

MINUTES
WEST HOLLYWOOD CITY COUNCIL

February 14, 1985

CALL TO ORDER The meeting was called to order at 1:19 p.m. by Mayor Terrigno.

ROLL CALL Present: Albert, Schulte, Viterbi, Heilman and Mayor Terrigno
Absent: None
Also Present: City Manager Bien, City Attorney Jenkins

APPROVAL OF AGENDA Mayor Terrigno announced that this meeting was scheduled as a study session. Councilmember Albert requested that two additional items pertaining to exemption from evictions be placed on the agenda, as they had not been acted on at the previous council meeting.
Discussion then ensued about whether or not it was appropriate to put voting items on a study session agenda. City Attorney Jenkins stated he had brought no ordinances for today's meeting as it was his understanding it was to be a study session.

ACTION: To place the two items from the February 7, 1985 Housing and Human Services report at the end of the agenda for a 15 minute discussion for the purpose of having the City Attorney prepare an Ordinance for the next meeting.

Motion Heilman, second Schulte
AYES: Albert, Heilman, Schulte
NOES: None
ABSTAIN: Viterbi, Mayor Terrigno
Motion carried.

Councilmember Heilman suggested that time limites be set for each agenda item. Time limits were discussed and agreed to by the Council. Councilmember Schulte proposed that the meeting whould at 4:30 p.m.

ACTION: To approve the agenda and time limits.

Motion Heilman, second Schulte
No Objection, so ordered

AGENDA PROCEDURES Twenty minutes was allotted for discussion of this item. Councilmember Viterbi expressed the opinion there were too many last minute items being placed on agendas. He understood all items were to be in by Monday at 5 p.m.
The Mayor stated that part of the problem was that Committee reports were not being treated as part of the agenda package. Councilmember Heilman iquired how other cities handle committee reports.
The City Manager reported that West Hollywood was about the only city with this situation. Everything to be on the agenda should be in by closing time and be complete. While certain emergency items could

AGENDA PROCEDURES
cont.

always be brought up, staff needs time to gather the necessary information and prepare agenda write-ups, and Councilmembers need time to study the information in their agenda packets. If the closing time is Friday evening, packets should be ready by Monday evening; if closing time is Monday evening, packets would be ready Tuesday evening or Wednesday afternoon. Councilmember Albert expressed opinion all councilmembers needed to re-think what constitutes an emergency.

Councilmember Heilman stated that the Committees should be responsible for placing their proposed actions on the agenda. The Mayor felt very strongly that sub-committee reports should go to the Council prior to the meeting and not be delivered at the meeting.

The Mayor stated some way should be developed to space major items on agendas; i.e. so there would not be three or four at one meeting and none at the next.

Councilmember Schulte expressed opinion the councilmembers should all talk to the Mayor and City Manager every Thursday prior to the meeting.

The City Attorney stressed the importance of the Council making maximum use of the City Manager. Preparing the agenda is the responsibility of the City Manager and he should coordinate this, not the City Council. Skeletal agendas for the month could be kept on the City Manager's desk and could be filled in up to cut-off time.

Councilmember Heilman suggested that when a Councilmember turns in an item for the agenda it should be complete.

The City Manager reported that many cities use a "Consent Calendar" for many routine items (approval of minutes, warrant register, release of bond, etc.), so that one motion can dispose of all items on the consent calendar. Any Councilmember can remove an item on the consent calendar for discussion if it is so desired.

The City Attorney stated there needs to be a record of when items come, what items come in, and the City Council should determine what the different committees can and can not do.

Councilmember Heilman stated he would like to change to two meetings per month.

At this point, the City Manager introduced Mr. Gilbert Smith. By consensus the Council gave Mr. Smith the floor to describe SCAG and its services.

PARLIAMENTARY
PROCEDURES

Twenty minutes was allotted for discussion of this item.

Councilmember Viterbi questioned the two to one vote; feels three votes should be required on any issue.

The City Attorney stated that the Council can change the policy at their next meeting if they are not happy with their present procedure. Resolutions and minute actions do not require three votes, just a simple majority of those voting. There was general agreement on the Council that three votes should be required to decide an issue.

The City Attorney stated that it is not law -

PARLIAMENTARY
PROCEDURES cont.

just his philosophy - that Councilmembers should not abstain from a vote; they were elected to vote on issues, except for conflict of interest.

Consensus was that this item should be on the next Council agenda in the form of a Resolution requiring all matters to have at least a three vote majority.

Councilmember Heilman brought up the matter of when a member is not ready to vote because he/she has either not seen an item or has not had time for a proper study. In such a circumstance the item should be held over to the next meeting or at least moved to the end of the agenda.

The Mayor stated that Robert's Rules of Order describes rules to table. If all papers and memos were stamped in by the City Manager's office, all councilmembers would get the information and know when it was received. Councilmember Heilman believed some members had a reluctance to put an item over, and he would like to see Council reach an agreement on this except when it is an emergency item.

Councilmember Viterbi stated that this could be used as a stalling tactic. Everyone should do their homework.

Councilmember Heilman stated that all supporting documents should be in the agenda packets. There should be a central file and procedures for getting information to the City Council. He repeated that if anyone had not had time to review an item it should be just simple courtesy to hold it over.

Councilmember Viterbi believed there should be advance notice to Council if a member wanted an item held over.

Councilmember Schulte said that sometimes one realizes that one needs more time in the middle of a discussion.

The Mayor stated that some items have been tabled in the past. There is a lot of work for them all in setting up a city, but there is a need to move ahead. She opposes such a procedure. Each councilmember has a responsibility to be prepared.

Councilmember Schulte expressed the belief it should be made a matter of courtesy, not procedure.

Councilmember Albert stated that some items could require more time to study.

The Mayor announced that time was up on this item. No final consensus was reached.

SUBCOMMITTEE
PROCESS

Forty minutes was allotted for discussion of this item.

Councilmember Heilman stated procedures are needed. Each committee should define its responsibilities, roles and powers.

Councilmember Schulte stated the committees should write out their goals and share them with the Council. The committee structure is beneficial as it gives each councilmember an opportunity to gain expertise in certain areas.

Councilmember Viterbi expressed agreement. Would like a memo outlining what goes to the committees before going to the Council. Councilmember Albert stated committees are for the purpose of investigating and doing

SUBCOMMITTEE
PROCESS cont.

research and then presenting to the Council. Councilmember Heilman expressed the opinion each committee should be more aware of their purview.

Councilmember Albert stated committees should be allowed to deal with their own areas and not have other committees step in and take over.

The Mayor stated that at first she was uncomfortable with the committee structure, but now sees it as a means of getting work done. She is more or less in a neutral position but believes strongly that committees should do research and not decision making, which is to be done by all five councilmembers. The City Manager has not been fully included in the process, and she is not comfortable with committees holding public hearings. Councilmember Schulte agreed there is a need for a closer relationship between the committees and the City Manager. The committees should be able to hold public hearings as part of their data gathering process, with all councilmembers able to attend, but only Council able to make all policy decisions. Public hearings should be to gather information and make possible recommendations, not to make decisions.

Councilmember Viterbi suggested the name be changed from public hearings to information gathering or study sessions.

The City Attorney then asked how items get to committees and how items get on the agenda. The City Manager responded that everything should be funnelled through the City Manager's office.

Councilmember Schulte would like guidelines for the committees' process.

The City Manager stated further that under the present system (or lack of) he sees duplication and confusion as to what the committee is supposed to do. Information should flow through the City Manager's office. The City Attorney informed the Council that in the City Manager form of government, the Manager must be involved in the entire process. At the present time, at least half of the information does not go through the City Manager.

Councilmember Schulte thinks a closer relationship with the City Manager is needed; there is a lack of clarity. He hasn't seen a problem yet but does see the potential for problems. Management should document the flow of information.

Councilmember Heilman agreed with Councilmember Schulte.

The Mayor expressed concern that committee reports and recommendations will be given "sweetheart treatment."

Councilmember Viterbi stated the committee will bring a full report back to the Council. Councilmember Heilman thinks the Council needs more direction as to how the Council should function.

Council Viterbi agreed to include this in the committee report.

The Mayor announced that the Council would by-pass part IIIB of the agenda due to time. A recess was called at 3:28.

The Mayor called for the meeting to re-convene at 3:44 p.m.

TIME LINE

Forty minutes was allotted for discussion of this item.
The City Manager spoke on the need to define a Mission for the City; then explained the meaning and relationship of goals, objectives, programs and priorities.
Councilmember Heilman suggested a study session to discuss overall goals, real concerns, vision of city; believes too many times the Council is re-acting.
Councilmember Schulte expressed a concern that Council lacks a scope; that Council hasn't yet set up a structure for the accomplishment of how things get done after the laws are passed.
Councilmember Heilman wanted goals at the next study session.
The Mayor stated the next study session should be issues oriented.
Councilmember Viterbi asked whether both should be combined; issues lead to what goals should be in certain areas.
Councilmember Heilman expressed the belief that one goal should be that of creating process.
Councilmember Viterbi stated Council needs to have discussions on setting policy and implementation thereof.

EXEMPTIONS FROM
EVICTIONS

Fifteen minutes was allotted to a discussion of what directions should be given to the City Attorney to prepare ordinances for the next Council meeting.
Councilmember Viterbi raised doubts about an unrestricted approval of one person moving in with another.
Councilmember Schulte concurred with his observations.
The Mayor asked the City Attorney if Council could over-ride the terms of a lease.
The City Attorney stated that City already had, to some degree, by not allowing rent increases. There are arguments on both sides of the issue, but any ordinance on the matter would contain a severability clause.
The Mayor opined that allowing an additional person to move in with another could cause economic hardship for an owner.
Councilmember Schulte believed such permission could cause additional cost to the owner and therefore a raise in the rent might be warranted.
The City Attorney urged the Council not to mess with the moratorium on rent increase.
Councilmember Heilman explained the committee reasoning.
Councilmember Schulte then argued that the suggested revision is too broad; it needs a more narrow definition of circumstances.
Councilmember Viterbi agreed it was too broad as presently defined.
The City Attorney stated the way he would draft it would be limited to "married couples and domestic partners." He will prepare an Ordinance for the 21st Council meeting.

EXEMPTIONS FROM
EVICTIONS cont.

Councilmember Schulte questioned whether this will be a permanent ordinance. Councilmember Heilman stated it may not be.

Councilmember Albert asked the members if they had any problems with the second proposed revision.

The Mayor stated she would like to see one set fee across the board and one month's rent seemed too small considering first and last month's rent and moving expenses. Further, she would like the rent control hot line to address the matter and to prepare a report for the Council.

Councilmember Heilman discussed the process for preparing material for Council. The committee would submit a report and the Council would discuss the issues. A final draft would be prepared, based upon those discussions.

Councilmember Schulte expressed belief the Council has philosophical differences on how best to proceed.

The City Attorney outlined his procedure for handling violations as follows:

Rent control hot line receives call;

Hot line notifies City Attorney;

City Attorney writes letter, tries to resolve issue;

If not resolved, lawsuit is filed.

So far no blatant violations - mostly ambiguous situations.

Councilmember Schulte noted that some units are being offered for rent in an uncleaned state to new tenants.

The City Attorney was not sure this could be interpreted as a violation.

The meeting was adjourned at 4:56 p.m. to 11:00 a.m. February 15, 1985 at the Sybil Brand Institute.