

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, JUNE 3, 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 6:30 p.m.

PLEDGE OF ALLEGIANCE: Alexis Sanchez led the Pledge of Allegiance.

ROLL CALL:

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

ABSENT: Mayor Pro Tempore Horvath.

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

APPROVAL OF AGENDA:

City Manager Arevalo stated that Mayor Pro Tempore Horvath has requested that Item 5.A. be Tabled until such time as she can participate in the discussion of the Item.

Councilmember Duran requested that Items 4.A. and 5.B. be moved to the Consent Calendar as Items 2.M. and 2.N. respectively.

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

Mayor D'Amico and Assistant City Attorney Langer noted that a Closed Session Item of pending litigation- Government Code Section 54956.9(d)(1), needed to be added to the Agenda. She stated that under the Brown Act and Item can be added to the Agenda if there is a need to take immediate action, and that need arose after the posting of the Agenda. She reported that this particular case, City of West Hollywood v MDA Johnson Favaro, (Case No. SC 122763) is poised to go to trial imminently and that there were developments that were brought forth today, that requires Council to have a Closed Session to discuss; which can occur at the end of this meeting.

Motion by Councilmember Duran, to approve the June 3, 2019 agenda as amended, seconded by Councilmember Meister, and approved.

ADJOURNMENT MOTIONS:

Councilmember Heilman requested that the meeting be adjourned in memory of Glenn Richard Theriac.

Mayor D'Amico requested that the meeting be adjourned in memory of Robert Trask.

Councilmember Duran requested that the meeting be adjourned in memory of Annette Renwick and the victims of the shooting in Virginia Beach, Virginia.

PRESENTATIONS:

Councilmember Heilman presented a plaque to outgoing Rent Stabilization Commissioner David Gregoire for his years of service to the Commission.

1. PUBLIC COMMENT:

JOHN ERICKSON, WEST HOLLYWOOD, spoke regarding Item 2.L. and the Trans March on Washington, DC.

JOSEPH BULTMAN, WEST HOLLYWOOD, spoke on behalf of MedMen in support of granting them an adult use cannabis license.

JAMES WEN, BURBANK, spoke regarding Item 2.L.

ALEXIS SANCHEZ, LOS ANGELES, spoke regarding Item 2.L. and the Trans March on Washington, DC.

STEVE NOH, LOS ANGELES, spoke regarding Councilmember Duran and the LAPD.

JACKIE SUBECK, WEST HOLLYWOOD, spoke regarding the cannabis and cannabis businesses.

TAI KAHLIS, LOS ANGELES, spoke on behalf of MedMen in support of granting them an adult use cannabis license.

LAUREN BANUELOS, LA CRESCENTA, spoke on behalf of MedMen in support of granting them an adult use cannabis license.

MECCA BRAMHAN, LOS ANGELES, spoke on behalf of MedMen in support of granting them an adult use cannabis license.

JOE YBORRA, UNKNOWN, spoke on behalf of MedMen in support of granting them an adult use cannabis license.

TIMOTHY PATTERSEN, KOREATOWN, spoke on behalf of MedMen in support of granting them an adult use cannabis license.

DANNY CRON, WEST HOLLYWOOD, spoke on behalf of MedMen in support of granting them an adult use cannabis license.

MANUEL RUBIO, UNKNOWN, spoke on behalf of MedMen in support of granting them an adult use cannabis license.

CHELA DEMUIR, LOS ANGELES, spoke regarding Item 2.L. and the Trans March on Washington, DC.

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding Item 2.L. and the Trans March on Washington, DC. He also spoke regarding tomorrow's election.

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

Councilmember Heilman inquired with the City Manager regarding funding for the Trans March in Washington, DC. He also spoke regarding the City's new street identification signs and visibility at night.

Councilmember Duran shared the upcoming Pride events and mentioned the street closures. He also spoke regarding the 50th anniversary of Stonewall. Finally, he wished everyone a great Pride weekend.

Councilmember Meister requested that the City Manager bring an Item to the next meeting regarding the Trans March. She mentioned that June 1 – 7 is National CPR week, and that June is also National Pet Preparedness Month.

Mayor D'Amico commented on the public speakers who were in attendance and spoke regarding adult use cannabis licenses, and indicated that an item will be on the June 17th agenda to discuss this issue. He commented on post cards that he's received from parents of children at Laurel School, and stated that they should provide contact information if they would like to speak with him. Finally, he mentioned the upcoming Pride weekend.

CITY MANAGER'S REPORT:

City Manager requested that the Item relating to the Trans March be brought back in July for Council discussion. He also spoke regarding the additional information relating to Cannabis licenses and indicated that it will be included in the Staff Report. He mentioned the upcoming Pride event and the logistical challenges. He also reported that the City Clerk's Office is hosting a community meeting with the Los Angeles Registrar/Recorder to discuss the new voting system and vote centers. He spoke regarding the *Where Love is Legal* Exhibit in the Library and also mentioned a documentary film screening in Council Chamber on June 4. Finally, he reported that Finance will be hosting a community budget presentation at City Hall on June 6.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Quarker stated that the fiscal impact on the Consent Calendar is \$2,579,075.60 in expenditures, \$0 in potential revenues, and (\$0) in waived fees.

2. CONSENT CALENDAR:

2.A.,B.,C.,D.,E.,F.,G.,H.,J.,K.,L.,M.,N. Motion by Councilmember Heilman, seconded by Councilmember Meister, and approved.

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Monday, June 3, 2019 was posted at City Hall, Plummer Park, the Sheriff's Station, and at the West Hollywood Library on Wednesday, May 29, 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 May 20, 2019. **Approved as part of the Consent Calendar.**

2.C. APPROVAL OF DEMAND REGISTER NO. 848 [L. QUIJANO, C. CORRALES]:

SUBJECT: The City Council shall receive the Demand Register for period ending May 24, 2019 pursuant to Sections 37201 to 37210 of the Government Code of the State of California.

ACTION: Approve Demand Register NO. 848 and adopt Resolution No.19-5184, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING PAYMENT OF DEMANDS PRESENTED ON DEMAND REGISTER NO. 848." **Approved as part of the Consent Calendar.**

2.D. CLAIMS ADMINISTRATION [D. WILSON, A. WARD]:

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

ACTION: Deny the claims of Lois A. Kersten-Martin, Solomon Silman, James Tran, Ariana Properties, LLC, Ariana Rugs, Inc. and Patrick Toolan. **Approved as part of the Consent Calendar.**

2.E. ORDINANCE NO. 19-1068 (2ND READING) "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.240, SECTION C OF THE WEST HOLLYWOOD MUNICIPAL CODE, IMPLEMENTING PREFERENTIAL PARKING DISTRICT 9 REGULATIONS ON THE 900 BLOCK OF HARPER AVENUE AND

AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE” [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 19-1068, an ordinance of the City of West Hollywood amending Title 10, Chapter 10.08.240, Section C of the West Hollywood Municipal Code, implementing preferential parking District 9 regulations on the 900 block of Harper Avenue and amending the West Hollywood Municipal Code.

ACTION: Waive further reading and adopt Ordinance 19-1068, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.240, SECTION C OF THE WEST HOLLYWOOD MUNICIPAL CODE, IMPLEMENTING PREFERENTIAL PARKING DISTRICT 9 REGULATIONS ON THE 900 BLOCK OF HARPER AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.” **Approved as part of the Consent Calendar.**

2.F. ORDINANCE NO. 19-1069 (2ND READING) “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.260, SECTION C OF THE WEST HOLLYWOOD MUNICIPAL CODE, IMPLEMENTING PREFERENTIAL PARKING DISTRICT 11 REGULATIONS ON THE 8300 BLOCK OF ROSEWOOD AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE” [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 19-1069, an ordinance of the City of West Hollywood amending Title 10, Chapter 10.08.260, Section C of the West Hollywood Municipal Code, implementing preferential parking District 11 regulations on the 8300 block of Rosewood Avenue and amending the West Hollywood Municipal Code.

ACTION: Waive further reading and adopt Ordinance 19-1069, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.260, SECTION C OF THE WEST HOLLYWOOD MUNICIPAL CODE, IMPLEMENTING PREFERENTIAL PARKING DISTRICT 11 REGULATIONS ON THE 8300 BLOCK OF ROSEWOOD AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.” **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 Human Services Commission, Public Safety Commission, and Transportation Commission regarding actions taken at their recent meeting.

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

2.H. FY19-20 OPERATING BUDGET AND CAPITAL WORK PLAN [P. AREVALO, D. WILSON, L. QUIJANO, A. RUIZ, C. SAFRIET]:

SUBJECT: The City Council will receive the City of West Hollywood Operating Budget and Capital Work Plan for fiscal year 2019-20, which will be brought back for discussion and adoption at the Council Meeting scheduled for June 17, 2019.

ACTION: Receive and file the City of West Hollywood Operating Budget and Capital Work Plan for fiscal year 2019-20. **Approved as part of the Consent Calendar.**

2.I. AUTHORIZE PARTICIPATION IN THE CALIFORNIA JOINT POWERS INSURANCE AUTHORITY (CJPIA) FOR GENERAL LIABILITY AND WORKERS' COMPENSATION INSURANCE, AND ALLIANT INSURANCE SERVICES FOR PROPERTY AND OTHER INSURANCE NEEDS [D. WILSON, A. WARD]:

SUBJECT: The City Council will consider authorizing participation in the California Joint Powers Insurance Authority (CJPIA) for the City's general liability and workers' compensation insurance, and Alliant Insurance Services for property and other insurance needs.

ACTION: This Item was moved to Excluded Consent.

2.J. AUTHORIZE THE USE OF COOPERATIVE PURCHASING AGREEMENTS WITH LANDSCAPE STRUCTURES, INC. AND JOHNSON CONTROLS, INC [S. CAMPBELL, H. COLLINS]:

SUBJECT: The City Council will consider authorizing the use of cooperative purchasing agreements with Landscape Structures, Inc. and Johnson Controls, Inc. for the procurement of goods and services

ACTIONS: 1) Authorize the Finance & Technology Services Department to issue Purchase Orders to Landscape Structures, Inc., pursuant to the Sourcewell Agreement, for the installation of playground equipment and related services in an amount not-to-exceed \$150,000; and 2) Authorize the Finance & Technology Services Department to issue Purchase Orders to Johnson Controls, Inc., pursuant to the Sourcewell Agreement, for the purchase/installation/upgrade/repair of building automation systems and related services in an amount not-to-exceed \$300,000. **Approved as part of the Consent Calendar.**

2.K. AMENDMENT TO THE AGREEMENT FOR LANDSCAPE ARCHITECTURE DESIGN SERVICES WITH MOORE, IACOFANO, GOLTSMAN, INC. [S. CAMPBELL, H. COLLINS, C. SARKEES]:

SUBJECT: The City Council will consider amending the agreement for services with Moore, Iacofano, Goltsman, Inc. dba MIG, Inc. for Landscape Architecture Design Services.

ACTIONS: 1) Approve Amendment No. 2 to Agreement #007561 with MIG for Landscape Architecture Design Services by: a. Extending the term of the Agreement for Services, by a period of 24 months resulting in a new expiration date of June 30, 2021, b. Increasing the amount of the

Agreement by \$50,000 for a new not-to-exceed total amount of \$200,000, c. Authorizing an update to the design fee hourly rate schedule; and 2) Authorize the City Manager, or designee, to execute all documents incident to the Amendment of the Agreement. **Approved as part of the Consent Calendar.**

2.L. PUBLIC EDUCATION CAMPAIGN AGAINST TRANSPHOBIA [J. D'AMICO, J. DURAN, J. LEONARD, A. LOVANO, S. LEE]:

SUBJECT: The City Council will consider directing staff to partner with community organizations to develop a public education campaign against transphobia in order to improve public awareness, education, and inclusivity of transgender and non-binary people.

ACTIONS: 1) Direct staff to work with the Transgender Advisory Board and relevant community organizations to create a public education campaign against transphobia; and 2) Return to City Council with the recommended structure and rollout of the public education campaign. **Approved as part of the Consent Calendar.**

2.M. (4.A.) MANDATORY SEISMIC RETROFIT PROGRAM – AMENDMENT TO AGREEMENT FOR SERVICES WITH M6 CONSULTING AND AUTHORIZATION TO SUBMIT A SECOND HAZARD MITIGATION GRANT PROGRAM SUBAPPLICATION [J. KEHO, B. GALAN]:

SUBJECT: The City Council will consider amending an agreement for services with M6 Consulting and authorize the submittal of a second FEMA Hazard Mitigation Grant Program (HMGP) sub application to request \$10,000,000 to fund a program that will assist property owners of buildings subject to the City's retrofit ordinances with retrofitting costs.

ACTIONS: 1) Approve Amendment 3 to the agreement with M6 Consulting to add additional services to assist in developing and submitting a Hazard Mitigation Grant Program sub applications to California Governor's Office of Emergency Services: a. Authorize the Director of Finance and Technology Services to allocate \$65,205.60 from unallocated reserves in the General Fund to the Planning and Development Services Department for related costs, b. Authorize the City Manager or designee to execute the documents incident to the agreement; 2) Authorize the submittal of a HMGP sub application to Cal EOS/FEMA to request \$10,000,000 in grant money to fund a program that will assist property owners with seismic retrofitting costs; a. 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), b. 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, c. 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, d. Authorize the expenditure of grant funds for the purposes specified in the

grant award, e. Authorize the Director of Finance & Technology Services to allocate \$2,500,000 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.N. (5.B.) PURCHASE AND SALE OF CITY LAND TO THE SUNSET TIME DEVELOPMENT [O. DELGADO, H. DEMITRI]:

SUBJECT: The City Council will consider authorizing the sale of an approximately 38 square foot piece of City land at the back of an existing sidewalk on Olive Drive to the developer of the adjacent Sunset Time Project.

ACTIONS: 1) Approve a Purchase and Sale Agreement with Sunset Subsidiary, LLC in the amount of \$13,870; and 2) Authorize the City Manager or designee to execute all documents incident to the agreement and to consummate the sale. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. CONFIRMATION OF THE LEVY OF AN ASSESSMENT FOR THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT FOR FISCAL YEAR 2019-2020 PURSUANT TO THE PROVISIONS OF THE LANDSCAPE AND LIGHTING ACT OF 1972 [M. LOUIE]:

SUBJECT: The City Council will conduct a public hearing and consider adopting a resolution confirming a diagram and the levy of assessments for the Santa Monica Boulevard Maintenance District for fiscal year 2019-2020.

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

Director of Economic Development Maribel Louie provided background information as outlined in the staff report dated June 3, 2019.

Councilmember Duran inquired about year-round decorative lighting in the trees along Santa Monica Blvd. Director Louie stated that an Item will be brought to Council in the summer for discussion.

Mayor D'Amico opened the public hearing and no speakers came forward.

Mayor D'Amico closed the public hearing.

ACTIONS: 1) Adopt Resolution No. 19-5190" A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2019-2020 IN

CONNECTION WITH THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT"; 2) Approve an agreement with Dekra-Lite for installation, repair and storage of the holiday lights along Santa Monica Boulevard for the 2019-21 holiday season; and 3) Authorize the City Manager and his designee to execute the agreement. **Motion by Councilmember Heilman, seconded by Councilmember Meister, and approved.**

3.B. ADOPTION OF A RESOLUTION CONFIRMING THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT ANNUAL REPORT AND LEVYING AN ASSESSMENT FOR THE 2019-2020 FISCAL YEAR, AND APPROVAL OF AN AGREEMENT FOR ADMINISTERING THE PROGRAM OF WORK [M. LOUIE]:

SUBJECT: The City Council will conduct a public hearing and consider adopting a resolution confirming the annual report submitted by the Advisory Board of the Sunset Strip Business Improvement District and levying the assessment for fiscal year 2019-2020, as well as approval of an agreement with the West Hollywood Marketing Corporation (d.b.a. West Hollywood Travel & Tourism Board) to administer the program of work. The City Council will also consider authorizing use of the City-owned parking lot at 8755 Sunset Boulevard, approving the use of alcohol and waiving certain permit fees for a promotional event on June 22, 2019 related to the Sunset Strip Business Improvement District program of work.

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

Director of Economic Development Maribel Louie provided background information as outlined in the staff report dated June 3, 2019.

Mayor D'Amico opened the public hearing no speakers came forward.

Mayor D'Amico closed the public hearing.

Councilmember Meister spoke regarding the list of properties and requested that Staff revise Clark Drive to Clark Street and the corresponding address ranges.

ACTIONS: 1) Adopt Resolution No. 19-5191" A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE REPORT OF THE ADVISORY BOARD AND LEVYING AN ASSESSMENT FOR FISCAL YEAR 2019-2020 IN CONNECTION WITH THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT"; 2) Authorize the City Manager or his designee to make any minor modifications and sign and execute an Agreement for Services between the City and the West Hollywood Marketing Corporation (d.b.a. West Hollywood Travel & Tourism Board) to administer the 2019-2020 Sunset

Strip Business Improvement District work program; 3) Authorize use of the City-owned parking lot located at 8755 Sunset Boulevard on Saturday, June 22, 2019 through 10 a.m. on Sunday, June 23, 2019 for the launch of the Summer on Sunset promotional series; 4) Authorize the provision of alcohol to guests at the June 22, 2019 special event; 5) Approve fee waivers for special event permit, film permits, and encroachment permit for 5 parking meters in the amount of \$4,650 related to the June 22, 2019 event; and 6) Authorize the City Manager or his designee to make any minor modifications and sign and execute any documents or forms with the Sunset Strip Business Improvement District that may be necessary for the successful implementation of the June 22, 2019 special event. **Motion by Councilmember Heilman, seconded by Councilmember Meister, and approved.**

3.C. ADOPTION OF A RESOLUTION CONFIRMING THE WEST HOLLYWOOD DESIGN DISTRICT ANNUAL REPORT AND LEVYING AN ASSESSMENT FOR THE 2019-2020 FISCAL YEAR, AND APPROVAL OF AN AGREEMENT FOR ADMINISTERING THE PROGRAM OF WORK [M. LOUIE]:

SUBJECT: The City Council will conduct a public hearing and consider adopting a resolution confirming the annual report submitted by the Advisory Board of the West Hollywood Design District and levying the assessment for fiscal year 2019-2020, as well as approval of an agreement with the West Hollywood Marketing Corporation (d.b.a. West Hollywood Travel & Tourism Board) to administer the program of work.

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

Director of Economic Development Maribel Louie provided background information as outlined in the staff report dated June 3, 2019.

Mayor D'Amico opened the public hearing no speakers came forward.

Mayor D'Amico closed the public hearing.

ACTIONS: 1) Adopt Resolution No. 19-5192" A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE REPORT OF THE ADVISORY BOARD TO THE WEST HOLLYWOOD DESIGN DISTRICT AND LEVYING AN ASSESSMENT FOR FISCAL YEAR 2019-2020 IN CONNECTION WITH THE WEST HOLLYWOOD DESIGN DISTRICT"; and 2) Authorize the City Manager or his designee to make any minor modifications and sign and execute an Agreement for Services between the City and the West Hollywood Marketing Corporation (d.b.a. West Hollywood Travel & Tourism Board) to administer the 2019-2020 West Hollywood Design District work program. **Motion by Councilmember Heilman, seconded by Councilmember Meister, and approved.**

3.D. 2019-20 AFFORDABLE HOUSING IN-LIEU FEE UPDATE AND AMENDMENT TO THE MASTER FEE SCHEDULE [C. SCHROEDER, P. NOONAN, A. BARTLE, J. KEHO]:

SUBJECT: The City Council will hold a public hearing to consider approval of a resolution updating the Affordable Housing In-Lieu Fee for Fiscal Year 2019-20, and amending the Master Fee Schedule.

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

Rent Stabilization and Housing Manager Peter Noonan provided background information as outlined in the staff report dated June 3, 2019.

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

STEVE MARTIN, WEST HOLLYWOOD, expressed concern with the cost.

Councilmember Meister expressed concern with the cost for duplexes. She stated that this fee might result in fewer but larger units and suggested that if the goal is to encourage inclusionary units, that the fee be based on the maximum allowable density.

Councilmember Heilman clarified some of the issues.

Mayor D'Amico closed the public hearing.

ACTION: Adopt RESOLUTION NO. 19-5193 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE MASTER FEE RESOLUTION (RESOLUTION NO. 19-5166) UPDATING THE AFFORDABLE HOUSING IN-LIEU FEE IN THE SCHEDULE OF FEES AND CHARGES FOR THE RENT STABILIZATION AND HOUSING DIVISION." **Motion by Mayor D'Amico, seconded by Councilmember Heilman, and approved noting the "no" vote of Councilmember Meister.**

3.E. GENERAL PLAN AMENDMENT: HAZARD MITIGATION PLAN [J. KEHO, B. SIEGL, T. WORDEN]:

SUBJECT: The City Council will hold a public hearing to consider a General Plan Amendment to add the West Hollywood Hazard Mitigation Plan as an appendix to the Safety and Noise Element of the West Hollywood General Plan 2035.

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

Assistant Planner Tara Worden provided background information as outlined in the staff report dated June 3, 2019.

Mayor D'Amico opened the public hearing and no speakers came forward.

Mayor D'Amico closed the public hearing.

ACTION: Adopt Resolution No. 19-5194: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE GENERAL PLAN TO INCLUDE THE HAZARD MITIGATION PLAN AS AN APPENDIX." **Motion by Councilmember Heilman, seconded by Councilmember Duran, and approved.**

- 3.F. AN ORDINANCE AMENDING THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE IN COMPLIANCE WITH SENATE BILL NO. 946 (SIDEWALK VENDORS) [O. DELGADO, D. RIVAS, D. MICK, K. SHIN]:**
SUBJECT: The City Council will consider adopting an ordinance that amends Title 5 of the West Hollywood Municipal Code ("Business Licenses, Regulations and Permits") to establish a sidewalk vending program in compliance with Senate Bill No. 946. The Council will also consider adopting a resolution that amends the Master Fee Schedule to provide for administrative fees and charges related to sidewalk vending.

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

Code Compliance Supervisor Dan Mick, Code Compliance Manager Danny Rivas, and Associate City Attorney Kathy Shin provided background information as outlined in the staff report dated June 3, 2019.

Mayor D'Amico opened the public hearing and no speakers came forward.

Councilmember Heilman inquired about Section 5.122.080 page 7 of the ordinance "no sidewalk vendor shall operate in the following...." He stated that intention of the language is to indicate that sidewalk vending is only allowed on sidewalks, and suggested that the language be revised to be clearer.

Councilmember Duran commented that he doesn't like this item and is not in favor of allowing for sidewalk vendors. He indicated that he wants to maintain local control and not have Sacramento tell us what to do.

Councilmember Meister commented that she does not like sidewalk vending either. She inquired about restricting the hours of sidewalk vendors and suggested that language be added to prohibit vendors around any passenger loading zones.

Mayor D'Amico inquired why this issue wasn't brought to the Council sooner. Ms. Shin responded to this inquiry. He further inquired if we could assign specific areas to the vendors. Ms. Shin responded to this inquiry.

Councilmember Heilman commented that he doesn't like it either. He further commented that this ordinance is the best solution given the parameters set forth by the state.

Mayor D'Amico commented on the proposed hours and stated that there language included to prohibit vendors on Sundays, and areas where there are small sidewalks. Ms. Shin responded to this comment. Assistant City Attorney Langer provided additional comments, and stated that Council could approve the Urgency Ordinance tonight, and then bring back the regular ordinance with the revisions based on Councilmember's comments.

Councilmember Meister indicated that she wants to discuss this issue further and investigate possible litigation against the state.

Mr. Rivas responded to Mayor D'Amico's concerns about the need for an urgency ordinance.

Mayor D'Amico closed the public hearing.

ACTIONS: 1) Adopt Urgency Ordinance No. 19-1070U: "AN URGENCY ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A SIDEWALK VENDING PROGRAM IN COMPLIANCE WITH SENATE BILL 946; AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE TO ADD CHAPTER 5.122 AND AMEND SECTIONS 5.08.010, 5.08.040, 5.08.050, 5.08.250, AND 5.92.010; AND DECLARING THE URGENCY THEREOF;" 2) Adopt Resolution 19-5195: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE MASTER FEE RESOLUTIONS FOR FISCAL YEARS 2018-19 AND 2019-20 TO INCLUDE ADMINISTRATIVE FINES FOR SIDEWALK VENDING VIOLATIONS CONSISTENT WITH SENATE BILL NO. 946" and 3) Direct staff to return with the permanent ordinance; which includes the comments and revisions discussed by Council. **Motion by Councilmember Heilman, seconded by Councilmember Duran, and unanimously approved.**

4. UNFINISHED BUSINESS:

4.A. MANDATORY SEISMIC RETROFIT PROGRAM – AMENDMENT TO AGREEMENT FOR SERVICES WITH M6 CONSULTING AND AUTHORIZATION TO SUBMIT A SECOND HAZARD MITIGATION GRANT PROGRAM SUBAPPLICATION [J. KEHO, B. GALAN]:

SUBJECT: The City Council will consider amending an agreement for services with M6 Consulting and authorize the submittal of a second FEMA Hazard Mitigation Grant Program (HMGP) sub application to request \$10,000,000 to fund a program that will assist property owners of buildings subject to the City's retrofit ordinances with retrofitting costs.

ACTION: This Item was moved to the Consent Calendar.

4.B. 1343 N. LAUREL AVENUE – FEASIBILITY STUDY [J. DURAN, L. MEISTER, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to hire a consultant to perform an updated feasibility study that includes potential uses and estimated costs for the Laurel House (1343 N. Laurel Avenue).

Councilmember Duran provided the reasons that he and Councilmember Meister brought this item forward. Councilmember Meister provided additional background information on the item.

MANNY RODRIGUEZ, WEST HOLLYWOOD, spoke regarding the history of this project and the failure of moving forward with a useful space.

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding the various ways that this space could be used.

Councilmember Heilman commented that he liked the idea of using the property for residential purposes. He expressed concern with the cost and using it as artist housing, as opposed to other types of affordable housing. He indicated that he would like more input from other Commissions and Advisory Boards.

Mayor D'Amico expressed his support for the item and spoke regarding the need for the City to also pay attention to the creative class in the City.

ACTIONS: 1) Direct the Facilities & Field Services Division to hire a consultant to perform a study on the estimated costs and feasibility of various potential uses at Laurel House, focusing on uses supported by the community during the Community Visioning process: arts and culture, community gathering spaces and park; 2) Direct the Arts Division to further investigate Artists-In-Residence programs and arts-oriented non-profit program management and funding opportunities; and 3) Present the findings of the feasibility study to the Historic Preservation Commission, Arts & Cultural Affairs Commission, and the Public Facilities Commission prior to returning to City Council. **Motion by Councilmember Meister, seconded by Councilmember Duran, and approved noting the “no” vote of Councilmember Heilman.**

5. NEW BUSINESS:

5.A. INFORMATION ON SMOKE-FREE MULTI-FAMILY DWELLING PROGRAMS [O. DELGADO, D. RIVAS, D. MICK, P. NOONAN]:

SUBJECT: The City Council will receive information on smoke-free multi-family dwelling laws in California and smoke-free programs administered by other California jurisdictions, and may consider directing staff to

explore options for creating a smoke-free multi-family dwelling program for West Hollywood.

ACTION: This Item was Tabled.

5.B. PURCHASE AND SALE OF CITY LAND TO THE SUNSET TIME DEVELOPMENT [O. DELGADO, H. DEMITRI]:

SUBJECT: The City Council will consider authorizing the sale of an approximately 38 square foot piece of City land at the back of an existing sidewalk on Olive Drive to the developer of the adjacent Sunset Time Project.

ACTION: This Item was moved to the Consent Calendar.

EXCLUDED CONSENT CALENDAR:

2.1. AUTHORIZE PARTICIPATION IN THE CALIFORNIA JOINT POWERS INSURANCE AUTHORITY (CJPIA) FOR GENERAL LIABILITY AND WORKERS' COMPENSATION INSURANCE, AND ALLIANT INSURANCE SERVICES FOR PROPERTY AND OTHER INSURANCE NEEDS [D. WILSON, A. WARD]:

SUBJECT: The City Council will consider authorizing participation in the California Joint Powers Insurance Authority (CJPIA) for the City's general liability and workers' compensation insurance, and Alliant Insurance Services for property and other insurance needs.

Councilmember Meister stated that she requested that the Item be pulled so that she could get clarification on why the City is choosing CJPIA as the new insurance carrier. She noted that although the base cost for CJPIA is lower than PARSAC, when taking into consideration the self-insured retention or deductible, the City's potential liability is much higher with CJPIA if they City should be sued. Assistant City Manager David Wilson responded to her concerns, and stated the City performed its due diligence review of this service and although the City has had a good relationship with PARSAC; based on the current needs and fit for the City, Staff is requesting that the City participate in the CJPIA.

ACTIONS: 1) Approve membership in the California Joint Powers Insurance Authority's (CJPIA) Liability Program at a self-insured retention (SIR) of \$250,000 for General Liability and \$500,000 for Employment Practices Liability and Workers' Compensation Program at a self-insured retention (SIR) of \$150,000; and 2) Approve the use of Alliant Insurance Services for the City's other insurance needs, such as property, earthquake, automobile and crime, and authorize the City Manager, or his designee, to sign and execute any related documents; 3) Authorize the City Manager, or his designee, to execute the CJPIA Joint Powers Agreement (JPA) and any related documents; 4) Authorize the City Manager, or his designee, to execute the Third Party Administrator (TPA) Agreements with Carl Warren and Company for General Liability Claims

Administration and York Risk Services for Workers' Compensation Claims Administration and any related documents; 5) Authorize the Director of Finance and Technology Services to fund and replenish reserve funds for the payment of the self-insured retention (SIR) portion of general liability claims with Carl Warren and Company and workers' compensation claims with York Risk Services; 6) Rescind Resolution No. 14-4575 "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, REQUESTING MEMBERSHIP IN THE PUBLIC AGENCY RISK SHARING AUTHORITY OF CALIFORNIA (PARSAC) AND PARTICIPATION IN THE PARSAC LIABILITY AND WORKERS' COMPENSATION PROGRAMS, ESTABLISHMENT OF A LIABILITY FUND RESERVE, AND DESIGNATION OF THE AUTHORIZED BOARD REPRESENTATIVE" effective July 1, 2019; 7) Rescind Resolution No. 14-4576 "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AUTHORIZING PARTICIPATION IN THE EMPLOYMENT RISK MANAGEMENT AUTHORITY (ERMA)" effective July 1, 2019; 8) Adopt Resolution No. 19-5185 "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING EXECUTION OF THE JOINT POWERS AGREEMENT CREATING THE CALIFORNIA JOINT POWERS INSURANCE AUTHORITY"; 9) Adopt Resolution No. 19-5186 "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AUTHORIZING AND APPROVING POOLING OF SELF-INSURANCE THROUGH THE EXCESS LIABILITY PROTECTION PROGRAM OF THE CALIFORNIA JOINT POWERS INSURANCE AUTHORITY"; 10) Adopt Resolution No. 19-5187 "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AUTHORIZING AND APPROVING POOLING OF SELF-INSURANCE THROUGH THE EXCESS WORKERS' COMPENSATION PROGRAM OF THE CALIFORNIA JOINT POWERS INSURANCE AUTHORITY"; 11) Adopt Resolution No. 19-5188 "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, PROVIDING WORKERS' COMPENSATION COVERAGE FOR CERTAIN CITY VOLUNTEERS PURSUANT TO THE PROVISIONS OF SECTION 3363.5 OF THE LABOR CODE"; and 12) Adopt Resolution No. 19-5189 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AUTHORIZING APPLICATION TO THE DIRECTOR OF INDUSTRIAL RELATIONS, STATE OF CALIFORNIA FOR A CERTIFICATE OF CONSENT TO SELF INSURE WORKERS' COMPENSATION LIABILITIES". **Motion by Councilmember Duran, seconded by Councilmember Heilman, and approved noting the "no" vote of Councilmember Meister.**

6. **LEGISLATIVE:** None.

PUBLIC COMMENT:

CHARLENE DECICCO, WEST HOLLYWOOD, spoke regarding public access television and requested Council's support for her project.

COUNCILMEMBER COMMENTS: None.

CITY COUNCIL RECESSED TO A CLOSED SESSION: 8:39 p.m.

CITY COUNCIL RECONVENED: 8:52 p.m.

REPORT OF CLOSED SESSION:

Assistant City Attorney Langer reported that the closed session was called to order at 8:40 p.m. to discuss the matter of pending litigation, City of West Hollywood v MDA Johnson Favaro Case No. SC 122763. She stated that the closed session adjourned with no reportable action.

ADJOURNMENT: The City Council adjourned at 8:54 p.m. in memory of Glenn Richard Theriac, Robert Trask, Annette Renwick, and the victims of the shooting in Virginia Beach, to its next regular meeting, which will be on Monday, June 17, 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 17th day of June, 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