

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, MARCH 15, 2021  
REGULAR TELECONFERENCE MEETING**

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

**CALL TO ORDER:** Mayor Horvath called the meeting to order at 6:06 p.m.

**PLEDGE OF ALLEGIANCE:** Councilmember D’Amico 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:** Assistant City Manager Delgado, City Attorney Langer, Acting City Clerk Crowder, and Administrative Specialist IV Poblador.

**REPORT OF CLOSED SESSION AGENDA:**

City Attorney Lauren Langer reported on the March 5, 2021 Special Closed Session. She noted that Closed Session convened at 8:30 a.m., there was no public comment, two items on the posted agenda were heard, and the session adjourned around 11:00 a.m. Secondly, Assistant City Attorney Lauren Langer reported that tonight’s Closed Session was called to order at 5:30 p.m. There were no members of the public who provided public comment. The City Council discussed one item of existing litigation and took no reportable action. The Closed Session adjourned at 6:00 p.m.

**APPROVAL OF AGENDA:**

Acting City Clerk Crowder indicated that Staff has no changes to the Agenda.

Mayor Pro Tempore Meister requested that Items 2.D. and 2.J. be moved to Excluded Consent. Mayor Pro Tempore Meister requested that Item 2.D. be heard before Item 4.A. Mayor Horvath commented that normally items pulled from the Consent Calendar are moved to Excluded Consent. She asked the City Attorney to provide direction. City Attorney Langer confirmed that Item 2.D. can be heard before Item 4.A. Mayor Pro Tempore Meister also requested that Items 4.A. and 4.B. be moved to the Consent Calendar as Item 2.Z. and 2.AA, respectively.

Councilmember Shyne requested that Item 4.C. be moved to Consent Calendar, as Item 2.BB.

Councilmember Erickson requested that Item 5.D. be to Consent Calendar, as Item 2.CC.

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**Motion by Councilmember Shyne, seconded by Councilmember D'Amico to approve the March 15, 2021 agenda as amended, and approved.**

**ADJOURNMENT MOTIONS:**

Mayor Pro Tempore Meister requested that the meeting be adjourned in memory of Rocky LaFleur.

**PRESENTATIONS:**

Mayor Horvath and Councilmember Erickson presented a Proclamation to Christian F. Nunes of the National Organization for Women's 55th Anniversary.

Women's Advisory Board Chair Jenner Deal and Vice Chair Angela de Silva presented a video montage honoring Ruth Bader Ginsburg Day.

Mayor Horvath presented a Proclamation to outgoing, long-time City Attorney Mike Jenkins honoring his retirement as City Attorney for the City of West Hollywood. The City Council also presented Mr. Jenkins with a key to the City.

**1. PUBLIC COMMENT:**

REBECCA DAMAVANDI, WEST HOLLYWOOD, spoke in support of Item 2.V. and thanked the City Council for acknowledging the diverse community of West Hollywood.

ROB WARNER, WEST HOLLYWOOD, spoke in support of Item 2.V.

ELLEN MACKEY, WEST HOLLYWOOD, spoke in support of Item 2.U. on behalf of the AFSCME 1902 Women's Caucus. She asked the City Council to support the independent investigation regarding abuse allegations at the Metropolitan Water District (MWD).

MICHAEL KING, WEST HOLLYWOOD, spoke regarding his personal experience with the City's electronic parking permit process and citations.

ROBERT GAMBOA, WEST HOLLYWOOD, spoke regarding his support for Item 5.D.

JACKIE STEELE, WEST HOLLYWOOD, spoke regarding her support for Items 2.S., 2.V., and 5.D.

**COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:**

Councilmember Erickson thanked everyone for coming out to the Food Drive Event on Saturday, March 6<sup>th</sup>. He wished a happy birthday to Ruth Bader Ginsberg and Ruth Williams. He congratulated United States Secretary of the Interior Deb Haaland, the first Native American Interior Secretary. He addressed comments on accessibility in City meetings and would like to include American Sign Language (ASL) translation

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services as part of City meetings. He asked the City Manager to provide an update on Pride. He commented on an accident on Fountain Avenue yesterday. Finally, he inquired about syncing the traffic signals along Santa Monica Boulevard to streamline traffic.

Councilmember Shyne thanked Mike Jenkins for his 36+ years of service to the City and congratulated Lauren Langer as the City's new City Attorney. She provided information on the Persian New Year, Norooz. She reported that she is attending a Norooz celebration on March 26<sup>th</sup> and stated that if individuals would like to attend please visit her Facebook page. She commented on Item 2.L. and asked staff to research any potential gaps in service. She mentioned the public comment by Mr. King regarding the new parking permit system and asked staff to provide what metrics are used to track and correct errors in the system. Finally, she reported that she attended the National League of Cities meeting on March 7<sup>th</sup>.

Mayor Pro Tempore Meister reported that she attended SCAG's Joint Policy Committee meeting on racial equity and the 1343 Laurel Avenue Subcommittee meeting. She thanked staff for Item 2.R. She spoke in support of Item 2.S.; however, she wants to make sure there are no unintended consequences for landlords. She mentioned Item 2.U., thanked Councilmember Shyne for her co-sponsorship of the Item, thanked Ellen Mackey for speaking on the Item, and thanked West Basin Director Scott Houston for supporting the internal investigation. She congratulated Mike Jenkins and Lauren Langer, and thanked Mr. Jenkins for his advice and friendship over the years. She commented that the West Basin is accepting registration for rain barrel home delivery program. She reminded the community to contact the City's Social Services Division for financial assistance for eligible renters impacted by COVID-19. Finally, she spoke about comments and discussions at the March 1<sup>st</sup> City Council meeting.

Mayor Horvath commented on Item 2.S. and spoke about the educational program included with the Item so the community understands their rights. She mentioned Item 2.X. and thanked Mike Jenkins as well as Christi Hogin for their leadership and service and welcomed Lauren Langer as our City Attorney. She also mentioned Items 2.Y. and 4.A. and noted that the relief programs have been extended until June 30<sup>th</sup>. She thanked the Russian Advisory Board members for their presentation for International Women's Day. She shared that the City moved to the Red Tier per the County guidelines. She also thanked everyone who volunteered at the Food Drive and thanked Facilities staff for going the extra mile to be sure everyone was served. She reported that she attended California Contract Cities Advancing Equity meeting. She attended a meeting with Senator Padilla and the Mayors for a Guaranteed Income. She attended the California Contract Cities Association Public Safety Working Group meeting and reported that they are looking into allegations of fraudulent reporting of contract hours. She also reported that she attended SCAG's Joint Policy Committee on Equity, the California Contract Cities Virtual Lobbying Day, the Clean Power Alliance Board meeting as well as the Special Lobbying Day, and the National League of Cities spring meeting. She mentioned the Special Closed Session meeting tomorrow. Finally, she wished Ruth Williams a Happy Birthday.

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Councilmember D'Amico requested a cannabis license update from staff. City Attorney Langer noted that staff will return with an update.

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

Assistant City Manager Delgado addressed the comments regarding the City's virtual parking permitting program and noted that staff will return with a report. He spoke about the inquiry regarding ASL and noted that staff is exploring solutions. He noted that the West Hollywood Pride subcommittee should convene to explore ideas. He responded to the inquiries regarding Fountain Avenue and Santa Monica Boulevard. He commented that the Business Roundtable Part 2 is Friday, March 19<sup>th</sup> and interested individuals can register at [weho.org/business](http://weho.org/business). He provided further information on the City moving to the Red Tier. He provided information on the Human Trafficking Webinar on March 23<sup>rd</sup>. Finally, he shared that the West Hollywood Women in Leadership Awards will be held on March 25<sup>th</sup> and that there is a Neighborhood Watch Group meeting scheduled for March 25<sup>th</sup>.

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

Acting City Clerk Crowder stated that the fiscal impact on the Consent Calendar with the removal of Items 2.D. and 2.J. and the addition of Items 4.A., 4.B., 4.C., and 4.D. is \$1,320,535 in expenditures, \$73,277 in potential revenues, (\$0) in waived fees.

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

**2.A.,B.,C.,E.,F.,G.,H.,I.,K.,L.,M.,N.,O.,P.,Q.,R.,S.,T.,U.,V.,W.,X.,Y.,Z.,AA.,BB.,CC.**  
**Motion by Mayor Pro Tempore Meister, seconded by Shyne, and approved.**

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

*SUBJECT: The agenda for the meeting of Monday, March 15, 2021 was posted at City Hall, Plummer Park, and the Sheriff's Station on Wednesday, March 10, 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 March 1, 2021. **Approved as part of the Consent Calendar.**

#### **2.C. APPROVAL OF DEMAND REGISTER NO. 883 [L. QUIJANO, C. CORRALES]:**

*SUBJECT: The City Council shall receive the Demand Register for period ending March 5, 2021 pursuant to Sections 37201 to 37210 of the Government Code of the State of California.*

**ACTION:** Approve Demand Register NO. 883 and adopt Resolution No. 21-5379, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

WEST HOLLYWOOD APPROVING PAYMENT OF DEMANDS PRESENTED ON DEMAND REGISTER NO. 883.” **Approved as part of the Consent Calendar.**

- 2.D. ADOPT ORDINANCE NO. 21-1134 (2ND READING) “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PROHIBITING SMOKING IN COMMON AREAS AND NEW UNITS AND EXISTING 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.” [M. CROWDER, A. POBLADOR]:**  
*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 and Existing 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 further direction to City staff.*  
**ACTION:** This Item was moved to Unfinished Business to be heard prior to Item 4.A. This was requested by Mayor Pro Tempore Meister during Approval of the Agenda and approved by a Motion of the City Council.
- 2.E. ADOPT ORDINANCE NO. 21-1141 (2ND READING) “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.” [M. CROWDER, A. POBLADOR]:**  
*SUBJECT: The City Council will consider waiving further reading and adopt Ordinance No. 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.”*  
**ACTION:** Waive further reading and adopt 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.” **Approved as part of the Consent Calendar.**
- 2.F. ADOPT ORDINANCE NO. 21-1142 (2ND READING) “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.” [M. CROWDER, A. POBLADOR]:**

*SUBJECT: The City Council will consider waiving further reading and adopt 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.”*

**ACTION:** Waive further reading and adopt Ordinance 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.**

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

*SUBJECT: The City Council will receive Synopses from the City’s Commissions and Advisory Boards on the actions taken at their recent meetings.*

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

**2.H. TREASURER’S REPORT FOR JANUARY 2021 [L. QUIJANO, C. CORRALES, K. BARENG, N. CORONADO]:**

*SUBJECT: The City Council will receive the Treasurer’s Reports for the month ended January 2021 pursuant to Section 53646 of the Government Code of the State of California.*

**ACTION:** Receive and file the January 2021 Treasurer’s Report. **Approved as part of the Consent Calendar.**

**2.I. THE HARLAND (702 N. DOHENY) LEASE-UP UPDATE [C. SCHROEDER, J. HOLUB, A. BARTLE]:**

*SUBJECT: The City Council will receive an update on the progress of the lease-up of the 12 inclusionary housing units located at 702 N. Doheny.*

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

**2.J. UPDATE TO CITY COUNCIL ON ANIMAL CARE AND CONTROL CONTRACT SERVICES [J. ROCCO, D. RIVAS, D. MICK]:**

*SUBJECT: The City Council will receive an update on an analysis of the costs and levels of service for animal care and control contract services provided by the Los Angeles County Department of Animal Care and Control and the City of Los Angeles Department of Animal Services.*

**ACTION:** This Item was moved to Excluded Consent.

**2.K. UPDATE ON DIGITAL AUDIO RECORDING OF CITY COMMISSION AND ADVISORY BOARD MEETINGS [Y. QUARKER, M. CROWDER, L. BELSANTI, J. SCHARE, B. WHITE, E. TSIPIIS]:**

*SUBJECT: The City Council will receive an update on the digital audio recording of City Commission and Advisory Board meetings.*

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

- 2.L. AMENDMENT TO AGREEMENT WITH BET TZEDEK LEGAL SERVICES [C. SCHROEDER, D. GIUGNI, D. MURRAY, J. HOLUB]:**  
*SUBJECT: The City Council will consider an amendment to the agreement with Bet Tzedek Legal Services to continue the Eviction Prevention and Defense Program for an additional six months in order to provide services and legal representation to all West Hollywood tenants facing eviction proceedings.*  
**ACTION:** 1) Approve Amendment 5 to the agreement for services with Bet Tzedek Legal Services; Increase by \$29,184 for a total not-to-exceed amount of \$487,551 to provide legal representation to all tenants facing eviction through September 30, 2021; and 2) Authorize the City Manager or designee to execute all documents incident to the agreement. **Approved as part of the Consent Calendar.**
- 2.M. AMENDMENT NO. 1 TO THE PROPOSITION A DISCRETIONARY INCENTIVE GRANT PROGRAM MEMORANDUM OF UNDERSTANDING WITH LA METRO [C. SCHROEDER, D. GIUGNI, F. GOMEZ, D. NGUYEN]:**  
*SUBJECT: The City Council will consider an amendment to the Memorandum of Understanding (MOU) with LA Metro related to the Proposition A Discretionary Incentive Program, which will allow the City to receive CARES Act equivalent supplemental funding to support the provision of transit services during the COVID-19 pandemic.*  
**ACTION:** 1) Approve Amendment No.1 to MOU No. 910000000PA5WHDAR with LA Metro; 2) Authorize the City Manager to execute the amendment to the MOU; and 3) Authorize the Director of Finance to accept the supplemental funding to continue to receive Proposition A Discretionary Incentive Program funds and to receive the one-time CARES Act equivalent supplemental funds of \$73,277, net of the pass through to Beverly Hills. **Approved as part of the Consent Calendar.**
- 2.N. AWARD AN AGREEMENT FOR SERVICES TO MAGNA CONSULTING & DESIGN FOR RULE 20B UTILITY UNDERGROUNDING PROJECTS ON ALMONT DRIVE AND LA PEER DRIVE [J. ROCCO, H. DEMITRI, J. GILMOUR]:**  
*SUBJECT: The City Council will consider awarding an agreement for professional services to Magna Consulting & Design to perform utility undergrounding design services and construction inspections on Almont Dr and La Peer Dr between Melrose Ave and Santa Monica Blvd.*  
**ACTION:** 1) Approve an agreement for services with Magna Consulting & Design in the amount of \$131,966 for civil engineering design and construction management services; and 2) Authorize the City Manager or designee to execute documents incident to the agreement. **Approved as part of the Consent Calendar.**

**2.O. AWARD A CONSTRUCTION CONTRACT TO FS CONTRACTORS AND APPROVE AMENDMENT NO. 7 TO THE AGREEMENT FOR SERVICES WITH MICHAEL BAKER INTERNATIONAL FOR THE ANNUAL CDBG-FUNDED SIDEWALK REPAIR PROJECT [J. ROCCO, H. DEMITRI, M. SOLOGUB]:**

*SUBJECT: The City Council will consider the award of a construction contract to FS Contractors for CIP 2101 (84-01 & 84-02), Concrete Repair Program– Phase X, CDBG Project No. 602187-20 and also consider amending the agreement for services with Michael Baker International for construction management and inspection services to increase the not-to-exceed amount.*

**ACTION:** 1) Approve a construction contract with FS Contractors Inc. in the amount of \$199, 525.00 for the construction of CIP 2101 (84-01 & 84-02), Concrete Repair Program – Phase X, CDBG Project No. 602187-20, and authorize the City Manager or designee to execute documents incident to the agreement; 2) Authorize the City Engineer to approve change orders to the construction agreement in an amount not to exceed 15 %, (\$29,928.75), of the total agreement amount; 3) Adopt Resolution No. 21-5380, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF CIP 2101, CONCRETE REPAIR PROGRAM– PHASE X, CDBG PROJECT NO. 602187-20, PURSUANT TO GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT;” 4) Make a finding that pursuant to the provisions of the California Environmental Quality Act (CEQA – Public Resources Code, Section 21084 et. Seq.), CIP 2101 (84-01 & 84-02), Concrete Repair Program– Phase X, CDBG Project No. 602187-20, meets the requirements for a categorical exemption in compliance with Article 19, Section 15301, (Class 1 – Existing Facilities); and 5) Approve Amendment No. 7 to the agreement for services with Michael Baker International to increase the amount of the agreement by \$35,000.00 for a total not-to-exceed amount of \$476,076.83 to provide construction management and inspection services and authorize the City Manager or designee to execute documents incident to the agreement. **Approved as part of the Consent Calendar.**

**2.P. ASSIGNMENT AGREEMENTS BETWEEN THE CITIES OF LAKEWOOD AND WALNUT AND THE CITY OF WEST HOLLYWOOD FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS [L. QUIJANO, A. RUIZ, C. SCHROEDER, D. GIUGNI, L. ISENBERG, F. GOMEZ]:**

*SUBJECT: The City Council will consider General Fund trade agreements for Prop A Local Return Funds with the City of Lakewood and the City of Walnut.*

**ACTION:** 1) Approve an Assignment Agreement for Proposition A local return fund exchange with the City of Lakewood for \$700,000 in City of West Hollywood General Fund dollars in exchange for \$1,000,000 in City

of Lakewood Proposition A funds and authorize the City Manager to execute documents incident to the Agreement; 2) Approve an Assignment Agreement for Proposition A local return fund exchange with the City of Walnut for \$140,000 in City of West Hollywood General Fund dollars in exchange for \$200,000 in City of Walnut Proposition A funds and authorize the City Manager to execute documents incident to the Agreement; 3) Authorize the Director of Finance and Technology Services to allocate \$840,00 from reserves committed for Proposition A purchases in the General Fund, to the Expenditure for Traded Funds account (100-1-03-31-531016). **Approved as part of the Consent Calendar.**

**2.Q. SUPPORT OF THE ADVOCACY TRAINING PROJECT OF THE NATIONAL COUNCIL OF JEWISH WOMEN|LOS ANGELES [C. SCHROEDER, C. PLANCK, L. FOOKS, J. IVANOVA]:**

*SUBJECT: The City Council will consider supporting the Advocacy Training Project of the National Council of Jewish Women|Los Angeles.*

**ACTION:** 1) Approve support of the Advocacy Training Project of the National Council of Jewish Women|Los Angeles; 2) Authorize payment of \$1,000 in financial support fee; 3) Authorize the use of the City's name and logo on invitations, programs, and other collateral materials; and 4) Authorize the City Manager to execute the financial support agreement and any other documents related to this event. **Approved as part of the Consent Calendar.**

**2.R. ANNUAL COMMEMORATION OF RUTH BADER GINSBURG DAY IN WEST HOLLYWOOD [C. SCHROEDER, C. PLANCK, L. FOOKS, J. IVANOVA]:**

*SUBJECT: The City Council will consider approving an annual commemoration of the birthday of the late United States Supreme Court Justice Ruth Bader Ginsburg.*

**ACTION:** 1) Approve the annual commemoration of the late United States Supreme Court Justice Ruth Bader Ginsburg's birthday as "Ruth Bader Ginsburg Day" and direct the appropriate City staff and the Women's Advisory Board to incorporate the commemoration into the City's annual celebration of National Women's History Month; and 2) Direct the Communications Department to utilize all appropriate communications tools to promote the City's annual commemoration of "Ruth Bader Ginsburg Day" via social media platforms and distribution of information. **Approved as part of the Consent Calendar.**

**2.S. PET RENT AND PET DEPOSIT REQUIREMENTS IN THE MUNICIPAL CODE [J. ERICKSON, L. HORVATH, J. LEONARD, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff and the City Attorney to evaluate the City's Municipal Code and California state law to determine if the City can prohibit landlords from requiring pet rents and/or additional security deposits for pets.*

**ACTION:** 1) Direct staff and the City Attorney to evaluate the City's Municipal Code and California state law to determine if the City can prohibit landlords from requiring pet rents and/or additional security deposits for pets; 2) Direct staff, as part of this direction, to develop sample language to be included in lease agreements that outlines the pet rent and pet security deposit requirements and allowances under the rent stabilization ordinance; and 3) Present the findings and recommendations to the Rent Stabilization Commission before returning to City Council for further consideration. **Approved as part of the Consent Calendar.**

**2.T. SPONSORSHIP OF PANEL DISCUSSION OF THE FILM BREAKING FAST AS PART OF THE HUMAN RIGHTS SPEAKERS SERIES [J. ERICKSON, J. LEONARD, A. LOVANO]:**

*SUBJECT: The City Council will consider sponsoring a virtual panel discussion of the film Breaking Fast and the intersection of religion, sexuality, and identity as part of the Human Rights Speakers Series.*

**ACTION:** 1) Approve the sponsorship of a Human Rights Speakers Series virtual panel discussion of the film Breaking Fast and the intersection of religion, sexuality, and identity; 2) Authorize the use of the City name and logo on invitations, programs, and other materials; and 3) Direct the Communications Department to utilize all appropriate communication tools to promote the event including, but not limited to, the City's website, a press release, and social media tools. **Approved as part of the Consent Calendar.**

**2.U. RESOLUTION IN SUPPORT OF A STATE AUDIT INTO ALLEGATIONS OF ABUSE AT METROPOLITAN WATER DISTRICT [L. MEISTER, S. SHYNE, J. LEONARD, A. LOVANO]:**

*SUBJECT: The City Council will consider adopting a resolution in support of an independent audit by California's State Auditor to investigate any wrongdoing within or by the Metropolitan Water District in light of reports of harassment, sexual harassment, and retaliation.*

**ACTION:** 1) Approve Resolution No. 21-5381 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF A STATE AUDIT INTO ALLEGATIONS OF ABUSE AT THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA;" and 2) Direct the Community and Legislative Affairs Division to send copies of the adopted resolution to Governor Gavin Newsom, State Senator Ben Allen, State Assemblymember Richard Bloom, California State Auditor Elaine M. Howle, and other parties as appropriate. **Approved as part of the Consent Calendar.**

**2.V. RESOLUTION RECOGNIZING THE CULTURAL AND HISTORICAL SIGNIFICANCE OF NOROOZ [S. SHYNE, L. MEISTER, J. LEONARD, A. LOVANO]:**

**SUBJECT:** *The City Council will consider adopting a resolution recognizing the cultural and historical significance of Norooz, the Persian New Year celebration.*

**ACTION:** Adopt Resolution No. 21-5382 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD RECOGNIZING NOROOZ, THE PERSIAN NEW YEAR CELEBRATION.” **Approved as part of the Consent Calendar.**

**2.W. RESOLUTION CONDEMNING THE HUMAN RIGHTS VIOLATIONS AGAINST THE UYGHUR PEOPLE [L. HORVATH, J. LEONARD, A. LOVANO]:**

**SUBJECT:** *The City Council will consider adopting a resolution condemning the human rights violations against the Uyghur people in China’s Xinjiang Uyghur Autonomous Region. The City Council will also direct staff to evaluate the City’s contracting process to determine how the City can ensure deliverable goods purchased by the City and its vendors are fully forced labor free.*

**ACTION:** 1) Approve Resolution No. 21-5383 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDEMNING THE HUMAN RIGHTS VIOLATIONS AGAINST THE UYGHUR PEOPLE IN CHINA’S XINJIANG UYGHUR AUTONOMOUS REGION AND SUPPORTING THE CALL TO ACTION FOR CLOTHING BRANDS TO CUT TIES WITH SUPPLIERS IMPLICATED IN UYGHUR FORCED LABOR;” 2) Direct the Community and Legislative Affairs Division to send copies of the adopted resolution to President Joe Biden, Senators Dianne Feinstein and Alex Padilla, Representative Adam Schiff, and other parties as appropriate; 3) Direct staff to evaluate the City’s contracting process to determine how the City can ensure deliverable goods purchased by the City and its vendors are fully forced labor free; and 4) Return to City Council with staff’s findings and recommendations. **Approved as part of the Consent Calendar.**

**2.X. APPOINTMENT OF CITY ATTORNEY [P. AREVALO, Y. QUARKER]:**

**SUBJECT:** *The City Council will acknowledge with gratitude Michael Jenkins for his over thirty-six years of service to the City as City Attorney, and appoint Lauren Langer of Best Best & Krieger, LLP (BB&K) to serve as City Attorney, under the City’s existing contract with BB&K.*

**ACTION:** 1) Acknowledge with gratitude Michael Jenkins for his over thirty-six years of distinguished service to the City as City Attorney; 2) Adopt Resolution No 21-5384 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING LAUREN LANGER AS CITY ATTORNEY”; and 3) Authorize the City Manager to execute any documents necessary implement the appointment. **Approved as part of the Consent Calendar.**

**2.Y. 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 AUTHORIZING A FIFTH ROUND OF MONTHLY FINANCIAL ASSISTANCE TO ELIGIBLE RENTERS IMPACTED BY COVID-19 [P. AREVALO, D. WILSON, L. LANGER, Y. QUARKER, M. CROWDER, C. SCHROEDER, D. GIUGNI]:**

*SUBJECT: The City Council will consider adopting a Resolution ratifying City Manager/Director of Emergency Services Order No. 2021-2 authorizing a fifth round of monthly financial assistance to eligible renters impacted by COVID-19.*

**ACTION:** Adopt Resolution No. 21-5385, "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.Z. (4.A.) EXTENSION OF COMMERCIAL EVICTION MORATORIUM AND EXTENSION OF LIMITED GROUNDS TO EVICT RESIDENTIAL TENANTS [P. AREVALO, L. LANGER, J. JIMENEZ, T. WORDEN, C. SCHROEDER, J. HOLUB, Y. SPITERI]:**

*SUBJECT: The City Council will consider adopting the proposed Urgency Ordinance to extend the commercial eviction moratorium and the limited grounds to evict residential tenants through June 30, 2021.*

**ACTION:** Adopt Urgency Ordinance 21-1146U: AN URGENCY ORDINANCE OF THE CITY OF WEST HOLLYWOOD EXTENDING THE TEMPORARY MORATORIUM ON COMMERCIAL EVICTIONS AND THE LIMITED GROUNDS TO EVICT RESIDENTIAL TENANTS AND SETTING FORTH THE FACTS CONSTITUTING SUCH URGENCY. Adoption of an Urgency Ordinance requires a 4/5 vote of the City Council. **Approved as part of the Consent Calendar.**

**2.AA. (4.B.) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING THE SALE, PURCHASE, AND USE OF PESTICIDES CONTAINING GLYPHOSATE IN WEST HOLLYWOOD [J. ROCCO, D. RIVAS, P. PORTWOOD, L. BELSANTI, J. SCHARE, M. JENKINS, L. LANGER]:**

*SUBJECT: The City Council will consider adopting a resolution to urge West Hollywood businesses to cease selling and using pesticides containing glyphosate and local property owners to cease purchasing and using pesticides containing glyphosate on their properties.*

**ACTION:** 1) Approve Resolution No. 21-5386 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING THE SALE, PURCHASE, AND USE OF PESTICIDES CONTAINING GLYPHOSATE IN WEST HOLLYWOOD;" and 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. **Approved as part of the Consent Calendar.**

**2.BB. (4.C.) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, DECLARING THAT THE CITY DOES NOT TARGET SPECIFIED SEX WORK RELATED OFFENSES [L. LANGER, K. COOK, J. JIMENEZ, D. RIVAS]:**

*SUBJECT: The City Council will consider adopting a Resolution declaring that the City of West Hollywood will make enforcement of sex work related offenses a low priority.*

**ACTION:** Adopt Resolution No. 21-5387 "RESOLUTION OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA DECLARING THAT THE CITY DOES NOT TARGET SPECIFIED SEX WORK RELATED OFFENSES."

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

**2.CC. (5.D.) DISCUSSION REGARDING THE MAKEUP AND PURVIEW OF THE LESBIAN AND GAY ADVISORY BOARD [J. ERICKSON, S. SHYNE, J. LEONARD, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to incorporate into the Lesbian and Gay Advisory Board's work plan a discussion of the Board's name, makeup, and purview and return to City Council with recommendations.*

**ACTION:** 1) Direct staff to work with the Lesbian and Gay Advisory Board to incorporate into its work plan a discussion of the Board's name, makeup, and purview to be more inclusive to the LGBTQIA+ community; and 2) Return to City Council with recommendations for further consideration. **Approved as part of the Consent Calendar.**

**3. PUBLIC HEARINGS:**

**3.A. ZONE TEXT AMENDMENT TO ALLOW ON-SITE ALCOHOLIC BEVERAGE SERVICE FOR BEER, WINE AND LIQUOR IN THE R3C-C ZONE DISTRICT, IN THE CITY OF WEST HOLLYWOOD [J. KEHO, R. DIMOND]:**

*SUBJECT: The City Council will hold a public hearing to consider an amendment to the Zoning Ordinance to allow the sale of beer, wine, and alcohol for on-site consumption with a minor conditional use permit in the R3C-C zone district. The purpose of this Zone Text Amendment is to allow businesses that are already permitted to be in the R3C-C Zone District to serve alcohol, as they were allowed prior to rezoning in 2017.*

Acting City Clerk Crowder reported that this Item was noticed as required by law.

Senior Planner Rachel Dimond provided background information as outlined in the March 15, 2021 staff report.

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

DAN CONSTANT, WEST HOLLYWOOD, spoke in opposition to this item as this district was intended to be a low-key residential area and expressed concern with neighborhood livability if this is approved.

DENNIS NELSON, WEST HOLLYWOOD, spoke in favor of the proposed amendment and would like the ability to apply for licenses for survivability to compete with surrounding restaurants.

Councilmember D'Amico commented on the differences of a Minor Conditional Use Permit (MCUP) as opposed to a Conditional Use Permit (CUP). He noted his support of staff's recommendation.

Mayor Pro Tempore Meister expressed confusion with the staff report and asked staff to clarify the proposed changes in the R3C-C district. Ms. Dimond provided clarification. Mayor Pro Tempore Meister disclosed that she received an email from Mr. Nelson regarding this Item. She suggested dividing the zones (R3C-C and R3C).

Councilmember Erickson shared his experience with this issue when he was on the Planning Commission. He disclosed that he received an email from Mr. Nelson regarding this Item. He supports the Planning Commission's recommendation and the Item before them.

Councilmember Shyne commented that neighborhood livability is a concern to her, but the Planning Commission discussed this issue, so she is comfortable with the recommendation. She noted that she is interested in a discussion regarding dividing the districts.

Mayor Horvath requested that Senior Planner Dimond clarify the Minor Conditional Use Permits (MCUP). She spoke about the prior Council direction on this issue which she did not support. She expressed a desire to ensure neighborhood livability if this item is approved. She noted that she is generally supportive of the item.

Mayor Pro Tempore Meister inquired if the Planning Commission discussed allowing only beer and wine versus beer, wine, and alcohol.

Councilmember D'Amico clarified what the proposal before the Council is and how it is consistent with other projects that the Council has approved in the past. He discussed the noticing requirements for an MCUP.

The Mayor closed the public hearing.

**ACTION:** Introduce the on first reading: ORDINANCE 21-1143: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING A ZONE TEXT AMENDMENT, TO ALLOW ON-SITE ALCOHOLIC BEVERAGE SERVICE FOR BEER, WINE AND

LIQUOR, AT RESTAURANTS IN THE R3C-C ZONE DISTRICT, WEST HOLLYWOOD, CALIFORNIA. **Motion by Mayor Horvath, seconded by Councilmember Erickson, noting the “no” vote of Councilmember D’Amico, and approved.**

**3.B. ZONE TEXT AMENDMENT TO AMEND REGULATIONS FOR DRIVEWAY GRADE STANDARDS FOR SOLID WASTE TO MATCH ALLOWABLE DRIVEWAY GRADE MAXIMUMS, CITYWIDE, IN THE CITY OF WEST HOLLYWOOD [J. KEHO, R. DIMOND]:**

*SUBJECT: The City Council will hold a public hearing to consider an amendment to the Zoning Ordinance to increase allowable driveway grade for trash storage from 15% to 20% to align with allowable driveway grade for multi-family buildings.*

Acting City Clerk Crowder reported that this Item was noticed as required by law.

Mayor Horvath opened the public hearing, and no speakers came forward.

The Mayor closed the public hearing.

**ACTION:** Introduce on first reading: ORDINANCE 21-1144: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING AMENDMENTS TO TITLE 19, ZONING ORDINANCE, TO MODIFY DRIVEWAY GRADE REQUIREMENTS FOR ACCESS TO SOLID WASTE STORAGE LOCATIONS FROM 15% TO 20%, AS ALREADY PERMITTED BY OFF STREET PARKING AND LOADING STANDARDS, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA. **Motion by Councilmember Erickson, seconded by Mayor Pro Tempore Meister, and approved.**

**3.C. ZONE TEXT AMENDMENT TO AMEND REGULATIONS TO REQUIRE NO NET LOSS OF HOUSING IN THE R2 DISTRICT, IN THE CITY OF WEST HOLLYWOOD [J. KEHO, R. DIMOND, B. ECK]:**

*SUBJECT: The City Council will hold a public hearing to consider an amendment to the Zoning Ordinance to affirm that there shall be no net loss of housing units in the City’s R2 zone to align with the R3 and R4 zones and recently adopted state law.*

Acting City Clerk Crowder reported that this Item was noticed as required by law.

Mayor Horvath opened the public hearing, and one speaker came forward.

ADAM KROLL, WEST HOLLYWOOD, spoke in support of the Item.

The Mayor closed the public hearing.

**ACTION:** Introduce on first reading: ORDINANCE 21-1145: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING AMENDMENTS TO TITLE 19, ZONING ORDINANCE, TO AFFIRM THERE SHALL NO NET LOSS OF HOUSING UNITS IN THE R2 ZONE, IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA. **Motion by Mayor Pro Tempore Meister, seconded by Councilmember D’Amico, and approved.**

**4. UNFINISHED BUSINESS:**

- 2.D. ADOPT ORDINANCE NO. 21-1134 (2ND READING) “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PROHIBITING SMOKING IN COMMON AREAS AND NEW UNITS AND EXISTING 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.” [M. CROWDER, A. POBLADOR]:**  
*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 and Existing 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 further direction to City staff.*

Mayor Pro Tempore Meister commented on why she pulled this Item. She expressed concern that the ordinance may cause smokers to be evicted under the City’s Rent Stabilization Ordinance, specifically section 17.52.010 H(i). The text of that section reads:

*(i) Notwithstanding any other provision of this section, a landlord may evict a tenant if he or she does not comply with either of the following: (a) a change in tenancy required by a government agency charged with responsibility for ensuring public health, welfare, and safety in residential buildings; (b) a change in tenancy relating to health or safety conditions at the premises that is required by an insurance company as a condition of providing coverage; or (c) a change in tenancy required to comply with federal, state or local law.*

City Attorney Langer and Acting Rent Stabilization Manager Jonathan Holub responded to Mayor Pro Tempore Meister’s comments.

Councilmember D’Amico inquired if the City Council could approve all of the items that are not related to existing tenancies since the Council has

been discussing this issue for quite some time. Mayor Pro Tempore Meister supports this recommendation.

Councilmember Shyne commented that she agrees with Councilmember D'Amico and Mayor Pro Tempore Meister to separate out the items that don't affect existing tenancies. She thanked Mayor Pro Tempore Meister for researching this issue further. She expressed a desire to provide exemptions for persons with disabilities. Finally, she addressed the issue of smoking addiction and the need for smoking cessation programs in the City.

Mayor Horvath requested that City Attorney Langer respond to Council's requests. Ms. Langer suggested that a reasonable accommodation request is the best solution to provide an exemption for disabled persons that smoke. Mayor Pro Tempore Meister noted that this needs to be provided to our senior community as well.

***\*\*The City Council took a recess at 8:23 p.m. and returned at 8:38 p.m.\*\****

City Attorney Langer spoke about Section 7.10.060 which addresses eviction and suggested removing any reference to "nuisance" and add a reference to the Section 17.52.010 of the Rent Stabilization Ordinance. She noted that staff would prefer to return with information on a reasonable accommodation for disabled persons. She inquired about existing tenancies and the date the Council wants that portion to go into effect.

Councilmember D'Amico inquired about the date of the provisions of the ordinance that aren't related to existing tenancies. City Attorney Langer provided the dates for the three (3) sections that don't apply to existing tenancies. She further noted that if language is changed in Section 7.10.060 that staff would need to return with another 2<sup>nd</sup> Reading since this is a substantive change.

**ACTION:** The 2<sup>nd</sup> Reading of Ordinance 21-1134 was Tabled. Staff will return with an Unfinished Business item that includes two ordinances. One ordinance will address the Rent Stabilization Ordinance eviction issue and exemptions for disabled persons. The other ordinance will address smoking in existing tenancies. **Motion Councilmember D'Amico, seconded by Mayor Pro Tempore Meister, and approved.**

- 4.A. EXTENSION OF COMMERCIAL EVICTION MORATORIUM AND EXTENSION OF LIMITED GROUNDS TO EVICT RESIDENTIAL TENANTS [P. AREVALO, L. LANGER, J. JIMENEZ, T. WORDEN, C. SCHROEDER, J. HOLUB, Y. SPITERI]:**

*SUBJECT: The City Council will consider adopting the proposed Urgency Ordinance to extend the commercial eviction moratorium and the limited grounds to evict residential tenants through June 30, 2021.*

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

**4.B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING THE SALE, PURCHASE, AND USE OF PESTICIDES CONTAINING GLYPHOSATE IN WEST HOLLYWOOD [J. ROCCO, D. RIVAS, P. PORTWOOD, L. BELSANTI, J. SCHARE, M. JENKINS, L. LANGER]:**

*SUBJECT: The City Council will consider adopting a resolution to urge West Hollywood businesses to cease selling and using pesticides containing glyphosate and local property owners to cease purchasing and using pesticides containing glyphosate on their properties.*

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

**4.C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, DECLARING THAT THE CITY DOES NOT TARGET SPECIFIED SEX WORK RELATED OFFENSES [L. LANGER, K. COOK, J. JIMENEZ, D. RIVAS]:**

*SUBJECT: The City Council will consider adopting a Resolution declaring that the City of West Hollywood will make enforcement of sex work related offenses a low priority.*

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

**4.D. APPOINTMENT OF MEMBERS AND SELECTION OF FACILITATOR FOR SOCIAL JUSTICE TASK FORCE [J. LEONARD, A. LOVANO, J. DUCKWORTH, Y. QUARKER, M. CROWDER, A. POBLADOR]:**

*SUBJECT: The City Council will consider making appointments to the Social Justice Task Force and will receive an update from staff, including the selection of a facilitator for the Task Force.*

**ACTIONS:** 1) The City Councilmembers made the following direct appointments: Councilmember D'Amico - **Jonathan Wilson**; Councilmember Erickson: **Chela C. Demuir**; Councilmember Shyne: **Dawn Williams**; Mayor Pro Tempore Meister: **Shannon Morton**; Mayor Horvath: **Marcus Smith**; 2) Tabled the At-Large appointments to the April 5, 2021 City Council meeting; 3) Confirmed staff's selection of Diane Burbie, with the Aspire Group, to act as a facilitator for the Social Justice Task Force; and 4) Authorized the Director of Finance & Technology Services to allocate \$15,000 from budgeted funds in the Special Council Programs account number 100-1-01-00- 531003 for costs associated with the task force facilitator. **Motion by Councilmember Shyne, seconded by Mayor Horvath, and approved.**

**5. NEW BUSINESS:**

- 5.A. REQUEST FOR FINANCING COMMITMENT AND AUTHORIZATION TO ISSUE LOAN FROM THE AFFORDABLE HOUSING TRUST FUND IN THE AMOUNT OF \$4,895,000 FOR ACQUISITION OF 1201 & 1207 NORTH DETROIT STREET FOR AFFORDABLE HOUSING [C. SCHROEDER, J. HOLUB, A. BARTLE, O. DELGADO, B. LEAGUE]:**  
*SUBJECT: The City Council will consider issuing a commitment letter and loan from the Affordable Housing Trust Fund to EAH Housing, a non-profit housing operator, in the amount of \$4,895,000 for acquisition of 1201 & 1207 N. Detroit Street for the development of affordable housing.*

Property Development Manager Brian League responded to questions that were asked in advance of the City Council meeting.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding the lack of transparency and concerns with the lack of information in the staff report.

ADAM KROLL, WEST HOLLYWOOD, spoke in support of this Item.

ARTHUR BERNSTEIN, WEST HOLLYWOOD, spoke regarding his concerns about transparency with the City's property acquisitions.

CHARLIE JASPER, WEST HOLLYWOOD, spoke about fiscal responsibility and concerns with the cost of this project.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke about her concerns with the cost of this project.

Mayor Pro Tempore Meister noted that the appraisals should be in the staff report as well for transparency purposes. She inquired with Mr. League regarding the purchase of the two lots together rather than purchasing each lot separately. Mr. League responded to this inquiry. Mayor Pro Tempore Meister inquired about the public process and outreach for this development. She suggested that the City has input on design and parking requirements as part of the City's commitment letter. Mr. League spoke about the subterranean parking that is included with the proposed development.

Councilmember D'Amico noted that he does not support the Item and expressed concern with the cost of developing affordable housing units.

Property Development Manager Alicen Bartle briefly spoke about other affordable housing projects and the costs for those projects.

Director of Business Development for EAH Housing Steven Spielberg spoke about the cost. He agrees that the cost is high and spoke about the elements of the project that increased the cost including the subterranean parking.

Mayor Pro Tempore Meister inquired about what happens if the project doesn't move forward. Mr. League responded to this inquiry.

**ACTIONS:** 1) Authorize the City Manager to sign a commitment letter and include language that the City (lender) has input on design and parking requirements, pledging \$4,895,000 in acquisition financing for the real properties 1201 & 1207 N. Detroit Street for affordable housing; 2) Authorize the Director of Finance and Technology Services to allocate \$4,895,000 from unallocated reserves in the Affordable Housing Trust Fund to 216-3-05-62-537015 for the purposes of funding the loan; and 3) Authorize the City Manager or designee to execute all documents incident to the agreement. **Motion by Councilmember Erickson, seconded by Mayor Horvath, noting the "no" vote of Councilmember D'Amico, and approved.**

**5.B. AGREEMENT FOR SERVICES WITH THE COALITION FOR ECONOMIC SURVIVAL TO PROVIDE EMERGENCY OUTREACH AND LEGAL ASSISTANCE FOR TENANTS [C. SCHROEDER, J. HOLUB, Y. SPITERI, D. GIUGNI, D. MURRAY]:**

*SUBJECT: The City Council will consider approving an agreement for services with the Coalition for Economic Survival to provide eviction prevention emergency proactive educational outreach, twice weekly legal clinics, and legal assistance to all West Hollywood tenants.*

ADAM KROLL, WEST HOLLYWOOD, spoke in support of this Item.

Acting Rent Stabilization and Housing Manager Jonathan Holub provided background information as outlined in the staff report dated March 15, 2021.

Mayor Pro Tempore Meister enumerated her concerns with CES and commented that she would like an RFP issued for this service.

Councilmember Shyne spoke about her concern when this Item was previously presented, specifically with the Scope of Work in the contract. She expressed support of CES and feels that there is an urgent need for their assistance. She noted that she would like language included in CES' contract that the organization is apolitical.

Councilmember D'Amico expressed concern with the lack of interaction that CES has with the City of West Hollywood and spoke about his

personal experience with CES. He indicated that he will not support the Item.

Mayor Horvath commented that she agrees with Councilmember Shyne regarding the urgent need for this service. She expressed support for the Item.

**ACTION:** 1) Approve the agreement for services with the Coalition for Economic Survival that includes language that CES is apolitical for a total not-to-exceed amount of \$60,000 to provide legal assistance to West Hollywood tenants facing eviction through March 31, 2022; 2) Authorize the City Manager or designee to execute all documents incident to the agreement; and 3) Authorize the Director of Finance & Technology Services to allocate \$60,000 from General Fund Reserves dedicated to Emergency Contingencies to account 100-3-05-62-531037 for emergency legal assistance and related services. **Motion by Councilmember Shyne, seconded by Councilmember Erickson, and approved noting the “no” votes of Councilmember D’Amico and Mayor Pro Meister.**

**5.C. PROTECTING INTEGRITY OF RESIDENTIALLY ZONED PARCELS – REPLACEMENT OF RESIDENTIAL UNITS [L. MEISTER, S. SHYNE, J. LEONARD, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to initiate a Zone Text Amendment to prohibit the development of new or expanded non-residential projects on residentially zoned parcels unless the project replaces any demolished residential units with at least the same number of residential units or pays an in-lieu fee equal to the cost of construction of the same number of residential units of equal size, which would be allocated to the Affordable Housing Trust Fund. Additionally, if the application for a new non-residential project is submitted for a parcel where residential units had already been demolished, then, the number and size of residential units or the required in-lieu fee should be based on what could be built according to the Zoning Code.*

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in support of the Item.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in support of this Item.

Mayor Pro Tempore Meister provided background information as outlined in the March 15, 2021 staff report.

Councilmember Shyne commented that this Item ensures that residentially-zoned parcels remain residential or that the City will receive funds into the affordable housing trust fund. She further commented that there is a need for affordable housing.

Councilmember Erickson spoke in support of the Item.

Mayor Horvath spoke in support of the Item. She noted some of the uses that have replaced residential in the past such as daycares that are community serving. She mentioned Harper Avenue and raised the issue of unintended consequences.

**ACTION:** 1) Direct staff to initiate a Zone Text Amendment to prohibit the development of new or expanded non-residential projects on residentially zoned parcels unless the project replaces any demolished residential units with at least the same number of residential units or pays an in-lieu fee equal to the cost of construction of the same number of residential units of equal size, which would be allocated to the Affordable Housing Trust Fund. If the residential units have already been demolished, then, the number and size of residential units or the required in-lieu fee should be based on what could be built according to the Zoning Code; and 2) Present the proposed amendment to the Planning Commission for review prior to returning to City Council for final approval. **Motion by Mayor Pro Tempore Meister, seconded by Councilmember Shyne, and approved.**

**5.D. DISCUSSION REGARDING THE MAKEUP AND PURVIEW OF THE LESBIAN AND GAY ADVISORY BOARD [J. ERICKSON, S. SHYNE, J. LEONARD, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to incorporate into the Lesbian and Gay Advisory Board's work plan a discussion of the Board's name, makeup, and purview and return to City Council with recommendations.*

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

**5.E. UPDATES TO THE CODE OF CONDUCT FOR ELECTED AND APPOINTED OFFICIALS [P. AREVALO, L. LANGER, Y. QUARKER, M. CROWDER]:**

*SUBJECT: The City Council will consider amendments to the Code of Conduct for Elected and Appointed Officials to update and clarify responsibilities of sworn public officials (members of the City Council and its subsidiary Commissions and Advisory Boards).*

Assistant City Attorney Lauren Langer provided background information as outlined in the March 15, 2021 staff report.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in support of the Item.

ADAM KROLL, WEST HOLLYWOOD, spoke regarding the broad language in the revised Code of Conduct.

Mayor Horvath reviewed the proposed changes regarding gender neutral pronouns, participation on non-profit boards, and social media (AB 992).

Councilmember Erickson stated that a training or guide sheet from Communications regarding the social media aspect would be useful.

Councilmember Shyne agreed with Councilmember Erickson's comment and suggested a training session for elected and appointed officials, especially social media.

Acting City Clerk Crowder confirmed that a future training will be provided, and this information has been shared with the City's appointed officials.

A lengthy discussion ensued regarding the proposed changes related to Conflicts of Interest in Sections 5.6 and 5.7.

**ACTION:** Motion #1 – Approve changes to the Code of Conduct as follows: Changing Pronouns to Include Gender Neutral Pronouns (throughout Code of Conduct), Officials Serving on Non-Profit Board of Directors (Section 5.4), and Updates to the Brown Act – Social Media (AB 992) (Section 5.5), and direct the additional recommended training and website enhancements. **Motion by Councilmember D'Amico, seconded by Councilmember Shyne and approved.**

Motion #2 – Approve changes to the Code of Conduct regarding Conflicts of Interest - Sections 5.4 and 5.7. **Motion by Councilmember Shyne, seconded by Councilmember D'Amico, and approved, noting the "no" votes of Councilmember Erickson and Mayor Horvath.**

#### **EXCLUDED CONSENT CALENDAR:**

##### **2.J. UPDATE TO CITY COUNCIL ON ANIMAL CARE AND CONTROL CONTRACT SERVICES [J. ROCCO, D. RIVAS, D. MICK]:**

*SUBJECT: The City Council will receive an update on an analysis of the costs and levels of service for animal care and control contract services provided by the Los Angeles County Department of Animal Care and Control and the City of Los Angeles Department of Animal Services.*

Mayor Pro Tempore Meister provided the reasons that she pulled this Item for discussion. She inquired about contracting with the City of Los Angeles since they contract with the City of Beverly Hills and there may be economies of scale. She expressed concern with the administrative costs in the contract. She also asked for clarification regarding members of the public dropping off animals at the Amanda Foundation. Finally, she recommended that the City contract with the City of Los Angeles.

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Councilmember Erickson noted that he agrees with Councilmember Meister. He expressed concern with Los Angeles County Animal Control. He also expressed a desire to develop a no-kill shelter. Finally, he commented that he would like the contract length to be shorter.

Councilmember Shyne indicated that she agrees with her colleagues. She spoke about Carson shelter.

Code Compliance Manager Danny Rivas responded to the Council's inquiries and comments. Code Compliance Supervisor Dan Mick provided additional information regarding the Amanda Foundation.

**ACTION:** Direct staff to work with the City of Los Angeles, look into economies of scale in working with the City of Beverly Hills, look into establishing relationships with local vets for drop-off of pets, and working with the Amanda Foundation. **Motion by Councilmember Erickson, seconded by Mayor Pro Tempore Meister, and approved.**

**6. LEGISLATIVE: None.**

**PUBLIC COMMENT:**

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding the COVID-19 panel discussion and sang a song regarding vaccines.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke regarding monarch butterflies.

**COUNCILMEMBER COMMENTS:**

Mayor Pro Tempore Meister spoke about the Mayor's Pledge regarding monarch butterflies.

Councilmember Erickson congratulated Lauren Langer on her appointment as City Attorney.

**ADJOURNMENT:** The City Council adjourned at 11:05 p.m. in memory of Rocky LaFleur to its next regular meeting, which will be on Monday, April 5, 2021 at 6:00 P.M. \*via teleconference.

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PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 5<sup>th</sup> day of April, 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:  
*Lindsey P. Horvath*  
A45D21B3B97A4F70  
LINDSEY P. HORVATH, MAYOR

ATTEST:

DocuSigned by:  
*Melissa Crowder (Acting)*  
2072ACE2525D4B0  
MELISSA CROWDER, ACTING CITY CLERK