

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, SEPTEMBER 4, 2018
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

6:30 P.M. –REGULAR MEETING

CALL TO ORDER: The Mayor called the meeting to order at 6:38 p.m.

PLEDGE OF ALLEGIANCE: Richard Maggio led the Pledge of Allegiance.

ROLL CALL:

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

ABSENT: None.

ALSO PRESENT: City Manager Arevalo, City Attorney Jenkins, City Clerk Quarker, and Assistant City Clerk Crowder.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins reported that the Closed Session was called to order at 6:00 p.m. He stated that there was no public comment. He reported that there were no items added to the agenda and that the Closed Session adjourned at 6:30 p.m. with no reportable action.

APPROVAL OF AGENDA:

Councilmember Horvath requested that Items 5.A. and 5.D. be moved to the Consent Calendar as Items 2.U. and 2.W. respectively.

Councilmember Heilman requested that Item 5.C. be moved to the Consent Calendar as Item 2.V.

Mayor Pro Tempore D'Amico requested that Item 2.N. be moved to Excluded Consent for Council discussion.

Mayor Duran requested that Item 2.S. be moved to Excluded Consent for Council discussion.

Councilmember Heilman registered his "no" votes on Items 2.D., 2.E., and 2.F.

Motion by Councilmember Heilman, seconded by Councilmember Horvath, and approved.

ADJOURNMENT MOTIONS:

Councilmember Horvath requested that the meeting be adjourned in memory of John McCain and Aretha Franklin. As is the tradition in West Hollywood, Councilmember Horvath also requested that the meeting be adjourned for the following military death: Army Chief Warrant Officer 3 Taylor Gavin (34).

Councilmember Meister requested that the meeting be adjourned in memory of Mirka Mora.

Councilmember Heilman requested that the meeting be adjourned in memory of David H. Eichman, father of Transportation Commissioner David Eichman.

PRESENTATIONS:

Councilmember Heilman presented a plaque to Sue LaVaccare for her service on the Lesbian and Gay Advisory Board.

Councilmember Horvath presented a Proclamation to the Ovarian Cancer Circle in recognition of Ovarian Cancer Awareness Month.

Mayor Duran presented Certificates to Cheer LA, Lambda Basketball, LATA, WHSC, LAVO, and West Hollywood Aquatics for their participation in the Gay Games.

1. PUBLIC COMMENT:

ELLE FARMER, WEST HOLLYWOOD, spoke regarding Items 2.O., 2.D., and 2.E.

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding various items on the Consent Calendar.

HUGO SOTO, WEST HOLLYWOOD, spoke regarding Items 2.D., 2.E., and 2.F.

DIANA CORONADO, ON BEHALF OF THE BUILDING INDUSTRY ASSOCIATION, spoke regarding Item 2.O.

GENEVIEVE MORRILL, ON BEHALF OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke regarding Item 2.O.

STEPHEN BURN, LOS ANGELES, spoke regarding Item 5.A. (moved to the Consent Calendar).

LYN ETCETERA, WEST HOLLYWOOD, spoke regarding various issues affecting the City.

CHAD KROEGER, SAN CLEMENTE, spoke regarding scooters.

JT PARR, SAN CLEMENTE, spoke regarding scooters.

DENNIS RIDER, WEST HOLLYWOOD, spoke regarding the Arts Club project.

MARINA BERKMAN, ON BEHALF OF JEWISH FAMILY SERVICES, spoke regarding the City's support of JFS.

ADAM GOODMAN, WEST HOLLYWOOD, spoke regarding Item 3.A.

JORDAN GREENSLADE, LOS ANGELES, spoke regarding development in the City.

ALLA CHASNIK, ON BEHALF OF BET TZEDEK LEGAL SERVICES, spoke regarding the City's support of Bet Tzedek Legal Services.

KIMBERLY WINICK, WEST HOLLYWOOD, spoke regarding bike racks at City Hall.

KEVIN GEARY, WEST HOLLYWOOD, spoke regarding Pacific Cash Network (private ATM business) and shutting down their machines.

The following individual did not wish to speak, but submitted a Citizen Position Slip in support of Item 2.H.: *Ashley Love*

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

Councilmember Heilman commented on the upcoming Jewish holidays and wished everyone a happy holiday season. He also thanked Eric and the organizers of the Gay Games, and the 3rd Annual West Hollywood Sports Festival.

Councilmember Horvath reported that she represented the City at the Clean Power Alliance Legislative and regulations committee meeting, the Los Angeles County Division of the League of CA Cities meeting, and participated in the launch of the Yes on 10 campaign ballot measure, and that she met with the following representatives of cannabis businesses: Jose Cornejo, Howard and Priscilla, Rob and Bill, and Brian Egan. She also congratulated Assemblymember Bloom on bringing forward AB2684 which recognizes parental status to unmarried same sex couples. She stated that the Bill is now waiting for the Governor's signature and encouraged everyone to contact the Governor and encourage him to sign it. She spoke regarding Item 2.O. and stated that she is supportive and labor policy standards. She spoke regarding an upcoming Community Policing Conference in Los Angeles County- "A Day of Dialogue"; which will be held on Monday, October 15th (cocnotify@coclacounty.gov.) She congratulated Yola Dore and Anny Semonco as honorees by Sheila Kuehl to receive the 3rd District Award at the upcoming Access Luncheon.

Councilmember Meister announced that September is National Preparedness Month. She also spoke regarding an upcoming Innovative Urban Designs Solutions Symposium at Fiesta Hall on September 15th. She inquired about the status of the historic preservation incentives that are due to come back to Council.

Mayor Pro Tempore D'Amico announced that the Institute for Local Government Beacon Program has awarded the City three Beacon Spotlight Awards for its sustainability solutions. He reported that he is attending the Global Climate Summit next week, and thanked Staff and the City's Lobbyist for facilitating the trip. He mentioned a few things regarding Item 2.O. and responded to some of the public comment on this item by stating that he is open to meeting with the various groups on an ongoing basis to discuss these policies. He further commented on the community benefits for the Arts Club project. He also informed Chad Blouin, the City's Vector Control representative that Huntley Drive has been complaining about mosquitoes in the area.

Mayor Duran thanked staff, the Women's Advisory Board and the Lesbian and Gay Advisory Board for their hard work on the recent Women's Equality Day event. He commented that he's launching the *Straws Upon Request* at Kitchen 24 next week. He is participating in the Mayor's Round Table on the September 5. He indicated that September is National Recovery Month. The City is launching the 2019 Community Study on Tuesday, September 25th at Plummer Park. He also commented that on Sunday September 16th the City is launching the new CityLine vehicles. Finally, he discussed hotels, moratoriums, and transient occupancy tax and comments made during public comment.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding Item 2.N. and indicated that it can be tabled until October 1st. Council agreed to table Item 2.N. by consensus. He reported that he has spoken with staff regarding the public comment relating to Bike racks and that they will look into installing a few bike racks on Sweetzer behind City Hall. He responded to the speaker who mentioned the issues surrounding private ATM providers and banks, and indicated that he has been in touch with Economic Development. He reported that the Public Works Department will begin intersection improvements along Fountain. He also reported the Long Range Planning Division will be hosting *Pizza with the Planners* next Wednesday at Fiesta Hall. Finally, he mentioned a couple of awards that the City received.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Quarker stated that the fiscal impact on the Consent Calendar is \$7,765,835 in expenditures, \$6,928 in revenue, and (\$5,031) in waived fees.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar, as amended, 2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,K.,L.,M.,O.,P.,Q.,R.,T.,U.,V.,W. Motion by Councilmember Heilman, seconded by Councilmember Meister, and approved, noting the "no" vote of Councilmember Heilman on Items 2.D., 2.E., and 2.F.

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Tuesday, September 4, 2018 was posted at City Hall, Plummer Park, the Sheriff's Station, and at the West Hollywood Library on Wednesday, August 29, 2018.

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

2.B. APPROVAL OF MINUTES:

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

ACTION: Approve the minutes of August 20, 2018. **Approved as part of the Consent Calendar.**

2.C. APPROVAL OF DEMAND REGISTER NO. 832 [L. QUIJANO, C. CORRALES]:

SUBJECT: The City Council shall receive the Demand Register for period ending August 24, 2018 pursuant to Sections 37201 to 37210 of the Government Code of the State of California.

ACTION: Approve Demand Register NO. 832 and adopt Resolution No.18-5103, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING PAYMENT OF DEMANDS PRESENTED ON DEMAND REGISTER NO. 832". **Approved as part of the Consent Calendar.**

2.D. ORDINANCE NO. 18-1037 (2ND READING) "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE SUNSET SPECIFIC PLAN AREA TO INCLUDE THE SOUTHERN PORTION OF THE PROJECT SITE, AMENDING THE DEVELOPMENT STANDARDS FOR SITE 7-B, AND CREATING SITE 7-B(EAST) IN CONJUNCTION WITH A PROPOSED MULTI-USE OFFICE AND PRIVATE CLUB DEVELOPMENT LOCATED AT 8920 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA (THE ARTS CLUB)" [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 18-1037 an ordinance of the City of West Hollywood amending the Sunset Specific Plan area to include the southern portion of the project site, amending the development standards for site 7-B, and creating the site 7-B (east) in conjunction with a proposed multi-use office and private club development located at 8920 Sunset Boulevard, West Hollywood, California (The Arts Club).

ACTION: Waive further reading and adopt Ordinance 18-1037, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE SUNSET SPECIFIC PLAN AREA TO INCLUDE THE SOUTHERN PORTION OF THE PROJECT SITE, AMENDING THE DEVELOPMENT STANDARDS FOR SITE 7-B, AND CREATING SITE 7-B(EAST) IN CONJUNCTION WITH A PROPOSED MULTI-USE OFFICE AND PRIVATE CLUB DEVELOPMENT LOCATED AT 8920 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA (THE ARTS CLUB)".

Approved as part of the Consent Calendar, noting Councilmember Heilman's "no" vote.

- 2.E. ORDINANCE NO. 18-1038 (2ND READING) "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE ZONING MAP TO INCLUDE THE SOUTHERN PORTION OF THE PROJECT SITE WITHIN THE SUNSET SPECIFIC PLAN IN CONJUNCTION WITH THE PROPOSED MULTI-USE, OFFICE AND PRIVATE CLUB DEVELOPMENT LOCATED AT 8920 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA (THE ARTS CLUB)" [Y. QUARKER, M. CROWDER]:**

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 18-1038 an ordinance of the City of West Hollywood amending the zoning map to include the southern portion of the project site within the Sunset Specific Plan in conjunction with the proposed multi-use, office and private club development located at 8920 Sunset Boulevard, West Hollywood, California (The Arts Club).

ACTION: Waive further reading and adopt Ordinance 18-1038, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE ZONING MAP TO INCLUDE THE SOUTHERN PORTION OF THE PROJECT SITE WITHIN THE SUNSET SPECIFIC PLAN IN CONJUNCTION WITH THE PROPOSED MULTI-USE, OFFICE AND PRIVATE CLUB DEVELOPMENT LOCATED AT 8920 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA (THE ARTS CLUB)".
Approved as part of the Consent Calendar, noting Councilmember Heilman's "no" vote.

- 2.F. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE GENERAL PLAN LAND USE MAP TO INCLUDE THE SOUTHERN PORTION OF THE PROJECT SITE IN THE SUNSET SPECIFIC PLAN IN CONJUNCTION WITH A PROPOSED MULTI-USE, OFFICE AND PRIVATE CLUB DEVELOPMENT LOCATED AT 8920 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA. (THE ARTS CLUB) [J. KEHO, D. DEGRAZIA, J. ALKIRE]:**

SUBJECT: The City Council will adopt a resolution amending the General Plan Land Use Map to include the southern portion of the project site within the Sunset Specific Plan in conjunction with the proposed multi-use, office and private club development located at 8920 Sunset Boulevard, West Hollywood, California (The Arts Club).

ACTION: Adopt Resolution 18-5104, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE GENERAL PLAN LAND USE MAP TO INCLUDE THE SOUTHERN PORTION OF THE PROJECT SITE IN THE SUNSET SPECIFIC PLAN IN CONJUNCTION WITH A PROPOSED MULTI-USE, OFFICE AND PRIVATE CLUB DEVELOPMENT LOCATED AT 8920 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA (THE ARTS CLUB)".

Approved as part of the Consent Calendar, noting Councilmember Heilman's "no" vote.

2.G. COMMISSION AND ADVISORY BOARD MEETING SYNOPSES [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will receive Synopses from the Public Safety Commission and the Transportation Commission regarding actions taken at their recent meeting.

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

2.H. SPONSORSHIP OF A CRIMINAL RECORD CLEARING AND LEGAL NAME AND GENDER MARKER CHANGE CLINIC [C. PLANCK, D. GIUGNI, D. MURRAY, C. ROSKIN]:

SUBJECT: The City Council will consider sponsoring a legal clinic with the Los Angeles County Public Defender's Office and the Los Angeles LGBT Center to provide legal services for homeless community members, with a special emphasis on transgender community members experiencing homelessness.

ACTIONS: 1) Authorize sponsorship of the Criminal Record Clearing Project and Legal Name and Gender Marker Change Clinic on Wednesday, September 26, from 10am to 2pm; 2) Authorize the use of the City name and logo on invitations, programs, and other collateral materials; 3) Waive parking enforcement of the three-hour parking restrictions until 2pm at Plummer Park; and 4) Direct the Communications Department to utilize all appropriate communications tools to promote the event such as the City's website and social media tools. **Approved as part of the Consent Calendar.**

2.I. REQUEST TO ENTER INTO A MILLS ACT CONTRACT FOR THE PROPERTY LOCATED AT 8225-8237 FOUNTAIN AVENUE [J. KEHO, D. DEGRAZIA, J. ALKIRE, M. PETERSON]:

SUBJECT: The applicant is requesting approval of a Mills Act Contract to rehabilitate the property known as Patio del Moro, listed on the National Register of Historic Places and a designated Cultural Resource of the City of West Hollywood.

ACTION: Staff recommends that the City Council approve the Mills Act Contract between the City of West Hollywood and the owner of the property located at 8225-8237 Santa Monica Boulevard, and authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.J. SOCIAL SERVICES CONTRACT RENEWALS 2018-19 [C. PLANCK, D. GIUGNI, L. ISENBERG]:

SUBJECT: The City Council will consider renewals of Social Services contracts for the third year of the funding process (October 1, 2018 - September 30, 2019). The recommendation includes a 2% cost of living increase approved in the budget process and the re-programming of

funds from the National Council of Jewish Women (NCJW) contracts in the amount of \$104,239.

ACTIONS: 1) Approve the 2018-19 Social Services contract renewals as shown in Attachment A; 2) Authorize the City Manager or designee to execute documents incident to the renewal agreements; and 3) Approve reprogramming of \$104,239 originally intended for contracts with the National Council of Jewish Women to be reallocated for additional services with existing social service contract vendors AIDS Project Los Angeles, Jewish Family Service, and Step Up on Second. **Approved as part of the Consent Calendar.**

2.K. AGREEMENT FOR SERVICES WITH RAIMI & ASSOCIATES TO UPDATE THE GREEN BUILDING PROGRAM [J. KEHO, B. SIEGL, R. EASON]:

SUBJECT: The City Council will consider approval of an agreement for services with Raimi & Associates to provide technical expertise to complete the update to the West Hollywood Green Building Program.

ACTIONS: 1) Approve an agreement for services with Raimi & Associates in the amount not to exceed \$37,870 to complete the update to the West Hollywood Green Building Program; and 2) Authorize the City Manager or designee to execute documents incident to the agreement. **Approved as part of the Consent Calendar.**

2.L. AMENDMENT TO THE AGREEMENT FOR ON-CALL ARCHITECTURAL AND ENGINEERING DESIGN SERVICES [S. CAMPBELL, H. COLLINS, C. SARKEES]:

SUBJECT: The City Council will consider approving an amendment to the Agreement for Services with LPA, Inc. (LPA) to provide on-call architectural services for citywide capital improvement projects on an as needed basis.

ACTIONS: 1) Approve Amendment No. 2 to the Agreement for Services with LPA, Inc. by increasing the total not-to-exceed amount of \$500,000 by an additional \$500,000 for a new not-to-exceed amount of \$1,000,000 for on-call architectural and engineering design services; and 2) Authorize the City Manager, or designee, to execute documents incident to the Agreement. **Approved as part of the Consent Calendar.**

2.M. AMENDMENT TO LEASE AGREEMENT FOR COPYING AND REPRODUCTION EQUIPMENT [L. QUIJANO, T. THOMSON, B. ROSEN]:

SUBJECT: The City Council will consider authorizing an amendment to the contract for leasing of copying equipment for City Hall and other City locations from Sharp Business Systems.

ACTIONS: 1) Approve Amendment #1 from Sharp Business Systems (Sharp) for a coterminous lease for copying equipment and maintenance services for the office space at 626 Robertson Blvd; and 2) Authorize the

City Manager or designee to execute documents incident to this Lease Agreement. **Approved as part of the Consent Calendar.**

2.N. ANALYSES AND RECOMMENDED POSITIONS OF FIVE INITIATIVES APPEARING ON THE NOVEMBER 6, 2018 CALIFORNIA STATEWIDE GENERAL ELECTION BALLOT [J. LEONARD, H. MOLINA]:

SUBJECT: The City Council will receive a report with analyses and recommended positions for five ballot initiatives slated to appear on the November 6, 2018 ballot of the California general election. The City Council has already taken positions on six other ballot initiatives.

ACTIONS: This Item was Tabled.

2.O. LABOR POLICIES FOR NEW DEVELOPMENT PROJECTS [J. HEILMAN, J. D'AMICO, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to develop standardized labor policies for new development projects that request a change in the General Plan or Zoning Code.

ACTIONS: 1) Direct staff to develop a standardized labor policy for development projects that propose changes to the Zoning Ordinance and/or General Plan; and 2) Return to City Council with the proposed labor policy for review and consideration. **Approved as part of the Consent Calendar.**

2.P. INCLUSION OF HUMAN SERVICES COMMISSION FEEDBACK IN COMMUNITY STUDY [L. HORVATH, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider approving the request from the Human Services Commission to use the various community engagement elements of the Community Study as an opportunity to gather more information about families with school-age children and "informal caregivers" in West Hollywood.

ACTIONS: Approve using the various community engagement elements of the 2019 West Hollywood Community Study – including the focus groups, pop-up workshops, and convenience survey – to gather more information about families with children and "informal caregivers" as requested by the Human Services Commission. **Approved as part of the Consent Calendar.**

2.Q. CO-SPONSORSHIP OF JQ INTERNATIONAL'S PANEL SERIES [L. HORVATH, L. MEISTER, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider co-sponsoring JQ International's series of events focusing on issues impacting the LGBTQ Jewish and Ally community.

ACTIONS: 1) Authorize co-sponsorship of JQ International's series of four panel discussions focusing on issues impacting the LGBTQ Jewish and Ally community; 2) Authorize the use of the City name and logo on invitations, programs, and other collateral materials; 3) Approve the use of City facilities and waive facility use fees and parking fees at the 5-story

parking structure for attendees of the event (estimated \$4,240 in waived fees for four events); 4) Direct the Communications Department to utilize all appropriate communications tools to promote the event such as the City's website and social media tools; 5) Authorize the Director of Finance and Technology Services to allocate \$1,800 from budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with technical support; and 6) Authorize the City Manager to execute the 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. "COLIBRI" INTERNATIONAL MUSICAL AND VOCAL COMPETITION FOR YOUNG PERFORMERS [L. MEISTER, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider establishing "Colibri", the International Musical and Vocal Competition for Young Performers as an official City of West Hollywood event.

ACTION: 1) Establish "Colibri" International Musical and Vocal Competition for Younger Performers as an official City event; 2) Direct the Communications Department to utilize all appropriate communication tools to promote the events such as the City's website and social media tools; and 3) Authorize the Director of Finance & Technology Services to allocate \$6,000 from budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with sponsoring the event. **Approved as part of the Consent Calendar.**

2.S. SPONSOR LA PRIDE COMMUNITY FORUM FEATURING REPRESENTATIVES FROM CHRISTOPHER STREET WEST [L. HORVATH, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider hosting a community forum in the City Council Chambers on Saturday, September 29, 2018 to discuss the 2018 LA Pride events and provide the community with an opportunity to meet Christopher Street West's new Executive Director and Board President.

ACTION: This Item was moved to Excluded Consent.

2.T. A RESOLUTION IN RECOGNITION OF OVARIAN CANCER AWARENESS MONTH AND IN SUPPORT OF AB 2342 (BURKE AND WALDRON) BREAST AND OVARIAN CANCER SUSCEPTIBILITY SCREENING [L. HORVATH, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider adopting a resolution in recognition of Ovarian Cancer Awareness Month and in support of AB 2342 (Burke and Waldron), Breast and Ovarian Cancer Susceptibility Screening, which would require health care service plans, health insurers, and the State Department of Health Care Services to cover breast and ovarian cancer susceptibility screening.

ACTIONS: 1) Approve City Council Resolution No. 18-5105 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN RECOGNITION OF OVARIAN CANCER AWARENESS MONTH AND IN SUPPORT OF AB 2342 (BURKE AND WALDRON) BREAST AND OVARIAN CANCER SUSCEPTIBILITY SCREENING”; 2) Direct Community & Legislative Affairs Division staff to send copies of the adopted resolution to Governor Jerry Brown, State Senator Benjamin Allen, Assembly Members Richard Bloom, Autumn Burke, and Marie Waldron, the Ovarian Cancer Circle and other parties as deemed appropriate; and 3) Direct the Facilities and Field Services Division to use special teal lighting at City Hall during the week of September 17, 2018 in recognition of ovarian cancer awareness. **Approved as part of the Consent Calendar.**

2.U. (5.A.) FINANCING COMMITMENT FOR AFFORDABLE HOUSING AT 1116-1118 N. MCCADDEN AVENUE (MCCADDEN PLAZA) [C. PLANCK, P. NOONAN, A. BARTLE]:

SUBJECT: The City Council will consider authorizing the City Manager to sign a letter committing \$2.1 million in construction and permanent financing for the Los Angeles LGBT Center’s 98-unit senior affordable housing development at 1116-1118 N. McCadden Avenue known as McCadden Plaza.

ACTIONS: 1) Authorize the City Manager to sign a commitment letter in substantially the form attached, pledging \$2.1 million in construction and permanent financing for the McCadden Plaza project located at 1116-1118 N. McCadden Avenue; 2) Authorize the Director of Finance and Technology Services to allocate \$2.1 million from unallocated reserves in the Affordable Housing Trust Fund for the purposes of funding this project; and 3) Authorize the City Manager or designee to execute all documents incident to these agreements. **Approved as part of the Consent Calendar.**

2.V. (5.C.) SET DATE FOR THE ANNUAL CONGRESS OF COMMISSIONS AND ADVISORY BOARDS [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will consider scheduling the 2018 Annual Congress of Commissions and Advisory Boards.

ACTION: 1) Direct the City Clerk to schedule the Annual Congress of Commissions and Advisory Boards on the following date: November 28, 2018 from 6:00 p.m. – 9:00 p.m. **Approved as part of the Consent Calendar.**

2.W. (5.D.) ADMINISTRATION OF THE CITY’S GENERAL MUNICIPAL ELECTION [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will consider making a request to the County of Los Angeles Board of Supervisors, to direct the Los Angeles County Registrar-Recorder/County Clerk to conduct the City’s March 5, 2019 General Municipal Election.

ACTIONS: 1) Direct the City Clerk to prepare and bring back to Council for approval, the appropriate Resolutions to call the March 5, 2019 General Municipal Election, and request the services of the Los Angeles County Registrar-Recorder/County Clerk to conduct said election; and 2) Authorize the Director of Finance and Technology Services to allocate an additional \$135,000 from unallocated General Fund reserves to the Election Costs account 100-1-02-26-531015 (Election Costs) to cover the costs for the administration of the March 5, 2019 Election. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. APPEAL OF A PLANNING COMMISSION DECISION TO UPHOLD ZONING INTERPRETATION 17-0001, AND DE NOVO HEARING FOR CITY COUNCIL CONSIDERATION AND DECISION WHETHER MARKET-RATE DWELLING UNITS LOCATED IN THE WEST TOWER OF 8500 SUNSET BOULEVARD, WEST HOLLYWOOD ARE: (A) BEING USED AS A "HOTEL"; (B) NOT BEING RENTED ON A "LONG-TERM BASIS;" AND/OR (C) NOT BEING USED AS APPROVED, IN CONTRAVENTION OF THE ZONING ORDINANCE, THE APPLICABLE DEVELOPMENT AGREEMENT AND PROJECT ENTITLEMENTS [J. KEHO, D. DEGRAZIA, R. DIMOND]:

SUBJECT: The City Council will consider an appeal of a Planning Commission decision to uphold Zoning Interpretation 17-0001 and de novo hearing for consideration of and decision as to whether 101 market-rate dwelling units located in the west tower of 8500 Sunset Boulevard, West Hollywood are: (a) being used as a "hotel; (b) not being rented on a "long-term basis;" and/or (c) not being used as approved, in contravention of the Zoning Ordinance, the applicable development agreement and project entitlements.

City Clerk Quarker stated that the Item was noticed as required by law.

Senior Planner Rachel Dimond provided background information as outlined in the staff report dated September 4, 2018.

Mayor Pro Tempore D'Amico inquired with Planning Manager David DeGrazia how many units were added with the .5 FAR. He also inquired about the affordable units in the building. He clarified the need to amend the development agreement in order to allow this type of use on this site. Further, he inquired about what happens if the City Council upholds this appeal, and spoke what enforcement measures would occur if the Council upholds the appeal. City Attorney Jenkins provided information on enforcement.

Councilmember Meister confirmed with Staff that the 190 units that were built counted towards the City's RHNA numbers.

The City Council provided their disclosures.

Mayor Duran opened the public hearing and the following speakers came forward:

ERIC GEORGE AND WILLIAM H. DELVAC, ON BEHALF OF THE APPELLANT, provided the reasons that his client's appeal of the Planning Commission's decisions be granted.

ROB BERGSTEIN, WEST HOLLYWOOD, spoke in opposition of the appeal.

ELLE FARMER, ON BEHALF OF UNITE HERE, spoke in opposition of the appeal.

MATTHEW SWEARMAN, LOS ANGELES, spoke in support of the appeal.

BEVERLY KENWORTHY, ON BEHALF VICE PRESIDENT OF THE CALIFORNIA APARTMENT OWNERS ASSOCIATION, spoke in support of the appeal.

IVY BOTTINI, WEST HOLLYWOOD, spoke in opposition of the appeal.

JACKIE SUBAK, WEST HOLLYWOOD, spoke in support of the appeal.

ROBERT BRIGANDE, WEST HOLLYWOOD, spoke in support of the appeal.

STEPHANIE SAMAD-ZADEH, WEST HOLLYWOOD, spoke in support of the appeal.

DIANA CORONADO, ON BEHALF THE BUILDING INDUSTRY ASSOCIATION, spoke in support of the appeal.

JOSH KURPIES, WEST HOLLYWOOD, spoke in support of the appeal.

LARRY LABOE, WEST HOLLYWOOD, spoke in support of the appeal.

JOYCE HEFTEL, WEST HOLLYWOOD, spoke in opposition of the appeal.

WESLEY BRIDLE, WEST HOLLYWOOD, spoke in opposition of the appeal.

CHAD BLOUIN, WEST HOLLYWOOD, spoke in opposition of the appeal.

ROXANA ASIAN, WEST HOLLYWOOD, spoke in opposition of the appeal.

CHARLIE CARNOW, LOS ANGELES, spoke in opposition of the appeal.

STEVE MARTIN, WEST HOLLYWOOD, spoke in opposition of the appeal.

ERIC GEORGE, ON BEHALF OF THE APPELLANT, provided their rebuttal.

The following individuals did not wish to speak, but submitted Citizen Position Slips in support of the recommendation: *Manny Rodriguez, Tai Sunnanon, and Matt Dubin*

The following individuals did not wish to speak, but submitted Citizen Position Slips in opposition to the recommendation: *Sam Borrelli, Isaac Montealegre, and Michelle McManis*

Mayor Pro Tempore D'Amico inquired with Mr. Delvac on the status of the affordable units, and he stated that they have processed the applications of tenants sent to them by the City, but that they had only received five so far. Councilmember Heilman inquired with staff about the inclusionary units, and Ms. Dimond stated that the units set aside for inclusionary housing were being rented at market rate. Mayor Duran inquired about the east tower's occupancy and inclusionary housing, and Mr. Delvac confirmed that those units have been filled as required.

Councilmember D'Amico commented that Council approved a rental rates study that was not completed, and spoke regarding current vacancy rates. He stated that housing was a founding tenant of the City of West Hollywood. He commented that there is not a luxury housing crisis in West Hollywood. He indicated that the Council needs more information about the positive and negative impacts of AKA's business model. He discussed the Environmental Impact Report, the FAR bonus that was given, and the intent of the development agreement. He does not agree with insisting on a one-year lease. He indicated that he is not ready to vote on this item because he doesn't feel he has received enough information.

Councilmember Meister indicated that she would like to separate the conversation about the development agreement versus the policy decision. She quoted from the EIR and the Sunset Specific Plan that were applied when this development was approved and how that was incorporated into the development agreement for this project. She read the State's definition of what a housing unit is – which is based on the Census definition, and stated that the current use is a commercial use as

opposed to a residential use. She expressed concern with the fact that the housing numbers relating to this project were factored into our Housing Element and our RHNA numbers. Finally, she reiterated that for purposes of this appeal that she would like to separate the breach of the development agreement and the zone text amendment discussion.

Councilmember Heilman thanked everyone who spoke regarding the item. He provided the history of this development project, and stated that he agrees Planning Commission's decision. He spoke in detail regarding his support for the Director's interpretation, why the interpretation should apply to this project, and why he rejects the appellant's claims. He provided information from AKA's website that support the assertion that AKA is a hotel. He referred to the CC&R's governing this site and that the current use violates them as well. Finally, he states that he does not agree that if the City denies the appeal that the Council is addressing a policy decision of requiring one-year leases from this point forward.

Councilmember Horvath spoke of her experience moving to California, and spoke regarding affordability issues. She spoke about the development agreement, the changes that occurred in 2005 to include residential housing, the 2012 amendment that mentioned apartments, and Certificate of Occupancy that was issued in January. She also stated that the City was made aware in June of 2017 of the current use at the site by a Los Angeles Times article. She expressed concern with the affordable units being rented as market rate units, and stated that even AKA has referred to themselves as a hotel. She indicated that she supports the Planning Commission's decision.

Mayor Duran commented that he supports Mayor Pro Tempore D'Amico's comments about this issue. He stated that this issue surrounds luxury housing. He indicated that AKA is both residential housing and a hotel. He commented that the City did not foresee this type of business model in 2005, just as it could not have foreseen the changes that Uber, Lyft, and AirBnb have caused in the City. He stated that the City needs to adapt to the new shared economy, as well as adapting to new types of residency and housing models. He spoke in support of the Appeal.

Mayor Pro Tempore D'Amico clarified the report that he referred to about the City's number of visitors and the annual revenue that they generate. He asked for a commitment from Staff and the Developer that the affordable housing units be occupied by November 1st. He expressed concern with the fact that Council may uphold the Planning Commission's decision, but will not take the next step to stop the operation of AKA; and stated that a negotiation needs to occur.

Councilmember Heilman commented that he did not vote on this project when it originally came before the City. He commented on the hotels referred to by Mayor Duran indicating that they were approved by the

County and the City inherited them. He responded to Mayor Pro Tempore D'Amico's comments about luxury housing, and indicated that AKA is using a residential building for a commercial use.

Mayor Duran closed the public hearing.

ACTION: Adopt Resolution No. CC 18-5106: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, (A) DENYING AN APPEAL AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO UPHOLD THE DIRECTOR'S ZONING INTERPRETATION 17-0001, AND (B) FINDING ON A DE NOVO BASIS THAT, IN CONTRAVENTION OF THE ZONING ORDINANCE, THE APPLICABLE DEVELOPMENT AGREEMENT AND PROJECT ENTITLEMENTS, THE MARKET-RATE (NON-AFFORDABLE) DWELLING UNITS LOCATED IN THE WEST TOWER OF 8500 SUNSET BOULEVARD ARE (1) BEING USED AS A "HOTEL", (2) NOT BEING RENTED ON A "LONG-TERM BASIS" AND/OR (3) NOT BEING USED AS APPROVED." **Motion by Councilmember Heilman, seconded by Councilmember Horvath, and approved noting the "no" votes of Mayor Pro Tempore D'Amico and Mayor Duran.**

4. UNFINISHED BUSINESS:

4.A. UPDATE ON METRO'S FEASIBILITY/ALTERNATIVES ANALYSIS STUDY FINAL REPORT AND NEXT STEPS FOR THE NORTHERN EXTENSION OF THE METRO CRENSHAW/LAX LINE [O. DELGADO, J. HANKAMER, D. FENN]:

SUBJECT: City Council to review an update on Metro's Feasibility/Alternatives Analysis Study Final Report and consider next steps for the Northern Extension of the Crenshaw/LAX Line project.

Associate Planner David Fenn provided background information as outlined in the staff report dated September 4, 2018.

Councilmember Heilman discussed emails received from the public. Principal Planner Joanna Hankamer responded to this inquiry. Mayor Pro Tempore D'Amico expressed his concern with Metro's various alternatives. He indicated that he would rather we provide the routes that the City prefers. Ms. Hankamer indicated that if the Council desires to make a recommendation to the Metro this evening that it be to narrow the lines, and to not only provide one preferred route.

LESLIE KARLISS, WEST HOLLYWOOD, spoke regarding the impacts on the West Hollywood West neighborhood.

KIMBERLY WINICH, WEST HOLLYWOOD, spoke regarding providing Metro with the alignments that the City desires.

RICHARD GIESBRET, WEST HOLLYWOOD, spoke regarding providing Metro with the alignments that the City desires.

LYN ETCETERA, WEST HOLLYWOOD, spoke regarding prior comments by Mayor Duran regarding a Metro line.

Councilmember Meister inquired about the costs, particularly since the Metro estimates were based on aerial versus underground. Ms. Hankamer responded to this inquiry. She inquired about the Purple Line through Beverly Hills and whether or not it is all underground, and Ms. Hankamer indicated that it will be. Councilmember Meister suggested that we require that the line through West Hollywood be underground as well. She also expressed concern with the effect on local businesses along Santa Monica Blvd.

Councilmember Heilman commented on the various lines proposed and aerial lines. He spoke regarding the misconceptions in having a metro line above ground, near a school and a park as well as impacts from constructions; and spoke regarding the rail near USC as an example.

Mayor Pro Tempore D'Amico mentioned the metro line through Inglewood that divided the City's park and school. He discussed the impacts of an aerial line over the City's park, and asked if Council could give staff direction to make the City's requests known to Metro now.

Councilmember Horvath agrees that it is important that the City work with Metro on it outreach to our community. She stated that she supports staff's recommendations, and indicated that it's important that we continue to engage Metro. She also stated that the City has not advocated for an aerial view.

Ms. Hankamer commented that the timing of communication with Metro is important and that the City could provide comments and community input once the alternative analysis is complete.

ACTIONS: 1) Review Staff's summary and analysis of Metro's Crenshaw Northern Extension Feasibility Study / Alternatives Analysis Study Final Report; 2) Direct Staff to continue to advocate to Metro to fund and initiate additional technical studies including a full Environmental Impact Report (EIR) / Environmental Impact Statement (EIS) for the Northern Extension of the Crenshaw/LAX Line Project, consistent with Metro's 2016 commitment; and 3) Direct Staff to coordinate with Metro on outreach to West Hollywood residents and businesses, and to continue to educate local and regional stakeholders on the regional benefits of accelerating the project, emphasizing the Council's strong preference for the San Vicente and La Cienega alternatives to be studied as underground within

the City of West Hollywood. **Motion by Mayor Pro Tempore D'Amico, seconded by Mayor Duran, and approved.**

4.B. UPDATE ON THE DRAFT ZONE TEXT AMENDMENT AND SUNSET SPECIFIC PLAN AMENDMENT TO MODIFY STANDARDS FOR OFF-SITE SIGNAGE IN THE SUNSET SPECIFIC PLAN AREA [J. KEHO, B. SIEGL, S. LEJEUNE]:

SUBJECT: The City Council will receive an update with additional analysis and proposed revisions to the draft amendments to the Sunset Specific Plan (SSP) and the West Hollywood Zoning Ordinance regarding off-site signage on the Sunset Strip, which will be considered at future public hearings.

Contract Senior Planner Sarah Lejeune provided background information as outlined in the staff report dated September 4, 2018.

GENEVIEVE MORRILL, ON BEHALF OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke regarding the Chamber's billboard committee. She spoke about doing something exciting on the Strip. She noted that the committee and staff have made progress, and mentioned some of the issues that they continue to struggle with.

LAYNE LAWSON, ON BEHALF OF CLEAR CHANNEL, spoke regarding the uniqueness of the Strip. He spoke about various policy elements that he would like to continue to work on with staff.

Councilmember Horvath spoke about over-legislating creativity, and stated that she doesn't agree with a cap on the number of billboards. She discussed the various areas of the Plan that she agrees with and stated that she would like to see more flexibility in the Plan.

Mayor Duran commented on the method for reviewing various aspects of billboard approvals such as declaring historic sites, sign update and remodels, and encouraged giving more authority to the Director of Planning and Development Services. He indicated that there is a need for more flexibility and creativity.

Councilmember Heilman commented on the original reasons for creating development agreements for new signs and encouraging creativity. He spoke regarding the importance of establishing a cap on the number of signs. He expressed concern regarding how a point system might apply to pending applications. He expressed support for the lighting regulations as proposed. He also proposed that first sign that is built be a "pilot project" so that the Council can weigh in on the various aspects lighting, creative, etc.

Mayor Pro Tempore D'Amico discussed the Art Program incentive. He commented that there could be a "good morning, WeHo" moment and a Sunset moment. He asked for clarification from staff about what is allowed under the environmental impact report, and commented that more flexibility is needed.

Councilmember Meister expressed concern with 20 digital billboards, especially since Sunset Boulevard has more of a car culture than pedestrian. She agreed that there should not be a limit on historic sites. She also commented that people may not be able to distinguish between art and ad in a few seconds, and that it may not be a public benefit to our community. She spoke in support of more artistic static billboards instead. She also indicated that the Planning Commission should review height and location changes.

ACTION: Receive the update and direct staff to prepare the final proposed amendments to the Sunset Specific Plan and Zoning Ordinance regarding off-site signage in the Sunset Specific Plan area and return to the City Council for a public hearing at a future date. **Approved by Consensus.**

4.C. TRANSPORTATION COMMISSION REVIEW OF RELEVANT ENVIRONMENTAL DOCUMENTS [L. MEISTER, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to expand the purview of the Transportation Commission to include providing comments on the Transportation and Circulation component of Draft Environmental Impact Reports.

The following individual did not wish to speak, but submitted a Citizen Position Slip in support of the recommendation: *Kim Winick*

Councilmember Meister provided the reasons that she added this item to the agenda. She indicated that she met with the Chamber of Commerce and they are in support of the Item.

Councilmember Heilman stated that not all projects that require an EIR would need the Commission review. He requested that Staff also include options that indicate types of projects that would not require the Transportation Commission's review.

ACTION: 1) Direct staff to draft an amendment to the Municipal Code section relating to the duties of the Transportation Commission to include a responsibility to review and provide comments on the Transportation and Circulation component of Draft Environmental Impact Reports; and 2) Direct staff to also include information on the types of projects that would not require the Transportation Commission's review. **Motion by Mayor**

Pro Tempore D'Amico, seconded by Councilmember Horvath, and approved noting the "no" vote of Mayor Duran.

5. NEW BUSINESS:

5.A. FINANCING COMMITMENT FOR AFFORDABLE HOUSING AT 1116-1118 N. MCCADDEN AVENUE (MCCADDEN PLAZA) [C. PLANCK, P. NOONAN, A. BARTLE]:

SUBJECT: The City Council will consider authorizing the City Manager to sign a letter committing \$2.1 million in construction and permanent financing for the Los Angeles LGBT Center's 98-unit senior affordable housing development at 1116-1118 N. McCadden Avenue known as McCadden Plaza.

ACTION: This item was moved to the Consent Calendar.

5.B. DISCUSSION OF POTENTIAL USE AT FORMER AARON BROTHERS SITE - 8383 SANTA MONICA BOULEVARD [L. HORVATH, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to evaluate the creation of an intergenerational community center and social club at the City-owned property located at 8383 Santa Monica Boulevard, the former site of Aaron Brothers.

The following individual did not wish to speak, but submitted a Citizen Position Slip in support of the recommendation: *Odalys Nahir*

Councilmember Horvath provided the reasons that she added this item to the agenda and the need to have the discussion before the City hires a realtor.

Mayor Duran stated that Councilmember Horvath's idea for an intergenerational community center is a good idea, but not for this site. He spoke in support of retail at this location.

Mayor Pro Tempore D'Amico commented that we are conducting a community survey to see if there is a need for a community center at this location. He commented that Great Hall/Long Hall may be a better space for this type of use. He further commented that AA meetings could be held here since parking is available. He indicated that it's a good idea, but he's not sure that this is the best space for it.

Councilmember Heilman commented that this is a nice idea but he isn't sure that it's a high social services priority. He indicated that he will vote "no" on this item.

Councilmember Meister commented that this site better serve multiple neighborhood-serving businesses rather than one. She indicated that this idea might work at the new spaces in West Hollywood Park.

ACTION: Direct staff to evaluate the feasibility of this idea as part of the community survey. **Motion by Councilmember Heilman, seconded by Mayor Pro Tempore D'Amico, and approved.**

5.C. SET DATE FOR THE ANNUAL CONGRESS OF COMMISSIONS AND ADVISORY BOARDS [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will consider scheduling the 2018 Annual Congress of Commissions and Advisory Boards.

ACTION: This item was moved to the Consent Calendar.

5.D. ADMINISTRATION OF THE CITY'S GENERAL MUNICIPAL ELECTION [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will consider making a request to the County of Los Angeles Board of Supervisors, to direct the Los Angeles County Registrar-Recorder/County Clerk to conduct the City's March 5, 2019 General Municipal Election.

ACTION: This item was moved to the Consent Calendar.

EXCLUDED CONSENT CALENDAR:

2.S. SPONSOR LA PRIDE COMMUNITY FORUM FEATURING REPRESENTATIVES FROM CHRISTOPHER STREET WEST [L. HORVATH, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider hosting a community forum in the City Council Chambers on Saturday, September 29, 2018 to discuss the 2018 LA Pride events and provide the community with an opportunity to meet Christopher Street West's new Executive Director and Board President.

Mayor Duran indicated why he moved this item to Excluded Consent for discussion because the Council has a sub-committee for CSW/Pride and that the request should have been discussed with the sub-committee.

Councilmember Horvath stated that the request for co-sponsorship was made specifically for the waiving of fees for the space to have a "town hall" type setting to introduce the new leaders.

Councilmember Heilman thanked Councilmember Horvath for bringing the item; however he did express that CSW should have made the request to Council as a whole.

Mayor Pro Tempore D'Amico commented that he supports this item, but he indicated that there is a sub-committee that should have been consulted prior to this item being placed on the agenda. He stated that

CSW should be reminded that they should involve the Council sub-committee in the future.

ACTIONS: 1) Direct staff to host an LA Pride community forum in partnership with Christopher Street West on Saturday, September 29, 2018 in the City Council Chambers; 2) Authorize the use of the City name and logo on invitations, programs, and other collateral materials; 3) Approve the use of City facilities for the event and waive the facility use fees and parking fees at the 5-story West Hollywood Park garage for event attendees (estimated \$791); and 4) Direct the Communications Department to utilize all appropriate communications tools to promote the event such as the City's website, social media tools, and a press release.
Motion by Councilmember Horvath, seconded by Councilmember Heilman, and approved.

6. **LEGISLATIVE: None.**

PUBLIC COMMENT:

TY GELTMAKER, WEST HOLLYWOOD, spoke regarding the Council discussion during the Public Hearing. He also spoke regarding an aerial Metro.

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 12:07 a.m. in memory of John McCain, Aretha Franklin, Army Chief Warrant Officer 3 Taylor Galvin, Mirka Mora, and David H. Eichman to its next regular meeting, which will be on Monday, October 1, 2018 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 1st day of October, 2018 by the following vote:

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



JOHN J. DURAN, MAYOR

ATTEST:



YVONNE QUARKER, CITY CLERK