

MINUTES
CITY COUNCIL MEETING
OCTOBER 3, 1988
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD
5:00 P.M. - CLOSED SESSION
7:00 P.M. - REGULAR MEETING

PERSONNEL SESSION: A personnel session was called to order at 5:00 p.m. in the City Manager's Office, 8611 Santa Monica Blvd., for the purpose of City Manager review.

CALL TO ORDER: Mayor Albert called the regular meeting to order at 7:17 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Human Services Commissioner Abby Leibman.

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

ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

APPROVAL OF AGENDA: Remove Items 2g and 2-l from Consent Calendar for separate discussion. Councilmember Heilman requested that a "no" vote be recorded for Item 2h. Councilmember Heilman reported he would have a matter under Proclamations and under Councilmember Comments. Mayor Albert announced that Item 4 would be continued at the request of the appellant, and anyone who wishes to speak may submit a written statement or appear at the meeting when that hearing is held. Mayor Albert also announced that Item 11 is being pulled. City Attorney Jenkins also requested that the UPCA, Enabling Ordinance, under Item 10, be tabled to a later meeting, so that he could review the ordinance.

ACTION: To approve the agenda as amended. Motion Land second Schulte. Hearing no objection it was so ordered.

PROCLAMATIONS AND COMMENDATIONS: Declaring October AIDS Awareness Month
5/10K Run Steering Committee

Councilmember Heilman and Mayor Pro Tem Land jointly distributed Certificates of Commendation to the volunteers who worked on the 5/10K Run: Bonnie Cosby, Doris Goldman, Ralph Mona Mayo, Sibyl Zaden, Dave Kessler, Barry Brower, Liz Bernard Rowland, Debbie Rowland, Mark Israel, John Allendorfer, Andy Haenfler, and Rachelle Sommers Smith.

Councilmember Heilman also thanked Gerald Wesley, Acting Recreational Services Administrator, for his work on the 5/10K Run.

Councilmember Heilman requested that the meeting be adjourned in honor of Phyllis Morris, a member of the Marketing Corporation Board of Directors and a prominent businesswoman who had helped to promote West Hollywood, who died recently. Direction was given to the City Clerk to communicate that to Ms. Morris's family.

ORIGINAL

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.

2. CONSENT CALENDAR: The following routine matters were acted upon by one motion to approve with the consent of the Council or were removed for separate discussion. ACTION: To approve Items 2a, b, c, d, e, f, h, i, j, k, m, n, o, p. Motion Land second Schulte. Noting the objection of Councilmember Heilman on 2h, it was so ordered.

a. Posting of Agenda: The agenda for the meeting of October 3, 1988, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, September 28, 1988. ACTION: Receive and file. Approved as part of the consent calendar.

b. Demand Register No. 95, Resolution No. 480:
ACTION: Approve Demand Register No. 95 and adopt Resolution No. 480.
Approved as part of the consent calendar.

c. Minutes: September 6, 1988
ACTION: Approve the minutes of September 6, 1988.
Approved as part of the consent calendar.

**d. Claims: Chula R. Peace-Black
Cornelius Duncan
AAA Flag & Banner Mfg. Company**
ACTION: Deny without comment and refer to the City's Claims Adjustor.
Approved as part of the consent calendar.

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. Approval of Agreement with ROMA Design Group to Develop the Urban Design/Streetscape Master Plan: ACTION: To approve the Agreement with ROMA Design Group, in the amount of \$60,000, to prepare the West Hollywood Urban Design/Streetscape Master Plan.
Approved as part of the consent calendar.

g. Appointments to the West Hollywood Marketing Corporation Board of Directors: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: 1) To reappoint Ron Kates, Jim Goodwin, and Fred Vanacore to the West Hollywood Marketing Corporation Board of Directors; and 2) To appoint Dick Norfolk to the West Hollywood Marketing Corporation Board of Directors. By consensus of Council.

h. Resolution 479 - Denial of Appeal by John Heilman of Planning Commission Decision Modifying CUP 86-03: ACTION: To approve and adopt Resolution No. 479, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF JOHN HEILMAN AND UPHOLDING THE DECISION OF THE PLANNING COMMISSION TO APPROVE THE MODIFICATION OF CONDITIONAL USE PERMIT 86-03 FOR PROPERTY AT 8612 SANTA MONICA BOULEVARD, WEST HOLLYWOOD."

Approved as part of the Consent Calendar.

i. Incorporation Committee for Homeless Non-profit - West Hollywood Chamber of Commerce Nominee: ACTION: To appoint Gabrielle Boone to the Homeless Non-profit Incorporation Committee.

Approved as part of the consent calendar.

j. Position Specifications - Staff Assistant I, Staff Assistant II, Staff Assistant III: ACTION: Approve the position specifications for the positions of Staff Assistants I, II, and III.

Approved as part of the consent calendar.

k. Santa Monica Boulevard Turn Pockets, Robertson and San Vicente Boulevards (CIP #814) - Right of Way Certifications: ACTION: To approve and adopt Resolution No. 481, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE RIGHT OF WAY CERTIFICATIONS FOR FEDERAL AID PROJECTS."

Approved as part of the consent calendar.

l. Acceptance of the Cul-De-Sacs on Huntley Drive and Westbourne Drive (CIP #812): REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: To accept the improvements on Huntley and Westbourne Drives, and to approve and adopt Resolution No. 484, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING THE WESTBOURNE DRIVE AND HUNTLEY DRIVE CUL-DE-SACS IN COMPLIANCE WITH THE WEST HOLLYWOOD GENERAL PLAN." Motion Heilman second Land. Hearing no objection it was so ordered.

m. Acceptance of the Santa Monica Boulevard Street Improvements (CIP #840): ACTION: That the City Council accept the Santa Monica Boulevard Street Improvements Project 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 thirty-five (35) day lien period; 3) Release of the performance bond and payment bond.

Approved as part of the consent calendar.

n. Council Deputy Mari Riddle's Report Back from the City Officials' Delegation to El Salvador, September 3-8, 1988: ACTION: 1) Receive and file this report; 2) Direct staff to have general background information on the situation in El Salvador and the work of UNADES available for the public; 3) Direct staff to write elected representatives

regarding concern with the high military spending in El Salvador and the need for a peaceful and negotiated solution to the war; 4) Direct Council Deputy to make available both written and oral reports on this trip to the residents and associations of West Hollywood who request it. Approved as part of the consent calendar.

o. ICMA Retirement Plan: ACTION: To approve and adopt Resolution No. 483, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OFFERING THE ICMA DEFERRED COMPENSATION PLAN." Approved as part of the consent calendar.

p. AIDS Awareness Month: October has been designated AIDS Awareness Month in the City of West Hollywood by the City Council. ACTION: Approve the formation of an AIDS Memorial Inscription Committee composed of representatives of City-funded AIDS service agencies to solicit, review and recommend to Council an appropriate inscription for the proposed AIDS Memorial Grove in William S. Hart Park. Approved as part of the consent calendar.

PUBLIC HEARINGS

3. REVERSION TO ACREAGE, TRACT MAP 40943 (1051 HARPER AVENUE), TENTATIVE TRACT MAP 46884: Previously subdivided property may be reverted back to its original state by City Council. In the subject case, an existing condominium subdivided tract map is proposed to be reverted back to its initial state, apartment units.

Chuck Bergson, Public Works Director, gave the staff report.

No one from the public came forward to speak on this item.

ACTION: To close the Public Hearing. Motion Land second Schulte. Hearing no objection it was so ordered.

ACTION: To make the following findings regarding Tract Map 40943 (1051 Harper Avenue): Finding 1, dedications or offers of dedication to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes; Finding 2, none of the improvements required to be made have been made within two years from the date the final map was filed for record; and Finding 3, no lots shown on the final map have been sold within five years from the date such map was filed for record. To direct the reversion to acreage of this property with the following conditions: a) retention of all previously paid fees if necessary to accomplish the purposes of the reversion, b) retention of any portion of required improvement security if necessary to accomplish the purposes of this reversion.

Motion Land second Koretz. Hearing no objection it was so ordered.

4. APPEAL OF PLANNING COMMISSION DECISION DENYING DEVELOPMENT PERMIT 88-21 FILED BY R.J. BLANCO CO., INC. FOR PROPERTY AT 8951-69 SANTA MONICA BOULEVARD: The applicant has requested that this hearing be continued for one month, to the meeting of November 7, 1988.
ACTION: Tabled to November 7, 1988. By consensus.

CITIZEN COMMENTS: This time was 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 speak:

Effie Reuveni, W.H.: Spoke in opposition to the malathion spraying scheduled to take place on Wednesday night.

Councilmember Koretz asked whether the City had any legal rights in this matter.

The City Attorney stated that he didn't think so, but would check into it.

The City Manager stated that there had been a similar situation in northern California, and he recalled that the State's authority had superseded the cities' at that time.

Direction was given to the City Manager to communicate the Council's opposition to the spraying.

Valentino Morocco (homeless): Was arrested by Sheriff's Deputy. Complained that Sheriff's Department discriminates against the homeless.

COUNCILMEMBERS COMMENTS: This time was 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 that staff see that the air conditioning at Plummer Park gets fixed--it has been broken a number of times, and this is disrupting the programs at the park.

Councilmember Heilman also stated that there was an inquiry from someone who had bought a duplex and wanted to change part of the rental part of the duplex to the owner's part of the duplex, and there is no mechanism under the rent stabilization ordinance for doing that. Direction was given to Rent Stabilization Department to see if there is any option in terms of allowing the owner to do that.

UNFINISHED BUSINESS

5. STAFF ANALYSIS OF THE WOMENS ISSUES TASK FORCE RECOMMENDATIONS: RECOMMENDED ACTION: Staff recommends that the City Council either a) adopt the implementation team approach to the analysis and implementation of the Women's Issues Task Force recommendations as outlined in the staff report, without the consultant position; OR b) adopt the implementation team approach as outlined in the staff report including the consultant position as recommended by the Women's Issues Task Force members.

Jodi Curlee, Social Services Administrator, gave the staff report. Human Services Commissioner Abby Leibman also gave comments.

There was one speaker on this item:

Jean Conger, member of Women's Issues Task Force: Works at Southern California Women for Understanding. Thanked staff and Human Services Department for team approach. Firmly believe it will take a staff position to implement the recommendations. Would like to underscore that City Manager be given accountability for implementation; also the need for outside consultant. Hope you will adopt recommendations.

Following this there was discussion by Council.

ACTION: To adopt the implementation team approach (as outlined in the staff report), including the consultant and the intern position as recommended by staff. Motion Land second Schulte.

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

NOES: None

Motion carried.

At this time Mayor Pro Tem Land designated her Deputy, Mari Riddle, as the Council Deputy member of the implementation team. Approved by consensus.

NEW BUSINESS

6. PARK REGULATIONS: A need exists for the City of West Hollywood to adopt a comprehensive set of park regulations.

Lloyd Long, Human Services Department Director, gave the staff report. Long stated there is one amendment to Resolution 482, to add a sentence to section III.C. of Exhibit A., Rules and Regulations Governing Use and Operation of City Parks, stating, the authority provided by this paragraph does not extend to the arbitrary expulsion from City Parks of any class or category of people.

The following persons came forward to speak on this item:

Paul Webber, W.H.: Homeless should not have to be harassed or arrested.

Paula Pitti, homeless: Appreciate what you're doing by having this shelter. I've started a counselling service to help runaways. If you haven't been homeless you don't know what our plight is; if you have been homeless, the compassion should be there. Let us (homeless) build a shelter where we can store things, that can be torn down when you have the other shelter. We are a family.

Richard Swirger, homeless: Opposed to park rules. A lot of people have gotten off drugs, got their life in order. There is a small alleyway which can be used by the homeless for storage space. When a person is rehabilitating, can't do it overnight.

Michael Crable, homeless: Have been sober from drugs for 35 days. Was harassed by an officer. Joined the YMCA; took three months to save the money for membership.

Brad Benton, W.H.: Feel the measure before you is good; but at the same time it's giving officers the privilege of discernment--whether to harass someone or just leave them at peace.

Kenneth Melvin, homeless: There are a few things we've been judged wrongly on. In the recommendations it says we're leaving things lying around--that's not so. Another thing, we are willing to assist in maintenance of the bathrooms, if materials are made available. People leave the shelter at 6:00 in the morning; with people taking showers that early in the morning, people are becoming sick. It's not true that we're not trying to help ourselves. We have helped others to get jobs; I have verification.

Mike Moll, homeless: (Came forward but changed his mind about speaking.)

Quentin Austin, homeless: I'm a sickly person--get very sick. The time limit on the shelter is too early.

Henderson Pappa Hays, homeless: Your reaction to the homeless is to make laws. I plan to run for Mayor of this City.

Steve Meinen, W.H.: I'm not homeless but have friends who are. If you don't want them here, where will they go? We're all human; we should try to work together.

Sam Weinstein, W.H.: What you're proposing makes criminals; doesn't address real issues like gambling. I ask you, do not approve; it needs some finetuning.

Following the public speakers, there were comments by the Councilmembers.

ACTION: To adopt Ordinance No. 204U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING PARK RULES AND REGULATIONS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF." Motion Land second Schulte. Hearing no objection it was so ordered.

ACTION: To introduce on first reading Ordinance No. 204, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING PARK RULES AND REGULATIONS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Motion Land second Schulte. Hearing no objection it was so ordered.

ACTION: To adopt Resolution No. 482, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD ESTABLISHING RULES AND REGULATIONS GOVERNING THE USE AND OPERATION OF CITY PARKS." Motion Land second Schulte. Hearing no objection it was so ordered.

Direction was given to staff to have the Human Services Commission review the regulations in six months, and staff look further into the issue regarding storage of belongings and liability issues.

At this time Mayor Albert introduced John Murphy, who will be sharing the work of Deputy Judy Abdo, and will be working on Tuesdays and Wednesdays in the Mayor's office.

Mayor Albert called a recess at 8:35 p.m.
The City Council reconvened at 8:53 p.m.

7. CIVIC CENTER CONSTRUCTION MANAGER: RECOMMENDED ACTION: That the City Council approve entering into negotiations with the firm to be recommended by staff at the Council meeting.

John Given, Civic Center Project Manager, reported that the firm recommended by staff is CRS Sirrene.

ACTION: To approve entering into negotiations with CRS Sirrene, the firm recommended by staff for Civic Center Construction Manager. Motion Heilman second Land. Hearing no objection it was so ordered.

Councilmember Schulte said he would like to see brief resumes of the three firms which had been selected as finalists.

8. OPPOSITION TO SLEDGEDUMPING IN SANTA MONICA BAY BY L.A. COUNTY SANITATION DISTRICT: RECOMMENDED ACTION: That Council approve and adopt Resolution No. 485, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING SLUDGE DUMPING IN SANTA MONICA BAY BY THE LOS ANGELES COUNTY SANITATION DISTRICT"; that Council's representatives to the

District notify Sanitation District #4 that this action has been taken at their next meeting. The Council will review in six months what actions have been taken by the County Sanitation District #4 if adequate progress has not been made.

Councilmember Koretz reported on this Item.

Public Works Director Bergson reported that we can deal with Los Angeles for treatment of sewage, but for conveyance, we have to depend on the Sanitation District.

ACTION: To adopt Resolution No. 485, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING SLUDGE DUMPING IN SANTA MONICA BAY BY THE LOS ANGELES COUNTY SANITATION DISTRICT," and to notify the Sanitation District at their next meeting. Motion Koretz second Schulte. Hearing no objection it was so ordered.

9. NOVEMBER 1988 BALLOT INITIATIVES: There are 29 state propositions that will appear on the November 8 ballot. The City Council has previously taken positions on three initiatives: Support Proposition 84; oppose Propositions 96 and 102.

Councilmember Heilman reported on this Item.

ACTION: To take the following positions:

The City Council **SUPPORTS** the following Propositions: 78, 79, 81, 82, 83, 84, 85, 87, 95, 97, 98, 99, and 105.
OPPOSES the following Propositions: 90, 96, 102.
TAKES NO POSITION on the following Propositions: 80, 86, 88, 89, 91, 92, 93, 94.

Regarding ballot measures on auto insurance, the City Council: **SUPPORTS** Propositions 100 and 103, with Proposition 103 given priority; **OPPOSES** Propositions 101, 104 and 106 (Attorney Fees Limit for Tort Claim).

Motion Land second Koretz. Hearing no objection it was so ordered.

Direction was given to staff to have information available at City Hall, and to publicize the Council positions on the ballot measures.

LEGISLATIVE

10. UPCAA, ENABLING ORDINANCE: **RECOMMENDED ACTION:** To introduce on first reading Ordinance No. _____, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD TO PROVIDE INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT (SECTION 22000, ET SEQ OF THE PUBLIC CONTRACT CODE)."

Chuck Bergson, Public Works Director, gave the staff report.

ACTION: To authorize the Public Works Director to sign contracts for rehabilitation of the County building to be used for the HIV Health Clinic, and to direct the City Attorney to review the proposed Ordinance to provide informal bidding procedures under the Public Construction Cost Accounting Act, and make appropriate revisions or corrections. Motion Heilman second Schulte. Hearing no objection it was so ordered.

11. SPRINKLER ORDINANCE: This ordinance brings the West Hollywood Municipal Code more into alignment with the County Code, and also introduces into the Municipal Code those sections requiring sprinklers to be retro-fitted into high-rise buildings and structures over three stories within certain time limits. In addition, all future buildings and any building undergoing extensive remodeling or expansion would also require sprinklers. **RECOMMENDED ACTION:** To introduce on first reading Ordinance No. _____, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING BY REFERENCE THE LOS ANGELES COUNTY CODE, TITLE 26, BUILDING CODE, TITLE 27, ELECTRICAL CODE, TITLE 28, PLUMBING CODE, AND TITLE 29, MECHANICAL CODE, MAKING AMENDMENTS TO SAID CODES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."
THIS ITEM WAS TABLED UNDER APPROVAL OF AGENDA.

CLOSED SESSION: The City Council adjourned to closed session at 9:18 p.m. to discuss matters of litigation and personnel.


ADJOURNMENT: The Council Meeting was adjourned in honor of Phyllis Morris at 10:40 p.m. to a meeting at the Pacific Design Center, Conference Room, at 10:00 a.m. on October 4, 1988.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 7TH DAY OF NOVEMBER, 1988.



MAYOR

ATTEST:



CITY CLERK