

MINUTES

**CITY COUNCIL MEETING
February 16, 1988
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BLVD.
7:00 P.M.**

CALL TO ORDER: Mayor Viterbi called the meeting to order at 7:15 P.M.

PLEDGE OF ALLEGIANCE: The Pledge was led by Howard Zelefsky.

ROLL CALL: PRESENT: Albert, Heilman, Land, Schulte
Mayor Viterbi
ABSENT: None
ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

PRESENTATION TO CITY OF FILM "SUBJECT TO CHANGE", ON EARTHQUAKE PREPAREDNESS, BY STEVE STREZZE, MANAGER, PACIFIC BELL DIRECTORY: This film on earthquake preparedness will be kept in the Library in City Hall for use by members of the community.

Mayor Viterbi presented certificates of commendation to Steve Strezze and Pac-Bell Yellow Pages.

APPROVAL OF AGENDA: Remove item 2t and refer to the Transportation Commission, table item 2g to the meeting of March 7, 1988, remove items 2h, 2l, 2o, 2p and 2r for separate discussion, and move items 14 and 15 to immediately after the consent calendar. Motion Land second Heilman. Hearing no objection it was so ordered.

PROCLAMATIONS AND COMMENDATIONS: Woody McBreaity

TREASURER'S REPORT - DECEMBER, 1987: Given by Jonathan Ahearn.

1. CITY MANAGER'S REPORT: This time has been set aside for the City Manager to report to the City Council on any and all matters of importance. Mr. Brotzman reported on the various surveys in process, namely Public Information, Rent Stabilization and Cable TV system.

2. CONSENT CALENDAR: The following routine matters were acted upon by one motion with the majority consent of the City Council or were removed by a Councilmember for separate discussion.

a. Posting of Agenda - Report by City Clerk: The agenda for the meeting of February 16, 1988, was posted on Wednesday, February 10, 1988, at City Hall, Plummer Park, the Sheriff's Station and the West Hollywood Library.
ACTION: To Receive and File.
Approved as part of the Consent Calendar.

b. Demand Register No. 80 - Resolution No. 407:
ACTION: Approve Demand Register No. 80 and adopt Resolution No. 407.
Approved as part of the Consent Calendar.

c. Treasurer's Report: ACTION: Accept the Treasurer's Report for month ending December 31, 1988, and Receive and File.
Approved as part of the Consent Calendar.

d. Minutes - January 19, 1988: ACTION: Approve the minutes of January 19, 1988.
Approved as part of the Consent Calendar.

e. Claims: Lev Sosinsky
ACTION: Deny the claim of Lev Sosinsky without comment and refer to the City's Claims Adjustor.
Approved as part of the Consent Calendar.

f. Motion to Waive 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. Approval of Policy Relating to the Investment of City Funds - Resolution No. 405: The City needs to establish policies which provide direction for and limitations on the investment of City funds. ACTION: TABLE TO MARCH 7, 1988.

h. HIV Model Comprehensive Care Clinic: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Lloyd Long, Director of Human Services, reported that the City Council has allocated \$50,000 to the Los Angeles County Department of Health Services for the development of a community based AIDS diagnostic and treatment center at West Hollywood Park.
ACTION: Transfer \$50,000 from the City's Unobligated Reserves to account #7700-499-976-001 and authorize the Directors of Human Services and Public Works to enter into an agreement with Los Angeles County to arrange the renovation portion of this project. Motion Schulte second Heilman. Hearing no objection it was so ordered.

i. Parking Meters, Award of Contract - CIP#806: The Public Works Department advertised for bids and received one proposal for the subject contract. ACTION: Award the contract to RYCO Construction, Inc., for \$11,400.00 Approved as part of the Consent Calendar.

j. 1988 Annual Concrete Repair Project - Award of Contract CIP#851: The Public Works Department advertised for bids and received four proposals for the subject contract. ACTION: Award the 1988 Annual Concrete Repair Project, CIP #851, to Damon Construction Company for \$128,383.05. Approved as part of the Consent Calendar.

k. Sunset Boulevard Transportation Improvement Program Award of Contract CIP#835: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Chuck Bergson, Director of Public Works, reported that this contract is to provide for a traffic study to improve flow and facilities on Sunset Boulevard. Staff has received and evaluated five proposals. ACTION: Award the contract for the Sunset Boulevard Transportation Improvement Program to Barton-Aschman Associates, Inc., for a fee not to exceed \$60,000 and to authorize the transfer of \$10,000 from Traffic Signal Capital account No. 7500-499-991 to Sunset Boulevard Traffic Study account No. 7500-499-983. Motion Heilman second Schulte. Hearing no objection it was so ordered. Councilmember Heilman also directed staff to meet with Tower Records about closing a driveway.

l. Request for Qualifications, Civic Center Construction Management CIP#870: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The City plans on retaining a construction management firm to supervise and manage the construction of the proposed new Civic Center Complex. ACTION: Authorize the Request for Qualifications for construction management for the Civic Center Project. Motion Land second Albert. Hearing no objection it was so ordered.

m. 8815-8823 Cynthia Street (D.P. #87-23): Hratch Sarkis has offered an agreement to make the necessary street improvements. ACTION: Approve the street improvement agreement for the subject development, accept the bonds and direct that they be recorded with the County. Approved as part of the Consent Calendar.

n. Purchase of Community Development Block Grant Funds from the City of Rolling Hills Estates: ACTION: 1) Approve the purchase of \$27,582 of CDBG funds from the City of Rolling Hills Estates with \$15,170 in unappropriated reserves; 2) Approve the contract with the City of Rolling Hills Estates and authorize the Mayor to sign; and 3) allocate the surplus of CDBG funds to the 14th year projects as designated by the staff report.
Approved as part of the Consent Calendar.

o. 1988 West Hollywood Tom Proctor 5K/10K Run and Walkathon: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: Approve the date of Sunday, August 21, 1988 for the 5K/10K Run and Walkathon and the start-up budget of \$5,000, with the Steering Committee to be appointed by March 1, 1988. Motion Land second Schulte. Hearing no objection it was so ordered.

p. 1988 West Hollywood Street Festival: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: Approve the date of October 15-16, the location on Santa Monica Boulevard between Crescent Heights and La Cienega, the logo as the continuing logo for the Street Festival and \$10,000 for start-up budget from the unobligated revenues for the remainder of the fiscal year, with the Steering Committee to be appointed by April 1, 1988. Motion Land second Schulte. Hearing no objection it was so ordered.

q. West Hollywood Bicycle Criterium: The City has received a request from the Accord Cycle Group to allow them to conduct a bicycle criterium on Sunday, April 24, 1988, with the net profits from the event being donated to a local charitable organization. ACTION: Approve and endorse the bicycle criterium on April 24, 1988, approve the closure of the required portions of San Vicente, Melrose and Robertson Boulevards from 8:00 AM to 1:00 P.M., direct staff to assist the Accord Bicycle Group in obtaining proper permits for the event, and assume all law enforcement costs for the criterium.
Approved as part of the Consent Calendar.

r. West Week - 1988: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Barbara Burns, Special Events Co-ordinator, reported that the City has received a request from the Pacific Design Center for street closure and use of West Hollywood Park for West Week. ACTION: Approve and endorse the closure of San Vicente Blvd. on March 25, between 6:00 P.M. and 11:00 P.M., the use of the park during the same hours, and direct staff to assist with the event. Further, that the City waive permit parking during West Week, March 23, 24, and 25th between La Cienega (East), Robertson (West), Santa Monica (North) and Beverly (South), with directions to the Sheriff's Department that the City is not relaxing any other parking regulations, only Permit Parking. Motion Schulte second Heilman. Hearing no objection it was so ordered.

s. Infocel Agreement: ACTION: Approve the amendment to the Infocel Agreement, extending the length of on-site assistance through August 31, 1988. Approved as part of the Consent Calendar.

t. Horn Avenue Parking Restrictions - Resolution No. 406: The Departments of Community Development and Public Works have reached agreement with Spago Restaurant, at 8795 Sunset Blvd., to implement steps to alleviate congestion and improve traffic flow on Horn Avenue. Staff recommends that the angle parking on the west side of Horn Avenue between Sunset and Spago's driveway be removed for a six month trial period. REFERRED TO THE TRANSPORTATION COMMISSION.

u. Agreement with the Cities of Artesia and Downey to Exchange General Funds for Proposition A Funds: The Transportation Division has received signed contracts from the Cities of Artesia and Downey for the purpose of exchanging West Hollywood General Funds for Proposition A funds. The exchange rate with Artesia would be \$0.55 to one dollar, and the exchange rate with Downey would be \$0.50 to one dollar. ACTION: Approve the agreements and authorize transmittal of said agreements to the Cities of Artesia and Downey. Approved as part of the Consent Calendar.

v. Capital Improvement Program: Submitted for Council's information is the Capital Improvement Program prepared by staff and financial advisors, Fieldman, Rolapp and Associates. ACTION: Receive and File. Approved as part of the Consent Calendar.

PUBLIC HEARINGS

3. RESOLUTION ESTABLISHING FEES FOR RENT STABILIZATION: (for obtaining a certificate of maximum allowable rent and for filing an objection to the rent amount set forth in the certificate): Mary Tyson, City Clerk, reported that this hearing had been noticed in the Post Newspaper and posted at Plummer Park, the Sheriff's Station, the West Hollywood Library, and at City Hall. Richard Dorsey Muller, Director of Rent Stabilization, reported that California law requires that local jurisdictions which register rents of residential units provide certificates of permissible rent levels at the request of landlords or tenants, and allows for fees to cover actual costs incurred. Mayor Viterbi opened the public hearing, and no one coming forward to speak, the public hearing was closed. ACTION: Adopt Resolution No. 408, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING THE AMOUNT OF FEES REGARDING THE ISSUANCE OF CERTIFICATES SETTING FORTH THE MAXIMUM ALLOWABLE RENT". Motion Heilman second Land. Hearing no objection it was so ordered.

4. PROPOSED AMENDMENT TO THE RENT STABILIZATION ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING FEES FOR TENANT RELOCATION COUNSELLING - ORDINANCE NO. 179: Richard Dorsey Muller, Director of Rent Stabilization, reported that the Rent Stabilization Ordinance requires landlords to pay the city a fee to cover the cost of tenant counseling and relocation assistance associated with a no-fault eviction. This fee is in addition to the tenant relocation assistance fee that must be paid directly to the tenant. Ordinance No. 179 was introduced on January 19, 1988, as amended. Mary Tyson, City Clerk reported that this hearing was noticed in the Post Newspaper and posted at Plummer Park, the Sheriff's Station, the West Hollywood Library and at City Hall. Mayor Viterbi opened the public hearing, and no one coming forward to speak, the public hearing was closed. ACTION: Adopt on second reading, Ordinance No. 179, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". Motion Land Second Albert.

AYES: Albert, Heilman, Land, Mayor Viterbi

NOES: Schulte

Motion carried.

5. APPEAL OF PLANNING COMMISSION DECISION DENYING DEVELOPMENT PERMIT 87-73, AND VESTING TENTATIVE TRACT 45632 1006 CAROL DRIVE: Howard Zelefsky, Planning Manager, reported that the Development Permit and Vesting Tentative tract applications to construct a six-unit condominium project at 1006 Carol Drive, were denied by the Planning Commission on December 17, 1987. The applicant, Carol Associates, Ltd., has appealed the decision to the City Council. Mary Tyson, City Clerk, reported that this hearing had been noticed in the Post Newspaper and posted at Plummer Park, the Sheriff's Station, West Hollywood Library and at City Hall. Mayor Viterbi opened the Public Hearing and the following persons came forward to speak in favor of the appeal:

Doug Ring, Shea & Gould, Century City - for the appellant

Opposed to the appeal:

Francesco Simplicio, West Hollywood
Jeanne Dobrin, West Hollywood
Deloris Luckman, West Hollywood

Doug Ring, representing the appellant, came forward for the rebuttal.

ACTION: Deny the appeal of Carol Associates, Ltd., without prejudice, and uphold the decision of the Planning Commission denying Development Permit 87-73 and Vesting Tentative Tract 45632 for property located at 1006 Carol Drive. Refer back to the Planning Commission without prejudice, making it clear we require them to adhere to the 25 foot height limit and a set-back consistent with the requirements for a key lot. Staff to return with the proper Resolution.

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

6. TEXT AMENDMENTS TO THE ZONING ORDINANCE FOR THE PURPOSE OF MODIFYING DEMOLITION PERMIT REQUIREMENTS: Jeff Archuleta reported that the West Hollywood Zoning Ordinance presently requires a demolition permit for the demolition of any building or structure. The Planning Commission has considered an amendment which would allow the demolition of a structure to occur under the provisions of the Building Code without a demolition permit, and has recommended that the City Council adopt such an amendment to the Zoning Ordinance. Mary Tyson, City Clerk, reported that this hearing had been noticed in the Post Newspaper and posted at Plummer Park, the Sheriff's Station, the West Hollywood Library and at City Hall. Mayor Viterbi opened the public hearing and no one coming forward to speak, the public hearing was closed. ACTION: Waive further reading and introduce on first reading, Ordinance No. 180, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGULATING DEMOLITIONS AND AMENDING ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE (ZONING ORDINANCE)". Motion Heilman second Schulte. Hearing no objection it was so ordered.

6. TEXT AMENDMENTS TO THE ZONING ORDINANCE FOR THE PURPOSE OF MODIFYING DEMOLITION PERMIT REQUIREMENTS: (CONTINUED)

CITIZEN COMMENTS: This time has been set aside for the public to address the City Council. The following persons came forward to speak:

Budd Kops, West Hollywood - liquor licenses
Paul Webber, West Hollywood - homeless
Monika Zybala, West Hollywood - sprinklers and dog bite
Jeanne Dobrin, West Hollywood - time limit for speakers
Derek Simpson, West Hollywood - homeless

Mayor Viterbi called a short recess at 9:00 P.M.
The City Council reconvened at 9:10 P.M.

COUNCILMEMBERS COMMENTS: This time has been set aside for Councilmembers to direct comments to staff or the public on items of interest. Councilmember Land announced operation Clean Sweep and reminded everyone that it is against the law to litter.

Councilmember Heilman stated that Century Cable had failed to respond and provide a written response to the City's concerns, as promised, and formally requested that staff research franchise revocation and alternatives to the current system and come back with a report. The City Manager also reported that the House of Representatives, Commerce Committee will hold oversight hearings on the deregulation of the Cable industry, and suggested that the city may want to prepare responses for this hearing.

UNFINISHED BUSINESS

7. INTERIM PLAN FOR HOUSING THE HOMELESS - Verbal Report by Lloyd Long, Director of Human Services: Lloyd Long reported that for the interim plan for housing the homeless, the Human Services Department was looking at several options such as increasing the voucher program at various hotels and motels for an extra 30 beds a night for 6 months at an approximate cost of \$155,000; setting up a warming center for 50 people, on-site (parks or Werle Building) approximately \$73,000; off site, approximately \$123,000 to \$133,000, or a combination of vouchers and warming center. They have identified \$60,000 in unused funds that could be transferred to this program. The warming center would require 2 additional part-time staff and hiring a security firm to be there at night. Human Services will continue to investigate these and other options and return with a full written report at the March 7, 1988 Council meeting.

NEW BUSINESS

8. MID-YEAR BUDGET REVIEW/REVISION: ACTION: 1) Approve the additional appropriations as summarized in Exhibits A (Summary of Projected Available Balances by Fund) and C (Summary of Changes by Division), in the staff report of February 16, 1988, and 2) approve the transfer of \$51,532 from the General Fund to the Public Access Corporation Fund. Motion Schulte second Land. Hearing no objection it was so ordered.

9. 1988-89 SOCIAL SERVICE NEEDS AND PRIORITIES: Jodi Curlee reported that the City is currently in the process of establishing Social Services priorities for the fiscal year 1988-89. **ACTION:** Adopt the priorities and funding levels recommended by staff in their report dated February 16, 1988, as planning guidelines and direct that this information be identified in the Social Services Request for Proposals document and process. Motion Heilman second Schulte. Hearing no objection it was so ordered.

The Council also asked staff to look at dental services and strengthening legal services to provide direct services, not just information and referral. Also check on Opportunity Center and other locations with an eye to moving the Senior Services out of the park to a more central location.

10. 1988-89 SOCIAL SERVICES RFP APPROVAL: Jodi Curlee reported that current Social Services contract terms end June 30, 1988. The City's Policy and Procedure calls for either a competitive RFP process or automatic extension to continue the Social Services program provision. **ACTION:** Authorize the creation of a 2-year Social Services funding and programming process for 1988-90 and approve the RFP document as provided by staff and authorize its release on February 17, 1988. Motion Heilman second Schulte. Hearing no objection it was so ordered.

11. REQUEST FOR WAIVER FOR UNREASONABLE HARDSHIP OF HANDICAPPED PARKING REQUIREMENTS, ST. JAMES CLUB, 8352 SUNSET BOULEVARD: The staff report was given by William Gilland and Jim Guerra of Building and Safety. Coming forward to speak on this item were the following:
Aida Morgenstern, West Hollywood
Jeanne Dobrin, West Hollywood

RECOMMENDED ACTION: 1). That the unreasonable hardship waiver for lack of the minimum vertical clearance in the annex building be granted substituting valet parking at the sub-leased garages in-lieu of minimum vertical clearances for handicapped parking at the annex. This waiver to be subject to review and approval of the sub-lease agreement by the City Attorney. This motion is to become a permanent part of the Building Department records. 2). Consideration be given to the establishment of a Handicapped Board of Appeals comprised of five (5) members, two of which should be from the handicapped community.

ACTION: Accept the recommendation to approve without the Task Force (to be held off for 6 months) and with the provision that some provision be made for handicapped parking and access to the club. Direct Building and Safety to work with the Council staff to come up with a list of handicapped people for notification and for consultation regarding the city's rehabilitation abilities and to get input from the handicapped for people in the City regarding what is being approved. Also staff is to explore giving the handicapped the option to self-park at another location, whether it's at Hart Park or the off-site parking, and allowing them to come back. Motion Albert second Schulte. Hearing no objection it was so ordered.

12. WOMEN'S HISTORY MONTH: March is the month set aside to focus on Women's issues, nationally and locally. **ACTION:** Declare March Women's History Month and approve the program as outlined. Motion Land second Heilman. Hearing no objection it was so ordered.

13. 1972 LANDSCAPE AND LIGHTING ACT: Chuck Bergson, Director of Public Works, reported that the State Code allows assessing areas which receive direct benefit from public improvements. The Landscaping and Lighting Act of 1972 provides for the assessing of landscaping improvements and maintenance directly to those areas which are enhanced by such improvements. It is proposed that the Council establish such a district along Santa Monica Boulevard from Doheny to La Brea Avenue. ACTION: Direct staff to initiate proceedings establishing the Santa Monica Boulevard Landscaping District in accordance with the procedures as outlined by staff in Exhibit A, February 16, 1988. Motion Schulte second Albert. Noting the objection of Councilmember Heilman and Councilmember Land, it was so ordered.

14. APPOINTMENT TO RENT STABILIZATION COMMISSION: THIS ITEM WAS ACTED UPON IMMEDIATELY AFTER THE CONSENT CALENDAR BUT IS LISTED HERE FOR CLARITY. ACTION: Councilmember Land's appointment to the Rent Stabilization Commission to be Sal Guarriello. Motion Land second Heilman. Hearing no objection it was so ordered.

15. APPOINTMENT TO TRANSPORTATION COMMISSION: THIS ITEM WAS ACTED UPON IMMEDIATELY AFTER THE CONSENT CALENDAR BUT IS LISTED HERE FOR CLARITY. ACTION: To accept Commissioner Dobrin's resignation and for Elham Shirazi to be appointed to the Transportation Commission by Councilmember Schulte. Motion Schulte second Land. Hearing no objection it was so ordered.

CLOSED SESSION: The City Council adjourned to closed session to discuss matters pertaining to litigation, potential litigation, and claims at 10:38 P.M.

The Council reconvened at 10:54.

ACTION: To approve the claim of Rodney Wallace, in the amount of \$867.00. Motion Viterbi second Land. Hearing no objection it was so ordered.

ADJOURNMENT The City Council adjourned to a regular adjourned meeting on February 22, 1988 at 7:00 P.M. at West Hollywood Park.

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