

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, MARCH 1, 2021  
REGULAR TELECONFERENCE MEETING**

**5:30 P.M. - CLOSED SESSION: See attached Closed Session Agenda**

**6:00 P.M. – CITY COUNCIL MEETING VIA TELECONFERENCE**

**CALL TO ORDER:** Mayor Horvath called the meeting to order at 6:08 p.m.

**PLEDGE OF ALLEGIANCE:** Alexa, Finlay, Georgia, Aylah, and Zelda of local Girl Scouts Troop #2825 led the Pledge of Allegiance.

**ROLL CALL:**

**PRESENT:** Councilmember D’Amico, Councilmember Erickson, Councilmember Shyne, Mayor Pro Tempore Meister, and Mayor Horvath.

**ABSENT:** None.

**ALSO PRESENT:** City Manager Arevalo, Assistant City Attorney Langer, Acting City Clerk Melissa Crowder, and Administrative Specialist IV Alyssa Poblador.

**REPORT OF CLOSED SESSION AGENDA:**

Assistant City Attorney Lauren Langer reported that the regularly scheduled Closed Session was called to order at 5:30 p.m. There was one member of the public who provided public comment. The Council spoke about Item 4.A. and took no reportable action. For Item 5.A. Council decided to file an amicus brief. She also reported that the City Council voted to add an Urgency Item 5.B. under Government Code Section 54956.9(d)(2) “Threatened Litigation”, based on two communications received by the City from Attorney Rod Pacheco after the posting of the Closed Session agenda and the need for immediate action. The communications are on file with the City Clerk’s Office. No reportable action was taken on this Item 5.B. The Closed Session adjourned at 6:03 p.m.

**APPROVAL OF AGENDA:**

Acting City Clerk Crowder indicated that Staff has requested Item 2.F. be Tabled to March 15, 2021.

Councilmember Erickson requested that Items 5.A., 5.C., and Item 6.A. be moved to Consent as Items 2.J., 2.K., and 2.M., respectively.

Mayor Horvath requested that Item 5.D. be moved to Consent as Item 2.L.

City Council Minutes  
Monday, March 1, 2021  
Page 2

Councilmember D'Amico requested that Item 2.I. be moved to Excluded Consent.

**Motion by Councilmember Shyne, seconded by Mayor Pro Tempore Meister to approve the March 1, 2021 agenda as amended, and approved.**

**ADJOURNMENT MOTIONS:**

Mayor Pro Tempore Meister requested that the meeting be adjourned in memory of Jay R. Jasper.

Mayor Horvath requested that the meeting be adjourned in memory of Ivy Bottini, John Matrulli, Fred Segal, and Dixie McKee.

**PRESENTATIONS:**

Councilmember Erickson presented a proclamation to Black Women Lead, accepted by Shannon Morton.

Mayor Horvath introduced Women's History Month, and representatives from the Women's Advisory Board presented a video.

Mayor Horvath presented a Proclamation to Fred Summers, President of SOVA Community Food and Resource Program.

Mayor Horvath presented a Proclamation for COVID-19 Day of Remembrance, accepted by Lucy David.

**1. PUBLIC COMMENT:**

JORDAN DAVID, WEST HOLLYWOOD, spoke regarding racial progress in the City.

RICK WATTS, WEST HOLLYWOOD, spoke regarding Ivy Bottini and the Disabilities Advisory Board.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding his opposition to Item 5.A.

TAI SUNNANON, WEST HOLLYWOOD, spoke regarding Ivy Bottini and in support of Items 4.B. and 4.C.

JOY NUELLE, WEST HOLLYWOOD, spoke regarding the lack of kitchen in the new building at West Hollywood Park.

DANIEL KOPEC, WEST HOLLYWOOD, spoke regarding his support on Items 4.B. and 4.C.

City Council Minutes  
Monday, March 1, 2021  
Page 3

DONN BERDAHL, PARTNER OF THE CLASSIC CAT, spoke regarding the closure of the business by City Code Enforcement.

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

Councilmember Shyne wished everyone a Happy Women's History Month and thanked the Women's Advisory Board for their work. She thanked Mayor Horvath for the lovely tribute to Ivy Bottini and shared a story of Ivy's activism in her last moments. She provided suggestions for Item 2.I., which included that the Trevor Project outreach number be placed on the memorial. She also asked about the podcast system to share City meetings with the public. Lastly, she recognized the speaker Lucy David and gave her condolences and noted that she is glad that Ms. David found a purpose in work with COVID.

Councilmember Erickson thanked Girl Scout Troop 2835 for leading the Pledge of Allegiance. He also thanked Lucy David, explained his personal background with COVID, and how it has affected his family. Finally, he spoke about Ivy Bottini and noted her prolific work over the decades.

Councilmember D'Amico mentioned rental subsidies and the status of how long to continue that program. He also spoke about parking restrictions and street cleaning and requested that the City Manager address this inquiry during his comments. He shared his concerns with Item 2.I. and noted that he would like to hear from mental health professionals as well as receive two letters of support from suicide prevention organizations before approving the item.

Mayor Pro Tempore Meister reported that she attended a SCAG CEHD Special Meeting. She mentioned Item 2.I. and agrees with Councilmembers Shyne and D'Amico regarding their concerns and commented that it would be a good idea to reach out to organizations that specialize in this issue, and that the Item is reviewed by the Human Services Commission. She commented on Item 5.A. and agreed that housing for the homeless population be included in the Housing Element under a special section. Finally, she thanked Councilmember Shyne for co-sponsoring the initiative on the Business Tax Certificate program.

Mayor Horvath reported that she attended the California Contract Cities Board and City Managers' Meeting, Clean Power Alliance Legislative and Regulatory Committee, the National League of Cities Board meeting, and the Coronavirus Update by Los Angeles County. She also attended the Senior Scammers Panel discussion as well as the COVID-19 Panel discussion and commented that they are available to view on the City's website. She mentioned that LA County is placing a testing kiosk in the City of West Hollywood. She inquired about City's rental extension program and the extension of the program. She commented that as part of Item 5.C., she would like to consider small developments and low-income housing projects. She also spoke regarding Item 5.A. and would like to analyze RHNA numbers in terms of the City's allocation. Finally, she responded to her fellow Councilmembers' comments regarding Item 2.I.

City Council Minutes  
Monday, March 1, 2021  
Page 4

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

City Manager Arevalo commented that the gymnasium at West Hollywood Park does not have a kitchen because it is a gymnasium. He responded to Councilmember Shyne's inquiry regarding the podcasting of the City's Board and Commission meetings. He responded to Council inquiries regarding the residential rental assistance program. He provided an update on the City's residential parking enforcement and the Clean Street Program. He noted that the Housing Element will include a homelessness analysis. He commented that the COVID testing kiosk will be on the south side of Plummer Park beginning March 3<sup>rd</sup>. He reported that the Business Roundtable will be held on Friday, March 19<sup>th</sup>. Finally, he provided an update on the City's OUT Zone program.

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

Acting City Clerk Crowder stated that the fiscal impact on the Consent Calendar with the removal of Items 2.F. and 2.I. and the addition of Items 5.A., 5.C., 5.D., and 6.A. is \$90,315 in expenditures, \$0 in potential revenues, (\$0) in waived fees.

### **1. CONSENT CALENDAR:**

**2.A.,B.,C.,D.,E.,G.,H.,J.,K.,L.,M. Motion by Councilmember D'Amico, seconded by Mayor Pro Tempore Meister , and approved.**

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

*SUBJECT: The agenda for the meeting of Monday, March 1, 2021 was posted at City Hall, Plummer Park, and the Sheriff's Station on Wednesday, February 24, 2021.*

**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 16, 2021. **Approved as part of the Consent Calendar.**

#### **2.C. APPROVAL OF DEMAND REGISTER NO. 882 [L. QUIJANO, C. CORRALES]:**

*SUBJECT: The City Council shall receive the Demand Register for period ending February 19, 2021 pursuant to Sections 37201 to 37210 of the Government Code of the State of California.*

**ACTION:** Approve Demand Register NO. 882 and adopt Resolution No.21-5377, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING PAYMENT OF DEMANDS PRESENTED ON DEMAND REGISTER NO. 882." **Approved as part of the Consent Calendar.**

- 2.D. ADOPT ORDINANCE NO. 21-1137 (2ND READING) “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING AMENDMENTS TO TITLE 19, ZONING ORDINANCE, TO MODIFY AFFORDABLE HOUSING REQUIREMENTS AND INCENTIVES, AND OFF-STREET PARKING REQUIREMENTS, TITLE 19, ZONING REGULATIONS, TO AMEND REGULATIONS FOR 100% AFFORDABLE HOUSING PROJECTS IN ACCORDANCE WITH STATE LAW, INCREASE DENSITY BONUS TO 50%, AMEND THRESHOLDS FOR INCENTIVES, AND REDUCE PARKING REQUIREMENTS FOR PROJECTS THAT PROVIDE AFFORDABLE HOUSING ON SITE AND UTILIZE DENSITY BONUSES, IN ACCORDANCE WITH STATE LAW, AND TO AMEND THE THRESHOLD FOR CONCESSIONS FOR MODERATE INCOME UNITS TO MATCH THE NEW STATE REGULATIONS FOR LOW INCOME UNITS, CITYWIDE, IN THE CITY OF WEST HOLLYWOOD.” [Y. QUARKER, M. CROWDER]:**

*SUBJECT: The City Council will consider waiving further reading and adopt Ordinance No. 21-1137, “An Ordinance of The City Council of the City of West Hollywood, Approving Amendments To Title 19, Zoning Ordinance, to Modify Affordable Housing Requirements and Incentives, and Off-Street Parking Requirements, Title 19, Zoning Regulations, to Amend Regulations for 100% Affordable Housing Projects in Accordance with State Law, Increase Density Bonus to 50%, Amend Thresholds for Incentives, and Reduce Parking Requirements for Projects That Provide Affordable Housing on Site and Utilize Density Bonuses, in Accordance with State Law, and to Amend the Threshold for Concessions for Moderate Income Units to Match the New State Regulations for Low Income Units, Citywide, in the City of West Hollywood.”*

**ACTION:** Waive further reading and adopt Ordinance 21-1137, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING AMENDMENTS TO TITLE 19, ZONING ORDINANCE, TO MODIFY AFFORDABLE HOUSING REQUIREMENTS AND INCENTIVES, AND OFF-STREET PARKING REQUIREMENTS, TITLE 19, ZONING REGULATIONS, TO AMEND REGULATIONS FOR 100% AFFORDABLE HOUSING PROJECTS IN ACCORDANCE WITH STATE LAW, INCREASE DENSITY BONUS TO 50%, AMEND THRESHOLDS FOR INCENTIVES, AND REDUCE PARKING REQUIREMENTS FOR PROJECTS THAT PROVIDE AFFORDABLE HOUSING ON SITE AND UTILIZE DENSITY BONUSES, IN ACCORDANCE WITH STATE LAW, AND TO AMEND THE THRESHOLD FOR CONCESSIONS FOR MODERATE INCOME UNITS TO MATCH THE NEW STATE REGULATIONS FOR LOW INCOME UNITS, CITYWIDE, IN THE CITY OF WEST HOLLYWOOD.” **Approved as part of the Consent Calendar.**

- 2.E. COMMISSION AND ADVISORY BOARD MEETING SYNOPSES [M. CROWDER, A. POBLADOR]:**

**SUBJECT:** *The City Council will receive Synopses from the Public Safety Commission, Rent Stabilization Commission, Transportation Commission, Lesbian and Gay Advisory Board, Russian Advisory Board, and the Women’s Advisory Board regarding actions taken at their recent meeting.*  
**ACTION:** Receive and file. **Approved as part of the Consent Calendar.**

**2.F. HUMAN RIGHTS SPEAKERS SERIES GUIDELINES AND REVIEW PROCESS [P. AREVALO, J. LEONARD, A. LOVANO, L. BELSANTI, R. EHEMANN]:**

**SUBJECT:** *The City Council will consider approving guidelines and a review process for the Human Rights Speaker Series.*  
**ACTION:** Approve the Human Rights Speakers Series Guidelines and Approval Process. **Tabled to the March 15, 2021 City Council Meeting.**

**2.G. APPROVE AMENDMENT NO. 3 WITH HOUSING WORKS TO PROVIDE CULTURAL HUMILITY TRAINING AND EVALUATION [C. SCHROEDER, C. PLANCK, D. KAHN-EPSTEIN, J. IVANOVA]:**

**SUBJECT:** *The City Council will consider approving Amendment No. 3 to the agreement with Housing Works to provide Cultural Humility training and evaluation.*  
**ACTIONS:** 1) Approve Amendment No. 3 to the agreement for services with Housing Works for a total not-to-exceed amount of \$271,316 to provide Cultural Humility to Cultural Acceptance, understanding and evolution training; and 2) Authorize the City Manager or designee to execute documents incident to the agreement. **Approved as part of the Consent Calendar.**

**2.H. AN EXECUTIVE ORDER OF THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF WEST HOLLYWOOD IMPLEMENTING EMERGENCY MEASURES THROUGH THE COVID-19 CRISIS, RELATED TO RESCINDING THE EXTENSION OF TIME TO POST HEARING NOTICES FOR PLANNING PROJECTS [P. AREVALO, L. LANGER, Y. QUARKER, M. CROWDER]:**

**SUBJECT:** *The City Council will consider adopting a Resolution ratifying the City Manager/Director of Emergency Services Order implementing emergency measures to rescind the extension of time to post hearing notices for planning projects adopted during the COVID-19 Crisis.*  
**ACTION:** Adopt Resolution No. 21-5378, “RESOLUTION OF THE CITY OF WEST HOLLYWOOD RATIFYING EMERGENCY MEASURES TO PREVENT THE SPREAD OF COVID-19.” **Approved as part of the Consent Calendar.**

**2.I. REQUEST TO INSTALL A MEMORIAL IN REMEMBRANCE OF LIVES LOST TO SUICIDE IN THE LGBTQ+ COMMUNITY [L. HORVATH, J. ERICKSON, J. LEONARD, A. LOVANO]:**

**SUBJECT:** *The City Council will consider directing staff to follow the City’s Memorials, Tribute Trees and Plaques Policy Guideline to review*

*the request to install a memorial for the lives lost to suicide in the LGBTQ+ community at a park space in West Hollywood.*

**ACTIONS:** 1) Direct staff to follow the procedure as outlined in the City's Memorials, Tribute Trees and Plaques Policy Guidelines to approve and install a memorial for the lives lost to suicide in the LGBTQ+ community at a park space in West Hollywood; 2) Direct staff to gather feedback from the Public Facilities Commission, Lesbian and Gay Advisory Board, and the Transgender Advisory Board on an appropriate design and location for the memorial; and 3) Authorize the Director of Finance & Technology Services to allocate \$7,500 from budgeted funds in the Special Council Programs account number 100-1-01-00-531003 for costs associated with the purchase and installation of the memorial. **Moved to Excluded Consent Calendar.**

**2.J. (5.A.) CONTRACT AMENDMENT 2 FOR SERVICES WITH VERONICA TAM & ASSOCIATES, INC FOR HOUSING ELEMENT SERVICES [C. SCHROEDER, J. HOLUB, A. BARTLE, J. KEHO, R. DIMOND, B. ECK, G. KAUR]:**

*SUBJECT: The City Council will consider approving a second contract amendment with Veronica Tam & Associates, Inc. (VTA) for services related to the development and certification of the City's 6th Cycle Housing Element (2021-2029).*

**ACTION:** 1) Approve Amendment 2 for Services with Veronica Tam & Associates, Inc. (VTA) increasing the contract amount by \$164,104 to a total contract amount of \$335,315 to assist and advise the City on the development of its 6th Cycle Housing Element (2021-2029); 2) Authorize the City Manager or designee to execute all documents incident to this agreement; and 3) Authorize the Director of Finance & Technology Services to allocate \$85,315 from unallocated reserves in the Affordable Housing Trust Fund for additional services needed to complete the Housing Element update. **Approved as part of the Consent Calendar.**

**2.K. (5.C.) URBAN ART PROGRAM GUIDELINES [L. BELSANTI, R. EHEMANN]:** *SUBJECT: The City Council will consider approving updated guidelines for the Urban Art Program and direct staff to initiate a Zone Text Amendment for Chapter 19.38 of the West Hollywood Municipal Code.*

**ACTION:** 1) Approve the Urban Art Program Guidelines; and 2) Direct staff to initiate a Zone Text Amendment for Chapter 19.38 of the West Hollywood Municipal Code. **Approved as part of the Consent Calendar.**

**2.L. (5.D.) INITIATIVE TO ENCOURAGE COMPLIANCE IN THE BUSINESS TAX CERTIFICATE PROGRAM [L. MEISTER, S. SHYNE, J. LEONARD, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to develop an initiative to encourage compliance in the City's business tax certificate program, specifically targeting small businesses, independent contractors,*

*freelancers, and home-based businesses who have not yet applied for a City Business Tax Certificate or exemption and may be unaware of the City's requirements.*

**ACTION:** 1) Direct staff to develop an initiative to encourage compliance in the City's business tax certificate program, specifically targeting small businesses, independent contractors, freelancers, and other home-based businesses who have not applied for a City Business Tax Certificate or exemption and may be unaware of the City's requirements; 2) Direct the Communications Department to utilize all appropriate communication tools to promote this effort including, but not limited to, the City's website and social media tools; 3) Direct staff to include information about this program in City publications such as the Rent Stabilization newsletter, Rec Reader, etc.; and 4) Direct staff to evaluate the Business Tax Certificate application to determine what additional information could be requested that would be helpful for future city planning, including but not limited to information on home-based businesses, live/work structure, etc.

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

**2.M. (6.A.) AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 2 ARTICLE 1 AND ARTICLE 4 OF THE WEST HOLLYWOOD MUNICIPAL CODE [P. AREVALO, D. WILSON, L. LANGER, Y. QUARKER]:**

*SUBJECT: The City Council will consider an Ordinance amending portions of Title 2, Article 1, Section 2.08 of the West Hollywood Municipal Code to make updates to the address for Council Chambers, information related to City Offices, update the hours of operation for City Hall, and the list of Council approved City Holidays. The Council will also consider amending portions of Title 2 Article 4 Section 2.88.030 to update the Government Code section regulating Behested Payments.*

**ACTION:** Introduce on first reading Ordinance No. 21-1142, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING PORTIONS OF TITLE 2, ARTICLE 1, SECTION 2.08 AND ARTICLE 4, SECTION 2.88 OF THE WEST HOLLYWOOD MUNICIPAL CODE."  
**Approved as part of the Consent Calendar.**

**3. PUBLIC HEARINGS: None.**

**4. UNFINISHED BUSINESS:**

**4.A. WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION FISCAL YEAR 2020-2021 ADMINISTRATIVE CONTRACT MID-YEAR REPORT [J. HOLUB, A. BARTLE, J. HERRERA]:**

*SUBJECT: The City Council will receive the semi-annual report for the West Hollywood Community Housing Corporation Administrative Contract, FY 2020-2021.*



Project Development Administrator Alicen Bartle provided background information as outlined in the March 1, 2021 staff report.

DESIREE LORANGER, WEST HOLLYWOOD, spoke regarding the misrepresentation regarding the Wetherly Palms Project.

JESICA RYZENBERG, WEST HOLLYWOOD, spoke regarding the misrepresentation by the West Hollywood Community Housing Corporation regarding the Wetherly Palms Project.

MARTHA ORELLANA, WEST HOLLYWOOD, spoke regarding the inaccurate and misleading information in the staff report and requests that the Council not accept this report into the record.

MICHAEL CUMMINGS, WEST HOLLYWOOD, spoke regarding the outreach to residents within 500 feet of the project and expressed concern with the proposed allocated parking.

Councilmember Erickson posed several questions about the project, parking, and outreach to West Hollywood Community Housing Corporation (WHCHC) President and CEO Jesse Slansky. Mr. Slansky responded to his inquiries.

Mayor Pro Tempore Meister inquired with Assistant City Attorney Langer regarding the report and the fact that the litigation was not included in the report. Project Development Administrator Alicen Bartle commented on the purpose of the semi-annual report, and that a more formal update will be provided during the summer. Mayor Pro Tempore Meister further inquired about the selection process for the Harland project. Ms. Bartle responded to this inquiry.

Councilmember D'Amico inquired about vacant units and would like a commitment from WHCHC and City Staff that the vacant units would be filled within 30 days. He commented that if units are not habitable then the Certificate of Occupancy should be withdrawn. He made a Motion that WHCHC fill the units by April 1<sup>st</sup>, Mayor Pro Tempore Meister seconded the Motion.

Councilmember Shyne expressed disappointment regarding the lawsuit and the lack of information regarding it in the staff report. She requested context for the issues that are delaying placing individuals in the vacant units.

Assistant City Attorney Langer expressed concern with the motion on the floor. Councilmember D'Amico made a Substitute Motion that a standing Consent Calendar Item be placed on each City Council agenda that reports on the vacant units at the Harland and all West Hollywood

Community Housing Corporation vacant units until all of the vacancies are filled. The Motion was seconded by Mayor Pro Tempore Meister.

Mayor Horvath reiterated that the goal of the City Council is to fill the vacancies as soon as possible to support our low and very low-income community members.

Mr. Slansky responded to the comments regarding vacant units. He provided information to the Council on the timing for leasing the vacant units.

**ACTION:** Direct staff to place a Consent Calendar Item on each City Council agenda regarding vacant units at the Harland until all of the vacant units are filled. **Motion by Councilmember D'Amico, seconded by Mayor Pro Tempore Meister, noting the "no" vote of Councilmember Erickson, and approved.**

**4.B. PEDESTRIAN AND BICYCLE MOBILITY PLAN – IMPLEMENTATION UPDATE [J. KEHO, R. DIMOND, B. CHEUNG, J. ROCCO, H. DEMITRI, R. GARLAND]:**

*SUBJECT: The City Council will receive an update on the implementation of the adopted Pedestrian and Bicycle Mobility Plan.*

***Items 4.B. and 4.C. were heard together.***

Senior Transportation Planner Bob Cheung provided background information as outlined in the March 1, 2021 staff report.

JORDAN DAVID, WEST HOLLYWOOD, spoke regarding his support of the item.

KAREN O'KEEFE, WEST HOLLYWOOD, spoke on behalf of the West Hollywood Bike Coalition in support of the item.

KEVIN BURTON, WEST HOLLYWOOD, spoke on behalf of the West Hollywood Bicycle Coalition in support of the item.

MICHAEL RACANELLI, LOS ANGELES, spoke regarding the number of accidents he has seen at his residence on Fountain Avenue and supports the item.

TOM BELLINO, LOS ANGELES, spoke regarding his support of the item.

DANNY ROMAN, WEST HOLLYWOOD, spoke regarding the influx of new bikers during the pandemic and supports the item.

ERIK HINES, WEST HOLLYWOOD, spoke in favor of the item.

JONATHAN STRAUSS, WEST HOLLYWOOD, spoke in support of protected bike lanes to get people out of cars for the environmental aspect and to mitigate traffic and parking concerns.

ADAM KROLL, WEST HOLLYWOOD, spoke regarding in support of the item.

CHELSEA BYERS, WEST HOLLYWOOD, spoke in support of this item and encouraged people to view this item through a feminist lens.

ROBIN WEIGART, WEST HOLLYWOOD, spoke in support of the item to adjust for the cultural and lifestyle shift of increased bicycling since the pandemic.

TAYLOR NICHOLS, WEST HOLLYWOOD, spoke regarding the speed concerns on Fountain, and thanked staff for the item.

ELIZABETH CONWAY, WEST HOLLYWOOD, spoke regarding strong support for the item in terms of safety and sustainability.

Councilmember Erickson made a Motion to approve both items as recommended in the Staff Reports, seconded by Mayor Horvath.

Mayor Pro Tempore Meister inquired with Senior Transportation Planner Cheung about sidewalk upgrades along Fountain. Mr. Cheung responded to this inquiry. She also mentioned that outreach needs to be conducted if residents will lose parking spaces along Fountain when protected bike lanes are installed. She also expressed her support with dedicated bike lanes along Santa Monica Blvd since it traverses from Santa Monica to downtown Los Angeles.

Councilmember Shyne commented that she supports protected bike lanes. She asked for clarification on the short, medium, and long-term goals as outlined in the Pedestrian and Bicycle Mobility Plan. She mentioned the narrow sidewalks along Fountain and asked if they will be widened as part of this Plan. She expressed concern with pedestrian safety, specifically along Crescent Heights at Norton Avenue at the protected crosswalk. Principal Traffic Engineer Richard Garland responded to her inquiries.

**ACTION:** Discussion of the City's Pedestrian and Bicycle Mobility Plan and provide direction to staff. **Motion by Councilmember Erickson, seconded by Mayor Horvath, and approved.**

**4.C. PROTECTED BIKE LANES ON FOUNTAIN AVENUE AND SANTA MONICA BOULEVARD [J. ERICKSON, L. HORVATH, J. LEONARD, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to take steps necessary to amend the adopted Pedestrian and Bicycle Mobility Plan to include protected bike lanes on Fountain Avenue and Santa Monica Boulevard to increase public safety for bicyclists, drivers, and pedestrians.*

**Items 4.B. and 4.C. were heard together.**

**ACTIONS:** 1) Direct staff to take necessary steps to analyze the inclusion of protected bike lanes on Fountain Avenue and Santa Monica Boulevard in the Pedestrian and Bicycle Mobility Plan; 2) Direct staff to issue a Request for Proposal to conduct feasibility studies for bike lanes on Fountain Avenue and Santa Monica Boulevard; and 3) Direct staff to return to City Council with the results of the feasibility studies and recommended amendments to the Pedestrian and Bicycle Mobility Plan based on the results of staff's analysis. **Motion by Councilmember Erickson, seconded by Mayor Horvath, and approved.**

**\*\*The City Council took a recess at 9:05 p.m. and returned at 9:15 p.m.\*\***

- 4.D. URGENCY AND REGULAR ORDINANCES OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING PREMIUM PAY AND ASSOCIATED LABOR PROTECTIONS FOR GROCERY, DRUG RETAIL AND CERTAIN RETAIL WORKERS WORKING IN WEST HOLLYWOOD [L. LANGER, P. AREVALO, J. JIMENEZ, T. WORDEN]:**  
*SUBJECT: The City Council will consider amendments to the City's requirements for premium pay and associated labor protections for grocery workers, to expand the protections to also cover drug retail and certain retail workers in West Hollywood and to provide credit for stores already providing premium pay to workers.*

Assistant City Attorney Langer provided background information as outlined in the March 1, 2021 staff report. Assistant to the City Manager Janet Jimenez provided information on outreach conducted by City staff.

Mayor Horvath requested the Assistant City Attorney Langer address Best Buy. Ms. Langer responded to this inquiry.

RACHEL TORRES, UFCW LOCAL 770, spoke in support of the Item.

Mayor Pro Tempore Meister spoke regarding vaccines. She inquired if it would make sense for a 60-day ordinance as opposed to a 120-day ordinance. She recommended encouraging the drug retailers to coordinate with the grocery stores to expedite vaccinating the workers, and if the stores don't comply, the City can extend the hazard pay an additional 60 days. She stated that getting workers vaccinated should be the priority.

Councilmember Erickson does not support Mayor Pro Tempore Meister's recommendation. He commented that the vaccine does not protect individuals from contracting COVID, similar to the flu vaccine which does not guarantee that you won't contract the flu. He also noted that the City should not involve itself in requiring vaccinations. He further commented that he supports staff's recommendation.

Councilmember D'Amico noted his support of Mayor Pro Tempore Meister's recommendation.

Councilmember Shyne inquired about the legal aspect of Mayor Pro Tempore Meister's recommendation. She expressed concern with the various COVID strains, the efficacy of the Johnson & Johnson vaccine, as well as some BIPOC communities not trusting the vaccine. She suggested that instead of mandating vaccination as part of the ordinance that the City encourage businesses to work together to get employees vaccinated. Assistant City Attorney Langer responded to Councilmember Shyne's inquiry. Councilmember Shyne asked how Mayor Pro Tempore Meister's recommendation would be quantified. Mayor Pro Tempore Meister responded to this inquiry.

Councilmember Erickson expressed concern with tying Hazard Pay to vaccinations. Mayor Pro Tempore Meister responded to his concerns.

Mayor Horvath noted that the item before the Council is in response to Council's direction at the February 16<sup>th</sup> meeting as well as lessons learned from court decisions based on similar policies in other jurisdictions. She spoke about vaccines and not using Hazard Pay as a tool to force people to vaccinate. She noted that these essential workers have been on the frontline since the beginning of the pandemic and the goal of this ordinance is to recognize their sacrifices. She suggested that the Council approve the item before them with additional direction to encourage the businesses to work together to provide vaccinations to their employees.

Councilmember Shyne spoke about her family's personal experience with the vaccine. She made a Motion to approve the item with additional direction that the drug retailers and grocery stores work together to vaccinate West Hollywood essential workers. Councilmember Erickson seconded the Motion.

The Council further discussed requiring vaccinations as part of the ordinance.

Mayor Pro Tempore Meister inquired with Assistant City Attorney Langer about reducing the City's liability if the time of the ordinance is reduced. Ms. Langer responded to this inquiry.

Mayor Horvath called the question.

Motion on the floor: 1) Adopt an Urgency Ordinance 21-\_\_\_\_U “AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING PREMIUM PAY AND ASSOCIATED LABOR PROTECTIONS FOR GROCERY, DRUG RETAIL, AND CERTAIN RETAIL WORKERS WORKING IN WEST HOLLYWOOD”; 2) Introduce on first reading Ordinance 21-1141 “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING PREMIUM PAY AND ASSOCIATED LABOR PROTECTIONS FOR GROCERY, DRUG RETAIL, AND CERTAIN RETAIL WORKERS WORKING IN WEST HOLLYWOOD” and 3) Require drug retailers and grocery stores to work together to offer essential workers vaccinations within 120 days. *Motion by Councilmember Shyne, seconded by Councilmember Erickson.*

Councilmember D’Amico – No  
Councilmember Erickson – Yes  
Councilmember Shyne – Yes  
Mayor Pro Tempore Meister – No  
Mayor Horvath – Yes

Acting City Clerk Crowder noted that the Urgency Ordinance does not pass because it did not get 4/5 votes of the Council, the regular ordinance and additional recommendation passes.

Councilmember D’Amico made a motion to approve the item with the 60-day amendment as opposed to 120 days. Assistant City Attorney Langer commented that this would change Section D2 of the Ordinance.

Councilmember Erickson asked Assistant City Attorney Langer to clarify what happened with the first motion for the public. Ms. Langer provided clarification.

The Council further discussed requiring vaccinations as part of the ordinance.

Assistant City Attorney Langer clarified that the Urgency Ordinance and Regular Ordinance that are part of this Item would replace the Urgency Ordinance that was passed at the February 16<sup>th</sup> City Council meeting.

Motion on the floor: 1) Adopt an Urgency Ordinance 21-\_\_\_\_U “AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING PREMIUM PAY AND ASSOCIATED LABOR PROTECTIONS FOR GROCERY, DRUG RETAIL, AND CERTAIN RETAIL WORKERS WORKING IN WEST HOLLYWOOD”

for 60 days; 2) Reintroduction on first reading Ordinance 21- “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING PREMIUM PAY AND ASSOCIATED LABOR PROTECTIONS FOR GROCERY, DRUG RETAIL, AND CERTAIN RETAIL WORKERS WORKING IN WEST HOLLYWOOD” for 60 days; and 3) Require drug retailers and grocery stores to work together to offer essential workers vaccinations within 120 days. *Motion by Councilmember D’Amico, seconded by Mayor Pro Tempore Meister.*

Councilmember D’Amico – Yes  
Councilmember Erickson – No  
Councilmember Shyne – No  
Mayor Pro Tempore Meister – Yes  
Mayor Horvath – No

The Motion fails.

Mayor Horvath made a Motion to introduce on first reading Ordinance 21-1141 “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING PREMIUM PAY AND ASSOCIATED LABOR PROTECTIONS FOR GROCERY, DRUG RETAIL, AND CERTAIN RETAIL WORKERS WORKING IN WEST HOLLYWOOD” only since there weren’t four votes for the Urgency Ordinance. Councilmember Erickson seconded the Motion.

**ACTIONS:** 1) Re-introduce on first reading Ordinance 21-1141 “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING PREMIUM PAY AND ASSOCIATED LABOR PROTECTIONS FOR GROCERY, DRUG RETAIL, AND CERTAIN RETAIL WORKERS WORKING IN WEST HOLLYWOOD”; 2) The effective date for drug retail and retail goes into effect on April 16 – August 16, 2021; and 3) Require drug retailers and grocery stores to work together to offer essential workers vaccinations within 120 days. **Motion by Mayor Horvath, seconded by Councilmember Erickson, and approved.**

- 4.E. CONSIDERATION OF “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PROHIBITING SMOKING IN COMMON AREAS AND NEW UNITS LOCATED IN MULTI-FAMILY DWELLINGS BY ADDING CHAPTER 7.10 (SMOKING IN MULTI-FAMILY DWELLINGS) TO TITLE 7 (HEALTH) OF THE WEST HOLLYWOOD MUNICIPAL CODE AND AMENDING CHAPTER 1.08 (GENERAL PENALTY PROVISIONS) TO MAKE VIOLATIONS OF CHAPTER 7.10 SUBJECT TO ADMINISTRATIVE PENALTY PROCEDURES.” [Y. QUARKER, M. CROWDER, L. LANGER]:**

*SUBJECT: The City Council will waive further reading and adopt Ordinance No. 21-1134, “An Ordinance of the City of West Hollywood*

*prohibiting smoking in common areas and new units located in multi-family dwellings by adding Chapter 7.10 (Smoking in multi-family dwellings) to Title 7 (Health) of the West Hollywood Municipal Code and Amending Chapter 1.08 (General Penalty Provisions) to make violations of Chapter 7.10 subject to administrative penalty procedures” or provide additional direction to staff regarding the proposed ordinance.*

JIM VICEROY, WEST HOLLYWOOD, spoke regarding the limited scope of the ordinance.

ROB BERGSTEIN, WEST HOLLYWOOD, spoke regarding his support on new tenancies being smoke-free and asked that timelines for existing tenancies be examined.

JON L., WEST HOLLYWOOD, spoke regarding a revision covering existing tenancies and spoke about his health impacts from second-hand smoke.

Councilmember Erickson provided the reasons that he pulled this item. He recommended that beginning March 1, 2022 that all existing units become smoke free.

Councilmember D’Amico inquired if the City Council approved this item that the registry and funding allocation for a survey that was previously approved is null.

Councilmember Shyne commented that the City should provide smoking cessation assistance to residents. She expressed concern with placing a one-year time frame to implement this without smoking cessation programs in place. Further, she expressed concern with tenant evictions or fines if they are unable to quit smoking. She also commented on privately owned condominiums and enforcing this policy. Councilmember Erickson and Code Compliance Manager Danny Rivas responded to her concerns and inquiries.

Mayor Horvath called the question.

Code Compliance Manager Danny Rivas and Assistant City Attorney Langer read the changes to the ordinance into the record requiring existing units to become smoke free on March 1, 2022.

**ACTION:** Re-introduce on first reading amended Ordinance 20-1134, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PROHIBITING SMOKING IN COMMON AREAS AND NEW UNITS LOCATED IN MULTI-FAMILY DWELLINGS BY ADDING CHAPTER 7.10 (SMOKING IN MULTI-FAMILY DWELLINGS) TO TITLE 7 (HEALTH) OF THE WEST HOLLYWOOD MUNICIPAL CODE AND AMENDING CHAPTER 1.08



(GENERAL PENALTY PROVISIONS) TO MAKE VIOLATIONS OF CHAPTER 7.10 SUBJECT TO ADMINISTRATIVE PENALTY PROCEDURES.” **Motion by Councilmember Erickson, seconded by Mayor Horvath, and approved, noting the “no” vote of Mayor Pro Tempore Meister.**

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

*SUBJECT: As a follow-up to the February 16, 2021 City Council meeting, the City Council will continue to make Direct and At-Large Appointments to the City’s Commissions and Advisory Boards.*

**ACTION:** 1) Mayor Horvath made the following direct appointments for a term ending February 28, 2023: Arts & Cultural Affairs Commission – **Martin Gantman**; Business License Commission - **Robert Saltzman**; Human Services Commission – **Barbara Meltzer**; Planning Commission – **Stacey Jones**; Lesbian and Gay Advisory Board – **Marna Deitch and Billy Francesca**; Russian Advisory Board – **Eugene Maysky**; Senior Advisory Board – **Nadia Sutton**; and Women’s Advisory Board – **Angela de Silva**; 2) Councilmember D’Amico made the following direct appointment for a term ending February 28, 2023: Lesbian and Gay Advisory Board – **Zekiah Wright**; 3) Councilmember Erickson made the following direct appointments for a term ending February 28, 2023: Human Services Commission – **Chelsea Byers** and Transgender Advisory Board – **Deshon Gray**; and 4) The At-Large Appointments were Tabled to the April 5, 2021 City Council meeting.

**5. NEW BUSINESS:**

**5.A. CONTRACT AMENDMENT 2 FOR SERVICES WITH VERONICA TAM & ASSOCIATES, INC FOR HOUSING ELEMENT SERVICES [C. SCHROEDER, J. HOLUB, A. BARTLE, J. KEHO, R. DIMOND, B. ECK, G. KAUR]:**

*SUBJECT: The City Council will consider approving a second contract amendment with Veronica Tam & Associates, Inc. (VTA) for services related to the development and certification of the City’s 6th Cycle Housing Element (2021-2029).*

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

**5.B. UPDATE ON THE APPROVED MIXED-USE DEVELOPMENT WITH RESIDENTIAL UNITS, RETAIL, RESTAURANT, ART GALLERY, DESIGN SHOWROOM, AND OFFICE USES LOCATED AT 9040-9098 SANTA MONICA BOULEVARD, 9001-9035 MELROSE AVENUE AND 601-633 ALMONT DRIVE (MELROSE TRIANGLE PROJECT) [J. KEHO, J. ALKIRE, A. GALLO]:**

*SUBJECT: At the request of Council, staff will provide an informational update on the status of the Melrose Triangle Project.*

Assistant City Attorney Langer provided an introduction on the item. She noted that this project is entitled and has been for quite some time. She stated that the City Council cannot take action, it is simply informational. Mayor Horvath requested that Assistant City Attorney Langer respond allegations of impropriety by the developer of this project. Ms. Langer provided information in response to the Mayor's request.

Associate Planner Adrian Gallo provided background information as outlined in the March 1, 2021 staff report.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding the architectural plans change and a decrease of housing units and parking spaces.

BOBBIE EDRICK, WEST HOLLYWOOD, spoke in support of the project.

Mayor Pro Tempore Meister requested that staff respond to the comments made by Mr. Omelczenko. Associate Planner Adrian Gallo and Planning Manager Jennifer Alkire responded. Mayor Pro Tempore Meister also inquired about the Almont cul de sac, the square footage of residential housing, and the public benefits. Director of Planning and Development Services John Keho, Ms. Alkire, and Mr. Gallo responded to these inquiries.

Councilmember D'Amico provided some background information from when this item was originally approved in 2014 and urged the developer to revisit the project elements that served as the basis for the original project approval.

Councilmember Erickson inquired about the difference in square footage for office space. Associate Planner Gallo responded to this inquiry.

Mayor Horvath commented on the length of time that has passed since the project was entitled. She shared that it was important for this Item to be discussed for transparency. Finally, she commented on next steps for the project.

**ACTION:** Receive and file.

- 5.C. URBAN ART PROGRAM GUIDELINES [L. BELSANTI, R. EHEMANN]:**  
*SUBJECT: The City Council will consider approving updated guidelines for the Urban Art Program and direct staff to initiate a Zone Text Amendment for Chapter 19.38 of the West Hollywood Municipal Code.*  
**ACTION: This Item was moved to the Consent Calendar.**

**5.D. INITIATIVE TO ENCOURAGE COMPLIANCE IN THE BUSINESS TAX CERTIFICATE PROGRAM [L. MEISTER, S. SHYNE, J. LEONARD, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to develop an initiative to encourage compliance in the City's business tax certificate program, specifically targeting small businesses, independent contractors, freelancers, and home-based businesses who have not yet applied for a City Business Tax Certificate or exemption and may be unaware of the City's requirements.*

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

**5.E. DISCUSSION OF DATES FOR CERTIFYING ELECTION RESULTS, ELECTION OF MAYOR AND MAYOR PRO TEMPORE, AND TERMS FOR MAYOR AND MAYOR PRO TEMPORE [Y. QUARKER, M. CROWDER]:**

*SUBJECT: The City Council will consider the date of the certification of elections results, the election of Mayor and Mayor Pro Tempore, and a change to the term of the Mayor and Mayor Pro Tempore.*

Acting City Clerk Crowder provided background information as outlined in the March 1, 2021 staff report.

**ACTION:** 1) Direct the City Clerk to place the Certification of Election Results on the City Council Agenda for the first meeting in December of even years following the November General Election; 2) Direct the City Clerk to place the election of the new Mayor and Mayor Pro Tempore on the City Council Agenda for the first meeting in December every year; 3) Direct the City Clerk to schedule the installation of the new Mayor and Mayor Pro Tempore on the City Council Agenda in January every year; and 4) Move forward with Option 1 outlined in the Staff Report to "Extend the current term of the Mayor and Mayor Pro Tempore by four months (for a term of a year and four months). The City Council will hold an election for a new Mayor and Mayor Pro Tempore at the August 16, 2021 meeting for a term beginning September 20, 2021 through January 2023 (for a term of a year and four months). This will create two (2) rotations of 16-month terms and achieve the January to January rotation of the Mayor and Mayor Pro Tempore by 2023." **Motion by Councilmember Shyne, seconded by Councilmember D'Amico, and approved.**

**EXCLUDED CONSENT CALENDAR:**

**2.I. REQUEST TO INSTALL A MEMORIAL IN REMEMBRANCE OF LIVES LOST TO SUICIDE IN THE LGBTQ+ COMMUNITY [L. HORVATH, J. ERICKSON, J. LEONARD, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to follow the City's Memorials, Tribute Trees and Plaques Policy Guideline to review*

*the request to install a memorial for the lives lost to suicide in the LGBTQ+ community at a park space in West Hollywood.*

Councilmember D'Amico restated his earlier comments requesting that the direction include at least two suicide prevention organizations to weigh in on the proposed memorial either via public comment or letter. He further suggested that the Item be reviewed by a few of the City's Commissions and return to the City Council for review and approval in July or August.

Councilmember Shyne would like the Trevor Project Hotline or the Suicide Prevention Hotline to be displayed at the site.

**ACTIONS:** 1) Direct staff to follow the procedure as outlined in the City's Memorials, Tribute Trees and Plaques Policy Guidelines to approve and install a memorial for the lives lost to suicide in the LGBTQ+ community at a park space in West Hollywood; 2) Work with suicide prevention organizations to submit a letter in support of the memorial; 3) Direct staff to gather feedback from the Human Services Commission, Public Facilities Commission, Lesbian and Gay Advisory Board, and the Transgender Advisory Board on an appropriate design and location for the memorial; 4) Include either the Trevor Project Hotline number or the Suicide Prevention Hotline number at the site; and 5) Authorize the Director of Finance & Technology Services to allocate \$7,500 from budgeted funds in the Special Council Programs account number 100-1-01-00-531003 for costs associated with the purchase and installation of the memorial. **Motion by Councilmember D'Amico, seconded by Councilmember Shyne, and approved.**

**6. LEGISLATIVE:**

**6.A. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 2 ARTICLE 1 AND ARTICLE 4 OF THE WEST HOLLYWOOD MUNICIPAL CODE [P. AREVALO, D. WILSON, L. LANGER, Y. QUARKER]:**

*SUBJECT: The City Council will consider an Ordinance amending portions of Title 2, Article 1, Section 2.08 of the West Hollywood Municipal Code to make updates to the address for Council Chambers, information related to City Offices, update the hours of operation for City Hall, and the list of Council approved City Holidays. The Council will also consider amending portions of Title 2 Article 4 Section 2.88.030 to update the Government Code section regulating Behested Payments.*

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

**PUBLIC COMMENT:** None.

**COUNCILMEMBER COMMENTS:**

City Council Minutes  
Monday, March 1, 2021  
Page 21

Mayor Horvath commented on the discussions of several items this evening and encouraged her fellow Councilmembers to work cohesively as a City Council.

Councilmember Shyne thanked Mayor Pro Tempore Meister for co-sponsoring the Business Tax Certificate item.

**ADJOURNMENT:** The City Council adjourned at 11:43 p.m. in memory of Jay R. Jasper, Ivy Bottini, John Matrulli, Fred Segal, Dixie McKee to its next regular meeting, which will be on Monday, March 15, 2021 at 6:00 P.M. \*via teleconference.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 15<sup>th</sup> day of March, 2021 by the following vote:

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

DocuSigned by:  
  
 \_\_\_\_\_  
A45D21BDE47A5  
 LINDSEY P. HORVATH, MAYOR

ATTEST:

DocuSigned by:  
  
 \_\_\_\_\_  
2022A0F252DD4B9  
 MELISSA CROWDER, ACTING CITY CLERK