

MINUTES

WEST HOLLYWOOD CITY COUNCIL MEETING  
MAY 16, 1985  
7:00 P.M.  
WEST HOLLYWOOD PARK

**CALL TO ORDER:** Mayor Terrigno called the meeting to order at 7:25 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Mayor Terrigno.

**ROLL CALL:** Present: Albert, Schulte, Viterbi, Heilman  
Mayor Terrigno

Absent: None

Also Present: City Manager Brotzman  
City Attorney Jenkins

**APPROVAL OF AGENDA:** Remove items 4, 5, and 11 from the consent calendar for separate discussion. Move item 17 to the beginning of the agenda and add an additional proclamation and an announcement from Councilmember Heilman. **ACTION:** To approve the agenda as amended. Motion Heilman seconded by Schulte. Hearing no objection it was so ordered.

- PROCLAMATIONS:**
1. California Traffic Safety Week
  2. Greg Hammond Memorial Day - May 16, 1985
  3. Hyman Bolotin Day - May 15, 1985

Councilmember Heilman announced that Member Albert would be honored by the County on Older Americans Recognition Day, May 18, 1985 and the Council and the audience congratulated her.

**17. FUNDING FOR GRAND PEOPLES' COMPANY:** Councilmember Albert gave the staff report with further information supplied by the City Manager. William McClelland, Executive Director of the Grand Peoples' Company furnished further information on the use of Prop. A funds. **ACTION:** To approve \$2,500 funding for this quarter. Motion Heilman seconded by Albert. Hearing no objection it was so ordered.

## PUBLIC HEARINGS

1. **CONDO CONVERSION RELOCATION BENEFITS:** Mayor Terrigno opened the public hearing and the following persons addressed the Council:

Scott Keisling, 900 Hammond Street: spoke to the problems in the apartment building where he has resided for 7 years, due to remodeling for a conversion.

Paul Metz, 900 Hammond Street: Anti conversion, also requested assistance in the situation already existing in the 900 Hammond Street Building.

J. Lawrence, 900 N. Hammond Street: Tenant for 8 years. Anti conversion.

Helen Sannet, 900 N. Hammond Street: Building going through a conversion for past 2 years. Noise, dirt, inconvenience, unsafe conditions and no privacy are only some of the problems. Still paying the same rent even with this situation. Have now been offered \$2500 to relocate.

Abbe Land: Do not believe in evictions for conversions. If allowed should have 120 days notice minimum; \$1500 single, \$2500 couple, minimum; extra for handicapped and senior citizens, at least \$1000; also landlords should help the tenants relocate.

Joseph Leeder: Anti condo conversions. An apartment is an apartment, a condo is a condo.

Doug Routh, 1264 N. Harper: There should be participation and consensus of the tenants in a conversion situation; \$2,000 to \$2,500 for relocation; Transportation should be provided for seniors who are forced to look for a place. Listing service should also be provided.

Alan Brayman, 1417 1/2 N. Hayward: Anti conversion; denies the public access to rent controlled housing.

Marvin Remault, 900 Hammond: Obvious that tenants should receive relocation benefits. Home should be a place of refuge. Question should be does the owner have the right to inconvenience tenants without any compensation.

Ed Mirapol, spoke in favor of conversions. State of California and Los Angeles County have regulations.

John King, 900 N. Hammond: Won't move for \$2500. Want a fair settlement.

Mayor Terrigno closed the public portion of the public hearing at 8:10 p.m.

Councilmember Heilman stated that there were two issues:

1. Compensation during conversion (construction)
2. Relocation benefits.

Councilmember Viterbi stated that the 3rd issue would be whether conversions would be permitted.

The City Attorney reported that under the County ordinance there were several steps that the owner must take. They would have to file a subdivision map, give notice of a minimum of 120 days, must pay moving expenses of \$500 plus relocation benefits of \$1500. In addition the owner must provide assistance in locating housing. When the council discusses a conversion ordinance, they will be considering those conversions that were in process at the time the city was incorporated as well as new conversions. Also there are already non-eviction clauses in the draft rent control ordinance.

**ACTION:** To receive the testimony and continue discussion to Item 13, Deferred Rent Control Concepts. By consensus of the Council.

Mayor Terrigno called a recess at 8:32 p.m.

The City Council reconvened at 8:50 p.m.

**2. DRAFT RENT CONTROL ORDINANCE:** Mayor Terrigno declared the public hearing open and announced that the council would receive expert testimony from CES for the first 20 minutes, and then 20 minutes expert testimony from West Hollywood Concerned Citizens and then proceed to individuals pro rent control (3 Minutes each) and then anti rent control.

The City Attorney gave the staff report on the Ordinance, and listed the following basic provisions: Definitions, list of property that is exempt from rent control, a Registration provision (annual), automatic rent adjustments (annual), limited vacancy decontrol, Rent Adjustment Board and Hearing Officers, Procedure for increases above and beyond the automatic increases, appeal procedures, grounds for evaluation of applications, Just cause evictions, and criminal and civil remedies for violation of the Ordinance.

Adam Teska, Professor at UCLA in the planning program who has done a number of studies on rent control and was asked to appear by CES, addressed the Council as the expert witness for rent control.

Grafton Tanquary, 25 year resident and property owner, addressed the Council as the expert witness against rent control.

The following persons spoke in favor of rent control:

Abbe Land, 1301 N. Havenhurst Dr., Representative of CES, requested roll-back to January 1984, maintenance schedule and strong enforcement mechanism.

Jack Bernardy, 1284 Havenhurst Drive  
Marian Shlack, 1361 N. Laurel Avenue  
C. Johnson, 1231 N. Vista, (Owner - favor of fair rent control.)  
Lou Barish, (Not present)  
Scott Keesling, 900 Hammond St.  
David Blair, 8576 Holloway  
Gary Troino, 1120 N. Ogden  
Peter McClear, 9018 Ashcroft  
Morris Newman, 537 N. Orlando

The following persons spoke against rent control:

Joel Silverman,  
Elizabeth Coleman, 837 Westmount Dr.  
Jerome Snyder, (Not present)  
Budd Kops, 969 N. Larrabee  
John Ball, 8575 Holloway Drive.  
Arnold Rubbins, 17437 Dolores St, Encino  
June Teal, 1248 N. Crescent Heights  
Eva Ameil  
Peggy Aronis, 4885 Glen Cairn Road  
Jeanne Dobrin, 9000 Cynthia

The public portion of the public hearing was closed at 10:25 p.m.

ACTION: To receive the Ordinance. By consensus of the Council.

Mayor Terrigno called a recess at 10:47 p.m.

The Council reconvened at 11:30 p.m

### **CONSENT CALENDAR**

ACTION: The following is a list of routine matters that were acted upon by one motion to approve with the majority consent of the City Council: Items 3, 6, 7, 8, 9, 10, 12. Motion Terrigno seconded by Schulte. Hearing no objection it was so ordered.

**3. CONFIRMING THE APPOINTMENT OF CITY TREASURER AND AUTHORIZING HIM TO OPEN INVESTMENT ACCOUNTS - RESOLUTION NO. 71:** ACTION: To adopt Resolution No. 71, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE APPOINTMENT OF JOHATHAN AHEARN CITY TREASURER AND AUTHORIZING HIM TO OPEN INVESTMENT ACCOUNTS FOR THE CITY."

**4. SEMINAR ON AFFORDABLE HOUSING:** ACTION: To authorize attendance by the City Council. Motion Heilman seconded by Schulte. Hearing no objection it was so ordered.  
THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY.

**5. FUNDING FOR SEMINAR ON ECONOMIC PLANNING:** ACTION: To authorize attendance by the City Manager. Motion Heilman seconded by Schulte. Hearing no objection it was so ordered.  
THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY.

**6. AUTHORIZATION FOR EXPENSES FOR CAPTAIN COOK TO ATTEND CONTRACT CITIES SEMINAR:** ACTION: To approve funding for Captain Cook to attend the Contract Cities Seminar in Palm Springs on May 30-June 2, 1985. This will include registration, hotel reservation, transportation and reimbursement for expenses.

**7. RELEASE OF BOND - TRACT NO. 35373:** ACTION: To approve the release of bond as recommended by the Department of Public Works.

**8. RELEASE OF BOND - PARCEL MAP 14236:** ACTION: To approve the release of bond as recommended by the Department of Public Works.

**9. RENT CONTROL HOTLINE REPORT - MARCH:** ACTION: To receive and file.

**10. CHRISTOPHER STREET WEST PARADE REQUEST:** ACTION: To approve street closures beginning at Santa Monica Boulevard and Crescent Heights, westward on Santa Monica Boulevard, utilizing the northern-most section where Santa Monica Boulevard separates. At San Vicente southward utilizing the southbound lanes only, and continuing south to Beverly Boulevard (utilizing full width of San Vicente between Melrose and Beverly).

**11. FUNDS FOR TEMPORARY STAFF SUPPORT:** ACTION: To authorize the City Manager to spend up to \$10,000 for short-term staffing support through the end of the fiscal year. Motion Heilman seconded by Schulte. Hearing no objection it was so ordered. THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY.

**12. EXTENSION OF COMMUNICATION WORKS CONTRACT:** ACTION: To approve the extension of the Communication Works contract through the end of May and direct the City Manager to obtain cost estimates for the continuation of the services on a month to month basis.

#### UNFINISHED BUSINESS

**13. DEFERRED RENT CONTROL CONCEPTS:** The staff report was given by Ken Baar, the rent control consultant. On the question of co-ops, the City Attorney stated that, as a practical matter, a co-op is no different than a condominium and if it is rented, it is the same as renting a condominium. ACTION: To treat co-ops the same as a condominium in the Ordinance. Motion Viterbi seconded by Schulte.

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

NOES: None

Motion carried.

FURTHER ACTION: Subsidized housing to include government financed which includes those funded under County bonds. Motion Viterbi seconded by Terrigno.

AYES: Albert, Schulte, Viterbi, Mayor  
Terrigno.

NOES: None

ABSTAIN: Heilman

Motion carried.

PROPOSED ACTION: To include luxury units in the Rent Control Ordinance. Motion Heilman, seconded by Albert.

AYES: Albert, Heilman

NOES: Mayor Terrigno

ABSTAIN: Schulte, Viterbi

Motion fails.

Councilmember Albert asked the City Attorney when an abstention is proper.

The City Attorney stated that generally speaking, the Councilmember has a duty to vote unless they have a conflict of interest which disqualifies them.

PROPOSED ACTION: To treat luxury units as \$1,000 for a one bedroom apartment, with staff to come up with comparable figures for two and three bedroom units. On vacancy to have de-control, re-control and they can't qualify as a luxury unit if rents raised after August 6, 1984. Motion Terrigno. Died for lack of a second.

The City Attorney stated that these units would be treated as non-exempt as there has been no vote to exempt.

ACTION: To put all units in West Hollywood under rent control unless specified as exempt. Motion Viterbi seconded by Schulte. Hearing no objection it was so ordered.

ACTION: Move that duplex's, triplex's, and four-plex's that were unoccupied on the effective date of the Ordinance be covered by the Ordinance. Motion Heilman seconded by Schulte.

AYES: Albert, Schulte, Viterbi, Heilman  
Mayor Terrigno

NOES: None

Motion carried.

The discussion then centered on the question of additional General Adjustments for owners who pay utilities. ACTION: To allow additional general adjustments of 1/2% per utility for owners who pay utilities. Motion Schulte seconded by Heilman.

AYES: Albert, Schulte, Viterbi, Heilman

NOES: Mayor Terrigno

PROPOSED ACTION: To allow 1/2% increase for insurance. Motion Schulte seconded by Viterbi. ACTION: To table this item. Motion Heilman seconded by Terrigno. So ordered.

ACTION: To set May 1, 1984 as the base rent date. Motion Schulte seconded by Albert.

AYES: Albert, Schulte, Heilman

NOES: Viterbi

ABSTAIN: Mayor Terrigno

Motion carried.

Discussion then centered on the first adjustment date and level of staffing and trained contract people required for processing.

ACTION: To table this item for one week and request staff to come up with a date. Motion Heilman seconded by Viterbi. Hearing no objection it was so ordered.

ACTION: To adopt fixed maintenance standards based on the housing survey and other research: Interior paint every 4 years, carpet and drapes every 7 years. Meet Uniform Building and Health and Safety codes adopted by the City of West Hollywood. Also the proper and adequate functioning of all plumbing and appliances, to include air conditioning, elevators, and heating if provided. Motion Mayor Terrigno seconded by Schulte.

AYES: Schulte, Viterbi, Heilman, Terrigno

NOES: Albert

Motion carried.

ACTION: That the tenant can waive the right for painting, drapes, and carpeting in writing when they come due. Motion Heilman seconded by Schulte.

AYES: Albert, Schulte, Heilman

NOES: Viterbi, Mayor Terrigno

Motion carried.

ACTION: That the initial registration has to state the services that are currently provided and that those items do not become lost if the unit becomes decontrolled for any reason. Motion Mayor Terrigno seconded by Schulte.

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

NOES: None

Ken Baar reported that he would come back next with further information on traditional low rents and net operating income, survivorship, duplex evictions with 2 owners, relocation amount, and various other items.

The discussion then centered on the powers of the Rent Stabilization Board. ACTION: That the Board can make regulations and submit them to the City Council. The Council must veto within 45 days or they take effect.

AYES: Albert, Schulte, Viterbi, Heilman  
Mayor Terrigno

NOES: None

Motion carried.

Security Deposits: ACTION: That interest of 6% be paid on security deposits held until the end of tenancy or 5 year intervals, whichever is the lesser. Motion Schulte seconded by Albert.

AYES: Albert, Schulte, Viterbi, Heilman

NOES: None

ABSTAIN: Mayor Terrigno

Motion carried.

ACTION: That rent increases can be banked and taken anytime. Motion Viterbi seconded by Schulte.

AYES: Schulte, Viterbi, Heilman

NOES: Mayor Terrigno

ABSTAIN: Albert

Motion carried.

ACTION: That lenders be allowed to repossess single family units when the lendeer defaults with 60 day notice and relocation benefits. Motion Viterbi seconded by Mayor Terrigno.

AYES: Schulte, Viterbi, Mayor Terrigno

NOES: Albert, Heilman

Motion carried.



14. **RENT CONTROL ADMINISTRATION CONSULTANTS:** ACTION: Subject to final reference checks of McAdams and Siembab, that the City Council direct the City Manager to work directly with McAdams and Siembab and Roger Libson in developing a detailed work plan and contract for services with the City in developing the Rent Control administration. Motion Schulte seconded by Albert. Hearing no objection it was so ordered

15. **ASSUMPTION OF TITLE TO WEST HOLLYWOOD PUBLIC PARKS:** ACTION: That the City Council accept title, effective June 1, 1985, to the two parks currently owned by Los Angeles County within the City of West Hollywood. Motion Schulte seconded by Albert. Hearing no objection it was so ordered.

16. **HISTORIC LANDMARK PRESERVATION LEGISLATION:** Direction was given to the City Attorney to prepare some enabling legislation for Council consideration next week.

17. **GRAND PEOPLES' COMPANY:** This item was transferred to the beginning of the agenda.

18. **CONTRACT FOR MAINTENANCE OF SANTA MONICA MEDIAN STRIP:** ACTION: To approve the contract with Mariposa Landscape Company for improvement and maintenance of the Median Strip. Motion Mayor Terrigno seconded by Schulte. Hearing no objection it was so ordered.

19. **COMMUNITY GARDENS IN WEST HOLLYWOOD:** Councilmember Schulte reported to the Council on the idea of Community Gardens. Requested approval and authority to go ahead on those lots that are acceptable. ACTION: Table for 2 weeks for further information.

20. DEPARTMENT OF ADMINISTRATIVE SERVICES - ORDINANCE NO. 52

21. DEPARTMENT OF COMMUNITY DEVELOPMENT - ORDINANCE NO. 41

22. DEPARTMENT OF HUMAN SERVICES - ORDINANCE NO. 53

23. CITY SANITARY SEWER MAINTENANCE DISTRICT -ORDINANCE NO. 50

24. **ADULT PICTURE ARCADES - ORDINANCE NO. 55**

The City Attorney read the titles of the above Ordinances and stated they could all be adopted with one motion.

ACTION: To waive further reading and adopt the following Ordinances: Ordinance No. 52, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A DEPARTMENT OF ADMINISTRATIVE SERVICES AND AMENDING THE MUNICIPAL CODE"; Ordinance No. 41, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A DEPARTMENT OF COMMUNITY DEVELOPMENT, AND AMENDING THE MUNICIPAL CODE"; Ordinance No. 53, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A DEPARTMENT OF HUMAN SERVICES AND AMENDING THE MUNICIPAL CODE"; Ordinance No. 50, "AN ORDINANCE OF THE CITY OF WEST

HOLLYWOOD RELATING TO SEWERS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE"; and Ordinance No. 55, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE LICENSE ORDINANCE RELATING TO PICTURE ARCADES, AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".

Motion Mayor Terrigno seconded by Schulte.

AYES: Albert, Schulte, Viterbi, Heilman  
Mayor Terrigno

NOES: None

Motion carried.

**25. WEST HOLLYWOOD SEWER CHARGE FUND - ORDINANCE NO 54: ACTION:** To waive further reading and introduce Ordinance No. 54, "AN ORDINANCE OF THE THE CITY OF WEST HOLLYWOOD ESTABLISHING A WEST HOLLYWOOD SEWER CHARGE FUND AND AMENDING THE MUNICIPAL CODE". Motion Viterbi seconded by Heilman.

AYES: Albert, Schulte, Viterbi, Heilman  
Mayor Terrigno

NOES: None

Motion carried.

**26. DEMAND REGISTER NO. 13 - RESOLUTION NO. 70: ACTION:** To adopt Resolution No. 70, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING FOR PAYMENT, DEMANDS PRESENTED ON DEMAN REGISTER NO. THIRTEEN", with the removal of warrant 1378, and with the City Manager to check warrant No. 1368 to be sure this is not a double billing. Motion Viterbi seconded by Mayor Terrigno. Hearing no objection it was so ordered.

**27: COMMUNICATIONS:** The City Manager reported that he wanted to schedule a study session on internal process and also a meeting with Caltrans. The City Attorney stated that the Council would need to schedule further sessions and allow enough time for the Rent Control Ordinance.

**28: NON-AGENDA ITEMS: TAXI COUPON PROGRAM:** The City Manager reported that this item was submitted on short notice due to the fact that St. Barnabus needed six-weeks in lead time in order to a avoid a disruption of service on July 1. ACTION: That the City Council authorize a six month extension of the taxi coupon program and commit up to \$170,000 to cover the contract cost. Motion Heilman seconded by Albert. Hearing no objection it was so ordered.

Michael Jirock, corner of Havenhurst and Fountain, spoke to the Council about the dangerous conditions at this intersection. The Council directed these comments to the traffic engineer.

**29. CLOSED SESSION**

At the hour of 3:10 a.m., Mayor Terrigno adjourned the Council to a closed session to discuss matters of potential litigation.

The Council re-convened at the hour of 3:40 a.m. and Mayor Terrigno announced that they had approved the lease with the County for the remainder of the City's stay at Plummer Park, and had approved the Santa Monica Boulevard site for City Hall.

**ADJOURNMENT:** The meeting was adjourned at 3:45 a.m. to a regular meeting on May 23, 1985 at 1:00 p.m. at Plummer Park, Fiesta Hall.