

**MINUTES
CITY COUNCIL MEETING
NOVEMBER 20, 1989
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD
7:00 P.M.**

CALL TO ORDER: Mayor Pro-tempore Koretz called the meeting to order at 7:12 P.M.

PLEDGE OF ALLEGIANCE: The pledge was led by City Manager Paul Brotzman.

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

APPROVAL OF AGENDA: **ACTION:** Remove items 2h, 2j, 2k, 2m, 2n, and 2o from the Consent Calendar for discussion. Table item 2l.

PROCLAMATIONS AND COMMENDATIONS: WORLD-WIDE DIABETES WEEK
 JIM ROGERS - FINE ARTS BOARD

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 following: 1) Options to continue pool open for next 6 months and down time for repairs - report for the December 4th agenda; 2) Food Coalition Task Force - need definition, parameters, etc., staff recommendations to be brought to the Council at the meeting of December 4th or 11th; 3) Recruiting for Assistant City Manager and Director of Administrative Services.

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. Motion: Approve items 2a, b, c, d, e, f, g, and i. Motion Heilman second Albert. Hearing no objection it was so ordered.

a. Posting of Agenda: The agenda for the meeting of Monday, November 20, 1989 was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, November 15, 1989. **ACTION:** Receive and file. Approved as part of the Consent Calendar.

**b. Demand Register No. 123, Resolution No. 609.
 Demand Register No. 124, Resolution No. 612.**

ACTION: Approve Demand Register No. 123 and adopt Resolution No. 609, and approve Demand Register No. 124 and adopt Resolution No. 612.

ORIGINAL

Approved as part of the Consent Calendar.

- c. Claims: Parking Management and La Masia Restaurant**
John Singer
Gertrude Goren
Laura Andrus
Pacific Bell
Colonial House Condominium Owners
Jill Franklyn

ACTIONS: To deny the claims of Parking Management Services and La Masia Restaurant, John Singer, Gertrude Goren, Laura Andrus, Pacific Bell, and Colonial House Condominium Owners without comment and refer to the City's Claims Adjustor.
Approved as part of the Consent Calendar.

To remove the claim of Jill Franklyn from the Consent Calendar and move to Closed Session for further discussion.
Approved as part of the Consent Calendar.

d. 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.

e. Senior Center Security: **ACTION:** To authorize the expenditure of up to \$5,031.00 from the unallocated reserves to fund a security guard for the West Hollywood Senior Center through the end of February, 1990, or until the West Hollywood Food Coalition program has relocated from Plummer Park.
Approved as part of the Consent Calendar.

f. Approval of Proclamation Urging Congress to Maintain the Community Development Block Grant Program as Now Formulated: **ACTION:** That Council approve the Proclamation recognizing the valuable role that the CDBG program has played in West Hollywood and recommending that Congress keep the program's present structure and focus intact.
Approved as part of the Consent Calendar.

g. Approval of Amendments to Memorandum of Understanding between the City and the Association of Confidential Employees: **ACTION:** 1) To approve and adopt Resolution No. 620, "AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WEST HOLLYWOOD AND ASSOCIATION OF CONFIDENTIAL EMPLOYEES AMENDING RESOLUTION NO. 506 WITH RESPECT TO SALARIES OF THE CONFIDENTIAL EMPLOYEES"; 2) Authorize \$2,340 transfer from the Unobligated Reserve be placed in a reserve account until all groups have settled.
Approved as part of the Consent Calendar.

h. La Jolla/Havenhurst Neighborhood Concerns: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY.

ACTION: Direct staff to continue working with the neighbors and support their effort to form a viable neighborhood watch program. Further direct that: 1) the traffic study recommendations regarding the one way streets, "right-turn only" signs and the feasibility of closing the alley at specific times be brought directly to the Council for action; 2) staff work with the County to determine the feasibility of leasing the parking lot and its related costs; 3) staff provide a specific estimate of costs and options to rehabilitate the wall to prevent sitting and/or leaning, and 4) determine the current feasibility of closing the alley and enlarging the parking lot. Motion Heilman second Schulte. Hearing no objection and noting the absence of Mayor Land, it was so ordered.

i. Protection of Residential Neighborhoods:

ACTION: Approve and adopt Resolution No. 621, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING RESOLUTION NO. 584, PROVIDING FOR TEMPORARY CLOSURE OF PORTIONS OF CERTAIN CITY STREETS PURSUANT TO VEHICLE CODE SECTION 21101."

Approved as part of the Consent Calendar.

j. Sierra Bonita Ave. and Romaine St. - Request for Four-Way Stop Intersection: A four-way stop control has been requested at Sierra Bonita Ave. and Romaine St. A study has been completed and it is the staff's finding that the stop control is not justified. **RECOMMENDED ACTION:** The staff recommendation is that City Council deny the request for a four-way stop control at Sierra Bonita Ave. and Romaine St. If, after due consideration, Council supports the request, Council should adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING THE INTERSECTION OF SIERRA BONITA AVE. AND ROMAINE ST. AS A FOUR-WAY STOP CONTROL INTERSECTION."

TABLED TO THE MEETING OF DECEMBER 4, 1989.

k. Parking Meter Rates: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Chuck Bergson, Director of Public Works gave the staff report. **ACTION:** That Council extend parking meter hours to 12:00 midnight and raise meter rates to \$.75 per hour on the westerly portions of Sunset Blvd. and Santa Monica Blvd. and direct staff to prepare the appropriate legislation to effect this change. In addition instruction was given to staff to extend the hours on Robertson, La Cienega and Melrose to 10:00 P. M. and to prepare the appropriate legislation to effect this change and to return with a notification plan for these areas.

Motion Albert second Schulte.

AYES: Albert, Schulte, Koretz

NOES: Heilman

Motion carried.

FURTHER ACTION: All additional revenue to be placed in a

Parking Trust Fund to be used only for the development of parking structures. Motion Heilman second Schulte. Hearing no objection it was so ordered.

l. Carl Warren Agreement: RECOMMENDED ACTION: Approve the contract between Carl Warren & Company and the City of West Hollywood, and authorize Mayor Land to sign said agreement, thus protecting the interests of both principal and contractor. TABLED TO THE MEETING OF DECEMBER 4, 1989.

m. Second Reading Ordinance No. 244--Vacancy Increases: RECOMMENDED ACTION: To adopt on second reading Ordinance No. 244, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING RENT INCREASES UPON VACANCY OF RENTAL UNITS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." TABLED TO THE MEETING OF DECEMBER 4, 1989.

n. Resolution No. 602--Vacancy Increases: RECOMMENDED ACTION: To approve and adopt Resolution No. 602, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REGARDING RENT INCREASES UPON VACANCY OF RENTAL UNITS AND AMENDING THE RENT STABILIZATION REGULATIONS." TABLED TO THE MEETING OF DECEMBER 4, 1989.

o. Exoneration of Bonds for 1200 N. Flores: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: That the City Council exonerate Faithful Performance Bond Nos. 2-160-926 in the amount of \$9,300 and 2-141-742 in the amount of \$33,000 and Payment Bond No. 2-160-926 in the amount of \$4,250 and communicate exoneration to the sureties, conditioned upon execution of settlement agreement with the property owner. Motion Heilman second Schulte. Hearing no objection and noting the absence of Mayor Land, it was so ordered.

PUBLIC HEARINGS

3. GENERAL PLAN AMENDMENT 89-03 - REVISION TO THE HOUSING ELEMENT: Mary Tyson, City Clerk, reported that this item was published in the Post Newspaper and posted in the three required places plus at City Hall. Debbie Potter gave the staff report. Mayor Pro-tempore Koretz opened the public hearing and, no one coming forward to speak, closed the public hearing. ACTION: Approve and adopt Resolution No. 622, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE REVISED HOUSING ELEMENT, AMENDMENT NO. 89-03 TO THE GENERAL PLAN." The Resolution includes housing program accomplishments from 1984 - June 30, 1989, and a table containing housing conservation goals through 1994. In addition, approve the Negative Declaration prepared for the revised Housing Element. Motion Heilman second Schulte. Hearing no objection and noting the absence of Mayor Land, 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. Jeanne Dobrin addressed the Council about a roof-top party at the Bel Age Hotel last Thursday.

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.

Discussion was held about the December Council meetings and the following schedule was developed:

December 4, 1989 - regular meeting

December 11, 1989 - De Novo hearing on Circus of Books appeal

Hearing on Cavendish West

Report on Food Coalition Task Force

Civic Center discussion

Direction was given to the City Manager to try to open the pool and continue open to the December 2 meeting at which time staff should bring back a report and detailed costs for council consideration.

Mayor Pro-tempore Koretz requested that the City Council hear an item from the Malibu Incorporation Committee that is an urgency item. **ACTION:** That a request from the Malibu Incorporation Committee, requesting support, is urgent and came up after the 72 hour posting requirement. Motion Schulte second Albert.

AYES: Albert, Heilman, Schulte, Koretz

NOES: None

ABSENT: Mayor Land

Motion carries.

FURTHER ACTION: Authorize the Mayor Pro-tempore to send a letter of support for an early election to the County Board of Supervisors. Motion Heilman second Schulte. Hearing no objection and noting the absence of Mayor Land, it was so ordered.

NEW BUSINESS

4. DETERMINATION OF HEARING TYPE FOR AN APPEAL BY MASON ENTERPRISES, DBA CIRCUS OF BOOKS FOR THE DECISION BY THE BUSINESS LICENSE COMMISSION TO RENEW THE BUSINESS LICENSE WITH CONDITIONS: Tom Hamlett of Community Development Department gave a staff report.

The following persons addressed the Council on this Item:

Yacoba Feldman, from the law firm of Andelson, Andelson & Lieberman, attorneys for Circus of Books: Concur with the staff recommendation.

Jeanne Dobrin, W.H.: Council should accept public testimony on Circus of Books, so that they know things which are going on.

ACTION: 1) To accept all evidence, exhibits and a full and true transcript of record of the hearing before the Business License Commission held on September 5 and 19, 1989 (Attachments A-H to the staff report); 2) to grant a hearing on appeal to the appellant and set December 11, 1989 as the hearing date; 3) to accept any new evidence and/or testimony only if such evidence or testimony could not have been presented to the Business License Commission in the course of the renewal hearing, because such evidence or testimony was not available at the time of the hearing. Appellant is to submit in writing by December 1st their intent to submit such new evidence or testimony, what type of evidence, why it was not available at prior hearing and the time required to hear such new evidence. (Time limits in terms of oral argument and final argument will be set on the night of the hearing.) Motion Heilman second Schulte. Hearing no objection and noting the absence of Mayor Land, it was so ordered.

LEGISLATIVE

5. AMENDMENTS TO THE RENT STABILIZATION REGULATIONS AND ORDINANCE; NET OPERATING INCOME FORMULA: John Polak gave the staff report. **ACTION:** To introduce on first reading Ordinance No. 247 "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING CAPITAL EXPENDITURES AND FINANCING COSTS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE", with the amendments recommended by the Rent Stabilization Commission, and to approve in concept and table for approval on Consent Calendar Rent Stabilization Commission Resolution No. 89-43. Motion Schulte second Albert. Hearing no objection and noting the absence of Mayor Land, it was so ordered.

6. ORDINANCE REGULATING PARKING OF BUSES: City Attorney Jenkins gave the staff report. Jeanne Dobrin, West Hollywood, spoke on this item. **ACTION:** To introduce on first reading, Ordinance No. 246U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGULATING THE PARKING OF BUSES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE," with a change in Section 15.64.121 from 6:00 a.m to 8:00 a.m. Motion Schulte second Heilman. Hearing no objection and noting the absence of Mayor Land, it was so ordered.

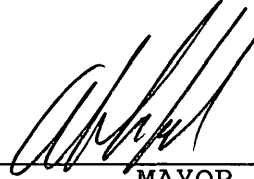
CLOSED SESSION: This time was set aside for the City Council to meet in closed session to discuss matters pertaining to litigation, potential litigation, personnel, and/or claims. Mayor Pro-tempore Koretz adjourned to closed session at 9:07 P.M.

The City Council reconvened at 9:40.

ACTION: To approve the claim of Jill Franklyn. Motion Albert second Heilman. Hearing no objection and noting the absence of Mayor Land, it was so ordered.

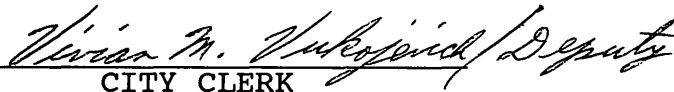
The meeting was adjourned at 9:42 in memory of Rue Starr, manager of the Great American Yankee Freedom Band and coordinator in 1987 of the Southern California delegation to the National March on Washington for Lesbian and Gay Rights, to a regular meeting on December 4, 1989 at 7:00 p.m. at West Hollywood Park Auditorium.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 4TH DAY OF DECEMBER, 1989.



MAYOR

ATTEST:


CITY CLERK