

**MINUTES
CITY COUNCIL MEETING
SEPTEMBER 19, 1988
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD
7:00 P.M.**

CALL TO ORDER: Mayor Albert called the meeting to order at 7:12 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Paul Zimmerman.

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

ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

APPROVAL OF AGENDA: Remove Items 2g, 2k, and 2t for separate discussion. Councilmember Heilman reported he would have a matter under Councilmember Comments, and also after Proclamations and Commendations. Councilmember Land also will have a comment under Councilmember Comments. Councilmember Schulte will bring up something under City Manager's Report.

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

PROCLAMATIONS AND COMMENDATIONS: None.

COMMENT BY COUNCILMEMBER HEILMAN: Councilmember Heilman announced that the meeting would be adjourned in memory of John Harris, who was a valued member of the West Hollywood community and was active in the West Hollywood West Neighborhood Association, who died recently.

1. CITY MANAGER'S REPORT: City Manager Brotzman introduced Louise Anylan of Century Cable, who was here to talk about the new West Hollywood facility.

Louise Anylan reported that the new office would be open November 1, 1988, at 7811 Santa Monica Boulevard, one-half block east of Fairfax. They are making sure when hiring new employees that customer service is their top priority. Ms. Anylan introduced the following key people from Century Cable: Cheryl Roderiques, Michael Quintana, Marc Broadnax, Marcela Deveze, Sandra Fontenot, John Buse, and Linda Van Kowenberg. There will be a preventive maintenance system which will lessen the number of outages. Because of the proximity of the office, Century will be able to respond faster to problems. There is a

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new phone system which will be in place before November 1. Customer service representatives will be well-trained, including product knowledge. Want to get community input on every level.

TREASURER'S REPORT: Jonathan Ahearn, City Treasurer, gave the Treasurer's Report for the month ending July 31, 1988.

COMMENT BY COUNCILMEMBER SCHULTE: At this time Councilmember Schulte commented that in February there was a request from Council to do a Rehab Task Force and asked when there would be a report from that task force. Mark Winogron, Community Development Director, replied that presently staff is analyzing the number of requests for structural changes through the rent stabilization process since incorporation, and how the other rent-controlled cities do the pass-through of structural improvements, and it would probably be another 60 days before the report is brought to the Council.

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: To approve Items 2a, b, c, d, e, f, h, i, j, l, m, n, o, p, q, r, and s. Motion Land second Heilman. Hearing no objection it was so ordered.

a. Posting of Agenda: The agenda for the meeting of September 19, 1988, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, September 14, 1988. **ACTION:** Receive and file. Approved as part of the consent calendar.

b. Demand Register No. 94, Resolution No. 477.
ACTION: Approve Demand Register No. 94 and adopt Resolution No. 477. Approved as part of the consent calendar.

c. Treasurer's Report - July, 1988:
ACTION: Receive and file. Approved as part of the consent calendar.

d. Minutes: August 15, 1988
ACTION: Approve the minutes of August 15, 1988. Approved as part of the consent calendar.

e. Claims: Timothy Eric McBride
ACTION: To deny the claim of Timothy Eric McBride without comment and refer to the City's Claims Adjustor. 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. Commercial Broker Disclosure Ordinance: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The Small Business Council has identified the need to require full disclosure of zoning requirements and restrictions, etc. on commercial property being leased by brokers or property owners. Such disclosure will help prevent small businesses from entering into leases on properties that do not meet their needs. **RECOMMENDED ACTION:** To instruct the City Attorney to prepare a Commercial Broker Full Disclosure Ordinance, as described in the staff report, for Council consideration within the next sixty days.

Councilmember Land reported that the Small Business Council had had a meeting that afternoon, which she attended, and they wish to change their recommendation. Their suggestion is to have an ad hoc task force for 30 days, meeting under the Economic Development Department. The task force would have on it some commercial property brokers, some property owners, and some Small Business Council task force members. In that 30 day period, the task force could discuss some of the problems and concerns, see if it is really a relevant ordinance, and what would have to be included to make it work; then they would report to the City Attorney. If it is a relevant concern, the City Attorney would then draft the ordinance within the next ninety days.

ACTION: As recommended by the Small Business Council, to have an ad hoc task force meet for 30 days, composed of commercial brokers, property owners, and Small Business Council members, to discuss problems and concerns, and report to the City Attorney. If it is determined that the ordinance is relevant, the City Attorney is to draft the Commercial Broker Full Disclosure Ordinance and present it to the City Council within the next ninety days. Motion Land second Heilman. Hearing no objection it was so ordered.

h. Contracts for Department Heads: **ACTION:** To approve the "Second Amendment to Agreement" for each of the Executive Staff. Approved as part of the consent calendar.

i. Funding for the Data Entry Phase of Geographic Maintenance: The Department of Community Development is now ready to enter all the field data collected this summer for the computer geobase. This data entry requires hiring a data entry firm. This report makes recommendations on that hiring. **ACTION:** That the City Council authorize the City Manager to enter into an agreement with Advanced Data Entry Consultants. Approved as part of the consent calendar.

j. Request for \$6,000 Appropriation to Purchase Personal Computer and Software for Library: **ACTION:** To approve the transfer of \$6,000 from Unobligated Reserve into the General Services account #001-2600-470-885 for the purchase of a personal computer and related software for the West Hollywood Library. Approved as part of the consent calendar.

k. Matoon Property Appraisal: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Human Services Director Lloyd Long gave a staff report. ACTION: That City Council authorize the City Manager to enter into an agreement with the firm of Desmond and Marcello, Inc. for the appraisal of the property located on the southwesterly quadrant of Santa Monica Boulevard and Fuller Avenue in West Hollywood. Motion Koretz second Land. Hearing no objection it was so ordered.

l. G.L.C.S.C. Youth Contract: The Social Services contract with G.L.C.S.C. Youth to provide services to youth ages 13 to 23 includes changes to the program approved by the City Council during the Social Services funding process and must be authorized as a separate action. ACTION: To authorize the proposed contract between the Gay and Lesbian Community Services Center and the City.
Approved as part of the consent calendar.

m. Resolution Authorizing City to Apply for State ESP Funding: ACTION: To approve and adopt Resolution No. 476, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE CITY OF WEST HOLLYWOOD TO APPLY FOR STATE OF CALIFORNIA EMERGENCY SHELTER PROGRAM FUNDS," and to approve the Certification of Eligibility attached thereto.
Approved as part of the consent calendar.

n. Standard Insurance Renewal and Adjustment Rates:
ACTION: To authorize the City Manager to renew our employee insurances with Standard Insurance Company and to transfer \$5,500 from the unobligated reserve to fringe benefits.
Approved as part of the consent calendar.

o. Southern California Association of Governments Growth Management Plan and Regional Housing Needs Assessment:
ACTION: To approve the appeal to SCAG asking that the requirement of housing units in West Hollywood be adjusted from 1102 to 900 units in the five years ending July 1, 1994. Authorize the City Manager to forward a copy to SCAG with a cover letter.
Approved as part of the consent calendar.

p. Appropriation of Affordable Housing Trust Fund Monies for West Hollywood Community Housing Corporation:
The W.H. Community Housing Corporation is actively seeking to acquire and rehabilitate an eight-unit apartment building at 1123 N. Detroit Street. The Corporation is requesting \$232,000 from the Affordable Housing Trust Fund for the permanent financing of this project. ACTION: That the Council support this project and further, direct the City Manager to write a letter of support for the project to be used in loan packaging to other sources.
Approved as part of the consent calendar.

q. Fountain/Crescent Heights Traffic Signal (CIP #838) - Award Design: ACTION: To approve a contract with DKS Associates for design of the Fountain Avenue/Crescent Heights Blvd. Traffic Signal Upgrade.
Approved as part of the consent calendar.

r. Fuel Efficient Traffic Signal Management (FETSIM) 1989 Grant Program: ACTION: To approve and adopt Resolution No. 478, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE FUEL EFFICIENT TRAFFIC SIGNAL MANAGEMENT (FETSIM) PROGRAM GRANT APPLICATION FOR 1989," and that Council declare that this project will have no effect on the environment and approve the Negative Declaration.
Approved as part of the consent calendar.

s. Approval of Contract with Deloitte, Haskins and Sells: ACTION: To approve the agreement with Deloitte, Haskins & Sells to perform the independent audits of the City's financial statements for the fiscal years ending June 30, 1988, 1989, 1990.
Approved as part of the consent calendar.

t. Appointments to the Homeless Non-Profit Steering Committee: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. MOTION: To add one additional business person to the Steering Committee, to be nominated by the Community Alliance, with direction from Council as to what particular qualities the Council is looking for. Motion Schulte second Koretz.
AYES: Koretz, Schulte
NOES: Heilman, Land, Mayor Albert.
Motion failed.
ACTION: That City Council appoint Gabe Kruks and Fred Mashian to the Homeless Non-profit Incorporation Committee. Motion Heilman second Schulte. Hearing no objection it was so ordered.

CITIZEN COMMENTS: This time was set aside for the public to address the Council on any item of interest except for the Public Hearings: There were no citizen comments at this time.

COUNCILMEMBER COMMENTS: Councilmember Heilman requested that the Public Facilities Board be asked to hold off on having a public hearing on the Civic Center Program element, since the Council will be holding a study session on Monday, September 26th. Direction was given to staff, to ask the Public Facilities Board to hold off scheduling a public hearing until after the City Council has their study session regarding the Civic Center, at which time the Council can decide if a public hearing would be appropriate.

Mayor Pro Tem Land commented that September 27, 1988, is Voter Registration Day in California and that October 11, 1988, is the last day to register to vote. Direction was given to City staff to have voter registration forms available at all meetings between now and October 11th.

Mayor Pro Tem Land also requested at this time that an item be placed on the next agenda, on September 26, 1988, to rescind the action regarding bids for street sweeping (on September 6, 1988) and to award the contract to the lowest bidder. Approved by consensus of Council.

UNFINISHED BUSINESS

3. ADJUSTMENTS AND PENALTIES FOR FAILURE TO COMPLY WITH RENT STABILIZATION ORDINANCE: RECOMMENDED ACTION:

1. That City Council direct the Rent Stabilization Department to draft and submit to the City Attorney for review Ordinance amendments to accomplish the following:
 - a. Withhold entitlement to all rent increases, including, but not limited to, the Annual General Adjustment, Vacancy Rent Increases, Net Operating Increases, and Added Services to a Unit or Building for failure to perform necessary maintenance and refusal to accept the rent reduction ordered by a RSD Hearing Examiner and/or the Rent Stabilization Commission.
 - b. Require a property owner to certify, under penalty of perjury, that all required maintenance was performed at the time of vacancy in order to qualify for a vacancy rent increase.
 - c. Permit a tenant to perform necessary maintenance if the property owner after having been ordered to perform maintenance fails to complete the work 90 days after the date set for compliance by a Hearing Examiner and/or the Rent Stabilization Commission.
 - d. Provide that if a tenant performs the maintenance the rent reduction for the unit is effective for the life expectancy of the item as set forth in Rent Stabilization Regulation 60040.A.
2. That Council direct the Rent Stabilization Commission to solicit public comment and draft and submit to the City Attorney for review any regulations deemed necessary to implement and enforce the Ordinance amendments developed under Recommendation 1 above.
3. That Council direct the Dept. of Rent Stabilization to report back to City Council on the L.A. City Rent Escrow Account Program six months after the program is fully operational.
4. That Council direct the Community Development Department, Building and Safety Division, and the Rent Stabilization Department to coordinate abatement efforts in occupied residential rental buildings.
5. That Council provide direction to Rent Stabilization Department staff on whether or not to set performance standards for all maintenance requirements.

Richard Muller, Rent Stabilization Department Director, gave the staff report.

The following person came forward to speak on this Item:
Grafton Tanquary, W.H.: Against Recommendation No. 5. It is

unnecessary and redundant. There is enough authority in the existing ordinance to require maintenance. There has never been a case before the Commission where maintenance was asked and where the Commission has not ordered it. If you pass complex laws people will not read them.

Patrick Wall, W.H.: As a member of CES, urge to Council to approve this ordinance.

MOTION: To approve the recommendations of the Rent Stabilization Department; and for recommendation No. 5, direct Rent Stabilization Department to set performance standards for all maintenance requirements, but to bring that schedule back to the Commission for a public hearing, and for the Commission to decide which (amortization periods) are appropriate and which ones are not, and to define what is meant by landscaping in ten years. Motion Land second Schulte.

At this time Councilmember Heilman requested that recommendation No. 5 be a separate motion.

ACTION: To approve recommendations No. 1 through 4. Motion Land second Schulte. Hearing no objection it was so ordered.

ACTION: To require the Rent Stabilization Department to set performance standards for all maintenance requirements, and to have that go back to the Commission; for them to look at Regulation 60040.A, and make sure that these are the proper time periods and the proper maintenance requirements; and for that to be brought back to Council. Motion Land second Schulte.

AYES: Koretz, Land, Schulte, Mayor Albert

NOES: Heilman

Motion carried.

4. WERLE BUILDING MODIFICATIONS; G&L TASK FORCE RECOMMENDATION

REGARDING THE G&L ARCHIVES: A need exists for the City to perform building modifications on the Werle Building and for the Council to authorize specific future uses for the building. The recommendations by staff are listed in the staff report. In addition, the Gay and Lesbian Task Force recommends that the International Gay and Lesbian Archives and the June B. Mazer collection be housed for public use on the first floor of the Werle Building until such time as space is available at the new Civic Center complex in order for the collection to be accessible to the public. The Task Force also allowed that although the first floor was preferred, a compromise of splitting the collections between the first and second floor would be accepted.

RECOMMENDED ACTION: That City Council approve the staff recommendations which are listed in the agenda staff report. Further, the Gay and Lesbian Task Force recommends that the City Council approve their recommendation.

Human Services Director Lloyd Long reported that staff recommends the following:

1. That City Council Chambers and community space be located on the

- first floor of the Werle Building;
2. That space be set aside on the first floor for a future City print shop;
 3. That the City's Programs for the Homeless continue to have offices on the first floor of the Werle Building until the permanent homeless shelter is in place;
 4. That the Fire Department's offices be re-located to the first floor;
 5. That office space be set aside on the first floor for Being Alive;
 6. That the City provide storage and study space on the second floor for the International Gay and Lesbian Archives and the June B. Mazer collection for a time period not to exceed two years; that staff be directed to negotiate and execute an agreement with both organizations to provide services to the City in exchange for the storage space. Staff has discussed this matter with representatives of Gay and Lesbian Archives and the June B. Mazer collection, and they are in agreement with this.
 7. That the Council authorize solicitation of competitive proposals for construction of necessary improvements at the Werle Building.

The following persons came forward to speak on this Item:

Denise Wheeler: Requested approval for housing the Gay and Lesbian Archives at the Werle Building.

Jim Kepner: Re: Gay and Lesbian Archives. Spoke last week. We have storage space now; don't know when we'll run out. The collection also branches off into other minorities. Largest in the world.

Jim Russell, W.H., member of Gay and Lesbian Task Force: Spoke in favor of housing the Gay and Lesbian Archives at Werle Building--make accessible to people.

Ron Rose, W.H.: Spoke in support of the Gay and Lesbian Archives being housed at Werle Building.

Kim Kralj, W.H., member of Gay and Lesbian Task Force: Re: Gay and Lesbian Archives and June B. Mazer Collection. In favor of being housed in West Hollywood.

David Moore, S. El Monte: A member of the board of directors for the Archives. Spoke on concerns regarding both collections. If we can't put entire collection there, can put a representative basic collection. Can begin properly cataloguing.

Jack Carrol, President of the Board of the Archives: Thanked the City Council. This is the only opportunity we have to catalogue the Archives.

Jeanne Dobrin, W.H.: Concerned about parking. There needs to be provision for employees for the Archives, June B. Mazer collection, etc., and for City employees also, also a need for parking for

community space.

Eleanor Barrett, W.H.: Member of Gay and Lesbian Task Force. Spoke in favor of having the Archives at the Werle Building.

ACTION: To approve the recommendations, with direction that staff come back to City Council with recommendations regarding how to address the parking needs of the Werle Building; if it can be structured so we can maintain the Council Chambers; and giving some direction to create a working task force to work with the Archives and Mazer collection to create a permanent solution to this problem, whether it's in the Civic Center or some other solution. Motion Heilman second Land. Hearing no objection it was so ordered.

5. NOVEMBER 1988 BALLOT INITIATIVES: Proposition 102 proposes to abolish confidential and anonymous testing for HIV; Proposition 96 proposes to establish mandatory testing regulations; Proposition 84 will authorize the issuance of \$450 million in General Obligation Bonds to provide housing for homeless, seniors, handicapped,

The following person came forward to speak on this Item:
Rodney Scott: With "No on 96" Coalition. Asked Council to oppose Propositions 102 and 96 and to support Proposition 84.

ACTION: That the Council: 1) oppose Proposition 102 (Gann/Dannemeyer) and oppose Proposition 96 (Block/Davis); 2) support Proposition 84 (Roberti Housing and Homeless Bond Act of 1988); 3) direct staff to send information regarding the Council Actions to appropriate organizations, individuals and the press. Motion Land second Heilman. Hearing no objection it was so ordered.

6. VOTING DELEGATE FOR THE ANNUAL CONGRESS OF CITIES:

RECOMMENDED ACTION: Appoint a voting delegate and an alternative voting delegate and direct the City Clerk to advise the State League and the National League.

ACTION: To appoint Mayor Pro Tem Abbe Land as voting delegate for the Annual Congress of Cities. Motion Heilman second Schulte. Hearing no objection it was so ordered.

ACTION: To appoint Councilmember Heilman as alternate voting delegate. Motion Land second Albert. Noting the objection of Councilmember Heilman, it was so ordered.

CLOSED SESSION: The City Council adjourned to closed session at 8:30 p.m. to discuss matters of potential litigation and pending

litigation, including Maidenberg vs. the City of West Hollywood.

ADJOURNMENT: The City Council reconvened at 10:04 p.m., and the meeting was adjourned in memory of John Harris, to a study session on September 26, 1988, at 7:00 p.m. at West Hollywood Park.

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


MAYOR

ATTEST:


CITY CLERK