

**MINUTES
CITY COUNCIL MEETING
AUGUST 19, 1991
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

6:00 P.M. - CLOSED SESSION: Mayor Koretz announced that the City Council met in closed session to discuss matters pertaining to litigation, personnel, and claims. **ACTION:** Approve the three claims discussed in closed session, Ricardo A. Dominguez, Chang Hee Jin, and David Kermani. Motion Heilman second Guarriello.
Hearing no objection it was so ordered.

7:00 P.M. - REGULAR MEETING

CALL TO ORDER: Mayor Koretz called the meeting to order at 7:10 p.m.

PLEDGE OF ALLEGIANCE: The Pledge was led by Gay Forbes.

ROLL CALL:

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

ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

APPROVAL OF AGENDA: Pull Items 2m, 2n, and 2q for separate discussion. Approve the agenda as amended. Motion Land second Lang. Hearing no objection it was so ordered.

PROCLAMATIONS AND COMMENDATIONS: Councilmember Land announced the birth of Chloe Amanda Kemper to Norma and David Kemper. She announced that a Good Neighbor Commendation is being presented to Mr. Frank Page, the owner of commercial property at Santa Monica and Curson, who worked with the City to clean up his property and keep it safe.

Councilmember Guarriello presented a Commendation to Jim Kazakos, owner of Hard Times Pizza and former member of Business License Task Force, for charitable contributions to many social service programs, such as APLA, Shanti, Project Angel Food, and for his outstanding service to the community.

Jim Kazakos said he wished to share the commendation with all the other nameless volunteers, and thanked the Council and Rachelle Smith.

Mayor Koretz announced that the meeting would be adjourned in memory of Dr. Robert Paul Schulz, a local dentist, who had accepted HIV positive patients.

TREASURER'S REPORT: Jonathan Ahearn, City Treasurer, presented

the Treasurer's Report for July, 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. City Manager Brotzman reported that the City is working on a new investment policy, which would be brought to Council in the near future. He also commented that the State had taken legislative actions which had an impact on the City budget, but that the City was fortunate to have a longer period of higher subventions from the State, because the results of the census would not be put into effect until June 1992. He stated that it is important that when one-time revenues come in, those revenues should be reserved for one-time capital expenditures. Also, the assessed value of property in West Hollywood was slightly higher than anticipated.

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. Testimony for public hearings will only be taken at the time of the hearing.

The following persons came forward to address the City Council:
Stan Lothridge, West Hollywood: Regarding Item 2g. A commissioner should be allowed to be removed prior to June 1 following a municipal election. Should take only three votes to remove someone.

Mike Radcliffe, West Hollywood: Invited Council to the first working dinner to discuss problems on Sunset, to be held at the Hyatt Sept. 26. Also invited Council, Commissioners and Board Members to a dinner of West Hollywood Community Alliance on Sept. 24 at the Paladin Stage.

Christian Shea, West Hollywood: The Municipal Code should require contractors to pay prevailing wage rates.

Jeanne Dobrin, West Hollywood: Should appoint a City Treasurer whose main office is in West Hollywood.

Jim Kazakos, West Hollywood: Has been no towing in District 5.

Charlie Mercer, Sunset Strip Association, West Hollywood: City should put an additional one-year moratorium on business tax.

Kevin Notre, West Hollywood: On behalf of Neighborhood Watch group, thanked City staff and the merchants for their work on National Night Out.

Lester Hirsch, West Hollywood: Asked Council not to forget the problems, particularly on weekends, on the Sunset Strip.

Herb Rivkin, 1314 N. Fuller, Los Angeles: Unsafe corner at Fuller and Fountain. Request better lighting--the light blue light should be replaced by amber light.

Bruce Traub, West Hollywood: Regarding an article in the Post about Unity Savings.

Budd Kops, West Hollywood: Regarding an event at Mondrian Hotel--outdoor amplified music and a party.

Tad Bright, West Hollywood, Chairman, East End Community Action: Regarding a vendor at Plummer Park, a blue van. Also, recycling at Plummer Park--the trash outside the bin has grown--something should be done about it.

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 Heilman, in reply to Jim Kazakos' comment, said he has had complaints about too much towing. We need to look at how we're enforcing parking regulations. Asked staff to follow up regarding the recycling at Plummer.

Mayor Pro Tem Lang asked staff to investigate parties at the hotels which are code violations.

Councilmember Land commented on the Pacific Bell area code changes. Direction was given to the City Manager to invite a representative of Pacific Bell to the next Council meeting to answer questions people may have, and to have widespread publicity so that residents can voice their concerns.

Direction was given to code enforcement to take action with regard to the fruit and vegetable seller at Plummer Park; if already cited, then move to the next step.

Councilmember Land congratulated Information Systems on the new geobase which they put in.

Mayor Koretz commented that the matter of prevailing wages was voted on years ago, but it would be looked at; towing should be stepped up around the Sunset part of District 5; and patrols should be stepped up around Sunset.

City Manager Brotzman commented regarding the City Treasurer and the City's investment policy.

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: To approve Items 2a, b, c, d, e, f, g, h, i, j, k, l, o, p, and r. Motion Guarriello second Land. Hearing no objection it was so ordered.

a. Posting of Agenda: The agenda for the meeting of Monday, August 19, 1991 was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, August 14, 1991. **ACTION:** Receive and file.

Approved as part of the Consent Calendar.

b. Demand Register No. 203, Resolution No. 871.

ACTION: Approve Demand Register No. 203 and adopt Resolution No. 871.

Approved as part of the Consent Calendar.

c. Treasurer's Report - Month Ending July 31, 1991.

ACTION: Receive and file.

Approved as part of the Consent Calendar.

d. Minutes: August 5, 1991.

ACTION: Approve the minutes of August 5, 1991.

Approved as part of the Consent Calendar.

**e. Claims: Luisa Anthony
Ricardo A. Dominguez**

**Chang Hee Jin
David Kermani**

ACTION: To deny the claim of Luisa Anthony without comment and refer to the City's claims adjustor.
To remove the claims of Ricardo A. Dominguez, Chang Hee Jin, and David Kermani from the Consent Calendar and move into Closed Session for additional discussion.
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 Regarding Removal of Commissioners, For Adoption: **ACTION:** To adopt on second reading Ordinance No. 306, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATING TO TERMS OF OFFICE OF COMMISSIONERS OF THE CITY OF WEST HOLLYWOOD AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."
Approved as part of the Consent Calendar.

h. Ordinance No. 307, Regarding Permit Parking Penalties, For Adoption: **ACTION:** Adopt on second reading Ordinance No. 307, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING PERMIT PARKING PENALTIES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."
Approved as part of the Consent Calendar.

i. Contract to Produce a Policy and Procedures Manual:
ACTION: 1) Authorize the City Manager to contract with Camden Morse, an individual, to develop and produce a Policy and Procedures Manual for the Rent Stabilization Department. 2) Approve a transfer of funds in the amount of \$40,000 from Regular Salaries/Wages and Fringe Benefits to Contract Services in the Records and Processing Division's budget to fund this project.
Approved as part of the Consent Calendar.

j. Amendment to Task Order No. 2 of the Master Agreement for Construction Management Services for the Hart Park Improvements Project with Harris and Associates, Inc.:
ACTION: Approve Amendment No. 1 to Task Order No. 2 of the Master Agreement for Construction Management Services, Contract No. C-0468, for the Hart Park Improvements Project, with Harris and Associates, Inc., and authorize the City Manager to sign the contract amendment.
Approved as part of the Consent Calendar.

k. Federal Aid Funded Highway Projects - Adoption of Disadvantaged Business Enterprise (DBE) Goal: **ACTION:** Adopt a goal of 11% DBE participation on Federal Aid funded highway projects for Fiscal Year 1991-92.
Approved as part of the Consent Calendar.

l. Approval of Interim Plan Administrator - Employee Benefits Administration and Management: ACTION: Authorize the City Manager to execute an agreement with Employee Benefits Administration and Management to provide plan administration services for the City's self-funded health plan. Approved as part of the Consent Calendar.

m. Resolution of the City Council Authorizing the Transfer of Funds for Fiscal Year 1991-92: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Guarriello questioned Paul Arevalo, Finance Officer, about the \$1.2 million "windfall" from the State, why only \$890,000 is set aside. Arevalo said the revenues from the State were reduced at the same time in terms of the gas tax and also fines and forfeitures. Mayor Koretz asked for more "tracking" of additional expenditures or transfers that are made after the budget is approved. Arevalo said a mechanism could be developed.

ACTION: To amend the Resolution to put the extra funds from the State in a restricted reserve for the time being and to adopt Resolution No. 868 as amended, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING FUND TRANSFERS", allowing for the transfer of funds as detailed in Attachment A of the staff report. In addition, direct staff to develop some mechanism for reporting additional expenditures or transfers to Council. Motion Land second Heilman.

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

Noes: None.

Motion carried.

n. Resolution Endorsing HR 842, The Ancient Forest Protection Act of 1991 and S1536 (Its Companion Bill in the Senate): REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The following persons came forward to address the City Council:

Jeanne Dobrin, West Hollywood: What about trees here at home? Opposed to replacing the ficus trees.

Gloria Vassy, West Hollywood: Opposed to removal of the ficus trees on Santa Monica Blvd.

Mike Radcliffe, West Hollywood: We like the ficus trees.

Effie Reuveni, West Hollywood: Want to keep the ficus trees.

Roslyn Krause, West Hollywood: Opposed to cutting the ficus trees.

Mayor Pro Tem Lang said she didn't see the connection between the ficus trees and preserving the Ancient Forests; this bill has over one hundred endorsements.

ACTION: Adopt Resolution No. 872, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ENDORSING THE ANCIENT FOREST PROTECTION ACT OF 1991 AND THE PACIFIC NORTHWEST FOREST COMMUNITY RECOVERY AND ECOSYSTEM CONSERVATION ACT OF 1991." Motion Heilman second Land. Hearing no objection it was so ordered.

o. Resolution in Support of the Toxic Cleanup Equity and

Acceleration Act: ACTION: Adopt Resolution No. 873, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE TOXIC CLEANUP EQUITY AND ACCELERATION ACT." Also, apprise West Hollywood congressional representatives of the Toxic Cleanup Equity and Acceleration Act and urge their sponsorship of this legislation.
Approved as part of the Consent Calendar.

p. Resolution of the City Council Approving the Application for Bicycle Facility Construction Funds Under Proposition 116:
ACTION: Adopt Resolution No. 874, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE APPLICATION FOR BICYCLE FACILITY CONSTRUCTION FUNDS UNDER PROPOSITION 116."
Approved as part of the Consent Calendar.

q. Award of Contract for Computer Equipment for Department of Transportation and Engineering: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Joan English, Transportation Department Director, responded to questions by Council and reported that the computer will contain a phenomenal amount of data. ACTION: Award the contract for the computer equipment to Computerland at a price of \$29,451.44 and reappropriate funds from the General Fund balance. Motion Heilman second Land. Hearing no objection it was so ordered.

r. Approval of Job Description - Environmental Review Planner: ACTION: Approve the job description and salary range for the position of Environmental Review Planner in salary range GE-13 (\$3,273-\$3,960 per month).
Approved as part of the Consent Calendar.

PUBLIC HEARINGS

3. APPEAL OF PLANNING COMMISSION DECISION REGARDING 1038 CAROL DRIVE: (Tabled from Aug. 5) Tabled to September 16, 1991.
By consensus.

4. CITY HALL SITE SELECTION: RECOMMENDED ACTION: To open the public hearing and receive public comment; following the hearing and Council discussion, the recommendations are:
1) Authorize staff to enter into simultaneous negotiations for the Formosa ("Warner") site and the Vista-Martel ("Oki-Dog") site to establish feasibility and conditions of acquisition and development. This period of negotiation should be concluded within 60 days. Periodically, closed session meetings will be for City Council to receive updates and give direction.
2) Authorize staff to solicit proposals from and select consultants to be retained to provide, as required in the course of negotiations, the following technical services: real estate and financial analysis, appraisal and title research, relocation services, and soils analysis. Staff is also recommending that it be authorized to enter into

contracts subject to Council approval of the contracts.

John Given, Project Manager, explained why the two sites were being recommended and the other sites were not being recommended.

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

Tad Bright, West Hollywood: In favor of the Oki-Dog site.

Stan Lothridge, West Hollywood: In favor of Oki-Dog site.

Jeffrey Purr, West Hollywood: Proposed building across Fairfax, south of Santa Monica Blvd. The land acquisition would be minimal, easy access; there is a large concentration of elderly; could build in a terrace fashion.

Gloria Vassy, West Hollywood: How soon? Are we going to be taxed again? I don't care where as long as it's not here (the Park).

Effie Reuveni, West Hollywood: Where is the money coming from and how much will it cost?

Mike Radcliffe, West Hollywood: Spoke for West Hollywood Community Alliance. The two sites are both agreeable. Vista (Oki-Dog site) would be our first choice. We offer to help keep these businesses in West Hollywood.

Jeff Abbott, West Hollywood: Favor Vista and Martel; Oki-Dog corner is blighted; Vista is a more major street.

Alan Ray, West Hollywood: Vista site is much more accessible. It will improve that area.

Roslyn Krause, West Hollywood: Bet it will never be built on East Side. Better not build in the park. No fire station in this park.

Craig Reuss, President, Vista Towers Homeowners Association: Favor the Oki-Dog site; will get rid of criminal activity.

Jeanne Dobrin, West Hollywood: Protested a choice of only two sites; opposed to the proposed sites; 8611 Santa Monica Blvd. is the logical place.

Donny Cacy, West Hollywood (Seven-11): Favor the Vista site.

Tom Larkin, Chairman, City Hall Site Selection Committee: We favor the Oki-Dog site. The housing there should be replaced. I volunteer negotiations with no commission.

Bruce Traub, West Hollywood: Thanked the City Hall Site Selection Committee. The Committee and Tom Larkin don't get the recognition they deserve. Take into account the cost factor.

Budd Kops, West Hollywood: Recommend the Oki-Dog site.

Gary Bozick, West Hollywood: Support the Vista (Oki-Dog) site.

There being no further speakers, the public portion of the hearing was closed and this Item was returned to Council for discussion.

Councilmember Land felt that a third site, the 8611 Santa Monica Blvd. site, should be considered as part of the discussion. She also asked the City Manager to look into the apartment problems behind Oki-Dog.

Mayor Pro Tem Lang said that (just) because we don't like Oki-Dog, is not a good reason to choose that site; we don't know if the owner will agree; Warner is more cost-effective; better location, parking.

City Manager Brotzman explained that the lease agreement for 8611 Santa Monica Blvd. precludes eminent domain; we'd have to pay over the market value.

Councilmember Heilman suggested staff be directed to negotiate with Oki-Dog owner, Warner, and our current lease-owner.

Councilmember Guarriello said that, first, he wants three sites; second, financing, how long will it take? Third, he wants it on the East Side. We should look at the school district situation on Fairfax; not 8611.

Mayor Koretz said he would like equal consideration for all four sites.

ACTION: To direct staff to enter into simultaneous negotiations with the owners of the Oki-Dog's property (the Vista site), the Warner Brothers, the current City Hall site, 8611 (Santa Monica Blvd.), and with the school board over the Fairfax site; and to keep the Site Selection Committee available for helping to explore those options or any other options which might become available during this time. Finally, direct staff to look at ways of revitalizing or redeveloping the property at the Vista site regardless of what happens with respect to the city hall negotiations for that site. Motion Heilman second Land.

(At this time Mayor Koretz formally closed the public hearing and then asked for a vote on the motion.) 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. The following persons came forward to address the City Council:

Gloria Vassy, West Hollywood: A sale on Huntley; had signs, trucks double-parked. They did it without a TUP; had a retroactive TUP.

Tom Bright, West Hollywood: Trying to get my street swept.

Craig Bruce, West Hollywood: Happy about the bicycle patrols on the East Side; would like the signs removed which read "Prostitution Abatement Zone," or put a more positive statement.

Jeanne Dobrin, West Hollywood: Agree with Gloria Vassy's statement. Pure Sweat sometimes has outdoor sales--tacky.

Council should do something soon about TUP and encroachment permits.

COUNCILMEMBER 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.

Councilmember Heilman announced that applications were being accepted for Lesbian and Gay Advisory Council; directed staff to look at removing the "Prostitution Abatement" signs. He also announced that his deputy, Clayton Griffin, is out of the hospital, and introduced Lydia Cincore, who would be acting temporarily as his deputy.

Mayor Koretz asked staff to follow up regarding sales.

LEGISLATIVE

5. AMENDMENTS TO MOTION PICTURE, TELEVISION AND STILL PHOTOGRAPHIC PERMITTING ORDINANCE: ACTION: Introduce on first reading Ordinance No. 308, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE MOTION PICTURE, TELEVISION AND PHOTOGRAPHIC PRODUCTION REGULATIONS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Motion Land second Lang. Hearing no objection it was so ordered.

ADJOURNMENT: The meeting was adjourned in memory of Robert K. Schulz at 9:25 p.m. to the next regular meeting, September 3, 1991, 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 3RD DAY OF SEPTEMBER, 1991.


MAYOR

ATTEST:


CITY CLERK