

**MINUTES
CITY COUNCIL MEETING
NOVEMBER 2, 1992
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 Effie Reuveni.

ROLL CALL:

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

ABSENT: None

ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

REPORT OF CLOSED SESSION: City Attorney Jenkins reported that the City Council met in closed session beginning at 6:00 p.m. and discussed the following matters pertaining to pending litigation: Grimm v. W.H.; Klaparda v. West Hollywood; Urban Conservation League, Heifitz and ROAR, potential and threatened litigation and negotiations with employee associations. **ACTION:** Approve the claims of Ivanov Leonid, Janice L. Floria, Ann Polsky, Julia Abdala. Motion Guarriello second Heilman. Hearing no objection it was so ordered.

APPROVAL OF AGENDA: Remove items 2i, 2o and 2q from the consent calendar for separate discussion. **ACTION:** Approve the agenda as amended. Motion Heilman second Koretz. Hearing no objection it was so ordered.

PROCLAMATIONS AND COMMENDATIONS:

Commendations regarding Business Retention Task Force were presented to the following - Ivy League, Mickey's, Western International Media, and North Beach Leather.

Commendations: Members of HIV Task Force: Hamp Simmons,

Michaeljohn Horne, Sandra Jacoby Klein, John Hutson, Randy Spicochi, Patricia Ryan, David Etezade, Steve Bennett, Vee Mell, Mark Lehman, Thomas Crail, Rick Sullivant, Paul Davis, Lucy Dyke, Marshal Feldman, Voris Grindstaff, Lance Strugar, Alex Pittman, Leslie Hull, Barry Brower.

Aquatics Staff Commendations: Richard Cimadoro, Neil Fenn, Todd Freidrichsen, Kari Jensen, Ben Little, Robb McCaffree, Tyrone McKinley and Richard Murdock.

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. Paul Brotzman reported on two items: First, Prop AA--Several concerns: there are proposals suggesting it can be operated within same budget as currently exists. There would be fewer law enforcement personnel on the street; Council would probably direct that we expand that number. People should be aware there will be additional costs. Second, the labor settlement with AFSCME--the employees have approved it today. That will complete all but one of the agreements with bargaining units. Thanked the members of the AFSCME bargaining team. Overall a very fair contract; modification of health plan; full coverage but a savings in cost; a COLA increase, offset by health plan savings; layoff plan--recognition of performance--a positive move. Contains provisions for recognizing outstanding performance. Councilmember Guarriello asked the City Manager if he had been attending meetings to explain the budget to people. City Manager Brotzman explained that he had attended commission meetings and provided that information. He stated that he hopes to provide the information as broadly throughout the community as possible, that Council will face either cutting programs or finding replacement revenue.

Councilmember Guarriello asked that he and Councilmember Land be given a list of where the City Manager would be speaking so that they could be there too, as members of the Finance Committee.

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:

Carmen Alarid, West Hollywood -mother of 3 children; need stop sign on Formosa and Lexington.

Dolores Moreno, West Hollywood - dangerous traffic on Formosa.

Robert Pierson, West Hollywood - support Proposition AA.

Jeanne Dobrin, West Hollywood - support Sheriff's Department.
Jim Kazakos, West Hollywood - support cul-de-sac on Hammond.
Mark Jones, West Hollywood - support Proposition AA.
Stan Lothridge, West Hollywood - criticism of Koretz for not taking a position on AA.
Stanley Shire, West Hollywood - please vote no on AA.
Gloria Vassy, West Hollywood - support for pool and staff; opposed to raises given to mid-management and management positions; vote no on AA.
Dr. Virginia Urribe, Fairfax High School, Project 10 - want to thank Council for support of Project 10 at Fairfax.
Budd Kops, West Hollywood - oppose Proposition AA.
Kipukai Kualii, President of General Employees Bargaining Unit (AFSCME) - we've all gained a lot from the bargaining process. Thanked Council for tolerance and understanding and persevering in finding an agreement that best serves us all.
Effie Reuveni, West Hollywood - opposed to AA.

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 will be heard following New Business Items but will be listed here for clarity.

ACTION: Approve items 2a, b, c, d, e, f, g, h, j, k, l, m, n, p, r, and s. Motion Heilman second Koretz. Hearing no objection it was so ordered.

a. Posting of Agenda: The agenda for the meeting of Monday, November 2, 1992, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, October 28, 1992.

ACTION: Receive and file.

Approved as part of the Consent Calendar.

b. Demand Register No. 232, Resolution No. 1056.

ACTION: Approve Demand Register No. 232 and adopt Resolution No. 1056.

Approved as part of the Consent Calendar.

c. Treasurer's Report - August, 1992: **ACTION:** Receive and file.

Approved as part of the Consent Calendar.

d. Minutes: October 19, 1992

ACTION: Approve the minutes of October 19, 1992.

Approved as part of the Consent Calendar.

e. Claims: Edward Collins
Ivanov Leonid
Janice L. Florio
Ann Polsky
Julia Abdala

ACTION: Take action on the claims of Ivanov Leonid, Janice L.

Florio, Ann Polsky, and Julia Abdala as discussed in Closed Session on November 2, 1992. Deny the claim of Edward Collins 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. 353, Amendments to Taxi Ordinance: ACTION: Waive further reading and adopt on second reading, Ordinance No. 353, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD MODIFYING THE REGULATION OF TAXICABS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Approved as part of the Consent Calendar.

h. Ordinance No. 354, Providing Penalties to Owners Whose Motor Vehicles Disturb the Peace: ACTION: Waive further reading and adopt on second reading Ordinance No. 354, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATING TO MOTOR VEHICLE ALARMS, AND AMENDING CHAPTER III (NOISE) OF ARTICLE IV (PUBLIC PEACE) OF THE WEST HOLLYWOOD MUNICIPAL CODE." Approved as part of the Consent Calendar.

i. Contract for Legal/Display Advertising: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Stan Lothridge and Jeanne Dobrin, both of West Hollywood, addressed the Council on this item. By consensus of the Council, this item was tabled to the next meeting for further information from the City Clerk.

j. Compensation for Temporary Employees: ACTION: All temporary employees except for interns in active City service, shall be granted a cost of living adjustment of 3.3% effective the date of adjustment made in regular status position equivalent(s). Approved as part of the Consent Calendar.

k. Resolution Superseding Resolution No. 972 Accepting Responsibility for Maintenance and Liability for Streetscape Improvements on Santa Monica Blvd.; Adds Scoring-Patterned Sidewalks: ACTION: To adopt Resolution No. 1057, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ACCEPTING RESPONSIBILITY FOR MAINTENANCE AND LIABILITY FOR MAINTENANCE OF PALM TREES, PEDESTRIAN POST LANTERNS, SIGNAGE, TREE WELL COVERS, AND SIDEWALK PAVED WITH PORTLAND CEMENT CONCRETE ARTICULATED WITH A SCORING PATTERN OF DIAMOND SHAPES ON SANTA MONICA BOULEVARD, AND WITH THE UNDERSTANDING THAT THE CITY IS SEEKING TO OBTAIN JURISDICTION OVER SANTA MONICA BOULEVARD FROM THE CALIFORNIA STATE DEPARTMENT OF TRANSPORTATION, THAT SAID IMPROVEMENTS WILL NOT PREJUDICE RELINQUISHMENT PROCEEDINGS FOR SANTA MONICA BOULEVARD, AND SUPERSEDING

RESOLUTION NO. 972."
Approved as part of the Consent Calendar.

l. L.A. City Schools Project 10 at Fairfax High School:
ACTION: Authorize the purchase of a maximum of \$2,500 worth of educational materials and books for distribution by Project 10 at Fairfax High School.
Approved as part of the Consent Calendar.

m. Resolution Adopting Amended CEQA Guidelines:
ACTION: Adopt Resolution No. 1058, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD REPEALING RESOLUTION NUMBERS 100 AND 170, AND ADOPTING PROCEDURES IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND THE GUIDELINES OF THE SECRETARY FOR THE RESOURCES AGENCY, AS AMENDED IN 1989."
Approved as part of the Consent Calendar.

n. Appointment of Carol McGrath to Senior Advisory Council: ACTION: Approve the appointment of Carol McGrath to the Senior Advisory Council.
Approved as part of the Consent Calendar.

o. Formosa Avenue and Lexington Avenue - Request for Three-Way Stop Intersection: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The staff report was given by Lucy Dyke. PROPOSED ACTION: Install a three-way stop sign. Motion Land second Koretz.
AYES: Koretz, Land
NOES: Heilman, Guarriello, Mayor Lang.
Motion failed.

ACTION: Approve findings that a three-way stop control at Formosa Avenue and Lexington Avenue is not justified.
Motion Heilman second Guarriello.
AYES: Heilman, Guarriello, Mayor Lang
NOES: Koretz, Land
Motion carried.

p. Approval of Memorandum of Understanding with Local 3339, AFSCME, General Employee Bargaining Unit: ACTION: 1) Approve the agreement with AFSCME as described in staff report and authorize the City Manager to sign the MOU; and 2) Appropriate \$45,000 from the unappropriated general fund reserve for implementation of those MOU provisions not previously funded.
Approved as part of the Consent Calendar.

q. Amendment to Rent Stabilization Regulations Regarding Registration Fees: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The staff report was given by Mayme Cannady. Effie Reuveni, Bruce Traub and Stan Lothridge, West Hollywood, all spoke in opposition to eliminating the grace period.
ACTION: Table to the next meeting for a supplemental report.

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

r. Status Report on the Community Development Permit Expediting and Code Consolidation Project (Streamlining Project): ACTION: Direct staff to take the following actions: 1) Process Zoning Text Amendment 92-02 which includes changes to the sign ordinance and appeal process; 2) Continue meeting with the Ad Hoc Committee to complete discussions regarding improvements to our public service processes with a goal for completion of this project by January 1993; 3) Prepare a fourth status report to be presented to the City Council in January.

Approved as part of the Consent Calendar.

s. Approval of Position Specifications - City Auditor:
ACTION: Approve revised position specifications and job title change from Auditor/Accountant GE-13 to City Auditor GE-14.
Approved as part of the Consent Calendar.

PUBLIC HEARINGS

3. APPEAL OF THE PLANNING COMMISSION'S DENIAL OF VESTING TENTATIVE TRACT MAP 33541, ON APPLICATION OF HILLDALE INVESTMENT GROUP, TO SUBDIVIDE AIRSPACE FOR EIGHT CONDOMINIUM UNITS AND DIVIDING THE COMMERCIAL PORTION FROM THE RESIDENTIAL PORTION OF A MIXED USE DEVELOPMENT, ON PROPERTY LOCATED AT 824-828 N. HILLDALE AVENUE AND 825 N. SAN VICENTE BLVD.:

The staff report was given by Bill Meeker, recommending approval of the appeal. The County of Los Angeles had approved this development prior to West Hollywood becoming a City, and the commercial portion of the project has been built - this is for the residential portion - and to allow them to sell the condo units. Mayor Lang opened the public hearing and the following persons came forward to address the Council:

Ellen Berkowitz, representing Hilldale Investment Group.

Moreta Kunz, West Hollywood - opposed.

Jeanne Dobrin, West Hollywood - opposed.

Thomas Crail, West Hollywood - support.

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

Bill Meeker stated that the following changes had been made in the Resolution at the request of the City Attorney:

In the title, 3rd line from the top, following "Hilldale Investment, Arlen Andelson", insert "in part". Page 2, finding C - 2nd sentence has been added (between first and last sentence), "Evidence on the record does not substantiate the construction relative to the residential condominium portion of the development had commenced in reliance on a building permit, in fact no work has commenced with respect to the residential condominium portion of the development". Finding D has been

revised to read, "On July 6, 1992, the applicant and the City of West Hollywood entered into a mutual release settlement agreement resolving a dispute between the parties regarding Los Angeles County's approval of the mixed-use development project. The application for approval of the vested tentative tract map is beyond the scope of the agreement". Finding E has been revised to read, "In light of the mutual release and settlement agreement, the project is substantially in conformance with area general plans and the vesting tentative tract map is consistent with the applicable general plan document for the project". An additional finding, finding J, has been added, which reads as follows: "Conversion of the residential portion of the mixed-use development to condominium units will not have an adverse impact upon the balance of housing types in the area, which include rent controlled units, non rent controlled units, condominiums and single family residences. The project will contribute to the over-all mix of housing types within the City of West Hollywood". On page 4, Section 1.4, second line, change "Planning Commission" to "City Council" and in 5th line, following the word "requested", insert "in writing".

ACTION: 1) Grant the appeal of the Hilldale Investment Group/Arlen Andelson; and 2) Adopt Resolution No. 1059, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, GRANTING THE APPEAL OF HILLDALE INVESTMENT GROUP/ARLEN ANDELSON, AND APPROVING VESTING TENTATIVE TRACT MAP 33541, ON APPLICATION OF HILLDALE INVESTMENT GROUP, FOR THE SUBDIVISION OF THE COMMERCIAL PORTION OF A MIXED-USE DEVELOPMENT FROM THE RESIDENTIAL PORTION OF THE DEVELOPMENT AND SUBDIVIDING AIRSPACE FOR EIGHT (8) CONDOMINIUM UNITS, ON PROPERTY LOCATED AT 824-828 N. HILLDALE AVENUE AND 825 N. SAN VICENTE BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." Motion Land second Heilman.
AYES: Heilman, Koretz, Land, Guarriello, Mayor Lang.
NOES: None.
Motion carries.

4. HAMMOND AND HILLDALE PART-TIME BARRIERS: The staff report was given by Lucy Dyke. The following persons came forward to address the City Council:
Lester Hirsch, West Hollywood - keep full-time barrier on Hilldale.
Mark Lehman, West Hollywood - supports part-time barriers.
Harriet Segal, West Hollywood - supports permanent full-time barriers.
Scott Keesling, West Hollywood - supports part-time barriers but wants left-turn arrow at San Vicente on Sunset.
Dave Davis, West Hollywood - supports permanent barrier on Hammond Street.
Joe Kroop, West Hollywood - supports permanent cul-de-sac.
Ravien Claveb, owner of 9000 Sunset Building - supports part-time barriers.
Jeanne Dobrin, West Hollywood - agrees with Transportation Commission.

Thomas Crail, West Hollywood - supports part-time barriers.
Susan Phelan, 9000 Sunset - supports part-time barriers.
Pascale Beale, 9000 Sunset - supports part-time barriers.
No one else coming forward to speak, Mayor Lang closed the public hearing and returned this item to the Council for discussion.

During discussion the owner and managers from 9000 Sunset stated that they would work with the City on the part-time barriers and could have their maintenance people putting up and taking down the "bullard" on Hammond at the designated times. Staff was asked to follow-up on this arrangement.

ACTION: Direct staff to replace temporary barriers on Hammond Street with part-time barriers, to be taken down from 7:00 a.m. to 7:00 p.m., and maintain temporary full-time barriers on Hilldale. The part-time barrier on Hammond to be reviewed in one year. Motion Land second Heilman.
AYES: Heilman, Koretz, Land, Guarriello, Mayor Lang.
NOES: None.
Motion carried.

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

Councilmember Koretz praised Sheriff's Dept. during riots, etc. However, voted yes on AA. Councilmember Guarriello stated he is opposed to Prop AA and voted "No".

Councilmember Heilman: Regarding the settlement agreement with General Employees Union - We have hardworking, excellent city employees; reached fair agreement; we have excellent group of managers. Thanked all for their hard work in putting together the agreement.

Councilmember Land: Vote Plus Ten campaign. Remind everyone to vote. Ask ten people you know if they've voted.

No on AA. Win or lose, we'll have to pull together.

Mayor Lang: Item 7 has been pulled. If anyone is here to speak, we'll take your comments.

Mayor Lang called a recess at 8:55 p.m.
The meeting was reconvened at 9:10 p.m.

UNFINISHED BUSINESS

5. HIV TASK FORCE REPORT: Daphne Dennis gave the staff report. Sandra Jacoby Klein, Co-Chair of the task force, spoke in favor of the recommendations. **ACTIONS:** 1) Receive and file the task force report; 2) Direct staff to return with analysis and cost projections for recommendations at the January 18, 1993 Council meeting; 3) Approve the suggested additions proposed by the Human Services Commission. Motion Heilman second Land. Hearing no objection it was so ordered.

6. L'ERMITAGE HOTELS - REVIEW OF COMPLIANCE WITH CONDITIONAL USE PERMITS AND BUSINESS LICENSES: The staff report was given by Anne Browning. The following persons came forward to address the City Council:

Budd Kops, West Hollywood - amplified music.

Jeanne Dobrin, West Hollywood - opposed to amplified music.

Lester Hirsch, West Hollywood - be very careful about amplified music.

Harriet Segal, West Hollywood - opposed to amplified music.

ACTION: Receive and file with direction to Code Enforcement to look into the parking of tour buses and limos on Hammond Street and further direction to staff to bring a report to Council on this issue in one year. Motion Heilman second Koretz. 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. Items 2i, 2o and 2q were heard at this time but are listed in original position for clarity.

At 10:05 p.m., Councilmember Koretz left the meeting.

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:

Robert Young, West Hollywood - problems with Rent Stabilization Department.

Bruce Traub, West Hollywood - no on AA.

Miki Zappi, West Hollywood - problems with Rent Stabilization Department.

Tim Olson, West Hollywood - yes on AA.

Howard Armistead, West Hollywood - gay-bashed at Melrose and San Vicente. Yes on AA.

Mitchell Grobeson, San Francisco Police Department - need local Police Department that won't discriminate against gays and lesbians.

Harriet Siegel, West Hollywood - buses on San Vicente are dangerous. Need to know who to contact if there are problems with the part-time barricades. Hearing Officer in Beverly Hills Court doesn't know the regulations in West Hollywood.

Karen Wolman, West Hollywood - support the Sheriff's Department.

LEGISLATIVE

7. PROPOSED AMENDMENT TO RENT STABILIZATION ORDINANCE REGARDING VACANCY RENT INCREASES FOR CONDOMINIUM UNITS:

THIS ITEM WAS PULLED FROM THE AGENDA AT REQUEST OF STAFF, BUT PUBLIC COMMENT WAS TAKEN. The following persons came forward to address the City Council:

Jeanne Dobrin, West Hollywood - the City only targeted two populations in their survey.

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


Councilmember Heilman stated that no matter what happens with Proposition AA, we all need to work together.

ADJOURNMENT The City Council adjourned at 10:30 p.m. to a brief closed session. The meeting reconvened and adjourned at 10:35 p.m. to a regularly adjourned meeting on November 16, 1992, at West Hollywood Park Auditorium at 6:00 p.m. for a closed session and 7:00 p.m. for the regular meeting.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 16TH DAY OF NOVEMBER, 1992.


MAYOR

ATTEST:


CITY CLERK