

**MINUTES
CITY COUNCIL MEETING
NOVEMBER 6, 1989
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD
7:00 P.M.**

CALL TO ORDER: Mayor Land called the meeting to order at 7:15 p.m.

PLEDGE OF ALLEGIANCE: The Pledge was led by Don Pascoe.

ROLL CALL: PRESENT: Albert, Heilman, Schulte, Koretz,
Mayor Land
ABSENT: None
ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

APPROVAL OF AGENDA: ACTION: Move Item 7 to after Consent Calendar. Table items 2f, 2g and 2v to next meeting and remove items i, l, q, s, t, w and aa from the Consent Calendar for further discussion. Motion Albert Schulte. Hearing no objection it was so ordered.

PROCLAMATIONS AND COMMENDATIONS: PRESENTATIONS TO STEERING COMMITTEE FOR TOM PROCTOR 5K/10K RUN; PRESENTATION OF CHECK TO HOMESTEAD HOSPICE AND SHELTER. PROCLAMATION TO JERI CHENELLE, ASSISTANT CITY MANAGER & DIRECTOR OF ADMINISTRATIVE SERVICES. PROCLAMATION TO COUNCIL FROM "HUMAN SERVE" REPRESENTATIVE SUSAN PHILLIPS. PROCLAMATION FOR CALIFORNIA NOTARY PUBLIC DAY.

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 that 2 weeks ago the City received \$26,270 from the Sheriff's Department for receipts from the federal government for forfeit property from drug arrests. He further announced that Ralph Webb, former City Manager of Buena Park, would be the interim director of Administrative Services while recruitment is being conducted.

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, h, j, k, m, n, o, p, r, u, x, y, z and bb. Motion Schulte second Albert. Hearing no objection it was so ordered.

a. Posting of Agenda: The agenda for the meeting of Monday, November 6, 1989, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, November 1, 1989.

ACTION: Receive and file.

Approved as part of the Consent Calendar.

b. Demand Register No. 121, Resolution No. 601.

ORIGINAL

Demand Register No. 122, Resolution No. 603.

ACTION: Approve Demand Register No. 121 and adopt Resolution No. 601, and approve Demand Register No. 122 and adopt Resolution No. 603.

Approved as part of the Consent Calendar.

- c. Claims:** Steven Blane Fisher
Eleanore Lynne Garmston

ACTION: To deny the claims of Steven Blane Fisher and Eleanore Lynne Garmston without comment and refer to the City's Claims Adjustor.

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. Cultural Heritage Preservation Ordinance: **ACTION:** To adopt on second reading Ordinance No. 243, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATING TO HISTORIC PRESERVATION AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

f. Ordinance No. 244 - Vacancy Increases - For Adoption: **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 NOVEMBER 20, 1989.

g. Resolution Regarding 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 NOVEMBER 20, 1989.

h. Senior Center Security: **ACTION:** 1) That Council authorize the expenditure of \$911.00 from the Social Services Division budget to fund a security guard for the facility (West Hollywood Senior Center in Plummer Park) for the period of November 7, 1989 to November 22, 1989; 2) That upon implementation of other security measures, the City Council discontinue funding of the Security Guard services in order to evaluate changes in conditions at Plummer Park; 3) That the Council direct staff to return with a further evaluation of the situation in January, 1990.
Approved as part of the Consent Calendar.

i. Addition of a Provision in the Regulations for Waiver of Registration Fee Penalties: REMOVED FOR SEPARATE

DISCUSSION BUT LISTED HERE FOR CLARITY. Don Pascoe, West Hollywood resident, addressed the Council. ACTION: That the Rent Stabilization Commission promulgate Regulations to include language permitting the waiver of the penalty for late payment where good cause exists. The proposed amendment would add Section 30000(e)(3) to the Rent Stabilization Regulations to read as follows: A waiver of the penalty for late payment may be granted by the Department upon a showing of exceptional circumstances beyond the control of the property owner which made it impossible for the registration fees to be paid in a timely manner. Motion Schulte second Heilman. Hearing no objection it was so ordered.

j. Cold Weather Program: ACTION: Authorize staff to implement a negotiated cold weather program and contract with the County to provide transportation to and from the West Los Angeles National Guard Armory and hotel vouchers to persons with special needs during County-declared coldweather evenings.
Approved as part of the Consent Calendar.

k. Health Resources Services Administration Grant:
The Health Resources and Services Administration has awarded a grant in the amount of \$76,069 to the City of West Hollywood for renovation to the property at 7362 Santa Monica Blvd. for use as an Adult Day Health Care center for persons with AIDS and frail elders. ACTION: Approve the grant contract with the Health Resources Services Administration pending approval of the contract by the City Attorney.
Approved as part of the Consent Calendar.

l. Parking Structures Project: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Elizabeth Atwell gave the staff report and introduced the parking consultant, Rick Rich. Garry Shay, Transportation Commissioner, responded to questions. ACTION: To review and consider the information transmitted by the Transportation Commission and the Transportation Division staff regarding the selected project sites and the recently held project public hearings. To authorize staff to initiate conversations with the property owners regarding potential acquisition of their property for this project. Motion Heilman second Schulte. Noting the no vote of Koretz, it was so ordered.

m. Parking Structures Project Interim Agreements:
ACTION: Approve the extensions to the Interim Agreements for the Project Consultants--Rich and Associates and Harris and Associates, extending the Interim Agreements through the end of November, 1989.
Approved as part of the Consent Calendar.

n. Approval of Project Descriptions for Proposition A Eligible Expenditures: (Transportation Division) ACTION:

Approve the project descriptions and direct staff to submit them to LACTC (L.A. County Transportation Commission). This action would allow staff to use Proposition A funds rather than General Funds to pay for these projects.
Approved as part of the Consent Calendar.

o. Resolution - Arrow Market - Sign Modification:

ACTION: To approve and adopt Resolution No. 604, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING SIGN MODIFICATION 89-02 FOR THE BUSINESS LOCATED AT 8315 SANTA MONICA BOULEVARD ON AN APPEAL BY THE APPLICANT (ARROW MARKET)."
Approved as part of the Consent Calendar.

p. Resolution Designating the Intersection of Orlando Ave. and Clinton Ave. as a Four-Way Stop Intersection:

ACTION: To approve and adopt Resolution No. 605, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING THE INTERSECTION OF ORLANDO AVENUE AND CLINTON AVENUE AS A FOUR-WAY STOP INTERSECTION."
Approved as part of the Consent Calendar.

q. Resolution Permitting Parking on the North Side of Romaine between Hayworth and Gardner: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: To approve and adopt Resolution No. 606, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD FINDING THAT THE PUBLIC CONVENIENCE AND NECESSITY DEMAND THAT THE PARKING BE PERMITTED ON THE NORTH SIDE OF ROMAINE STREET BETWEEN HAYWORTH AVENUE AND GARDNER STREET." Motion Albert second Schulte. Hearing no objection it was so ordered.

r. Amendment to the Assistant City Manager's Contract:

ACTION: 1) Approve the "Fourth Amendment to Agreement" between the City of West Hollywood and Jeri L. Chenelle and authorize the Mayor to execute said amendment; 2) Approve the transfer of \$2,300 from unobligated reserves to be placed in a reserve account until all contracts have been settled.
Approved as part of the Consent Calendar.

s. Fairfax Liaison Program/Project 10: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Virginia Uribe, from Project 10, thanked the City Council. ACTION: Authorize the purchase of a maximum of \$2,500 worth of educational materials and books for distribution by Project 10 at Fairfax High School. Motion Heilman second Schulte. Hearing no objection it was so ordered.

t. Approval of Job Description - Director of Administrative Services; Authorization to Recruit - Director of Administrative Services and Assistant City Manager: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: 1) Approve the description for Director of

Administrative Services; 2) Authorize staff to contract with a professional recruiting firm to fill both positions; 3) Authorize \$26,000 from unobligated reserves for recruiting costs. Motion Heilman second Albert.

AYES: Albert, Heilman, Mayor Land

NOES: Koretz, Schulte

Motion carried.

u. Approval of Amendments to Memorandum of Understanding - AFSCME: ACTION: 1) Approve Resolution No. 608, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WEST HOLLYWOOD AND AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES LOCAL NO. 3339, AMENDING RESOLUTION NO. 448 WITH RESPECT TO SALARIES OF THE GENERAL EMPLOYEES." 2) Authorize \$21,500 transfer from the Unobligated Reserve to be placed in a reserve account until all groups have settled.
Approved as part of the Consent Calendar.

v. Exoneration of Bonds for 1200 N. Flores: RECOMMENDED 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.
TABLED TO THE MEETING OF NOVEMBER 20, 1989.

w. Resolution of Support for Environmental Protection Initiative of 1990: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: That City Council strongly support the Environmental Protection Initiative of 1990, urge residents of the City of West Hollywood to assist in the effort to gather signatures to place the measure on the November 1990 ballot, and approve and adopt Resolution No. 607, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE ENVIRONMENTAL PROTECTION INITIATIVE OF 1990." Motion Koretz second Heilman. Hearing no objection it was so ordered.

x. Request for Authorization to Submit Proposal, Adult Day Health Care Start-Up: ACTION: To approve Social Services Division application for funds from the State Department of Aging for Adult Day Health Care start-up and authorize the Mayor to sign the application on behalf of the Council.
Approved as part of the Consent Calendar.

y. Approval of Job Description: CATV Operations Supervisor: ACTION: Approve the description for CATV Operations Supervisor.
Approved as part of the Consent Calendar.

z. Approval of Job Description: Environmental Services and Operations Manager: ACTION: 1) Approve the position specifications for Environmental Services and Operations Manager at the salary range of 17; and, 2) that funds be allocated to Public Works salaries for additional expense. Approved as part of the Consent Calendar.

aa. Deloitte Haskins Contract - Management Audit:
REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY.
ACTION: Authorize staff and the City Attorney to enter into a professional services contract with Deloitte Haskins and Sells to review and prepare documentation of the City's Finance Division functions. Direction was given to include the South Africa prohibition in the contract. Motion Heilman second Albert. Hearing no objection it was so ordered.

bb. Resolution - Bombings in El Salvador: ACTIONS: Approve and adopt Resolution No. 610, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD IN RESPONSE TO THE OCTOBER BOMBINGS IN EL SALVADOR"; and direct staff to forward the resolution to elected representatives and 1) ask that they put pressure on the U.S. Embassy in El Salvador to request an investigation into the bombings, and 2) urge their elected representatives to call on the President of the United States and other members of Congress to reformulate their foreign policy on El Salvador, cease all military aid, and support the political settlement process initiated by the Farabundo Marti National Liberation Front (FMLN).
Approved as part of the Consent Calendar.

PUBLIC HEARINGS

3. APPEAL - BARNEY'S BEANERY - D.P. 87-58 - REQUEST TO OVERTURN PLANNING COMMISSION'S DENIAL OF A REQUEST FOR ADDITION TO EXISTING RESTAURANT; PARKING GARAGE; DEMOLITION OF SECOND FLOOR OF THE EXISTING BUILDING; AND OPERATION OF AN ON-SITE BREWERY WITHIN AND AS AN ACCESSORY USE TO THE RESTAURANT: The staff report was given by David Amorena and Dale Liebowitz-Neglia was the designated speaker for the Planning Commission. The following persons came forward to address the Council in favor of the appeal:

Elizabeth Watson, Attorney for applicant
Tom Bright, West Hollywood

The following were opposed:

Phil Gittelman, West Hollywood
Leon Lann, West Hollywood
Mark Kaplan, West Hollywood

Norman Chramoff, West Hollywood
Jeanne Dobrin, West Hollywood

Elizabeth Watson delivered the rebuttal.

ACTION: Overturn the Planning Commission, approve the application for Development Permit 87-58, to permit the expansion of an existing restaurant, construction and operation of a brew-pub and construction of a parking garage at 8447 Santa Monica Blvd., with the following conditions: 1) That the valet parking design be subject to review in 6 months after the operation is opened; 2) that the applicant work with staff to redesign the facade along the North front and move back 2 feet, in order to better mitigate the effect of the building on the neighbors to the North; 3) that the valet parking be required from noon to closing time; 4) that the hours of operation be specified as they are in the resolution; 5) also, staff to work with applicant to address the safety concerns expressed as to the visibility along Holloway and at the bottom of La Cienega, so that the people turning at the bottom of La Cienega have a clear view; 6) the applicant be required to place an exhibit on site documenting the historical aspect of the building. Motion Heilman second Schulte.

AYES: Albert, Heilman, Schulte
NOES: Mayor Land
ABSTAIN: Koretz

Motion carried.

PROPOSED ACTION: Set market rate and one hour validated parking for customers. Motion Schulte. Died for lack of a second.

Set market rate and two hour validated parking for customers. Motion Mayor Land. Died for lack of a second.

FURTHER ACTION: Require that the applicant provide one hour free parking. Motion Heilman second Schulte.

AYES: Albert, Heilman, Schulte
NOES: Mayor Land
ABSTAIN: Koretz

Motion carried.

FURTHER ACTION: Hours of operation be 7:00 a.m. to 2:00 a.m. Motion Heilman second Land.

AYES: Albert, Heilman, Mayor Land
NOES: Schulte
ABSTAIN: Koretz

Motion carried.

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:

Edward Riney, West Hollywood - incorporation of logo.
Richard Banta, West Hollywood - Proposition B.
Tom Larkin, West Hollywood - Proposition B.
Tom Bright, West Hollywood - condition of streets.
Ruth Haas Levine, West Hollywood - Proposition B.
G. Bruce Traub, West Hollywood - Proposition B.
Budd Kops, West Hollywood - Proposition B.
Ralph Feeley, West Hollywood - Proposition B.
Gerda Spiegler, West Hollywood - Proposition B.
Roslyn Krause, West Hollywood - Proposition B.
Madelynn Von Ritz, West Hollywood - Proposition B.
Jeffrey Prang, West Hollywood - Proposition B.
Stan Lothridge, West Hollywood - Proposition B.
Gloria Vassy, West Hollywood - Swimming Pool.
Norman Chramoff, West Hollywood - Proposition B.
Jeanne Dobrin, West Hollywood - Askenazy appeals.

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 Heilman requested consensus on drafting a letter of support of the Malibu Incorporation Committee.

Councilmember Koretz asked that the interim Assistant City Manager not be eligible for the permanent position. The majority of the Council felt it should be left open as it is now.

Mayor Land announced that there would be a rally on the issue of choice on November 12, 1989.

UNFINISHED BUSINESS

4. HOMELESS MENTALLY ILL LEGISLATIVE RECOMMENDATION:

Jodi Curlee gave the staff report and Helyne Meshar, City lobbyist stated the importance of this issue. ACTION: That the City Council: 1) Adopt the programs recommended by staff as the City of West Hollywood's legislative/advocacy agenda to help the Homeless Mentally Ill. Motion Albert ssecond Schulte. Hearing no objection it was so ordered.

5. LOANS FOR EQUIPMENT FOR NEW FAMILY DAY CARE PROVIDERS:

Daphne Dennis reported that we have seven prospective day care providers and are ready to provide training. It is planned to provide up-front money for purchase of equipment - no more than \$1,000 for 6 children or \$1,500 for 12 -

interest free, to be paid back after one year. ACTION: Approve a loan program for West Hollywood family day care providers who are newly trained and licensed as part of the City's program, for purchase of equipment, toys or furnishings for the start-up of day care homes with the City to help pool the purchasing. Motion Schulte second Albert. Hearing no objection it was so ordered.

6. NONPROFIT HOMELESS ORGANIZATION BOARD MEMBER SELECTION: Lloyd Long gave the staff report. There will be a total of 19 people on the Board. ACTION: That City Council: 1) Approve the recommendations of the Search Committee and staff for the following persons to be the initial Board of Directors of the West Hollywood Homeless Organization: Gary Bess, Tony Cheek, Paul Davis, Paul Hamel, Salli S. Harris, Doug Nance, E.J. Oshins, Garnett Phibbs, Mark Ramseyer, Deborah Rosenthal, Joan Sekler, Judith Wenker; 2) Name Helen Albert as the representative from the City Council to be a member of the West Hollywood Homeless Organization's Board. Motion Heilman second Land. Hearing no objection it was so ordered.

7. FOOD COALITION REORGANIZATION PROPOSAL: THIS ITEM WAS HEARD IMMEDIATELY FOLLOWING THE CONSENT CALENDAR, BUT IS LISTED HERE FOR CLARITY. The staff report was given by Lloyd Long, Tom West and Sue Wilcox. The following persons came forward and addressed the Council:

Mike Dean, Food Coalition
Katey Sagal, Los Angeles
Dr. Joanne Carson, Los Angeles
Hamp Simmons, West Hollywood
Dorothy Proper, West Hollywood
Lou Diamond Phillips, Los Angeles
Mike Radcliffe, West Hollywood
Jeffrey Prang, West Hollywood
Edward Riney, West Hollywood
David Enos, West Hollywood
Ron Goins, West Hollywood
Chip Ermish, Los Angeles
Clara Johnson, West Hollywood
Stuart Boss, West Hollywood
Robert Morehead, Homeless
Kenneth Biggs, Homeless
Tom Bright, West Hollywood
Bill Moore, West Hollywood
Rev. John W. Vondouris
Alice Davidson, Los Angeles
Brian Moore, Los Angeles
Patrick Bryan, Topanga
Jeanne Dobrin, West Hollywood

Gloria Allred, Los Angeles
Jerry Kass, West Hollywood
Budd Kops, West Hollywood
Brian Evans, Los Angeles
Tad Bright, West Hollywood

ACTION: Establish a Task Force with business people to connect with the Community Alliance, Mike Radcliffe's group, residents, and celebrities, to work with staff to come up with an alternate site - another location. Motion Land second Heilman.

AYES: Albert, Heilman, Schulte, Mayor Land

NOES: Koretz

Motion carried.

FURTHER ACTION: Extend the current program 4 months until an alternate site is obtained. Combine counselling and outreach at least once a week and direct that regular Sheriff patrols in the Park and the surrounding neighborhood be added during this 4 months. Also, that the Coalition be allowed to use the kitchen facilities as long as they are in the park and also Long Hall or patio during rainy or inclement weather. Also accept the security that the Coalition has offered. Motion Schulte second Koretz.

AYES: Albert, Koretz, Schulte

NOES: Heilman, Mayor Land

Motion carried.

Mayor Land called a recess at 9:52 p.m.
The meeting reconvened at 10:05 p.m.

7-A. CAVENDISH WEST: Cavendish West is proposing to expand the Club's existing card and game club license and facility to include the playing of all the games legal in the State of California, and have requested an opportunity to introduce their proposal to Council. Bruce Decker, consultant for Cavendish West presented the proposal in which they proposed 2% of the yearly revenue would go for Social Services programs. Jeanne Dobrin, West Hollywood, spoke in opposition to the proposal. **ACTION:** Refer to the City Attorney for review and set up a public hearing for the second meeting in December.

LEGISLATIVE

8. CAMPAIGN FINANCE REFORM ORDINANCE: **ACTION:** TABLED TO DECEMBER OR JANUARY FOR REVIEW OF THE COMMISSION ON CAMPAIGN REFORM REPORT.

9. ORDINANCE AUTHORIZING THE ISSUANCE OF SUBSTITUTE CUP'S

FOR CONDO UNITS INVOLVED IN BEVERLY TOWERS LITIGATION:

Staff report was given by City Attorney Jenkins. Steve Morgan, Northridge, addressed the Council on this item. ACTION: To adopt Urgency Ordinance No. 245U, authorizing the issuance of substitute Conditional Use Permits for condominium units involved in the Beverly Towers litigation. Motion Heilman second Koretz.

AYES: Albert, Heilman, Schulte, Koretz, Mayor Land

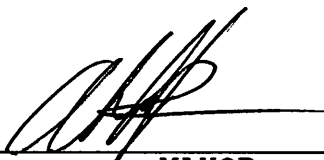
NOES: None

Motion carried.

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. The City Council adjourned to closed session at 12:38 a.m.

ADJOURNMENT The City Council reconvened and adjourned at 1:15 a.m. to a regular adjourned meeting on November 13, 1989, at West Hollywood Park Auditorium at 7:00 p.m.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 2ND DAY OF JANUARY, 1990.



MAYOR

ATTEST:



CITY CLERK