

**MINUTES  
CITY COUNCIL MEETING  
SEPTEMBER 17, 1990  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**4:30 P.M.: WORKSHOP - CAPITAL IMPROVEMENT PROGRAM BUDGET AND  
REVENUE OPTIONS - BUSINESS LICENSE TAX AND  
ADMISSIONS TAX:**

Mayor Heilman called the meeting to order at 4:45 p.m.

PRESENT: Guarriello, Land, Koretz, Mayor  
Heilman  
ABSENT: Lang  
ALSO PRESENT: City Manager Brotzman  
Kay Jimno, Director of Administra-  
tive Services  
City Attorney Jenkins

The staff report was given by Kay Jimno, followed by questions from the Council, which included questions about the City's bond rating, interest rates, debt service, etc., as would apply to the construction of a City Hall. Paul Brotzman responded to questions about the annual need of from \$2.2 to 2.4 million per year to do the capital improvements of \$48 million. City currently has budgeted \$1 million this year plus \$500,000 which was placed in reserves. The financing of City Hall and the Fire Station and other large projects could be financed and paid over a long term.

Mayor Heilman asked about the Social Services Building Restoration, Hart Park Improvements, and figures for the total cost of a project. He wanted to see total figures regardless of the source of funding. In answer to his question about the Werle Building landscape and irrigation, Cyndy Holtz replied that this project included sidewalk replacement and other upgrade items.

Mayor Heilman asked about possible capital projects that may result from the groundwater studies presently being conducted by West Hollywood and Beverly Hills.

Discussion followed on the five-year plan on traffic signals, the Lighting District, Plummer and West Hollywood Parks, on-going street tree program, Sewer Fund, parking structures, and a community center. Council requested a list of all projects that had been removed from consideration.

Councilmember Koretz asked about funding sources and expenditure cuts.

Councilmember Land also asked to look at the wish list which would include all projects, and a scenario that would show the larger projects being added to the debt service and paid over a number of years. She stated that she would like to have discussion on the separate projects in order to prioritize them.

Councilmember Guarriello stated his opposition to the Business License Tax.

Discussion was held on the Business License Tax only; the Admission Tax only; and a combination of both.

City Attorney Jenkins spoke about a potential problem between a 10% admission tax and a gross receipts tax.

Councilmember Koretz asked if we needed more personnel in the Sheriff's Department.

Mayor Heilman asked about Legal Services - b and j - and asked staff to look at this prior to it being returned to the Council. Also wanted staff to look at tax being imposed at end of first year. Page 10, section 6707, rather confusing - would like to see chart on this item. Section 6708, franchise businesses, asked for clarification. 6717, confidential information - are we authorized to do this under State Law. City Attorney Jenkins replied yes. Section 6718, operation of automobile - is decal necessary? Can we make commitment to business community to not raise the rates for 5 years? City Attorney Jenkins spoke about paragraph k on Page 6 - Neighborhood Services - may need some clarification - leave broad and let Tax Administrator decide which qualify or keep it specific. Mayor Heilman stated he was not convinced this is the best way to do this.

Councilmember Land stated she would like to see narrative that would show what kind of benefits a tax would provide to the businesses; more discussion involving the administration of the CIP.

Mayor Heilman requested that this item be returned to the Council at the October 1st meeting, as a Public Hearing.

Councilmember Land asked the Council to revisit the budget and see where changes and cuts could be made.

Councilmember Koretz stated that he did not feel they had enough of a program budget to make those decisions.

Mayor Heilman adjourned the meeting to closed session at 6:15 p.m.

**6:15 P.M. DINNER RECESS AND CLOSED SESSION:** The City Council met in closed session at this time to discuss matters pertaining

to litigation, potential litigation, and/or personnel.  
The City Council reconvened at 7:40 p.m.

**7:40 P.M.: DALE HUNTER, METROPOLITAN WATER DISTRICT - REPORT  
ON THE STATUS OF THE CURRENT WATER SHORTAGE;**

Mr. Hunter gave a brief overview on the Metropolitan Water District and a report on the status of the current water shortage.

**7:50 P.M.- TONIGHT'S AGENDA -CALL TO ORDER:** Mayor Heilman called the meeting to order at 7:50 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Vivian Vukojevich.

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

**APPROVAL OF AGENDA:** Table items 2s and 3. Remove items 2n, 2t and 2u for separate discussion. Item 8 was changed to an announcement by Steve Smith of the Public Hearing on October 10, 1990, at Fiesta Hall at Plummer Park at 7:00 p.m. By consensus of the Council.

**PROCLAMATIONS AND COMMENDATIONS:**

Steve Smith announced that the Site Selection Committee would hold the first of 3 public hearings on October 10, 1990.

Councilmember Land announced that "Women in a New Decade" forum would be held September 18, 1990, at Plummer Park, Hall A, starting at 6:30 p.m. September 29-30 will be the World Summit on Children, with a candlelight vigil at the Federal Building on September 23rd. The West Hollywood Disabilities Access Guide is now available at City Hall.

A check was presented to Project Angel Food from a benefit that was put on by Park staff.

Mayor Heilman announced that Councilmember Lang had fallen and broken her hip and was in the hospital. Rita Guarriello was going into St. Johns Hospital for hip surgery later in the week.

A moment of silent prayer was held for Joe Thompson who passed away last week and the meeting tonight would be adjourned in his memory.

Recycler of the Month - None this month.

Joseph Pemberton, received a commendation for over 150 hours of work as a volunteer.

Soviet-American Center for Better Health, commendation for better understanding and AIDS Education to the Soviet public.

**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 Council:

Michael Sidler, West Hollywood - Open meeting law, and Affordable Housing Trust Fund loan.

Agatha Szatmary, Ogden Dr., West Hollywood - Not getting Post in their neighborhood and have excessive speeding.

Budd Kops, West Hollywood - General Plan and Rossmoor.

Peter DeMaria, West Hollywood - Construction Materials on Palm Ave.

Thomas Crail, West Hollywood - Opposition to admissions tax.

Charlie Mercer, West Hollywood - Sunset Strip Association -

Steve Martin, West Hollywood - business license/admissions tax

Scott Forbes, West Hollywood - admissions tax impact on Gay community.

Ginny Foat, West Hollywood - admissions/business tax

In addition, 15 speaker slips were turned in by people who did not wish to speak but were in opposition to the business license tax: Scott Randall, Steven Billing, Allen Cruise, Barbara King, Amy Cherrie, Sandra Brunner, George Dreu, Brian Leslie, Devin Beasley, Howard Gottlieb, Jack Frohman, David Welch, Pamela Geneurino, Robin Gons, and Sandy Sachs.

Jeanne Dobrin, West Hollywood - in favor of admissions tax and wants all City notices and ads put in one section in the paper.

**1. 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 public hearing and structure of the Business License/Admissions tax. He asked to reserve his comments to later in the agenda.

**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, d, f, g, h, j, k, l, m, o, q, and r. Motion Land second Koretz. Hearing no objection and noting the absence of Lang it was so ordered.

**a. Posting of Agenda:** The agenda for the meeting of September 17, 1990, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, September 12, 1990.

ACTION: Receive and file.

Approved as part of the Consent Calendar.

**b. Demand Register No. 165, Resolution No. 746, and Demand Register 166, Resolution No. 749:** ACTION: Approve Demand Register No. 165 and adopt Resolution No. 746 and approve Demand Register No. 166 and adopt Resolution No. 749.

Approved as part of the Consent Calendar.

**c. Treasurer's Report:**

There was no Treasurer's Report at this meeting.

**d. Minutes:**

**ACTION:** Approve the minutes of March 26, 1990 and September 4, 1990

Approved as part of the Consent Calendar.

**e. Claims:**

There were no claims for presentation at this time.

**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. Approval of Subcontract with Division of Adult and Occupational Education, Los Angeles Unified School District:**

**ACTION:** Approve the subcontract between the City and the Los Angeles Unified School District for \$50,408, to provide vocational training and counseling for refugees interested in careers in the medical profession.

Approved as part of the Consent Calendar.

**h. Tom Proctor 5-10K Recipient:** **ACTION:** Select Pets are Wonderful Support (PAWS) as the non-profit beneficiary of the sixth annual Tom Proctor 5/10K Run and Walkathon.

Approved as part of the Consent Calendar.

**i. Delegate to National League of Cities Conference:**

REMOVED FROM AGENDA AT REQUEST OF STAFF.

**j. Letter of Agreement with AFSCME:** Representatives of the City and AFSCME have met per City Council direction to resolve certain issues arising out of the interpretation of Article 25, Section 4 of the current Memorandum of Understanding regarding a salary survey.

**ACTION:** Approve the letter agreement between the City of West Hollywood and the AFSCME employee group.

Approved as part of the Consent Calendar.

**k. Resolution Authorizing Agreement with Caltrans for Cooperative Landscape Project on Santa Monica Boulevard:**

**ACTION:** Adopt Resolution No. 748, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE COOPERATIVE LANDSCAPE PROJECT ON SANTA MONICA BOULEVARD".

Approved as part of the Consent Calendar.

**l. Taxi/Lift Van Program Agreement:** **ACTION:** Approve the agreement for the taxi coupon/lift van program from October 1, 1990 through March 31, 1991, with the maximum payment of \$318,750 for the six-month period.

Approved as part of the Consent Calendar.

**m. Ordinance Changing Hours of City Council Meetings:**  
ACTION: Adopt on second reading, Ordinance No. 271, AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD CHANGING THE HOUR OF CITY COUNCIL MEETINGS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

Approved as part of the Consent Calendar.

**n. Approval of Contract - Edward Hume & Associates Landscape Architects - Werle Building Landscape Plans:**

RECOMMENDED ACTION: Award the contract for landscape architectural consulting services for the design of the Werle Building Landscaping project to Edward Hume & Associates for \$6,000.

ACTION: Table to meeting of Oct. 1, 1990 for further information.

**o. Resolution for State Grant Application for Hart House Renovation (\$197,000.00):** ACTION: Adopt Resolution No. 750, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE APPLICATION FOR STATE GRANT FUNDS FOR THE HART HOUSE RENOVATION."

Approved as part of the Consent Calendar.

**p. Award of contract for professional consulting service for Maintenance Management Plan:** REMOVED FROM AGENDA AT REQUEST OF STAFF.

**q. Approval of \$500,000 Affordable Housing Trust Fund Loan for West Hollywood Community Housing Corporation for acquisition of 8001 Norton and 1213-1215 Laurel.**

ACTION: Approve a \$500,000 loan to the WHCHC for the acquisition of 8001 Norton and 1213-1215 Laurel Streets and authorize the Mayor to sign the loan documents.

Approved as part of the Consent Calendar.

**r. Approval of Time Extension for Pre-development Loan to West Hollywood Community Housing Corp. for 1256-1260 N. Harper Avenue:** ACTION: Approve the Extension of Promissory Note and authorize the Mayor to sign.

Approved as part of the Consent Calendar.

**s. Award of Contract - Compensation Policy:** A joint labor/management committee has been formed to develop recommendations to the City Council regarding the establishment of a City compensation policy. The committee wishes to enlist the services of a consulting firm.

RECOMMENDED ACTION: Authorize the City Manager to enter into a contract in an amount not to exceed \$\_\_\_\_\_ with \_\_\_\_\_ and appropriate \$\_\_\_\_\_ from the General Fund Balance to account number 01-200-54-701.

THIS ITEM HAS BEEN REMOVED FROM THE AGENDA AT THE REQUEST OF

STAFF.

**t. Resolution of Approval for 554 Westbourne Drive -Variance 90-01:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: Adopt Resolution No. 751, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A REQUEST FOR VARIANCE 90-01 TO ALLOW AN ATTACHED CARPORT TO EXTEND INTO THE SIDEYARD SETBACK AT 554 WESTBOURNE DRIVE". Motion Land second Koretz.  
AYES: Land, Koretz, Heilman  
NOES: Guarriello  
ABSENT: Lang

**u. Approval of Contract with Alan M. Glassman for Professional Services:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. RECOMMENDED ACTION: Authorize the City Manager to enter into a contract with Alan M. Glassman for professional services to the City to provide consulting in support of Organizational Development, Staff Professional Development and City Strategic Planning in an amount not to exceed \$31,000, plus appropriate expenses incidental to provision of these services as may be approved by the City manager, for the duration of Fiscal year 1990-1991.  
ACTION: Table to the meeting of October 1, for a breakdown of services and charges. By consensus of the Council.

#### **PUBLIC HEARINGS**

**3. CAFE L.A. - 8930 SUNSET BLVD. -APPEAL OF PLANNING COMMISSION'S DECISION TO PERMIT ON-SITE SALE OF BEER AND WINE IN A NEW RESTAURANT:** CONTINUED TO OCTOBER 15, 1990, AT THE REQUEST OF APPLICANT.

#### **UNFINISHED BUSINESS**

**4. LESBIAN AND GAY ADVISORY COUNCIL APPOINTMENTS: (2 MEN)**  
At the September 4, 1990, City Council meeting, the Council appointed 4 lesbians and 2 gay men. ACTION: Appoint Gary Jonker and Ernie Over to the Lesbian and Gay Advisory Council. Michael Seidler addressed the Council.

**5. SENIOR ADVISORY COUNCIL APPOINTMENTS:** Michael Seidler addressed the Council. ACTION: Appoint the following members to the Senior Advisory Council, with the addition of Lester Hirsch and the deletion of Mike Mansdorf (at his request):  
CONTINUING MEMBERS: Eleanor Bardeen, Elisabeth Burns, Frances Eisenberg, Montez Foster, Bess Gardner, Gus Gardner, Jerry Hundal, A. Joan O'Brien, Kate Pizer, Janet Siegel, Belle Wiener;  
NEW APPLICATIONS: Basia Berkovich, Clara Johnson, Jerome Levine, Jean McCaffey, Irving Olener, Anne Rattner, Ernie Reed, Victory Rozman, Maria Shvarts, Ed Simmons, Mark Skabinsky, and Lester Hirsch. Motion Land second Guarriello. Hearing no objection and noting the absence of Lang it was so ordered.

**6. FINE ARTS ADVISORY BOARD APPOINTMENTS: (9 AT LARGE)**

This item was continued from the September 4, 1990 City Council meeting. RECOMMENDED ACTION Appoint nine (9) at-large members to the Fine Arts Advisory Board for a 2 year term.  
ACTION: TABLE TO THE MEETING OF OCTOBER 1, 1990.

**7. ART IN PUBLIC PLACES:** Ian Tanza gave the staff report, and answered questions from the Councilmembers. There were questions about the required hours the company must be open for public display, ownership of artwork, permanency, conditions of approval, maintenance, non-profit organization, waiver by Council, long term cost, notice of installation and the submittal of the contracts to the Board.

Michael Seidler addressed the Council on this item. RECOMMENDED ACTION: 1) Introduce on first reading Ordinance No. \_\_\_\_\_, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REQUIRING CERTAIN DEVELOPMENTS TO INCLUDE URBAN ART"; 2) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SETTING FORTH REQUIREMENTS, GUIDELINES, AND PROCEDURES FOR INSTALLING URBAN ART REQUIRED BY CHAPTER 9500 OF ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE"; and 3) Change all reference to "Cultural Trust Fund" in the documents to the "Cultural Endowment".

ACTION: Approve in concept with staff to bring this item back with the Council concerns addressed. By consensus of the Council.

**8. STATUS REPORT FROM CITY HALL SITE SELECTION COMMITTEE:**  
REMOVED FROM THE AGENDA - NOTIFICATION OF PUBLIC HEARING.

**9. REVIEW AND APPROVAL OF MASSING MODEL FOR ROSSMOOR REGENCY CONGREGATE CARE FACILITY FOR SENIOR CITIZENS AT 700 N. DOHENY DRIVE:** Councilmember Guarriello was not on the Council and did not participate in any of the previous hearings on this item, so he left the dais at this time. The staff report was given by Ann Browning, Planning Manager. The following persons came forward to address the Council:

Rick Solberg, Applicant

Michael Sidler, West Hollywood - affordable housing

Howard Torbiner, opposed - representing Keith & Doheny residents.

David Finkelstein, Los Angeles - opposed

Lester Stein, Beverly Hills - opposed

Stephen Decker, West Hollywood - against design

Harriet Segal, West Hollywood - opposed

Carol Nolte, West Hollywood - opposed

Jeanne Dobrin, West Hollywood - opposed

G. Bruce Traub, West Hollywood - opposed

ACTION: 1) Approve the massing model for the project with the change that the buffer/garden area along the eastern portion be redesigned to provide more protection to the neighbors and more usable open space; 2) Direct staff to work with the applicant



to ensure that all conditions of the resolution are met in the working drawings for this project; and, 3) Direct staff to review architectural style issues with the applicant prior to issuance of building permits. By consensus of the Council.

#### **LEGISLATIVE**

**10. ORDINANCE NO. 272, NEWSRACK ORDINANCE:** The staff report was given by Mike Jenkins, City Attorney. He stated that this is really a clean-up of the present Newsrack Ordinance. The following persons addressed the Council:

Michael Seidler, West Hollywood - citizen safety  
Jeanne Dobrin, West Hollywood - some newsracks don't have permits - need space to open car doors.

**ACTION:** Introduce on first reading, Ordinance No. 272, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER VII OF ARTICLE III OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO THE PLACEMENT AND OPERATION OF NEWS RACKS IN THE PUBLIC RIGHT-OF-WAY, AND SUPERSEDING ORDINANCE NO. 224". Motion Land second Guarriello. Hearing no objection and noting the absence of Lang, it was so ordered.

**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 came forward to address the Council:

G. Bruce Traub, West Hollywood - hard to follow budget - cut spending.  
Ed Riney, West Hollywood -

**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 Guarriello read a letter from Rocky Mansdorf about his landlord giving him an eviction notice for having a cat that he has had, and has been allowed in the apartment, for 11 years.

The City Manager was directed to follow up on this situation. Councilmember Land asked staff to look at closing loopholes in allowing anything on the roof.

City Manager Brotzman reported that staff would supply Council with a clarifying document on long term financing items on the Capital Improvement Public Hearing.

He requested that the October 1 meeting start at 5:30 p.m. Council approved.

**ADJOURNMENT** Mayor Heilman adjourned the meeting at 10:00 p.m. to a meeting on September 24, 1990, at 7:00 p.m., Hall A, Plummer Park, in memory of Joe Thompson. The Council wished a quick recovery to Babette Lang and Rita Guarriello.

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APPROVED BY MOTION OF THE CITY COUNCIL THIS FIRST DAY OF  
OCTOBER, 1990.

  
MAYOR

ATTEST:

  
CITY CLERK