

**MINUTES  
CITY COUNCIL MEETING  
APRIL 15, 1991  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**6:00 P.M. - CLOSED SESSION:** Mayor Heilman announced that the City Council met in closed session to discuss matters pertaining to personnel and potential and pending litigation and direction was given to staff.

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

**CALL TO ORDER:** Mayor Heilman called the meeting to order at 7:05 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Paul Arevalo.

**ROLL CALL:**

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

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

**APPROVAL OF AGENDA:** Table items 2n and 2s. Remove items 2l, 2p, 2q, 2r, 2v and 2x for separate discussion. By consensus of the Council.

**PROCLAMATIONS AND COMMENDATIONS:** CHILD PASSENGER SAFETY WEEK  
HUNTINGTON'S DISEASE AWARENESS  
MONTH

**TREASURER'S REPORT:** City Treasurer Jonathan Ahearn was not at the meeting to present the Treasurer's report but it was approved under Consent Calendar.

**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. Mr. Brotzman reported on the following items:  
Task Force working on public safety measures in East end of town.  
Report on the Homeless Shelter.  
Introduced Clarence Chapman, Sheriff's captain who made remarks to Council and the audience.

**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. Comments concerning other items on the agenda are preferred to be heard at the time the item is being considered during the course of the meeting; however they may be offered at

this time if the member of the public cannot be in attendance later in the meeting. The following persons came forward to address the Council:

Rev. John Von Douris, West Hollywood - disabled, homeless in West Hollywood.

Tad Bright, West Hollywood - Wed. April 24th, Neighborhood Watch meeting at Plummer Park at 7:00 p.m.

E. J. Oshins, West Hollywood - Board of Directors, Homeless Organization - Sidewalk repairs needed.

Barry Parker, West Hollywood - 2 hour parking on Keith Avenue.

Stan Lothridge, West Hollywood - American flag at City Hall. Thanks to public and Councilmembers Koretz and Guarriello.

Budd Kopps, West Hollywood - flag raising ceremony was a gay and lesbian political ceremony.

Ron Shipton, West Hollywood - complaint about staff member and his comments and interference with Mr. Shipton's volunteer work with Being Alive.

Ira Sanders, West Hollywood - need to get information out to the public on new ordinances such as leaf blower and animal control ordinances.

Robert Davis, West Hollywood - legal fees on Simonson, Beverly Towers, and Rossmoor.

Stephen Martin, West Hollywood, President of West Hollywood Gay and Lesbian Democratic Club - homophobe definition.

Jeanne Dobrin, West Hollywood - Restaurant at Orlando and Santa Monica Boulevard.

Lester Hirsch, West Hollywood - Sunset Boulevard signage and inflated figure on Tower Records.

Klara Grobman, West Hollywood - fruit and vegetable vendor.

Yakov Roytman, West Hollywood - want vendor back.

Edward Grobman, West Hollywood - petition of 250 for Mr. Roman to be allowed to return to Plummer Park area and sell produce.

Joe Ketter, West Hollywood - 2 hour parking on Keith.

Tom Bright, West Hollywood - street sign on La Cienega and Fountain and street sweeping.

Chris Fairchild, West Hollywood - official taking photographs of people walking on the street, violating civil rights.

**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, m, o, t, u, w, y. Motion Guarriello second Land. Hearing no objection it was so ordered.

**a. Posting of Agenda:** The agenda for the meeting of Monday, April 15, 1991, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, April 10, 1991.

ACTION: Receive and file.

Approved as part of the Consent Calendar.

**b. Demand Register No. 195, Resolution No. 827.**

ACTION: Approve Demand Register No. 195 and adopt Resolution No.

827.

Approved as part of the Consent Calendar.

**c. Treasurer's Report - Month ending March 31, 1991.**

ACTION: Receive and file.

Approved as part of the Consent Calendar.

**d. Minutes: April 1, 1991**

ACTION: Approve the minutes of April 1, 1991.

Approved as part of the Consent Calendar.

**e. Claims: April Allen**

ACTION: Deny the claim of April Allen 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. 291 - Regarding Tenant Relocation Fees:**

ACTION: To adopt on second reading Ordinance No. 291, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING TENANT RELOCATION FEES."

Approved as part of the Consent Calendar.

**h. Ordinance No. 292 - Amending Building Code to Include Fee for Reinspections:** ACTION: To adopt on second reading Ordinance No. 292, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE BUILDING CODE FOR THE PURPOSE OF INCLUDING THE FEE FOR REINSPECTIONS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

Approved as part of the Consent Calendar.

**i. Ordinance No. 293 - Water Allowances - Water Closets and Showers:** ACTION: To adopt on second reading Ordinance No. 293, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PLUMBING CODE FOR THE PURPOSE OF REDUCING THE WATER ALLOWANCES FOR WATER CLOSETS AND SHOWERS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

Approved as part of the Consent Calendar.

**j. Approval of \$830,000 Loan to West Hollywood Community Housing Corporation for Acquisition of Property at 1217-1223 Laurel Avenue:** (ACTION: Approve an \$830,000 Affordable Housing Trust Fund loan to the West Hollywood Community Housing Corporation and authorize the Mayor to sign the Regulatory Agreement and Deed of Trust (the loan documents)).

Approved as part of the Consent Calendar.

**k. Approval of \$87,000 Short-Term Loan to W.H. Community Housing Corporation for 1256-60 Harper Avenue:** ACTION: Approve an \$87,000 short-term (3-month) Affordable Housing General Fund

Loan to the West Hollywood Community Housing Corporation and authorize the Mayor to sign the loan agreement and other loan documents.  
Approved as part of the Consent Calendar.

**l. Execute Agreement with Willdan Associates for Assessment District Implementation:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The staff report was given by Paul Arevalo. ACTION: Authorize staff to proceed with the required engineering reports to create a Lighting Assessment District; authorize City Manager to sign agreement with Willdan Associates for professional services. Motion Land second Guarriello. Hearing no objection it was so ordered.

The City Manager announced that a meeting would be held next Monday, April 22, 1991 at 7:00 p.m. at Fidelity Federal, with representatives of Beverly Hills, for residents of the West Hollywood West area to discuss ground water levels, etc.

**m. Repeal of City Sanctions Against Namibia:**  
ACTION: To amend Ordinance 36 of April 4, 1985 to delete the sanctions against Namibia.  
Approved as part of the Consent Calendar.

**n. Resolution Entitling Residents of Keith Ave. Between Willey Lane and Hilldale Ave. to Dist. 5 Parking Permits:**  
RECOMMENDED ACTION: Adopt Resolution No. 828, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ENTITLING RESIDENTS OF KEITH AVENUE BETWEEN WILLEY LANE AND HILLDALE AVENUE TO DISTRICT 5 PARKING PERMITS."  
THIS ITEM WAS TABLED ON THE REQUEST OF STAFF.

**o. Resolutions Urging Support for Legislation to Support Ridesharing:** ACTION: Adopt Resolutions No. 829 and 830, supporting the Federal Tax Incentive Rideshare Bills under SB 26, SB 129, HR 193, HR 572 and HR 1145.  
Approved as part of the Consent Calendar.

**p. Information Update Regarding Peddlers:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Land asked staff for further information dealing with the pros and cons of allowing peddlers to operate in the City. Corey Roskin stated that the staff recommendation is to continue with the present policies. Perry Pinknery, spoke for Mr. Roman Treystman, the produce vender. ACTION: Put this item on the next Council agenda and provide for policy discussions. Motion Land second Koretz. Noting the objection of Guarriello it was so ordered.

**q. Changes to the Finance Division Staffing:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Mayor Heilman asked about the position of Buyer and Paul Arevalo, Finance, reported on the system he is currently implementing. ACTION: Approve the changes in position titles and number of position titles as shown in Attachment A of staff report. This item is to

be evaluated and reported back to the Council in 6 months.  
Motion Heilman second Land. Hearing no objection it was so ordered.

**r. TUP Allowing Parking for Employees of Cedars Sinai at the Surface Parking Lot, 365 N. San Vicente:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The following persons came forward to address the Council:  
Effie Reuveni, West Hollywood - raise height of fence, annual review.  
Jeanne Dobrin, West Hollywood - spoke in favor for one year.  
Martin Strudler, West Hollywood West - support for period of one year.  
Councilmember Koretz felt a higher fence could cause security problems. A spokesman from Cedars Sinai stated that they would cooperate in any way with the City. ACTION: To approve Temporary Use Permit 91-06 and adopt Resolution No. 831, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING TEMPORARY USE PERMIT 91-06 ON AN APPLICATION OF CEDARS-SINAI MEDICAL CENTER FOR A TEMPORARY PARKING LOT AT 365 NORTH SAN VICENTE BOULEVARD, WEST HOLLYWOOD." Motion Land second Guarriello. Hearing no objection it was so ordered.

**s. Approve Change Order for Hart Park Improvements Project for \$10,300 for Granite AIDS Memorial:** RECOMMENDED ACTION: To approve Change Order No. 1 of the Hart Park Improvements project contract with Jonathan Development Company for the addition of Additive Alternative No. 2 of the contractor's bid proposal, for the granite veneer on the AIDS memorial.  
THIS ITEM WAS TABLED AT REQUEST OF STAFF.

**t. Environmental Enforcement Officer:** ACTION: Approve the position specifications for Environmental Enforcement Officer.  
Approved as part of the Consent Calendar.

**u. Animal Control Contract with L.A. County:** ACTION: Authorize the City Manager to sign a new agreement with Los Angeles County Animal Care and Control.  
Approved as part of the Consent Calendar.

**v. West Hollywood City Hall Air Conditioning System Modification:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Koretz stressed that all Cal-Osha standards be met and the health needs of City employees be given priority. ACTION: Authorize the staff to publicly advertise and solicit bid proposals; appropriate \$40,000 from the General Fund balance to project #41-999-85-898. Motion Land second Guarriello. Hearing no objection it was so ordered.

**w. Resolution - To Open Account with County Investment Pool:** ACTION: To adopt Resolution No. 832, authorizing and requesting the investment of excess funds in the Los Angeles County Treasury Pool.  
Approved as part of the Consent Calendar.

**x. Joint Venture City Hall Development - Status Report on Developer Response to the City's Solicitation of Interest:** Councilmember Koretz asked for a time line on this item and hoped that it would be expedited. The City Manager reported that the Task Force report would be brought to the Council for discussion at the first meeting in May; 90 days would then be needed for the preliminary screening and definition of various proposals. ACTION: Receive and file. Motion Land second Guarriello. Hearing no objection it was so ordered.

**y. Agreement with Seidler-Fitzgerald Public Finance for Financial Consulting Services:** ACTION: Authorize the City Manager to execute the agreement for professional services with Seidler-Fitzgerald, in an amount not to exceed \$15,000, for services and advice concerning Tax and Revenue Anticipation Notes (FY91-92). Approved as part of the Consent Calendar.

#### HEARING ON APPEAL

**3. FLEETWOODS, 8290 SANTA MONICA BLVD.:** THE HEARING REGARDING THE DANCE BUSINESS LICENSE FOR FLEETWOODS WILL BE CONTINUED TO THE NEXT CITY COUNCIL MEETING, MAY 6, 1991, AT REQUEST OF STAFF.

#### PUBLIC HEARINGS

**4. APPEAL OF DENIAL OF AN ENCROACHMENT PERMIT AT 1211 SUNSET PLAZA DRIVE (MONTGOMERY MANAGEMENT):** The City Clerk reported that this item was noticed for the prior hearing which was continued open from March 4, 1991. The staff report was given by Lucy Dyke. Mr. Workman spoke for Montgomery Management, and the following persons came forward to address the Council:  
Sibyl Zaden, Pres., Shoreham Heights Neighborhood Ass'n. - opposed.  
Clay Swidler, Sunset Plaza Homeowners Ass'n. - opposed.  
Linda Newmark, West Hollywood - opposed.  
Victor Carlson, 8720 Shorham Drive Association - opposed.  
Peggy Pope, West Hollywood - opposed.  
David Weissfeld, West Hollywood - opposed.  
Dr. Bagdassaroff, West Hollywood - opposed.  
Jeanne Dobrin, West Hollywood - opposed.

Mr. Workman gave the rebuttal.

The City Attorney stated that his office had taken a look at the cases cited by the appellant and could find no case that stated that anyone had an absolute right to a curb cut.

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

ACTION: Direct staff to prepare a resolution of denial incorporating relevant findings supported by the record and testimony. Motion Land second Lang.

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

NOES: None  
Motion carried.

**5. ST. JAMES CLUB - CONDITIONAL USE PERMIT 85-01 AND VARIANCE 85-01 - REQUEST TO AMEND THE CONDITIONS OF APPROVAL RELATING TO EMPLOYEE PARKING ON HOTEL SITE, 8358 SUNSET:** The City Clerk reported that this item was published in the West Hollywood Independent on April 3, 1991 and posted at the three required places and at City Hall. The staff report was given by David Amorena. Mayor Heilman opened the public hearing and the following persons came forward to address the Council:  
Allan Blest, St. James Club - 20 spaces needed.  
Edward Gristing, West Hollywood - try most anything to get employees' cars off the street.  
Jeanne Dobrin, West Hollywood - need enforcement.  
No one else coming forward to speak, Mayor Heilman closed the public hearing and returned this item to the Council for discussion.

**ACTION:** Adopt Resolution No. 833, "A RESOLUTION OF THE CITY COUNCIL AMENDING CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT 85-01 AND VARIANCE 85-01 FOR PROPERTY KNOWN AS THE ST. JAMES'S CLUB AT 8358 SUNSET BOULEVARD." Staff to report back on this item in three months. Motion Land second Guarriello. Hearing no objection it was so ordered.

Mayor Heilman called a recess at 9:20 p.m.  
The meeting was reconvened at 9:30 p.m.

**5-A. CLOSURE OF ALLEY WEST OF ALMONT AND SOUTH OF MELROSE:**  
A public hearing was held on March 18, 1991, on the staff recommendation to close the alley west of Almont and south of Melrose. Some businesses along the alley felt that the closure would be a hardship because trucks and other vehicles periodically blocked the alley. The hearing was continued open to April 15, and staff was directed to meet with businesses involved. Joan English reported that a no parking sign has now been placed in the alley and that staff had met with the impacted businesses. The following persons addressed the Council:  
Richard Banta, West Hollywood - dangerous situation.  
Charlotte Banta, West Hollywood - parking in alley, trucks, dumpsters, all contribute to noise and danger.  
Helen Kauffman, West Hollywood - will cause hardships getting in and out - discard the cul-de-sac.  
No one else coming forward to speak, Mayor Heilman closed the public hearing and returned this item to the Council for discussion.

**ACTION:** Close the alley at the western end on a test basis of no more than three months at which time the Commission would review both the alley and the cul-de-sac. Further, to approve the negative declaration on file. Motion Land second Lang. Hearing no objection it was so ordered.

**NEW BUSINESS**

**6. "TRIBUTE TO LIFE" PALM TREE MEMORIAL PROJECT:** Cindy Holtz gave the staff report. The following persons addressed the Council:

Robert Ledwon, Project Angel Food -  
Scott Barton, Project Angel Food -  
David Werthe, Project Angel Food -  
Stephen Martin, West Hollywood - support.  
Peter Kallen, West Hollywood - support.  
Phillip Rothschild, West Hollywood - support.  
John Gould, West Hollywood - support.

**ACTION:** Approve and endorse the "A Tribute to Life" project, and authorize staff to provide technical and planning support for the project. Further to authorize an expenditure not to exceed \$1500 for the purchase and installation of the first tree in memory of former city hall employees. Motion Guarriello second Land. Hearing no objection it was so ordered.

**7. STRATEGIES FOR CONTINUING TO ADDRESS PROBLEMS WITH TRANSIENTS/PANHANDLERS:** The following persons addressed the Council:

Tad Bright, Eastend Community Action - number of transients increasing in the area of the Park - oppose outreach as it brings these people into the area.

**ACTIONS:**

- 1) Direct staff to review all existing State and City ordinances concerning transiency and homelessness and work with the Sheriff's Dept. to ensure that the ordinances are enforced and identify gaps in the existing ordinances that need to be addressed to simplify the work of the Sheriff's Department in enforcing the laws;
- 2) Direct staff to continue its efforts to work with business owners to educate them concerning resources and strategies available to them to address problems they might have with transients and panhandlers;
- 3) Direct staff to work cooperatively with the Sheriff's Dept., the Municipal Court in Beverly Hills, and the District Attorney's office to ensure that City, Law Enforcement and Judiciary agencies are communicating and working together to prosecute individuals who violate West Hollywood laws;
- 4) Direct staff to facilitate a meeting with Homeless Shelter Outreach Workers/Staff and Sheriff's deputies to develop and ensure an effective joint outreach and enforcement strategy;
- 5) Require Homeless Shelter Staff to provide the Sheriff with a list of Shelter Program participants to ensure that those people who are participating in the Shelter's program can be distinguished from those who are not.

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



**8. GUIDELINES FOR APPROVAL OF ORIGINAL ART ADVERTISING FOR SUNSET BLVD.:** The staff report was given by Ann Browning. Charlie Mercer, Sunset Strip Association - support. Jeanne Dobrin, West Hollywood - 1st amendment challenges. ACTION: Table this item to the next meeting to give the City Attorney an opportunity to review these guidelines. By consensus of the Council.

**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.

Allan Nixon, Betty Way, complaints about Planning Commissioner Clavin.  
Ed Riney, West Hollywood - transients and panhandlers  
Hamp Simmons, West Hollywood - thanks to Council for support of Gay & Lesbian community.

**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 comments at this time.

**LEGISLATIVE**

**9. TRESPASSING UPON PRIVATE PROPERTY - ORDINANCE AMENDMENT:**  
Nancy Greenstein gave the staff report. The following persons came forward to address the Council:  
Tad Bright, West Hollywood - support.  
Ed Riney, West Hollywood - support.  
Jeanne Dobrin, West Hollywood - support.  
ACTION: To introduce on first reading Ordinance No. 294, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE CONCERNING TRESPASSES UPON PRIVATE PROPERTY." Motion Land second Lang. Hearing no objection it was so ordered.

**CLOSED SESSION:** This time has been set aside in the event that further time is needed for discussion concerning litigation, potential litigation, and/or personnel.

**ADJOURNMENT** Mayor Heilman adjourned the meeting at 10:35 P.M. to a regular adjourned meeting on May 6, 1991 at 6:00 P.M. for a closed session and 7:00 p.m. for the regular meeting, at West Hollywood Park Auditorium.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 6TH DAY OF MAY, 1991.

  
MAYOR

ATTEST:

  
CITY CLERK