

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
TUESDAY, FEBRUARY 19, 2019  
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS  
625 N. SAN VICENTE BOULEVARD**

**6:30 P.M. –REGULAR MEETING**

**CALL TO ORDER:** Mayor Pro Tempore D'Amico called the meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE:** Jimmy Palmieri led the Pledge of Allegiance.

**ROLL CALL:**

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

**ABSENT:** Mayor Duran.

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

**REPORT OF CLOSED SESSION AGENDA:** Mayor Pro Tempore D'Amico reported that Closed Session was cancelled.

**APPROVAL OF AGENDA:**

City Manager Arevalo indicated that the Mayor requested that Items 3.A. and 5.A. be tabled and brought back to a future meeting so that he may participate in the discussion. He requested that Council table the discussion of recommendation #3 in Item 6.A. to a future meeting, but move forward with the discussion of recommendations #1 and #2 tonight.

City Clerk Quarker stated that Staff requested that Item 2.O. be tabled to a future meeting.

Councilmember Heilman requested that Item 4.A. be moved to the Consent Calendar as Item 2.W.

**Motion by Councilmember Heilman, and seconded by Councilmember Meister to approve the February 19, 2019 agenda as amended, and unanimously approved.**

**ADJOURNMENT MOTIONS:**

Councilmember Meister requested that the meeting be adjourned in memory of James Dahl.

Councilmember Heilman requested that the meeting be adjourned in memory of Patricia Nell Warren.

**PRESENTATIONS: None.**

**1. PUBLIC COMMENT:**

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding various issues affecting the City.

MICHAEL CINTRON, CROWN CASTLE, indicated that he would return to speak when Item 2.O. returns to the agenda.

STEVEN MARTIN, LOS ANGELES, spoke regarding Item 2.V. and sexual harassment.

MARCO COLANTONIO, WEST HOLLYWOOD, read a statement from Mayor Duran.

DENNIS GLEASON, LOS ANGELES, spoke regarding an interaction with Mayor Duran.

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding Mayor Duran.

MIKEL GERLE, LOS ANGELES, spoke regarding Mayor Duran and the City's sexual harassment policy.

ESTHER BAUM, WEST HOLLYWOOD, spoke regarding Aging in Place and requested weekend service of Dial-A-Ride.

RICHARD EASTMAN, UNKNOWN, spoke regarding Mayor Duran, Ed Buck, and cannabis.

TAI SUNNANON, WEST HOLLYWOOD, spoke regarding the death of two black men in the community and Mayor Duran.

ROBERT OLIVER, WEST HOLLYWOOD, spoke regarding Mayor Duran.

JACK CLINE, WEST HOLLYWOOD, spoke regarding Mayor Duran, Ed Buck's campaign contributions, and expressed his opposition to the cannabis tax.

GREGORY J. MAHAN, HOLLYWOOD, spoke regarding the need for civility.

ERIC JON SCHMIDT, WEST HOLLYWOOD, spoke regarding political power, Ed Buck's campaign contributions, improving the community, and electing a Mayor rather than a rotation.

DEBRA D'AMATO, WEST HOLLYWOOD, spoke regarding the need for a stop sign at Fuller Avenue between Santa Monica Boulevard and Fountain Avenue.

LYN ETCETERA, WEST HOLLYWOOD, spoke regarding the March 5<sup>th</sup> election and his endorsements.

ROBERT VECCHIO, WEST HOLLYWOOD, commented that the Item that he wanted to speak on was Tabled and indicated that he will return at a later date.

MICHAEL KING, WEST HOLLYWOOD, spoke regarding Mayor Duran.

MARQUITA THOMAS, WEST HOLLYWOOD, spoke regarding Item 6.A. and encouraged the Council to maintain its current ordinance.

ERIN ROBERTS, COSTA MESA, spoke on behalf of the #MeToo movement regarding Ed Buck and Mayor Duran.

COLE ETTMAN, WEST HOLLYWOOD, spoke regarding Mayor Duran.

TOM FITZGERGALD KEITEL, WEST HOLLYWOOD, spoke regarding Mayor Duran.

DONAVAN DAVER, WEST HOLLYWOOD, spoke regarding Ed Buck and his relationship with the City Council.

WEST SEEGMILLER, WEST HOLLYWOOD, spoke on behalf of Sex Workers Outreach Project and spoke regarding Mayor Duran and Ed Buck.

JONATHAN GRUNIN, WEST HOLLYWOOD, spoke regarding his experience with workplace sexual harassment.

#### **COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:**

Mayor Pro Tempore D'Amico requested that the Acting Sherriff's Captain provide an update on the investigation into the incidents that occurred on Laurel.

WILLIAM MOULDER, ACTING WEST HOLLYWOOD SHERIFF'S DEPARTMENT CAPTAIN, spoke regarding the status of the investigation into the deaths at Ed Buck's home.

Councilmember Meister requested that the City's Traffic Engineer review the request from one of the speakers for a stop sign on Fuller. She also requested that Social Services staff review weekend Dial-A-Ride for seniors. She reported on her attended Southern California Council of Governments Joint Meeting of Policy Committees and the Community Economic and Human Development Committee meeting as the representative for Westside Council of Governments, and asked that staff obtain the PowerPoint presentation on Economic and Demographic trends. She spoke regarding Item 2.V. and requested that staff send the approved Ordinance to the County, to the City of Beverly Hills, and to Los Angeles City Councilmember Paul Koretz. She spoke regarding Item 2.J. and requested that staff also do a cost comparison of maintenance costs for the automated garage versus costs for a standard garage. Lastly, she briefly commented on the public's concerns regarding the Mayor and requested that the City

Attorney prepare an item for the City Council to advise them on the options available to them and to also have an expert on Ethics there as well.

Councilmember Heilman commented that he attended the Westside Council of Governments' meeting on February 14<sup>th</sup>. He also requested that staff follow-up on the public comment regarding Fuller Avenue. He thanked everyone for their comments and spoke regarding the allegations against Mayor Duran. He agreed with Councilmember Meister's recommendation for an agenda item to discuss the Mayor and next steps.

Councilmember Horvath wished Mayor Duran a swift return to good health. She commented on Item 2.I. and asked that staff ensure that residents on the east side who have been asking for lights in that area receive them as soon as is possible. She reported that she represented the City at the Clean Power Alliance Board meeting and also reported that she participated in a Plummer Park subcommittee meeting with Councilmember Meister. She stated that she attended a recent Sanitation District meeting, and the West Hollywood Chamber of Commerce Board Installation event. She stated that she attended the recent Valentine's Day senior dance, and also offered her congratulations on the Vagina Monologues event over the weekend. Lastly, she briefly addressed the allegations against Mayor Duran as well as the deaths of Gemmel Moore and Timothy Dean at the home of Ed Buck.

Mayor Pro Tempore D'Amico requested that the City Manager return with an item that addresses how the City can do more outreach to men of color and the use of drugs in the community. He spoke regarding the allegations against Mayor Duran. He also spoke regarding the deaths of Gemmel Moore and Timothy Dean.

#### **CITY MANAGER'S REPORT:**

City Manager Arevalo spoke regarding the City's Ring rebate program. He commented that the City Clerk's Office will conduct a voter registration and education pop-up event at the Farmers' Market on Monday, February 25<sup>th</sup>. He spoke regarding Council's direction and stated that staff will work on the requested items.

#### **FISCAL IMPACT ON CONSENT CALENDAR:**

City Clerk Quarker stated that the fiscal impact on the Consent Calendar is \$4,596,331 in expenditures, \$900,000 in potential revenues, and (\$4,299) in waived fees.

Councilmember Heilman provided disclosures as it relates to Item 2.S. He disclosed that he is on the Board of OutRight Action International; which is one of the recipients of a Transgender Arts Initiative Grant. He stated that he does not have a financial interest in the organization, but wanted to disclose his membership on the Board.

**2. CONSENT CALENDAR:**

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

**2.A. POSTING OF AGENDA:**

*SUBJECT: The agenda for the meeting of Tuesday, February 19, 2019 was posted at City Hall, Plummer Park, the Sheriff's Station, and at the West Hollywood Library on Wednesday, February 13, 2019.*

**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 February 4, 2019. **Approved as part of the Consent Calendar.**

**2.C. DEMAND REGISTER NO. 841, RESOLUTION NO. 19-5147 [L. QUIJANO, C. CORRALES]:**

*SUBJECT: The City Council shall receive the Demand Register for period ending February 8, 2019 pursuant to Sections 37201 to 37210 of the Government Code of the State of California.*

**ACTION:** Approve Demand Register No. 841 and adopt Resolution No. 19-5147, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 841". **Approved as part of the Consent Calendar.**

**2.D. ORDINANCE NO. 19-1059 (2ND READING) "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 5.18.030 (OPERATING REQUIREMENTS) OF CHAPTER 5.18 (ANIMAL GROOMING) OF THE WEST HOLLYWOOD MUNICIPAL CODE." [Y. QUARKER, M. CROWDER]:**

*SUBJECT: The City Council will waive further reading and adopt Ordinance No. 19-1059, an Ordinance of the City of West Hollywood amending section 5.18.030 (operating requirements) of chapter 5.18 (animal grooming) of the West Hollywood Municipal Code.*

**ACTION:** Waive further reading and adopt Ordinance 19-1059, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 5.18.030 (OPERATING REQUIREMENTS) OF CHAPTER 5.18 (ANIMAL GROOMING) OF THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

- 2.E. ORDINANCE NO. 19-1060 (2ND READING) “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 11.30.030 OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO IMPOUND, STORAGE AND DISPOSAL OF SHARED ON-DEMAND PERSONAL MOBILITY DEVICES” [Y. QUARKER, M. CROWDER]:**  
*SUBJECT: The City Council will waive further reading and adopt Ordinance No. 19-1060, an Ordinance of the City of West Hollywood amending section 11.30.030 of the West Hollywood Municipal Code relating to impound, storage and disposal of shared on-demand personal mobility devices.*  
**ACTION:** Waive further reading and adopt Ordinance 19-1060, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 11.30.030 OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO IMPOUND, STORAGE AND DISPOSAL OF SHARED ON-DEMAND PERSONAL MOBILITY DEVICES”. **Approved as part of the Consent Calendar.**
- 2.F. ORDINANCE NO. 19-1061 (2ND READING) “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 9.08.050.D.1 RELATING TO PROHIBITION OF CONSTRUCTION WORK ON OBSERVED HOLIDAYS” [Y. QUARKER, M. CROWDER]:**  
*SUBJECT: The City Council will waive further reading and adopt Ordinance No. 19-1061, an Ordinance of the City of West Hollywood amending section 9.08.050.d.1 relating to prohibition of construction work on observed holidays.*  
**ACTION:** Waive further reading and adopt Ordinance 19-1061, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 9.08.050.d.1 RELATING TO PROHIBITION OF CONSTRUCTION WORK ON OBSERVED HOLIDAYS. **Approved as part of the Consent Calendar.**
- 2.G. COMMISSION AND ADVISORY BOARD MEETING SYNOPSES [Y. QUARKER, M. CROWDER]:**  
*SUBJECT: The City Council will receive Synopses from the Business License Commission, Disabilities Advisory Board, and Senior Advisory Board regarding actions taken at their recent meeting.*  
**ACTION:** Receive and file. **Approved as part of the Consent Calendar.**
- 2.H. TREASURER’S REPORT FOR DECEMBER 2018 [L. QUIJANO, C. CORRALES, K. BARENG, N. CORONADO]:**  
*SUBJECT: The City Council will receive the Treasurer’s Reports for the month ended December 2018 pursuant to Section 53646 of the Government Code of the State of California.*  
**ACTION:** Receive and file the December 2018 Treasurer’s Report. **Approved as part of the Consent Calendar.**

- 2.I. WEHO SMART CITY – UPDATE ON SMART STREET LIGHT PILOT PROJECT [M. LOUIE, F. CONTRERAS, K. KIGONGO, O. DELGADO, H. DEMITRI]:**  
*SUBJECT: The City Council will receive and file an update on the WeHo Smart City – Smart Street Light Pilot Project.*  
**ACTION:** Receive and file an update on the WeHo Smart City – Smart Street Light Pilot Project. **Approved as part of the Consent Calendar.**
- 2.J. AGREEMENT WITH LVR INTERNATIONAL [S. CAMPBELL, V. GUARINO, B. BORTFELD]:**  
*SUBJECT: The City Council will consider approval of an agreement with LVR International to conduct an evaluation of the City Hall Automated Parking Garage.*  
**ACTIONS:** 1) Approve an eleven-month agreement with LVR International to provide consulting services in an amount not to exceed \$53,000; 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 FINANCIAL SUPPORT AGREEMENT FOR BEVERLY JOHNSON NAKED, A WORKSHOP READING OF A ONE-WOMAN PLAY [M. LOUIE, A. CAMPBELL]:**  
*SUBJECT: The City Council will consider approving a financial support agreement for a workshop reading of Beverly Johnson Naked, a one-woman play by supermodel Beverly Johnson, to take place on March 22, 2019, authorizing the use of the West Hollywood Library Council Chambers and waiving associated fees.*  
**ACTIONS:** 1) Approve the use of and waive facility use fees for the West Hollywood Library Public Meeting Room (Council Chambers) as indicated in this staff report; 2) Authorize an additional hour of validated parking for event participants at the West Hollywood Public Library/Park 5-story parking structure, for a total of 3 hours; 3) Approve a financial support agreement with Josh Ravetch for \$720; and 4) Authorize the City Manager to execute documents incident to the agreement. **Approved as part of the Consent Calendar.**
- 2.L. AMENDMENT NO. 1 TO THE AGREEMENT FOR SERVICES WITH IPS GROUP, INC. [S. CAMPBELL, V. GUARINO, B. BORTFELD]:**  
*SUBJECT: The City Council will consider approving Amendment No. 1 to the agreement for services with IPS Group, Inc. to increase the not-to-exceed amount and expand the scope of services.*  
**ACTIONS:** 1) Approve Amendment No. 1 to the Agreement for Services with IPS Group, Inc. to increase the scope of services to include the purchase and installation of new parking meters and increase the not-to-exceed amount by \$1,461,203 for a total not-to-exceed amount of \$3,636,928; 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 NO. 2 TO THE AGREEMENT FOR SERVICES WITH JOHNSON CONTROLS, INC. [S. CAMPBELL, H. COLLINS, D. GONZALEZ]:**

*SUBJECT: The City Council will consider amending the Agreement for Services with Johnson Controls, Inc. for HVAC Maintenance and Repair Services to increase the not-to-exceed amount of the Agreement.*

**ACTIONS:** 1) Approve Amendment No. 2 to Agreement #008067 for HVAC Maintenance and Repair Services with Johnson Controls, Inc. for the West Zone by increasing the amount by \$107,227.92, for a new total not-to-exceed amount of \$516,192.72 to cover costs of providing additional services; and 2) 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.N. AUTHORIZE THE USE OF COOPERATIVE PURCHASING AGREEMENTS WITH TANGRAM, INC., CORT BUSINESS SERVICES CORPORATION, AND SYSTEMS SOURCE, INC. [S. CAMPBELL, H. COLLINS, D. GONZALEZ]:**

*SUBJECT: The City Council will consider authorizing the use of cooperative purchasing agreements with Tangram, Inc. (distributor for Steelcase Inc.), Cort Business Services Corporation, and Systems Source, Inc. (distributor for Knoll Inc.) for the procurement of office and public space furnishings, related products, installation, support and associated design services for City maintained facilities.*

**ACTIONS:** 1) Authorize the Finance & Technology Services Department to issue a Purchase Order to Tangram, Inc., pursuant to the Sourcwell Agreement, for the design, purchase and installation of Steelcase office furnishings in an amount not-to-exceed \$400,000; 2) Authorize the Finance & Technology Services Department to issue a Purchase Order to Cort Business Services Corporation, pursuant to the Sourcwell Agreement, for the design, purchase and installation of office furnishings in an amount not-to-exceed \$200,000; and 3) Authorize the Finance & Technology Services Department to issue a Purchase Order to System Source, Inc., pursuant to the U.S. Communities Government Purchasing Alliance Agreement, for the design, purchase and installation of Knoll modular office furnishings in an amount not-to-exceed \$500,000.

**Approved as part of the Consent Calendar.**

**2.O. PROPOSED MUNICIPAL FACILITY LICENSE AGREEMENT FOR WIRELESS FACILITIES ATTACHING TO CITY INFRASTRUCTURE IN THE PUBLIC RIGHT OF WAY [L. LANGER, O. DELGADO, H. DEMITRI, E. TSIPIIS]:**

*SUBJECT: The City Council will consider a proposed Master License Agreement for wireless facilities attaching to city infrastructure in the Public Right of Way. This item is a follow-up item to the ordinance considered on December 17, 2018, amending Title 11 (Telecommunications Regulatory Ordinance) of the West Hollywood*



*Municipal Code in response to the changing Federal and State regulations related to facilitating the expansion of wireless infrastructure in the public right of way as well as the recent acquisition of street light poles from Southern California Edison (SCE).*

**ACTION: This Item was Tabled.**

**2.P. SCHEDULING OF ELECTION, INSTALLATION AND TERMS FOR MAYOR AND MAYOR PRO TEMPORE [Y. QUARKER, M. CROWDER]:**

*SUBJECT: The City Council will consider reinstating the originally scheduled dates for the election and installation of the new Mayor and Mayor Pro Tempore in 2019, and direct the City Clerk to return with a discussion of the annual terms for Mayor and Mayor Pro Tempore after the March 5, 2019 election and swearing in of newly elected City Councilmembers.*

**ACTIONS:** 1) Reinstatement of the originally scheduled dates for the election of the Mayor and Mayor Pro Tempore for April 15, 2019; 2) Reinstatement of the originally scheduled dates for the installation of the new Mayor and Mayor Pro Tempore for May 20, 2019; and 3) Direct the City Clerk to return with an item to discuss the annual terms for Mayor and Mayor Pro Tempore after the March 5, 2019 election and swearing in of newly elected City Councilmembers. **Approved as part of the Consent Calendar.**

**2.Q. 2019 SKECHERS PERFORMANCE LOS ANGELES MARATHON STREET CLOSURES [M. LOUIE, C. SMITH, M. GERLE]:**

*SUBJECT: The City Council will consider approving street closures on portions of Sunset Boulevard, North San Vicente Boulevard, Santa Monica Boulevard and North Doheny Drive to accommodate the 2019 Skechers Performance Los Angeles Marathon.*

**ACTIONS:** 1) Approve the closure of Sunset Boulevard between Marmont Lane and Clark Street/North San Vicente Boulevard on Sunday, March 24, 2019 from 4:00 a.m. to 2:00 p.m.; 2) Approve the closure of North San Vicente Boulevard between Sunset Boulevard and Melrose Avenue on Sunday, March 24, 2019 from 4:00 a.m. to 2:00 p.m.; 3) Approve the closure of Santa Monica Boulevard between La Cienega Boulevard and North Doheny Drive on Sunday, March 24, 2019 from 4:00 a.m. to 2:00 p.m.; 4) Approve the closure of North Doheny Drive between Santa Monica Boulevard and Beverly Boulevard on Sunday, March 24, 2019 from 4:00 a.m. to 2:00 p.m.; and 5) Authorize the City Manager or his designee to negotiate with Skechers Performance Los Angeles Marathon regarding route, activations and sponsor/sponsorship requests. **Approved as part of the Consent Calendar.**

**2.R. HARVEY MILK DAY COMMEMORATION PROGRAMMING [M. LOUIE, A. CAMPBELL, M. CHE]:**

*SUBJECT: The Council will consider approving programming to commemorate Harvey Milk Day.*

**ACTIONS:** 1) Approve annual programming for Harvey Milk Day and direct staff to coordinate appropriately; 2) Approve the use of and waive facility use fees for the West Hollywood Library Public Meeting Room (Council Chambers) as indicated in this staff report; 3) Authorize an additional hour of validated parking for event participants at the West Hollywood Public/Park 5-Story parking structure, for a total of 3 hours; 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.S. 2019 TRANSGENDER ARTS INITIATIVE GRANT AND ONE CITY ONE PRIDE GRANT FUNDING RECOMMENDATIONS [M. LOUIE, A. CAMPBELL, M. CHE]:**

*SUBJECT: The Council will consider ratifying recommendations of the Arts and Cultural Affairs Commission for funding the City's 2019 Transgender Arts Initiative Grant and One City One Pride Grants.*

**ACTIONS:** 1) Approve recommendations of the Arts and Cultural Affairs Commission to award One City One Pride Grants totaling \$35,000 at various funding amounts to eight (8) applicants as outlined in this staff report; 2) Approve recommendations of the Arts and Cultural Affairs Commission to award Transgender Arts Initiative Grants totaling \$17,200 at various funding amounts to four (4) applicants as outlined in this staff report; 3) Authorize the use of any remaining budgeted grant funds to be allocated to the City's Community Arts Grant program; 4) Approve the use of City venues and waive event permits and facility use fees for the West Hollywood Library Public Meeting Room (Council Chambers) and other City facilities for specific performances and presentations of grantees in fulfillment of their grant projects as indicated in this staff report; 5) Authorize an additional hour of validated parking for event participants at the West Hollywood Public/Park 5-Story parking structure, for a total of 3 hours, for those grant funded events scheduled for the Council Chambers which exceed two hours; and 6) Allow grantees to charge admission or accept donations to offset production costs for performances or projects while using City facilities. **Approved as part of the Consent Calendar.**

**2.T. EVALUATION OF TRAFFIC SIGNAL SYNCHRONIZATION [L. MEISTER, J. D'AMICO, J. LEONARD, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to evaluate the effectiveness of the traffic signal synchronization and return to City Council with the results.*

**ACTIONS:** 1) Direct staff to evaluate the traffic signal synchronization program in terms of its effectiveness in reducing traffic congestion and increasing public safety; and 2) Return to City Council with the results of the evaluation and recommendations for improvements, as needed. **Approved as part of the Consent Calendar.**

**2.U. INCENTIVIZE HOUSING ON UNDERUTILIZED PARCELS [J. D'AMICO, L. HORVATH, J. LEONARD, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to evaluate options for incentivizing housing development on underutilized commercial parcels, such as surface parking lots.*

**ACTIONS:** 1) Direct staff to evaluate options for incentivizing housing development on underutilized commercial parcels, such as surface parking lots; and 2) Return to City Council with recommendations. **Approved as part of the Consent Calendar.**

**2.V. HARASSMENT POLICIES AND PROCEDURES FOR CONTRACTED AGENCIES [J. HEILMAN, J. LEONARD, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to make sure the City's funded social services agencies and arts grant recipients have appropriate sexual harassment policies and practices in place.*

**ACTIONS:** 1) Direct the City to take steps to make sure the City's funded social services agencies and arts grant recipients have appropriate sexual harassment policies and practices in place as part of the contracting process; 2) Direct the City Attorney to meet with the leadership of the Gay Men's Chorus of Los Angeles (GMCLA) to make sure the organization has appropriate policies and procedures related to reporting and investigating sexual harassment complaints; and 3) Direct the City Attorney to incorporate into upcoming ethics trainings a discussion about ethical issues which may arise when Councilmembers, Commissioners and Board Members serve on the boards of outside organizations. **Approved as part of the Consent Calendar.**

**2.W. (4.A.) UPDATE OF THE 2018-19 OPERATING BUDGET & ACCOMPLISHMENTS [P. AREVALO, D. WILSON, L. QUIJANO, J. NEMES, C. SAFRIET]:**

*SUBJECT: The City Council will consider a mid-year update to the 2018-19 Operating Budget, as well as receive an update on work program accomplishments and organizational changes. The proposed mid-year adjustments include: General Fund - \$900,000 in operating revenue, \$192,700 in operating expenditures, and \$1,615,000 in capital expenditures from reserves; Park Development Fund - \$350,000 in expenditures; and Debt Administration Fund - \$1,100,000 in transfers to the General Fund.*

**ACTIONS:** 1) Approve budget adjustments identified in the attached "Proposed Mid-Year Adjustments to the Fiscal Year 2018-19 Budget" (Attachment A); 2) Approve adding the position of Lead Maintenance Technician; and 3) Receive and file the attached Mid-Year Financial Report (Attachment B), Vision 2020 Work Plan Accomplishments (Attachment C), and Capital Projects Report (Attachment D). **Approved as part of the Consent Calendar.**

**3. PUBLIC HEARINGS:**

**3.A. ZONE TEXT AMENDMENT: DWELLING UNIT CLARIFICATION [J. KEHO, B. SIEGL, R. DIMOND]:**

*SUBJECT: The City Council will hold a public hearing to consider a Zone Text Amendment (ZTA) to clarify the definition and requirements for dwelling units in response to Zoning Interpretation 17-0001 (the "Interpretation"). The amendment aligns the Zoning Ordinance with the Interpretation, which clarifies that dwelling units are required to be for long-term use, which means a one-year term of stay or longer.*

**ACTION: This Item was continued to a date uncertain.**

**3.B. AMENDMENTS TO THE CITY'S MUNICIPAL CODE TO CREATE A WIRELESS FACILITY APPLICATION REVIEW FEE AND NO PARKING SIGN FEE AND AN AMENDMENT TO THE FEE RESOLUTION FOR FY2018-19 TO ADD SAID FEES [O. DELGADO, H. DEMITRI]:**

*SUBJECT: The City Council will consider amendments to the City's Municipal code to create a Wireless Facility Application Review fee and another fee to purchase "No Parking" signs for various work in the Public Right of Way, and an amendment to the Fee Resolution for FY2018-19 to add these two fees.*

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

City Engineer Hany Demitri provided background information as outlined in the staff report dated February 19, 2019.

Mayor Pro Tempore D'Amico opened the public hearing and the following speakers came forward:

MICHAEL CINTRON, ON BEHALF OF CROWN CASTLE, spoke regarding the proposed cost of the wireless application fee.

DIANA ROJAS, ON BEHALF OF VERIZON WIRELESS, spoke regarding the proposed cost of the wireless application fee. She requested that the item be tabled.

Councilmember Horvath inquired about the cost-analysis study. Mr. Demitri responded that the Finance Department conducted a comprehensive cost-analysis study related to this fee.

Councilmember Heilman inquired if staff would have an opportunity to further discuss the fee with the vendors given that Item 2.O. was tabled. City Manager Arevalo and Mr. Demitri indicated that staff could further review the fee.

Mayor Pro Tempore D'Amico closed the public hearing.

**ACTION:** Staff recommends that the City Council Adopt RESOLUTION NO. 19-5148, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE MASTER FEE RESOLUTION (RESOLUTION NO. 18-5049) BY ADDING A NEW FEE TO REVIEW APPLICATIONS FOR WIRELESS FACILITIES ATTACHED TO CITY INFRASTRUCTURE IN THE PUBLIC RIGHT OF WAY AND ANOTHER FEE TO PURCHASE NO PARKING SIGNS FOR VARIOUS WORK IN THE PUBLIC RIGHT OF WAY." **Motion by Councilmember Horvath, seconded by Councilmember Heilman, and approved.**

**4. UNFINISHED BUSINESS:**

**4.A. UPDATE OF THE 2018-19 OPERATING BUDGET & ACCOMPLISHMENTS [P. AREVALO, D. WILSON, L. QUIJANO, J. NEMES, C. SAFRIET]:**

*SUBJECT: The City Council will consider a mid-year update to the 2018-19 Operating Budget, as well as receive an update on work program accomplishments and organizational changes. The proposed mid-year adjustments include: General Fund - \$900,000 in operating revenue, \$192,700 in operating expenditures, and \$1,615,000 in capital expenditures from reserves; Park Development Fund - \$350,000 in expenditures; and Debt Administration Fund - \$1,100,000 in transfers to the General Fund.*

**ACTION: This Item was moved to the Consent Calendar.**

**5. NEW BUSINESS:**

**5.A. NEIGHBORHOOD-FRIENDLY MULTI-FAMILY DEVELOPMENT POLICIES AND STANDARDS – R2/R3/R4 ZONING DISTRICTS [L. MEISTER, J. LEONARD, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to identify opportunities and develop design criteria and land use options that will advance the neighborhood-friendly planning policies described in this report with the intent of addressing community concerns about neighborhood livability and out-of-scale residential development, and reducing impacts of new residential projects on adjacent properties and neighborhoods. By balancing the latest building requirements and construction practices with a more tailored local policy, resulting impacts can be minimized and new developments can better enhance neighborhood livability and maintain the integrity of the City's existing residential zones.*

**ACTION: This Item was Tabled.**

**5.B. COMMISSION APPOINTMENTS [Y. QUARKER, M. CROWDER]:**

*SUBJECT: The City Council will consider making direct appointments to the Arts & Cultural Affairs Commission, Human Services Commission, and Public Facilities Commission.*

Councilmember Heilman provided his appointments for the Arts and Cultural Affairs Commission, Human Services Commission, and Public Facilities Commission.

**ACTION:** Councilmember Heilman appointed **Andrew Reback** to the Human Services Commission.

**EXCLUDED CONSENT CALENDAR:** None.

**6. LEGISLATIVE:**

**6.A. CANNABIS USE ORDINANCE AMENDMENT REGARDING TEMPORARY CANNABIS USES AND UPDATE ON THE CANNABIS BUSINESS LICENSE SCREENING APPLICATION PROCESS [P. AREVALO, L. LANGER, J. LEONARD, J. KEHO, J. HITTLEMAN, B. ECK, J. ROCCO, A. REGAN, D. MICK]:**

*SUBJECT: Staff will provide an update on the cannabis business license screening application process, the City Council will consider an amendment to the City's Cannabis Use Ordinance to extend the date by which temporary cannabis use permits can be issued, and the City Council will consider whether to grant the existing four medical dispensaries adult-use licenses through until December 31, 2019 and to continue a discussion from December 17, 2018 on whether to change the number of cannabis business licenses in any of the five business license categories.*

Community and Legislative Affairs Manager John Leonard provided background information as outlined in the staff report dated February 19, 2019. He clarified that Council will discuss Recommendations 1 & 2 and that Recommendation 3 was tabled. He also briefly discussed the West Hollywood Cannabis Business License Screening Application Evaluation Committee Meeting that occurred on February 7, 2019. In addition, he spoke regarding state law changes that affect consumption lounges.

MORGAN SOKOL, ON BEHALF OF MEDMEN, spoke regarding co-locating medical and adult use sale of cannabis.

BRANDON PERRIM, ON BEHALF OF ZEN, spoke regarding the future of Zen as a West Hollywood business.

CHARAN, WEST HOLLYWOOD, spoke regarding the future of Zen as a West Hollywood business.

JOSEPH BULTMAN, WEST HOLLYWOOD, spoke as an employee of MedMen and requested that Council extend their temporary use permit.

SCOTT OLIN SCHMIDT, WEST HOLLYWOOD, congratulated the City Council on the process adopted for adult use of cannabis. He proposed a limited extension of the temporary use permits until the new businesses come online.

RACHEL TORRES, LOS ANGELES, spoke on behalf of the cannabis workers in favor of continuing the current cannabis businesses in the City.

LAUREN BANUELOS, LA CRESCENTA, spoke as a MedMen employee in support of continuing MedMen's temporary use permit.

DON DUNCAN, SACRAMENTO/LOS ANGELES, spoke on behalf of OVEST in opposition of medical cannabis only businesses as it is not economically viable.

ANTHONY PONZIO, WEST HOLLYWOOD, spoke as an employee of MedMen in support of continuing MedMen's temporary use permit.

SARAH ARMSTRONG, UNKNOWN, spoke in support of continuing the temporary use permits of the four cannabis businesses in the City.

ANDREW REBACK, WEST HOLLYWOOD, spoke in support of LAPCG.

ERRON SILVERSTEIN, WEST HOLLYWOOD, spoke on behalf of AON West Hollywood in opposition to extending licenses or adding more licenses.

LAUREN FONTEIN, LOS ANGELES, spoke on behalf of The Artist Tree in opposition to extending licenses or adding more licenses.

JOSH MORGERMAN, WEST HOLLYWOOD, spoke on behalf of Essence in opposition to extending licenses or adding more licenses.

JASON BECK, WEST HOLLYWOOD, spoke on behalf of AHHS West Hollywood in support of extending the temporary use permits.

SOL YEMENI, UNKNOWN, spoke in opposition to extending licenses or adding more licenses.

ROB ROSENHECK, LOS ANGELES, spoke regarding moving forward with the City's process.

JON LOCARNI, LOS ANGELES, spoke on behalf of Bud Berry spoke in opposition to extending licenses or adding more licenses.

JACKIE SUBECK, WEST HOLLYWOOD, spoke regarding keeping the process fair and inclusive.

Councilmember Meister clarified staff's recommendations. Mr. Leonard clarified the difference between Recommendation 1 and Recommendation 2. She commented that she does not agree with extending the licenses passed July 31, 2019. She further commented on specific direction from her Council colleagues regarding existing cannabis businesses not being given special consideration in the application process, at the meeting when the process was initially being discussed. She indicated that the focus should be on getting the winning application businesses, moving forward in the process.

Councilmember Heilman inquired about the timeline for the top 8 applications. Mr. Leonard provided information on the 4 things that the applicants need to be complete. He discussed the options if one of the top 8 is not able to secure a location or a permit from the State. Councilmember Heilman commented that it's not realistic that the top 8 will all be ready to open in the next 6 months. He further stated that he supports staff's recommendation.

Councilmember Horvath stated that she agrees with Councilmember Heilman. She requested that staff make the business license applications available as quickly as possible and schedule a Business License Commission meeting. She requested that Council receive status updates on the process.

Mayor Pro Tempore D'Amico inquired about how many businesses have state business licenses. He commented that the 4 existing businesses should be able to stay in business until at least 4 new ones open. He requested that the City provide at least six months' notice to the current businesses to allow them to wind down their businesses if needed. He asked for Mr. Leonard to clarify the commitments that the applicants made to the City. Assistant City Attorney Langer commented that the winning applicants must operate the business in the manner that was approved on their application.

A short discussion ensued regarding the difference between adult use and medical cannabis that exists, now that adult use cannabis is legal.

**ACTIONS:** 1) Introduce on first reading: Ordinance No. 19-1062: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, AMENDING ORDINANCE NO 17-1016 RELATED TO TEMPORARY CANNABIS USES" and 2) Direct staff to extend the adult-use retail licenses for the existing four medical dispensaries in the City until December 31, 2019. 3) Direct staff to provide quarterly updates on the process; 4) Direct staff to provide at least 6 months' notice to current businesses who do not obtain an adult-use license from the City. **Motion by Councilmember Heilman, seconded by Mayor Pro Tempore**



**D'Amico, and approved, noting the "no" vote of Councilmember Meister.**

**PUBLIC COMMENT:** None.

**COUNCILMEMBER COMMENTS:**

Councilmember Meister requested that the meeting be adjourned in memory of Karl Lagerfeld.

Councilmember Heilman thanked Mayor Pro Tempore D'Amico for handling tonight's meeting. He wished Mayor Duran a speedy recovery. Finally, he spoke regarding the strength and resiliency of the West Hollywood community.

**ADJOURNMENT:** The City Council adjourned at 9:13 p.m. in memory of James Dahl, Patricia Nell Warren, and Karl Lagerfeld to its next regular meeting, which will be on Monday, March 4, 2019 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 4<sup>th</sup> day of March, 2019 by the following vote:

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



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JOHN D'AMICO, MAYOR PRO TEMPORE

ATTEST:



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YVONNE QUARKER, CITY CLERK