

MINUTES

APRIL 18, 1985

BUSINESS LICENSE REVIEW BOARD
WEST HOLLYWOOD PARK
4:00 P.M.

CLOSED SESSION - 5:30 P.M.

COUNCIL MEETING - 7:00 P.M.

CALL TO ORDER: The meeting was called to order by Mayor Terrigno at 4:25 p.m.

ROLL CALL: PRESENT: Albert, Schulte, Viterbi,
Heilman, Mayor Terrigno

ALSO PRESENT: City Manager Bien
City Attorney Jenkins

APPROVAL OF AGENDA: Council reviewed the applications for the following 3 businesses: West Hollywood Athletic Club, Imperial Gardens and Golden Legend Bookstore.

1. WEST HOLLYWOOD ATHLETIC CLUB:

The following people addressed the Council during the public hearing on the granting of a new business license to operate as a health spa with coin games to the West Hollywood Athletic Club, 8560 Santa Monica Blvd., W.H., CA 90069:

Jeanne Dobrin, 9000 Cynthia, W.H., CA: Expressed to the Council her concerns on the changes in the West Hollywood Athletic Club facility and thought that the issue of parking should be dealt with.

Nancy Taylor (no speaker slip available): Ms. Taylor felt that licenses should only be renewed to existing businesses if nothing was going to be changed within the business itself, as she thought there were many questions yet unanswered regarding regional planning and zoning.

ACTION: To approve the business license. Motion Viterbi second Schulte.

AYES: Albert, Schulte, Viterbi, Heilman,
Mayor Terrigno

Motion carried.

2. IMPERIAL GARDENS:

The following people addressed the Council during the public hearing on the granting of a new business license for entertainment with dance for Imperial Gardens, 8225 Sunset Blvd., W.H., CA 90046:

Steven Yasutake/Owner: Spoke on behalf of restaurant.

ORIGINAL

Add reports on Gas Leak, Rent Control Survey and Report from the Planning Group. ACTION: Approve as amended. Motion Schulte second Heilman. Hearing no objection it was so ordered.

APPROVAL OF MINUTES - January 3, 1985, March 14, 1985. ACTION: Approve the minutes of January 3 and March 14, 1985. Motion Viterbi second Heilman. Hearing no objection it was so ordered.

PROCLAMATIONS: Library Week - Approve. Motion Albert second Mayor Terrigno. Hearing no objection it was so ordered. Armenian Genocide Remembrance Day - Approve. Motion Viterbi second Schulte. Hearing no objection it was so ordered.

GAS LEAK REPORT: Carl Shulberg, Los Angeles County Department of Public Works Engineering Services gave the report followed by Council discussion and directions to expedite and keep the Council informed and up-dated.

RENT CONTROL CONCEPTS: Gene Griswold and Ned Levine of the Planning Group presented the Housing Survey, followed by Council discussion.

Mayor Terrigno called a recess at 8:40.
The Council reconvened at 8:58.

Councilmember Viterbi stated to the audience that tonight they were going to take preliminary votes on concepts - not final votes - and people will have the opportunity to address these issues at subsequent meetings.

Ken Baar, Rent Stabilization Consultant, gave the report.

Type of Units to be Covered: ACTION: Exempt Hotel and Motel rooms rented to transient guests. Motion Viterbi second Schulte. Hearing no objection it was so ordered.

FURTHER ACTION: Exempt nursing homes and residential care facilities. Motion Albert second Heilman. Hearing no objection it was so ordered.

FURTHER ACTION: Exempt non-profit housing. Motion Albert second Heilman. Hearing no objection it was so ordered.

FURTHER ACTION: Ask for further information on co-operatives. By consensus of the Council.

FURTHER ACTION: Exempt shared rooms (Boarding House). Motion Heilman second Viterbi. Hearing no objection it was so ordered.

FURTHER ACTION: Exempt Government owned and operated subsidized housing. When no longer Section 8 don't want rent increased - come back with specific language. Motion Viterbi second Heilman. Hearing no objection it was so ordered.

Hold off action on luxury units for further information from The Planning Group. Hold duplexes, triplexes, owner occupied for further information and legal opinion.

FURTHER ACTION: Not exempt single family residences. Motion Schulte second Viterbi. Noting the objection of Mayor Terrigno it was so ordered.

FURTHER ACTION: Exempt new construction. Motion Mayor Terrigno second Schulte. Hearing no objection it was so ordered. (Come back with date).

Substantially Rehabilitated Housing: This issue will come up under capital improvement and maintenance. May be room for voluntary agreements.

Yearly General Adjustment: ACTION: 75% of CPI. Motion Albert second Mayor Terrigno. Hearing no objection it was so ordered.

FURTHER ACTION: 7% Ceiling and no floor. Motion Schulte second Albert. Noting the objection of Mayor Terrigno it was so ordered.

FURTHER ACTION: Come back to Council if CPI over 10%. Motion Mayor Terrigno second Heilman. Hearing no objection it was so ordered.

Utilities: Hold for more information such as cost ratios.

Units which have not raised rent: Referred to limited decontrol.

Roll Back - Base Date: Roll-back to August 6, 1984. Motion Albert second Viterbi. Noting the objection of Heilman it was so ordered.

First General Adjustment: Hold off for 2 weeks - looking at September 1st.

Banking of Increases: Hold for more information, options.

Security Deposits - Interest: Hold for more information.

Mayor Terrigno called a recess at 10:25 P.M.

The Council reconvened at 11:03 P.M.

Vacancy Decontrol: PROPOSED ACTION: 10% increase on voluntary vacancy not more than every 18 months, tied to conditions of painting, carpets and drapes (maintenance). Motion Mayor Terrigno second Viterbi. Extensive Council discussion followed on % of interest, type of maintenance, number of years, etc.

ACTION: Separate the issues of % of increase and time. Motion Heilman second Albert. Hearing no objection it was so ordered.

FURTHER ACTION: Increase on voluntary vacancy not more than

once every 18 months. Motion Terrigno second Schulte.
AYES: Schulte, Mayor Terrigno
NOES: Albert, Heilman, Viterbi
Motion failed.

FURTHER ACTION: Increase on voluntary vacancy not more than once every 2 years. Motion Heilman second Viterbi.
AYES: Albert, Heilman, Viterbi
NOES: Schulte, Mayor Terrigno
Motion carried.

FURTHER ACTION: Continue the question of amount of increase for 2 weeks. By consensus of the Council.

Just Cause Evictions: ACTION: Add provision regarding prohibition against rent increase on the addition of one additional person such as spouse, Domestic Partner or baby. By consensus of the Council.

Owner and Relative Occupancy: ACTION: One eviction per building (owner occupied) for a family member (parent, grandparent, children, brother/sister); 90 day notice; relocation benefits (to be filled in later); 50% or more ownership; at least 1 year occupancy; on vacation, unit to return to base rent plus allowed increases. By consensus of Council.

Discussion was held on fair rate of return, capital improvement passthroughs and annual registration.

Rent Control Board: ACTION: Rent Control body only hear appeals from adjustment cases and, in addition, develop and recommend regulations for its functions to the Council for adoption by the City Council. Motion Viterbi second Terrigno. Noting the objection of Heilman it was so ordered.

The Council requested that the City Manager come back with recommendations on amount of registration fee and Resolution to set same.

Councilmember Viterbi requested staff to return in 2 weeks with information on repossessed units and also a report on inclusionary zoning in rent control law, affordable housing, low and moderate income housing with decontrol/recontrol on vacancy in the next 2 months. Councilmember Heilman and Albert are currently working on a report on affordable housing. ACTION: To have report from staff in 2 months and a vote be taken, after public input, in 3 months.
AYES: Schulte, Viterbi, Mayor Terrigno
NOES: Albert, Heilman
Motion carried.

CONSENT CALENDAR: ACTION: Approve the consent calendar. Motion Viterbi second Schulte. Hearing no objection it was so ordered.

1. CLAIM FOR DAMAGES: Joseph Brenner
Sandra Brenner
Allan Katz
Pamela Katz

ACTION: Deny the claims without comment and refer to the City's Insurance agency.
Approved as part of consent calendar.

2. Subpoena for Information to Establish Rental Amount:
ACTION: Direct the City Attorney to proceed with holding a hearing to establish a fair rental value on a specific property in West Hollywood and authorize and direct the Mayor to execute the required subpoenas on behalf of the City.

No Item 3.

UNFINISHED BUSINESS

4. EMERGENCY FUNDING, SHANTI FOUNDATION: Tabled to end of meeting but listed here for clarity. ACTION: Amend the agreement as per the City Attorney and approve \$6,828 for emergency funding.

5. MATCHING FUNDS FOR 5K/10K MARATHON: ACTION: Table one week.

6. TRAFFIC SIGNAL MAINTENANCE AGREEMENT: ACTION: Approve the agreement with the County Public Works Department for a one-year period and make an in-depth study of the traffic safety maintenance needs of the City and of alternative ways that those needs can be satisfied. Authorize the Mayor and the City Clerk to execute the agreement on behalf of the City. Motion Schulte second Albert. Hearing no objection it was so ordered.

7. BUILDING EXEMPTION REQUESTS: Tabled for 2 weeks.

8. PROHIBITION OF HARASSMENT FOR SEXUAL ORIENTATION - ORDINANCE NO. 45: Tabled for 2 weeks.

9. RENT CONTROL ADMINISTRATIVE STRUCTURE: Continued to the end of the meeting but listed here for clarity. ACTION: Approve the recommendations of the Management and Personnel Committee of the Council. Motion Heilman second Schulte. Hearing no objection it was so ordered.

FURTHER ACTION: Approve the job specifications and salary range starting at \$3396 for the Department manager. Motion Schulte second Viterbi. Hearing no objection it was so ordered.

FURTHER ACTION: Issue an RFQ for a consultant to assist in setting up a rent control administration. Motion Heilman second Schulte. Noting the objections of Viterbi and Mayor Terrigno, the motion carried.

FURTHER ACTION: Approve the staff recommendations 2-6 with recommendation 4 reading "permanent" staff. Motion Schulte second Albert. Noting the objection of Mayor Terrigno it was so ordered.

10. RENT CONTROL DEPARTMENT - ORDINANCE NO. 46: ACTION: Waive further reading and introduce on first reading, Ordinance No. 46, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A DEPARTMENT OF RENT CONTROL AND AMENDING THE MUNICIPAL CODE". Motion Heilman second Schulte.

AYES: Albert, Schulte, Viterbi, Heilman, Mayor Terrigno

NOES: None

Motion carried.

11. COMMUNITY DEVELOPMENT DEPARTMENT ORDINANCE NO. 41: ACTION: Waive further reading and introduce on first reading, Ordinance No. 41, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A DEPARTMENT OF COMMUNITY DEVELOPMENT, AND AMENDING THE MUNICIPAL CODE". Motion Heilman second Schulte.

AYES: Albert, Schulte, Heilman

NOES: Mayor Terrigno

ABSTAIN: Viterbi

Motion carried.

11a. COMMUNITY DEVELOPMENT DEPARTMENT PERSONNEL: ACTION: Move all three positions (Manager, Planner and Associate Engineer) up to second step on salary range. Motion Schulte second Heilman.

AYES: Albert, Schulte, Heilman

NOES: Mayor Terrigno

ABSTAIN: Viterbi

Motion carried.

12. PUBLIC INFORMATION OFFICER: ACTION: Approve beginning salary of \$2,015, authorize recruitment of a Public Information Officer, and adopt Resolution No. 54, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING RESOLUTION NO. 32, A RESOLUTION ESTABLISHING A TABLE OF ORGANIZATION FOR THE 1984-85 FISCAL YEAR. AMENDMENT NO. 1". Motion Heilman second Schulte.

AYES: Albert, Schulte, Heilman

NOES: Viterbi, Mayor Terrigno

Motion carried.

No Item 13.

NEW BUSINESS

14. CITIZEN COMMITTEE REPORTS: Dori Stegman gave the staff report for the Personnel Benefits Committee. ACTION: Approve the committee recommendations to provide health and vision care as outlined. Motion Terrigno second Schulte. Hearing no objection it was so ordered.

15. COUNCIL COMMITTEE REPORTS: Table - Mayor Terrigno to

set up workshop with Caltrans.

16. LAW ENFORCEMENT AGREEMENT: ACTION: Approve the agreement and authorize the Mayor to execute. Motion Viterbi second Schulte. Hearing no objection it was so ordered.

17. REQUEST FOR ADDITIONAL LAW ENFORCEMENT SERVICES - RESOLUTION NO. 59: ACTION: Adopt Resolution No. 59, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REQUESTING ADDITIONAL LAW ENFORCEMENT SERVICES WITHIN THE CITY OF WEST HOLLYWOOD FROM THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT UNDER THE LAW ENFORCEMENT SERVICES AGREEMENT".

Motion Schulte second Albert.

AYES: Albert, Schulte, Heilman

NOES: Viterbi

ABSTAIN: Mayor Terrigno

Motion carried.

18. TRAFFIC SAFETY RECOMMENDATIONS: Tabled for 2 weeks.

19. REGISTRATION OF LOBBYISTS - ORDINANCE NO. 44: Table.

20. RENT CONTROL SURVEY AND CONCEPTS: Heard at beginning of meeting.

LEGISLATIVE

21. SIGN EXEMPTIONS - ORDINANCE NO. 43U: ACTION: Add "except free standing signs" in first paragraph and adopt Ordinance No. 43U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ORDINANCE NO. 17U BY EXPANDING THE EXEMPTIONS PERTAINING THERETO AND DECLARING THE URGENCY THEREOF". Motion Viterbi second Schulte.

AYES: Albert, Schulte, Viterbi, Mayor Terrigno

NOES: Heilman

Motion carried.

22. SOUTHERN CALIFORNIA EDISON COMPANY FRANCHISE - ORDINANCE NO. 40: ACTION: Waive further reading and adopt Ordinance No. 40, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD GRANTING TO SOUTHERN CALIFORNIA EDISON COMPANY, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE TO USE AND TO CONSTRUCT AND USE, FOR TRANSMITTING AND DISTRIBUTING ELECTRICITY FOR ANY AND ALL PURPOSES, POLES, WIRES, CONDUITS AND APPURTENANCES, INCLUDING COMMUNICATION CIRCUITS NECESSARY OR PROPER THEREFORE, IN, ALONG, ACROSS, UPON, OVER AND UNDER THE PUBLIC STREETS, WAYS, ALLEYS AND PLACES WITHIN THE CITY OF WEST HOLLYWOOD". Motion Viterbi second Mayor Terrigno.

AYES: Albert, Schulte, Viterbi, Heilman, Mayor Terrigno

NOES: None

Motion carried.

23. CITY ZONE FOR STREET LIGHTING PURPOSES - RESOLUTION NO. 57: Action: adopt Resolution No. 57, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONSENTING TO THE FORMATION OF A CITY ZONE WITHIN THE COUNTY LIGHTING DISTRICT

LLA-1 FOR THE PURPOSE OF FUNDING THE ADMINISTRATION, OPERATION AND MAINTENANCE OF STREET LIGHTING IN SAID ZONE, AND TO THE ASSUMPTION OF JURISDICTION THEREOVER FOR SAID PURPOSES". Motion Schulte second Viterbi. Hearing no objection it was so ordered.

24. DEMAND REGISTER NO. 11 - RESOLUTION NO. 58: ACTION: Approve Demand Register No. 11 and adopt Resolution No. 58, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING FOR PAYMENT, DEMANDS PRESENTED ON DEMAND REGISTER NO. 11". Motion Viterbi second Schulte. Hearing no objection it was so ordered.

ADJOURNMENT: This meeting was adjourned at 1:25 A.M. to a regular adjourned meeting on April 25, 1985 at 1:00 P.M. at Plummer Park.