

**MINUTES  
CITY COUNCIL MEETING  
SEPTEMBER 8, 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 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 Jeanne Dobrin.

**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 met in closed session at 6:00 p.m. to discuss Labor negotiations and instructions were given to the City negotiator; litigation matters of Montrose et al vs. City of West Hollywood and West Hollywood Citizens for Better Police Protection vs. Los Angeles County Registrar/Recorder. The claims of John P. Kirk, David D. Brown, Norman Sax and Diane Levitan were approved as recommended by the Risk Manager.

**APPROVAL OF AGENDA:** Table items 2i, 2k and 2t. Remove items 2p, 2q and 2r for separate discussion. **ACTION:** Approve the agenda as amended. Motion Guarriello second Heilman. Hearing no objection it was so ordered.

**PROCLAMATIONS AND COMMENDATIONS:** Sheriff's Conference Committee: Present members -Wuzzy Spaulding, Jim Gordon, Hal Bodner, Cecelia Brown, Sgt. Michelle Debus, Capt. Clarence Chapman, Detective Brian Hawksley, Deputy Marie Pickette and Lt. Irene McReynolds. Past members - Dean Licitra, Kim Kralj, Aslan Brooke, Capt. Rachel Burgess, Deputy Sean Collinsworth, Deputy Willie Robinson, Detective Ruby McCoy, Sgt. John Powell and Deputy Bernie Patrick.

**TREASURER'S REPORT:** June, 1992 Jonathan Ahearn gave the Treasurer's Report for June, 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. Mr. Brotzman reported on the State budget's effect on the City which reduces the City General Fund revenue by over \$500,000, plus loss of Landscaping and Lighting Assessment District, Fire District, Sanitary District and Library District revenue. Asked for study session on the budget. Council set the meeting for 3:00 p.m., Thursday, September 10, 1992, in the Public Works Conference Room.

**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:

Randy Amasia, Los Angeles - in favor of Community Taxi.

Kipukai Kualii, West Hollywood, AFSCME - Labor Day - thanks.

Bruce Traub, West Hollywood - Protest City imposing new taxes.

David Lawrence, West Hollywood - Queer Village.

Budd Kops, West Hollywood - TUP's for La Mondrian and Bel Age.

Garwood Cannon, West Hollywood - protest permit for Queer Village.

Robert John Pierson, West Hollywood - no permit yet at Queer Village - open fires, trash, etc. guarantee of non-violence or liability insurance.

Joseph Kaufman, Studio City - support Community Taxi license.

Ralph Mayo, West Hollywood - City had warning and chose to ignore their own rules on Queer Village at Crescent Heights Triangle.

Richard Noble, Los Angeles - with Queer Village at the Triangle. Acknowledges they do not have a permit and is willing to be arrested.

Rick Zamarripa, West Hollywood - problems with Sheriff's. Patience with Queer Village.

David Amorena, West Hollywood - against PERS Insurance - loss of benefits and coverage for Domestic Partners.

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

**a. Posting of Agenda:** The agenda for the meeting of Tuesday, September 8, 1992 was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, September 2, 1992.

ACTION: Receive and file.

Approved as part of the Consent Calendar.

**b. Demand Register No. 228, Resolution No. 1022.**

ACTION: Approve Demand Register No. 228 and adopt Resolution No. 1022.

Approved as part of the Consent Calendar.

**c. Treasurer's Report - June, 1992**

ACTION: Receive and file.

Approved as part of the Consent Calendar.

**d. Minutes: August 17, 1992**

ACTION: Approve the minutes of August 17, 1992.

Approved as part of the Consent Calendar.

**e. Claims: John P. Kirk  
David D. Brown  
Norman Sax  
Diane Levitan  
Leon Ozeran  
Southern California Edison**

ACTION: Approve the claims of John P. Kirk, David D. Brown, Diane Levitan, and Norman Sax as discussed in Closed Session on September 8, 1992.

Deny the claims of Leon Ozeran and Southern California Edison without comment and refer to the City 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. Approval of Agreement with City of Beverly Hills for Services of Transportation Engineer:** ACTION: Authorize the City Manager to enter into an agreement with the City of Beverly Hills to utilize the services of Linda Miller as Transportation Engineer on a half-time basis.

Approved as part of the Consent Calendar.

**h. Renewal of Property Insurance:** ACTION: Authorize the expenditure of \$24,637 to bind coverage of a \$8,875,000 building and personal property policy and \$250,000 cable van coverage policy.

Approved as part of the Consent Calendar.

**i. Approval of Memorandum of Understanding with**

**Association of Council Deputies (ACD):** THIS ITEM WAS PULLED FROM THE AGENDA AT REQUEST OF STAFF.

**j. Ordinance No. 349, Expanding Parking District 5 to Include Keith Avenue from Doheny Drive to Willey Lane:**

**ACTION:** To waive further reading and adopt on second reading Ordinance No. 349, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD EXPANDING PREFERENTIAL PARKING DISTRICT 5 TO INCLUDE KEITH AVENUE FROM DOHENY DRIVE TO WILLEY LANE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

Approved as part of the Consent Calendar.

**k. Contract to Produce Registration Module of the Rent Stabilization Department Policy and Procedures Manual:**

THIS ITEM WAS TABLED TO THE NEXT MEETING ON APPROVAL OF AGENDA.

**l. Adoption of the 1991 Edition and 1992 Supplement of the Standard Specifications for Public Works Construction (the "Green Book"):**

**ACTION:** Approve Resolution No. 1024, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REGULATING MATERIALS OF CONSTRUCTION AND THEIR USE IN THE ERECTION, INSTALLATION, ALTERATION, REPAIR, REMOVAL, CONVERSION, DEMOLITION, AND CONSTRUCTION OF PUBLIC WORKS IMPROVEMENTS IN THE CITY OF WEST HOLLYWOOD; PROVIDING FOR THE ADMINISTRATION OF CONTRACTS AS WELL AS PERMITS ISSUED IN CONNECTION WITH SUCH IMPROVEMENTS; AND REPEALING ALL RESOLUTIONS AND PARTS OF RESOLUTIONS IN CONFLICT THEREWITH."

Approved as part of the Consent Calendar.

**m. Fee Resolution:** **ACTION:** Adopt Resolution No. 1025, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING FEES AND CHARGES FOR CERTAIN SERVICES PROVIDED BY THE CITY OF WEST HOLLYWOOD AND REPEALING RESOLUTION NO. 883."

Approved as part of the Consent Calendar.

**n. Jewish Family Services Board and Care Settlement Agreement:** **ACTION:** Accept the proposed Settlement Agreement with Jewish Family Services and direct the City Manager to execute the agreement.

Approved as part of the Consent Calendar.

**o. Contract Modification for City Prosecutor:** **ACTION:**

Authorize staff to amend the "Agreement for Prosecution Services for the City of West Hollywood" to reduce automobile liability insurance from \$500,000 to \$300,000 and legal malpractice insurance from \$1,000,000 to \$500,000 per claim.

Approved as part of the Consent Calendar.

**p. Award of Contract to Kaku and Associates for the Preparation of a Traffic Study for the Sunset Boulevard Specific Plan:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Lucy Dyke gave the staff report. **ACTION:**

Authorize the City Manager to enter into a contract with Kaku and Associates in the amount of \$56,400 for the preparation of a Transportation Impact Study according to the proposed contract document and Scope of Services. Motion Heilman second Land. Hearing no objection it was so ordered.

**g. Participation in PERS Health Plan - Funding Option Election:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. David Amorena addressed the Council about making a presentation at the next meeting.

**ACTIONS:** 1) Adopt Resolution No. 1026, ". . . Electing Public Employees' Medical and Hospital Care Act Coverage for Members of the West Hollywood Management Association (WHMA) and Fixing the Employer's Contribution"; 2) Adopt Resolution No. 1027, ". . . Electing Public Employees' Medical and Hospital Care Act Coverage for Members of the Association of Confidential Employees (ACE) and Fixing the Employer's Contribution"; 3) Adopt Resolution No. 1028, ". . . Electing Public Employees' Medical and Hospital Care Act Coverage for Members of the Association of Council Deputies (ACD) and Fixing the Employer's Contribution"; 4) Adopt Resolution No. 1029, ". . . Electing Public Employees' Medical and Hospital Care Act Coverage for Members of the American Federation of State, County and Municipal Employees (AFSCME) Local Union No. 3339 and Fixing the Employer's Contribution"; 5) Adopt Resolution No. 1030, "Electing Public Employees' Medical and Hospital Care Act Coverage for Nonrepresented Employees and Fixing the Employer's Contribution." Motion Guarriello second Heilman. Hearing no objection it was so ordered.

**r. No on Proposition 167:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. PROPOSED ACTION: Adopt "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING PROPOSITION NO. 167." Motion by Guarriello died for lack of a second. No action taken.

**s. Approval of Position Specifications - Senior Code Enforcement Officer:** ACTION: To approve the position of Senior Code Enforcement Officer; approve the position specifications attached to staff report as Attachment A; and approve the transfer of \$63,000 from Building and Safety Division to the Planning Division. Approved as part of the Consent Calendar.

**t. Concession Agreement - Plummer Park Tennis Courts and Pro Shop:** REMOVED FROM AGENDA AT REQUEST OF STAFF.

#### **PUBLIC HEARINGS**

**3. 300 N. SAN VICENTE - APPEAL OF PLANNING COMMISSION APPROVAL TO PERMIT THE REMODEL OF EXISTING OFFICE BUILDING AND THE CONSTRUCTION OF ADDITION FOR 78,050 SQ. FT. OF MEDICAL OFFICE**

**AND RETAIL USES:** (Continued from meeting of July 6, 1992)

The staff report was given by Anne Browning and Lucy Dyke. The 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.

Mayor Lang opened the Public Hearing and the following persons came forward to address the City Council:

Martin Strudler, West Hollywood West Homeowner's Association - appellant - will become dangerous situation without signalization.

David Dunn, San Diego - representing the developer - agreed to mitigating measures.

Effie Reuveni, West Hollywood - favor traffic light at exit of project on San Vicente. Opposed to the development.

Jennifer Markes, West Hollywood - will destroy the neighborhood.

David Amorena, West Hollywood - appeal for public safety.

Martin Strudler, appellant - will answer questions.

David Dunn will also answer any questions.

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

The Council discussed putting in a traffic signal after the development is up and going if it is needed. Councilmember Heilman brought up 2 changes staff had made in the Planning Commission resolution and asked by what authority they had done so. One was on valet parking and the other has to do with the Beverly Boulevard access. Staff stated these items were included so that they could articulate their opinions on these issues.

**ACTION:** 1) Uphold the decision of the Planning Commission to approve the development permit. Address the appeal concerns by adding a condition that the applicant shall be responsible for improving the turning movements on San Vicente to reduce any threat of danger for the ingress and egress at the driveway of the project; restore the Planning Commission's decision on validated parking; and add the traffic signal at a later time, if needed. Amend the resolution and return to Council. Motion Heilman second Land. Hearing no objection it was so ordered.

**4. HEARING ON APPEAL - HEARING ON THE RECORD OF AN APPEAL FILED BY PETER ARMA OF A DECISION BY THE TRANSPORTATION COMMISSION DENYING A TAXI OPERATOR'S LICENSE FOR HELLO YELLOW CAB COMPANY:** The 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. Lucy Dyke gave the staff report. The City Attorney reminded the Council that this hearing is on the record and is not a new opportunity for testimony. Mayor Lang opened the public hearing and the following persons came forward to address the Council:

Maryann Arma - Hello Yellow Taxi Co. - appellant.  
Peter Arma, West Hollywood - wants to open own company.

The City Councilmembers stated they felt there was a communication problem - do not feel the applicant clearly understands all the requirements.

**ACTION:** Continue for 1 month. Give applicant a letter in writing outlining what deficiencies need to be corrected. Change to de novo hearing and readvertise. Suggest that applicant get an interpreter. Motion Heilman second Koretz. Hearing no objection it was so ordered.

Mayor Lang called a recess at 9:00 p.m.  
The meeting was reconvened at 9:15 p.m.

**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 Heilman - staff to check on the Barney's Beanery outdoor dining problems - the umbrellas encroach on sidewalk. Queer Village has applied for a permit - if denied, take action to remove them from the site.

Councilmember Land - voter registration program - Vote Plus 10.  
Councilmember Koretz -adjourn meeting in memory of Phil Sheely, Randy Close and Jay Barrulli.

#### **NEW BUSINESS**

##### **5. WRITER'S GUILD - APPEAL OF DECISION OF PLANNING COMMISSION WHICH GRANTED APPEAL OF MARY WORLEY AND DENIED EXTENSION REQUEST PREVIOUSLY APPROVED BY COMMUNITY DEVELOPMENT DIRECTOR:**

The staff report was given by Tim Gawronski. The following persons came forward to address the Council:

Paul Nawrocki, Los Angeles - representing the Guild.

Objects to the proposal to limit the occupancy to non-profit.

Councilmember Heilman asked about reports that the Guild plans to move to another location.

Mr. Nawrocki stated that the Guild is looking at all their options because of economics, and are looking at alternatives.

Bruce Traub, West Hollywood - Guild getting ready to sell.

Effie Reuveni, West Hollywood - did not fulfill their promises. Want to sell for \$6 Million and want development permit.

Jeanne Dobrin, West Hollywood - Deny appeal. Findings cannot be met.

Nick West, West Hollywood - Guild needs to show "good cause".

Stan Lothridge, West Hollywood - Deny the appeal.

Mary Worley, West Hollywood - Deny the appeal and remove the Commercial Zone from Rosewood.

Paul Nawrocki, appellant - rebuttal - expanded into what was formerly Commercial retail space. Again stated that the Guild

is exploring the options open to them.

The City Attorney stated that the question is how the property is used, not who uses it; and the condition advocated by staff that the occupancy of the subject building be limited to non-profit organizations only, should be rejected.

**ACTION:** Deny the Writer's Guild appeal and uphold the decision of the Planning Commission. Motion Heilman second Guarriello. Hearing no objection it was so ordered.

**6. DETERMINATION OF HEARING TYPE AND DATE FOR AN APPEAL OF THE TRANSPORTATION COMMISSION'S DECISION TO GRANT AN OPERATOR'S LICENSE TO CELEBRITY AUTO BODY, INC., DBA COMMUNITY TAXI COMPANY:** The staff report was given by Chris Patrouch. The City Attorney spoke about a letter that Community Taxi had sent to the members of the Council. The appellant does have standing. Tonight the only issue before the Council is how the issue shall be heard. The appeal stays the action until the hearing. The following persons addressed the Council: Andrew Alenick, representing Community Taxi Company -everything needed is already on the record. Diane Wohlaven, Independent Cab Company - wants a de novo hearing.

**ACTION:** 1) Direct staff to schedule the hearing on appeal to be held October 19, 1992; 2) Direct staff to notify the applicant that the hearing shall be on the record. Motion Land second Heilman. Noting the objection of Koretz and Guarriello, it was so ordered. Councilmember Heilman stated that he felt the process was being subverted by the Cab Companies and asked staff to review the Ordinance.

**7. DESIGNATION OF VOTING AND ALTERNATE VOTING DELEGATES, ANNUAL CONGRESS OF CITIES, NOV. 28-DEC. 2, 1992, NEW ORLEANS, LOUISIANA:** **ACTION:** Designate Abbe Land as voting delegate and John Heilman as an alternate for the National League of Cities' Annual Business Meeting on December 1, 1992, and direct the City Clerk to file the appropriate registration forms. Motion Heilman second Guarriello. Hearing no objection it was so ordered.

**EXCLUDED CONSENT CALENDAR:** Consent Calendar items 2p, 2q, and 2r were removed for separate discussion and were heard 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. Jeanne Dobrin, West Hollywood - Le Valadon complaints. Diane Wohlleben, Los Angeles - Cab colors. Joseph Jimenez, West Hollywood - police initiative - gay



bashing incident.

Stan Lothridge, West Hollywood - public agenda; Halloween; City Hall Site Selection report; and Fire Station status.

Mary Worley, West Hollywood - thanks for decision on Writer's Guild.

Effie Reuveni, West Hollywood - rent registration fee and Utility Users levy.

Christopher Shea, West Hollywood - Red Cab Co. complaint.

**LEGISLATIVE**

**8. ORDINANCE AMENDING THE MUNICIPAL CODE REGARDING THE DEFINITION OF GROSS INCOME IN THE CONTEXT OF RENT INCREASE APPLICATIONS:** Mark Johnson gave the staff report. ACTION: Introduce on first reading, Ordinance No. 350, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING THE DEFINITION OF GROSS INCOME IN THE CONTEXT OF RENT INCREASE APPLICATIONS," amending Sections 6411 c 1 (b)(1) and 6411 c 1 (b)(5) of the Rent Stabilization Ordinance. Motion Heilman second Guarriello. Hearing no objection it was so ordered.

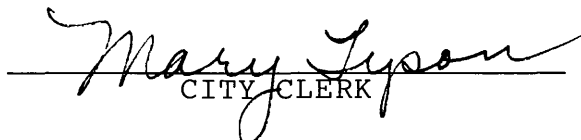
**9. ORDINANCE REVISING THE NUISANCE ABATEMENT PROCEDURE, ARTICLE IV, CHAPTER IV OF WEST HOLLYWOOD MUNICIPAL CODE:** The staff report was given by Sue Wilcox. ACTION: Introduce on first reading, Ordinance No. 351, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE BY REVISING THE NUISANCE ABATEMENT PROVISIONS." Motion Heilman second Guarriello. Hearing no objection it was so ordered.

**ADJOURNMENT** The meeting was adjourned to a budget study session on Thursday, September 10, 1992, at 3:00 p.m. in the Public Works Conference Room at City Hall, in memory of Phil Sheely, Randy Close and Jay Barrulli.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 21ST DAY OF SEPTEMBER, 1992.

  
MAYOR

ATTEST:

  
CITY CLERK