

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, APRIL 1, 2019
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

6:30 P.M. –REGULAR MEETING

CALL TO ORDER: Mayor D'Amico called the meeting to order at 6:32 p.m.

PLEDGE OF ALLEGIANCE: Marcy Norton led the Pledge of Allegiance.

ROLL CALL:

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

ABSENT: None.

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

APPROVAL OF AGENDA:

City Clerk Quarker indicated that staff requested that Item 2.O. be Tabled.

City Manager Arevalo indicated that several Councilmembers expressed interest in moving Item 4.A. to the Consent Calendar as Item 2.X., and stated that those who wish to speak on this item may do so under the first public comment period.

Councilmember Heilman requested that Items 4.B. and 4.C. be moved to the Consent Calendar as Items 2.Y. and 2.Z. respectively.

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

Councilmember Horvath requested that Items 5.A. and 6.A. be moved to the Consent Calendar as Items 2.AA. and 2.BB. respectively. She also requested that Item 2.T. be moved to Excluded Consent for further discussion. Lastly, she requested that recommendation #3 of Item 5.B.; which is the Council's at-large appointment to the Public Safety Commission be Tabled.

Motion by Councilmember Duran, and seconded by Councilmember Meister to approve the April 1, 2019 agenda as amended, and unanimously approved.

ADJOURNMENT MOTIONS:

Councilmember Duran requested that the meeting be adjourned in memory of Dr. Virginia Uribe.

Councilmember Horvath requested that the meeting be adjourned in memory of the following military adjournments: Specialist Joseph P. Collette (29) and Sergeant 1st Class Will D. Lindsay (33).

PRESENTATIONS:

Mayor D'Amico presented a Proclamation to Charles Flowers, City Poet Laureate in honor of National Poetry Month.

Councilmember Heilman presented a plaque to Michael Dolan for his service on the Public Facilities Commission.

SPECIAL ITEM:

A. RESOLUTION DECLARING THE RESULTS OF THE MARCH 5, 2019 GENERAL MUNICIPAL ELECTION [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council is requested to adopt a Resolution declaring the results, and accepting the official canvass and official statement of votes cast from the L.A. County Registrar Recorder/County Clerk for the General Municipal Election held March 5, 2019.

City Clerk Quarker provided background information as outlined in the staff report dated April 1, 2019.

ACTIONS: 1) Declare LINDSEY HORVATH, LAUREN MEISTER, and JOHN D'AMICO elected as Members of the City Council to shortened terms of three years and eight months respectively; 2) Declare that ballot MEASURE Y regarding a business tax on adult-use Cannabis sales was CARRIED and SHALL be deemed adopted and ratified; 3) Declare that ballot MEASURE B regarding a Resolution approving a General Plan Amendment related to the Arts Club Project was CARRIED and SHALL be deemed adopted and ratified; and 4) Adopt Resolution No 19-5157, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, ACCEPTING THE LOS ANGELES COUNTY REGISTRAR RECORDER/COUNTY CLERK'S OFFICIAL CANVASS AND OFFICIAL STATEMENT OF VOTES CAST FOR THE GENERAL MUNICIPAL ELECTION HELD ON MARCH 5, 2019, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW." **Motion by Councilmember Heilman, seconded by Mayor D'Amico, and approved.**

B. ADMINISTER THE OATH OF OFFICE TO THE NEWLY ELECTED COUNCILMEMBERS:

City Clerk Yvonne Quarker administered the oath of office to Councilmembers Lindsey Horvath, Lauren Meister, and John D'Amico.

C. COUNCILMEMBER COMMENTS: None.

1. PUBLIC COMMENT:

NICK MELVOIN, LOS ANGELES UNIFIED SCHOOL DISTRICT BOARDMEMBER, spoke in support of Item 2.T.

ESTHER BAUM, WEST HOLLYWOOD, spoke regarding changes in the recycling program.

MICHAEL CINTRON, ON BEHALF OF CROWN CASTLE, spoke regarding Item 2.M.

CORY AUTREY, ON BEHALF OF AT&T, spoke regarding Item 2.M.

RICHARD KRAFT, WEST HOLLYWOOD, spoke regarding Item 2.V.

JEFF GRAHAM, WEST HOLLYWOOD, spoke regarding Item 2.Q.

JON BOZEMAN, WEST HOLLYWOOD, spoke regarding conversion therapy.

SHAR ELGHANIAN, WEST HOLLYWOOD, spoke regarding the film "1948".

SHERRY ELGHANIAN, WEST HOLLYWOOD, spoke regarding the film "1948".

JOSEPH BULTMAN, WEST HOLLYWOOD, spoke regarding temporary use permits for cannabis.

ELHAM YAGHABIAN, WEST HOLLYWOOD, spoke regarding the film "1948".

ZOHREH MIZRAHI, WEST HOLLYWOOD, spoke regarding the film "1948".

JAMES ROSEN, WEST HOLLYWOOD, spoke regarding Items 4.A. and 5.C.

TY GELTMAKER, WEST HOLLYWOOD, spoke regarding Item 5.C.

DAVID RASMUSSEN, LOS ANGELES, spoke regarding Item 5.C.

HOWARD CHAPNICK, LOS ANGELES, spoke regarding various issues in the City.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke regarding the City's use of Round Up.

PAUL KALT, SANTA MONICA, spoke regarding the film "1948".

RUTH CISLOWSKI, WEST HOLLYWOOD, spoke regarding Item 2.T.

JEROME KITCHEN, WEST HOLLYWOOD, spoke regarding Timothy Dean and the upcoming Pride festival.

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

West Hollywood Sheriff's Captain Ed Ramirez provided information on the Ed Buck investigation.

Councilmember Heilman thanked everyone for attending the meeting this evening. He congratulated the newly elected Councilmembers. He spoke regarding the recent LA Marathon and thanked everyone for accommodating the event. He responded to Esther Baum's public comment regarding updated recycling procedures and asked the City Manager to ensure that residents receive information on changes to these procedures. He responded to Mr. Kitchen's suggestion regarding providing additional information regarding drug overdoses during Pride. He mentioned Item 2.P. and requested that the Item return to Council prior to any installation of bollards.

Councilmember Duran congratulated his colleagues on their re-election. He spoke regarding issues with overdosing and fentanyl test strips. He apologized to the community and spoke briefly on the censure Resolution.

Councilmember Meister addressed Ms. Harker's public comment regarding the pesticide issue and stated that she will be following upon this item. She indicated her "no" vote on Item 2.F., and inquired as to the language that was not in the ordinance regarding designated places for the bikes. She spoke regarding various items on the Consent Calendar.

Mayor Pro Tempore Horvath mentioned the recent election and thanked everyone for their support. She mentioned the series of Tech classes that the City is hosting as part of its Aging in Place program. She reported that she recently attended the L.A. Metro community meetings, Clean Power Alliance Legislative meeting, Sanitation District Personnel Meeting and the League of California Cities Transportation, Communication and Public Works Committee meeting. She thanked everyone for their participation in the recent "Play Ball" event, and thanked everyone who participated in the Trans visibility event. She also mentioned Item 2.F. and inquired about the direction given to Staff not being included in the Ordinance. She also requested clarification on a section of the Municipal License Agreement relating to Item 2.M.

Mayor D'Amico mentioned the recent election. He spoke regarding Item 4.B. and inquired as to whether other permit fees would be reduced when they are coupled with

the permit fees associated with seismic retrofitting. He also thanked Councilmember Meister and staff for the recent improvements to the traffic calming requests by residents.

CITY MANAGER'S REPORT:

City Manager Arevalo mentioned that the Strategic Initiatives Division received a grant. He commented that the Division is working on the Aging in Place. He announced that the City Clerk's Office is accepting application for all Boards and Commissions. He also mentioned the new voting system that will be implemented by the Los Angeles Registrar/Recorder. The Planning and Development Services Department is moving forward with its Seismic Retrofit program and notices will be sent to homeowners affected. He responded to questions asked by the Council during Councilmember comments, and stated that the direction given by Council to staff in relation to Item 2.F. will be included in the Administrative Regulations.

City Attorney Jenkins responded to Mayor Pro Tempore Horvath's inquiry on Item 2.M.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Quarker stated that the fiscal impact on the Consent Calendar is \$606,305 in expenditures, \$633,800 in potential revenues, and (\$0) 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.,N.,O.,P.,Q.,R.,S.,U.,V.,X.,Y.,Z.,AA.,BB. Motion by Councilmember Heilman, seconded by Councilmember Duran, and approved, noting the "no" vote of Councilmember Meister on Item 2.F.

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Monday, April 1, 2019 was posted at City Hall, Plummer Park, the Sheriff's Station, and at the West Hollywood Library on Wednesday, March 27, 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.

RECOMMENDATION: Approve the minutes of March 18, 2019. Approved as part of the Consent Calendar.

2.C. DEMAND REGISTER NO. 844, RESOLUTION NO. 19-5156:

SUBJECT: The City Council shall receive the Demand Register for period ending March 22, 2019 pursuant to Sections 37201 to 37210 of the Government Code of the State of California.

ACTION: Approve Demand Register No. 844 and adopt Resolution No. 19-5156, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 844". **Approved as part of the Consent Calendar.**

2.D. CLAIMS ADMINISTRATION:

SUBJECT: The City Council is asked to deny a claim filed against the City as an administrative step in claims processing.

ACTION: Deny the claim of Fidel Marquez, Jr. **Approved as part of the Consent Calendar.**

2.E. ORDINANCE NO. 19-1063 (2ND READING) "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING AN AMENDMENT TO MUNICIPAL CODE TITLE 19, ZONING ORDINANCE AND AN AMENDMENT TO THE SUNSET SPECIFIC PLAN TO MODIFY STANDARDS AND POLICIES FOR OFF-SITE SIGNAGE IN THE SUNSET SPECIFIC PLAN AREA IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA." [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 19-1063, an ordinance of the City Council of the City of West Hollywood, approving an amendment to Municipal Code Title 19, zoning ordinance and an amendment to the Sunset Specific Plan to modify standards and policies for off-site signage in the Sunset Specific Plan area in the City of West Hollywood, California.

ACTION: Waive further reading and adopt Ordinance 19-1063, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING AN AMENDMENT TO MUNICIPAL CODE TITLE 19, ZONING ORDINANCE AND AN AMENDMENT TO THE SUNSET SPECIFIC PLAN TO MODIFY STANDARDS AND POLICIES FOR OFF-SITE SIGNAGE IN THE SUNSET SPECIFIC PLAN AREA IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA." **Approved as part of the Consent Calendar.**

2.F. ORDINANCE NO. 19-1064 (2ND READING) "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, AMENDING TITLE 11 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO EXEMPT PERMITTED DOCKLESS BICYCLE SHARING SYSTEMS FROM THE BAN ON SHARED ON-DEMAND PERSONAL MOBILITY DEVICES AND SERVICES, CITYWIDE FOR AN 18-MONTH PILOT PROGRAM" [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 19-1064 an "Ordinance of the City Council of the City of West Hollywood amending Title 11 of the West Hollywood Municipal Code to exempt permitted dockless bicycle sharing systems from the ban on

shared on-demand personal mobility devices and services, Citywide for an 18-month pilot program.”

ACTION: Waive further reading and adopt Ordinance No. 19-1064: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 11 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO EXEMPT PERMITTED DOCKLESS BICYCLE SHARING SYSTEMS FROM THE BAN ON SHARED ON-DEMAND PERSONAL MOBILITY DEVICES AND SERVICES, CITYWIDE FOR AN 18-MONTH PILOT PROGRAM.” **Approved as part of the Consent Calendar, noting the “no” vote of Councilmember Meister.**

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

SUBJECT: The City Council will receive Synopses from the Human Services Commission, Public Safety Commission, Transgender Advisory Board, and Women’s Advisory Board regarding actions taken at their recent meetings.

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

2.H. AUTHORIZATION TO ESTABLISH NEW AGREEMENTS FOR SERVICE FOR ART WORK MAINTENANCE AND CONSERVATION SERVICES [M. LOUIE, A. CAMPBELL, R. EHEMANN]:

SUBJECT: The City Council will consider approval of new agreements for service for art work maintenance and conservation services based on a recently conducted RFP/Proposals submission and review process.

ACTIONS: 1) Approve a four-year Agreement for Services with Rosa Lowinger & Associates in the amount of \$180,000 for art work maintenance and conservation services; 2) Approve a four-year Agreement for Services with Sculpture Conservation Studio of Constantinople, Inc. in the amount of \$180,000 for art work maintenance and conservation services; 3) Approve a four-year Agreement for Services with Silverlake Conservation LLC in the amount of \$180,000 for art work maintenance and conservation services; and 4) Authorize the City Manager or designee to execute documents incident to the agreements. **Approved as part of the Consent Calendar.**

2.I. AMENDMENT TO THE AGREEMENT FOR SERVICES WITH HARRIS & ASSOCIATES [O. DELGADO, H. DEMITRI]:

SUBJECT: The City Council will consider amending the agreement with Harris & Associates, Inc. for additional infrastructure design services for the Beverly Blvd. and Robertson Blvd. Streetscape Projects.

ACTIONS: 1) Approve Amendment No. 2 to the agreement for services with Harris & Associates, Inc. to modify the scope of services and increase the amount of the agreement by \$25,150 for a total not-to-exceed amount of \$839,615; and 2) Authorize the City Manager or

designee to execute documents incident to the agreement. **Approved as part of the Consent Calendar.**

2.J. AGREEMENT FOR SERVICES WITH PENCO ENGINEERING [O. DELGADO, H. DEMITRI]:

SUBJECT: The City Council will consider approval of an agreement for services with PENCO Engineering for engineering design services for Havenhurst Cul-De-Sac.

ACTIONS: 1) Approve an Agreement for Services with PENCO Engineering in the amount of \$84,900 for engineering design services for Havenhurst Cul-De-Sac; 2) Authorize the City Manager or designee to execute documents incident to the agreement; and 3) Authorize the City Engineer to approve change orders to the agreement for services in an amount not to exceed 5% Contingency (\$4,245) of the total agreement amount. **Approved as part of the Consent Calendar.**

2.K. APPROVAL OF AMENDMENT 2 TO AN AGREEMENT FOR SERVICES WITH KEYSER MARSTON ASSOCIATES, INC. [C. SCHROEDER, P. NOONAN, M. PASHAYI]:

SUBJECT: The City Council will consider approving a second amendment to the contract for services with Keyser Marston Associates, Inc. providing technical consulting services related to creation of new affordable housing.

ACTIONS: 1) Approve Amendment 2 to the Agreement for Services with Keyser Marston Associates increasing the contract amount by \$15,000 to a total contract amount of \$55,000 for the period of July 1, 2017 through June 30, 2019 for technical consulting services related to creation of new affordable housing; 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. LICENSE AGREEMENT FOR USE OF CITY TRASH ENCLOSURE [S. CAMPBELL, H. COLLINS]:

SUBJECT: The City Council will consider a proposed Master License Agreement (MLA) for the use of the City owned trash enclosure accessible from the alley at the north end of West Hollywood Park.

ACTIONS: 1) Authorize use of the Master License Agreement template for use of the City owned trash enclosure at the north end of West Hollywood Park by adjacent businesses; and 2) Authorize the City Manager or designee to execute all documents incident to the License Agreement. **Approved as part of the Consent Calendar.**

2.M. 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. TSIPIS]:

SUBJECT: The City Council will consider a proposed Municipal Facility 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: Authorize use of the Municipal Facility License Agreement template for wireless facilities attaching to city infrastructure in the Public Right of Way and approval by the City Manager or designee in substantially this form. Minor revisions to the template, including carrier specific insurance terms, may be approved by the City Attorney or designee, with any material revisions brought back to City Council for approval. **Approved as part of the Consent Calendar.**

2.N. CITY OF WEST HOLLYWOOD LIST OF TRANSPORTATION-RELATED PROJECTS ELIGIBLE FOR FUNDING UNDER SB-1 (BEALL) TRANSPORTATION FUNDING [O. DELGADO, H. DEMITRI]:

SUBJECT: The City Council will consider adopting a resolution specifying certain transportation-related projects eligible for funding under SB-1 (Beall) Transportation Funding to be completed during the next fiscal year. The project list included in the resolution will be sent to the California Transportation Commission (CTC) before the deadline of May 1, 2019.

ACTIONS: 1) Adopt Resolution No. 19-5158, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A LIST OF TRANSPORTATION-RELATED PROJECTS ELIGIBLE FOR FUNDING UNDER SB-1 (BEALL) TRANSPORTATION FUNDING"; 2) Direct staff to submit the list of City projects to the California Transportation Commission (CTC) before the May 1, 2019 deadline. **Approved as part of the Consent Calendar.**

2.O. URBAN ART PROGRAM ADMINISTRATIVE GUIDELINES 2019 – DEVELOPER INITIATED PROJECTS [M. LOUIE, A. CAMPBELL, R. EHEMANN]:

SUBJECT: The City Council will consider approving revised administrative guidelines for the Urban Art Program (Percent for Art).

ACTIONS: This Item was Tabled.

2.P. AUTHORIZE THE ADVERTISEMENT OF A REQUEST FOR PROPOSALS FOR THE DESIGN OF SAFETY BOLLARDS [O. DELGADO, H. DEMITRI, J. GILMOUR]:

SUBJECT: The City Council will consider authorizing the advertisement of a Request for Proposals (RFP) for the design of bollards to enhance pedestrian safety at specific high traffic areas.

ACTION: Authorize the advertisement of a Request for Proposals to design and identify potential locations for pedestrian safety bollards.
Approved as part of the Consent Calendar.

2.Q. NEIGHBORHOOD TEST TRAFFIC CALMING TREATMENTS AND SAFETY MEASURES [O. DELGADO, H. DEMITRI, R. GARLAND, W. DAVIS]:

SUBJECT: The City Council will consider the approval of test traffic calming treatments and safety measures, as part of the on-going Neighborhood Traffic Management process.

ACTIONS: Approve of the following traffic calming treatments and safety measures: 1) 1100-1200 block of Fuller Avenue test speed lumps; 2) 1300-1400 block of Laurel Avenue test speed lumps; 3) 900-1000 Havenhurst Drive test speed lumps; 4) 1100-1200 block of Flores Street test speed lumps; 5) 500-600 block of Orlando Avenue test speed lumps; 6) West Hollywood Elementary School (Harratt Street and Hammond Street) speed lumps; 7) Peak hour "Right Turn Only" regulation on the Elevado Street and Cynthia Avenue approaches at Doheny Drive; 8) Doheny Drive vehicle speed reduction striping enhancements; and 9) Gardner Street and Lexington Avenue test intersection reconfiguration.
Approved as part of the Consent Calendar.

2.R. NOTICE OF COMPLETION FOR CIP 1807, FOUNTAIN AVENUE INTERSECTION IMPROVEMENTS [O. DELGADO, H. DEMITRI, W. DAVIS]:

SUBJECT: The City Council will consider approving the Notice of Completion for CIP 1807, Fountain Avenue Intersection Improvements, by KDC Inc. dba as Dynaelectric.

ACTIONS: Accept the work and authorize the following: a. Filing the Notice of Completion (NOC) by the City Clerk; b. Final payment to the contractor at the end of the 35 day lien period; c. Release of the Performance Bond on the date of recordation of the Notice of Completion; and d. Release of the Payment Bond 35 days after the date of recordation of the Notice of Completion, pending no receipt of Stop Notices from subcontractors and/or suppliers. **Approved as part of the Consent Calendar.**

2.S. REQUEST TO DESIGNATE THE BUILDING AT 8743 SUNSET BOULEVARD AS A LOCAL CULTURAL RESOURCE [J. KEHO, D. DEGRAZIA, J. ALKIRE, R. RATH]:

SUBJECT: The City Council will consider the Historic Preservation Commission's recommendation to approve the nomination of the building located at 8743 Sunset Boulevard as a local cultural resource.

ACTION: Uphold the Historic Preservation Commission's recommendation, and adopt Resolution No. 19-5159, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING THE PROPERTY AT 8743 SUNSET BOULEVARD,

WEST HOLLYWOOD, CALIFORNIA AS A LOCAL CULTURAL RESOURCE.” (ATTACHMENT A) **Approved as part of the Consent Calendar.**

2.T. COMMUNITY ENGAGEMENT ON SCHOOL OPTIONS IN WEST HOLLYWOOD [J. D’AMICO, L. MEISTER, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to analyze the needs of families with school-age children in West Hollywood and perform community outreach with parents, LAUSD, and other community stakeholders.

ACTION: This Item was moved to Excluded Consent.

2.U. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING ACCESS TO CRIMINAL RECORDS INFORMATION FOR BUSINESS LICENSING PURPOSES PURSUANT TO PENAL CODE SECTIONS 11105 AND 13300 [O. DELGADO, J. LEONARD, D. MICK, L. LANGER, K. SHIN]

SUBJECT: The City Council will consider a resolution authorizing access to criminal records information for business licensing purposes.

ACTION: Adopt Resolution No. 19-5160, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING ACCESS TO CRIMINAL RECORDS INFORMATION FOR BUSINESS LICENSING PURPOSES PURSUANT TO PENAL CODE SECTIONS 11105 AND 13300”. **Approved as part of the Consent Calendar.**

2.V. PROPOSAL TO PROHIBIT CASHLESS BUSINESSES [J. HEILMAN, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider directing the City Attorney to draft an ordinance to require businesses in West Hollywood to accept cash as a form of payment.

ACTION: Direct the City Attorney to draft an ordinance to require businesses in West Hollywood to accept cash as a form of payment. **Approved as part of the Consent Calendar.**

2.W. SB 50 (WIENER) PLANNING AND ZONING: HOUSING DEVELOPMENT: INCENTIVES [J. LEONARD, H. MOLINA]:

SUBJECT: The City Council will receive and file an update on SB 50 (Wiener), consider maintaining a “neutral” position on the bill, and direct staff to continue to work with the author on amending the bill.

ACTION: This Item was moved to Excluded Consent.

2.X. (4.A.) CONSIDERATION OF RESOLUTION OF CENSURE RELATING TO COUNCILMEMBER JOHN DURAN [M. JENKINS]:

SUBJECT: At the March 4, 2019 City Council meeting, the Council took action to direct the preparation of a Resolution of Censure relating to Councilmember John Duran. Attached is a draft Resolution of Censure for the Council’s consideration.

ACTION: Adopt Resolution 19-5161, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CENSURING COUNCILMEMBER JOHN DURAN FOR CONDUCT AND STATEMENTS INCONSISTENT WITH THE CITY'S POLICIES AND VALUES".
Approved as part of the Consent Calendar.

2.Y. (4.B.) MANDATORY SEISMIC RETROFIT PROGRAM – REDUCTION IN BUILDING PERMIT FEES FOR RESIDENTIAL APARTMENT BUILDINGS [J. KEHO, B. GALAN]:

SUBJECT: The City Council will consider a reduction in building permit fees to property owners of residential apartment buildings subject to West Hollywood's mandatory seismic retrofit ordinance. A fee reduction will assist property owners with City permitting costs.

ACTION: Authorize a twenty-five percent building permit fee reduction specifically for seismic retrofit improvements for residential apartment buildings required to be retrofitting per West Hollywood's mandatory seismic strengthening ordinances. **Approved as part of the Consent Calendar.**

2.Z. (4.C.) MANDATORY SEISMIC RETROFIT PROGRAM – AUTHORIZATION TO SUBMIT HAZARD MITIGATION GRANT PROGRAM SUBAPPLICATION [J. KEHO, B. GALAN]:

SUBJECT: The City Council will consider authorization to submit a FEMA Hazard Mitigation Grant Program (HMGP) sub application to request \$5,000,000 to fund a program that will assist residential property owners with retrofitting costs of soft-story buildings.

ACTIONS: 1) Authorize the submittal of a HMGP sub application to Cal EOS/FEMA to request \$5,000,000 in grant money to fund a program that will assist residential property owners with seismic retrofitting costs of soft-story buildings; 2) Authorize the City Manager or designee to submit a Letter of Financial Commitment to expend matching funds of 25% of the total program budget (grant plus match); 3) Authorize the City Manager or designee to submit a Project Maintenance Letter confirming the proposed project is in compliance with the Environmental and Historic FEMA review process; 4) Upon approval of the grant award, authorize the Director of Finance and Technology Services to increase revenues and expenditures by an equal amount, which will be determined upon the successful award of the grant; 5) Authorize the expenditure of grant funds for the purposes specified in the grant award; and 6) Authorize the Director of Finance & Technology Services to allocate \$1,250,000 from unallocated reserves in the General Fund to the Miscellaneous Grant Fund for the City's 25% matching contribution to the FEMA grant and related program costs; and to adjust the City's matching contribution amount downward if necessary based upon the actual value of the grant award. **Approved as part of the Consent Calendar.**

2.AA. (5.A.) HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR CALENDAR YEAR 2018 [C. SCHROEDER, P. NOONAN, A. BARTLE]:

SUBJECT: The City Council will receive the Annual Housing Element Report for calendar year 2018 and authorize staff to submit the report to the California Department of Housing and Community Development in compliance with state requirements.

ACTION: Authorize staff to submit the 2018 Annual Housing Element Report to the California State Department of Housing and Community Development. **Approved as part of the Consent Calendar.**

2.BB. (6.A.) AN ORDINANCE AMENDING CHAPTER 17.48 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING SUBSTANTIVE GROUNDS FOR RENT ADJUSTMENT APPLICATIONS BY LANDLORDS BASED ON EXPENSES INCURRED IN PERFORMING EARTHQUAKE HAZARD REDUCTION AND SEISMIC STRENGTHENING [C. SCHROEDER, J. HOLUB, A. REGAN, P. NOONAN]

SUBJECT: Staff recommends the City Council adopt an ordinance amending Chapter 17.48 of the West Hollywood Municipal Code regarding substantive grounds for rent adjustment applications by landlords to determine a just and reasonable return based on expenses in performing earthquake hazard reduction and seismic strengthening.

ACTION: Introduce on first reading: Ordinance No. 19-1066, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 17.48 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING SUBSTANTIVE GROUNDS FOR RENT ADJUSTMENT APPLICATIONS BY LANDLORDS BASED ON EXPENSES INCURRED IN PERFORMING EARTHQUAKE HAZARD REDUCTION AND SEISMIC STRENGTHENING". **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS: None.

4. UNFINISHED BUSINESS:

4.A. CONSIDERATION OF RESOLUTION OF CENSURE RELATING TO COUNCILMEMBER JOHN DURAN [M. JENKINS]:

SUBJECT: At the March 4, 2019 City Council meeting, the Council took action to direct the preparation of a Resolution of Censure relating to Councilmember John Duran. Attached is a draft Resolution of Censure for the Council's consideration.

ACTION: This Item was moved to the Consent Calendar.

4.B. MANDATORY SEISMIC RETROFIT PROGRAM – REDUCTION IN BUILDING PERMIT FEES FOR RESIDENTIAL APARTMENT BUILDINGS [J. KEHO, B. GALAN]:

SUBJECT: The City Council will consider a reduction in building permit fees to property owners of residential apartment buildings subject to West

Hollywood's mandatory seismic retrofit ordinance. A fee reduction will assist property owners with City permitting costs.

ACTION: This Item was moved to the Consent Calendar.

4.C. MANDATORY SEISMIC RETROFIT PROGRAM – AUTHORIZATION TO SUBMIT HAZARD MITIGATION GRANT PROGRAM SUBAPPLICATION [J. KEHO, B. GALAN]:

SUBJECT: The City Council will consider authorization to submit a FEMA Hazard Mitigation Grant Program (HMGP) sub application to request \$5,000,000 to fund a program that will assist residential property owners with retrofitting costs of soft-story buildings.

ACTION: This Item was moved to the Consent Calendar.

4.D. 2019 COMMUNITY STUDY SUMMARY OF FINDINGS AND RECOMMENDATIONS [C. SCHROEDER, D. GIUGNI, L. ISENBERG]:

SUBJECT: The City Council will receive a report on the 2019 Community Study Summary of Findings and recommendations.

Social Services Manager David Giugni introduced Kym Dorman and Monica Guerra of Raimi and Associates and Richard Bernard of FM3 provided background information as outlined in the staff report dated April 1, 2019.

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding the housing crisis, gay men's mental health, harm reduction, safer sex, and legal services for tenants.

JOHN ALLENDORFER, WEST HOLLYWOOD, spoke regarding "welcome packet" with available social services and provide it to all of the property managers in the City.

Councilmember Meister commented on the report and summarized the needs expressed in the report.

Councilmember Horvath commented on the report and asked for clarification on a few items.

Councilmember Heilman commented on the report. He inquired about how the survey questions were being asked and asked that Staff look to ensure that questions are asked in a way to garner an answer specific to the person being asked.

ACTIONS: 1) Receive and discuss the 2019 Community Study Summary of Findings; and 2) Approve the following Overall Recommendations: a. Continue to provide high quality, diverse programming and service delivery throughout the City and for key populations; b. Ensure key vulnerable populations are treated with respect and understanding; c.

Expand and strengthen collaborative partnerships with community stakeholders; d) Use diverse communication and outreach methods to increase resident awareness of available services and programs; e) Continue transparency and accountability related to funded services and programs (e.g., evaluation of services); and f) Ensure that policies, programs, and services address the social determinants of health. **Motion by Councilmember Duran, seconded by Mayor Pro Tempore Horvath, and approved.**

4.E. UPDATE ON EXPLORATION OF PILOT PROGRAMS FOR INCREASING AFFORDABILITY IN THE WEST HOLLYWOOD HOUSING MARKET, AND PROPOSAL TO EXPLORE AN AFFORDABLE HOUSING OVERLAY ZONE AND WORKFORCE HOUSING REQUIREMENT FOR CERTAIN MULTIFAMILY RESIDENTIAL PROJECTS USING A STATE DENSITY BONUS [C. SCHROEDER, P. NOONAN, A. BARTLE]:

SUBJECT: The City Council will receive a presentation on possible programs that could increase affordability in the West Hollywood housing market, provide feedback, and confirm proceeding forward with developing four of the programs into local pilots. The City Council will also consider directing staff and the Planning Commission to explore feasibility of an affordable housing overlay zone, and a workforce housing requirement for certain multifamily residential projects using a state density bonus.

Rent Stabilization and Housing Manager Peter Noonan provided background information as outlined in the staff report dated April 1, 2019. Jessica Hitchcock of Bae Urban Economics presented the possible programs that the City could implement to increase affordability in the West Hollywood housing market.

Councilmember Horvath commented on the various aspects of the proposal.

Councilmember Meister indicated that she would like to hold off on Option F, due to current legislation that the City needs to discuss how it will affect the units that are replaced. She expressed concern with placing micro-units in residential neighborhoods and spoke in support of placing them in mixed-use projects. She asked that staff also look at the changes that the State is making as it relates to city's local zoning control.

Councilmember Heilman commented that this Item should be a joint effort between the Rent Stabilization & Housing Department and the Department of Planning and Development Services. He commented on previous initiatives attempted by the City. He commented on the proposed programs that he thought were viable.

Mayor D'Amico commented that we need to check-in regularly with the surrounding cities and see how the changes they have made are working for them.

ACTIONS: 1) Receive the presentation, provide feedback on programs proposed, and confirm proceeding forward with developing the four identified programs into pilots: a. Small Sites Acquisition, b. First-Time Home Buyer Program, c. Affordable Accessory Dwelling Unit Program, and d. Micro-units / Co-Living; 2) Direct Rent Stabilization & Housing Staff to work with Planning and Development Services Staff and return to the City Council with a developed pilot program framework for each identified program including full estimates for costs, staff time and technical and administrative need, and proposed ways and metrics for measuring success; and 3) Direct staff and the Planning Commission to explore the following programs: Option E – Establishing an affordable housing overlay zone potentially waiving maximum residential unit densities for 100% affordable housing projects in R3 and R4 multi-family residential zones, and Option F - a workforce housing requirement for certain multifamily residential projects using a state density bonus. **Motion by Mayor D'Amico, seconded by Councilmember Meister and approved.**

5. NEW BUSINESS:

5.A. HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR CALENDAR YEAR 2018 [C. SCHROEDER, P. NOONAN, A. BARTLE]:

SUBJECT: The City Council will receive the Annual Housing Element Report for calendar year 2018 and authorize staff to submit the report to the California Department of Housing and Community Development in compliance with state requirements.

ACTION: This Item was moved to the Consent Calendar.

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

SUBJECT: The City Council will consider making direct and at-large appointments to the Business License Commission, Public Facilities Commission, and the Public Safety Commission.

ACTION: 1) Mayor Pro Tempore Horvath appointed **Robert Saltzman** to the Business License Commission; and 2) Councilmember Duran appointed **Elaine Polachek** to the Public Facilities Commission.

5.C. REVIEW OF COUNCIL-INITIATED PROGRAMMING AND EVENT SERIES [P. AREVALO, A. LOVANO]:

SUBJECT: Due to issues and concerns raised by community members and members of the City Council, staff is seeking input from the City Council on policies and procedures related to City-sponsored events, in particular those that fall under the regular work plan of City divisions.

City Manager Arevalo provided background information as outlined in the staff report dated April 1, 2019.

JOHN ERICKSON, WEST HOLLYWOOD, spoke on his experience with the Human Rights Speakers Series and indicated that the film should have been vetted.

ARI BUSSEL, BEVERLY HILLS, spoke against discrimination.

VERA MARKOWITZ, BEVERLY HILLS, spoke against discrimination and in opposition of the film "1948".

DILLON HOSIER, LOS ANGELES, spoke on behalf of the Israeli American Civic Action in opposition of the film "1948".

DIANE SALTZBERG, HOLLYWOOD, spoke regarding better oversight of the Human Rights Speakers Series and in opposition of the film "1948".

ROBIN TYLER, UNKNOWN, spoke in opposition of the film "1948".

ANDREW REBACK, WEST HOLLYWOOD, spoke in regarding the divisive nature of the film "1948".

SHIVA SHAMOOIL, BEVERLY HILLS, spoke in opposition of the film "1948".

DAVID GLICKMAN, UNKNOWN, spoke on behalf of the Congregation Kol Ami in opposition of the film "1948".

ALESHA HUGHES, WEST HOLLYWOOD, spoke on behalf Congregation Kol Ami in opposition of the film "1948".

HUSSAIN TURK, WEST HOLLYWOOD, spoke regarding injustices committed by Israeli Jews.

SUSANNE REYTO, LOS ANGELES, spoke in opposition of the film "1948".

GARY RATNER, LOS ANGELES, spoke in opposition of the film "1948".

KAREN POMER, LOS ANGELES, spoke regarding censorship, Islamaphobes, and racism.

PROFESSOR AHLAM MUHTASEB, TEMECULA, spoke regarding the film "1948" and the freedom of expression.

BENJAMIN DANIEL BLATT, WEST HOLLYWOOD, spoke in opposition of the City sponsoring the film "1948".

NEPTUNE MIZRAHI, LOS ANGELES, spoke in opposition of the film "1948".

SHAHLA JHUDAN, UNKNOWN, spoke in opposition of the film "1948".

ROYA DARDASHTI, LOS ANGELES, spoke regarding the alleged oppression of Palestinians in Israel. She also spoke in opposition of the film "1948".

BEHNAM (BEN) GHARAGOZLI, LOS ANGELES, spoke regarding comparing anti-Semitism with speaking out against Israel.

MARK KLEIMAN, LOS ANGELES, spoke regarding false accusations of racism and encouraged the filming of "1948".

PARVIN, LOS ANGELES, spoke in support of showing the film "1948".

AMANI BARAKAT, MOORPARK, spoke in support of showing the film "1948".

SHEILA KADISHA, WEST HOLLYWOOD, spoke in opposition of the film "1948".

KAREN EYRES, WEST HOLLYWOOD, spoke in opposition of the film "1948".

KAREEM MARAGA, SANTA MONICA, spoke regarding the film "1948".

LIZA GLAZER, LOS ANGELES, spoke in opposition of the film "1948".

MAHMOOD ZUBAIBI, MURRIETA, spoke in support of the film "1948".

SALIEM SHEHADEH, LOS ANGELES, spoke in support of the film "1948".

LAURA YOUNAI, WOODLAND HILLS, spoke in opposition of the film "1948".

EVELYN MARKUS, WEST HOLLYWOOD, spoke in opposition of the film "1948".

STEVEN MARTIN, WEST HOLLYWOOD, spoke in support of the film "1948".

DR. WENDY SMITH, PASADENA, spoke in support of the film "1948".

SUSAN ASIZZADEH, PRESIDENT OF IRANIAN AMERICAN JEWISH FEDERATION, spoke in opposition of the film "1948".

POUNEH BEHIN, LOS ANGELES, spoke in support of the film "1948".

SAMIR TWAIR, LOS ANGELES, spoke in support of the film "1948".

SEAN SIEGEL, WEST HOLLYWOOD, spoke in opposition of the film "1948".

JAMES WEN, BURBANK, spoke regarding the need for unity and community discussion.

MELANIE ELMAN, WEST HOLLYWOOD, spoke in opposition of the film "1948".

JOESPH JUAREZ, LOS ANGELES, spoke in support of the film "1948".

The following individuals did not wish to speak, but submitted a Citizen Position Slip in support of the recommended item: Sophia Cohen, Roya Cohen, Nicholas Cohen, Pablo Nankin, Vared Nisim, Robert Oberhand, and Jila Gelbaher

The following individuals did not wish to speak, but submitted a Citizen Position Slip in opposition to the recommended item: William Seegmiller and Jerome Kitchen

Mayor D'Amico expressed concern with the Council reviewing every item for the Human Rights Speaker Series. He further expressed concern with the lack of engagement with the community regarding the film "1948".

Councilmember Duran indicated that it's a First Amendment issue for him, and spoke in support of free speech and hearing different points of view.

Mayor Pro Tempore Horvath thanked the City Manager for the Item. She thanked everyone for speaking and writing about this Item. She spoke regarding City processes and policies, and expressed concern with this particular item. She stated that she does not support the City paying for the screening of the film.

Councilmember Heilman thanked everyone who came out to speak this evening. He spoke briefly about the Human Rights Speakers Series. He indicated that government should not censor information. He suggested that the film move forward, but that a separate panel be convened as a responsive panel, to continue the dialogue around this issue.

Councilmember Meister commented that she watched the film “1948” and stated that while the film did have a specific point of view; it did not include hate speech or anti-Semitic commentary. She further stated she was embarrassed to see this level of intolerance in West Hollywood. She indicated she would not support changing the process or making changes to the current programming.

ACTIONS: 1) Maintain current practices as it relates to programming and events; 2) Move forward with current programming and direct staff to sponsor another event with a different panel to discuss and provide a balanced response to the film *1948: Creation and Catastrophe*. **Motion by Councilmember Meister, seconded by Councilmember Duran, and approved noting the “no” votes of Mayor Pro Tempore Horvath and Mayor D’Amico.**

EXCLUDED CONSENT CALENDAR:

2.T. COMMUNITY ENGAGEMENT ON SCHOOL OPTIONS IN WEST HOLLYWOOD [J. D’AMICO, L. MEISTER, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to analyze the needs of families with school-age children in West Hollywood and perform community outreach with parents, LAUSD, and other community stakeholders.

(Councilmember Duran left the meeting at 11:03 p.m.)

TRACY COOK, LOS ANGELES, spoke regarding Bancroft Middle School and encouraged the Council to support Bancroft.

ANDREW REBACK, WEST HOLLYWOOD, spoke in support of the Item.

NATE CLARK, WEST HOLLYWOOD, provided data not included in the staff report.

MARIA FRANK, WEST HOLLYWOOD, provided a list of items that she felt should be included in the recommendation.

STEVE MARTIN, WEST HOLLYWOOD, commented that there is space at West Hollywood Elementary for a middle school. He also commented that West Hollywood should create its own school district.

The following individuals did not wish to speak, but submitted a Citizen Position Slip in support of the recommended item: Nick Garzilli, Joanna Garzilli, Dominick Garzilli, Linnea McArt and Mollie C. Knute.

Mayor Pro Tempore Horvath commented on past practices with the school district. She spoke regarding the Children's Round Table, and how that forum may not be conducive for this particular outreach.

Mayor D'Amico addressed Mayor Pro Tempore Horvath's concerns regarding the Children's Roundtable.

Councilmember Heilman spoke regarding input from the parents and school principals. He spoke regarding ways that the City can help the schools raise funds. He indicated that he does not want us to move towards Charter schools.

ACTIONS: 1) Direct staff to provide the City Council with a report highlighting: a. Data on the number of school-age children (K-12) living in the City of West Hollywood, including those currently enrolled in LAUSD, private institutions, homeschooled, etc.; and b. The status of public schools in West Hollywood and surrounding areas, including Beverly Hills and other school districts; 2) Direct staff to engage with parents of school-age children, parents of pre-schoolers, representatives from LAUSD, and community stakeholders to address the immediate concerns of West Hollywood parents; 3) Direct staff to host a town hall meeting and additional meetings at the schools to further engage parents, the community, and other stakeholders; and 3) Affirm City Council support for LAUSD in its effort to create a new middle school pathway for West Hollywood residents. **Motion by Mayor D'Amico, seconded by Councilmember Meister, and approved.**

2.W. SB 50 (WIENER) PLANNING AND ZONING: HOUSING DEVELOPMENT: INCENTIVES [J. LEONARD, H. MOLINA]:

SUBJECT: The City Council will receive and file an update on SB 50 (Wiener), consider maintaining a "neutral" position on the bill, and direct staff to continue to work with the author on amending the bill.

Councilmember Meister provided the reasons that she pulled this Item.

Governmental Affairs Liaison Hernan Molina provided background information as outlined in the staff report dated April 1, 2019.

ACTIONS: 1) Receive and file a status report on SB 50 (Wiener) Planning and Zoning: Housing Development: Incentive; and 2) Maintain a "neutral" position on the bill and direct staff to continue to work with the author on amending the bill. **Motion by Councilmember Heilman, seconded by Mayor D'Amico, and approved.**

6. LEGISLATIVE:

6.A. AN ORDINANCE AMENDING CHAPTER 17.48 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING SUBSTANTIVE GROUNDS FOR RENT ADJUSTMENT APPLICATIONS BY LANDLORDS BASED ON EXPENSES INCURRED IN PERFORMING EARTHQUAKE HAZARD REDUCTION AND SEISMIC STRENGTHENING [C. SCHROEDER, J. HOLUB, A. REGAN, P. NOONAN]

SUBJECT: Staff recommends the City Council adopt an ordinance amending Chapter 17.48 of the West Hollywood Municipal Code regarding substantive grounds for rent adjustment applications by landlords to determine a just and reasonable return based on expenses in performing earthquake hazard reduction and seismic strengthening.

ACTION: This Item was moved to the Consent Calendar.

PUBLIC COMMENT:

JOHN ERICKSON, WEST HOLLYWOOD, spoke regarding the Vagina Monologues and thanked the Council for their support. He also spoke in support of free speech.

COUNCILMEMBER COMMENTS:

Councilmember Meister thanked everyone who voted and everyone involved in her campaign.

ADJOURNMENT: The City Council adjourned at 11:36 p.m. in memory of Dr. Virginia Uribe, Specialist Joseph P. Collette, and Sergeant 1st Class Will D. Lindsay to its next regular meeting, which will be on Monday, April 15, 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 15th day of April, 2019 by the following vote:

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



JOHN D'AMICO, MAYOR

ATTEST:


YVONNE QUARKER, CITY CLERK