

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

a. Posting of Agenda: The agenda for the meeting of June 19, 1989, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, June 14, 1989.
ACTION: Receive and file.
Approved as part of the Consent Calendar.

b. Demand Register No. 112, Resolution No. 543.
ACTION: Approve Demand Register No. 112 and adopt Resolution No. 543.
Approved as part of the Consent Calendar.

c. Treasurer's Report - Month Ending May 31, 1989.
ACTION: Receive and file.
Approved as part of the Consent Calendar.

**d. Minutes: April 17, 1989
June 5, 1989**

ACTION: Approve the minutes of April 17, 1989 and June 5, 1989.
Approved as part of the Consent Calendar.

e. Application for Leave to Present Late Claim - by Attorney for Vivian Szawrc: ACTION: Based on statutory criteria (Government Code 911.6), it is recommended that Leave to Present Late Claim be denied on the grounds that there was no excusable negligence. Claimant had full and complete knowledge within time to file a timely claim.
Approved as part of the Consent Calendar.

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. Business License Tax Consulting Agreement: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: 1) Approve the agreement with Ralph Andersen and Associates for Business Tax Consulting Services; 2) Authorize the City Manager to execute the Agreement on behalf of the City Council. Motion Schulte second Heilman. Hearing no objection it was so ordered.

h. Recommendation to Support the Desert Protection Act Currently Before Congress: ACTION: 1) To approve and adopt Resolution No. 546, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING CALIFORNIA'S CONGRESSIONAL DELEGATION TO SUPPORT THE CALIFORNIA DESERT PROTECTION ACT (SB 11 AND HR 780)"; 2) To direct staff to inform the appropriate elected officials and environmental organizations of this position.
Approved as part of the Consent Calendar.

i. Kaiser Group Health Plan Agreement Renewal: ACTION: To approve the 1989 Kaiser Foundation Service Agreement for the City of West Hollywood Employee Group and authorize the City Manager to execute this agreement.
Approved as part of the Consent Calendar.

j. Adoption of Ordinance and Resolution Regulating News Racks: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY.
Coming forward to address the Council:

Greg Roberts, North Hollywood - opposed

ACTION: 1) To adopt on second reading Ordinance No. 224, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING THE PLACEMENT AND OPERATION OF NEWS RACKS IN THE PUBLIC RIGHT-OF-WAY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". 2) To advertise and set for hearing on July 5, Resolution No. 544, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD ESTABLISHING FEES AND REGULATIONS FOR THE PLACEMENT OF NEWS RACKS IN THE PUBLIC RIGHT-OF-WAY." Motion Schulte second Albert. Hearing no objection it was so ordered.

k. Establishment of Goodwill Ambassadorship Program: TABLED TO BUDGET SESSION. RECOMMENDED ACTION: That the City Council establish a Goodwill Ambassadorship Program of the City, approve the Ambassadorship Program goals, and direct staff to begin program implementation.

l. Homeless Shelter Waivers: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Sam Weinstein, West Hollywood and Paul Webber, West Hollywood addressed the Council in opposition to this item. Bob Harvey of Building and Safety assured the Council that all safety factors have been covered. ACTION: To approve the proposed alternative standards for the homeless shelter at 1031 La Brea Avenue. Motion Heilman second Albert. Hearing no objection it was so ordered.

m. Purchase of Vehicle for Public Works: REMOVED AT REQUEST OF STAFF.

n. Resolution Regarding Conditions in El Salvador on the Inauguration of President Alfredo Cristiani of the Arena Party: ACTION: To approve and adopt Resolution No. 547, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REGARDING CONDITIONS IN EL SALVADOR ON THE INAUGURATION OF PRESIDENT ALFREDO CRISTIANI OF THE ARENA PARTY."
Approved as part of the Consent Calendar.

o. Renewal of Agreement between the City of Los Angeles and the City of West Hollywood to Consolidate Paratransit Services: ACTION: To approve the agreement between the city of Los Angeles and the City of West Hollywood for consolidation of paratransit services and continuation of the St. Barnabas Senior Center Taxi Coupon and Lift Van Voucher program, and appropriate \$260,472 in

Proposition A Local Return Funds to fulfill the agreement.
Approved as part of the Consent Calendar.

p. Holloway Drive - Request for Modification to Permit Parking District No. 3: TABLED TO JULY 5.

q. Landscape District - Assessment: ACTION: To approve and adopt Resolution No. 545, "A RESOLUTION OF THE CITY COUNCIL OF WEST HOLLYWOOD, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN LANDSCAPE MAINTENANCE DISTRICT #1 FOR THE 1989-1990 FISCAL YEAR PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO."

Approved as part of the Consent Calendar.

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 people came forward to address the Council:
Budd Kops, West Hollywood - Code enforcement
Paul Webber, West Hollywood - Carlos & Charlies
Greg Roberts, North Hollywood - RTD fare hike
Effie Reuveni, West Hollywood - Gas station closings & Festivals

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 Koretz requested that the Budget workshop scheduled for June 29th be started later as he could not be there until 8:00 P.M. By consensus of the Council, this meeting will convene at 7:30 instead of 7:00 P.M. He also extended his compliments to Chuck Bergson for Project Green.

Mayor Land announced the need for people to serve on the steering committee for the 5-10K run and commended Councilmember Heilman for his work in procuring a \$40,000 grant for Older American Assistance.

Councilmember Schulte commended the Unocal Station for its facelift.

UNFINISHED BUSINESS

3. FINE ARTS ADVISORY BOARD - APPOINTMENTS: TABLED TO THE MEETING OF JULY 5, 1989. RECOMMENDED ACTION: That City Council appoint two members to the Fine Arts Advisory Board.

4. APPOINTMENTS TO RENT STABILIZATION COMMISSION: ACTION: Reappoint Steve Martin for a term expiring April 30, 1990. Motion Schulte second Koretz. Hearing no objection it was so ordered. FURTHER ACTION: Reappoint Craig Carson for a term expiring April 30, 1990. Motion Koretz second Schulte. Hearing no objection it was so ordered.

5. APPOINTMENTS TO LESBIAN AND GAY ADVISORY COUNCIL: ACTION: The following persons were nominated from the Lesbian community:

Cheryl Mendoza
Jackie Gelfard
Kim Kralj
Brenda Riemer
Lisa Powell

Cheryl Mendoza was the only nominee not residing in the City of West Hollywood. By acclamation appoint Jackie Gelfard, Kim Kralj, Brenda Riemer and Lisa Powell. Motion Heilman second Schulte. Hearing no objection it was so ordered.

FURTHER ACTION: The following persons were nominated from the gay community and on a roll-call vote the following were the results:

Jeff Bean - Koretz, Heilman, Albert, Mayor Land
Greg Travis - Koretz, Heilman, Albert, Mayor Land
Jack Allendorffer - Koretz, Heilman, Albert, Mayor Land
Chris Fairchild - Schulte
David Welch - Heilman, Albert, Mayor Land
Rodney Allen Scott - Schulte
Steve Davis
Jay Miller - Schulte
Duane O'Connor - Koretz, Schulte.

Appointed were Jeff Bean, Greg Travis, Jack Allendorffer, and David Welch.

6. BREAKFAST PROGRAM AT HOMELESS SHELTER: The staff report was given by Jodi Curlee and Lloyd Long. At this point in time the following came forward to address the Council in favor of the program:

Kenneth W. Melvin, Jr., Los Angeles
Paul Webber, West Hollywood
Jay Greenstein, West Hollywood
Jerome Coleman, West Hollywood
Mike Radcliffe, West Hollywood - seek donations from businesses

PROPOSED ACTION: Table to budget session. Motion Heilman second Mayor Land.

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

At this point in time, Councilmember Albert requested reconsideration of the above vote; Councilmember Heilman withdrew the motion and the second concurred.

ACTION: Authorize the implementation of a breakfast program at the West Hollywood Park Auditorium Homeless Shelter at a cost not to exceed \$5,000 (funded by FEMA) for 6 months from July 1, 1989

through December 31, 1989; fund the last few weeks of this fiscal year from existing funds in the homeless program; contact local restaurants and markets for non-perishable items and investigate the feasibility of a donation program. Staff to meet with the Risk Manager about insurance. Motion Koretz second Schulte.

AYES: Albert, Koretz, Schulte

NOES: Heilman, Mayor Land

Motion carried.

7. CITY ATTORNEY'S REPORT ON THE PARKS INITIATIVE: Mike Jenkins reported that on May 1, 1989, the City Clerk reported to the City Council that the Initiative petition restricting the use of City parks had qualified with over 10% but less than 15% of the signatures of the registered voters in West Hollywood which would require the Council to adopt the Ordinance as written or place it on the ballot at the next regular election, or, if they desire, call a special election. Prior to taking action, the Council had referred this to the City Attorney for a report on the validity of the Ordinance. Mr. Jenkins reported that he found the Ordinance proposed by the initiative to be an improper subject for the initiative on two grounds; One, that the Ordinance improperly binds the hands of this and future City Councils by eliminating the ordinary and inherent discretion that the City Council and future City Councils have in the disposition of public property, and two, the Ordinance proposes to restrict the disposition of park property in a manner that conflicts with comprehensive scheme of State law, which sets forth, and authorizes, various methods of disposing park property by General Law Cities. Based on those two findings he has concluded that the Ordinance, if adopted, would be invalid. It would be invalid because it is beyond the ability of the City Council, or the people by way of initiative, to adopt and therefore falls within the exception of the normal rule that initiatives be placed on the ballot when they contain sufficient signatures; that exception being that an ordinance proposed by initiative need not be placed on the ballot where it is clearly invalid by virtue of the fact that it contravenes State law. The City Council would, in the City Attorney's view, have the prerogative to not place the initiative on the ballot for April of 1990. The options now are to adopt the Ordinance as written, place on the ballot at the April, 1990 election, place on the ballot at a special election prior to April of 1990 or decline to place on the ballot on the grounds that it is not a proper subject for the initiative. ACTION: Place on the ballot at a special election in November. Direct the City Clerk to prepare the necessary documents to call the election. Motion Albert second Koretz.

At this point in time Budd Kops and Tom Larkin of West Hollywood addressed the Council in favor of placing the initiative on the ballot.

AYES: Albert, Koretz, Schulte, Mayor Land

NOES: Heilman

Motion carried.

8. PARK PROTECTION INITIATIVE: Councilmember Heilman reported on this proposed City Council initiative. The following persons came forward to address the Council on this item:

Tom Larkin, West Hollywood
Jordan Peimer, West Hollywood
Paul Webber, West Hollywood
Budd Kops, West Hollywood
Garry Shay, West Hollywood
G. Bruce Traub, West Hollywood
Effie Reuvezi, West Hollywood
Ethel Shapiro, West Hollywood
Stephen Martin, West Hollywood
Babette Lang, West Hollywood

ACTION: That City Council direct staff to take the steps necessary to schedule a special election for November 1989 and to place on the ballot the City Council sponsored ballot measure "An Ordinance Preserving and Protecting City Parks." Motion Heilman second Albert.

AYES: Albert, Koretz, Heilman, Mayor Land
NOES: Schulte
Motion carried.

Mayor Land called a recess at 9:25 P.M.
The meeting was reconvened at 9:40 P.M.

NEW BUSINESS

9. APPEAL OF PLANNING COMMISSION DECISION DENYING IN PART A REQUEST FOR A CERTIFICATE OF COMPLIANCE FOR PROPERTIES LOCATED AT 828 WESTBOURNE DRIVE: Staff report was given by Howard Zelefsky. The following came forward to speak:

William D. Ross, Esq., applicants representative, requested findings and presented photos of the property for the record.

ACTION: Due to legitimate questions on ownership, deny the applicant's appeal and affirm the decision of the Planning Commission which denied a certificate of compliance for Lot Q1 and granted a certificate of compliance for Lot H. Motion Heilman second Schulte. Hearing no objection it was so ordered.

The City Attorney was instructed to return with appropriate findings to the next meeting, July 5, 1989.

10. "INSTANT GREEN" PROGRAM: TABLED TO BUDGET SESSION.
RECOMMENDED ACTION: To approve the addition of \$100,000 to the 1989-1990 fiscal year budget for a capital project, "Instant Green," to be used to landscape small vacant sites, such as medians and parkways.

11. REVISED FEE RESOLUTION: TABLED TO BUDGET SESSION. A

Resolution has been prepared which incorporates existing fees, proposed new fees, and fee increases into one document. RECOMMENDED ACTION: Approve the proposed fees in concept and set a public hearing for July 5, 1989.

12. BOARD/COMMISSION COMMUNICATIONS: Mayor Land reported that the Council had received a request from one of the Boards to make a clarification on the proper channels of communication, which was generated by a letter written by the Women's Issues subcommittee to Richard Rosensweig, on City stationery, in answer to his letter to the Post Newspaper, regarding a position the subcommittee had taken in response to the City's involvement with the Playboy Jazz Concert in Plummer Park. It is policy that Boards and Commissions do not take this kind of action. This item is to clarify, for the Boards and Commissions, what kind of communications they should have and what are the proper channels, and how best to resolve issues that are in question.

Council discussion ensued in which various members expressed the opinion that everyone has a right to their opinion and a right to express that opinion, but a letter on City stationery conveys the impression that the opinion is one endorsed by the City.

At this point in time, Abby Leibman addressed the Council on this issue, asking for clarification as to content and form and when they would be free to communicate their views as a body.

ACTION: Refer to staff to draft guidelines, circulate them and get comments and return to the Council, with specific recommendations, for action in August. By consensus of the Council.

13. PROPOSED EXPANSION AND RESTRUCTURING OF LESBIAN CENTRAL PROGRAM: Staff report was given by Jodi Curlee and Cheryl Mendoza, Deputy Director GLCSC, addressed the Council.

ACTION: That City Council approve the modification to the scope of work and budget for the Lesbian Central Program of the Gay and Lesbian Community Services Center, and authorize staff to enter into a 15 month Social Services Contract from July 1, 1989, to September 30, 1990. Motion Schulte second Albert. Hearing no objection it was so ordered.

14. METRO RAIL: ACTION: Authorize staff to continue meeting with LACTC and RTD officials to study the proposed West Hollywood corridor route. John Heilman to be Council representative to serve as a liaison with LACTC and RTD regarding Metro Rail. Staff and the Council representative should initiate meetings with neighboring cities to determine whether the proposed West Hollywood route is desirable from a transportation standpoint. In addition, staff and the Transportation Commission should study the proposed route to make sure West Hollywood residents, businesses and property owners are not adversely impacted by any route which includes West Hollywood. Motion Schulte second Koretz. Hearing no objection it was so ordered.

15. DUE DATE FOR ANNUAL REGISTRATION FEE PAYMENT: Staff report was given by Richard Dorsey Muller. ACTION: Direct Rent Stabilization Department staff to draft and submit to the City Attorney for review Ordinance amendments necessary to accomplish the following: A) Change the due date for payment of the annual registration from September 1 to June 30 beginning with payment due for Fiscal Year 1990-91. Motion Albert Second Schulte.

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

NOES: None

Motion carried.

and B) Assess a late charge equal to One Hundred Percent of the registration fee if payment is not made by the expiration of a 15 day grace period after June 30, beginning with payment due for Fiscal Year 1990-91. Motion Heilman second Schulte.

AYES: Albert, Koretz, Heilman, Schulte

NOES: Mayor Land

Motion carried.

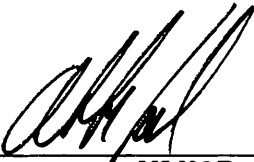
LEGISLATIVE

16. TENANT PERFORMANCE OF REQUIRED MAINTENANCE: AFTER COUNCIL DISCUSSION, THIS ITEM WAS TABLED TO THE MEETING OF JULY 5, 1989. RECOMMENDED ACTION: 1) To introduce on first reading Ordinance No. _____, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING MAINTENANCE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE"; 2) Direct the Rent Stabilization Commission to promulgate the regulations necessary to implement Ordinance No. _____.

17. ALA EXEMPTION: This Item was pulled at request of staff; for later Council agenda.

ADJOURNMENT Mayor Land adjourned the meeting at 11:25 P.M. to a Budget Workshop on June 22, 1989 at the Werle Building, with a closed session at 6:30 P.M. and workshop at 7:00 P.M.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 5TH DAY OF JULY, 1989.



MAYOR

ATTEST:



CITY CLERK