

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

CALL TO ORDER: Mayor Albert called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE: Sal Guarriello led the pledge.

ROLL CALL: PRESENT: Heilman, Koretz, Land, Schulte,
Mayor Albert

ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

APPROVAL OF AGENDA: ACTION: Remove the minutes of January 3, 1989 from item 2d, table item 2p to a latter date and remove items 2o and 2q from consent calendar for separate discussion. Motion Schulte second Heilman. Hearing no objection it was so ordered.

PROCLAMATIONS AND COMMENDATIONS:

Sponsors of Senior Holiday Dinner: KJOI
Studio Grill

Material Aid Caravan to El Salvador
"No Human Being is Illegal" Campaign

TREASURER'S REPORT: Jonathan Ahearn will gave an oral treasurer's report which will be approved on the consent calendar.

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 there would be a reception at the Schindler House on February 14th and on the new work program for the homeless.

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, i, j, k, l, m, n, r and s. Motion Heilman second Schulte. Hearing no objection it was so ordered.

a. Posting of Agenda: The agenda for the meeting of February 6, 1989, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on February 3, 1989.

ACTION: Receive and file.

Approved as part of the Consent Calendar.

**b. Demand Register No. 102, Resolution No. 508.
Demand Register No. 103, Resolution No. 512.**

ORIGINAL

ACTION: Approve Demand Register No. 102 and adopt Resolution No. 508; and approve Demand Register No. 103 and adopt Resolution No. 512.
Approved as part of the Consent Calendar.

**c. Treasurer's Report - Month ending November 30, 1988;
Month ending December 31, 1989.**

ACTION: Receive and file.
Approved as part of the Consent Calendar.

d. Minutes: December 19, 1988

ACTION: Approve the minutes of December 19, 1988.
Approved as part of the Consent Calendar.

e. Claims: There are no claims to be presented at this time.

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. Ordinance No. 215, For Adoption: **ACTION:** To adopt on second reading Ordinance No. 215, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING PORTIONS OF CHAPTER 99 OF THE UNIFORM BUILDING CODE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."
Approved as part of the Consent Calendar.

h. Ordinance No. 219, For Adoption: **ACTION:** To adopt on second reading Ordinance No. 219, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE (ZONING ORDINANCE) FOR THE PURPOSE OF PERMITTING INCLUSIONARY HOUSING REQUIREMENTS FOR DEVELOPMENT OF TWENTY OR MORE UNITS TO BE PROVIDED OFF-SITE."
Approved as part of the Consent Calendar.

i. Lesbian and Gay Advisory Council: **ACTION:** Approve the structure for the Lesbian and Gay Advisory Council and direct the City Clerk to advertise the openings on the Advisory Council, to be appointed at the first Council meeting in March.
Approved as part of the Consent Calendar.

j. Purchase of CDBG Funds from the City of Rolling Hills Estates: **ACTION:** Authorize the purchase of \$27,700 in CDBG funds from the City of Rolling Hills Estates with \$16,620 in general funds and authorize the Mayor to sign the agreement.
Approved as part of the Consent Calendar.

k. Approval of Job Description - Records Clerk: **ACTION:** Approve the job description for Records Clerk/Election Deputy at a salary range of \$2059-\$2492 and delete the Staff Assistant I position at a salary range of \$1686-\$2041 from the City Clerk's budget.

Approved as part of the Consent Calendar.

1. EAP Report: ACTION: Authorize the City Manager to execute the agreement with Professional Employee Assistance Consulting Group (PEAC).
Approved as part of the Consent Calendar.

m. Domestic Partners' Medical Coverage: ACTION: 1) Adopt the additional criteria for which city employees must attest to obtain health insurance for their partners. 2) Authorize the reimbursement of medical expenses subject to the same benefit level, limitations, and exclusions up to a maximum of \$20,000 per registered domestic partner of a city employee per year. 3) Direct staff to work with the Plan Administrator to pay claims of the registered domestic partner. 4) Authorize the Plan Administrator to reimburse a registered domestic partner covered under this plan an amount equal to the aggregate and specific insurance premium for her/his major medical insurance premium for coverage above the \$20,000 level. 5) Direct staff to continue searching for a reinsurer willing to cover the costs above \$20,000.
Approved as part of the Consent Calendar.

n. Parking Meters, (CIP #921), Request for Proposal:
ACTION: Approve the project plans and specifications and authorize advertising of the contract.
Approved as part of the Consent Calendar.

o. HIV CLINIC (CIP #875), Notice of Completion:
REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Schulte announced that the HIV clinic opening would be Friday at 10:30 a.m. ACTION: Accept the HIV-AIDS Clinic and authorize the following: 1) Filing of a Notice of Completion by the Director of Public Works; 2) final payment at the end of the 35 day lien period; and 3) release the performance bond and material bond. Motion Schulte second Heilman. Hearing no objection it was so ordered.

p. First Annual Beaux Arts Festival: RECOMMENDED
ACTION: Authorize the closure of San Vicente Boulevard between Santa Monica Boulevard and Melrose, between 6:00 p.m. June 3, 1989 and 6:00 a.m. June 4, 1989, and the sale of beer and wine in West Hollywood Park for the festival. Assume law enforcement costs, not to exceed \$2,000, out of the existing contract and waive all fees for city permits. Assume Port-a-potties, trash and streetsweeping, not to exceed \$3,500 from the Public Works Special Event fund and direct staff to assist the promoters with obtaining permits, public relations and city services. ACTION: Tabled to a future date.

q. Asian Pacific Culinary Carnival: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY.
The following persons came forward to speak to this issue:

Ethel Shapiro, West Hollywood - opposed to street closures.

Effi Reuveni, West Hollywood - opposed to alchohol sales.
Bobbi Griffey - Representing the Asian Pacific Festival

ACTION: Authorize the closure of San Vicente Blvd. between Santa Monica Blvd. and Melrose between 6:00 p.m. May 19 to 6:00 a.m. May 22, 1989 and the sale of beer and wine on San Vicente Blvd. Waive all fees for city permits and direct staff to assist the promoters with obtaining the proper permits and city services. Staff directed to work with residents and the Association to minimize the impact on the area. Motion Land second Heilman. Hearing no objection it was so ordered.

r. Greater L.A. AIDS Hospice Foundation - Application for Renovation Funds: **ACTION:** That the Casa Del Sol Hospice program be eligible upon completion for the hospice pool reimbursement of \$35 per night for room and board provided to West Hollywood residents. Direct staff to work with the Greater Los Angeles AIDS Hospice Foundation to identify funds other than Social Services allocation for renovation or conversion of the facility.
Approved as part of the Consent Calendar.

s. Hearing on Appeal; FSD Enterprises, dba Cavendish West Game Club: **ACTION:** That City Council remand the matter to the Business License Commission to consider additional evidence and information concerning Accusation No. 464, filed by the Los Angeles County Sheriff's Department.
Approved as part of the Consent Calendar.

PUBLIC HEARINGS

3. APPROVAL OF 15TH YEAR CDBG PROGRAM AND COST SUMMARIES:
The City Clerk reported that this hearing was noticed in the Post Newspaper and posted in the three required places plus at City Hall. Debby Potter gave the staff report. Mayor Albert opened the public hearing and, no one coming forward to speak, closed the public hearing and returned the item to Council for discussion. **ACTION:** Staff to return with a review of the past years program and an analysis of each on how they are meeting the community needs. Instruct staff to submit CDBG program summaries and funding levels for approval to the County of Los Angeles based on Council direction received this evening. Motion Heilman second Schulte. Hearing no objection it was so ordered.

4. APPROVAL OF GENERAL PLAN AMENDMENT 89-01 ALLOWING A 100% DENSITY BONUS FOR 100% AFFORDABLE HOUSING: The City Clerk reported that this hearing was advertised in the Post Newspaper plus posted at the three required places and at City Hall. Debby Potter gave the staff report. Mayor Albert opened the public hearing and the following persons came forward to speak:

Paul Zimmerman, Community Housing Corporation - support

Janet Witkin, Alternative Living for the Aging - support

No one else coming forward to speak, Mayor Albert closed the public hearing and returned this item to the Council for discussion. ACTION: Adopt Resolution No. 513, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 1.35.4 OF THE WEST HOLLYWOOD GENERAL PLAN REGARDING DENSITY BONUSES", to allow density bonuses up to 100% of the allowable density in areas of the city zoned R3.1 through R4, for a total density not to exceed 20 units exclusively for the development of housing affordable to low and moderate-income households. Only non-profit housing development corporations will be eligible to apply for such density bonuses and such housing shall remain affordable for the life of the project. Motion Heilman second Land.

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

NOES: None

Motion carried.

5. PROPOSED VACATION OF GEORGE BURNS ROAD FROM BEVERLY BLVD. TO THE SOUTHERN BOUNDARY, INTENTION TO RESERVE EASEMENT FOR PUBLIC PURPOSES: The City Clerk reported that this hearing was advertised in the Post Newspaper and posted at the three required places plus at City Hall. Chuck Bergson, Director of Public Works gave the staff report. Mayor Albert opened the public hearing and the following persons came forward to speak:

Sheldon H. Sloan, representing Cedars Sinai - Lino Garcia and James Wolf present to answer any questions.

ACTION: Continue the hearing until the Council meeting of March 6, 1989. Motion Heilman second Land. Hearing no objection it was so ordered.

CITIZEN COMMENTS: This time has been set aside for the public to address the Council on any item on the agenda except for the Public Hearings. At this point in time the following persons came forward to address the Council:

Gerald Kapp, N. Kings Road - cars are being ticketed after the sweeper has gone by.

Christopher Fairchild - would like City to have it's own Police Department.

Paul Webber - AIDS money.

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 Land directed questions to staff about filming at Palette Restaurant. Councilmember Heilman requested that staff work with the Sheriff's Department on "Gay Bashing" and help educate owners of business establishments that are open late at night. City Manager Brotzman stated that the new Lesbian and Gay Task Force should explore this issue.

UNFINISHED BUSINESS

6. APPOINTMENT TO FINE ARTS BOARD: This time has been set aside for the Council to make an appointment to the Fine Arts Board. ACTION: Appoint Jordan Peimer. Motion Land second Koretz. Hearing no objection it was so ordered.

7. REPORT OF THE HOMELESS NON-PROFIT STEERING COMMITTEE:
The staff report was given by Tom West. The following persons came forward to address the Council:

Mike Radcliffe, West Hollywood
Sam Weinstein, West Hollywood
Sandra Jacoby-Klein, West Hollywood

ACTION: Accept the steering committee recommendations with 1/2 the members to be West Hollywood residents and business representatives with original appointments to be made by the City Council. Select West Hollywood Homeless Organization as the name and have a representative of the Sheriff's Department as a staff liason, non-voting member. Motion Heilman second Land.

AYES: Heilman, Koretz, Land, Schulte

NOES: Mayor Albert

Motion carried.

Recess was called at 8:31 p.m.

Reconvene at 8:44 p.m.

NEW BUSINESS

ITEMS 8 & 9 WERE COMBINED AND ALL DISCUSSION AND ACTIONS WILL BE NOTED ON ITEM 9.

8. APPEAL OF PLANNING COMMISSION DECISION DENYING DEMOLITION PERMIT 88-13; 8719 BONNER DRIVE: RECOMMENDED ACTION: Uphold the appeal and grant the demolition to the applicant. If the Council does not feel comfortable with the intended demolition prior to the passage of the Cultural Heritage Ordinance, then staff recommends that a time limit of 45 days from the passage of the ordinance be set for the residents to apply for designation. If this action does not take place, the demolition permit should be approved. SEE ITEM 9.

9. APPEAL OF PLANNING COMMISSION DECISION DENYING DEMOLITION PERMIT 88-14; 8712-14 BONNER DRIVE: The staff report was given by Anne Browning. The following persons came forward to address the Council in favor of the appeal:

Lorraine Howell, appellant
Rex Raymer, Architect
Peter de Bretteville, Architect
Nancy Taylor, West Hollywood
Jeanne Dobrin, West Hollywood

Coming forward to speak in opposition to the appeal:

Eric Martin, Bonner Drive
Thomas Murov, Bonner Drive
Ethel Shapiro, Westbourne
Effie Reuveni, Norwich Dr.
Donald Richards, Bonner Dr.
Lilly Fonda, Rosewood Ave.
Richard Schoenberg, Bonner Dr.
Harriette Hassler, Bonner Dr.

At this time a letter from Faye Robbins was read into the record.

Lorraine Howell presented a rebuttal.

Council discussion ensued and questions were asked of the appellant and staff. ACTION: Table items 8 and 9 to the meeting of February 21, 1989. Direct staff to research whether Council can deny the demolition based on the developer's track record and to return with the required findings. Motion Heilman second Land. Hearing no objection it was so ordered.

10. REQUEST FOR AFFORDABLE HOUSING TRUST FUND LOAN FOR ALTERNATIVE LIVING FOR THE AGING: The staff report was given by Debby Potter. The following persons came forward to address the Council:

Tom McGovern, Board of Directors, Alternative Living
Bob Burke, V.P. of ALA
Janet Witkin, Director
Paul Zimmerman, Community Housing Corp.
Morris Newman, Orlando Ave.
Edythe Margolis, Hayworth
Max Osdoby, Hayworth
Bessie Schneider, Hayworth

RECOMMENDED ACTION: Adopt Resolution No. 514, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING AN AFFORDABLE HOUSING TRUST FUND LOAN TO ALTERNATIVE LIVING FOR THE AGING, INC. FOR CONSTRUCTION OF A 17-UNIT SENIOR HOUSING PROJECT". Authorize the transfer of \$250,000 from the general fund to the Affordable Housing Trust Fund and approve a \$250,000 loan from the Affordable Housing Trust Fund to Alternative Living for the Aging, Inc., to be paid back in the 12 months if possible, for the construction of a 17-unit senior housing project and direct staff to prepare the loan documents and return to the Council for final approval in 60 days. Staff is also directed to work with Alternative Living for the Aging and the State Legislature to help leverage other funds for the project. Motion Land second Heilman.

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

NOES: None

Motion carried.

11. WEST HOLLYWOOD PUBLIC ACCESS CORPORATION:

ACTION: That the City Council act as the interim Public

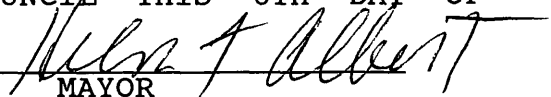
Access Corporation for a period of one year and that the current franchise agreement be amended to read, "the City of West Hollywood will act as the Public Access Corporation until such time as an independent California non-profit corporation secures legal and financial status with which to assume this position..." Authorize staff to explore and develop a funding mechanism to provide for a full time Public Access Coordinator position and a full time Production Assistant position to facilitate public access in West Hollywood. Motion Heilman second Schulte. Hearing no objection it was so ordered.

12. BAN ON THE SALE OF SEMI-AUTOMATIC WEAPONS WITHIN THE CITY LIMITS: ACTION: That the City of West Hollywood go on record supporting Senator Roberti's efforts and notify all members of the state legislature of our support for the proposed legislation. Also, that the City Attorney be instructed to prepare a draft ordinance which would ban the sale and/or possession of semi-automatic assault rifles, known as AK-47's, Uzis and the like and of weapons that can be converted into a full machine-gun type firearm. Motion Koretz second Land. Hearing no objection it was so ordered.

CLOSED SESSION: The City Council adjourned to closed session at 10:47 p.m. to discuss matters pertaining to litigation and personnel.

ADJOURNMENT: The Council reconvened and adjourned at 12:00 midnight to a study session on February 13, 1989 at West Hollywood Park at 7:00 P.M.

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


MAYOR

ATTEST:


CITY CLERK