

**MINUTES  
CITY COUNCIL MEETING  
FEBRUARY 21, 1989  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD  
7:00 P.M.**

**CALL TO ORDER:** Mayor Albert called the meeting to order at 7:10 P.M.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Paul Self.

**ROLL CALL:** PRESENT: Heilman, Koretz, Land, Schulte,  
Mayor Albert  
ALSO PRESENT: Assistant City Manager Chenelle  
(City Manager Brotzman arrived  
later during the meeting.)  
City Attorney Jenkins

**APPROVAL OF AGENDA:** ACTION: Remove items 2h, i, j, m and n from the consent calendar for separate discussion. Move item 10 to directly following the consent calendar. Motion Land second Heilman. Hearing no objection it was so ordered.

FURTHER ACTION: Add item 2o to the consent calendar as an emergency item. Motion Schulte second Land. Hearing no objection it was so ordered.

**PROCLAMATIONS AND COMMENDATIONS:** Commendation: Vee Hart-Mell  
TABLED TO THE MEETING OF MARCH 6, 1989.

**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 this meeting.

**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, k, l, and o. Motion Heilman second Land. Hearing no objection it was so ordered.

**a. Posting of Agenda:** The agenda for the meeting of February 21, 1989 was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, February 15, 1989.

ACTION: Receive and file.

Approved as part of the Consent Calendar.

**b. Demand Register No. 104, Resolution No. 515.**

ACTION: Approve Demand Register No. 104 and adopt Resolution No. 515.

Approved as part of the Consent Calendar.

**c. Minutes:** January 3, 1989

ACTION: Approve the minutes of January 3, 1989.

Approved as part of the Consent Calendar.

**d. Claims:** Kim Falconer

ORIGINAL

Sol I. Cohen  
Mathew Francis Schmid

**ACTION:** To deny the claims of Kim Falconer, Sol I. Cohen and Mathew Francis Schmid without comment and refer to the City's Claims Adjustor.

Approved as part of the Consent Calendar.

**e. Claim: Anthony Silver**

**ACTION:** It is recommended that Council pull this claim from the Consent Calendar and discuss during closed session.

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. Women's History Month:** **ACTION:** That City Council observe Women's History Month in West Hollywood by proclaiming this year's theme as "Celebrating Achievement." It is further recommended that the Council approve the following planned events sponsored by the Women's Issues Subcommittee and work with social service agencies including Connexus, National Council of Jewish Women, and Women Helping Women, among others, to publicize these events.

Approved as part of the Consent Calendar.

**h. Anti-Gridlock Enforcement:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Ethel Shapiro, West Hollywood addressed the Council on this issue. **ACTION:** That City Council: 1) Direct the Department of Public Works to post "Do Not Block Intersection" signs in designated intersections of the City by late April, 1989. (Twenty-six designated intersections.) 2) Direct the Department of Public Works to work in conjunction with the City of Beverly Hills for posting of those signs at intersections along Doheny Boulevard and any other shared intersections. 3) Direct the West Hollywood Sheriff's Department to levy the maximum fines for violations of Section 22526 of the State Motor Vehicle Code as amended by AB 667. State law violations of posted intersections are subject to fines of up to \$100 for the first offense, up to \$200 for the second offense, and up to \$500 for the third and all other offenses. Unposted intersections will continue to carry fines of \$50.00. Motion Heilman second Land. Hearing no objection it was so ordered.

**i. Public Forum on West Hollywood's Domestic Partnership Ordinance:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Land announced that she and Steve Schulte would serve as the sub-committee and would meet on March 15, 1988. **ACTION:** To approve the formation of a subcommittee for the purpose of convening a public forum to review the City's Domestic Partner Ordinance. Motion Land

second Heilman. Hearing no objection it was so ordered.

**j. Continuance of Appeal of Planning Commission Decision Denying Demolition Permits 88-13 - 8719 Bonner Drive, and 88-14 - 8712-14 Bonner Drive:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: Continue this item to the regular City Council meeting of March 6, 1989, and if approved, building should start within a designated amount of time. Motion Heilman second Land. Hearing no objection it was so ordered.

**k. County Hazardous Waste Management Plan (CoHWMP), Resolution No. 516:** Los Angeles County has prepared a Hazardous Waste Management Plan and has submitted it to the City for approval. This proposed resolution approves the plan with reservations concerning the proposed locations of hazardous waste management facilities. ACTION: To approve and adopt Resolution No. 516, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONCURRING WITH THE COUNTY OF LOS ANGELES HAZARDOUS WASTE MANAGEMENT PLAN." Approved as part of the Consent Calendar.

**l. Melrose/Almont Stop Sign, Resolution No. 517:** ACTION: To approve and adopt Resolution No. 517, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING BOULEVARD STOP SIGNS AT THE INTERSECTION OF MELROSE AVENUE AND ALMONT DRIVE." Approved as part of the Consent Calendar.

**m. Contracts for Civic Center Design, Construction Management, and Project Management:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: That City Council approve the agreements, with substantive changes subject to City Attorney approval, providing architectural/engineering design services, construction management, and project management, with Gruen Associates, CRS Sirrene, and John S. Given, respectively, and authorize the Mayor and City Manager to execute the agreements. Motion Land second Heilman. Hearing no objection it was so ordered.

**n. City Acceptance of Liability and Maintenance Responsibility for Sidewalk at 8585 Santa Monica Boulevard:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: Delete the use of decorative tile and approve the City's acceptance of responsibility for maintenance and liability for the sidewalk at 8585 Santa Monica Boulevard and adopt Resolution No. 519, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ACCEPTING THE RESPONSIBILITY FOR MAINTENANCE AND LIABILITY FOR THE SIDEWALK AT 8585 SANTA MONICA BOULEVARD". Staff to come back at the next meeting with a report on decorative sidewalks along Santa Monica Boulevard. Motion Land second Heilman. Hearing no objection it was so ordered.

**o. Suspension of Permit Parking Regulations in Districts 1 and 2 During the Pacific Design Center's Westweek, 1989:** THIS ITEM WAS ADDED TO THE AGENDA ON A UNANIMOUS VOTE AS AN URGENCY ITEM. ACTION: Approve the PDC's request for suspension of permit parking regulations in Districts 1 and 2 during Westweek, 1989 (March 29-31, 1989) and direct staff to transmit this action to the Sheriff's Department. Direct the Director of Community Development to approve a Temporary Use Permit for public parking for the property at 365 N. San Vicente Blvd., subject to the conditions which the City Council has placed on similar actions on this lot. Approved as part of the Consent Calendar.

ITEM 10 WAS TAKEN OUT OF ORDER AND ACTED ON AT THIS TIME, BUT IS LISTED IN ORDER FOR CLARITY.

#### **PUBLIC HEARINGS**

**3. APPEAL OF PLANNING COMMISSION'S DENIAL OF MCUP 87-16, RAINBOW BAR & GRILL:** The City Clerk reported that notice of this hearing was published in the Post Newspaper and posted at the required places and at City Hall. Howard Zelefsky gave the staff report. Mayor Albert opened the public hearing and the following people came forward to speak in favor of the appeal: Michael Bustamante, for the appellant  
Betsy Browning, Hollywood  
Jennifer McGarry, Los Angeles  
Phillip Lamond, Los Angeles  
Elliot Schwartz, Los Angeles  
Doc Williamson, Los Angeles  
Violet Salvias, Los Angeles  
Kimberlye Gold, Santa Monica  
Richard Cole, West Hollywood  
Mickey Bush, West Hollywood  
Erin Carlson, Los Angeles  
Carmen Perez, Los Angeles  
Janice Brooks, Los Angeles  
Michael Mitchell, West Hollywood  
Jeff Burke, Los Angeles  
Lucy Bush, West Hollywood  
Philip Idavi-ya, West Hollywood  
Randy Banis, West Hollywood  
Paul Fegen, Beverly Hills

The following people came forward to speak against the appeal:

Harriet Segal, West Hollywood  
Jeanne Dobrin, West Hollywood

Michael Bustamante gave the rebuttal and presented the City Clerk with letters from the County of Los Angeles, Department of Health Services on ambient noise levels, dated February 21,

1989, and letters of support from Dona Magrina, West Hollywood and Laura Kaufman, West Hollywood. No one else coming forward to speak, Mayor Albert closed the public hearing and returned this item to the Council for discussion. ACTION: Grant the appeal to permit outdoor dining for a 6 month trial period with the hours of closure being 10:00 P.M. on weeknights and 11:00 P.M. on weekends. There is to be security patrol and other measures proposed by the applicant. Add the 26 parking spaces as part of the conditions and close the patio if they are not available. Lessee to be required to notify the City if the parking lease is discontinued. This permit not to take effect until the Permit Parking in the area is in effect and ticketing has started (around May 1st). Staff to prepare a resolution with conditions of approval and return to the Council on March 6, 1989 for approval. Motion Koretz second Schulte.

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

**4. HEARING ON APPEAL: DAVID CURTIN AND ALEX HENIG DBA THE SPEAKEASY, 8531 SANTA MONICA BLVD., WEST HOLLYWOOD:** The City Clerk reported that this hearing was noticed in the Post Newspaper, posted at the three required places and also at City Hall. The City Attorney stated that this hearing was to be based on the transcript and complete record of the hearings, which all members of the City Council had and had read, and only new testimony that was not available at the time of the hearings would be admissible. Sheldon Sloane, representing the owner, requested that he be allowed to present a memo from Captain Gil Herrera to Assistant Fire Chief Ray Shackelford, dated October 6, 1989, recommending use of the rear door, as part of the record. He also asked the City to stipulate that the width of the sidewalk outside the Speakeasy is 6' 4" wide. ACTION: Accept the document and include it in the record, as it was produced after the time of the hearings. Motion Heilman second Schulte. Noting the objection of Councilmember Land, it was so ordered. PROPOSED ACTION: To take no additional testimony at this time. Motion Heilman second Land.  
AYES: Heilman, Land  
NOES: Koretz, Schulte, Mayor Albert  
Motion failed.

At this point in time Jeanne Dobrin stated that she had new evidence to provide and was allowed to offer testimony.

ACTION: Strike the testimony of Jeanne Dobrin as irrelevant and prejudicial. Motion Heilman second Koretz. Noting the objection of Councilmember Schulte, it was so ordered.

ACTION: Uphold the conditions imposed by the Business License Commission with the modification that the security guard be in

place at 9:00 P.M. Motion Heilman second Land.

AYES: Heilman, Land, Mayor Albert

NOES: Koretz, Schulte.

Motion carried.

Staff to bring back the proper Resolution on March 6, 1989, for approval.

Mayor Albert called a recess at 9:22 P.M.

The meeting reconvened at 9:43 P.M.

**5. APPEAL OF CERTAIN CONDITIONS OF APPROVAL - 8565 WEST KNOLL DR., MICHAEL J. PARK/DINSMORE ARCHITECTS, D.P. 88-31:** The City Clerk reported that this hearing was noticed in the Post Newspaper and posted at the three required places and at City Hall. The staff report was given by Howard Zelefsky. Mayor Albert opened the public hearing and the following people came forward to speak in favor of the appeal:

Michael Park, appellant

Robert Dinsmore, architect for appellant

The following people came forward to speak against the appeal:

Dell Ross, West Hollywood

Joyce Hefter, West Hollywood

No one else coming forward to speak, Mayor Albert closed the public hearing and returned this item to the Council for discussion.

**ACTION:** Front setback to contain as much surface green space as possible. Allow the encroachment of a portion of the subterranean parking garage into the front setback as per Issue #1 subject to approval of a planter and stairway design. Retain the rear setback but give more flexibility on the building envelope to allow them more creativity. Direct staff to prepare a resolution reflecting these changes and bring it back for approval on March 6, 1989. Motion Heilman second Schulte. Hearing no objection it was so ordered.

**6. APPEAL - D.P. 88-43, DEMOLITION PERMIT 88-15, 952-962 DOHENY, A 16-UNIT CONDOMINIUM PROJECT LOCATED ON THE NORTHWEST CORNER OF DOHENY DRIVE AND PHYLLIS AVENUE:** The City Clerk reported that this hearing was noticed in the Post Newspaper, posted at the three required places and at City Hall. Dina Tasini reported that Homestead Group Associates has filed an appeal to Condition 5(ee) of Planning Commission Resolution 88-55. This condition required an additional five-foot setback on the fourth floor in the rear of the building. Colin Booker, Loretta Harris, et al (residents of the area) have filed an appeal opposing the Planning Commission's approval of the project. Mayor Albert opened the public

hearing and the following people came forward to address the Council in favor of the Homestead appeal:

Charles McCune, architect - representing Homestead Group  
Mark Brown, representing Homestead Group  
Jeanne Dobrin, West Hollywood

The following people came forward to speak against Homestead Group appeal and in favor of Booker/Harris, et al appeal:

Loretta Harris, West Hollywood - appellant  
Sall Hanaver, West Hollywood  
Judith Waack, West Hollywood

No one else coming forward to speak, Mayor Albert closed the public hearing and returned this item to the Council for discussion.

Motion: There was a motion by Councilmember Schulte, seconded by Koretz, to grant the appeal of Harris/Booker, et al and send the project back to the applicant for redesign for a smaller project. After discussion, Councilmember Heilman proposed a substitute motion and Councilmember Schulte withdrew his motion.

ACTION: Continue this item to the 2nd meeting in March or 1st meeting in April to allow both appellants to meet and to allow Homestead Group an opportunity to redesign the project to meet some of the concerns expressed by Council. Motion Heilman second Land. Hearing no objection it was so ordered.

**CITIZEN COMMENTS:** This time was set aside for the public to address the Council on any item on the agenda except for the Public Hearings. Jeanne Dobrin, West Hollywood addressed the Council regarding Ashkenazy properties.

**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. There were no additional comments at this time.

#### **UNFINISHED BUSINESS**

**7. CABLE TELEVISION FRANCHISE COMPLIANCE:** Ian Tanza gave the staff report. ACTION: That the City Council find Century Communications Corporation in compliance with the City's cable television franchise. That the City Council approve the proposed memorandum of understanding between the City of West Hollywood and Century Communications Corporation, with side letters on the issues of notifying people about AB switches, toll free number, and credit for outages, with a six-month review and notification to City of any change in major personnel. Adopt Resolution No. 518, "A RESOLUTION OF THE

CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD RESCINDING RESOLUTION NO. 419". Staff to develop a time-frame list. Motion Land second Heilman.

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

NOES: None

Motion carried.

**APPOINTMENT TO RENT STABILIZATION COMMISSION:** ACTION: Appoint Steve Martin to the Rent Stabilization Commission. Motion Schulte second Land. Hearing no objection it was so ordered.

#### LEGISLATIVE

**9. AN ORDINANCE FOR THE ABATEMENT AND REMOVAL OF ABANDONED OR INOPERATIVE VEHICLES FROM PRIVATE PROPERTY:** ACTION: To introduce on first reading Ordinance No. 221, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PROVIDING FOR THE ABATEMENT AND REMOVAL AS PUBLIC NUISANCES OF ABANDONED, WRECKED, DISMANTLED OR INOPERATIVE VEHICLES OR PARTS THEREOF FROM PRIVATE PROPERTY OR PUBLIC PROPERTY NOT INCLUDING HIGHWAYS, AND RECOVERY OF COSTS OF ADMINISTRATION THEREOF AS AUTHORIZED BY VEHICLE CODE SECTION 22660." Motion Koretz second Schulte. Hearing no objection it was so ordered.

**10. ORDINANCE BANNING THE SALE OR POSSESSION OF SEMI-AUTOMATIC WEAPONS:** ACTION: To adopt Ordinance No. 220U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PROHIBITING THE SALE AND POSSESSION OF ASSAULT WEAPONS AND AMENDING THE MUNICIPAL CODE, AND DECLARING THE URGENCY THEREOF." Motion Land second Koretz. Hearing no objection it was so ordered. ACTION: Introduce on first reading of Ordinance No. 220, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PROHIBITING THE SALE AND POSSESSION OF ASSAULT WEAPONS AND AMENDING THE MUNICIPAL CODE." Motion Koretz second Schulte. Hearing no objection 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. The City Council adjourned to closed session at 11:53 P.M. to discuss matters pertaining to personnel and litigation.

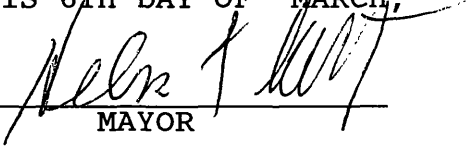
ACTION: Approve settlement of the claim of Anthony Silver for \$4,000. Motion Albert second Land. Hearing no objection it was so ordered.

**ADJOURNMENT** The meeting adjourned at 12:30 A.M. to a continued closed session on thursday, February 23, 1989 at the Sheriff's station, and to the next regular meeting on March 6, 1989 at 7:00 P.M. at West Hollywood Park.



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APPROVED BY MOTION OF THE CITY COUNCIL THIS 6TH DAY OF MARCH,  
1989.

  
MAYOR

ATTEST:

  
CITY CLERK