

ORDINANCE NO. 1799

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AMENDING SECTIONS 14.04.030, 14.04.050, AND 14.04.280 OF THE GARDENA MUNICIPAL CODE RELATING TO QUALIFICATIONS OF RENT MEDIATION BOARD MEMBERS AND NOTICE OF MEDIATION PROCEDURES

WHEREAS, members of the Rent Mediation Board of the City of Gardena have requested certain technical and clarifying amendments to the Rent Mediation Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES ORDAIN, AS FOLLOWS:

SECTION 1.

Section 14.04.030 of the Gardena Municipal Code is amended to read, as follows:

14.04.030 Rent mediation board created – Composition.

The Gardena rent mediation board is created. The board shall consist of fifteen members comprised of five tenant members, five owner/~~manager/real estate professional~~ members, and five members-at-large.

SECTION 2.

Section 14.04.050(B) of the Gardena Municipal Code is amended to read, as follows:

B. All owner/~~manager/real estate professional~~ members shall own, manage, or have a residential income-producing property interest within the city and preferably shall be residents of the city.

SECTION 3.

Section 14.04.280 of the Gardena Municipal Code is amended to read, as follows:

14.04.280 Notice of mediation and ~~arbitration~~ hearing procedures.

The board shall prepare a booklet outlining the provisions of this chapter. Owners of residential rental units shall provide at least one booklet to the residents of each unit owned by them. New tenants shall be provided with a copy of the booklet at the time of occupancy. ~~Notification of the current rent increase Notification of rent increases mailed on or after February 1, 1988,~~ shall have no effect, and a tenant shall have a defense to any unlawful detainer action for failure to pay such increases in rent, if the tenant has not been provided with a booklet as required by this section. The burden of proof in disputes as to whether a booklet has been provided shall be on the landlord. Failure to provide a booklet may also be considered by the Hearing Officer ~~arbitrator~~ in determining the distribution of costs pursuant to Section 14.04.200. A tenant's signed statement, which may be included in the rental agreement, acknowledging that the owner has provided the tenant the booklet required by this section, shall constitute proof of the owner's compliance with this section.

SECTION 4. CEQA Compliance. This Ordinance is exempt from CEQA under the following provisions of the CEQA Guideline Section 15061(c)(3) provides that a project is exempt from CEQA when it is covered by the general rule that CEQA only applies to projects

which have the potential for causing a significant effect on the environment and does not apply where it can be seen with certainty that there is no possibility of a significant effect. It is clear that the changes set forth in this Ordinance will not create any significant impacts. Staff is directed to file a notice of exemption.

SECTION 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 6. Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

SECTION 7. Effective Date. This ordinance shall become effective on the thirty-first day after adoption.

Passed, approved, and adopted this 28th day of August, 2018.


TASHA CERDA, Mayor

ATTEST:


MINA SEMENZA, City Clerk

APPROVED AS TO FORM:


PETER L. WALLIN, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss:
CITY OF GARDENA)

I, **MINA SEMENZA**, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance being **Ordinance No. 1799** was duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a meeting of said City Council held on the **28th** day of **August, 2018**, and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBER HENDERSON, MAYOR PRO TEM TANAKA, COUNCIL
 MEMBER MEDINA AND MAYOR CERDA

NOES: NONE

ABSENT: COUNCIL MEMBER KASKANIAN

for Becky Romero
City Clerk of the City of Gardena, California

(SEAL)