

**MINUTES
CITY COUNCIL MEETING
NOVEMBER 5, 1990
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, potential litigation, personnel, and/or claims. Mayor Heilman announced that direction was given to staff on matters of potential litigation and personnel.

6:30 P.M. - STUDY SESSION: This time has been set aside for the City Council to ask questions of staff concerning items on tonight's agenda. There was no study session held at this meeting.

7:00 P.M. - REGULAR MEETING:

CALL TO ORDER: Mayor Heilman called the meeting to order at 7:15 p.m. He announced that the meeting tonight would be adjourned in memory of Richard Dorsey Muller, Director of Rent Stabilization, who passed away this last weekend, and a moment of silent prayer was observed.

PLEDGE OF ALLEGIANCE: The Pledge was led by Donny Cacy.

ROLL CALL: PRESENT: Guarriello, Lang, Land, Koretz, Mayor Heilman
ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

APPROVAL OF AGENDA: Item 7 was tabled at the request of the City Attorney. Item 2s was tabled for 2 weeks. Items f, j, k, p, t, u, v, w and z were removed from the consent calendar for separate discussion.

PROCLAMATIONS AND COMMENDATIONS: Recycler of the Month - October Kevin Hendricks announced that there was no recycler of the month and the award would be carried over.
Commendation - Robbie Conal for the fight for artistic freedom.

TREASURER'S REPORT: Report by Treasurer Jonathan Ahearn for months ending August 31, 1990 and September 30, 1990.

1. CITIZEN COMMENTS: This time has been set aside for persons in the audience to address the Council on items of interest, especially those on the Consent Calendar. Public Hearing items are to be addressed at the time the hearing is called. The following persons came forward to address the Council:
Ed Riney, West Hollywood - found hypodermic needle on sidewalk,

wants foot patrol.

Bruce Traub, West Hollywood - Business tax.

Charlie Mercer, West Hollywood - Business tax.

Norman Chramoff, West Hollywood - Proposition aa - oppose.

Rev. John Von Douris, West Hollywood - Reconstituting West Hollywood Community Forum. Animal abuse.

Ralph Feely, West Hollywood - laws not being enforced.

Sandy Shire, West Hollywood - Business tax.

Norman Hammond, West Hollywood - Business tax.

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 2 a, b, c, d, e, l, m, n, o, q, r, x and y. Motion Land second Koretz.

AYES: Guarriello, Land, Koretz, Mayor Heilman

NOES: None

ABSENT: Lang

Motion carried.

a. Posting of Agenda: The agenda for the meeting of November 5, 1990, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, October 31, 1990.

ACTION: Receive and file.

Approved as part of the Consent Calendar.

**b. Demand Register No. 171, Resolution No. 765,
Demand Register No. 172, Resolution No. 768.**

ACTION: Approve Demand Register No. 171 and adopt Resolution No. 765. Approve Demand Register No. 172 and adopt Resolution No. 768.

Approved as part of the Consent Calendar.

c. Treasurer's Report - August, 1990; September, 1990:

ACTION: Receive and file.

Approved as part of the Consent Calendar.

d. Minutes: October 15, 1990

ACTION: Approve the minutes of October 15, 1990.

Approved as part of the Consent Calendar.

e. Claims: There were no claims for this agenda.

f. Waiver of Further Reading: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Guarriello stated that he wanted Ordinance No. 276 and 277 read in full.

Michael Sidler, West Hollywood addressed the council on this item. ACTION: After the City Attorney has read the title of any Ordinance on tonight's agenda, other than Ordinance 276 and 277, the further reading thereof be waived. Motion Land second Lang.

AYES: Land, Lang, Mayor Heilman.

NOES: Guarriello

ABSTAIN: Koretz

Motion fails as it takes a unanimous vote for waiver of further

reading.

g. Ordinance No. 274, Establishing Preferential Parking District No. 6: PROPOSED ACTION: To waive further reading and adopt Ordinance No. 274. Motion Land second Lang.

AYES: Lang, Land, Koretz, Mayor Heilman.

NOES: Guarriello

At this point in time the City Attorney read the Ordinance in full. ACTION: To adopt on second reading Ordinance No. 274, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PREFERENTIAL PARKING PROVISIONS OF THE TRAFFIC CODE, ESTABLISHING PERMIT PARKING DISTRICT NO. 6 AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

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

NOES: None

Motion carried.

h. Ordinance No. 275, Expanding Preferential Parking District No. 5 to include Harland Avenue: PROPOSED ACTION: To waive further reading and adopt Ordinance 275. Motion Land second Lang.

AYES: Lang, Land, Koretz, Mayor Heilman

NOES: Guarriello

At this point in time the City Clerk read the ordinance in full. ACTION: To adopt on second reading Ordinance No. 275, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD EXPANDING PREFERENTIAL PARKING DISTRICT 5 TO INCLUDE HARLAND AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Motion Land second Lang.

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

NOES: None

Motion carried.

FURTHER ACTION: To take item 2z, Business License Tax, out of order and hear at this time. Motion Mayor Heilman second Lang.

AYES: Lang, Land, Koretz, Mayor Heilman

NOES: Guarriello

Motion carried.

Councilmember Lang left the meeting at 9:15, following Item 2z.

i. Ordinance No. 273, Amending Preferential Parking Provisions of the Traffic Code: ACTION: To waive further reading and adopt on second reading Ordinance No. 273, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PREFERENTIAL PARKING PROVISIONS OF THE TRAFFIC CODE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Motion Land second Koretz.

AYES: Guarriello, Land, Koretz, Mayor Heilman

NOES: None

ABSENT: Lang

Motion carried.

j. Ordinance No. 276, Individual Rent Adjustment Applications and Seismic Retrofitting: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The following persons addressed the Council:

Charlie Mercer, West Hollywood
Bruce Traub, West Hollywood
Mike Radcliffe, West Hollywood
Michael Sidler, West Hollywood

ACTION: To waive further reading and adopt on second reading Ordinance no. 276, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING INDIVIDUAL RENT ADJUSTMENT APPLICATIONS AND SEISMIC RETROFITTING AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Motion Land second Koretz.

AYES: Guarriello, Land, Koretz, Mayor Heilman.
NOES: None
ABSENT: Lang
Motion carried.

**k. Amendments to Rent Stabilization Regulations:
Net Operating Income Formula and Seismic Retrofitting:**
REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY.
The following persons came forward to address the Council:
Mike Radcliffe, West Hollywood
Michael Sidler, West Hollywood

ACTION: Adopt Rent Stabilization Commission Resolution 90-25, as modified to provide for an effective date contemporaneous with the effective date of Ordinance No. 276, and to provide that these regulations be a new Subchapter, and to provide that internal references to "this section" be changed to "this Subchapter". Motion Land second Koretz. Hearing no objection and noting the absence of Lang, it was so ordered.

l. Part-Time School Crossing Guard (Status Change):
ACTION: Approve a status change from that of contractor to permanent part-time for the position of School Crossing Guard. The position will be assigned to the Recreation Services Division at Grade GEPT-03 (range of \$6.756-\$8.214 per hour). Direct the transfer of salary money from the Public Works account to the Recreation Services account.
Approved as part of the Consent Calendar.

m. Service Agreement with Carl Warren & Co. (Claims Adjustor): **ACTION:** Authorize the City Manager to sign the agreement between Carl Warren & Company and the City of West Hollywood, thus protecting the interests of both the principal and contractor.
Approved as part of the Consent Calendar.

n. Award Bid for Santa Monica Blvd. Median Landscaping:
ACTION: Accept the bid dated October 16, 1990, submitted by Mariposa Landscape, in the amount of \$45,302, in response to plans and specifications for the Santa Monica Boulevard Landscaping Project (CIP #142); reject all other bids; and authorize the City Manager to sign the contract.
Approved as part of the Consent Calendar.

o. Approve Specifications for 1991 Street Tree Planting

Project (CIP 144), and Authorize City Clerk to Advertise for Bids: ACTION: Approve the specifications for the 1991 Street Tree Planting Project, CIP #144, and authorize the City Clerk to advertise for bids.
Approved as part of the Consent Calendar.

p. Contract with Tait and Associates for Project Management Services on the Sunset Blvd. Improvement Project: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The following persons came forward and addressed the Council:
Bruce Traub, West Hollywood
Mike Radcliffe, West Hollywood
Charlie Mercer, West Hollywood
Norman Hammer, West Hollywood

ACTION: Approve the contract with Tait and Associates for project management services for the Sunset Blvd. Improvement Project in an amount not to exceed \$32,770, and authorize the City Manager to sign. Motion Heilman second Koretz.
AYES: Land, Koretz, Mayor Heilman
NOES: Guarriello
ABSENT: Lang

q. Award of Contract to Planning and Design Solutions for Preparation of Mitigated Negative Declaration for a Five Level Office/Retail Project on N.E. Corner of Beverly and San Vicente Blvds.: ACTION: Approve the \$27,060 contract with Planning and Design Solutions to prepare the Mitigated Negative Declaration/Mitigation Monitoring Plan and authorize the City Manager to sign.
Approved as part of the Consent Calendar.

r. Amendment to Agreements for Architectural Services For Commercial Revitalization Project: ACTION: Approve the amendments to the agreements with AKAR, Inc., and Architectural Museum Services, at a cost not to exceed \$27,500 per firm, to continue providing Community Development Block Grant (CDBG) funded architectural design assistance services and authorize the City Manager to sign.
Approved as part of the Consent Calendar.

s. Award of Contract to Resource Integration Systems Ltd. for Assistance in Completing the State Mandated Solid Waste Reduction and Recycling Plan: TABLED TO THE MEETING OF NOVEMBER 19, 1990.

t. Time Limit Parking - Plummer Lane: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The following persons came forward to address the Council:
Mike Radcliffe, West Hollywood
Bruce Traub, West Hollywood
Ralph Feeley, West Hollywood
Charlie Mercer, West Hollywood
Jeanne Dobrin, West Hollywood

RECOMMENDED ACTION: Adopt Resolution No. 770, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING PLUMMER LANE A THIRTY-MINUTE PARKING ZONE BETWEEN TEN A.M. AND TWELVE NOON MONDAYS".

ACTION: Refer this item back to staff to report back to the Council on street sweeping days in the area and on the proposed time limit of 12:00 noon. Motion Heilman second Land. Hearing no objection it was so ordered.

u. W. H. Homeless Organization Contract: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The following persons came forward to address the Council:

Michael Sidler, West Hollywood -
Charlie Mercer, West Hollywood -
Rev. John Von Douris, West Hollywood
Paul Davis, West Hollywood
Bruce Traub, West Hollywood
Mike Radcliffe, West Hollywood
Ron Goins, West Hollywood
Norman Hammer, West Hollywood
Tad Bright, West Hollywood

ACTION: Authorize the Mayor to sign a Social Services contract for \$602,700 effective November 4, 1991, with the West Hollywood Homeless Organization (\$201,000 Community Development Block Grant Funds; \$118,800 Emergency Shelter Program; and \$282,900 (from the already approved General Fund amount), to provide comprehensive Social Services and emergency and transitional shelter to persons who are homeless in the City of West Hollywood, on provisional funding basis and authorize Staff to negotiate the scope of services and budget. Section 24 to be deleted from the contract and be referred to meet and confer. Direction was also given by Mayor Pro Tem Koretz, that if it goes into meet and confer, that City management negotiate that in good faith and not include any possibility of threats or layoffs or anything in that direction.

Motion Koretz second Land.
AYES: Land, Koretz, Mayor Heilman
NOES: Guarriello
ABSENT: Lang
Motion carried.

v. Head Start Site Location: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The following persons came forward to address the Council:

Bruce Traub - placement in park.
Ralph Feeley, West Hollywood - Support
Mike Radcliffe, West Hollywood - oppose location

ACTION: Approve the location of a portable building for the Head Start program to be located next to the children's play area at Plummer Park and authorize staff to proceed with site preparation and program planning. Motion Land second Koretz.
AYES: Guarriello, Land, Koretz, Mayor Heilman

NOES: None
ABSENT: Lang
Motion carried.

w. Approval of Contract with Alan M. Glassman for Professional Services: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The following persons came forward to address the Council:

Jeanne Dobrin, West Hollywood
Charlie Mercer, West Hollywood
Bruce Traub, West Hollywood
Mike Radcliffe, West Hollywood

ACTION: Authorize the City Manager to enter into a contract with Alan M. Glassman for professional services to the City of West Hollywood for Organizational and Staff Professional Development in an amount not to exceed \$10,000, for the remainder of Fiscal Year 1990-91. Motion Mayor Heilman second Koretz.

AYES: Land, Koretz, Mayor Heilman
NOES: Guarriello
ABSENT: Lang
Motion carried.

x. 8600 Melrose Avenue (D.P. 90-17 - Road Deed:

ACTION: Accept the offer of dedication by B.M.B. Investment Corporation and direct staff to record the deed.
Approved as part of the Consent Calendar.

y. State Dept. of Aging Contract: **ACTION:** Authorize staff to accept a \$50,000 addition to contract HC-8990-01 with the State Department of Aging.

Approved as part of the Consent Calendar.

z. Second Reading and Adoption of Business Tax Ordinance: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. This item was heard after item 2h. At this point in time the City Attorney, City Clerk, John Polak, Marney Hull, Clayton Griffin, Lucy Dyke, and Dottie Gibbons-White, read the Ordinance in full. The following persons came forward to speak:

Michael Sidler, West Hollywood
Charlie Mercer, West Hollywood - presented petition against Patrick Wall, West Hollywood - opposed
Janet Bridgers, West Hollywood - opposed
Jeanne Dobrin, West Hollywood - opposed
Mike Radcliffe, West Hollywood - opposed

ACTION: Adopt on second reading Ordinance No. 277, "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 Lang.

AYES: Lang, Land, Mayor Heilman
NOES: Guarriello, Koretz
Motion carried.

The following persons addressed the Council on Consent calendar

items that had not been pulled for separate discussion:
Bruce Traub, Parking Districts
Mike Radcliffe, Crossing Guard

Mayor Heilman called a recess at 9:10 p.m.
The meeting was reconvened at 9:20 p.m.

PUBLIC HEARINGS

3. FEE RESOLUTION: Mayor Heilman opened the public hearing and the following came forward to address the Council:

Jeanne Dobrin, West Hollywood
Charlie Mercer, West Hollywood

No one else coming forward to speak, Mayor Heilman closed the Public Hearing. ACTION: Approve and adopt Resolution No. 770, "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." Motion Koretz second Land.

AYES: Guarriello, Land, Koretz, Mayor Heilman.

NOES: None

ABSENT: Lang

Motion carried.

UNFINISHED BUSINESS

4. WERLE BUILDING LANDSCAPING PROJECT: Mayor Heilman stated that this item would be continued to the next meeting, but those present who wished to speak would be called on. The following persons came forward to speak:

Gloria Vassy, West Hollywood
Jeanne Dobrin, West Hollywood
Rev. John Von Douris, West Hollywood

5. SOUTHLAND CORPORATION'S APPEAL OF PLANNING COMMISSION'S DENIAL OF A CUP TO SELL LIQUOR FOR OFF-SITE CONSUMPTION

(7-11 STORE, 7609 SANTA MONICA BLVD.): The City Attorney reported that this item has been in front of the Council on several occasions. In view of the fact that petitions submitted after the hearing had influenced a councilmember to change his mind, it was questioned whether the Public Hearing needed to be reopened for further hearing. Mr. Jenkins felt that this was not required, but that the Council should allow the applicant to speak to the relative value of the form letters, as a matter of fairness, and thereafter disregard them and base its decision on the evidence before it at the time of the public hearing.

Mike Polo, Field consultant for Southland Corp.

Donny Cacy, Applicant, 7-11.

ACTION: Adopt Resolution No. 771, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING CONDITIONAL USE PERMIT 90-08, AN APPLICATION OF THE SOUTHLAND CORPORATION, DBA 7-11 STORE 2132-24131, FOR THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-SITE CONSUMPTION ON PROPERTY LOCATED AT 7609 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA. Motion Koretz second

Guarriello

AYES: Guarriello, Koretz, Mayor Heilman

NOES: Land

ABSENT: Lang

Motion carried.

NEW BUSINESS

6. CABLE TV/FINE ARTS STUDY SESSION WITH COUNCIL:

Rev. John Von Douris spoke on this item. ACTION: In preparation for a joint study session to be held in mid-January of 1991, direct Cable TV/Fine Arts Division staff to prepare reports analyzing the current status of operations and activities in both areas of the Cable TV and Arts Division and making recommendations for possible changes and improvements for the future. Also, direct staff to set a date and invite both the Human Services Commission and the Fine Arts Advisory Board to the study session. Motion Land second Koretz. Hearing no objection it was so ordered.

LEGISLATIVE

7. AMENDMENTS TO ANIMAL CONTROL ORDINANCE: THIS ITEM WAS TABLED TO THE MEETING OF NOVEMBER 19, 1990.

CITIZEN COMMENTS: This time has been set aside for the public to address the Council on any item of interest except for the Public Hearings. The following persons addressed the Council:

Jeanne Dobrin, West Hollywood - Halloween lack of attire.

Michael Sidler, West Hollywood - disabilities

Effie Reuveni, West Hollywood - Cable rates

Gloria Vassy, West Hollywood - Halloween complaints.

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 a proposed meeting with the City Manager of Beverly Hills on requested traffic modifications on Cory, Carol and Phyllis; the new lighting being installed on Santa Monica Boulevard; and that the actual cost of the business license tax would be less than 5 cents per one hundred dollar purchase if passed on to the consumer.

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.

Councilmember Land asked that the traffic modifications come to the Council as soon as possible. She also remarked on McDonalds decision to stop using styrofoam products.

Councilmember Koretz stated that he felt that some of the Sheriff's officers could be redeployed to the East end. He also agreed that we need more enforcement on animal control and leaf blowers, and asked about the problem with rats at the Werle Building. The City Manager reported that the rats had been taken

care of.

Mayor Heilman directed the City Manager to come back to the Council with recommendations on implementing enforcement in the above areas, and to make sure there is adequate parking at the park for tomorrow's election.

ADJOURNMENT The meeting was adjourned at 11:28 p.m. in memory of Richard Dorsey Muller and Clyde Ventura of the Actors Studio, to a regular adjourned meeting on November 19, 1990, at 6:00 p.m. at West Hollywood Park Auditorium.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 19TH DAY OF
NOVEMBER, 1990.


MAYOR

ATTEST:


CITY CLERK