

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, NOVEMBER 6, 1995
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Heilman called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE: Councilmember Guarriello led the Pledge.

ROLL CALL:

PRESENT: Councilmembers-Guarriello, Land, Martin, and Mayor Heilman
Councilmember Koretz arrived at 7:05 p.m.

ALSO PRESENT: City Manager Brotzman, City Attorney Jenkins, Assistant City Clerk
Thompson and Deputy Clerk Lucero

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins stated that at approximately 6:00 the meeting was called to order and the City Council recessed into a closed session for discussion of the items on the posted closed session agenda. No decisions were made that require reporting at this time. The closed session adjourned at 6:20 p.m.

APPROVAL OF AGENDA: By consensus the City Council approved the agenda.

PRESENTATIONS:

Councilmember Land requested that the meeting be adjourned in memory of assassinated Israeli Prime Minister Yitzhak Rabin and George Greenstein.

Mayor Heilman also requested that the meeting be adjourned in memory of Nina Leibman, women's rights activist, and Eric Simon, Plummer Park Exercise Leader.

Councilmember Martin presented proclamations to honor those veterans involved in the production of a video commemorating the fiftieth anniversary of Victory in Europe: Lev Khodarsivsk, Boris Fuksman, Gerda Spiegler, Yefim Stolyarsky, Moisy Dubinsky, Ida Firer, Josif Sakasonov, Pavel Gekhtman, and Dunkin McCloud.

Councilmember Guarriello presented a commendation to Donna Saur, Public Safety Commissioner, for her commitment to the safety and quality of life of the residents of West Hollywood.

Mayor Heilman presented a commendation to the cast of the hit play "Party." Mayor Heilman declared November 6, 1995 Party Day in West Hollywood.

1. CITIZEN COMMENTS:

LOIS ROZET, spoke on the California Political Reform Act of 1996 and asked the Council for their support of item 2.P.

CORIN KAHN, representing Toy Foods, Inc., indicated he cannot stay for the House of Blues matter on the agenda and addressed the House of Blues appeal. He stated that they submitted materials to the Council outlining violations of the California Environmental Quality Act, and violations of West Hollywood Municipal Code.

KIM SCHNEIDER, WEST HOLLYWOOD, commented on the Costa/Hawkins rent control act. She stated that the City's Rent Stabilization regulations make her feel like a criminal for being a landlord.

JEANNE DOBRIN, spoke in favor of Item 2.P. She also commented on Councilmember Koretz's campaign contributions.

RALPH WEIDMAN, WEST HOLLYWOOD, reiterated Kim Schneider's remarks. He also commented on garbage collection fees in the City and that the rent increases allowed landlords is not sufficient.

CITY MANAGER'S REPORT: No Report.

FISCAL IMPACT ON CONSENT CALENDAR: Assistant City Clerk Thompson stated that the fiscal impact for the Consent Calendar of November 6, 1995 is \$284,361. in expenditures and \$103,715 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve items 2.A, B, C, D, E, F, G, H I, J, K, L, M, N, O, P, and Q. Motion Councilmember Guarriello, seconded by Councilmember Land and unanimously carried.

A. POSTING OF AGENDA: The agenda for the meeting of Monday, November 6, 1995 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Friday, November 3, 1995.

RECOMMENDATION: Receive and file. Approved as part of the consent calendar.

B. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of Monday, October 2, 1995, and the Joint Meeting with the Rent Stabilization Commission of Monday, October 16, 1995. Approved as part of the consent calendar.

C. WAIVER OF FURTHER READING:

RECOMMENDATION: 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.

D. DEMAND REGISTER NO. 305, RESOLUTION NO. 95-1502

RECOMMENDATION: Approve Demand Register No. 305 and adopt Resolution No. 95-1502. Approved as part of the consent calendar.

E. TREASURER'S REPORT:

RECOMMENDATION: Receive and file the Treasurer's Report for July 1995. Approved as part of the consent calendar.

F. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSAL (RFP) FOR PARKING METER COLLECTION AND VERIFICATION SERVICES:

RECOMMENDATION: Authorize staff to issue a Request for Proposal for Parking Meter Collection and Verification Services. Approved as part of the consent calendar.

G. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSAL (RFP) FOR PARKING ADJUDICATION SERVICES:

RECOMMENDATION: Authorize staff to issue a Request for Proposal for Parking Adjudication Services with the Cities of Beverly Hills, Culver City and Santa Monica. Approved as part of the consent calendar.

H. NOTICE OF COMPLETION FOR CIP 9504, TRAFFIC SIGNAL RECONSTRUCTION, MELROSE AVENUE AND ROBERTSON BOULEVARD:

RECOMMENDATION: Accept the work and authorize the following: (1) Filing a Notice of Completion by the City Engineer; (2) Final payment to the Contractor at the end of the 25 day lien period; and (3) Release of the Performance Bond and Payment Bond. Approved as part of the consent calendar.

I. AWARD OF CONTRACT FOR HART HOUSE INTERIOR RENOVATION PROJECT:

RECOMMENDATION: (1) Accept the bid dated October 18, 1995 submitted by Melkee Construction Company of Reseda, California, in the amount of \$39,965.00 for the Hart House Interior Renovation Project; (2) Reject all other bids submitted for this project; and (3) Authorize the City Manager to sign the Agreement. Approved as part of the consent calendar.

J. LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT GRANT APPLICATION:

RECOMMENDATION: Adopt Resolution No. 95- 1503, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING APPLICATION FOR FUNDS FROM THE COUNTY OF LOS ANGELES REGIONAL PARK AND OPEN SPACE DISTRICT PER PARCEL DISCRETIONARY GRANT PROGRAM FOR PARK SECURITY LIGHTING." Approved as part of the consent calendar.

K. APPROVAL OF SUPPLEMENTAL AGREEMENT WITH PSOMAS AND ASSOCIATES FOR GEOGRAPHIC INFORMATION SYSTEM (GIS) DATA COLLECTION:

RECOMMENDATION: Authorize the City Manager to enter into a supplemental professional services agreement with Psomas and Associates in an amount not to exceed \$11,600. to provide additional GIS Data Collection. Approved as part of the consent calendar.

L. APPROVAL FOR FINAL PARCEL MAP NO. 24036, 8753 TO 8755 ROSEWOOD AVENUE, WEST HOLLYWOOD, CALIFORNIA:

RECOMMENDATION: (1) Approve Final parcel Map, No. 24036; (2) Make findings as follows: (a) That this project will not violate any of the provisions of Sections 66427.1; 66474, 66474.1, and 66474.6 of the Subdivision Map Act, and (b) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code; and (3) Instruct the City Clerk to endorse on the face of the map of Parcel Map No. 24036 the certificate which embodies the approval of said map. Approved as part of the consent calendar.

M. REJECTION OF PROPOSALS RECEIVED IN RESPONSE TO RFP FOR A PUBLIC SAFETY MOBIL UNIT:

RECOMMENDATION: Reject all proposals submitted to an RFP for a Public Safety Multi-purpose Mobile Unit. Approved as part of the consent calendar.

N. AUTHORIZATION TO NEGOTIATE A CONTRACT FOR A PUBLIC SAFETY MULTI-PURPOSE MOBILE UNIT:

RECOMMENDATION: (1) Direct staff to negotiate a contract for City Council approval with the Los Angeles County Sheriff's Department vendor, Universal Specialty Vehicles, Inc., for a Public Safety Mobile Unit, in an amount not to exceed \$120,000., and (2) Re-authorize the transfer of \$120,000. returned to the General Fund at the end of the 1994-95 fiscal year to the City's Sheriff's Department 1995-96 fiscal year budget. Approved as part of the consent calendar.

- O. RESIGNATION OF ANIMAL WELFARE TASK FORCE MEMBER:**
RECOMMENDATION: (1) Accept with regret the resignation of Sonndra May. Approved as part of the consent calendar.
- P. RESOLUTION IN SUPPORT OF THE "CALIFORNIA POLITICAL REFORM ACT OF 1996":**
RECOMMENDATION: Adopt Resolution No. 95-1504, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE CALIFORNIA POLITICAL REFORM ACT OF 1996." Approved as part of the consent calendar.
- Q. RESOLUTION SUPPORTING THE PLAN TO REDUCE SMOKING AMONG CHILDREN:**
RECOMMENDATION: (1) Adopt Resolution No. 95-1505, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE PLAN TO REDUCE SMOKING AMONG CHILDREN THROUGH REGULATION OF TOBACCO PRODUCTS;" (2) Support President Clinton's comprehensive plan to reduce smoking by children, and (3) Direct staff to send a copy of this Resolution to the President of the United States, US Senators Barbara Boxer and Diane Feinstein, the appropriate US House of Representatives members, Andrew Weisser of the American Lung Association of Los Angeles County and the Food and Drug Administration. Approved as part of the consent calendar.

3. PUBLIC HEARINGS:

A. PROPOSED AMENDMENTS TO THE BUSINESS LICENSE ORDINANCE:

Mayor Heilman asked the Council to continue the public hearing as outlined in the staff report dated November 6, 1995.

RECOMMENDATION: Continue the Public Hearing to the Monday, December 4, 1995 City Council meeting.

By consensus the City Council continued the public hearing.

COUNCILMEMBER COMMENTS:

Councilmember Land reports that she attended the meeting of the League of California Cities. She stated that many cities are enthusiastic about the City's proposed ban on Saturday Night Specials. She also commended City Attorney Jenkins on his participation in the League exercises demonstrating the Brown Act.

Mayor Pro Tem Koretz thanked Rose Elias for bringing to his attention the California Political Reform Act. He replied to the statements of Jeanne Dobrin regarding political contributions and to her continuous character assassination of him.

Mayor Heilman announced that on November 15, 1995 the City is hosting a special program: "HIV and Work, Living Positively," discussing employment issues for people living with HIV in the community. He directed the City Manager to consider waiving the fees for the West Hollywood Alcohol and Drug Center permit and to place on the Council agenda, if needed. He directed the City Manager to follow-up on a request from Project Angel Food for placement of banners. He directed the City Manager to evaluate Todd Tramp's Body Sculpting sign permit application.

4. UNFINISHED BUSINESS:

A. APPROVE RESOLUTIONS TO BEGIN THE FORMATION PROCESS OF THE PROPOSED AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT AND CONDUCT THE PUBLIC MEETING:

Assistant City Clerk Thompson stated a Notice of Public Meeting was mailed to all businesses in the proposed district on October 19, 1995.

Rhonda Sherman, Housing and Economic Development Specialist, provided background information as outlined in the staff report dated November 6, 1995.

RECOMMENDATION: (1) Adopt Resolution No. 95-1506, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 1995-96 IN CONNECTION WITH THE PROPOSED ESTABLISHMENT OF THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT AND THE PROPOSED ASSESSMENT AGAINST BUSINESSES WITHIN THE PROPOSED DISTRICT;" (2) Adopt Resolution No. 95-1507, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 1995-96 IN CONNECTION WITH THE PROPOSED ESTABLISHMENT OF THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT AND THE PROPOSED ASSESSMENT AGAINST BUSINESSES WITHIN THE PROPOSED DISTRICT;" (3) Adopt Resolution No. 95-1508, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO ESTABLISH THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT AND TO LEVY AN ASSESSMENT AGAINST BUSINESSES WITHIN THE DISTRICT FOR FISCAL YEAR 1995-96." (4) Conduct the public meeting and accept comment.

Motion Councilmember Land, seconded by Councilmember Martin and unanimously carried.

Mayor Heilman opened the public meeting:

JOHATHAN BLACK, WEST HOLLYWOOD RESIDENT AND BUSINESS OWNER, spoke in favor of the proposed business assessment district.

HALEY POWERS, EXECUTIVE DIRECTOR OF WEST HOLLYWOOD VISITORS AND CONVENTION BUREAU, speaking in favor of the proposed business district, stated that art and design are among the City's greatest assets and the City must compete with neighboring cities in this market.

MARCO LI MANDRI, SAN DIEGO, consultant who worked on implementation of the business district, spoke in support of the proposed district.

DEWAYNE MILLER, representing JJ Custom and Hamilton's, on behalf of his clients, requested an exemption from the business district.

GRANT SELTZER, WEST HOLLYWOOD BUSINESS OWNER, supports the business district.

JEANNE DOBRIN, WEST HOLLYWOOD, supports the business district. She suggested that businesses in West Hollywood be required to acknowledge their location in the City as opposed to using Los Angeles in their address.

SCOTT YASGOOR, WEST HOLLYWOOD BUSINESS OWNER, commented on the increased number of vacancies on the Avenues of Design. He support the business district.

Mayor Heilman directed staff to meet with the business owner who requested an exemption from the proposed business district, and to investigate if a pharmacy should be excluded like all other medical associations.

Councilmember Guarriello asked if the \$3,000 startup cost would be continuing each year, he feels the start up costs should be passed through to the district.

- B. EXTENSION OF THE HOURS OF ENFORCEMENT FOR PARKING METERS ON THE EASTERN PORTION OF SUNSET BOULEVARD:**
Donald Korotsky, Associate Transportation Planner, provided background information as outlined in the staff report dated November 6, 1995.

Mayor Heilman stated that he does not support extending hours of enforcement for parking meters.

Councilmember Land suggested improved signage to accompany the extended hours of enforcement.

RECOMMENDATION: (1) Adopt Resolution No. 95-1509, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD EXTENDING THE HOURS OF ENFORCEMENT FOR PARKING METERS ON SUNSET BOULEVARD UNTIL 10:00 P.M., BETWEEN LA CIENEGA BOULEVARD AND THE CITY'S EASTERN BORDER" (2) Authorize the deposit of additional revenue received in the Parking Improvement Fund.

Motion Councilmember Land, seconded by Councilmember Guarriello and carried on a 4/5 vote with Mayor Heilman casting a no vote.

C. RESOLUTION GRANTING, IN PART, AN APPEAL BY THE HOUSE OF BLUES AT 8430 SUNSET BOULEVARD FOR DEVELOPMENT PERMIT 92-34 AND CONDITIONAL USE PERMIT 92-10:

Jennifer Davis, Associate Planner, provided background information as outlined in the staff report dated November 6, 1995.

MARK LEHMAN, representing the House of Blues, stated that he is available for questions and that he supports the resolution.

JIM BERLAND, OWNER OF OLVERA, speaking against the resolution, stated that noise and traffic problems have not been mitigated by the House of Blues.

JEANNE DOBRIN, WEST HOLLYWOOD, stated that many residents have moved away from the area adjacent to the House of Blues due to noise.

JOHN MURRAY, MANAGER OF OLVERA, stated that the restaurant must compete with the House of Blues for business and parking.

JOY SHOLLENBARGER, OWNER OF OLVERA, requested that the Council limit the capacity of the House of Blues.

By consensus of the City Council the resolution could be approved except for the parking plan, traffic circulation, and access to the parking lot.

Mark Lehman, representing the House of Blues, stated that his client is willing to improve parking signage but is not responsible for the financial woes of Olvera.

MOTION: Direct the Department of Transportation staff to meet with representatives from the House of Blues, Olvera and the valet parking company to discuss access to the parking lot, signage and traffic circulation, and to continue this item for four weeks. Motion by Councilmember Martin, seconded by Councilmember Guarriello and unanimously carried on a roll call vote:

AYES: Guarriello, Land, Martin, Koretz and Mayor Heilman.

NOES: None.

ABSTAIN: None.

D. DISABILITIES ADVISORY COUNCIL APPOINTMENTS:

MOTION: Appoint Bud Siegel to the Disabilities Advisory Council for a term ending May 31, 1997. Motion by Councilmember Land, seconded by Mayor Pro Tem Koretz and unanimously carried.

MOTION: Appoint Tom Hamlett to the Disabilities Advisory Council for a term ending May 31, 1997. Motion by Councilmember Land, seconded by Mayor Pro Tem Koretz and carried on a roll call vote:

AYES: Councilmembers Land, Martin, and Mayor Pro Tem Koretz.

NOES; None.

ABSTAIN: Councilmember Guarriello and Mayor Heilman.

E. WEST HOLLYWOOD LIBRARY:

Lloyd Long, Director of Human Services, provided background information as outlined in the staff report dated November 6, 1995, and added that if the Council had anybody in mind for the committee, please forward those names to staff.

Councilmember Guarriello suggested that the Council send a letter to Leo Bowie, West Hollywood Library staff member, who is very ill.

JEANNE DOBRIN, WEST HOLLYWOOD, supports input from both residents and the business community.

Councilmember Land stated that she is enthusiastic and that there is much support in the community for a new library.

Mayor Pro Tem Koretz is not in support of the item and suggested a site for a new library.

RECOMMENDATION: (1) Authorize the creation of a blue-ribbon committee to assist the City of West Hollywood in the building of a new West Hollywood Library by the year 2000; (2) Authorize Mayor John Heilman and

Councilmember Steve Martin to oversee the efforts of this committee on behalf of the City Council; and (3) Direct that the Committee report quarterly to the City Council on the status of this project.

Motion Councilmember Land, seconded by Councilmember Martin and carried on a 4 to 1 vote with Councilmember Koretz casting a no vote.

The City Council recessed at 9:00 p.m.

The City Council reconvened at 9:15 p.m.

5. NEW BUSINESS:

A. INITIAL IMPLEMENTATION OF THE MELROSE AVENUE WALKING DISTRICT IMPROVEMENTS:

Lucy Dyke Transportation Manager, and Dennis Woods, Associate Transportation Planner, provided background information as outlined in the staff report dated November 6, 1995.

ZANE GERTZMAN, WEST HOLLYWOOD, speaks in favor of the angle parking and would like it extended westward.

LUIS MARQUEZ, WEST HOLLYWOOD, states that the residents were not consulted and is against the proposed angle parking.

DONALD DELUCCIO, WEST HOLLYWOOD, reiterated that residents were not consulted and that the proposed parking will impact residents' access to their homes.

MARGARET LEVERS, WEST HOLLYWOOD, spoke against the proposed angle parking.

JEANNE DOBRIN, WEST HOLLYWOOD, commented that this is an attempt to alleviate the parking shortage in the area but is concerned about the impact on residents.

Lucy Dyke Transportation Manager, addressed safety issues associated with narrowing Melrose Avenue to accommodate the angle parking. She also outlined public notification of the proposal.

Councilmember Land stated that the angle parking and narrowing of Melrose Avenue may result in a more pedestrian-friendly atmosphere.

Discussion was held on the safety issues and the circulation of traffic into the residential zones. Staff asked if the angled parking could be implemented and if it does not seem to be work discontinue the angle parking.

Ms. Dyke responded that re-striping would be about \$15,000 including the striping on the street and the zebra striping for crosswalks. Parking meter hardware would be an additional \$3,000 but the parking meter hardware could be used elsewhere.

RECOMMENDATION: (1) Determine that the project is categorically exempt pursuant to CEQA Section 15301, and direct staff to file an appropriate notice; (2) Review and approve proposal for re-striping Melrose Avenue to improve channelization, crosswalk visibility and replace parallel parking spaces in certain locations with angled parking spaces; (3) Review and approve proposal for installing curb extensions with wheelchair ramps and diamond-scored sidewalk pattern at the intersections of Melrose Avenue at Almont Drive (three corners) San Vicente Boulevard (two corners), Westbourne Avenue and Westmount Drive, and rumble strips at the western edge of Melrose Avenue; (4) Direct staff to authorize MCE, Inc. to proceed with installation of curb extensions and re-striping as proposed; (5) Direct staff to proceed with installation of new parking meters at angled parking locations, including replacement of existing parking meters; and (6) Direct the Parking Division to report to the Council in December on the financial impact of installing the new parking meters including procurement and installation costs additional costs for enforcement and collections and estimates of revenue from the additional meters.

MOTION: to approve the staff recommendations and additional direction to staff to meet specifically with West Hollywood West to discuss the impact on the adjoining neighborhood. Councilmember Land, seconded by Mayor Pro Tem Koretz and carried on a roll call vote:

AYES: Councilmembers Land, Koretz and Mayor Heilman
NOES: Councilmembers Guarriello and Martin.
ABSTAIN: None.

Councilmember Land requested that the meeting be adjourned in memory of Helen Pitstick, James Litz's Grandmother.

A. REPORT ON PARKING GRADES:

By consensus of the City Council tabled this item to December 4, 1995.

EXCLUDED CONSENT CALENDAR: None.

CITIZEN COMMENTS: None.

6. LEGISLATIVE:

A. PROPOSED ORDINANCE REGARDING MAXIMUM ALLOWABLE RENTS FOR RENT STABILIZED RENTAL UNITS; RE-REGISTRATION OF RENTAL UNITS UPON VACANCY; RENT ADJUSTMENTS FOLLOWING A VACANCY; HOUSING SERVICES; ANNUAL RENT ADJUSTMENTS AND TENANT HARASSMENT:

Mark Johnson, Director of Rent Stabilization, provided background information as outlined in the staff report dated November 6, 1995.

JOHN ALTSCHUL, WEST HOLLYWOOD, feels that condominiums and single family dwellings should be exempted from rent stabilization.

RICHARD BANTA, WEST HOLLYWOOD, believes that rent increases allowed for landlords are grossly inadequate and that these proposals will make rent stabilization even more complex. He is also against the September 1, 1995 rollback.

DOUG ROUTH, WEST HOLLYWOOD, suggested adopting the original staff proposal. He stated eventually rents will go to market value and that adopting the original proposal will have the least impact on tenants.

CAROLE HOSSAN, CES, supports the original staff proposal, the September 1, 1995 rollback and is against "banking" of rents.

CLAIRE ANDERSON, WEST HOLLYWOOD, objects to the rollback to September 1, 1995. She stated that many landlords are struggling to survive under rent stabilization.

BARBARA CHONG, WEST HOLLYWOOD, stated that landlords are experiencing financial difficulty, and does not support the staff proposal.

GRAFTON TANQUARY, WEST HOLLYWOOD, feels that staff's proposals for no appeals of staff decisions are grossly unfair.

CRAIG MORDOH, believes that staff recommendation number one does not present a real alternative. He supports a 15% increase and supports banking.

DON BALL, WEST HOLLYWOOD PROPERTY OWNER, feels that the Rent Stabilization Commission and Rent Stabilization staff are attempting to stop implementation of Costa/Hawkins.

KEVIN NOTRE, WEST HOLLYWOOD, supports the phasing-out of single family homes and condominiums, and the staff proposal.

JUNE TEAL, WEST HOLLYWOOD PROPERTY OWNER supports "banking" of rents.

DAVID ETEZADI, WEST HOLLYWOOD, supports the original staff recommendation and the prohibition of tenant harassment.

PEGGY ARONIS, LOS ANGELES, fully supports Costa/Hawkins and cautions the Council that this state legislation preempts regulations at the local level.

MARGIT HERMAN, WEST HOLLYWOOD PROPERTY OWNER supports "banking" of rents and feels that landlords are being punished.

BARBARA DARWISH, WEST HOLLYWOOD PROPERTY OWNER, feels that the Rent Stabilization regulations have divided the City, AND she agrees with the previous owners comments.

BURTON REIN, WEST HOLLYWOOD, is against the rollback of maximum allowable rents and feels that additional regulations on tenant harassment are unfounded.

JOHN PARKS, WEST HOLLYWOOD PROPERTY OWNER, supports Costa/Hawkins and feels that the depressed real estate market has benefited tenants.

DAVID DARWISH, WEST HOLLYWOOD PROPERTY OWNER commented that market forces have hurt landlords.

JOEL WEISSMAN, WEST HOLLYWOOD PROPERTY OWNER feels that the proposed amendments will make the Rent Stabilization regulations even more complex, opposed to the two step registration process.

JEFF RICHMOND, WEST HOLLYWOOD, as a volunteer attorney for tenant's rights feels that the gap should be closed between real rents and allowable rents.

ANN CROWELL, WEST HOLLYWOOD, believes that the proposed tenant harassment regulations are ludicrous.

Mayor Heilman read comments by SIBYL ZADEN, WEST HOLLYWOOD, in support of the additional rent stabilization regulations especially those regarding tenant harassment.

The City Council recessed at 10:50 p.m.

The City Council reconvened at 11:00 p.m.

Councilmember Land stated that she will abstain from the discussion on the rollback issue due to a conflict of interest.

ISSUE ONE:

Basic issue authorizing implementation of the Costa-Hawkins rent adjustment on vacancies and repealing the current vacancy increase program. By consensus of the City Council issue one was approved in concept.

ISSUE TWO:

Limit on the amount of increase during the phase-in period. During the phase-in period should the adjustment be based on the actual rent charged or the MAR the amount that the unit is eligible to charge? Staff is recommending the increase be based on the rent charged. By consensus the City Council directed staff to revise the Resolution to base the amount of increase on the MAR.

SINGLE FAMILY UNITS:

Staff initially proposed that single family units be subject to the same limitations as apartment units, that those limitations would be 15% or 70% of fair market rent. Currently our law allows single family units to go to fair market rent upon vacancy. By consensus the City Council directed staff to revise the Resolution to exempt single family units from the 15% limit.

SPECIFICATIONS AND DEFINITIONS OF VACANCY AND VOLUNTARY VACANCY:

Preclude vacancy increases in a variety of circumstances due to the landlord's harassment, constructive eviction or breach of the covenant of quiet enjoyment. Also precludes a vacancy increase where the prior tenant did not have a bona fide or "real tenancy" for less than six months. By consensus the City Council approved in concept staff recommendations.

Mark Johnson, Director of Rent Stabilization, stated that the language of Section 6402(k)(u) must be clarified by a technical change.

CONDOMINIUMS DURING THE PHASE-IN PERIOD:

Staff initially proposed that condominiums be exempt from the 15% increase limitation during the phase-in period if they have been owner occupied for a two-year period. By consensus, the Council agrees with staff's recommendations.

ESTABLISHMENT OF MAXIMUM ALLOWABLE RENT CHARGED AFTER JANUARY 1, 1996:

Should the new MAR be set at the old MAR or the rent actually charged. As above, by consensus the City Council stated it should be at the current MAR.

THE DATE TO ESTABLISH THE NEW MAR:

Since the new MAR is set at the old MAR this is a mute point. The Council need not establish a date for the actual rent charged, for a MAR computation.

TENANT HARASSMENT LANGUAGE:

By consensus the Council agreed the tenant harassment language in the Resolution is substantial and sufficient.

BANKING:

By consensus the City Council is against banking from 1999 forward. Now that the owner knows he can make up any lost rent at vacancy there is less incentive for a banking provision, therefore the in-house tenant will not necessarily get the annual adjustment. Since the current MAR is used for the computation, no decision is necessary for banking during the phase in period.

ANNUAL ADJUSTMENT:

Staff is recommending that the annual adjustment can be taken at any time of year. By consensus the City Council approved in concept staff's recommendation.

IN-PLACE TENANTS:

By consensus the Council supports staff's recommendation.

DISCLOSURE REQUIREMENTS:

Staff recommends the implementation of a three-part form. The landlord, tenant and the Rent Stabilization Department will each receive a copy upon initiation of the tenancy.

COMPUTATION OF INCREASE:

Councilmember Martin, Mayor Pro Tem Koretz and Councilmember Guarriello are in favor of utilizing the current maximum allowable rent to calculate the increase.

Councilmember Land and Mayor Heilman are in favor of utilizing current rent to calculate the increase.

By consensus the City Council directed staff to bring a revised ordinance back at the next meeting.

COUNCILMEMBER COMMENTS:

Mayor Heilman stated that the lighting ceremony of Santa Monica Boulevard for the 1995 Holiday Season will be held on Monday, November 27, 1995.

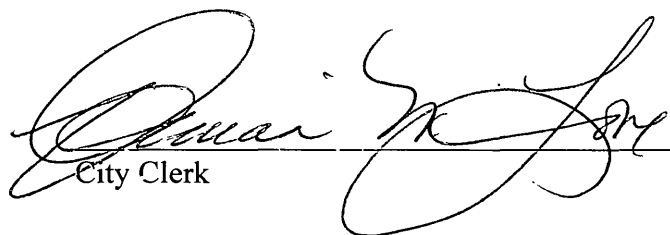
ADJOURNMENT: The City Council adjourned in memory of Yitzhak Rabin, Helen Pitstick, George Greenstein, Nina Leibman, and Eric Simon at 12:15 a.m. to an adjourned regular meeting on Monday, November 20, 1995 at 6:00 p.m., immediately followed by a Study Session for continued discussion of the Sunset Specific Plan, at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 20TH DAY OF NOVEMBER, 1995.



MAYOR

ATTEST:



City Clerk