

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, SEPTEMBER 20, 2021
REGULAR TELECONFERENCE MEETING**

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

CALL TO ORDER: Mayor Horvath called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE: Genevieve Morrill 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 Wilson, City Attorney Langer, City Clerk Crowder, and Administrative Specialist IV Poblador.

APPROVAL OF AGENDA:

Councilmember Shyne requested that Item 5.D. be moved to the Consent Calendar.

Councilmember Erickson requested that Item 4.C. and Item 5.E. be moved to the Consent Calendar.

Motion by Mayor Pro Tempore Meister, seconded by Councilmember Shyne, to approve the September 20, 2021 Agenda as amended, and approved.

ADJOURNMENT MOTIONS:

Councilmember Shyne requested that the meeting be adjourned in memory of Marvin Keller, Isabella Maggio, and Bahman Homayoonfar.

Mayor Pro Tempore Meister requested that the meeting be adjourned in memory of Charlotte Banta, Jonathan Craig Schoonover, Roberto Quijano Sr., and Victoria Ann (Walkup) Jensen.

Councilmember Erickson requested that the meeting be adjourned in memory of Marv Auerbach and Joan Kelly Wells.

Mayor Horvath requested that the meeting be adjourned in memory of Maxine Nieberg Heller, Archbishop Carl Bean, Gloria Rendon, Michael Epstein. She also requested that the meeting be adjourned in memory of the following military adjournments: Marine Corps Lance Cpl. Rylee McCollum, 20; Marine Corps Lance Cpl. Jared Schmitz, 20; Marine Corps Lance Cpl. David Espinoza, 20; Navy Hospital Corpsman Max Soviak, 22;

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Marine Corps Cpl. Hunter Lopez, 22; Marine Corps Lance Cpl. Kareem Nikoui, 20; Marine Corps Staff Sgt. Taylor Hoover, 31; Marine Corps Cpl. Daegan William-Tyler Page, 23; Army Staff Sgt. Ryan Knauss, 23; Marine Corps Sgt. Johanny Rosario, 25; Marine Corps Cpl. Humberto Sanchez, 22; Marine Corps Sgt. Nicole Gee, 23; Marine Corps Lance Cpl. Dylan R. Merola, 20.

Councilmember D'Amico requested to adjourn the meeting in memory of Shaun Joseph Bourget.

Lauren Meister was sworn in as Mayor by former Councilmember John Heilman for a term ending January 2023.

Sepi Shyne was sworn in as Mayor Pro Tempore by Melahat Rafiei, Secretary of the California Democratic Party, for a term ending January 2023.

INTRODUCTION OF DIGNITARIES:

The following dignitaries provided their well-wishes to newly installed Mayor Meister and Mayor Pro Tempore Shyne: Robert Wunderlich, Beverly Hills Mayor; Dr. Julian Gold, Beverly Hills Councilmember; Mike Aguilera-Gaudette, on behalf of Congressman Adam Schiff; Davis Han, on behalf of Senator Ben Allen; and Josh Kurpies, on behalf of Assemblymember Richard Bloom.

PRESENTATIONS:

Mayor Lauren Meister presented a Proclamation to outgoing Mayor Lindsey P. Horvath.

1. PUBLIC COMMENT:

MICHAEL WOJTKIELEWICZ, WEST HOLLYWOOD, spoke about his view on aspects of Item 2.U.

MJ GODGES, WEST HOLLYWOOD, spoke in support of Items 2.W. and 2.Y. and congratulated our new Mayor and Mayor Pro Tempore.

RICHARD AYOUB, PROJECT ANGEL FOOD, spoke to congratulate the new Mayor and Mayor Pro Tempore, and to thank the Council for their continued support of Item 2.R.

PATRICK BLOOD, WEST HOLLYWOOD, spoke to thank outgoing Mayor Horvath, welcome new Mayor Meister and Mayor Pro Tempore Shyne, and in support of Item 2.U.

WEST SEEGMILLER, WEST HOLLYWOOD, spoke in favor of vaccinations but in opposition to vaccine mandates.

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JORDAN DAVID, WEST HOLLYWOOD, spoke in favor of Item 5.D. and thanked outgoing Mayor Horvath for bringing this item forward.

DANIEL REIF, LOS ANGELES, spoke in support of Item 5.D. and encouraged the City continue to work against the prison industrial complex.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke to thank outgoing Mayor Horvath, congratulated Mayor Meister and Mayor Pro Tempore Shyne, and in support of Item 2.Y.

MICHAEL KING, WEST HOLLYWOOD, spoke to congratulate newly installed Mayor Meister and Mayor Pro Tempore Shyne, and to let the City Council know about parking issues in his neighborhood due to an event over the weekend.

ADAM DARVISH, WEST HOLLYWOOD, spoke in appreciation of Mayor Horvath, and congratulated Mayor Meister and Mayor Pro Tempore Shyne.

RICK WATTS, WEST HOLLYWOOD, offered his condolences to Boardmembers Walkup and Baum on the loss of their siblings, congratulated newly installed Mayor Meister and Mayor Pro Tempore Shyne, and commented on the closing of the 24-Hour Fitness Gym on Santa Monica Blvd.

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

Councilmember D'Amico congratulated the women of the City Council for their accomplishments. He reported on his attendance at the Contract Cities Association Conference. He commented on the HIV Zero Initiative item on tonight's agenda and how the concept has developed since implementation with former Councilmember John Duran. Secondly, he highlighted Item 2.Y. Only Yes Means Yes Sexual Assault Awareness Campaign that he began in 2016, and thanked Mayor Pro Tempore Shyne for co-sponsoring this item with him. He spoke about the supplemental memo information of disturbing statistics of sexual assault in the City, and invited any residents to offer suggestions on how to make this effort a success. He also requested the City Manager give an update on the opening of West Hollywood Park.

Councilmember Erickson thanked the members of the public who spoke under Public Comment. He thanked the Lesbian & Gay Advisory Board for implementing Bi Visibility Week, promoted the programs going on, and encouraged residents to check the City website for more information. He mentioned it is also Ovarian Cancer Awareness Month and that he provided a proclamation to the Ovarian Cancer Circle. He highlighted that it is National Recovery Month and thanked the City for ongoing recovery programs. He expressed appreciation to the 80+% of West Hollywood's residents who voted against the Gubernatorial Recall Election. He invited residents to join him this weekend for Saturdays with John at Plummer Park. He congratulated Alyssa Poblador on her promotion to Assistant City Clerk. He then thanked Mayor Meister for her remarks on her vision for her mayoral term and congratulated her and Mayor Pro Tempore Shyne. He also reported attendance at the Contract Cities Association

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Conference. He closed with inquiring about a public safety kiosk on the Eastside for the sheriffs or extra patrols and asked for more information on this proposal from the City Manager.

Councilmember Horvath represented the City at the Liability Trust Fund Board meeting, the Sanitation District meeting, and the Contract Cities Association conference. She thanked Councilmembers D'Amico and Erickson for along with City Manager David Wilson, City Attorney Lauren Langer, and other City staff. She spoke about various items on the Consent Calendar. She noted for the record the correct years of service that were presented at a former City Council meeting for Commissioners Ruth Williams and Sibyl Zaden. Finally, she shared the various rental protections available to residents. Finally, she highlighted two upcoming marches: One with Women of Afghanistan on Saturday and the other one on Saturday, October 2nd which is a Rally for Reproductive Rights LA.

Mayor Pro Tempore Shyne wished everyone a happy Bi-Visibility Week. She also mentioned that it is National Hispanic Heritage Month. She reported on her attendance at the following: Ivy Bottini Day, the Rainbow Key Awards, the Pride Subcommittee meeting, the Eastside Town Hall Community Meeting, the Ribbon Cutting of Palmview, and the Ribbon Cutting for the Connie Norman Transgender Empowerment Center. She spoke on various Consent Calendar items. She thanked Mayor Meister for asking her to co-sponsor Item 5.E. Lastly, she invited everyone to attend the upcoming virtual Human Rights Speaker Series event.

Mayor Meister highlighted National Preparedness Month in September to raise awareness on the importance of preparing for disasters. She reported on her attendance at SCAG, LA County's Blue Ribbon on Homelessness, ATI alternative crisis response, and National League of Cities on the topic of COVID-19 recovery. She also attended the Homelessness Subcommittee meeting. She reminded everyone that October is Disabilities Awareness Month, Ovarian Cancer Awareness Month, and Domestic Violence and Sexual Assault Awareness. On Item 2.Y., she requested that the Lesbian & Gay Advisory Board be included. Regarding Item 5.D., she mentioned how LA County is developing a pilot and hoped that they contribute funding for a pilot in West Hollywood. Finally, she expressed her appreciation to Mayor Pro Tempore Shyne co-sponsoring Item 5.E. with her.

CITY MANAGER'S REPORT:

Councilmember D'Amico asked for an update on the re-opening of West Hollywood Park.

City Manager Wilson congratulated the new Mayor and Mayor Pro Tempore and thanked outgoing Mayor Horvath for her leadership during a very difficult time. He responded to Michael King's public comment and indicated that the City will increase parking enforcements during large events, such as the Emmys. With respect to the Sunset Arts & Advertising Program, he noted that the art is provided as part of the development agreement. For Item 5.D., he shared that the City will look into which

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organization is funding the pre-trial program. Recreation and Facilities Director Steve Campbell provided an update on the re-opening of the park. He commented that the City can provide additional public safety at the Gateway and will provide the cost of purchasing a kiosk at the October 4th City Council meeting. He spoke regarding the resurfacing of the City's basketball and tennis courts. Finally, he asked City Attorney Langer to share pertinent information on the City's Vaccine Verification requirements.

City Attorney Langer provided key information on the recently ratified Executive Order implementing vaccine verification requirement in the City. She also recommended that the City of West Hollywood model the City of San Francisco's FAQ on the City's website to assist the public in understanding the requirements.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Crowder stated that the fiscal impact on the Consent Calendar with the addition of Items 4.C., 5.D., and 5.E. is \$13,558,372 in expenditures, \$68,975 in potential revenues, (\$5,941) in waived fees.

2. CONSENT CALENDAR:

2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,K.,L.,M.,N.,O.,P.,Q.,R.,S.,T.,U.,V.,W.,X.,Y.,Z.,AA.,BB.,CC.,DD.,EE. Motion by Councilmember Horvath, seconded by Councilmember D'Amico, and approved.

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Monday, September 20, 2021 was posted at City Hall, Plummer Park, the Sheriff's Station, and at the West Hollywood Library on Wednesday, September 15, 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 the August 16, 2021 City Council Meeting and the minutes of the August 31, 2021 Study Session. **Approved as part of the Consent Calendar.**

2.C. APPROVAL OF DEMAND REGISTER NO. 893 [L. QUIJANO, C. CORRALES]:

SUBJECT: The City Council shall receive the Demand Register for period ending September 10, 2021 pursuant to Sections 37201 to 37210 of the Government Code of the State of California.

ACTION: Approve Demand Register NO. 893 and adopt Resolution No.21-5437, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING PAYMENT OF DEMANDS PRESENTED ON DEMAND REGISTER NO. 893." **Approved as part of the Consent Calendar.**

- 2.D. CLAIMS ADMINISTRATION [D. WILSON, A. WARD]:**
SUBJECT: The City Council is asked to deny the claim filed against the City as an administrative step in claims processing.
ACTION: Deny the claim of Raquel Moscozo. **Approved as part of the Consent Calendar.**
- 2.E. ADOPT ORDINANCE NO. 21-1164 (2ND READING) “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING PORTIONS OF TITLE 2, ARTICLE 3, CHAPTER 2.40, SECTION 2.40.020 OF THE WEST HOLLYWOOD MUNICIPAL CODE” [M. CROWDER, A. POBLADOR]:**
SUBJECT: The City Council will waive further reading and adopt Ordinance No. 21-1164, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING PORTIONS OF TITLE 2, ARTICLE 3, CHAPTER 2.40, SECTION 2.40.020 OF THE WEST HOLLYWOOD MUNICIPAL CODE.”
ACTION: Waive further reading and adopt Ordinance 21-1164, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING PORTIONS OF TITLE 2, ARTICLE 3, CHAPTER 2.40, SECTION 2.40.020 OF THE WEST HOLLYWOOD MUNICIPAL CODE.” **Approved as part of the Consent Calendar.**
- 2.F. COMMISSION AND ADVISORY BOARD MEETING SYNOPSES [M. CROWDER, A. POBLADOR]:**
SUBJECT: The City Council will receive Synopses from the Human Services Commission, Public Facilities Commission, Rent Stabilization Commission, Transportation Commission, Russian Advisory Board, Senior Advisory Board, Transgender Advisory Board, and Women’s Advisory Board regarding actions taken at their recent meeting.
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.G. TREASURER’S REPORT FOR JULY 2021 [L. QUIJANO, C. CORRALES, K. BARENG, N. CORONADO]:**
SUBJECT: The City Council will receive the Treasurer’s Reports for the month ended July 2021 pursuant to Section 53646 of the Government Code of the State of California.
ACTION: Receive and file the July 2021 Treasurer’s Report. **Approved as part of the Consent Calendar.**
- 2.H. HIV ZERO INITIATIVE YEAR FIVE MIDYEAR EVALUATION REPORT [C. SCHROEDER, D. GIUGNI, D. MURRAY]:**
SUBJECT: The City Council will receive the HIV Zero Initiative Year Five Midyear Evaluation Report.
ACTION: Receive and file. **Approved as part of the Consent Calendar.**

- 2.I. DRAFT CLIMATE ACTION & ADAPTATION PLAN (WEHO CLIMATE ACTION) [J. KEHO, R. EASON]:**
SUBJECT: The City Council will receive a draft version of 'WeHo Climate Action' — the City's Climate Action and Adaptation Plan — to be discussed at the next City Council meeting (October 4, 2021). WeHo Climate Action celebrates the City's significant achievements in reducing its greenhouse gas (GHG) emissions over the last decade by actively implementing actions outlined in the 2011 Climate Action Plan and enacting sound environmental policies and programs. Most importantly, it builds upon this progress to chart a new path forward for carbon neutrality, adapts the City to current and future extreme climate conditions, and further champions the actions needed to meet the global and local challenges of a changing climate, including how to meet the needs of the community members most affected by climate change.
ACTION: Staff recommends that the Council receive this staff report and continue the item to the October 4, 2021 meeting for discussion.
Approved as part of the Consent Calendar.
- 2.J. UPDATE ON THE SUNSET BOULEVARD ARTS & ADVERTISING PROGRAM [J. KEHO, R. EASON, B. ECK, P. PORTWOOD, R. ABRAMSON, G. YOLLES]:**
SUBJECT: The City Council will receive an update report on the implementation of the Sunset Arts & Advertising Program, key lessons learned, and details of proposed upcoming round of project screening.
ACTION: Receive and file the update report. **Approved as part of the Consent Calendar.**
- 2.K. NATIONAL RECOVERY MONTH 2021 [C. SCHROEDER, D. GIUGNI, L. ISENBERG, J. MITHERS]:**
SUBJECT: The City Council will recognize September as Alcohol and Drug Addiction Recovery Month.
ACTION: Proclaim September as Alcohol and Drug Addiction Recovery Month. **Approved as part of the Consent Calendar.**
- 2.L. SUNSET GATEWAY DESIGN PHASE ONE UPDATE [O. DELGADO, R. ABRAMSON, J. KEHO, R. EASON, B. ECK]:**
SUBJECT: The City Council will receive an update on Phase One of the Sunset Gateway Design project, located at Sunset Blvd/Doheny Road, Sunset Blvd/ Marmont Lane, and Sunset Blvd/ La Cienega Blvd. The gateways aim to strengthen the Sunset Strip's identity by (1) functioning as visual markers at key entry points to create a sense of arrival and sense of place; (2) invite more people to walk between destinations, and comfortably cross the street in a safe manner; and (3) create activated places that encourage spending more time outside on the Sunset Strip.
ACTION: 1) Receive this update on the Sunset Gateway team selection process and file; 2) Confirm selection of Perkins and Will as the highest ranked team in the competitive bid process and direct staff to commence

the development of the scope of work for schematic design, design development and community outreach of the preferred conceptual gateway designs at Sunset/ Marmont Lane, Sunset/ La Cienega, and Sunset/ Doheny Road; 3) Direct staff to move forward with initial business and local stakeholder outreach and an economic analysis of the preferred conceptual gateway designs at Sunset/ Marmont Lane, Sunset/ La Cienega, and Sunset/ Doheny Road (Phase 2A); and 4) Direct staff to return to the City Council during the midyear budget update with a scope of work, phasing options, recommended priorities, and a budget for Phase 2B of the project, which includes schematic design, design development, and community engagement. **Approved as part of the Consent Calendar.**

2.M. CONTRACT AMENDMENTS FOR THE FACILITIES AND FIELD SERVICES DIVISION [S. CAMPBELL, H. COLLINS, E. HAMANT]:

SUBJECT: The Council will consider approving amendments to current Agreements by: extending the terms and increasing the not-to-exceed amounts for providing additional maintenance services as required to operate the new Aquatics and Recreation Center; and extending the terms and increasing the not-to-exceed amounts of on-call services agreements to ensure a seamless continuation of services provided throughout the City's response to the coronavirus (COVID-19) emergency.

ACTION: 1) Approve extending the terms and revising the contract values as follows: a. Extend the terms and increase the not-to-exceed amounts of the Agreements listed in Attachment A with a total increase of \$1,536,443.00 in contracted value relative to the operation of the Aquatics and Recreation Center, b. Extend the terms and increase the not-to-exceed amounts of the Agreements listed in Attachment A with a total increase of \$3,449,891.25 in contracted value for on-call services; and 2) Authorize the City Manager or designee to execute documents incident to the amendments to the Agreements. **Approved as part of the Consent Calendar.**

2.N. APPROVAL OF MOU AGREEMENT WITH LOS ANGELES COUNTY METROPOLITAN TRANSIT AUTHORITY (LACMTA) RELATED TO PROPOSITION A INCENTIVE FUNDS AND THE CITYLINE FIXED ROUTE SHUTTLE SERVICE [C. SCHROEDER, D. GIUGNI, F. GOMEZ, D. NGUYEN]:

SUBJECT: The City Council will consider the approval of an agreement with the Los Angeles County Metropolitan Transit Authority (LACMTA), which will reimburse Proposition A incentive funds for reporting statistics to the National Transit Database (NTD) for the Cityline fixed-route transit program.

ACTION: 1) Approve and authorize the City Manager to execute MOU.PAIWEHO21000 with the Los Angeles County Metropolitan Transit Authority (LACMTA) for Proposition A incentive funds for the reporting of statistical data to the National Transit Database; and 2) Authorize the

Director of Finance to accept \$68,975 reimbursement to the Prop A Operating Account. **Approved as part of the Consent Calendar.**

2.O. AMENDMENT NO. 3 TO THE AGREEMENT FOR PROFESSIONAL SERVICES WITH JOHN L HUNTER & ASSOCIATES FOR ASSISTANCE WITH COMPLIANCE WITH THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT PROGRAM [J. ROCCO, H. DEMITRI, M. MAGENER]:

SUBJECT: The City Council will consider an amending an agreement with John L. Hunter & Associates for professional services for assistance with compliance with the National Pollutant Discharge Elimination System (NPDES) Permit to increase the not-to-exceed amount of the agreement.

ACTION: 1) Approve Amendment No. 3 to the agreement for professional services with John L. Hunter & Associates to increase the amount of the agreement by \$351,000 for a not to exceed amount of \$821,720 for assistance with compliance with the National Pollutant Discharge Elimination System (NPDES) Permit program in the remaining 2-year term of this Agreement; and 2) Authorize the City Manager or designee to execute documents incident to the agreement. **Approved as part of the Consent Calendar.**

2.P. AWARD CONSTRUCTION AGREEMENT TO ALL AMERICAN ASPHALT AND AGREEMENT FOR SERVICES WITH EC & AM ASSOCIATES DBA GK & ASSOCIATES FOR THE MID-CITY, LA BREA AVE, AND SANTA MONICA BLVD PAVEMENT REPAIR PROGRAM, CIP 2103 [J. ROCCO, H. DEMITRI, M. SOLOGUB]:

SUBJECT: The City Council will consider approval of a construction agreement with All American Asphalt to construct Mid-City, La Brea Ave., and Santa Monica Blvd. Pavement Repair Program, CIP 2103, and will consider approval of an agreement for professional services with EC & AM Associates dba GK & Associates for construction management and inspection services.

ACTION: 1) Approve a construction contract with All American Asphalt in the amount of \$1,597,729.00 for the construction of CIP 2103 (84-03 & 84-04), Mid-City, La Brea Ave., and Santa Monica Blvd. Pavement Repair Program, 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 10 % (\$159,773) of the total agreement amount; 3) Adopt Resolution No. 21-5438, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF CIP 2103, MID-CITY, LA BREA AVE, AND SANTA MONICA BLVD PAVEMENT REPAIR PROGRAM, PURSUANT TO GOVERNMENT CODE SECTION 830.6; 4) Make a finding that pursuant to the provisions of the California Environmental Quality Act (CEQA – Public Resources Code, Section 21084 et. Seq.), CIP 2103, Mid-City, La Brea Ave., and Santa Monica Blvd. Pavement

Repair Program, meets the requirements for a categorical exemption in compliance with Article 19, Section 15301, (Class 1 – Existing Facilities); 5) Approve an agreement for services with EC & AM Associates dba GK & Associates in the amount of \$82,118.40 for construction management and inspection services and authorize the City Manager or designee to execute documents incident to the agreement; and 6) Authorize staff to convert the existing stamped colored asphalt concrete crosswalks on Santa Monica Blvd to new high visibility Caltrans-standard continental striped crosswalks. **Approved as part of the Consent Calendar.**

2.Q. AWARD OF AGREEMENT WITH WESTERN AUDIO VISUAL FOR THE WEST HOLLYWOOD PARK PHASE II MASTER PLAN IMPLEMENTATION PROJECT – WEHOTV BROADCAST PRODUCTION STUDIO CONSTRUCTION PROJECT CIP # 09-92-21-0001 [L. BELSANTI, B. WHITE, S. CAMPBELL, H. COLLINS]:
SUBJECT: The City Council will consider awarding an Agreement to Western Audio Visual for the audio-visual equipment installation for the West Hollywood Park WEHOTV Broadcasting Studio Construction Project, CIP 09-92-21-0001 RFP 09-92-21-0001.

ACTION: 1) Adopt Resolution No. 21-5439 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE DESIGN AND PLANS FOR THE WEST HOLLYWOOD PARK PHASE II MASTER PLAN IMPLEMENTATION PROJECT – WEHOTV BROADCAST PRODUCTION STUDIO CONSTRUCTION PROJECT CIP # 09-92-21-0001, PURSUANT TO GOVERNMENT CODE SECTION 830.6; 2) Approve an Agreement with Western Audio Visual for the equipment installation for the West Hollywood Park WEHOTV Broadcasting Studio Construction Project (CIP 09-92-21-0001 / 91-01) in the amount of \$452,254.80 and authorize the Facilities and Recreation Services Department to manage Change Orders to the Agreement in an amount not-to-exceed \$90,450.96 (20% contingency) for a total not-to-exceed contract amount of \$542,705.76; and 3) Authorize the City Manager or designee to execute all documents incident to the Agreement. **Approved as part of the Consent Calendar.**

2.R. SOCIAL SERVICES CONTRACT RENEWALS 2021-22 [C. SCHROEDER, D. GIUGNI, L. ISENBERG]:

SUBJECT: The City Council will consider renewals of Social Services contracts for the third year of the three-year funding cycle (October 1, 2021 – September 30, 2022).

ACTION: 1) Approve the 2021-22 Social Services contract renewals as shown in Attachment A, totaling \$5,540,449; 2) Authorize the City Manager or his designee to execute documents related to the agreements; 3) Approve reprogramming of \$64,915 from the 2020-21 Grant Year: \$25,000 originally intended for non-emergency rental assistance to be provided by NCJW LA, \$6,625 originally intended for substance abuse treatment services to be provided by Awakenings

Recovery, \$2,240 originally intended for immigration clinics to be facilitated by Bet Tzedek Legal Services, \$2,609 originally intended for street based mental health services by the LA LGBT Center, \$5,490 originally intended for street-based services to be provided through the Transgender Economic Empowerment Project, \$485 originally intended to support Step Up on 2nd PEP/PrEP program, \$7,640 originally intended for outreach services to be provided by Tarzana Treatment Center, and \$14,826 originally intended for substance abuse treatment services to be provided by Tarzana Treatment Center. **Approved as part of the Consent Calendar.**

2.S. APPROVAL OF FINAL TRACT MAP NO. 74755 FOR THE CONDOMINIUM PROJECT LOCATED AT 939 SPAULDING AVE [J. ROCCO, H. DEMITRI]:

SUBJECT: The City Council will consider approval of Final Tract Map No. 74755, a subdivision for a twenty-two (22) unit condominium development, located at 939 Spaulding Ave.

ACTION: 1) Make findings for the Final Tract Map as follows: a. That this project will not violate any of the provisions of Sections 66474, 66474.1, and 66474.6 of the Subdivision Map Act, b. That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code, c. That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights of way and/or easements within the subject division of land, pursuant to Section 66436(a)3A(i-viii) of the Subdivision Map Act; 2) Approve Final Tract Map No. 74755; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 74755 the certificate that embodies the approval of said map. **Approved as part of the Consent Calendar.**

2.T. 2022 ARTS GRANT FUNDING RECOMMENDATIONS – ARTS PROJECT, ORGANIZATIONAL DEVELOPMENT, AND TRANSGENDER ARTS INITIATIVE GRANTS [L. BELSANTI, R. EHEMANN, E. ANGELOFF]:

SUBJECT: The Council will consider ratifying recommendations of the Arts and Cultural Affairs Commission for funding the City's 2022 Arts Project, Organizational Development, and Transgender Arts Initiative Grants.

ACTION: 1) Approve recommendations of the Arts and Cultural Affairs Commission to award Arts Project Grants totaling \$73,000 at various funding amounts to ten (10) nonprofit arts organizations as outlined in this staff report; 2) Approve recommendations of the Arts and Cultural Affairs Commission to award Organizational Development Grants totaling

\$12,000 to two (2) arts organizations as outlined in this staff report; 3) Approve recommendations of the Arts and Cultural Affairs Commission to award Transgender Arts Initiative Grants totaling \$18,000 at various funding amounts to three (3) artists as outlined in this staff report; 4) Allow grantees to charge admission or accept donations to offset production costs for performances or projects; 5) Approve the waiver of fees for use of the West Hollywood Library Public Meeting Room (Council Chambers) and other City facilities for specific performances and presentations by grantees in fulfillment of their Art Grant projects as indicated in this staff report. **Approved as part of the Consent Calendar.**

2.U. RECOGNITION OF DISABILITIES AWARENESS MONTH [C. SCHROEDER, D. GIUGNI, L. ISENBERG, J. MITHERS, D. MURRAY]:
SUBJECT: The City Council will recognize October as Disabilities Awareness Month.

ACTION: 1) Proclaim October as Disabilities Awareness Month; 2) Authorize the use of the City name and logo on invitations, programs, and other collateral materials; 3) Direct the Communications Department to utilize all appropriate communications tools to promote Disability Awareness Month events including, but not limited to, the City's website and social media platforms; 4) Direct the Social Services Division to oversee the installation of 35-plus banners along Santa Monica Boulevard that recognize past recipients of the City's Disability Services Awards; 5) Approve the Disability Service Awards to be presented virtually at a televised meeting of the Disabilities Advisory Board on Wednesday, October 27, 2021; and 6) Waive parking enforcement of the three-hour parking restrictions until 1pm at Plummer Park on Thursday, October 21, 2021, for the flu vaccination clinic. **Approved as part of the Consent Calendar.**

2.V. COMMUNITY AND LEGISLATIVE AFFAIRS DIVISION STAFFING [Y. QUARKER, S. SCHUMACHER]:

SUBJECT: The City Council will consider the recommendation from the Human Resources Division for approval of several changes related to staffing in the Community and Legislative Affairs Division.

ACTION: 1) Approve a new position titled Community Programs Coordinator within the Community and Legislative Affairs division, including the job specification, and authorize salary placement at Grade 5280e; 2) Approve the revised Community Events Coordinator job specification (Grade 5280e) and job title to Community Programs Coordinator, within the Community and Legislative Affairs division. No change of salary placement; and 3) Approve the reclassification of the Community Affairs Coordinator to Community Programs Coordinator within the Community and Legislative Affairs Division. Authorize salary placement from Grade 5270e to 5280e. **Approved as part of the Consent Calendar.**

2.W. PROCLAMATION OF OCTOBER 2021 AS NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH [J. LEONARD, H. MOLINA, L. FOOKS, K. COOK, C. SCHROEDER, D. GIUGNI]:

SUBJECT: The West Hollywood City Council will consider recognizing October as National Domestic Violence Awareness Month.

ACTION: 1) Proclaim October 2021 as National Domestic Violence Awareness Month; 2) Direct the Public Works Department to light the City's lanterns over Santa Monica Boulevard in the color purple to recognize National Domestic Violence Awareness Month from October 3-10, 2021; 3) Authorize the use of the City name and logo on digital collateral materials with partner agencies focused on domestic violence/intimate partner violence issues and services; and 4) Direct the Communications Department to utilize all appropriate communications tools to raise awareness about National Domestic Violence Awareness Month, including sharing resources via social media platforms. **Approved as part of the Consent Calendar.**

2.X. RESOLUTION ADOPTING AN AMENDMENT TO RENT STABILIZATION REGULATION 42000 RELATING TO THE FORMULA FOR CALCULATING INTEREST ON SECURITY DEPOSITS [C. SCHROEDER, J. HOLUB, Y. SPITERI]:

SUBJECT: The City Council will consider an amendment to Rent Stabilization Regulation 42000 relating to the formula for calculating interest on security deposits for rent stabilized tenancies.

ACTION: Adopt Resolution 21-5440 " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING RENT STABILIZATION REGULATION 42000." **Approved as part of the Consent Calendar.**

2.Y. ONLY YES MEANS YES SEXUAL ASSAULT AWARENESS CAMPAIGN [J. D'AMICO, S. SHYNE, J. LEONARD]:

SUBJECT: Consider directing staff to expand the Only Yes Means Yes Sexual Assault Awareness Campaign, which was originally approved by the City Council in January 2016 and focused on outreach within West Hollywood's restaurants and bars.

ACTION: 1) Direct staff to expand the Only Yes Means Yes Sexual Assault Awareness Campaign, focusing on outreach within and nearby West Hollywood's restaurants and bars; 2) Direct the Women's Advisory Board to continue to provide input and guidance on the Only Yes Means Yes campaign, including the new aspects added via this staff report; 3) Direct the Communications Department to utilize all appropriate communication tools to promote the campaign including, but not limited to, the City's website, a press release, and social media tools; and 4) Authorize the Director of Finance & Technology Services to allocate \$5,000 from budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with the campaign. **Approved as part of the Consent Calendar.**

2.Z. A RESOLUTION IN RECOGNITION OF OVARIAN CANCER AWARENESS MONTH [J. ERICKSON, J. LEONARD, A. LOVANO]:
SUBJECT: The City Council will consider adopting a resolution in recognition of Ovarian Cancer Awareness Month. The City will light City Hall and the lanterns on Santa Monica Boulevard in teal in recognition of Ovarian Cancer Awareness Month.

ACTION: 1) Approve City Council Resolution No. 21-5441 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN RECOGNITION OF OVARIAN CANCER AWARENESS MONTH”; 2) Direct the Facilities & Field Services Division to use special teal lighting at City Hall and the Engineering Division to turn the lanterns on Santa Monica Boulevard teal in recognition of Ovarian Cancer Awareness Month from September 24 through September 30; and 3) Direct the Communications Department to utilize all appropriate communication tools to inform the public about Ovarian Cancer Awareness Month, such as the City’s social media tools. **Approved as part of the Consent Calendar.**

2.AA. A RESOLUTION IN SUPPORT OF FREEDOM FOR POLITICAL PRISONERS IN IRAN AND CONDEMNING THE ACT OF HONOR KILLINGS [L. HORVATH, S. SHYNE, J. LEONARD, A. LOVANO]:
SUBJECT: The City Council will consider adopting a resolution in support of freedom for political prisoners in the Islamic Republic of Iran and condemning the act of honor killings.

ACTION: Approve Resolution No. 21-5442 “A RESOLUTION IN SUPPORT OF FREEDOM FOR POLITICAL PRISONERS IN THE ISLAMIC REPUBLIC OF IRAN AND CONDEMNING THE ACT OF HONOR KILLINGS.” **Approved as part of the Consent Calendar.**

2.BB. A RESOLUTION DENOUNCING THE TEXAS LAW BANNING MOST ABORTIONS AFTER SIX WEEKS OF PREGNANCY (SB 8) AND IMPOSING FINANCIAL SANCTIONS UNTIL SUCH TIME AS THE NEW LAW IS REVOKED AND DECLARING THE CITY OF WEST HOLLYWOOD A SAFE HARBOR FOR REPRODUCTIVE FREEDOM [S. SHYNE, L. HORVATH, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider adopting a resolution to denounce the Texas abortion law, Senate Bill (SB) 8, banning most abortions after six weeks of pregnancy and to impose financial sanctions on Texas-based businesses until such time as the new law is revoked, amended, or struck down by the courts. The resolution will also declare the City of West Hollywood a safe harbor for reproductive freedom.

ACTION: 1) Adopt Resolution No. 21-5443, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENOUNCING THE TEXAS LAW BANNING MOST ABORTIONS AFTER SIX WEEKS OF PREGNANCY (SB 8), DEVELOPING ADDITIONAL FINANCIAL SANCTIONS UNTIL SUCH TIME AS THE NEW LAW IS REVOKED, AND

DECLARING THE CITY OF WEST HOLLYWOOD A SAFE HARBOR FOR REPRODUCTIVE FREEDOM”; 2) Direct staff to send signed copies of the adopted resolution to President Joe Biden, California Senators Dianne Feinstein and Alex Padilla, and others as deemed appropriate; 3) Direct the City Manager, City Attorney, and City Clerk to review all current and likely future contracts with businesses headquartered in Texas in order to examine the feasibility of procuring products and services elsewhere until such time as the anti-abortion laws are revoked, amended, or struck down by the courts; 4) Authorize the City Attorney, at the City Attorney’s discretion and authority, to join the City of West Hollywood as amicus support (friends of the court) when requested in cases challenging laws that restrict abortion rights and access; and 5) Authorize the City to participate in a convening of pro-choice cities in the Los Angeles region.
Approved as part of the Consent Calendar.

2.CC. (4.C.) RATIFICATION OF EXECUTIVE ORDER NO. 2021-7 OF THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF WEST HOLLYWOOD, IMPLEMENTING COVID-19 VACCINE VERIFICATION REQUIREMENTS FOR CITY FACILITIES, COVERED BUSINESSES, CITY CONTRACTORS, CITY EMPLOYEES AND CITY OFFICIALS [L. LANGER, D. WILSON, O. DELGADO, J. JIMENEZ, Y. QUARKER, J. ROCCO, D. RIVAS, S. MARTINEZ, K. COOK, C. SMITH]:

SUBJECT: The City Council of the City of West Hollywood (“City”) will consider ratifying Executive Order No. 2021-7, implementing COVID-19 vaccine verification requirements for City facilities, covered businesses, City contractors, City employees and City officials, and will consider providing additional direction to staff on requirements for events and other related topics.

ACTION: Adopt Resolution No. 21-5444 “RATIFYING EXECUTIVE ORDER NO. 2021-7 OF THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA IMPLEMENTING COVID-19 VACCINE VERIFICATION REQUIREMENTS FOR CITY FACILITIES, COVERED BUSINESSES, CITY CONTRACTORS, CITY EMPLOYEES AND CITY OFFICIALS.”
Approved as part of the Consent Calendar.

2.DD. (5.D.) DEVELOPMENT OF PRE-TRIAL PROGRAMS IN WEST HOLLYWOOD [L. HORVATH, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to further explore the development of pre-trial programs to serve the West Hollywood community.

ACTION: 1) Direct staff, led by the Social Services Division, to work with community partners to further explore the development of pre-trial programs to serve West Hollywood community members – including program development, potential agency partners, and budget; and 2) Present findings and analysis to the Human Services Commission before

returning to City Council with recommendations. **Approved as part of the Consent Calendar.**

2.EE. (5.E.) SMALL BUSINESS INITIATIVE TO CREATE AFFORDABLE COMMERCIAL SPACES IN NEW COMMERCIAL AND MIXED-USE PROJECTS [L. MEISTER, S. SHYNE, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider developing a new policy that requires a mandatory, affordable commercial space component in any new commercial or mixed-use development that requests a development agreement, specific plan, or other commercial bonus (mixed-use, public benefits, overlay bonuses, Avenues Bonus, etc.) that would result in additional gross floor area beyond base zoning code allowances.

ACTION: 1) Direct staff to develop a policy to require a mandatory affordable commercial small business or non-profit oriented component in any new commercial or mixed-use development that requests a development agreement, specific plan, or other allowable commercial bonus that would result in additional gross floor area beyond base zoning code allowances; a. Direct staff to work with the City Attorney to confirm, based on state law, under what circumstances this policy can be applied, b. Direct staff to determine a minimum percentage for a mandatory affordable commercial space component and, if appropriate, create a sliding scale based upon the amount of overall commercial square footage in the project; 2) Direct the City Manager's office to work with stakeholders and experts in the business community, including but not limited to the local Association of Realtors®, West Hollywood Chamber of Commerce, Los Angeles LGBTQ Chamber of Commerce, BizFed, the Business Recovery Task Force (when formed) to do the following: a. Determine a specific affordable commercial lease rate based on a not to exceed 50% to 70% of the median gross lease rate for each of the city's diverse eco-districts (e.g., Santa Monica Boulevard west of La Cienega, Santa Monica Boulevard between La Cienega Blvd. and Fairfax, Santa Monica Boulevard. east of Fairfax, Sunset Boulevard, and Melrose Avenue), b. Establish an annual indexed rate for lease renewals to ensure affordability is maintained, c. Determine eligibility requirements for tenants to qualify as a "lower income" small business based on gross revenues (also taking into consideration industry, number of employees, non-profit status, and minority status, e.g. women-owned, BIPOC-owned, and LGBTQ-owned small businesses), d. Develop and formalize a small business gap registry to identify key community serving businesses that either are absent from or not evenly dispersed throughout the city, e. Establish criteria for what constitutes a small business and provide a resource to match up landlords and property managers with those interested in opening a small business or non-profit in the City of West Hollywood, f. Generate and regularly update a city listing and location mapping of the affordable commercial spaces created as a result of this new requirement; and 3) Direct the City Manager's office to work with the City Attorney to evaluate any other legal questions that may arise. **Approved as part of the Consent Calendar.**

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The City Council recessed at 8:07 p.m. and convened as the Successor Agency (see Successor Agency Agenda and Minutes for Actions taken). The Successor Agency recessed at 8:15 p.m. and reconvened as the City Council.

The City Council took a recess at 8:15 p.m. and returned at 8:30 p.m.

3. PUBLIC HEARINGS: None.

4. UNFINISHED BUSINESS:

4.A. UPDATE ON THE EVICTION MORATORIA AND UTILIZATION OF WEST HOLLYWOOD EMERGENCY FUNDS IN RESPONSE TO COVID-19 [C. SCHROEDER, L. ISENBERG, D. MURRAY, J. HOLUB, D. WILSON, J. JIMENEZ, L. LANGER]:

SUBJECT: The City Council will receive an update on the eviction moratoria and the utilization of West Hollywood emergency funds in response to COVID-19 since the declaration of a local emergency on March 16, 2020; Council will also consider additional direction and an allocation of additional emergency funds for Eviction Prevention and Defense Legal Services.

Rent Stabilization & Housing Manager Jonathan Holub provided background information as outlined in the staff report dated September 20, 2021.

Mayor Pro Tempore Shyne inquired about the City's ability to extend the State's and County's eviction moratoria. Mr. Holub responded to this inquiry.

Social Services Manager David Giugni introduced Social Services Program Administrator Derek Murray who provided background information on the contract amendment for Bet Tzedek.

Mr. Giugni provided information on the City's rental assistance programs and touched upon the revisions.

KARIN DELA PENA, WEST HOLLYWOOD, spoke in support of extending the eviction moratorium.

LYNN JORDAN, WEST HOLLYWOOD, spoke in support of extending the no-fault eviction moratorium.

CHARLES, WEST HOLLYWOOD, spoke about his personal experiences with Housing is Key, as well as EDD and the challenges with the disbursement of funds.

MICHAEL WOJTKIELEWICZ, WEST HOLLYWOOD, spoke about the inequality of eviction relief being given to privileged businesses and not to lower wage residents.

Mr. Giugni and Mr. Holub responded to some of the comments expressed by the public.

Councilmember Horvath supports staff recommendations in extending the eviction moratorium until the end of the year.

Councilmember D'Amico asked some clarifying questions including the number of people who have utilized the grants. Mr. Giugni responded to the inquiries. He expressed his support of extending the moratorium through January 2022.

Mayor Pro Tempore Shyne briefly touched upon the commercial eviction moratorium and proposed incentivizing repayment. Assistant to the City Manager Janet Jimenez stated that the City has not heard much from commercial businesses desiring these services.

Mayor Meister further inquired about the number of residents we anticipate that may need a 6th grant for rental assistance. Mr. Giugni responded to this inquiry. She asked City Attorney Langer if we can legally extend the eviction moratoria through January 31, 2022. Ms. Langer indicated that non-payment of rent is covered by State law through March 2022; therefore, this recommendation would essentially be a continuation of programs in place since April 2020. She further indicated that there should be an end date for the programs, but the end date is at the Council's discretion. Additionally, she commented that if the County does not extend its eviction protections that the City Council may extend through the end of January.

Councilmember Horvath motions to move staff recommendations, extend the local moratorium through January 31, 2022, and investigate incentives for commercial tenancies.

ACTION: 1) Review and approve staff's revisions to the structure of the City's COVID-19 Rental Assistance Programs; 2) Approve Amendment 8 to the agreement for services with Bet Tzedek Legal Services to increase the amount by \$73,978 for a total not-to-exceed amount of \$707,187 to provide legal representation to all tenants facing eviction through March 31, 2022, and authorize the City Manager or designee to execute all documents incident to the agreement; 3) Authorize the Director of Finance & Technology Services to allocate \$73,978 from General Fund Reserves dedicated to Emergency Contingencies for eviction prevention and defense and related services; 4) Allow the City's commercial eviction moratorium to sunset on September 30, 2021; 5) Direct the City Manager

on whether, if County eviction protections unrelated to nonpayment of rent are not extended, maintain continuity of existing County eviction protections by Emergency Executive Order after existing County protections sunset on September 30, 2021; 6) Extend the eviction moratoria through January 31, 2022; 7) Investigate incentives for commercial tenancies; and 8) Any Emergency Executive Order would come back to City Council in October for ratification. **Motion by Councilmember Horvath, seconded by Councilmember Erickson, and approved.**

4.B. HOUSING ELEMENT UPDATE: DRAFT ELEMENT [J. KEHO, R. EASON, R. DIMOND, B. LEAGUE, A. BARTLE]:

SUBJECT: The purpose of this report is to provide the City Council with the latest draft of the Housing Element Update (Attachment A) and Technical Background Report (Attachment B). Staff requests feedback from the City Council before staff submits the draft Housing Element Update to the California Department of Housing and Community Development (HCD). This 60 day review by HCD is the next legally required step before review and adoption of the plan by the Planning Commission and City Council prior to the February 2022 adoption deadline.

Senior Planner Rachel Dimond provided background information as outlined in the staff report dated September 20, 2021.

Rincon Consultant Sarah Howland, Veronica Tam of Veronica Tam and Associates, and Rincon Consultant Ryan Russell presented information on the various aspects of the Draft Housing Element.

ADAM KROLL, WEST HOLLYWOOD, spoke on the continued inclusivity in the City and being more aware of our lower income category.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding SB 9 and lower-income areas of the City not having the same focus in the Draft Housing Element. He also touched upon the retrofitting of various buildings in the City as well as addressing the City's aging housing stock.

MICHAEL WOJTKIELEWICZ, WEST HOLLYWOOD, spoke on the shortage of affordable housing and the lack of data on unhoused residents.

Councilmember Erickson asked staff to summarize SB 9 as mentioned by Mr. Omelczenko. Senior Planner Dimond responded.

Councilmember D'Amico pointed out that SB 9 allows single lots to be divided into two lots. However, the City's current Code would consider these substandard lots as well as the challenges with FAR that wasn't

addressed in the legislation. He suggested that these items should be covered in the Housing Element in more depth. He also requested an expansion of the Housing Element that includes the City's unhoused population.

Ms. Dimond commented that staff will return prior to February 2022 with the Housing Element after staff receives comments from HCD.

Mayor Meister indicated that there is a lack of tie-in of possible impacts such as a lack of water due to a drought, in the Housing Element. She also provided several suggestions on what can be included in various sections of the Housing Element, the timeline, or goals. Lastly, she commented that she is not in favor of unbundling tenant parking unless it's in a commercial area. She does not want to use this practice in residential areas; however, if parking is unbundled in a residential project, residential tenant spaces should remain for residential use.

Councilmember Horvath briefly touched upon our aging housing stock and aligning density in commercial corridors. She also commented that the municipal code is not clear and causes confusion. She suggested looking at opportunities for densification in the City. Finally, she noted that we need to define what density means.

Councilmember Erickson expressed concern about future housing density, the need for community conversations about density bonuses, and how homelessness was not discussed in the report. He also noted that HCD will comment on several items in the draft housing element.

Mayor Pro Tempore Shyne noted that the central focus is that there is a severe lack of affordable housing. She further commented that community outreach about parts of the housing element after it is finalized because there will be lots of development, and the public needs to be educated as to what we are doing and why. Finally, she noted that vacant properties and short-term rentals are an ongoing issue that needs to be addressed.

Mayor Meister motioned to direct staff to submit to the draft Housing Element to HCD.

ACTION: Submit the draft Housing Element to HCD. **Motion by Mayor Meister, seconded by Councilmember D'Amico, and approved noting the "no" vote of Councilmember Erickson.**

4.C. RATIFICATION OF EXECUTIVE ORDER NO. 2021-7 OF THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF WEST HOLLYWOOD, IMPLEMENTING COVID-19 VACCINE VERIFICATION REQUIREMENTS FOR CITY FACILITIES, COVERED

BUSINESSES, CITY CONTRACTORS, CITY EMPLOYEES AND CITY OFFICIALS [L. LANGER, D. WILSON, O. DELGADO, J. JIMENEZ, Y. QUARKER, J. ROCCO, D. RIVAS, S. MARTINEZ, K. COOK, C. SMITH]:
SUBJECT: The City Council of the City of West Hollywood ("City") will consider ratifying Executive Order No. 2021-7, implementing COVID-19 vaccine verification requirements for City facilities, covered businesses, City contractors, City employees and City officials, and will consider providing additional direction to staff on requirements for events and other related topics.

ACTION: This Item was moved to the Consent Calendar.

5. NEW BUSINESS:

5.A. DISCUSSION REGARDING RETURNING TO IN-PERSON HYBRID CITY COUNCIL MEETINGS [D. WILSON, L. LANGER, Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will discuss returning to in-person City Council meetings in a hybrid format.

City Clerk Melissa Crowder provided background information as outlined in the staff report dated September 20, 2021.

Mayor Pro Tempore Shyne commented that she is in favor of returning to in person meetings safely. She suggested increasing the recommended positivity rate from 1% to 1.5%. She would like the Commissions and Advisory Boards to reconvene as well once fully vaccinated.

Mayor Meister inquired what the current positivity rate is in the County. Ms. Crowder responded that it is 1.2%. She further commented that in June we were at 0.8% and in July we were at 4.8%. Mayor Meister commented that she does not want to be in-person with masks and would prefer that the City's Commissions and Advisory Boards wait a few months after Council returns.

Councilmember Erickson concurred with Mayor Pro Tempore Shyne and suggested using N95 masks as well as social distancing at the dais.

Councilmember Horvath commented that she would like guidance from the Los Angeles County Department of Public Health for these types of meetings.

Mayor Pro Tempore Shyne suggested the possibility of barriers between the Councilmembers at the dais.

Mayor Meister inquired from City Manager Wilson's perspective how he and staff feel returning to in-person meetings. He stated that staff will return with information at the next meeting. City Manager Wilson

suggested a two-week period of 1.5% or lower positivity rate before an in-person meeting. He confirmed that the only public meeting space that can accommodate hybrid meetings is Council Chambers due to a lack of infrastructure for teleconference meetings.

Councilmember D'Amico motioned that staff begin the process of returning to in-person meetings, return at the October 4 City Council meeting with an item outlining next steps and information from Los Angeles County Department of Public Health, and postpone on a decision on the City's Commissions and Advisory Boards once the City Council has met in-person for 30-45 days.

ACTIONS: 1) Return to in-person City Council meetings in a hybrid format when the COVID-19 positivity rate is under 1.5% for two consecutive weeks; 2) Approve the COVID-19 safety protocols outlined in Attachment A for members of the public to attend in-person meetings; 3) Direct staff to begin the process of returning to in-person meetings; 4) Return at the October 4 City Council meeting with an item outlining next steps and information from the Los Angeles County Department of Public Health; 5) Postpone the decision on when the City's Commissions and Advisory Boards will return to in-person meetings once the City Council has met in-person for 30-45 days with quasi-judicial Commissions returning first and other Commissions and Advisory Boards beginning early 2022; and 6) Investigate the addition of barriers/plexiglass at the dais. **Motion by Councilmember D'Amico, seconded by Councilmember Erickson, and approved.**

5.B. CLARIFY AND AMEND PROCEDURES FOR SELECTION AND RETENTION OF ASSISTANT/DEPUTY CITY MANAGERS AND DEPARTMENT HEADS [L. MEISTER, J. D'AMICO]:

SUBJECT: The City Council will consider modifying the current personnel procedures for selecting and retaining executive staff members – including Assistant City Managers, Deputy City Managers, and Department Directors – to include consent and approval by the City Council.

Councilmember Horvath inquired if there was a specific problem that this item seeks to address. Mayor Meister and Councilmember D'Amico responded. Councilmember Horvath indicated that she has not had an issue with the way the current or previous City Manager handled hiring or terminating executive staff members. She does not agree with the Item.

Mayor Pro Tempore Shyne and Councilmember Erickson expressed their reservations with the recommendation and indicated that they do not support the Item.

ACTION: This Item was Tabled to a Date Uncertain.

- 5.C. EFFORTS TO FURTHER PROMOTE TRANSPARENCY, ETHICS, AND PUBLIC TRUST [S. SHYNE, J. ERICKSON, J. LEONARD, A. LOVANO]:**
SUBJECT: The City Council will consider several measures to further promote transparency, ethics, and public trust, including directing the City Attorney to draft amendments to the “revolving door” ordinance, directing the Ethics Reform Task Force to renew discussions related to the City’s lobbyist ordinance and enforcement, and discontinuing two City Agreements for Services with the West Hollywood Chamber of Commerce.

Mayor Pro Tempore Shyne provided background information as outlined in the staff report dated September 20, 2021.

Councilmember Erickson further expanded on the intent of the item.

GENEVIEVE MORRILL, WEST HOLLYWOOD, spoke in opposition to the item.

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

NICK RIMEDIO, WEST HOLLYWOOD, spoke in opposition to the Item.

JACKIE SUBECK, WEST HOLLYWOOD, spoke in support of the Item.

JORDAN DAVID, WEST HOLLYWOOD, spoke in support of the Item.

The City Council Tabled Item 5.F. due to the time

Mayor Meister asked that the City Council consider the Item as two separate Item. The City Council considered Recommendations 1-3 as one discussion and Recommendations 4, 5, and 6 as the other discussion.

Councilmember D’Amico inquired if the recommendation regarding the prohibition on lobbying from one year to four years is too long. He agrees with removing the non-profit exception in the Municipal Code.

Councilmember Horvath inquired if the non-profit exemption is included in State law. Mayor Pro Tempore Shyne responded. She inquired if any former Councilmembers are registered lobbyists with the City. City Clerk Crowder responded. She indicated that she agrees with Recommendations 1-3 and indicated that clarifying the definition of lobbyist is important since it has caused confusion in the past.

Councilmember Erickson shared the rationale for increasing the timeframe from one to four years.

Mayor Meister stated she does not believe a lobbyist should be a campaign manager and vice versa. She requested that all Commissioners be subject to the Revolving Door Ordinance, or at minimum any quasi-judicial Commissions.

City Attorney Langer advised that a revolving door policy is reasonable as long as it is tailored to address a problem.

Councilmember D'Amico requested a separate vote on the number of years.

Motion by Councilmember Shyne, seconded by Councilmember Erickson to approve Recommendations 1-3, except the number of years. *Motion passes unanimously.*

Motion by Councilmember D'Amico, seconded by Mayor Meister to amend the cooling off period to two years. Yes – D'Amico, No – Erickson, No – Horvath, No – Shyne, and Yes – Meister. *Motion fails.*

Motion by Councilmember Erickson, seconded by Councilmember D'Amico to amend the cooling off period to four years. *Motion passes unanimously.*

The City Council begins the discussion for Recommendations 4-6.

Councilmember D'Amico expressed concern with applying this to one organization and not all organizations that have similar relationships with the City.

Mayor Pro Tempore Shyne and Councilmember Erickson clarified that the item is focused on public trust and transparency regarding the use of public funds.

Mayor Meister commented that the Item seems to target the Chamber of Commerce and would prefer a broader policy discussion on several topics related to ethics and transparency.

Councilmember Horvath commented on the questions regarding the use of public funds. She spoke regarding recent issues. She also indicated that a more appropriate time for this discussion is during the budget process.

Councilmember Erickson inquired if Councilmember Horvath is amenable to directing staff to inquire what organizations are able to provide the services these contracts.

Motion by Councilmember D'Amico, seconded by Mayor Meister to Table this until the next budget discussion, direct staff to audit the contract, direct staff to report back in 90 days, and start looking at other organizations that can provide these services.

ACTION: 1) Direct the City Attorney to draft an amendment to the “revolving door” ordinance, Municipal Code Section 2.72.090 Post-Employment Lobbying to: a. Increase the period of time the restrictions are in place from one year to a period of time up to four years, b. Remove the exemption for an individual lobbying on behalf of a nonprofit organization, c. Update the list of “designated employees and officials”, for the purposes of this section, to include the City Council, members of the Planning Commission, and employment categories including manager positions and higher in the organization; 2) Return to City Council within 30 days with a draft ordinance for consideration; 3) Direct the Ethics Reform Task Force to renew discussions related to the City’s lobbyist ordinance, specifically the definition of “lobbyist” and the enforcement of the local lobbyist ordinance, including a potential partnership with the FPPC; 4) Table the Chamber contract discussion until the next budget discussion; 5) Direct staff to audit the contracts; 6) Direct staff to report back in 90 days; and 7) Direct staff to research and evaluate other potential business organizations that the City could partner with to provide outreach to the West Hollywood business community, marketing and promotion of the business community, and educational programming.
Motion by Mayor Pro Tempore Shyne, seconded by Councilmember Erickson, and approved.

5.D. DEVELOPMENT OF PRE-TRIAL PROGRAMS IN WEST HOLLYWOOD [L. HORVATH, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to further explore the development of pre-trial programs to serve the West Hollywood community.

ACTION: This Item was moved to the Consent Calendar.

5.E. SMALL BUSINESS INITIATIVE TO CREATE AFFORDABLE COMMERCIAL SPACES IN NEW COMMERCIAL AND MIXED-USE PROJECTS [L. MEISTER, S. SHYNE, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider developing a new policy that requires a mandatory, affordable commercial space component in any new commercial or mixed-use development that requests a development agreement, specific plan, or other commercial bonus (mixed-use, public benefits, overlay bonuses, Avenues Bonus, etc.) that would result in additional gross floor area beyond base zoning code allowances.

ACTION: This Item was moved to the Consent Calendar.

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5.F. LGBTQIA+ COMMISSION [J. D'AMICO, J. LEONARD]:

SUBJECT: The City Council will consider directing city staff and the Lesbian and Gay Advisory Board (LGAB) and Transgender Advisory Board (TAB) to explore the creation of a new Commission representing the LGBTQIA+ community. Staff will conduct research and provide various options and considerations to LGAB and TAB for feedback and return to the Council with recommendations within 60 days.

ACTION: This Item was Tabled to October 4th.

EXCLUDED CONSENT CALENDAR: None.

6. LEGISLATIVE: None.

PUBLIC COMMENT:

SHANE IVAN NASH, WEST HOLLYWOOD, spoke to thank Mayor Horvath and congratulated Mayor Meister and Mayor Pro Tempore Shyne. He also spoke in support of preserving the Transgender Advisory Board and in opposition to Item 5.F.

COUNCILMEMBER COMMENTS:

Councilmember Erickson congratulated Mayor Meister.

ADJOURNMENT: The City Council adjourned at 12:15 a.m. in memory of Marvin Keller, Isabella Maggio, Bahman Homayoonfar, Charlotte Banta, Jonathan Craig Schoonover, Roberto Quijano Sr., Victoria Ann (Walkup) Jensen, Marv Auerbach, Joan Kelly Wells, Maxine Nieberg Heller, Archbishop Carl Bean, Gloria Rendon, Michael Epstein, Marine Corps Lance Cpl. Rylee McCollum, Marine Corps Lance Cpl. Jared Schmitz, Marine Corps Lance Cpl. David Espinoza, Navy Hospital Corpsman Max Soviak, Marine Corps Cpl. Hunter Lopez, Marine Corps Lance Cpl. Kareem Nikoui, Marine Corps Staff Sgt. Taylor Hoover, Marine Corps Cpl. Daegan William-Tyeler Page, Army Staff Sgt. Ryan Knauss, Marine Corps Sgt. Johanny Rosario, Marine Corps Cpl. Humberto Sanchez, Marine Corps Sgt. Nicole Gee, Marine Corps Lance Cpl. Dylan R. Merola, and Shaun Joseph Bourget to its next regular meeting, which will be on Monday, October 4, 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 4th day of October, 2021 by the following vote:

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

DocuSigned by:

LAUREN MEISTER

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LAUREN MEISTER, MAYOR

ATTEST:

DocuSigned by:

Melissa Crowder, City Clerk

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MELISSA CROWDER, CITY CLERK