

**MINUTES  
CITY COUNCIL MEETING  
JULY 18, 1988  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

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

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Jeri Chenelle, Assistant City Manager.

**ROLL CALL:** PRESENT: Heilman, Koretz, Land, Schulte,  
Mayor Albert  
ALSO PRESENT: City Manager Brotzman  
City Attorney Jenkins

**APPROVAL OF AGENDA:** ACTION: Table Items 2l, 2m, and 8a to the meeting of August 15, 1988. Remove Items 2h, 2j, 2k, 2o, 2q, 2w and 2x from the Consent Calendar for separate discussion. Motion Heilman second Schulte. Hearing no objection it was so ordered.

**PROCLAMATIONS AND COMMENDATIONS:**

Victim/Witness Advocate Program presented the City with a certificate of appreciation.

**TREASURER'S REPORT:** The Treasurer's report for June was given by Jonathan Ahearn, City Treasurer.

**INTRODUCTION OF NEW EMPLOYEES:** Jeri Chenelle, Assistant City Manager, introduced the new City employees.

**1. CITY MANAGER'S REPORT:** This time has been set aside for the City Manager to report to the Council on any and all matters of importance. There was no report at this meeting.

**2. CONSENT CALENDAR:** The following routine items were adopted by one motion to approve with the consent of the majority of the City Council or were removed by any Councilmember for separate discussion. ACTION: Approve items 2a, b, c, d, e, f, g, i, n, p, r, s, t, u, and v. Motion Land second Schulte. Hearing no objection it was so ordered.

**a. Posting of Agenda:** The agenda for the meeting of July 18, 1988, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, July 13, 1988. ACTION: Receive and file. Approved as part of the Consent Calendar.

**b. Demand Register No. 90, Resolution No. 462:** ACTION: Approve Demand Register No. 90, and adopt Resolution No. 462. Approved as part of the Consent Calendar.

**c. Treasurers Report - June, 1988:** ACTION: Receive and file. Approved as part of the Consent Calendar.

ORIGINAL

**d. Minutes:** December 17, 1987                    June 13, 1988  
                  January 4, 1988                    June 20, 1988  
                  May 23, 1988                    June 27, 1988  
                  June 6, 1988                    July 5, 1988

**ACTION:** Approve the minutes of December 17, 1987, January 4, 1988, May 23, 1988, June 6, 1988, June 13, 1988, June 20, 1988, June 27, 1988, and July 5, 1988.  
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 shall be waived.  
Approved as part of the Consent Calendar.

**f. Claims:** Emerson Locksmith Company  
**ACTION:** That this claim be discussed in closed session.  
Approved as part of the Consent Calendar.  
**FURTHER ACTION:** Approve the payment of the Emerson Locksmith Company claim in the amount of \$412.43. Motion Koretz second Land. Hearing no objection it was so ordered.

**g. Application for Leave to Present Late Claim - By Attorney for Mark Foster:** **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.

**h. Authorization of Technical Reports for the Civic Center Project:** (A) Contract for Environmental Impact Report; (B) Contract for Geotechnical (Soil) Report; (C) Contract for Land Survey: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. **ACTION:** Authorize the City Manager to execute contracts for the Environmental Impact Report. Motion Schulte second Heilman. Hearing no objection it was so ordered.  
**FURTHER ACTION:** Authorize the City Manager to execute contracts for the geo-technical report and land survey. Motion Heilman second Land. Noting the objection of Schulte it was so ordered.

**i. Ordinance No. 198 - Height Requirements for Fences, Walls and Hedges in the Front Yard:** **ACTION:** To adopt on second reading, Ordinance No. 198, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE (ZONING ORDINANCE) FOR THE PURPOSE OF MODIFYING THE HEIGHT REQUIREMENTS FOR FENCES AND WALLS IN THE FRONT YARD."  
Approved as part of the Consent Calendar.

**j. Ordinance No. 199 - Inclusionary Units:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. **ACTION:** To adopt on second reading Ordinance No. 199, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD CONCERNING THE APPLICABILITY OF THE

PROVISIONS OF THE RENT STABILIZATION ORDINANCE TO INCLUSIONARY UNITS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Motion Heilman second Land. Hearing no objection it was so ordered.

**k. Award of Contract - Marketing Corporation:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The following person came forward to address the Council:

Ira Stein, West Hollywood

**ACTION:** To approve the contract for services with the West Hollywood Marketing Corporation in the amount of \$384,000 to carry out promotional and marketing activities during FY 1988-89, with the addition to the work plan of encouraging businesses into empty store fronts and preparing a welcoming package for new businesses coming into the Community. Motion Heilman second Land.

Hearing no objection it was so ordered.

**l. Approval of Operating Agreement - W. H. Community Alliance:** RECOMMENDED ACTION: To approve the operating agreement with the West Hollywood Community Alliance. TABLED TO THE MEETING OF AUGUST 15, 1988.

**m. 1987 Santa Monica Boulevard Street Improvement Phase I:** RECOMMENDED ACTION: To accept the Notice of Completion for the 1987 Santa Monica Blvd. Street Improvement Phase I (CIP #840), 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; 3) Release the performance bond and material bond. TABLED TO THE MEETING OF AUGUST 15, 1988.

**n. Street Sweeping:** ACTION: To approve the plans and specifications and authorize Staff to advertise for sealed bids. Approved as part of the Consent Calendar.

**o. Melrose Property - Release and Sale:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Richard Slivkin, Esq., addressed the Council and protested the proposed action on behalf of his client, the adjacent property owner. ACTION: That staff get an estimated fair market price for the parcel from 2 or 3 local realtors in an expeditious manner, and return this item to the Council with recommendations. Motion Schulte second Koretz.

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

NOES: None

Motion carried.

**p. Contract for Schindler House:** ACTION: To approve the contract with Friends of the Schindler House in the amount of \$33,000 for restoration work on the Schindler House. Approved as part of the Consent Calendar.

**q. Approval of contract - West Hollywood Russian Cultural Center:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: To review and approve the negotiated contract with the Association of Soviet Jewish Emigres for a Russian Cultural Center, including Exhibit A (Scope of Services) and Exhibit B (Budget). Motion Heilman second Schulte. Hearing no objection it was so ordered.

**r. Adoption of Rent Stabilization Commission Resolution No. 88-63:** ACTION: That City Council approve the adoption of Resolution 88-63, Establishing the Amount of the General Adjustment for the Year 1988-1989. Approved as part of the Consent Calendar.

**s. Annual Registration Fee for Rental Units:** ACTION: To approve and adopt Resolution No. 461, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING THE AMOUNT OF THE ANNUAL REGISTRATION FEE FOR RENTAL UNITS FOR THE YEAR 1988-1989. Approved as part of the Consent Calendar.

**t. Employee Assistance Committee:** ACTION: To approve the Employee Assistance Committee RFP for Professional Services for the development of an Employee Assistance Program for the City of West Hollywood and direct advertising and distribution of the RFP. Approved as part of the Consent Calendar.

**u. Recycling:** RECOMMENDED ACTION: To adopt Resolution No. 463, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE CALIFORNIA BEVERAGE CONTAINER RECYCLING AND LITTER REDUCTION ACT." Approved as part of the Consent Calendar.

**v. Adjustments and Penalties for Failure to Comply with Rent Stabilization Ordinance:** ACTION: To direct staff to:  
1) explore options to address non-compliance to the Rent Stabilization Ordinance by owners; 2) recommend what administrative penalties or adjustments can be levied on property owners who fail to maintain their rental units; 3) report back to the City Council by August 15, 1988 with their recommendations. Approved as part of the Consent Calendar.

**w. Homeless Program Employees:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTIONS: 1) To approve the "Contract for Services" for Homeless Program contract employees and authorize the City Manager to execute; 2) approve the job descriptions; 3) authorize the hiring of six contract employees for the Homeless Program (one Community Worker/Advocate, one Homeless Program Specialist, two Shelter Supervisors, two Shelter Workers). Motion Heilman second Schulte. Hearing no objection it was so ordered.

**x. Approval of Audit Firm:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: That the City Council select the firm of Deloitte Haskins & Sells as the City's auditor for Fiscal Years 87-88 through 89-90. Motion Heilman second Schulte. Hearing no objection it was so ordered.

**3. BUILDING REHAB APPEALS BOARD:** At this time the City Council adjourned and reconvened as the Building Rehabilitation Appeals Board.

**3-1. 1020 N. Hammond Street:** The staff report was given by Jim Guerra of Building and Safety, and one of the new owners, Cyrus Karubian, addressed the Council and stated that there was no problem with an interior inspection. ACTION: To find the property substandard, declare it a public nuisance, and order an interior inspection to be allowed by August 2, 1988 and the property to be cleared of all overgrown vegetation, junk and debris by August 2, 1988 and to be maintained as such. If property is not in satisfactory condition on August 2, 1988, this property is to be referred to the City Prosecutor immediately. Motion Heilman second Land. Hearing no objection it was so ordered.

**3-2. 9014-16 Harratt Street:** The staff report was given by Jim Guerra of Building and Safety, and the new owner, Dr. Shivas, stated that the City was welcome to inspect but the problems could not be rectified by August 2, 1988. ACTION: To find the property substandard, declare it a public nuisance and order an interior inspection to be allowed on all three buildings by August 2, 1988 and the substandard conditions to be abated by August 2, 1988. Grant a 30 day extension on the abatement if the interior inspection is allowed. Staff to meet with new owners and come back with recommendations. Motion Heilman second Koretz. Hearing no objection it was so ordered.

**3-3. 601 N. Sweetzer Avenue:** Jim Guerra, Building and Safety Department, reported that notice of this hearing was done by posting the property, due to the fact that they have no valid mailing address for the property owner. ACTION: To find the property substandard, declare it a public nuisance and order an interior inspection to be allowed by August 2, 1988 and the clearing of all overgrown vegetation, junk and debris by August 2, 1988 and to be maintained as such. Motion Land second Schulte. Hearing no objection it was so ordered.

**3-4. Substandard Buildings and Properties - Status Report:** ACTION: To receive and file. Motion Heilman second Schulte. Hearing no objection it was so ordered.

**3-5. "Building Rehab. Appeals Board" - Status Report:** ACTION: To receive and file. Motion Heilman second Schulte. Hearing no objection it was so ordered.

At this time the West Hollywood City Council reconvened for the regular meeting.

**CITIZEN COMMENTS:** This time has been set aside for the public to address the City Council on any item on the agenda except for the Public Hearings. The following persons came forward to address the Council:

Ira Stein, West Hollywood - Flags Restaurant Patio.  
Paul Weber, West Hollywood - Homeless  
Shawn Peterson, West Hollywood - Homeless  
Michael Radcliffe, West Hollywood - Merchants Association  
Budd Kops, West Hollywood - Flags Restaurant Patio  
Michael Malone, Jr., West Hollywood - Homeless  
Jeanne Dobrin, West Hollywood - Flags  
Sam Weinstein, West Hollywood - Homeless  
P. P. Comparas, West Hollywood - Homeless.

**COUNCIL 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 comments at this meeting.

Mayor Albert called a recess at 9:20 P.M.  
The meeting was reconvened at 9:45 P.M.

#### **UNFINISHED BUSINESS**

**3-A. SMALL BUSINESS INCUBATOR FEASIBILITY STUDY:** This item was heard prior to Citizen Comments, but is listed here for clarity.

Debbie Potter, Economic Development Manager, gave a brief report and introduced Samantha Silva of Pryde, Roberts & Company, who gave a presentation regarding the Small Business Incubator Feasibility Study.

The following person addressed the Council on this Item:  
Ira Stein, W.H.: You're putting all your eggs in one or two baskets: the movie industry, the design industry, the restaurant industry. If you have a problem with one of these industries, you'll be in deep trouble.

**ACTION:** 1) To receive and file the Small Business Incubator Feasibility Study; and 2) to authorize staff to move forward with the Small Business Incubator Project in accordance with the Study and to report to the Council periodically on the project's progress. Motion Heilman second Schulte. Hearing no objection it was so ordered.

**4. COMMISSION APPOINTMENTS:** **ACTION:** To reappoint Katie Pizer as an at-large appointment to the Human Services Commission, and hold the second appointment open to the meeting of August 15, 1988. Motion Land second Schulte. Hearing no objection it was

so ordered.

**4-A. RTD DIVISION 7 MAINTENANCE YARD:** The RTD Division 7 is located at the intersection of San Vicente and Santa Monica Boulevards. Neighbors continue to experience difficulty with the noise level and the emissions from buses. At this time the following came forward to address the Council:

G. Bruce Traub, West Hollywood.

**ACTION:** To approve the noise monitoring test, authorize up to \$17,000 in Prop. A dollars, and direct City staff to administer the project. Motion Heilman second Schulte. Hearing no objection it was so ordered.

**5. CHEERS:** Councilmember Heilman declared a conflict of interest and left the meeting at this time. Mark Winogrand, Director of Community Development gave the staff report and stated that staff was requesting the following changes:

- Resolution 460 - Section 7, page 3 - should read "50 dBA".
- Resolution 459 - Section A, page 4 - Should read "50 dBA".
  - Section B - should read "August 15, 1988."
  - Section C - delete "after 10 p.m. daily".

The following persons addressed the Council on this item:

Debra Galer, Attorney for residents  
Jeanne Dobrin, West Hollywood  
Barrett McInerney, Attorney for Cheers.

**ACTION:** To approve and adopt Resolution No. 460, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING THAT A NUISANCE EXISTS IN CONJUNCTION WITH THE OUTDOOR PATIO AT "CHEERS" LOCATED AT 8279 SANTA MONICA BOULEVARD, AND ORDERING THE ABATEMENT THEREOF." Motion Schulte second Koretz. Noting the abstention of Heilman it was so ordered.

**6. CHEERS: ACTION:** To approve and adopt Resolution No. 459, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEALS OF CHRIS COX, MARK NEWMAN AND KOSTAS AVGEROPOULOS ET AL. AND UPHOLDING THE DECISION OF THE PLANNING COMMISSION TO IMPOSE ADDITIONAL CONDITIONS FOR DEVELOPMENT PERMIT 86-76 FOR PROPERTY LOCATED AT 8279 SANTA MONICA BOULEVARD, WEST HOLLYWOOD." Motion Schulte second Land. Noting the abstention of Heilman it was so ordered.

#### **NEW BUSINESS**

**7. 90-DAY WORK PROGRAMS:** These 90-Day Work Programs for all Departments in the City have been submitted for Council discussion.

Councilmember Heilman wanted the Building Rehabilitation Ordinance added to the Community Development work program, and angle parking on Vista/Gardner and analyzing parking regulations

on Romaine added to Public Works. Councilmember Koretz wanted Community Development to add Quiet Zone signs and Human Services to look at connecting food and shelter for the Homeless. ACTION: Receive and file and approve the proposed work programs. Motion Heilman second Land. Hearing no objection it was so ordered.

**8. APPROPRIATION LIMITATION:** Jeri Chenelle, Assistant City Manager, gave the staff report. The following persons came forward to address the Council:

Ira Stein, West Hollywood  
G. Bruce Traub, West Hollywood

ACTION: 1) Adopt Resolution No. 464, setting a special election for November 8, 1988, Resolution No. 465, requesting the Board of Supervisors to consolidate with the statewide election, Resolution No. 466, setting priorities for filing written arguments, directing the City Attorney to prepare an impartial analysis, and Resolution No. 467, providing for the filing of rebuttal arguments; 2) Authorize each Councilmember to sign the ballot argument in favor of the measure; 3) Appropriate an additional \$4,000 from the Unobligated Reserve to conduct the election.

Motion Heilman second Schulte. Hearing no objection it was so ordered.

**8-A. ASHKENAZY SETTLEMENT AGREEMENT:** RECOMMENDED ACTION: That the City Council approve and authorize the signing of the settlement agreement.

TABLED TO THE MEETING OF AUGUST 15, 1988.

#### LEGISLATIVE

**9. NOTIFICATION OF STREET CONSTRUCTION:** This resolution would require a 72 hour notification of the public prior to construction in the public rights-of-way. RECOMMENDED ACTION: To adopt Resolution No. 468, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REQUIRING 72 HOURS NOTICE OF TRAFFIC CONGESTION, HAZARD, OR DISRUPTION OF NORMAL FLOW OF TRAFFIC."

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

**10. EMERGENCY WATER CONSERVATION ORDINANCE:** The following persons came forward to address the Council:

Ira Stein, West Hollywood  
Jeanne Dobrin, West Hollywood

ACTION: To adopt on an urgency basis Ordinance No. 200-U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD IMPLEMENTING AN EMERGENCY WATER CONSERVATION PLAN, AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE, AND DECLARING THE URGENCY THEREOF." Motion Schulte second Land. Hearing no objection it was so ordered.



**11. ORDINANCE REGARDING PENALTIES (WOBLER ORDINANCE):** This ordinance was drafted by the City Attorney at the request of the District Attorney with the concurrence of the Sheriff and the Public Safety Division. **RECOMMENDED ACTION:** To introduce on first reading Ordinance No. 201, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING PENALTIES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Motion Heilman second Land. Hearing no objection it was so ordered.

**CLOSED SESSION:** The City Council adjourned to closed session at 10:30 p.m. to discuss matters pertaining to litigation (Simonson vs. the City of West Hollywood), potential litigation and claims.

**ADJOURNMENT:** The meeting was adjourned at 11:30 p.m. to a Goals Session with the facilitator, at Unity Savings, August 8, 1988 at 4:30 p.m. and the next regular meeting at West Hollywood Park, August 15, 1988 at 7:00 p.m.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 15TH DAY OF AUGUST, 1988.

  
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MAYOR

ATTEST:

  
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CITY CLERK