

**MINUTES  
CITY COUNCIL MEETING  
MAY 20, 1991  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**6:00 P.M. - CLOSED SESSION:** No closed session was held.

**7:00 P.M. - REGULAR MEETING**

**CALL TO ORDER:** Mayor Heilman called the meeting to order at 7:07 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Nancy Greenstein.

**ROLL CALL:**

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

**ALSO PRESENT:** City Manager Brotzman  
City Attorney Jenkins

**APPROVAL OF AGENDA:** Items 2m, 2q and 2t were removed from the agenda for separate discussion. City Attorney Jenkins requested that 2g be pulled for a change to the Resolution. Mayor Heilman said that the person wishing to speak on 2k would be heard under Citizen Comments.

**PROCLAMATIONS AND COMMENDATIONS:** Councilmember Land read a commendation honoring Denise Wheeler, founding member of the West Hollywood Women's Issues Subcommittee, for her leadership and service to the Community.

Mayor Heilman announced that there was no winner of the recycling award of \$1,000 this month; the award will carry over to the next month.

Mayor Heilman announced the first Sunday in May is Peace Day in California; the city will be participating; a proclamation will be posted.

Mayor Heilman requested that the meeting be adjourned in memory of Ray Corona, from County Road Maintenance, who died recently.

**INTRODUCTION OF NEW FIRE CHIEF TO COUNCIL:** Nancy Greenstein introduced the new Fire Chief, Jim Sheppard. Mr. Sheppard said he is very pleased to be assigned to Division 7, which West Hollywood is a part of. It comprises two battalions and 19 fire stations. He will do everything in his power to move forward on the relocation of Station 7.

**TREASURER'S REPORT:** City Treasurer Jonathan Ahearn presented the Treasurer's Report for the month ending April 30, 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 City Manager's Report this evening.

**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 City Council:

Norma Kemper, West Hollywood: Regarding the photo incident in neighborhood; reached an agreement with Justin Akin.

Richard Grossman, West Hollywood: Responded to critics of Norma Kemper; not a gay issue; problems in the neighborhood.

Jack Sroka, West Hollywood: Spoke in defense of Norma Kemper.

Mark Heinemann, West Hollywood: Regarding the American Constitution and First Amendment rights.

John Altschul, West Hollywood: People are perpetuating an issue where none exists. The two parties to this incident have agreed to agree. On behalf of Public Safety Commission, it is our desire to try to reconcile this matter--the cruising.

Ed Riney, West Hollywood: Regarding Civil liberties.

Donald Herman, Stonewall Democratic Club: Read from a letter by Steve Martin, President, Stonewall Democratic Club, to Councilmember Abbe Land, dated May 9, requesting replacement of Norma Kemper on Public Safety Commission.

Read from a letter dated May 15 to Steve Martin from Councilmember Land--Ms. Kemper and Mr. Akin had issued a joint statement that they had resolved the issue themselves.

Photographing people is tantamount to bashing.

Mark Vandervelden, West Hollywood: Regarding federal disaster relief money for the AIDS epidemic--the City has refused to participate in the funding process.

Mayor Heilman commented in response, that those accusations are incorrect, erroneous, and deliberate misstatements of what has been happening. The City has requested funding and representation on that planning council; unfortunately, the County has not seen fit to put a representative from the City on there. Inequitable for us to be excluded from the process, as we have been.

Jeanne Dobrin, West Hollywood: Regarding City refusing to issue me a subpoena. Council was prejudging my case, and so I chose not to appeal.

Mayor Pro Tem Koretz said he had been hearing both sides of this issue regarding the funding process--either we chose not to be involved or we have not been involved because we were excluded.

Jodi Curlee, Social Services Division, reported that it is her information that the City did not have access to participate; and also there was some question about the appropriateness of the City participating in that process.

Councilmember Guarriello stated that he also, had no information on this.

Direction was given to staff to furnish a memo to Council regarding the current status of this funding process, and their perspective on it.

Walt Hanna, Executive Director, Aid for AIDS: Regarding a report from Social Services Division to the Council--disagreement with the report.

Harris Miller, West Hollywood: Spoke in support of Mayor Heilman; recall movement--complaints of misrepresentation and harassment. An incident at Mayfair Market--was physically attacked.

At this time Councilmember Land commented that she is not going to remove Norma Kemper from Public Safety Commission; she is proud of Ms. Kemper and Mr. Akin for their process and their commitment.

Councilmember Koretz refuted rumors that he wanted removal of Norma Kemper; he has taken no position.

Ed Riney, West Hollywood: Regarding Agenda Item 2k, placement of pink ribbons on flag poles in the median along Santa Monica Blvd.--opposed to any funding for pink ribbons; proposed to donate the ribbons and have volunteers to put them up.

Jeanne Dobrin, West Hollywood: Regarding Item 2k--the City should take advantage of Mr. Riney's offer. There is also the Red Ribbon--stands for the fight against alcohol and drug abuse. Would like the City to take note of this. Education for substance abusers.

**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, h, i, j, l, n, o, p, r, and s. Motion Land second Guarriello. Hearing no objection it was so ordered.

**a. Posting of Agenda:** The agenda for the meeting of May 20, 1991, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, May 15, 1991.

**ACTION:** Receive and file.

Approved as part of the Consent Calendar.

**b. Demand Register No. 197, Resolution No. 839. ACTION:** Approve Demand Register No. 197 and adopt Resolution No. 839. Approved as part of the Consent Calendar.

**c. Treasurer's Report - Month Ending April 30, 1991. ACTION:** Receive and file. Approved as part of the Consent Calendar.

**d. Minutes: May 6, 1991 ACTION:** Approve the minutes of May 6, 1991. Approved as part of the Consent Calendar.

**e. Claims: Leon Ozeran  
Helen Mayers ACTION:** Deny the claims of Leon Ozeran and Helen Mayers 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. Resolution Denying Request for Encroachment Permit for 1211 Sunset Plaza Drive:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. City Attorney Jenkins stated that the Resolution should be corrected as follows: Section 3, paragraph 2, should read, "The applicant's request for access to Shoreham Drive before the applicant developed the property for its current residential use was not approved." ACTION: Adopt Resolution No. 840, as amended, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF THE DECISION TO DENY THE REQUEST FOR AN ENCROACHMENT PERMIT FOR THE PROPERTY AT 1211 SUNSET PLAZA DRIVE." Motion Koretz second Land. Hearing no objection it was so ordered.

**h. Renewal of General Liability Insurance: ACTION:** Authorize the City Manager to sign the contracts with Insurance Company of the West, for General Liability at a self-insured retention of \$100,000 with coverage to \$5,000,000 at a premium of \$167,494; and with Lexington Insurance Company for \$5,000,000 excess of \$5,000,000 coverage at a premium of \$38,700; and with First State Insurance Company for \$5,000,000 excess of \$10,000,000 coverage at a premium of \$24,000. Approved as part of the Consent Calendar.

**i. Resolution Certifying 1991 Speed Survey: ACTION:** Adopt Resolution No. 841, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CERTIFYING THE 1991 SPEED SURVEY TO CONFORM WITH CALIFORNIA VEHICLE CODE." Approved as part of the Consent Calendar.

**j. Annual Report, Rent Stabilization Commission, Sept. 1989 - Aug. 1990:** ACTION: Receive and file the annual report of the Rent Stabilization Commission/Dept., September, 1989 to August, 1990. Approved as part of the Consent Calendar.

**k. Endorse and Sponsor Placing of Pink Ribbons on Flag Poles in the Median along Santa Monica Blvd.:** RECOMMENDED ACTION: Endorse and sponsor the hanging of pink ribbons by the Pink Ribbon Brigade, as a symbol honoring those afflicted with AIDS; prepare press releases announcing the event; sponsor a press conference on the median strip in front of City Hall; and, authorize an amount not to exceed \$200 to cover the cost of materials and ribbons. ACTION: To approve the item with the modification that the Pink Ribbon Brigade first seek contributions from the community, but they will be free to accept or not to accept any donation. Motion Heilman second Land. Hearing no objection it was so ordered.

**l. Adopt on second reading Ordinance No. 296, Deleting Namibia from Restrictions on Contracts:** ACTION: Waive further reading and adopt on second reading Ordinance No. 296, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD DELETING NAMIBIA FROM RESTRICTIONS ON CONTRACTS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Approved as part of the Consent Calendar.

**m. Water Conservation Regulations:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: Adopt Resolution No. 842, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE RENT STABILIZATION REGULATIONS CONCERNING THE PASS-THROUGH OF WATER SURCHARGES TO TENANTS." Marney Hull, Rent Stabilization Department Director, made a change to the Resolution under (b), to add that the landlord must have repaired known leaks. Motion Land second Koretz. Hearing no objection it was so ordered.

**n. Purchase of Transportation Planning Computer Software:** ACTION: Authorize the City Manager to execute an agreement for the purchase of emme/2 software and a maintenance agreement with Barton-Aschman Associates, at a cost not to exceed \$16,000 for the initial cost of the software and the first year of maintenance. Approved as part of the Consent Calendar.

**o. Schedule Study Session - City Hall Site Selection, Fine Arts Advisory Board, and Cable Television:** ACTION: Schedule a study session on City Hall Site Selection on Monday, July 8, 1991, at 6:00 p.m.; Fine Arts Advisory Board at 7:30 p.m.; and Cable Television discussion at 8:30 p.m. Approved as part of the Consent Calendar.

**p. Fourth of July Celebration in Plummer Park:** ACTION: That the City of West Hollywood co-sponsor the July 4th

Celebration in Plummer Park and approve funding for costs, not to exceed \$1,000, associated with coverage by the West Hollywood Sheriff's Department.  
Approved as part of the Consent Calendar.

**q. Animal Control Task Force:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY.

Mayor Pro Tem Koretz reported that he had sponsored this item to create an animal task force, primarily to deal with the problem of pet overpopulation and the resulting hundreds of animals being put to sleep every week; however the task force would deal with other animal issues as well.

The following persons came forward to address the City Council:

Jeanne Dobrin, West Hollywood: In support; important that City residents be represented.

Sonndra May, West Hollywood: In support.

Ed Cubrda: President, Los Angeles SPCA: In support. We are the ones who have to put animals to sleep daily--needless, unnecessary.

Carole Ellis, West Hollywood: In support. Animal Awareness Week. Overpopulation. Hope this task force will define the parameters of a cruelty-free city.

June Averseng: In support. Would like the issue of pet theft to be addressed--animals stolen and sold for research. Urge people not leave pets unattended.

**ACTION:** Establish a Community Animal Control Task Force with the stipulations in the staff report of May 20, 1991, with the addition that there be a time frame of six months, and after that the Task Force would meet only irregularly, as issues came up. Motion Lang second Guarriello. Hearing no objection it was so ordered.

**r. Resignation of Brooke-Public Safety Commissioner:**

**ACTION:** Accept the resignation of Aslan Brooke with regret and direct staff to prepare the proper commendation. Direct the City Clerk to post the vacancy.

Approved as part of the Consent Calendar.

**s. Refund of JFS Retirement Funds:** **ACTION:** Authorize

Jewish Family Services of Los Angeles to expend the refunded monies on programming to serve West Hollywood community members. Approved as part of the Consent Calendar.

**t. Residential Neighborhood Traffic Management Procedures:**

REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY.

**RECOMMENDED ACTION:** Establish the proposed guidelines and policies as the City's Neighborhood Management Program. Chris Patrouch and Joan English of Transportation Department responded to questions by Council.

Mayor Heilman felt that the process was too lengthy and cumbersome; and Councilmembers Lang and Land felt it should be

simplified. Mayor Pro Tem Koretz, also, felt that implementation should be faster.

The following person addressed the Council:

Jeanne Dobrin, West Hollywood: It does seem a bit cumbersome. Don't like the way proposed.

**ACTION:** To refer this item back to staff to take into consideration the concerns of Council. By consensus.

#### **PUBLIC HEARINGS**

**3. GENERAL PLAN AMENDMENT 91-01 - TO AMEND LAND USE ELEMENT REGARDING HEIGHT AVERAGING FORMULAS AND INCENTIVE BONUSES TO CONFORM TO THE ZONING ORDINANCE:** Deputy City Clerk Vukojevich reported that the notice of public hearing had been published in the West Hollywood Independent on May 8, 1991, as a one-fourth page display ad, and notice had been posted at City Hall, the West Hollywood Library, the Sheriff's Station, and at Plummer Park. Anne Browning, Planning Manager, gave the staff report. Mayor Heilman opened the public hearing, and there being no one coming forward to speak, the public hearing was closed.

**ACTION:** To adopt Resolution No. 843, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING GENERAL PLAN AMENDMENT 91-01 AMENDING THE TEXT OF THE GENERAL PLAN TO BE CONSISTENT WITH THE RECENTLY ADOPTED ZONING ORDINANCE AND APPROVING A NEGATIVE DECLARATION." Motion Land second Koretz. Noting the objection of Councilmember Guarriello, it was so ordered.

#### **UNFINISHED BUSINESS**

**4. DISCUSSION OF POLICY REGARDING PEDDLERS: RECOMMENDED ACTION:** Direct staff to amend the Business License Ordinance to change the language of the current ordinance regarding peddlers to redefine peddlers as "catering trucks" and to add language to further clarify that this type of activity is prohibited in the public rights-of-way. Draft language regarding a pushcart/street vending ordinance.

Corey Roskin of Community Development Department gave the staff report.

The following persons came forward to address the City Council:

Percy Pinkney, Los Angeles: Regarding a case I would like to summarize. It was to allow a Mr. Roman Treystman to sell from a truck in front of Plummer Park. He lives four doors from Plummer Park, yet can't sell his fruit in neighborhood where he lives. Hope you consider this case as a hardship waiver.

Elisabeth Burns, West Hollywood: (Spoke on behalf of the Senior Advisory Council, in support of Mr. Roman Treystman selling from

his truck.) We are trying to hinder people. We should stand behind free enterprise.

Yakov Roytman, Fuller Ave., West Hollywood: (Read a letter to Council requesting permission for Mr. Treystman to sell his fruit.)

Ed Riney, West Hollywood: Spoke in opposition to Mr. Treystman's catering truck.

Jeanne Dobrin, West Hollywood: Opposed.

Following the public speakers there was discussion by Council. Mayor Heilman felt the recommendation was too restrictive; catering trucks should be allowed in the right of way but with conditions. Councilmember Lang felt that Mr. Treystman should be allowed to operate but with restrictions. Mayor Pro Tem Koretz suggested some sort of compromise.

Councilmember Guarriello said it is important that catering trucks have liability insurance, and that there be good code enforcement.

**ACTION:** Noting the objection of Councilmember Guarriello, direction was given to staff to look at coming up with criteria, and come back to Council with regulations which would allow catering trucks on public rights-of-way, but with appropriate conditions.

**FURTHER ACTION:** To approve the staff recommendation regarding pushcarts/street vending (direct staff to draft language regarding a pushcart/street vending ordinance for the City of West Hollywood). Motion Land second Lang. Noting the objection of Councilmember Guarriello, it was so ordered.

#### NEW BUSINESS

**5. DRAFT CONGESTION MANAGEMENT PLAN (BY L.A. COUNTY TRANSPORTATION COMMISSION): RECOMMENDED ACTION:** Designate a Councilmember to represent the City at the Planning and Mobility Committee Workshop on May 29, 1991. Delegate to staff and the designated Councilmember the development of comments as guidelines for the City's testimony at that meeting.

Lucy Dyke, Transportation Department, reported that now that the Congestion Management Plan is out, it may not be necessary for the Council to create a wholly different statement of policy, it may be possible for the letter already written by Council to stand; but a Councilmember should be designated to go over the reaction to the report and to be available if necessary to testify or write additional letters.

Mayor Heilman said he would volunteer, although he will not be available on May 29th to testify. Approved by consensus of



Council.

**6. TUP - BEL AGE AIDS BENEFIT: RECOMMENDED ACTION:** Approve the temporary use of the patio of Le Bel Age on Sunday, September 1, 1991, by Labor Day L.A. for amplified entertainment and dancing in connection with its AIDS fundraiser, subject to the following conditions:

- 1) The entertainment be limited to amplified music;
- 2) The hours of entertainment not extend beyond 8:30 p.m.;
- 3) The entertainment be limited to indoor areas and the roof or Sculpture Garden;
- 4) A code enforcement officer be allowed on the premises to ensure that the conditions of the TUP are met.

Anne Browning, Planning Manager, gave the staff report.  
The following persons came forward to address the City Council:

Mark Lehman, West Hollywood: Spoke in support.

Lester Hersch, West Hollywood: Opposed. Bel Age has three large indoor areas--they could use those indoor areas. A good cause, a bad precedent.

Jeanne Dobrin, West Hollywood: There is no amplified sound allowed in West Hollywood for outdoor dining. Why no decibel limitation? Object to #3; not enough protection in this proposal.

**ACTION:** To approve the staff recommendation, with the conditions listed, with the addition that appropriate notice be given to neighbors subject to staff approval. Motion Guarriello second Lang. 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. There were no speakers at this time.

**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. There were no Councilmember comments at this time.

#### **LEGISLATIVE**

**7. BUSINESS LICENSE TAX TO EXEMPT PUBLIC UTILITIES:**

**ACTION:** Introduce on first reading Ordinance No. 297, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING THE TAXATION OF LICENSED BUSINESSES IN THE CITY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". Motion Land second Koretz. Hearing no objection it was so ordered.

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**ADJOURNMENT** Mayor Heilman adjourned the meeting at 9:13 p.m. in memory of Ray Corona, to Tuesday, May 28, 1991, at 6:00 p.m. at West Hollywood Park Auditorium.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 3RD DAY OF JUNE, 1991.

  
MAYOR

ATTEST:

  
CITY CLERK