

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, JULY 17, 2017
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

***APPROXIMATELY 7:30 P.M. - ADJOURNED REGULAR MEETING
(Immediately following the 6:00 p.m. Study Session
with the Community Development Department)***

CALL TO ORDER: Mayor Heilman called the meeting to order at 7:48 p.m.

PLEDGE OF ALLEGIANCE: Jack Allendorfer led the Pledge of Allegiance.

ROLL CALL:

PRESENT: Councilmember D'Amico, Councilmember Horvath, Councilmember Meister, Mayor Pro Tempore Duran, and Mayor Heilman.

ABSENT: None.

ALSO PRESENT: City Manager Arevalo, Deputy City Attorney Langer, City Clerk Quarker, and Administrative Specialist IV Poblador.

APPROVAL OF AGENDA:

Mayor Heilman requested that Item 6.A. be heard right after the Successor Agency Items, and that Unfinished Business Items be heard in the following order: Item 4.B., Item 4.A., Item 4.C., and then Item 4.D.

Councilmember Meister requested that Item 2.H. be moved to Excluded Consent for discussion.

Motion by Mayor Pro Tempore Duran to approve the July 17, 2017 Agenda as amended, seconded by Councilmember Horvath and approved.

ADJOURNMENT MOTIONS:

Councilmember Horvath requested that the meeting be adjourned in memory of Tommie Charlene Shell Collins, Shuja Taj, Levi Isaac Galperin, and Ken Silk. She also requested that the meeting be adjourned in honor of military service personnel who lost their lives in service to our country since the last meeting: Army Private First Class Hansen B. Kirkpatrick (19) and those that lost their lives in the military transport crash in Mississippi: Maj. Caine M. Goyette; Capt. Sean E. Elliott; Gunnery Sgt. Mark A. Hopkins; Gunnery Sgt. Brendan C. Johnson; Staff Sgt. Joshua M. Snowden; Sgt. Julian M. Kevianne; Sgt. Owen J. Lennon; Cpl. Daniel I. Baldassare; Cpl. Collin J. Schaaff; Staff Sgt. Robert H. Cox; Staff Sgt. William J. Kundrat; Sgt. Chad E. Jenson; Sgt. Talon

R. Leach; Sgt. Joseph J. Murray; Sgt. Dietrich A. Schmieman; and Petty Officer 2nd Class Ryan M. Lohrey.

Councilmember Meister requested that the meeting be adjourned in memory of Danny Munoz.

Mayor Heilman requested that the meeting be adjourned in memory of Sherman Andelson. He also requested that the meeting be adjourned in memory of Actor Martin Landau.

PRESENTATIONS:

Mayor Heilman introduced a special presentation by Larry Block, who reported that he worked with local businesses to raise \$20,000 for the Los Angeles LGBT Center.

1. PUBLIC COMMENT:

GENEVIEVE MORRILL, REPRESENTING THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of Item 2.P.

ROB BERGSTEIN, WEST HOLLYWOOD, spoke in support of Item 2.U.

SCOTT SCHMIDT, WEST HOLLYWOOD, spoke regarding Item 2.R. and the cost of the event.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in support of Items 2.P. and 2.U.

CATHY BLAIVAS, WEST HOLLYWOOD, spoke in support of Item 2.P.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding her concern with the City's affiliation with Wells Fargo.

MARTHA ORTEGA, VAN NUYS, spoke regarding West Hollywood Preschool and thanked Council for their support of the school.

JOHN ALLENDORFER, WEST HOLLYWOOD, spoke regarding Senators who do not support the GOP's healthcare plan, and thanks the London Hotel and their community events.

JOYCE HEFTEL, WEST HOLLYWOOD, spoke regarding Item 6.A. and her poor experiences with short term rentals in her neighborhood.

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

Councilmember D'Amico thanked Larry Block for his work organizing donations during Pride. He spoke regarding Item 2.M. and encouraged residents to participate in National Night Out on August 1st. He asked the City Manager to clarify the funding

source for Item 2.R. He spoke regarding the importance of Item 2.U. and thanked Hernan Molina and Andi Lovano for their hard work on this long overdue issue. He reported that he received no donations from anyone on tonight's agenda.

Councilmember Horvath spoke regarding Women's Equality Day and the event scheduled for August 18th. She thanked Councilmember D'Amico and Staff for bringing forward Item 2.U., and encouraged any interested to attend a community forum to discuss this issue. She stated that she is pleased that the City has joined *Energy Upgrade California* to pledge to use energy efficiently and reduce our carbon footprint. She reported that there will be a NextGen event this Thursday, July 20, at the Andaz Hotel to talk about how the next generation of leadership can be involved in the community. She wished a Happy Birthday to Councilmember D'Amico and Commissioner Meltzer as well as an upcoming Happy Birthday to Mayor Heilman. She reported that she represented the City as part of the Human Development Committee of the National League of Cities, where she helped to advance the initiative to account for the LGBT community in Census data, and the Women in Municipal Government Constituency Group to develop policy against tactics used to discourage Women from serving in public office. She also reported that she testified on two bills being heard in front of the Assembly regarding the placement of Cell towers and the makeup of the L.A. Metro Board. She also reported that she represented the city at the recent Sanitation District meeting. She thanked everyone who participated in the recent Cannabis Study Session last week.

Councilmember Meister reported that the best safety practices booklet for nightlife venues is available for free on the City's website and upon request from the City's Public Safety Department. She spoke regarding Item 2.F. and requested that staff consider accessibility issues with regard to housing for seniors and disabled individuals; specifically the need for showers in the units and more than one elevator in a building. She spoke regarding Item 2.J. and asked that staff look into complaints received regarding the John Stewart Company. She spoke regarding Item 2.L. and asked that Staff work on the issues with the HVAC system in Council Chambers. She thanked her colleagues for supporting Item 2.O., a pilot program to provide free sunscreen at City parks and thanked the Mayor for co-sponsoring Item 2.P., the development of a homeless service meter donation program to raise public awareness.

Mayor Pro Tempore Duran thanked Mayor Heilman and former Councilmember Abbe Land for initially championing the idea of Item 2.G. He asked that the City Manager look into developing a process in the future for increasing the funding provided to the schools. He spoke regarding Item 2.Q., and thanked his colleagues for supporting that item. He also disclosed that he is a non-paid Board Member of the Van Ness Recovery House. He reported on his recent attendance at the National Association for Latino Elected and Appointed Officials (NALEO) Conference from June 22-24, in Dallas, Texas; where he had the opportunity to meet with Secretary of Labor Acosta, of the Trump Administration. He encouraged residents to attend National Night Out. Finally, he wished Mayor Heilman a happy birthday on Wednesday.

Mayor Heilman spoke regarding Item 2.I. and asked Staff if WHCHC could report every six months like our other contract agencies, rather than a quarterly. He announced that there will be a free service of shredding and electronic waste collection event Saturday, July 29, 2017 from 9am – 12pm at Cedars Sinai parking lot.

CITY MANAGER’S REPORT:

City Manager Arevalo provided clarification for Councilmember D’Amico on Item 2.R. He stated that the funding for the event will come from the Recreation Services Fund.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Quarker stated that the fiscal impact on the Consent Calendar with removal of Item 2.H. is \$940,595 in expenditures, \$9,267,757 in potential revenue, and (\$8,957) in waived fees.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar, as amended, 2.A.,B.,C.,D.,E.,F.,G.,I.,J., K.,L.,M.,N.,O.,P.,Q.,R.,S.,T.,U.,V.,W. Motion by Councilmember Horvath, seconded by Councilmember Duran, and approved.

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Monday, July 17, 2017 was posted at City Hall, Plummer Park, the Sheriff’s Station, and at the West Hollywood Library on Wednesday, July 12, 2017.

ACTION: Receive and file. Approved as part of the Consent Calendar.

2.B. APPROVAL OF MINUTES:

SUBJECT: The City Council is requested to table the approval of the minutes of the prior Council meeting.

ACTION: Table the approval of the July 10, 2017 Special Meeting and Study Session minutes to the next regular City Council meeting in August. Approved as part of the Consent Calendar.

2.C. APPROVAL OF DEMAND REGISTER NO. 807 [D. WILSON, L. QUIJANO]:

SUBJECT: The City Council shall approve or reject the Demand Register for period ending July 7, 2017 pursuant to Sections 37201 to 37210 of the Government Code of the State of California.

ACTION: Approve Demand Register NO. 807 and adopt Resolution No.17-4977, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING PAYMENT OF DEMANDS PRESENTED ON DEMAND REGISTER NO. 807.” Approved as part of the Consent Calendar.

- 2.D. COMMISSION AND ADVISORY BOARD MEETING SYNOPSES (Y. QUARKER, M. CROWDER):**
SUBJECT: The City Council will receive Synopses from the Arts and Cultural Affairs Commission, Public Facilities Commission, Rent Stabilization Commission, Transportation Commission, Russian Advisory Board, Senior Advisory Board, Transgender Advisory Board, and the Women's Advisory Board on the actions taken at their recent meetings.
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.E. TREASURER'S REPORT FOR MAY 2017 [D. WILSON, L. QUIJANO, K. BARENG, N. CORONADO]:**
SUBJECT: The City Council will receive the Treasurer's Report for the month ended May 2017 pursuant to Section 53646 of the Government Code of the State of California.
ACTION: Receive and file the May 2017 Treasurer's Report. **Approved as part of the Consent Calendar.**
- 2.F. WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION FOURTH QUARTER REPORT FOR FISCAL YEAR 2016-17 [E. SAVAGE, P. NOONAN]:**
SUBJECT: The City Council will receive the West Hollywood Community Housing Corporation Administrative Contract Report for the Fourth Quarter of 2016-17.
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.G. GRANTS IN THE SCHOOLS PROGRAM UPDATE [E. SAVAGE, D. GIUGNI, L. ISENBERG, C. ROSKIN]:**
SUBJECT: The City Council will receive a report on the 2016-2017 Grants in the Schools Program.
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.H. UPDATE ON PUBLIC BENEFITS FRAMEWORK AND AMENDMENT TO AGREEMENT FOR SERVICES WITH HR&A ADVISORS [S. DEWOLFE, J. KEHO, B. SIEGL, R. DIMOND]:**
SUBJECT: The City Council will consider an amendment to the Agreement for Services with HR&A Advisors to facilitate the completion of the Public Benefits Framework, and will receive an update regarding development of a public benefits framework methodology and the menu of public benefits.
ACTIONS: This Item was moved to Excluded Consent.
- 2.I. WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION ANNUAL ADMINISTRATIVE CONTRACT FOR FISCAL YEAR 2017-18 [E. SAVAGE, P. NOONAN]:**
SUBJECT: The City Council will consider approval of the West Hollywood Community Housing Corporation (WHCHC) annual administrative contract for fiscal year 2017-18 in an amount not to exceed \$235,000.

ACTIONS: 1) Approve an agreement for services with WHCHC in an amount not-to-exceed \$235,000; 2) Authorize the City Manager or designee to execute all documents incident to the agreement. **Approved as part of the Consent Calendar.**

- 2.J. AGREEMENT FOR SERVICES WITH WESTSIDE CENTER FOR INDEPENDENT LIVING TO PARTICIPATE IN THE CITY OF WEST HOLLYWOOD HOME SECURE PROGRAM [E. SAVAGE, P. NOONAN]:**
SUBJECT: The City Council will consider approving an Agreement for Services with Westside Center for Independent Living (WCIL) to participate in the City's Home Secure Program, a pooled funding source providing safety and security improvements to qualified renter and owner households.

ACTIONS: 1) Approve an Agreement for Services with Westside Center for Independent Living for a total not to exceed amount of \$50,000 over the next two years to participate in the City's Home Secure Program, a pooled funding source providing safety and security improvements to qualified renter and owner households; and 2) Authorize the City Manager or designee to execute documents incident to the Agreement. **Approved as part of the Consent Calendar.**

- 2.K. APPROVAL OF AGREEMENT FOR SERVICES WITH ALLIANCE FOR HOUSING AND HEALING [E. SAVAGE, P. NOONAN]:**

SUBJECT: The City Council will consider approving an agreement for services with Alliance for Housing and Healing to provide relocation assistance to households facing eviction through no fault of their own.

ACTIONS: 1) Approve an Agreement for Services with Alliance for Housing and Healing in the amount of \$25,000 to provide relocation assistance to households facing eviction through no fault of their own; and 2) Authorize the City Manager or designee to execute all documents incident to this agreement. **Approved as part of the Consent Calendar.**

- 2.L. AMENDMENT NO. 1 TO THE AGREEMENTS FOR SERVICES WITH JOHNSON CONTROLS, INC. [O. DELGADO, S. CAMPBELL, H. COLLINS]:**

SUBJECT: The City Council will consider Amendment No. 1 to Agreement #008067 and Amendment No. 1 to Agreement #008070 for HVAC Maintenance and Repair Services with Johnson Controls, Inc.

ACTIONS: 1) Approve Amendment No. 1 to Agreement #008067 for HVAC Maintenance and Repair Services with Johnson Controls, Inc. for the West Zone by: increasing the not-to-exceed amount of the Agreement by \$300,000 for a total not-to-exceed amount of \$408,964.80; and, extending the term of the Agreement by 24 months resulting in a new expiration date of June 30, 2020; 2) Approve Amendment No. 1 to Agreement #008070 for HVAC Maintenance and Repair Services with Johnson Controls, Inc. for the Central Zone by: amending the Scope of Services (Exhibit "A") to include the Playhouse; increasing the not-to-

exceed amount of the Agreement by \$225,000 for a total not-to-exceed amount of \$280,710; and, extending the term of the Agreement by 24 months resulting in a new expiration date of June 30, 2020; and 3) Authorize the City Manager or designee to execute all documents incident to the Amendment to the Agreement. **Approved as part of the Consent Calendar.**

2.M. NATIONAL NIGHT OUT AGAINST CRIME IN WEST HOLLYWOOD [K. COOK, L. CAMPBELL, J. JIMENEZ]:

SUBJECT: The City Council will consider designating Tuesday, August 1, 2017 as National Night Out Against Crime in West Hollywood and approve various administrative requests to assist in the success of National Night Out events.

ACTIONS: 1) Proclaim August 1, 2017 “National Night Out” in West Hollywood; 2) Approve all street closures for National Night Out block parties; and 3) Approve the City’s official sponsorship of all West Hollywood National Night Out events and waive all City fees associated with this event. **Approved as part of the Consent Calendar.**

2.N. WOMEN’S EQUALITY DAY 2017 [M. LOUIE, C. SMITH, L. FOOKS]:

SUBJECT: The City Council will consider approval of programming for the City’s annual Women’s Equality Day commemoration.

ACTIONS: 1) Approve programming for Women’s Equality Day commemoration and direct staff to coordinate and promote it; and 2) Approve the use of the West Hollywood City Council Chambers and an additional two hours of validated parking (for a total of 4 hours) at the 5-story parking structure. **Approved as part of the Consent Calendar.**

2.O. PROPOSAL TO PROVIDE FREE SUNSCREEN AT CITY PARKS [L. MEISTER, A. LOVANO, S. BERGER]:

SUBJECT: The City Council will consider directing staff to develop a free sunscreen program, including the installation of sunscreen dispensers, in the City’s parks and other appropriate locations.

ACTIONS: 1) Direct the Recreation Services Division to work with the Facilities & Field Services Division to develop and implement a program to provide free sunscreen dispensers at the City’s parks and other appropriate locations and to educate the public on the importance of sunscreen use and sun health; 2) Direct the Communications Department to utilize all appropriate communication tools to promote the new program including, but not limited to, the City’s website, press release, and social media tools; 3) Direct staff to seek advertising contracts, licensing agreements or partnerships with advocacy groups and local healthcare companies to offset some or all of the costs of the program; and 4) Authorize the Director of Finance and Technology Services to allocate \$5,000 from the Special Council Programs account number 100-1-01-00-531001 to purchase, install, and maintain the sunscreen dispensers if

other offsets do not cover the full costs of the program. **Approved as part of the Consent Calendar.**

2.P. DEVELOPMENT OF HOMELESS SERVICES METER DONATION PROGRAM [L. MEISTER, J. HEILMAN, C. PLANCK]:

SUBJECT: The City Council will consider directing staff to develop a parking meter donation program to increase community education and awareness of the City's Homeless Initiative and to provide limited financial benefit efforts to address homelessness in West Hollywood.

ACTIONS: 1) Direct the City Manager's Department to work with the Department of Public Works to strategically place three to five parking meters in non-parking areas to be utilized as community education and awareness tools, and also as vehicles to raise funds to address homelessness in West Hollywood; and 2) Direct City Manager's Department and the Department of Public Works to strategize with the City's Communications Department and Social Services Division to ensure clarity of messaging associated with this program. **Approved as part of the Consent Calendar.**

2.Q. CO-SPONSORSHIP OF VAN NESS RECOVERY HOUSE MOVIE SCREENING [J. DURAN, A. LOVANO]:

SUBJECT: The City Council will consider co-sponsorship of the Van Ness Recovery House's movie screening fundraiser on Saturday, August 5 in Great Hall at Plummer Park from 6 p.m. to 11 p.m.

ACTIONS: 1) Approve the co-sponsorship of the Van Ness Recovery House's movie screening and authorize the use of the City name on invitations, programs, and other collateral materials; 2) Approve the use of the City facilities and waive facility use fees and the Plummer Park three hour parking regulation (estimated \$195 in waived fees); and 3) Authorize the City Manager to execute an Event Co-sponsorship Agreement and any other documents related to this event with the event organizer. **Approved as part of the Consent Calendar.**

2.R. CO-SPONSORSHIP OF THE 2017 WEHO SPORTS FESTIVAL [J. HEILMAN, A. LOVANO]:

SUBJECT: The City Council will consider co-sponsoring the 2017 WeHo Sports Festival, which will take place September 1-4, 2017.

ACTIONS: 1) Authorize a \$36,000 co-sponsorship of the 2017 WeHo Sports Festival; 2) Authorize the use of the Plummer Park tennis courts on Monday, September 4, 2017; 3) Suspend parking enforcement regulations at Plummer Park south parking lot during the hours of the tennis tournament on September 4, 2017; 4) Authorize the use of the West Hollywood Auditorium on Saturday, September 2 and Sunday, September 3, 2017; 5) Waive parking fees for all day parking at the 5-story parking structure for attendees of the events on Saturday, September 2 and Sunday, September 3 (estimated \$4,800 in waived fees); 6) Waive special event permit fees, facility use fees, and any other city fees associated with

the WeHo Sports Festival (estimated \$3,062 in waived fees); 7) Authorize the use of the City name and logo on invitations, programs, and other collateral materials; 8) Direct the Communications Department to utilize all appropriate communication tools to promote the event including, but not limited to, the City's website and social media tools; and 9) Authorize the City Manager to execute an Event Co-sponsorship Agreement and any other documents related to this event with the event organizer. **Approved as part of the Consent Calendar.**

2.S. RESOLUTION AMENDING THE SCHEDULES FOR THE INCLUSIONARY HOUSING PROGRAM [E. SAVAGE, P. NOONAN]:

SUBJECT: The City Council will consider adopting a resolution amending the schedules for the Inclusionary Housing Program setting 2016-17 rent limits, income requirements, and sale prices.

ACTION: Adopt Resolution No. 17-4978, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE INCLUSIONARY HOUSING SCHEDULES". **Approved as part of the Consent Calendar.**

2.T. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING AMENDMENT NO. 1 TO THE AFFORDABLE HOUSING BOND PROCEED EXPENDITURE AGREEMENT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE SUCCESSOR AGENCY TO THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION [D. WILSON, J. LEONARD]:

SUBJECT: This item recommends that the City Council adopt Amendment No. 1 to the Affordable Housing Bond Proceed Expenditure Agreement dated January 23, 2017, between the City of West Hollywood and the Successor Agency, to add \$9,276,757 in 2011 Series A non-housing bond proceeds to the Agreement.

ACTIONS: 1) Approve City Council Resolution No. 17-4979, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING AMENDMENT NO. 1 TO THE AFFORDABLE HOUSING BOND PROCEED EXPENDITURE AGREEMENT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE SUCCESSOR AGENCY TO THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION"; and 2) Direct staff to submit the Amendment No. 1 to the Oversight Board and State Department of Finance for Review. **Approved as part of the Consent Calendar.**

2.U. RESOLUTION IN SUPPORT OF SB 611 (HILL) REFORMS TO DISABLED PERSON PARKING PLACARD PROGRAM [J. D'AMICO, A. LOVANO, S. BERGER]:

SUBJECT: The City Council will consider adopting a resolution in support of SB 611 (Hill) which will revise the California State Vehicle Code to include measures to prevent abuse of the disabled person parking placard program.

ACTIONS: 1) Adopt Resolution No. 17-4980, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 611 (HILL) REFORMS TO DISABLED PERSON PARKING PLACARD PROGRAM;" and 2) Direct staff to send copies of the adopted resolutions to Governor Jerry Brown, CA State Senators Ben Allen and Jerry Hill, CA State Assembly Member Richard Bloom, and other legislators and statewide partners as appropriate. **Approved as part of the Consent Calendar.**

2.V. A RESOLUTION IN SUPPORT OF SB 185 (HERTZBERG), DRIVER'S LICENSE SUSPENSION [L. MEISTER, J. D'AMICO, A. LOVANO]:

SUBJECT: The City Council will consider adopting a resolution in support of SB 185 (Hertzberg, D-Van Nuys), which would prohibit California's courts and counties from automatically suspending drivers' licenses as a means of collecting court-ordered debt from people who are unable to afford the fines or fees imposed by minor traffic tickets.

ACTIONS: 1) Adopt Resolution No. 17-4981, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 185 (HERTZBERG), CRIMES: INFRACTIONS;" and 2) Direct staff to send copies of the adopted resolution to Governor Jerry Brown, CA State Senators Ben Allen and Robert Hertzberg, CA State Assembly Member Richard Bloom, and other legislators and statewide partners as appropriate. **Approved as part of the Consent Calendar.**

2.W. AGREEMENT FOR CROSSING GUARD SERVICES WITH ALL CITY MANAGEMENT SERVICES (ACMS) [E. SAVAGE, D. GIUGNI, P. GOODMAN]:

SUBJECT: The City Council will consider approving an Agreement for Services with All City Management Services (ACMS) in an amount not to exceed \$30,000 to provide crossing guard services to West Hollywood and Rosewood elementary schools.

ACTIONS: 1) Approve an Agreement for Services with All City Management Services (ACMS) for crossing guard services for a total not-to-exceed \$30,000; and 2) Authorize the City Manager or designee to execute documents incident to the Amendment. **Approved as part of the Consent Calendar.**

THE CITY COUNCIL WILL RECESS AND RECONVENE AS THE SUCCESSOR AGENCY TO THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: (8:35 p.m.)

The Successor Agency to the West Hollywood Community Development Commission approved the minutes of the January 23, 2017 meeting and approved Amendment No. 1 to the Affordable Housing Bond Proceed Expenditure Agreement between the City of West Hollywood and the Successor Agency to the West Hollywood Community Development Commission.

The actions are more fully described in the minutes of the Successor Agency to the West Hollywood Community Development Commission.

THE SUCCESSOR AGENCY TO THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION RECESSED AND RECONVENED AS THE CITY COUNCIL: (8:40 p.m.)

3. PUBLIC HEARINGS: None.

Legislative Item 6.A. was heard before the Unfinished Business Items

6.A. ORDINANCE ESTABLISHING SEISMIC STRENGTHENING PROVISIONS FOR TWO CATEGORIES OF EXISTING BUILDINGS IN THE CITY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [S. DEWOLFE, C. ZABALA]:

SUBJECT: The City Council will consider a draft ordinance amending the West Hollywood Municipal Code to introduce new seismic retrofit provisions for the strengthening of two existing building types. The ordinance has been amended from prior versions to exempt common interest developments and establish disclosure requirements upon sale of property at the request of the City Council. This report also addresses the requested research with respect to the building type data collected by the Consultants for the seismic survey.

Acting Building and Safety Manager Cynthia Zabala provided background information as outlined in the staff report dated July 17, 2017.

DREW DAVIDOFF, NEW YORK spoke in opposition to mandatory seismic retrofitting and in opposition to the engineer reporting requirement.

SERGEY KNAZEV, WEST HOLLYWOOD spoke in opposition to amendment regarding mandating an engineering report and disclosure requirement.

JOYCE HEFTEL, WEST HOLLYWOOD spoke in opposition to amendment regarding mandating an engineering report and disclosure requirement.

JEANNE DOBRIN, WEST HOLLYWOOD asked about her own condo building and if they are required to retrofit.

The following individuals did not wish to speak, but submitted a Citizen Position Slip in opposition to mandatory seismic retrofitting and in opposition to the engineering report and disclosure requirement for condo owners: *Rafael Conn, Victor Tomasino, Guy*

Fedele, Sandra R., Trista Rullan, Justan Huchel, D. Matt Stallman, Robert Libens, Kristin Greiff, Daniel May, and Kathryn Ross.

Councilmember Horvath discussed standing by her request for exemption from the last discussion on this topic. She also requested that information on whether a building will be retrofitted, will not be retrofitted, or has already been retrofitted, be provided to potential buyers. She also requested that the public have access to the studies conducted by the City, so that owners can make informed decisions on their best approaches, and to share information regarding earthquake insurance.

Mayor Pro Tempore Duran reiterated that single-family homes and condos are exempt per the last discussion of this topic. He spoke in support of the Item as it relates to commercial buildings and spoke regarding the importance of the City being prepared for an impending earthquake.

Councilmember Meister spoke in support of the exemption and encouraged residents of these types of buildings to undergo training in earthquake preparedness.

Councilmember D'Amico spoke in support of the Item and requested clarification on the timing of the ordinance going into effect. Staff clarified that after approval, the Ordinance would go into effect after one year.

Mayor Heilman asked the City Manager to ensure that the City reaches out to the large commercial buildings. He also spoke in support of removing the mandate requiring an engineering report.

Deputy City Attorney Lauren Langer read into the record the following revisions to the Ordinance: a) Page 1- Section 13.36.020(5), will be revised to read, "Residential common interest developments as the term is defined in the West Hollywood Municipal Code Section 19.90.020."; b) Page 12 – Section 13.40.020(3) will be revised to read: "Residential common interest developments as that term is defined in the West Hollywood Municipal Code Section 19.90.020."

ACTIONS: 1) Introduce on first reading a revised Ordinance: ORDINANCE NO 17- 1011: AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING SEISMIC STRENGTHENING REQUIREMENTS FOR TWO CATEGORIES OF EXISTING BUILDINGS IN THE CITY AND AMENDING TITLES 13 AND 9 OF THE WEST HOLLYWOOD MUNICIPAL CODE, with the revisions to Sections 13.36.020(5) and 13.40.020(3); and 2) The Ordinance shall be operative one year after its effective date. Motion by Councilmember D'Amico, seconded by Councilmember Meister, and approved.

4. UNFINISHED BUSINESS:

4.A. CAPITAL AND SPECIAL PROJECTS PROGRAM UPDATE [S. DEWOLFE, J. KEHO, J. HANKAMER]:

SUBJECT: The City Council will receive an update on the multi-year implementation timeline for major Capital Projects.

ACTION: This Item was Tabled.

4.B. UPDATE ON ENFORCEMENT EFFORTS OF THE SHORT TERM RENTAL POLICY IN THE CITY OF WEST HOLLYWOOD [O. DELGADO, J. AUBEL, D. MICK]:

SUBJECT: The West Hollywood City Council will receive an update on the state of the Short Term Rental market in the City and the enforcement efforts related to the City's Short Term Rental policy and provide additional direction to staff as to how to proceed in the future.

Commercial Code Compliance Supervisor Daniel Mick provided background information as outlined in the staff report dated July 17, 2017.

Councilmember D'Amico asked about the logs kept by hotels, and also about the Transient Occupancy Tax for STR and hotels and whether we can impose this Tax without an election. Deputy City Attorney stated that the City is allowed to tax STR's.

ERIC GONZALES, WEST HOLLYWOOD, spoke in favor of host being present, but does not support the guest logs being kept for such a long period of time.

BRAD KEISTLER, WEST HOLLYWOOD spoke in support of this item as a host.

JUSTIN TINDALL, WEST HOLLYWOOD spoke in support of the item as a potential future host.

LESLIE KARLISS, WEST HOLLYWOOD spoke in support of this item.

RICHARD GIESBRET, WEST HOLLYWOOD spoke in opposition to this item.

JOYCE HEFTEL, WEST HOLLYWOOD spoke in opposition to this item.

JESSE NELSON, LOS ANGELES spoke regarding the item and various options of enforcement.

DAVID WARREN, WEST HOLLYWOOD spoke in favor of higher enforcement, hiring another staff person, and the need to monitor parking passes.

JEANNE DOBRIN, WEST HOLLYWOOD requested clarification on who exactly is the “host”, the renter or the owner of the unit.

LARRY BLOCK, WEST HOLLYWOOD spoke in support of this item.

The following individuals did not wish to speak, but submitted a Citizen Position Slip in support of the Item: *Wesley Bridle, Gerardo Garcia, John Douponce, West Hollywood Chamber of Commerce, and Richard Karliss*

The following individuals did not wish to speak, but submitted a Citizen Position Slip in opposition to the Item: *Mike Dolan, Jay Fuentes, and Deric Schmidt.*

Mayor Pro Tempore Duran spoke in support of home sharing in single-family homes, and believes that Condo owners and their respective HOA’s can make their own internal decision on this issue. However, he expressed concern with encouraging tenants in rent stabilized units to participate, as it could lead to eviction.

Councilmember Meister spoke regarding the proposed requirement that a host can only participate if they are using their primary residence, and asked how the City would know whether a host lives at a residence for 270 days/year. Code Enforcement Supervisor Dan Mick stated that there is no way to be 100% sure; however if the City has the requirements in the Ordinance and are responding to a complaint and the owner is not there, they can enforce this rule if it is determined that the owner is not on-site during the visitor’s stay.

Councilmember D’Amico spoke in support of the item and the recommendations presented by Staff.

Councilmember Horvath provided some background on how the City’s relationship began with Airbnb and further stated that she hopes the City can have a more positive relationship with these types of platforms in the future. She spoke in support of some of the enforcement measures, but expressed concern with overburdening the hosts with some of the proposed reporting requirements. She also requested that a mailing be sent to residents regarding the Ordinance.

Deputy City Attorney Langer stated that the City Attorney’s office would be assisting with the drafting of the ordinance, and would ensure that it is kept consistent with the Rent Stabilization Ordinance.

Mayor Heilman spoke regarding compliance being his main goal in protecting the community.

Councilmember Meister expressed concern with the potential abuse of visitor passes. She spoke in support of entering into a contract with Host Compliance and limiting the number of days per year to 90.

ACTIONS: 1) Direct staff to return in 90 days with a proposed ordinance that creates an 18 month pilot program to allow for home sharing; 2) Direct staff to return with a proposed ordinance that modifies the Zoning Code to allow for hosted home sharing while retaining the prohibition on unhosted home sharing; 3) Direct staff to return with a proposed ordinance that creates a new category of business license, Home Sharing, in Chapter 5 of the West Hollywood Municipal Code and specifies the application process and operating requirements; 4) Direct staff to return with a proposed contract with Host Compliance for short term rental compliance monitoring and enforcement services. **Motion by Councilmember D'Amico, seconded by Councilmember Meister, and approved.**

4.C. APPOINTMENT OF CITY COUNCILMEMBERS AS DELEGATES AND ALTERNATES TO VARIOUS ORGANIZATIONS, COMMITTEES, AND SUB-COMMITTEES [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will continue making appointments as delegates and alternates to various organizations, committees, and sub-committees.

City Clerk Yvonne Quarker provided background information as outlined in the staff report dated July 17, 2017.

ACTIONS: Council took the following action:

1) League of California Cities Annual Conference: Delegate: LINDSEY HORVATH ; Alternates: JOHN DURAN and LAUREN MEISTER

2) Council directed the City Clerk to return to a future meeting with an Item to appoint sub-committee members to the CSW/Pride Sub-committee and the 1343 Laurel Sub-Committee.

4.D. COMMISSION AND ADVISORY BOARD APPOINTMENTS AND RE-APPOINTMENTS [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will consider making direct and at-large appointments to City Commissions and Advisory Boards.

City Clerk Yvonne Quarker provided background information as outlined in the staff report dated July 17, 2017.

ACTIONS:

1) Mayor Heilman made the following direct appointment: Historic Preservation Commission: **JAKE LAJOIE**

2) Councilmember Horvath made the following direct appointment: Lesbian & Gay Advisory Board: **JOHN ERICKSON**

3) Council made the following At-Large appointments:

a.) Public Facilities Commission: **BRANDON MILAN**; b) Disabilities Advisory Board: **MYRA "MIKIE" FRIEDMAN, KHUONG "DANNY" KHANG, and ROGER RENFREW**; c) Senior Advisory Board: **A. LEE WALKUP, JOHN ALLENDORFER, SOFIA GELMAN, AND WILLIAM MCNEELEY.**

5. NEW BUSINESS:

5.A. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will consider revising the City Council Regular Meeting Schedule for August and September.

City Clerk Yvonne Quarker provided background information as outlined in the staff report dated July 17, 2017.

ACTIONS: 1) Cancel the September 5, 2017 City Council Meeting; and 2) Direct the City Clerk to return to a future meeting with an Item to discuss meeting in November and December 2017. **Council approved by Consensus.**

EXCLUDED CONSENT CALENDAR:

2.H. UPDATE ON PUBLIC BENEFITS FRAMEWORK AND AMENDMENT TO AGREEMENT FOR SERVICES WITH HR&A ADVISORS [S. DEWOLFE, J. KEHO, B. SIEGL, R. DIMOND]:

SUBJECT: The City Council will consider an amendment to the Agreement for Services with HR&A Advisors to facilitate the completion of the Public Benefits Framework, and will receive an update regarding development of a public benefits framework methodology and the menu of public benefits.

Councilmember Meister requested clarification on why staff is requesting additional funding. Staff stated that the initial funding covering the first phase of the project; which created the draft tool. The additional funding would cover phase 2 of the project to finalize the methodology and attend hearings. Councilmember Meister expressed concern that negative impacts of a project were not being factored into the calculation. She also

requested that 8899 Beverly be used as one of the examples that Staff brings back to Council for review and discussion of this tool.

Councilmember D'Amico expressed concern that this tool may provide an outcome that the City was not expecting as it relates to how Developers present projects. He asked that when staff comes back to Council with case studies that includes specific scenarios and how we can put a value on what is proposed.

Councilmember Horvath expressed her concern with the number of consultants being used for projects. Additionally, she spoke in support of monitoring public benefit in more than just a dollar valuation.

ACTIONS: Staff recommends the City Council take the following action: 1) Approve Amendment No. 2 to the Agreement for Services with HR&A Advisors to expand the scope of services for additional economic analysis, fine tuning of the economic valuation tool, and to prepare materials for and participate in community meetings and public hearings, as needed, and increase the amount of the agreement by \$15,000 for a total not-to-exceed amount of \$35,000; and 2) Authorize the City Manager or designee to execute documents incident to the agreement. **Motion by Councilmember Duran, seconded by Councilmember Heilman, and approved with Councilmember Meister voting NO.**

6. LEGISLATIVE:

6.A. ORDINANCE ESTABLISHING SEISMIC STRENGTHENING PROVISIONS FOR TWO CATEGORIES OF EXISTING BUILDINGS IN THE CITY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [S. DEWOLFE, C. ZABALA]:

SUBJECT: The City Council will consider a draft ordinance amending the West Hollywood Municipal Code to introduce new seismic retrofit provisions for the strengthening of two existing building types. The ordinance has been amended from prior versions to exempt common interest developments and establish disclosure requirements upon sale of property at the request of the City Council. This report also addresses the requested research with respect to the building type data collected by the Consultants for the seismic survey.

ACTION: This Item was moved and heard before Unfinished Business.

PUBLIC COMMENT:

STEPHANIE HARKER, WEST HOLLYWOOD expressed her concern with Council tabling Item 4.A. very late in the meeting.

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 11:14 p.m. in memory of Tommie Charlene Shell Collins, Shuja Taj, Levi Isaac Galperin, Ken Silk, Army Private First Class Hansen B. Kirkpatrick, Maj. Caine M. Goyette; Capt. Sean E. Elliott; Gunnery Sgt. Mark A. Hopkins; Gunnery Sgt. Brendan C. Johnson; Staff Sgt. Joshua M. Snowden; Sgt. Julian M. Kevianne; Sgt. Owen J. Lennon; Cpl. Daniel I. Baldassare; Cpl. Collin J. Schaaff; Staff Sgt. Robert H. Cox; Staff Sgt. William J. Kundrat; Sgt. Chad E. Jensen; Sgt. Talon R. Leach; Sgt. Joseph J. Murray; Sgt. Dietrich A. Schmieman; Petty Officer 2nd Class Ryan M. Lohrey, Danny Munoz, and Sherman Andelson to its next regular meeting, which will be on Monday, August 7, 2017 at 6:30 P.M. at West Hollywood Park Public Meeting Room - Council Chambers.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 7th day of August, 2017 by the following vote:

AYES:	Councilmember:	D'Amico, Horvath, Meister, Mayor Pro Tempore Duran, and Mayor Heilman.
NOES:	Councilmember:	None.
ABSENT:	Councilmember:	None.
ABSTAIN:	Councilmember:	None.

JOHN HEILMAN, MAYOR

ATTEST:

YVONNE QUARKER, CITY CLERK