

**MINUTES**  
**CITY COUNCIL MEETING**  
**JULY 5, 1989**  
**WEST HOLLYWOOD PARK**  
**647 N. SAN VICENTE BOULEVARD**  
**7:00 P.M.**

**CALL TO ORDER:** Mayor Land called the meeting to order at 7:10 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Tony Melia.

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

**APPROVAL OF AGENDA: ACTION:** Remove items 2i, 2j, 2k, 2l, 2o, 2s and 2t from the Consent Calendar for separate discussion. Motion Heilman second Albert. Hearing no objection it was so ordered.

**PROCLAMATIONS AND COMMENDATIONS:** Councilmember Koretz presented a check for \$450 to Aid for AIDS from the City softball team.

**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. There was no report at this time.

**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, m, n, p, q, r and t. Motion Heilman second Schulte. Hearing no objection it was so ordered.

**a. Posting of Agenda:** The agenda for the meeting of July 5, 1989, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, June 28, 1989. **ACTION:** Receive and file. Approved as part of the Consent Calendar.

**b. Demand Register No. 113, Resolution No. 548.**  
**ACTION:** Approve Demand Register No. 113 and adopt Resolution No. 548. Approved as part of the Consent Calendar.

**c. Minutes: June 19, 1989**  
**ACTION:** Approve the minutes of June 19, 1989. Approved as part of the Consent Calendar.

**d. Claims:** There are no claims this period.

**e. 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.

**f. Request for Authorization to Submit Proposal:** The Health Resources and Services Administration has released an RFP for project grants for the renovation or construction of non-acute care facilities for persons with AIDS. ACTION: Authorize Social Services Division staff to apply for the funding, to be used for the proposed Adult Day Health Care project.  
Approved as part of the Consent Calendar.

**g. Request for Authorization to Submit Proposal:** ACTION: Approve Social Services Division application for funds from the State Department of Housing and Community Development for renovation costs at the Homeless Shelter at 1033 N. La Brea Avenue, West Hollywood, and adopt Resolution No. 549, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, REQUESTING FUNDS FROM THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, EMERGENCY SHELTER PROGRAM."  
Approved as part of the Consent Calendar.

**h. Transfer of Funds and Position from Willdan Contract to the Community Development Department for the Property Rehabilitation Specialist:** ACTION: To renegotiate the Willdan contract and authorize the transfer of the Building and Safety Property Rehabilitation Specialist position and the money to fund the position from the Willdan contract to the Department of Community Development Planning Division.  
Approved as part of the Consent Calendar.

**i. Contract Approval - Golden Coast Environmental Services - Street Tree Maintenance Program:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: To approve in concept the agreement with Golden Coast Environmental Services to provide computerized data collection and tree management software for the City of West Hollywood and hold final approval until after budget discussion. Return this item to the agenda of July 17, 1989. Motion Land second Schulte.  
AYES: Albert, Koretz, Schulte, Mayor Land  
NOES: Heilman  
Motion carried.

**j. Fairfax Ave. Median Landscaping (CIP #804) - Bid Rejection and Rebidding** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: That City Council reject bids received on June 22, 1989 for the Fairfax Avenue Median Landscaping (CIP #804); that City Council direct staff to readvertise to receive bids for said project; and that Council award bid to lowest responsible bidder submitting bid on new bid date, contingent upon bid amount being within project budget. Motion Land second Heilman. Hearing no objection it was so ordered.

**k. Waste Disposal/Recycling: Contractor Selection:**

REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. This item was continued and discussed after Item 5 when presentations were made by BFI and Waste Management. ACTION: Authorize the Director of Public Works to negotiate a franchise agreement with Waste Management Inc. for the provision of solid waste disposal/recycling services in the City. Motion Heilman second Albert.

AYES: Albert, Heilman, Mayor Land

NOES: Koretz, Schulte

Motion carried.

**l. Holloway Drive - Request for Modification to Permit Parking District No. 3:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The staff report was given by Chuck Bergson, Public Works Department. The following people came forward and addressed the Council on this item:

Joe Fargo, Los Angeles  
Paul Valkavitz, Los Angeles  
Ginna Dijana, Los Angeles  
Tony Melia, West Hollywood  
Steve Martin, West Hollywood

ACTION: That permit parking be changed to allow for 2 hour parking on Sunday until 7:00 p.m. on the North side of Holloway from Westbourne to Hancock and the church be encouraged to restripe and reconfigure its parking lot. Motion Schulte second Heilman.

AYES: Albert, Koretz, Heilman, Schulte

NOES: Mayor Land

Motion carried.

The City Council also directed staff to look at the parking problem of the 5:15 p.m. Saturday church service and return to the Council with possible solutions at the earliest possible date.

**m. Approval of 1274 Harper Ave. Loan Documents:** ACTION:

Approve the \$239,000 loan agreement between the City and the Harper Avenue Partners for the rehabilitation of six units and construction of eleven units at 1274 N. Harper Avenue and direct the Mayor to execute the agreement.

Approved as part of the Consent Calendar.

**n. Approval of Adjustment of Income Guideline and Rents for Inclusionary Housing Units:** ACTION: To approve and adopt Resolution No. 550, adopting the 1989-90 rent levels and income guidelines for the Inclusionary Zoning program and authorize staff to notify property owners who manage inclusionary zoning units of the 1989-90 rent schedule, effective August 1, 1989.

Approved as part of the Consent Calendar.

**o. Santa Monica Blvd. - Halloween Closure:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The staff report

was given by Barbara Burns. ACTION: That the City Council approve the closure of Santa Monica Boulevard between La Cienega and Almont Drive and the closure of Robertson and San Vicente between Melrose and Santa Monica Blvd., on October 31, 1989, during the hours of 8:00 p.m. to 4:00 a.m.; and direct staff to: 1) Notify all businesses and residents in the area of the street closure; 2) Notify Cal-Trans that the City accepts liability for traffic re-routing caused by the closure; 3) Arrange for portable restrooms for the hours of the street closure; 4) Request that Pacific Design Center parking structure remain open until 4:00 a.m. Further, direction was given to staff to meet with the Sheriff's Department and give them authorization to close the streets on the weekend prior to Halloween if they feel it is necessary for crowd control and safety, and to notify the citizens that this may happen. Motion Heilman second Schulte. Hearing no objection it was so ordered.

**p. Agreement with the City of La Verne to Exchange General Funds for Proposition A Funds:** ACTION: Approve the agreement with the City of La Verne to exchange West Hollywood General Funds for Proposition A funds, and authorize transmittal of said agreement to the City of La Verne and the Los Angeles County Transportation Commission (LACTC).  
Approved as part of the Consent Calendar.

**q. State E.S.P. Contract:** ACTION: Approve the contract with the State Department of Housing and Community Development, Emergency Shelter Program, pending approval of the contract by the City Attorney.  
Approved as part of the Consent Calendar.

**r. Department of Rent Stabilization Participation in State-Wide Survey on the Benefits of Rent Control:** ACTION: That City Council: 1) Approve Department of Rent Stabilization participation in a telephone survey for a report to the California State Senate Rules Committee; 2) Authorize an increase of \$2,200 in the Department's budget for FY 89-90 to cover the cost of the survey.  
Approved as part of the Consent Calendar.

**s. 828 Westbourne Dr., Denial of Certificate of Compliance:**  
THIS ITEM WAS TABLED TO THE MEETING OF JULY 17, 1989.  
RECOMMENDED ACTION: To approve and adopt Resolution No. 551, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PARTIALLY GRANTING AND PARTIALLY DENYING A REQUEST FOR A CERTIFICATE OF COMPLIANCE."

**t. Authorize the City Manager to proceed with Acquisition of Property at 7362 Santa Monica Blvd. for the purpose of housing City-sponsored social services programs.** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Steven Martin addressed the Council on this item. ACTION: Instruct the City Manager to proceed with the above referenced acquisition. Motion Heilman

second Albert.

AYES: Albert, Koretz, Heilman, Mayor Land

NOES: Schulte

Motion carried.

#### **PUBLIC HEARINGS**

**3. RESOLUTION, WEST HOLLYWOOD LANDSCAPE MAINTENANCE DISTRICT #1 - PUBLIC HEARING AND LEVY ASSESSMENTS:** Mayor Land opened the public hearing. City Clerk Tyson reported that this hearing was advertised in the Post Newspaper and posted at City Hall and the three required places; and Carol Lynch reported that the following changes had been made to the Resolution:

Add new Sections 4 and 5 and renumber present Sections 4, 5, and 6 to 6, 7 and 8.

Section 4. The City Council declares that the diagram and assessment as filed is hereby confirmed.

Section 5. The City Council hereby orders the improvements described in the Engineers report to be made.

No one coming forward to speak, Mayor Land closed the public hearing and returned this item to the Council for discussion. ACTION: Adopt Resolution No. 552, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT, ORDERING THE WORK IN CONNECTION WITH LANDSCAPE MAINTENANCE DISTRICT NO. 1 AND APPROVING THE ENGINEER'S REPORT," as amended above. Motion Heilman second Albert. Hearing no objection it was so ordered.

**4. APPEAL OF PLANNING COMMISSION'S CONDITIONS OF APPROVAL OF CONDITIONAL USE PERMIT 89-01 AND MCUP 88-13 FOR A 42-BED RESIDENTIAL CARE FACILITY FOR MENTALLY HANDICAPPED ADULTS, 1030-1034 MARTEL AVENUE:** Joyce Parker gave the staff report and the City Clerk reported that this hearing was published in the Post Newspaper in only the Beverly-Wood edition, so public testimony should be taken and the hearing should be continued open to the meeting of July 17, 1989. Mayor Land opened the Public Hearing and the following persons came forward to address the Council in favor of the project:

Crystal A. Russell, Attorney for the applicant  
Mildred Barr, Van Nuys  
Steve Barr, West Hollywood  
Herbert Barr, Van Nuys  
Susan Dempsay, Los Angeles  
Olga Novak, West Hollywood

Speaking against the project:

Dixie Eger, West Hollywood  
Kim Tongkun, West Hollywood

ACTION: Continue the hearing open to July 17, 1989.

Mayor Land called a recess at 9:10 P.M.  
The Council reconvened at 9:15 P.M.

**5. APPEAL OF TEXT AMENDMENT 89-01:** Request by Nico Mastorakis to amend the zoning code to allow an office as a conditionally permitted use in a residential high density zone, 8760 Shoreham Drive. The staff report was given by Ann Browning. The City Clerk reported that this hearing was advertised in The Post Newspaper and posted at City Hall and the three required places. Mayor Land opened the public hearing and the following persons came forward to speak:

Roger Lockhart, Newport Beach - representing the appellant  
Amanda Martin, employee of Mr. Mastorakis  
Mr. Kolmer, West Hollywood

**ACTION:** Adopt Resolution No. 553, denying the appeal and upholding the decision of the Planning Commission denying Text Amendment 89-01 on an application by Nico Mastorakis to amend the Zoning Code to conditionally permit commercial office uses in a residential high density zone. Motion Heilman second Schulte.

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

**FURTHER ACTION:** To grant a stay of enforcement until the Cultural Heritage Organization is in place and can hear his application, provided that the owner agree that the stay will not prejudice the City's right to follow through with that enforcement.

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

Roger Lockhart, representing the owner, approved the agreement of non-prejudice.

**2k. Waste Disposal/Recycling:** This item was continued to this time and presentations were heard from David Gavrich of BFI and Larry Spittler of Waste Management Inc. Please refer to item 2k under the Consent Calendar for action taken.

**6. APPEAL OF PLANNING COMMISSION DECISION DENYING DEVELOPMENT PERMIT 88-56 AND TENTATIVE PARCEL MAP 20524 FOR PROPERTIES LOCATED AT 828 WESTBOURNE DRIVE:** The City Clerk reported that this item was noticed in the Post Newspaper and posted at City Hall and the required places. Mr. Faramarzipour, Los Angeles, addressed the Council and stated that he was the owner of the property, not the appellant. **ACTION:** Continue to the meeting of July 17, 1989. Motion Heilman second Koretz. Hearing no objection it was so ordered.

**7. W.H. GENERAL PLAN AMENDMENT 89-03 - REVISED HOUSING ELEMENT OF THE WEST HOLLYWOOD GENERAL PLAN:** Debbie Potter gave the staff report. Mayor Land opened the Public Hearing and the City Clerk reported that this item was advertised in the Post Newspaper and

posted in the required places. No one coming forward to speak, Mayor Land closed the public hearing. ACTION: Approve the Negative Declaration. Motion Heilman second Albert. Hearing no objection it was so ordered.

FURTHER ACTION: Adpte Resolution 554 adopting the revised Housing Element and amending the General Plan (Amendment 89-03), with the added finding that the amended housing element is in compliance with the California Environmental Act. Motion Heilman second Albert. Hearing no objection it was so ordered.

**8. FEE RESOLUTION - INCLUSIONARY ZONING ORDINANCE:** Debbie Potter reported that the Community Development Department staff supports the Planning Commission recommendations with the exception of the demolition fee. Staff recommends that the City Council approve the fee schedule contained in Table 4 of the staff report as the 1989-90 Alternative In-Lieu Fee Schedule to be used in cases involving the removal of rental housing rather than a \$55 per square foot flat fee as recommended by the Planning Commission. The City Clerk reported that this item was noticed twice in the Post Newspaper, as required, and posted at City Hall and the three required places. Mayor Land opened the public hearing and no one coming forward to speak, closed the public hearing. ACTION: Adopt Resolution No. 555, "A RESOLUTION OF TH CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE ATTACHED IN-LIEU FEES AND FEE ADJUSTMENT MECHANISM," with the amendment to Section 2 of the alternative in-lieu fee schedule recommended by staff and attach Table 4 of the staff report as Exhibit B. Motion Schulte second Heilman. Hearing no objection it was so ordered.

**9. NEWS RACKS RESOLUTION:** The City Clerk reported that this hearing was noticed in the Post Newspaper and posted at the required places. Mayor Land opened the public hearing and, no one coming forward to testify, closed the public hearing. ACTION: Approve and adopt Resolution No. 544, establishing fees and regulations for the placement of news racks in the public right-of-way. Motion Albert second Heilman. Hearing no objection it was so ordered.

**10. TRASH COLLECTION FEES:** The City Clerk reported that this hearing was noticed in the Post Newspaper and posted in the required places. Mayor Land opened the public hearing and, no one coming forward to speak, closed the public hearing. ACTION: Introduce on first reading Ordinance No. 225, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ASSIGNING REFUSE UNITS FOR VARIOUS PROPERTY USES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". Motion Schulte second Albert. Hearing no objection it was so ordered. FURTHER ACTION: Approve and adopt Resolution No. 556, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING FEES FOR GARBAGE COLLECTION AND DISPOSAL." Motion Schulte second Albert. Hearing no objection it was so ordered.

**11. FEE RESOLUTION:** (This was continued to budget discussion from June 19, 1989. Item supplied with budget items. This was

advertised as a public hearing for this date.) ACTION: Mayor Land opened the public hearing and continued the hearing open until July 17, 1989.

**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. There were no citizen comments this evening.

**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. Councilmembers Koretz, Heilman, and Schulte made further comments on the trash disposal item heard earlier in the evening. Mayor Land asked the City Manager to meet with the Special Events Coordinator and set up parameters for sponsorship and bring back a report in August or September.

#### **UNFINISHED BUSINESS**

**12. APPOINTMENTS TO FINE ARTS ADVISORY BOARD:** The Council needs to appoint two members to the Fine Arts Advisory Board.

ACTION: Nominate Gabor Kalman. Motion Heilman second Albert.  
Nominate Christopher McAuliffe. Motion Land second Heilman. The above nominees were appointed by affirmation. Hearing no objection it was so ordered.

#### **NEW BUSINESS**

**13. APPOINTMENT TO PUBLIC FACILITIES BOARD:** City Council to make one appointment (at-large) to the Public Facilities Board for a term expiring 6/1/92. ACTION: Appoint James Litz. Motion Koretz second Schulte. Hearing no objection it was so ordered.

**14. ABUSE OF THE INSPECTION PROCESS:** ACTION: That City Council refer this question to the Rent Stabilization Commission for policy analysis and discussion. Motion Koretz second Schulte. Hearing no objection it was so ordered.

**15. PARKING ON MELROSE:** RECOMMENDED ACTION: Direct staff to change the No Parking signs on the north and south sides of Melrose between San Vicente and La Cienega, to allow one hour parking on Melrose, between the hours of 4:00 p.m. and 7:00 p.m., with a review in 6 months. Motion Koretz second Schulte. Hearing no objection it was so ordered.

#### **LEGISLATIVE**

**16. OBSTRUCTION OF PUBLIC WAYS:** Members of the City Council have expressed concern about individuals obstructing public ways, greenbelts and medians. ACTION: To introduce on first reading Ordinance No. 226, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PROHIBITING OBSTRUCTION OF PUBLIC WAYS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Motion Heilman second Albert. Hearing




no objection it was so ordered.

**17. TENANT PERFORMANCE OF REQUIRED MAINTENANCE:** (Tabled from 6/19)  
**ACTION:** 1) To adopt option A and introduce on first reading Ordinance No. 226, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING MAINTENANCE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE," but amend it to broaden it to include previously existing appliances, and direct the Rent Stabilization Commission to promulgate the regulations necessary to implement the Ordinance. Motion Schulte second Koretz.  
**AYES:** Albert, Koretz, Schulte  
**NOES:** Heilman, Mayor Land  
Motion carried.

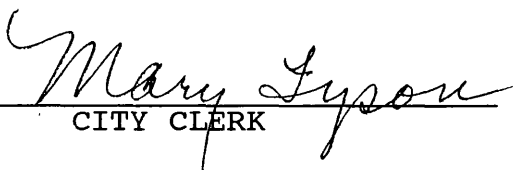
**CLOSED SESSION:** This time has been set aside for the City Council to meet in closed session to discuss matters pertaining to litigation, potential litigation, personnel, and/or claims. The meeting was adjourned to closed session at 10:58 p.m.

**ADJOURNMENT** The meeting reconvened and adjourned at 11:15 p.m. to a Budget Hearing on July 10, 1987 at 7:00 p.m. at West Hollywood Park Auditorium.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 7TH DAY OF AUGUST, 1989.

  
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MAYOR

ATTEST:

  
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CITY CLERK