

**MINUTES
CITY COUNCIL MEETING
DECEMBER 16, 1991
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. Mayor Koretz announced that the Council discussed matters pertaining to potential litigation and personnel.

7:00 P.M. - REGULAR MEETING

CALL TO ORDER: Mayor Koretz called the meeting to order at 7:08 p.m.

PLEDGE OF ALLEGIANCE: The pledge was led by City Clerk Mary Tyson.

ROLL CALL:

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

ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

APPROVAL OF AGENDA: Table item 20 to the meeting of January 6, 1992. Councilmember Heilman stated he would also like to record his no vote on Item 21. **ACTION:** Approve the agenda as amended. Motion Heilman second Guarriello. Hearing no objection it was so ordered.

PROCLAMATIONS AND COMMENDATIONS: Dignity/U.S.A
Herb Sterns of Santa
Fair Pharmacy
Recycler of the Month
Buzz Hood

TREASURER'S REPORT: Jonathan Ahearn gave the Treasurers report for November, 1991.

CITY MANAGER'S REPORT: This time has been set aside for the City Manager to report to the City Council on any or all matters of importance. There was no report at this time.

1. CITIZEN COMMENTS: This time has been set aside for members of the public to address the City Council on items of

importance, including the Consent Calendar, but not including public hearings. The following persons came forward to address the Council:

Virginia Uribe, Project 10 - Thanks for support.
Mike Radcliffe, West Hollywood Community Alliance - Invitation to Holiday Party.
Esther Schiller, Los Angeles - second-hand smoke.
Martin Strudler, West Hollywood West Homeowners Association - proposed Cedars expansion and effect on the neighborhood.
Kirk Stricker, West Hollywood - replace Waste Management for recycling program; develop compost pile; ban leafleting in the City.
Alan Zovar, Los Angeles - no restaurant smoking Ordinance.
Gloria Vassy, West Hollywood - renovation of auditorium and lack of christmas decorations in the City. Closure of Homeless Shelter and domes in the parkette.
Tad Bright, East End Community Action - Homeless Shelter and views of the people in the neighborhood.
Ron Goins, East End Community Action - Homeless Shelter problems. Turn over to AIDS Health Care Foundation.
Robert Davis, West Hollywood - Food basket program and Christmas lights.
Rev. John VonDouris, West Hollywood - Commission on Disability and Homeless issue.
Bill Lucachick, homeless shelter - support for center.
Milton Ball, homeless shelter - support for center.
Jan Grant, homeless shelter - support for center.
Jeanne Dobrin, West Hollywood - La Mondrian Hotel in receivership.
Ted Hayes, Homeless activist - geodesic domes on the triangle to bring attention to those who are homeless and dying.

COUNCILMEMBERS COMMENTS: This time has been set aside for Councilmembers to direct comments to staff and/or the public on any and all matters of interest.

Councilmember Guarriello thanked the Eastend people for their work on foodbaskets for the poor.

Councilmember Heilman spoke about the recycling program and the closure of the homeless shelter and the continuing need.

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.

ACTION: Approve items 2a, b, c, d, e, f, g, h, i, j, k, l, (with a no vote by Councilmember Heilman), m, n, p, q, r, s, and t. Motion Land second Heilman. Hearing no objection it was so ordered.

a. Posting of Agenda: The agenda for the meeting of December 16, 1991, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday,

December 11, 1991.

ACTION: Receive and file.

Approved as part of the Consent Calendar.

b. Demand Register No. 211, Resolution No. 916.

ACTION: Approve Demand Register No. 211 and adopt Resolution No. 916.

Approved as part of the Consent Calendar.

c. Treasurer's Report - November, 1991: ACTION: Receive and file.

Approved as part of the Consent Calendar.

d. Minutes: December 2, 1991

ACTION: Approve the minutes of December 2, 1991.

Approved as part of the Consent Calendar.

e. Claims: Harriet L. Vance

ACTION: Deny the claim of Harriet L. Vance 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. Mandatory Retirement Coverage - Non-PERS Participants:

ACTION: 1) Direct staff to extend Social Security retirement coverage to non-P.E.R.S participating employees effective 1/1/92; 2) Direct Department Directors to transfer funds from full-time benefits budget line item to cover the employer's cost of Social Security for temporaries (6.2% of wages); and 3) direct Human Resources to notify affected persons that they will be receiving Social Security credit commencing January 1, 1992, and will be contributing the employee's share of 6.2% of wages.

Approved as part of the Consent Calendar.

h. Project 10: ACTION: Authorize 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.

i. Support of SB 593, The California Housing Bond Act of 1992: ACTION: Adopt Resolution No. 917, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 593, THE CALIFORNIA HOUSING BOND ACT OF 1992" (Roberti), and direct the City's Sacramento lobbyist to work toward passage of SB 593.

Approved as part of the Consent Calendar.

j. Parking Ticket Policy: ACTION: Direct the staff of

the Transportation Department, working with Public Safety Division, to develop a policy for voiding parking tickets which are issued in error, and bring the policy to the City Council for approval.

Approved as part of the Consent Calendar.

k. Economic Development (Business Promotion Activities):

ACTION: Direct staff to work with the Executive Director of the Marketing Corporation to schedule a retreat with the Board of the Corporation to determine the most effective method for the City to accomplish its business promotion activities. Direct staff to obtain the assistance of experts, if necessary, to assist in developing options for future programs in this area. With the assistance of these individuals and with the leaders of the Chamber of Commerce, prepare a report identifying the City's options and recommending a structure for the City's future economic and business promotion activities.

Approved as part of the Consent Calendar.

l. General Plan Amendment Amending the Land Use Map to Redesignate 1422 N. Sweetzer Ave.: **ACTION:** Adopt Resolution No. 918, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING GENERAL PLAN AMENDMENT 91-05 AMENDING THE GENERAL PLAN BY AMENDING THE LAND USE MAP TO REDESIGNATE 1422 N. SWEETZER."

Approved as part of the Consent Calendar, with a no vote by Heilman.

m. Ordinance No. 318, Graffiti Prevention and Removal:

ACTION: Waive further reading and adopt on second reading, Ordinance No. 318, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATING TO GRAFFITI PREVENTION AND REMOVAL AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".

Approved as part of the Consent Calendar.

n. Approve Final Parcel Map 21623, 627 Sweetzer Avenue:

ACTION: Approve Final Parcel Map 21623. Instruct the City Clerk to endorse on the face of Final Parcel Map 21623, the certificate which embodies the approval of said map upon payment of the Quimby Fee by the developer.

Approved as part of the Consent Calendar.

o. Agreement to Modify the Distribution of Fines and Forfeitures Resulting from Parking Citations and Transfer the Responsibility for the Processing of Parking Citations:

THIS ITEM WAS TABLED TO JANUARY 6, 1992, ON REQUEST OF STAFF.

p. Award of Contract for Renovation of the Heating/Air Conditioning Systems in West Hollywood Park Auditorium and Plummer Park Community Building: **ACTION:** Award the contract for the HVAC renovation for West Hollywood Park Auditorium and Plummer Park Community Building to Servidyne, Inc. of Glendale, California in the amount of \$20,033; reject all other bids;

and authorize the City Manager to sign the contract.
Approved as part of the Consent Calendar.

q. Removal of Aida Morgenstern From the Fine Arts Board:
ACTION: That the City Council, with regret, remove Aida Morgenstern from the Fine Arts Advisory Board, and thank her for her past performance. Direct the City Clerk to post the vacancy and advertise for applications.
Approved as part of the Consent Calendar.

r. Revised California Dental Health Plan Agreement:
ACTION: Authorize the City Manager to execute the 1992 California Dental Health Plan agreement.
Approved as part of the Consent Calendar.

s. Revised Vision Service Plan Agreement: ACTION:
Authorize the City Manager to execute the 1992 Vision Service Plan agreement.
Approved as part of the Consent Calendar.

t. Revised Kaiser Permanente Service Agreement:
ACTION: Authorize the City Manager to execute the 1992 Kaiser Permanente employee group agreement.
Approved as part of the Consent Calendar.

PUBLIC HEARINGS

3. DESIGNATION OF THE HARPER AVENUE DISTRICT AS AN HISTORIC DISTRICT AND CONSIDERATION OF TWO APPEALS REGARDING 1320 AND 1338-52 HARPER AVENUE: Mayor Koretz opened the Public Hearing and John Jakupcak and Amy Anderson gave the staff report. Councilmember Heilman asked about why staff is not having one-on-one meetings with the property owners. Anne Browning stated that because of the large number of properties, they conducted community meetings. The following persons came forward to testify:

Boyd Willat, appellant - does not show a progress in development. Opposed to the designation.

Walter Johnson, appellant - 1320 Associates - CHAB and the Planning Commission stated prior to this that this building had no historical value. Opposed to designation as contributing buildings.

Michael Szymanski, West Hollywood - consider an EIR.

David Cameron, Santa Monica - investigated and found that 1320 N. Harper was the original building.

Luther Davis, West Hollywood - brought pictures taken from windows of the apartments showing all the trees and vegetation.

Jenifer Bassegy, West Hollywood - original house of L-shaped courtyard. Important building.

Phil Curtis, West Hollywood - need historical context - support.

Thomas Jones, West Hollywood - support approval.

Jamie Wolf, West Hollywood Conservation League - support approval of the district.
Kevin Lucas, Los Angeles - support designation of the 2 districts. (people in audience stood to show support).
Greg Spenser, owner of 1320 N. Harper - structure not meant to stand forever. Incentives not enough.
Paul Hanchett, West Hollywood - support for district.
Stephen Wielage - waive speaking - support.
Karyn Isaacs - waive speaking - support.
Robert John Pierson, West Hollywood - people on the walking tours ask about 1320 Harper. support for designation and district.
Sabin Gray, West Hollywood - Board member speaking in support as a resident.

Walter Johnson and Boyd Willat, developers, spoke in rebuttal and explained the mistake in the document, and spoke about the inadequacy of the incentives. They spoke about the proposed development on 1320 N. Harper.

Mayor Koretz returned this item to the Council for discussion.

ACTION: Deny the appeal of Sophie Friedman (1338-52). Motion Heilman second Land.
AYES: Guarriello, Heilman, Land, Mayor Koretz
NOES: Lang
Motion carried.

PROPOSED ACTION: Deny the appeal of 1320. Motion Guarriello. Died for lack of a second.

PROPOSED ACTION: Grant the appeal of 1320 and approve the remainder of the district. Motion Heilman. Died for lack of a second.

FURTHER ACTION: Approve the designation with the exception of 1320 and grant the appeal of Boyd Willat/Walter Johnson. Motion Heilman second Mayor Koretz.
AYES: Heilman, Lang, Mayor Koretz
NOES: Guarriello, Land
Motion carried.

Mayor Koretz called an intermission at 9:05 p.m.
The meeting was reconvened at 9:20 p.m.

4. DESIGNATION OF THE COURTYARD THEMATIC DISTRICT AS AN HISTORIC DISTRICT AND APPEAL OF DESIGNATION RECOMMENDATIONS FOR PROPERTIES LOCATED AT 1275 HAYWORTH, 1414 1/2-1418 HAYWORTH, 819-25 1/2 SWEETZER AND 1233-39 SWEETZER:

John Jacupcak gave the staff report. Mayor Koretz opened the public hearing and the following persons came forward to testify:

Mark Lehman, representing owners of 1414 1/2 - 1418 Hayworth -

criteria does not apply to these buildings. This is courtyard housing but is not a unique building and lacks any architectural merit or detailing.

Israel Eisenberg, 1238-1248 N. Havenhurst -opposed - son David spoke for him and voiced his objections. There has been no communication between the City and the property owners of the designated properties. Wants to know what this will mean to his income.

Paul Leonard, Los Angeles - 1275 Hayworth - opposed. Property owners and City should develop Cultural Heritage list.

Edna Rodriguez, representing Kent Investment - Mrs. Crown - owner opposed. 84 years old and feels rights are being violated.

Sue Patton, spoke in support of Mrs. Crown, 1233-39 Sweetzer.

Jeanne Dobrin, West Hollywood - improper for Board members to address the Council on how they made their decision.

Janice Martinez, works for owner of 1414 1/2 - 1418 Hayworth - opposed, buildings have deteriorated, garages are collapsing
Robert John Pierson, West Hollywood - need to look at whole thematic grouping - courtyard housing and years built.

Mayor Koretz returned this item to the Council for discussion.

Robert Eilbacher, owner of 819-825 1/2 Sweetzer - opposed. Old structures, maintenance is killing him. Taking property without due compensation.

ACTION: Continue public hearing open and defer action on those with objection to first meeting in February. Approve those not objected to this evening. Includes direction to staff to meet with individual owners, brainstorm on senior citizen or disabled problems and added incentives. Motion Heilman second Land.

AYES: Heilman, Land, Lang, Mayor Koretz

NOES: Guarriello

UNFINISHED BUSINESS

5. APPEAL OF DENIAL OF CREATIVE SIGN PERMIT 91-02 FOR A CREATIVE SIGN IN THE PARKING LOT AREA OF TOWER RECORDS, 8801 SUNSET BLVD., BY SOLBROOK DISPLAY CORP.: The staff report was given by Anne Browning. The following persons came forward to address the Council:

Berta Pat Solomon - Solbrook Display Corp - N. Hollywood - appellant. There was a lack of communication at Planning Commission. This is an artistic, creative sign and turns every five to ten minutes, not every three, and is not visible from Sunset.

Jeanne Dobrin, West Hollywood - What document was handed to the City Council? Sign does not meet the criteria. Uphold the Planning Commission.

Ms. Solomon stated the signs would be on tempered masonite, designed for outdoors.

ACTION: Grant the appeal. Motion Mayor Koretz second Heilman.
AYES: Heilman, Land, Lang, Mayor Koretz
NOES: Guarriello
Motion carried.

6. AMENDMENT OF MUNICIPAL CODE SECTION 6372 - CONSUMER PROTECTION AND BUSINESS REGULATIONS: Anne Browning gave the staff report asking that catering trucks and peddlers be treated differently. Jeanne Dobrin, West Hollywood addressed the Council on the conditions outlined in the staff report and the use of horns. **ACTION:** Direct the City Attorney to prepare an Ordinance containing the necessary code amendments to permit vending on the public highway under certain limited conditions. Motion Heilman second Land. Hearing no objection it was so ordered.

NEW BUSINESS

7. PROPOSALS FOR STREAMLINING THE PLANNING AND PERMITTING PROCESSES: The staff report was given by Mayor Koretz. The following persons came forward to address the Council: Thomas Crail, Chamber of Commerce - support and will work with staff. Expand this idea to all Departments in the City. Lester Hirsch, West Hollywood - certain businesses discourage other businesses - signage is important.

ACTION: Direct the Department of Community development to review the current planning and permitting processes, in conjunction with an ad hoc committee made up of members of the business community, to determine where the City can implement simplified and more expedient procedures. This review should include an examination of effective processes used in other cities. Recommendations should be brought to Council within 60 days. Motion Heilman second Lang. Hearing no objection it was so ordered.

8. PROPOSAL TO CREATE A SPECIAL REWARD ACCOUNT FOR INFORMATION LEADING TO THE APPREHENSION OF PERSONS ENGAGING IN HATE CRIMES AND OTHER TYPES OF WILLFUL MISCONDUCT: Mayor Koretz gave the staff report. The following persons came forward to address the Council:

Morris Kight, Los Angeles - pull back and take a longer harder look at acts of violence. In favor of looking at all methods.
Stan Lothridge, West Hollywood - too narrow and focused.
John Ferry, Los Angeles - officers' sensitivity training instructor. Reward system can make short term sense.
Work in concert with other groups and agencies.

Mayor Koretz read a letter in support from the West Hollywood Sheriff's Department, Captain Chapman.

ACTION: Direct staff to develop and return to Council with a package, including education, reporting, and the following:

1) Approve the establishment of a special reward account to be funded during the 1992-93 fiscal year at a level of \$15,000 with a maximum allotment of \$5000 per individual per case. Subject to a particular event or series of events and upon adoption of an appropriate Resolution, the Council can draw upon the fund to offer a reward in exchange for information. 2) Direct staff to analyze the best manner of implementation and to make recommendations governing the maintenance of the trust fund. 3) Direct the Sheriff's Department to compile and maintain current statistics on gaybashing incidents - both solved and unsolved - and to make such information readily available to the City Council. Motion Heilman second Lang. Hearing no objection it was so ordered.

9. RESOLUTION SUPPORTING NATIONAL LEGISLATION CALLING FOR REREGULATION OF THE CABLE INDUSTRY: Ian Tanza gave the staff report and the following persons addressed the Council: Rick Zamarripa - Experiences with the cable company not good. Jeanne Dobrin, West Hollywood: Encourage letter writing campaign.

ACTION: Adopt Resolution No. 919, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING NATIONAL LEGISLATION CALLING FOR REREGULATION OF THE CABLE INDUSTRY"; Initiate a public awareness campaign to inform the community of current cable television legislation pending in Congress; encourage cable consumers to contact their federal representatives to express their experiences and opinions. Direct the City Clerk to send copies of this resolution to other Cities and urge them to join in. Motion Heilman second Land. Hearing no objection it was so ordered.

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. Stan Lothridge - Resent Heilman's distortion of what I said about prostitution. Waste Management Corp. Rick Zamarripa - Enough people are not given credit for the jobs that they do. I am a very happy gay man in the City of West Hollywood. What constitutes a prostitute or a loiterer? I want to go on record commending John Heilman for working for the gay members of the City.

COUNCILMEMBERS COMMENTS: This time has been set aside for the Councilmembers to direct comments to staff and/or the public on any and all matters of interest.

Mayor Koretz corrected Stan Lothridge's statement under Citizen Comments regarding Councilmember Heilman and Waste Management Corporation.

LEGISLATIVE

10. TECHNICAL AMENDMENT TO BUSINESS LICENSE TAX ORDINANCE:

ACTION: To adopt as an urgency ordinance, Ordinance No. 319U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING TAX CREDITS FOR NEWLY ESTABLISHED BUSINESSES, AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE, AND DECLARING THE URGENCY THEREOF." Motion Heilman second Lang. Hearing no objection it was so ordered.

11. REZONING OF BETTY WAY - ORDINANCE ADOPTING AN OFFICIAL ZONING MAP: ACTION: Introduce on first reading Ordinance No. 317, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING AN OFFICIAL ZONING MAP."

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

ADJOURNMENT

The meeting was adjourned in memory of Robert Jackson, resident of West Hollywood, who died last week of AIDS, at 11:45 p.m., to a regular adjourned meeting on January 6, 1991, at West Hollywood Park Auditorium at 6:00 p.m. for closed session and 7:00 p.m. for regular meeting.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 6TH DAY OF JANUARY, 1992.


MAYOR

ATTEST:


CITY CLERK