considering three things: 1) a correction to the Zoning and General Plan Maps; 2) a change in policy to allow more intensive use of existing parking lots; and 3) a change in policy regarding the use of additional residential lots for parking. During the review of several projects, it was discovered that not all parking lots that meet the PK definition have that appropriate PK designation. The first proposed action will correct those inconsistencies. These are listed in the Tables in the staff report. In most cases the zoning changes are from residential zoning to residential plus PK, and in every case, there are existing parking lots on those sites. In other cases, there was a PK designation on properties that currently have housing; staff recommends removing the PK in those cases. In a small number of cases it was agreed by the Planning Commission that a commercial designation was appropriate. The second main proposed change is to change the text of the Zoning Ordinance and General Plan to allow intensification of parking and allow parking structures on properties currently being used for parking. The Planning Commission approved with the caveat that any structures would be approved by the Commission, at a public hearing. No rooftop parking would be permitted.

The third consideration is whether to approve a policy change that would make residential plus PK a zone, just like like any other zone in the City, that could be applied for. The Planning Commission did not recommend this; the Commission recommended that language be added to the Zoning Ordinance that restricted the use of the zoning category, so it would only refer to the existing parking.

Following questions from Council, Mayor Lang opened the public hearing and the following persons came forward to speak:

Effie Reuveni, West Hollywood: You are converting residential zones to commercial; you are rezoning without proper public participation.

David Behr, West Hollywood: On behalf of Planning Commission. I met with staff to further correct addresses, parcel numbers and descriptions. Additional concerns about some of the wording in the ordinance and resolution.

Joyce Hundal, West Hollywood: Overlay parking is intrusive to residential community. Object to changing a residential lot to commercial. You must protect the residential area and housing.

G. Bruce Traub, West Hollywood: Planning Commission has not had time to review the resolution. Opposed.

Mary Worley, West Hollywood: We don't want intensification on Rosewood.

Jeanne Dobrin, West Hollywood: David Behr is the only Commissioner who studied his packet. Criticism of Councilmember Koretz.

Steve Martin, West Hollywood: Opposed.

Stan Lothridge, West Hollywood: People not properly notified.

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

ACTION: Amend the ordinance to insert language to give the Planning Commission authority to consider rooftop parking on a case-by-case basis, as long as it is adequately designed and buffered from the residential. Motion Heilman second Koretz. Hearing no objection it was so ordered.

Anne Browning stated that Section 9246 of the Ordinance would be amended to read, "Rooftop parking shall only be permitted where deemed appropriate by the Planning Commission or City Council on appeal."

FURTHER ACTION: To amend the staff recommendation regarding 1133 La Brea (McDonald's) so that the only portion that gets rezoned commercial is that portion which is built commercial, and the portion on Detroit remains residential. Motion Heilman second Land. Hearing no objection it was so ordered.

FURTHER ACTION: Change to 25 foot height on Rosewood. By consensus.

Anne Browning, for the record, made the following corrections to the tables:

Table I, Zoning Map Amendments: 1) For 8473 De Longpre Avenue, add a tiny piece of south portion of lot 005; 2) For number 15, Westbourne, strike out parcel number "013"; 3) For number 21, Spaulding Avenue, the map book is "016" rather than "015". Remove "9000 Rosewood Avenue" from the General Plan Map Amendments.

FURTHER ACTION: Adopt Resolution No. 1081, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING TEXT AMENDMENTS TO CHAPTER 1.0, LAND USE, AND AMENDMENTS TO THE LAND USE MAP OF THE GENERAL PLAN (GPTA 93-01, GPMA 93-01)", as amended; and introduce on first 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)," as amended.

Motion Land second Heilman.

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

NOES: None.

Motion carried.

5. APPEAL BY LE MONTROSE HOTEL, 900 HAMMOND, OF PLANNING COMMISSION DECISION - REQUEST FOR ON-SITE SALE OF ALCOHOLIC BEVERAGES:

Mayor Lang opened the public hearing and the following person came forward to speak:

John Douponce, West Hollywood: General Manager, Le Montrose Hotel. Thanks to Council for continuance. Don't have a report for you tonight, but will have a full presentation at the scheduled meeting.

ACTION: To continue the hearing open to February 16, 1993.

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

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.

Councilmember Land commented on the recent board meeting of the California League of Cities. The news from Sacramento is not good; the League anticipates that cities will be very hard-hit by budget cuts from the State, which will look at taking more property taxes, more vehicle in-lieu fees, and redevelopment money. What the League plans is to lobby our State legislators and try to make them understand that the revenues that cities collect are imperative to providing services. Councilmember Guarriello suggested lobbying the Governor to not take away the renter's credit from seniors.

Councilmember Heilman asked everyone to notify City Hall if they know of potholes in the City, so that the problem can be taken

care of, and reminded everyone to drive carefully. Mayor Lang reported that she had attended a CEWAER reception in Sacramento last week; about 500 people were there, and she had lobbied some of our legislators regarding domestic partnership. It became clear that this issue needs to go to the PERS Board, rather than to the legislators; hopefully it can be guided there with the help of our lobbyist, Helyne Meshar. Mayor Lang also announced the Safety Fair, to be held on Saturday, January 30, from 10:00 a.m. to 4:00 p.m. in Fiesta Hall at Plummer Park. Earthquake preparedness, personal safety and home safety will be discussed, and admission is free.

City Manager Brotzman, to follow up on Councilmember Land's remarks, stated that the Governor is proposing, in addition to the nine percent taken from property tax revenues last year, to transfer another 22 percent of the cities' property tax revenues to schools, thereby relieving the State of the burden of funding the schools. This would mean a reduction in our ongoing tax base of between 1.5 and two million dollars. The Governor is also proposing transferring property tax away from special districts. Third, he is proposing to eliminate renter's credit for '92 and '93. A City newsletter will be sent out in which will be outlined the types of fiscal impacts to the City, identify program costs; the Council will hold a budget meeting on February 22; and prior to that, on January 27, there will be a meeting with boards, commissions and advisory councils, and we will provide them with that information. The City Manager said also that he will be attending neighborhood meetings and providing them with as much information as possible.

EXCLUDED CONSENT CALENDAR: Items removed from the Consent Calendar for separate discussion shall be considered at this time. Item 2h, approval of Development Agreement with Warner Studios, was considered at this time but is listed in 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. The following persons came forward to address the City Council: John Altschul, West Hollywood: Activities taking place during the Safety Fair. Steve Martin, West Hollywood: Representing Rent Stabilization Commission. The Commission voted at their last meeting to ask Council to take a position against removing renter's credit. Second, Allen Schindler, Navy radioman third class, was beaten and murdered because he was gay. Gay-bashing is rampant, out-of-control in the military; condoned by the higher-ups. Ask Council to adjourn in Allen's memory; relay to President Clinton that he lift the ban on lesbians and gays in the military; and demand that the Department of Defense open an investigation of this murder,

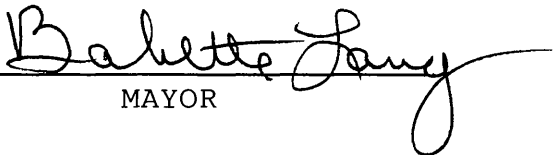
stop the cover-up, and prosecute those responsible.
Effie Reuveni, West Hollywood: Opposed to rooftop parking.
Regarding utility tax, would like City Manager to have a
townhall meeting instead of meeting with West Hollywood West.

COUNCILMEMBER COMMENTS: Additional general comments,
announcements, requests of staff and/or other issues of concern
to Councilmembers shall be presented at this time.
Councilmember Heilman asked that the meeting be adjourned in
Allen Schindler's memory. Approved by consensus.

ADJOURNMENT: The meeting was adjourned at 8:50 p.m. in memory
of Allen Schindler, to Monday, January 25, at 6:00 p.m. at West
Hollywood Auditorium, for a study session on Economic
Development.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 2ND DAY OF FEBRUARY,
1993.

ATTEST:


MAYOR


CITY CLERK