

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, DECEMBER 6, 2021
REGULAR TELECONFERENCE MEETING**

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

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

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

PLEDGE OF ALLEGIANCE: Andrew Solomon led the Pledge of Allegiance.

ROLL CALL:

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

ABSENT: None.

ALSO PRESENT: City Manager Wilson, City Attorney Langer, City Clerk Crowder, and Assistant City Clerk Poblador.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Langer reported that the Closed Session was called to order at 5:30 p.m. She stated that there was no public comment, no items added to the agenda, and that there were no reportable actions taken by the Council. The Closed Session adjourned at 5:56 p.m.

APPROVAL OF AGENDA:

City Clerk Crowder stated that staff is requesting that Item 4.C. be Tabled.

Councilmember Erickson requested that Item 5.A. be moved to the Consent Calendar as Item 2.P.

Motion by Councilmember D’Amico, seconded by Mayor Meister, to approve the December 6, 2021 Agenda as amended, and approved.

ADJOURNMENT MOTIONS:

Councilmember Erickson requested that the meeting be adjourned in memory of students slain in the Michigan school shooting: Madisyn Baldwin, 17; Tate Myre, 16; Hana St. Juliana, 14; and Justin Shilling, 17.

Mayor Pro Tempore Shyne requested that the meeting be adjourned in memory of Arthur Berg.

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Mayor Meister requested that the meeting be adjourned in memory of Barbara Krupa, Margaret Nichiporuk, and Bob Dole.

PRESENTATIONS:

Councilmember Erickson presented a Proclamation to Jeffrey Drew in recognition of his documentary, *Right to Try*, which chronicles his life as an HIV survivor, activist, and his pursuit to find a cure for the disease.

1. PUBLIC COMMENT:

ROBERT ALLEMAN, WEST HOLLYWOOD, spoke in opposition to Item 2.F.

KALI ROGERS, WEST HOLLYWOOD, spoke in support of Item 2.N.

JEFFREY BARTON, WEST HOLLYWOOD, spoke of a few instances of break-ins and thefts in his residential building.

CHRISTINA OVERGARD, WEST HOLLYWOOD, spoke to request further clarification on the minimum wage ordinance.

GABE EISNER, WEST HOLLYWOOD, spoke in opposition to Item 2.F.

ANDREW SOLOMON, WEST HOLLYWOOD, spoke in support of Item 2.N.

NANCY MANCINI, WEST HOLLYWOOD, spoke in support of Item 2.N.

WALTER SCHILD, WEST HOLLYWOOD, spoke to request further clarification on the minimum wage ordinance.

ADAM DARVISH, WEST HOLLYWOOD, spoke in support of Item 2.M.

DRIAN JUAREZ, WEST HOLLYWOOD, spoke in support of Item 2.J.

JORDAN DAVID, WEST HOLLYWOOD, spoke to request a land acknowledgement at the beginning of each City Council meeting.

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

Mayor Pro Tempore Shyne hoped everyone had a good holiday. She expressed concern with the handling of an alleged sexual assault victim by the Los Angeles County Sheriff's Department and Cedars Sinai Emergency Department. She spoke about the congressional redistricting process. She noted that Map F-2 splits West Hollywood into two separate districts and removes the City from the Westside Cities Council of Government. She commented that Map B-3 is best; however, Map F-1 is an acceptable alternative. She encouraged interested parties to visit publiccomment.redistricting.lacounty.gov by 5:00 p.m. Tuesday, December 7th if

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community members would like to learn more and comment prior to the meeting. She thanked Councilmember D'Amico for co-sponsoring Item 5.A. regarding text communications. She reported on her attendance at the National League of Cities City Summit 2021, a tour of the Ascencia Homeless Shelter, the Creative Business Awards, "Saturdays with John" in Plummer Park, Transgender Day of Remembrance (TDOR), West Hollywood Pride Subcommittee meeting, Victory Institute LGBTQ Leaders Conference in Washington DC where she spoke on a panel about housing and homelessness.

Councilmember Horvath commented on Item 2.I. and inquired when staff will implement the recommendations. For Item 5.A., she inquired how we determined the \$15,000 allocation for the program. She noted that she is working with the City Manager regarding her comments for the November 15 City Council meeting which focused on community safety. She requested information from the City Manager or Captain Ramirez regarding recent incidents that have gotten attention; however, a lot of misinformation is being shared on social media that she would like clarified. She attended the National League of Cities City Summit 2021 where she attended the Board of Directors Meeting and Women in Municipal Government event. She represented the WSCCOG at SCAG Transportation Committee meeting, the Clean Power Alliance Board of Directors meetings, Liability Trust Fund Claims Board and Oversight Committee board meetings, and represented the City at the LA Marathon. She congratulated staff and business leaders for West Hollywood's Most Business-Friendly City Award. She also thanked staff for this year's Veterans Day programming and great participation by the community. She represented the City at the In Gratitude Citizens Climate Lobby Conference as well as the Wall Las Memorias event. She congratulated the nominees and award winners for the Chamber of Commerce's Creative City's Awards, as well as David Cooley for the lifetime achievement award. She reported on attendance at Cal-CCA annual meeting and World AIDS Day events. Finally, she reported her attendance at the City of Justice Lane awards, where West Hollywood received national recognition on the work the City is doing with minimum wage.

Councilmember D'Amico attended TDOR and a few World AIDS Day events. He requested an item or update on the progress of implementing the City's minimum wage ordinance and timelines. He expressed concern with recent incidents involving drugging at establishments in the City. He offered his assistance to liase with Rape Treatment Center, City staff, and West Hollywood Sheriff's personnel. He requested that Captain Ramirez provide information to the City Council this evening.

Councilmember Erickson suggested that those individuals who commented under public comment regarding labor contracts visit [NLRB.gov](https://www.nlrb.gov) for more information. He mentioned the groundbreaking of the French Market Place on Thursday, December 9th and encouraged community members to attend. He highlighted an upcoming panel event for the Human Rights Speaker Series discussing the documentary *Pray Away: LGBTQ Identity, Spirituality, and Liberation* on Wednesday, December 8 at Noon as well as the Green City Awards. He thanked Hunter Haliniak from Gym Bar, who he presented a Proclamation to honoring the opening of Gym Bar. He wished the community a happy belated Thanksgiving and Hannukah. He congratulated the honorees of the Warrior

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Awards and noted his attendance at several World AIDS Day events. He was on a panel entitled, "How to Get Involved in Politics" at USC, National League of Cities City Summit 2021, the CCA Legislative Committee, and the Women's Coalition TransGiving event. He thanked those who came out to his Saturday at Plummer Park event, and he has another this coming Saturday. He attended SCAG 12th Annual Southern California Summit as well as the City of Justice Lane awards. He announced that registration for #BOOM. He congratulated the awardees of the Chamber of Commerce Creative Business Awards. Finally, he also expressed concern with the handling of the alleged sexual assault victim as well as community member fears of reporting incidents to the Sheriff's.

Mayor Meister attended the Chamber's Creative Business Awards, Masked Shooting Protocol Playbook and Webinar, Convening of LA County Mayors at the LA Zoo, SCAG's 12th Annual Economic Summit, the Chamber of Commerce's monthly All Business meeting, and the City's World AIDS Day event. She commented that she presented a proclamation to Carole King to raise awareness for a non-profit called Peoples Pottery Project. She requested the the City Manager, Public Safety Director Kristin Cook, Captain Ramirez, and Social Services Manager David Giugni bring a future item on nightlife safety so it can be discussed. For Consent Calendar Item 2.I. she requested that staff return with an item in January or February to discuss what was presented to the Homelessness Subcommittee regarding Site 2. Regarding Item 2.L., she asked for feedback from Commissions and Advisory Boards on if a suicide memorial is a good idea and also information from suicide prevention experts and organizations. She noted her expectations and support for 2.M. She announced upcoming events in the City, including the Green City Awards on Wednesday, December 8.

CITY MANAGER'S REPORT:

City Manager Wilson provided an update on the resurfacing of the tennis and basketball courts. He shared that there is an open call for artists for the proposed Pride mural at City Hall. He invited renters and landlords impacted by COVID-19 to visit housingiskey.com for assistance. He commented that the best way for community members to protect themselves from COVID-19 is vaccination. He responded to Council inquiries on various items on the agenda during Councilmember Comments including Item 2.I., 5.A., and the minimum wage ordinance.

LASD West Hollywood Station Captain Ed Ramirez provided information on the actions by Sheriff's personnel regarding the alleged sexual assault victim. He shared undercover operations to address nightlife safety in the City. He briefly discussed the follow home robberies in the areas surrounding West Hollywood and urged the community to be aware of their surroundings. The City Council requested data on the number of sexual assault victims transported to Cedars that are then transported to the Rape Treatment Center. Captain Ramirez indicated that he would inquire with his staff if that data is tracked and can be provided. Additionally, he commented that he plans to work with Lt. Moulder on developing guidelines for deputies that are temporarily assigned to the West Hollywood Sheriff's Station on protocols for our station.

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Director of Facilities and Recreation Services Steve Campbell provided an update on the re-opening of West Hollywood Park sometime in late March or early April 2022. He commented that staff plans to open pedestrian access from the parking garage to Robertson Blvd.

Finally, City Manager Wilson reported that the Urban Design and Architecture Studio will bring an Item to the January 18th meeting to discuss the 8121 Santa Monica Boulevard site.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Crowder stated that the fiscal impact on the Consent Calendar with the addition of Item 5.A. is \$161,869 in expenditures, \$0 in potential revenues, and (\$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. Motion by Councilmember Erickson, seconded by Councilmember Horvath, and approved.

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Monday, December 6, 2021 was posted at City Hall, Plummer Park, the Sheriff's Station, and at the West Hollywood Library on Wednesday, December 1, 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 November 15, 2021. **Approved as part of the Consent Calendar.**

2.C. APPROVAL OF DEMAND REGISTER NO. 898 [L. QUIJANO, C. CORRALES]:

SUBJECT: The City Council shall receive the Demand Register for period ending November 26, 2021 pursuant to Sections 37201 to 37210 of the Government Code of the State of California.

ACTION: Approve Demand Register NO. 898 and adopt Resolution No. 21-5466, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING PAYMENT OF DEMANDS PRESENTED ON DEMAND REGISTER NO. 898." **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 Jacqueline Lorenzana. **Approved as part of the Consent Calendar.**

2.E. AB 361 - ALLOW FOR THE CONTINUED USE OF VIRTUAL TELECONFERENCE MEETINGS FOR CITY BROWN ACT MEETINGS [L. LANGER, M. CROWDER, A. POBLADOR]:

SUBJECT: The City Council will authorize the continued use of virtual teleconference meetings for the City's Brown Act meetings as required under AB 361.

ACTION: Allow for the continued use of virtual teleconference meetings for City Brown Act meetings (including all of the City's Commissions, Advisory Boards, and Task Forces) under AB 361 by finding that a statewide state of emergency continues to exist, and local and state health officials continue to impose or recommend measures to promote social distancing. **Approved as part of the Consent Calendar.**

2.F. ADOPT ORDINANCE NO. 21-1170 (2ND READING) "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, ADDING CHAPTER 9.28 TO TITLE 9 (PUBLIC PEACE AND SAFETY) OF THE WEST HOLLYWOOD MUNICIPAL CODE TO REQUIRE SAFE STORAGE OF FIREARMS IN A RESIDENCE." [M. CROWDER, A. POBLADOR]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 21-1170, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, ADDING CHAPTER 9.28 TO TITLE 9 (PUBLIC PEACE AND SAFETY) OF THE WEST HOLLYWOOD MUNICIPAL CODE TO REQUIRE SAFE STORAGE OF FIREARMS IN A RESIDENCE."

ACTION: Waive further reading and adopt Ordinance 21-1170, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, ADDING CHAPTER 9.28 TO TITLE 9 (PUBLIC PEACE AND SAFETY) OF THE WEST HOLLYWOOD MUNICIPAL CODE TO REQUIRE SAFE STORAGE OF FIREARMS IN A RESIDENCE." **Approved as part of the Consent Calendar.**

2.G. ADOPT ORDINANCE NO. 21-1171 (2ND READING) "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE TO ADD CHAPTER 9.13 (BUSINESS ESTABLISHMENTS – POSTING AND TRAINING REQUIREMENTS) OF TITLE 9 (PUBLIC PEACE AND SAFETY) TO REQUIRE POSTING OF SIGNAGE AND TRAINING RELATED TO PATRON SAFETY AND AWARENESS AT BUSINESS ESTABLISHMENTS THAT SERVE ALCOHOL FOR ON-SITE CONSUMPTION; AMENDING TITLE 5 FOR REFERENCE; AND AMENDING CHAPTER 1.08 (GENERAL PENALTY

PROVISIONS) TO MAKE VIOLATIONS SUBJECT TO ADMINISTRATIVE PENALTIES.” [M. CROWDER, A. POBLADOR]:
SUBJECT: The City Council will waive further reading and adopt Ordinance No. 21-1171, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE TO ADD CHAPTER 9.13 (BUSINESS ESTABLISHMENTS – POSTING AND TRAINING REQUIREMENTS) OF TITLE 9 (PUBLIC PEACE AND SAFETY) TO REQUIRE POSTING OF SIGNAGE AND TRAINING RELATED TO PATRON SAFETY AND AWARENESS AT BUSINESS ESTABLISHMENTS THAT SERVE ALCOHOL FOR ON-SITE CONSUMPTION; AMENDING TITLE 5 FOR REFERENCE; AND AMENDING CHAPTER 1.08 (GENERAL PENALTY PROVISIONS) TO MAKE VIOLATIONS SUBJECT TO ADMINISTRATIVE PENALTIES.”
ACTION: Waive further reading and adopt Ordinance 21-1171, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE TO ADD CHAPTER 9.13 (BUSINESS ESTABLISHMENTS – POSTING AND TRAINING REQUIREMENTS) OF TITLE 9 (PUBLIC PEACE AND SAFETY) TO REQUIRE POSTING OF SIGNAGE AND TRAINING RELATED TO PATRON SAFETY AND AWARENESS AT BUSINESS ESTABLISHMENTS THAT SERVE ALCOHOL FOR ON-SITE CONSUMPTION; AMENDING TITLE 5 FOR REFERENCE; AND AMENDING CHAPTER 1.08 (GENERAL PENALTY PROVISIONS) TO MAKE VIOLATIONS SUBJECT TO ADMINISTRATIVE PENALTIES.”
Approved as part of the Consent Calendar.

2.H. COMMISSION AND ADVISORY BOARD MEETING SYNOPSES [M. CROWDER, A. POBLADOR]:
SUBJECT: The City Council will receive Synopses from the Human Services Commission, Public Safety Commission, Disabilities Advisory Board, Russian Advisory Board, and Senior Advisory Board regarding actions taken at their recent meeting.
ACTION: Receive and file. **Approved as part of the Consent Calendar.**

2.I. 2021 HOUSING CAPACITY ANALYSIS – OVERVIEW OF CITY OF WEST HOLLYWOOD OWNED PROPERTIES [R. ABRAMSON, B. LEAGUE, C. SARKEES, A. BARTLE]:
SUBJECT: The City Council directed staff to complete a generalized housing capacity analysis for specific City-owned properties. This analysis explored several scenarios for each site and sought to assess a range for the number of housing units that could potentially be built by applying selected density bonus tracks (for housing production by for profit or non-profit developers). Results of the analysis and the attached supporting documents summarize the process and illustrate possible outcomes. In addition to staff’s internal analysis, this report also contains the findings from the Urban Land Institute’s Technical Assistance Panel (ULI TAP)

efforts that the City Council authorized as part of developing external ideas for selected city-owned properties.

ACTIONS: 1) Receive and file the housing capacity study analysis prepared by the City Staff; and 2) Receive and file the ULI TAP Report.
Approved as part of the Consent Calendar.

2.J. 2022 ONE CITY ONE PRIDE LGBTQ ARTS FESTIVAL GRANT FUNDING RECOMMENDATIONS [L. BELSANTI, R. EHEMANN, M. CHE]:

SUBJECT: The City Council will consider ratifying recommendations of the Arts and Cultural Affairs Commission for funding the City's 2022 One City One Pride LGBTQ Arts Festival Grants.

ACTIONS: 1) Approve recommendations of the Arts and Cultural Affairs Commission to award One City One Pride LGBTQ Arts Festival Grants totaling \$42,000 at various funding amounts to ten (10) applicants as outlined in this staff report; and 2) 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.K. AMENDMENT NO. 8 TO THE AGREEMENT FOR SERVICES WITH MICHAEL BAKER INTERNATIONAL [J. ROCCO, R. GARLAND, J. GILMOUR]:

SUBJECT: The City Council will consider amending the agreement for services with Michael Baker International to increase the not-to-exceed amount of the Agreement to provide continued services.

ACTION: Approve Amendment No. 8 to the agreement for services with Michael Baker International to increase the amount of the agreement by \$102,869.00, for a total not-to-exceed amount of \$578,945.83 and authorize the City Manager or designee to execute documents incident to the agreement. **Approved as part of the Consent Calendar.**

2.L. PROPOSED LGBTQ+ SUICIDE MEMORIAL UPDATE [S. CAMPBELL, H. COLLINS]:

SUBJECT: The City Council will receive an update on the Public Facilities Commission's review process for the proposed LGBTQ+ Suicide Memorial at a park space in the City.

ACTIONS: 1) Receive an update on the proposed LGBTQ+ Suicide Memorial at a park space in the City; and 2) Direct staff to amend the City's Commemorations, Tribute Trees and Plaques Policy Guidelines and return to Council within 60 days for consideration. **Approved as part of the Consent Calendar.**

2.M. PET MEMORIAL UPDATE [S. CAMPBELL, H. COLLINS, E. HAMANT]:

SUBJECT: The City Council will consider the Public Facilities

Commission's recommendations in response to the Pet Memorial Directive dated December 2, 2019.

ACTIONS: 1) Accept the Public Facilities Commission's recommendation to not move forward with a pet memorial/ pet tribute, at this time; and 2) Accept the Public Facilities Commission's recommendation to consider incorporating a pet tribute element into one of the City's capital projects - such as the redesign of Hart Park or Plummer Park as outlined in the staff report. **Approved as part of the Consent Calendar.**

2.N. PICKLEBALL CLINIC [J. ERICKSON, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to organize a series of pickleball clinics – three to four sessions – at the Plummer Park pickleball courts.

ACTIONS: 1) Direct staff to organize a series of pickleball clinics – three to four sessions – at the Plummer Park pickleball courts; 2) Direct the Communications Department to utilize all appropriate communication tools to promote the pickleball clinics, such as the City's website and social media tools, and to promote the clinics through the Rec Reader; 3) Direct staff to return to City Council with an evaluation of the program, including feedback from participants, to determine next steps for additional programming; and 4) Authorize the Director of Finance & Technology Services to allocate \$2,000 from budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with promotional materials for the program. **Approved as part of the Consent Calendar.**

2.O. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ORDINANCE NO. 21-1159 TO FIX A NUMBERING ERROR AND RENUMBER WEST HOLLYWOOD MUNICIPAL CODE ARTICLE 3, CHAPTER 5.128 (HOTEL WORKER PROTECTION) AS CHAPTER 5.127 AND RETAINING EXISTING ARTICLE 4, CHAPTER 5.128 (AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT) AND RENAMING ARTICLE 3 OF TITLE 5 OF THE WEST HOLLYWOOD MUNICIPAL CODE [L. LANGER, M. CROWDER, A. POBLADOR]:

SUBJECT: The City Council will introduce on first reading Ordinance 21-1172 "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ORDINANCE NO. 21-1159 TO FIX A NUMBERING ERROR AND RENUMBER WEST HOLLYWOOD MUNICIPAL CODE ARTICLE 3, CHAPTER 5.128 (HOTEL WORKER PROTECTION) AS CHAPTER 5.127 AND RETAINING EXISTING ARTICLE 4, CHAPTER 5.128 (AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT) AND RENAMING ARTICLE 3 OF TITLE 5 OF THE WEST HOLLYWOOD MUNICIPAL CODE".

ACTION: Introduce on first reading Ordinance 21-1172, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ORDINANCE NO. 21-1159 TO FIX A NUMBERING ERROR AND

RENUMBER WEST HOLLYWOOD MUNICIPAL CODE ARTICLE 3, CHAPTER 5.128 (HOTEL WORKER PROTECTION) AS CHAPTER 5.127 AND RETAINING EXISTING ARTICLE 4, CHAPTER 5.128 (AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT) AND RENAMING ARTICLE 3 OF TITLE 5 OF THE WEST HOLLYWOOD MUNICIPAL CODE. **Approved as part of the Consent Calendar.**

2.P. (5.A.) TEXT COMMUNICATION PLATFORM [S. SHYNE, J. D'AMICO, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider directing the Communications Department to expand the City's existing communication tools by procuring a text communication platform.

ACTIONS: 1) Direct the Communications Department to procure a text communication platform for the City to send news updates and City information to community members via text message; 2) Direct the Communications Department to develop a policy for how the text communication platform is utilized to ensure its efficiency and effectiveness; 3) Authorize the Director of Finance and Technology Services to allocate \$15,000 from unallocated General Fund reserves to the Special Council Programs Account 100-1-01-00-531001, and increase the budget for Special Council Programs by the same amount; and 4) Authorize the Director of Finance & Technology Services to allocate \$15,000 from budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with the program.
Approved as part of the Consent Calendar.

3. PUBLIC HEARINGS:

3.A. APPEAL OF THE PLANNING COMMISSION'S APPROVALS AND PERMITS TO DEMOLISH ALL STRUCTURES ON THREE ABUTTING RESIDENTIAL PARCELS, COMBINE PARCELS, AND CONSTRUCT A NEW FIVE-STORY, 18-UNIT APARTMENT BUILDING WITH THREE UNITS OF AFFORDABLE HOUSING AT 1301, 1307 FAIRFAX AVENUE AND 7909 FOUNTAIN AVENUE [J. KEHO, J. ALKIRE, A. GALLO]:

SUBJECT: The City Council will consider an appeal filed by Jerry Ptashkin and Nick Hoogendyk regarding the Planning Commission's adoption of Resolution No. PC 21-1408, approving the construction of a new five-story, 18-unit apartment building with 3 units of affordable housing and 32 parking spaces.

Mayor Meister opened the public hearing.

Councilmember Horvath disclosed that she met with the representative for the applicant.

Councilmember Erickson disclosed that he met with the representatives for both the applicant and appellant. He also noted that he drives by the site frequently.

Mayor Pro Tempore Shyne disclosed that she regularly drives by the area regularly.

Councilmember D'Amico disclosed that he read all the emails sent and that he communicated briefly with Ed Levin, on behalf of the applicant, on the number of affordable housing units.

Mayor Meister disclosed that she received the correspondence related to the public hearing, but she did not have conversations with the applicant or appellant.

City Attorney Langer asked that the Councilmembers who disclosed that they discussed the item with the applicant and/or appellant confirm that the discussions were related to information in the staff report and written record. They all affirmed.

City Clerk Crowder reported that the Notice of Public Hearing was mailed and posted on November 24, 2021 as required by law.

Associate Planner Adrian Gallo provided background information as outlined in the staff report dated December 6, 2021. He addressed the nine contentions in the appeal and staff's response to each.

Councilmember Erickson inquired about the clustering of the affordable housing units. Project Development Administrator Alicen Bartle responded to this inquiry.

Councilmember Horvath inquired about the width of the sidewalk adjacent to the project along Fountain and Fairfax once completed. Mr. Gallo responded. She also inquired about SRO's (Single Room Occupancy) and why staff concluded that this project is not an SRO. Planning Manager Jennifer Alkire and Director of Planning and Development Services John Keho responded to this inquiry. Finally, she inquired if the City's housing definitions should be updated in the municipal code to provide more clarity in the future. Ms. Alkire responded.

Mayor Meister inquired if the City's municipal code that addresses SRO's that precludes this type of project. Ms. Alkire indicated that staff did not view this project as an SRO; however, if the project was presented as an SRO, it would be over density. She also inquired about the outdoor private space. Mr. Gallo commented that the private open space was converted to common open space.

Councilmember D'Amico inquired about maximum unit size. Mr. Gallo and Ms. Alkire indicated that it is 1,200 square feet in the R-4 zone. He also inquired about the 14 units of affordable housing that were proposed by the operator. Mr. Gallo, Ms. Alkire, and Ms. Bartle responded to this inquiry. Ms. Bartle noted that beds don't count towards the City's RHNA numbers, kitchens are used to calculate units for RHNA. She further commented that leasing co-living units for the City's Inclusionary Housing program would be challenging. Councilmember D'Amico expressed frustration that staff made the decision to forego the 11 affordable housing units. He inquired if the parking spots can be rented separately from the units. Mr. Gallo responded.

Mayor Pro Tempore Shyne inquired about the number of people on the City's Inclusionary Housing List. Ms. Bartle responded that there are a little over 3,000. She inquired how many were contacted regarding interest in a co-living unit. She also inquired about the clustering of the affordable units. Ms. Bartle responded.

Mayor Meister inquired about how many of the co-living units are 5-bedroom, 4-bedroom, 3-bedroom, etc. Mr. Gallo responded. She further inquired why the affordable units aren't three-, four-, or five-bedroom units. Ms. Alkire provided further clarification.

On behalf of the appellant, John Murdock presented the appellant's argument to overturn the Planning Commission's decision to approve the project.

On behalf of the applicant, Ed Levin and Sheri Bonstelle, addressed the points in the appeal and the reasons that the City Council should uphold the Planning Commission's approval of the project.

Mayor Meister inquired about the lease terms. Mr. Levin and Ms. Bonstelle responded.

KAREN O'KEEFE, WEST HOLLYWOOD, spoke in opposition to the appeal.

LESLIE O'TOOLE, WEST HOLLYWOOD, spoke in support of the appeal.

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

KATHY GURA, WEST HOLLYWOOD, spoke as the building manager of the neighboring site and is opposed to the project.

KEITH KAPLAN, WEST HOLLYWOOD, spoke in favor of the project.

WALTER SCHILD, WEST HOLLYWOOD, spoke in favor of the project.

On behalf of the appellant, John Murdock provided his rebuttal.

On behalf of the applicant, Ed Levin and Sheri Bonstelle provided their rebuttal.

The City Council took a recess at 9:07 p.m. and returned at 9:20 p.m.

Mayor Meister inquired about state law regarding parking requirements, approved projects that included 4- and 5-bedrooms, garbage pickup staging, and rideshare pick-up and drop off. Mr. Gallo responded. She also inquired if units count towards RHNA requirements. Ms. Bartle indicated that staff spoke with the California Department of Housing and Community Development, and it was determined that the number of kitchens is what counts towards RHNA.

Motion by Councilmember D'Amico, seconded by Councilmember Horvath to deny the appeal with the amendments agreed to by the applicant.

Substitute Motion by Councilmember Erickson, seconded by Mayor Pro Tempore Shyne to continue the Public Hearing to a Date Uncertain, noting that the City Council cannot support the Commission's findings for clustering of the affordable units, how the affordable housing ordinance was applied to the project, and directing Planning and Development Services Department to work with the applicant to increase the number of affordable units and/or affordable beds.

Mayor Meister closed the public hearing.

ACTIONS: 1) Continue the Public Hearing to a Date Uncertain; 2) As presented, the City Council cannot support the Planning Commission's finding for the clustering of the affordable units and how the affordable housing ordinance was applied for the project and directed the Planning and Development Services Department to work with the applicant to uncluster the affordable units as well as increase the number of affordable units and/or affordable beds. **Substitute Motion by Councilmember Erickson, seconded by Mayor Pro Tempore Shyne, and approved, noting the "no" vote of Councilmember Horvath.**

3.B. REQUEST TO PERMIT A STATIC ON-SITE ADVERTISING BILLBOARD ON THE PROPERTY LOCATED AT 9165-69 SUNSET BOULEVARD [J. KEHO, B. ECK, J. DAVIS]:

SUBJECT: The City Council will consider the proposal for the installation of a one-sided static billboard located at 9165-69 Sunset Boulevard under the Sunset Boulevard Off-Site Signage Policy. The application requests

are for the approval of a development agreement, a zoning map amendment, a sign permit, and a certificate of appropriateness.

Mayor Meister opened the public hearing.

Councilmember Horvath disclosed that she met with applicant's representative.

Councilmember Erickson disclosed he met with the applicant and discussed what was in the staff report.

Mayor Pro Tempore Shyne disclosed that she had corresponded with the applicant's representative.

Councilmember D'Amico disclosed that he met with the applicant's representative and discussed the staff report.

Mayor Meister had no disclosures.

City Clerk Crowder reported that the Notice of Public Hearing was mailed and posted on November 24, 2021 as required by law.

Senior Planner Bryan Eck provided background information as outlined in the staff report dated December 6, 2021.

Mayor Meister inquired about a previously approved digital billboard that is in close proximity to this proposed billboard. Senior Planner Bryan Eck responded.

On behalf of the applicant, Aaron Green and Yumna Siddiqi presented other aspects of the proposed billboard.

Councilmember Horvath asked about the art component, specifically the rotating piece. Mr. Green and Mr. Eck responded.

GENEVIEVE MORRILL, WEST HOLLYWOOD, spoke in support of the billboard project.

Mayor Meister inquired about Section 3.3.5 of the development agreement and inquired about indemnification language. Attorney Langer responded. She also inquired about the renegotiation fees in Section 3.3.6. Mr. Eck responded to this inquiry.

Mayor Meister closed the public hearing.

ACTIONS: 1) Introduce on first reading Ordinance No. 21-1173 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST

HOLLYWOOD APPROVING A DEVELOPMENT AGREEMENT IN CONJUNCTION WITH THE NEW OFF-SITE ADVERTISING BILLBOARD AT 9165-69 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;” 2) Introduce on first reading Ordinance No. 21-1174 “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A ZONING MAP AMENDMENT ASSOCIATED IN CONJUNCTION WITH THE NEW OFF-SITE ADVERTISING BILLBOARD AT 9165-69 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;” and 3) Resolution 21-5467 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A SIGN PERMIT AND CERTIFICATE OF APPROPRIATENESS IN CONJUNCTION WITH THE NEW OFF-SITE ADVERTISING BILLBOARD AT 9165-69 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA.” **Motion by Councilmember Erickson, seconded by Mayor Pro Tempore Shyne, and approved.**

3.C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE MASTER FEE RESOLUTION FOR FISCAL YEAR 2021-22 TO ADOPT A NEW RECREATION SERVICES FEE SCHEDULE [S. CAMPBELL, S. MARTINEZ, C. JUBREY, L. QUIJANO, A. RUIZ]:

SUBJECT: The City Council will consider amending Master Fee Schedule Resolution No. 21-5400 for Fiscal year 2021-22. The proposed modifications include eliminating unnecessary fees and redefining them to be more in line with industry standards; adjusting fees to adapt to the ongoing cost of providing high-quality programs to the community; and incorporating new fees in preparation for the opening of the West Hollywood Aquatic and Recreation Center and Park.

Mayor Meister opened the public hearing.

The Councilmembers did not have any disclosures.

City Clerk Crowder reported that the public hearing was noticed in the West Hollywood Independent on November 18th, the LA Times on December 4th, and posted on November 18th as required by law.

Councilmember Erickson inquired if Councilmember Horvath would support incorporating a low-income option for both residents and non-residents in the fee schedule. Both Councilmember Horvath and Councilmember D’Amico accepted the amendment to the motion.

Mayor Meister closed the public hearing.

ACTIONS: 1) Adopt Resolution No. 21-5468, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE MASTER FEE RESOLUTION FOR FISCAL YEAR 2021-22 TO

ADOPT A NEW RECREATION SERVICES FEE SCHEDULE" and 2) Explore a low-income option for residents and non-residents and return to the City Council with recommendations for consideration. **Motion by Councilmember Horvath, seconded by Councilmember D'Amico, and approved.**

4. UNFINISHED BUSINESS:

4.A. PERSONAL DELIVERY DEVICES PILOT PROGRAM [J. KEHO, R. EASON, B. CHEUNG]:

SUBJECT: The City Council will receive an update on the Personal Delivery Devices (PDD) Pilot Program and consider extending the program.

Senior Transportation Planner Bob Cheung provided background information as outlined in the staff report dated December 6, 2021.

Mayor Meister inquired about the operation of the units and numbers. She also expressed concern with alcohol and tobacco transport. Mr. Cheung responded.

CARL HANSEN, on behalf of Coco, spoke regarding the program and requested that the City Council approve the item.

GENEVIEVE MORRILL, WEST HOLLYWOOD, spoke in support of the item.

ACTIONS: 1) Receive and file summary and findings of the three-month Pilot Program; 2) Extend the Pilot Program for an additional year and allow for other vendors to participate; and 3) Direct staff to meet with the Senior Advisory Board and Disabilities Advisory Board for their feedback. **Motion by Councilmember Erickson, seconded by Councilmember D'Amico, and approved, noting the "no" vote of Mayor Meister.**

4.B. POST-PANDEMIC ACTION ITEMS [J. KEHO, J. ALKIRE, R. EASON, J. ROCCO, T. WORDEN, R. ABRAMSON]:

SUBJECT: On July 21, 2021 this information was provided to the City Council, and on August 2, 2021, the Council directed staff to conduct outreach to businesses and community members and report back at a later date.

Planning & Development Services Director John Keho provided background information as outlined in the staff report dated December 6, 2021.

GENEVIEVE MORRILL, WEST HOLLYWOOD, spoke about OUT zones not being one size fits all, and different businesses have different needs.

WALTER SCHILD, WEST HOLLYWOOD, spoke to thank the City for OUT Zones, hopes for a permanent OUT Zone, and supports the item.

KEITH KAPLAN, WEST HOLLYWOOD, spoke in support of the item and to consider the permanency of the OUT Zones post-pandemic.

Mayor Meister tried to focus on individual recommendations, but a few Councilmembers want to eliminate parking spaces and do not want to look at this in 6-month increments.

Councilmember D'Amico moves that OUT Zones be permanent, eliminate parking, standardize walking paths on sidewalks block by block, compliance on each OUT Zone in 90-120 days, no additional restrooms, and come up with requirements on state of permanence.

Mayor Meister brought up other Council initiatives OUT Zones could interfere with, for example, bike lanes on Santa Monica Blvd.

They next speak about alcohol service, staff to do ZTA after 10pm. Moved by Erickson, seconded by MPT Shyne.

ACTIONS: 1) Make OUT Zones permanent; 2) New businesses may apply in the same manner as those businesses approved during the COVID-19 pandemic for private property and sidewalk areas; 3) Direct staff to return within six months with a zone text amendment either reducing or eliminating parking requirements for outdoor dining; 4) Direct staff to develop standards on a block by block basis; 5) Allow businesses 90-120 days to resolve issues identified by City staff with their OUT Zone or they will be removed; 6) No additional restroom requirements if possible or unnecessary compliance requests; and 7) Develop design guidelines for the OUT Zones. Direct staff to allow businesses six months following the end of the local emergency to either conclude and remove their expanded operations or apply for approval through the amended processes described above. **Motion by Councilmember D'Amico, seconded by Councilmember Horvath, noting the "no" vote of Mayor Meister, and approved.**

ACTION: Direct staff to bring forward a zone text amendment to allow all restaurants to sell alcoholic beverages with take-out or delivery meals and to eliminate the requirement for a public hearing to permit alcohol service. **Motion by Councilmember Erickson, seconded by Mayor Pro Tempore Shyne, and approved.**

4.C. PUBLIC BENEFITS POLICY [J. KEHO, R. EASON, R. DIMOND]:

SUBJECT: The City Council will receive an update on the City's Public Benefits Policy, which helps in determining appropriate public benefits for

certain proposed development projects that are required to provide a public benefit in order to depart from certain Zoning Code or General Plan standards. The Policy includes three components: a standard process that includes expanded public and Planning Commission input, a standardized tool for determining the economic value of the request, and a menu of public benefit categories based on priorities established in adopted City plans.

ACTION: This Item was Tabled.

4.D. APPOINTMENT OF COUNCILMEMBERS TO THE PLUMMER PARK PROJECT SUBCOMMITTEE AND THE GATEWAY SIGNAGE/WAYFINDING PROJECT SUBCOMMITTEE [Y. QUARKER, M. CROWDER, A. POBLADOR, R. ABRAMSON, C. SARKEES]:

SUBJECT: The City Council will make appointments to the Plummer Park Projects Subcommittee and the Sunset Gateway Signage/Wayfinding Project.

ACTIONS: The City Council made the following appointments: 1) **Mayor Meister and Councilmember Erickson** - Plummer Park Project Ad Hoc Subcommittee; and 2) **Councilmember Horvath and Councilmember D'Amico** - Gateway Signage/Wayfinding Project Ad Hoc Subcommittee.

4.E. COMMISSION, ADVISORY BOARD, AND SOCIAL JUSTICE TASK FORCE APPOINTMENTS [Y. QUARKER, M. CROWDER, A. POBLADOR]:

SUBJECT: Mayor Pro Tempore Shyne will make her direct appointment to the Planning Commission and the Social Justice Task Force. Councilmember Horvath will make her direct appointment (male) to the Lesbian and Gay Advisory Board. Councilmember D'Amico will make his direct appointment to the Women's Advisory Board.

ACTIONS: 1) Mayor Pro Tempore Shyne made the following appointments: a. Planning Commission: **David Gregoire**. b. Social Justice Task Force: **Mito Aviles**. 2) Councilmember Horvath made the following appointment: a. Lesbian and Gay Advisory Board (Male): **Michael "Mike" Ai**; and 3) **TABLED** - Councilmember D'Amico to make a Direct appointment to the following: a. Women's Advisory Board.

5. NEW BUSINESS:

5.A. TEXT COMMUNICATION PLATFORM [S. SHYNE, J. D'AMICO, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider directing the Communications Department to expand the City's existing communication tools by procuring a text communication platform.

ACTIONS: This Item was moved to the Consent Calendar.

5.B. HISTORICAL CONTEXT STUDY AND EVALUATION OF A REPARATIONS PROGRAM [S. SHYNE, J. ERICKSON, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to prepare and issue a request for proposals to complete a historical context study of the City of West Hollywood and to evaluate the establishment of a community reparations program.

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

KARLA LEIVA, WEST HOLLYWOOD, spoke in support of the item.

KEITH KAPLAN, WEST HOLLYWOOD, spoke in opposition to the item.

JAKE MASON, WEST HOLLYWOOD, spoke in support of the item.

ZEKIAH WRIGHT, WEST HOLLYWOOD, spoke in support of the item.

Mayor Meister thanked her colleagues for bring forward this important discussion and shared information received from a presentation by Duke University Public Policy Professor William Darity Jr. at a SCAG meeting. She noted that Professor Darity spoke specifically about closing the wealth gap and reparations. She suggested that Dr. Darity speak to the Social Justice Task Force and that Council wait for recommendations from the Task Force. She recapped how the City has already begun working on economic and environmental social equity issues. She was not supportive of using \$100,000 in City reserves for a study at this time and suggested that the City utilize SCAG's resources prior to putting out an RFP since SCAG had created an ad hoc committee on racial equity and had begun researching the subject. She recommended asking SCAG if they had suggestions for consultants specializing in this area.

Mayor Pro Tempore Shyne pointed out that the City Council provided \$125,000 in funding to businesses for OUT Zones and that the 3% of the City's Black population deserves the same financial resources.

Councilmember D'Amico expressed enthusiasm with this item and noted his 2014 item supporting reparations study by the City. He noted that he is comfortable with the financial commitment for the study.

Councilmember Horvath expressed her gratitude for this conversation and is happy to hear that City Manager Wilson is working with GARE.

Mayor Meister requested a friendly amendment to Mayor Pro Tempore Shyne's motion to include SCAG resources as well as inviting Professor Darity to present at a future Social Justice Task Force meeting. Mayor Pro Tempore Shyne accepted the friendly amendment.

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City Manager Wilson requested that staff return at the January 18th City Council meeting with information from SCAG on their work around racial equity.

ACTIONS: 1) Direct staff to prepare and issue a request for proposals to complete a historical context study of the City of West Hollywood; 2) Direct staff and the City Attorney to evaluate the establishment of a community reparations program, based on the information collected in the historical context study and feedback from the Social Justice Task Force; 3) Support federal and state legislation and advocacy efforts to develop reparations programs in California and in the United States; 4) Authorize the Director of Finance and Technology Services to allocate \$100,000 from unallocated General Fund reserves to the Special Council Programs Account 100-1-01-00-531001, and increase the budget for Special Council Programs by the same amount; 5) Authorize the Director of Finance & Technology Services to allocate \$100,000 from budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with the historical context study; 6) Direct staff to return at the January 18 City Council meeting with information from SCAG related to their work on reparations; and 7) Provide information on Dr. Darity.
Motion by Mayor Pro Tempore Shyne, seconded by Councilmember Erickson, and approved.

EXCLUDED CONSENT CALENDAR: None.

6. LEGISLATIVE: None.

PUBLIC COMMENT:

JAKE MASON, WEST HOLLYWOOD, spoke in gratitude for the reparations item and thanked the City Council for all their important work.

COUNCILMEMBER COMMENTS:

Mayor Pro Tempore Shyne thanked Councilmember Erickson for his comments.

ADJOURNMENT: The City Council adjourned at 12:18 A.M. in memory of Madisyn Baldwin, Tate Myre, Hana St. Juliana, Justin Shilling, Arthur Berg, Barbara Krupa, Margaret Nichiporuk, and Bob Dole to its next regular meeting, which will be on Monday, December 20, 2021 at 6:00 P.M. via a Hybrid Format (In-Person and Teleconference). In-Person attendance subject to change due to the status of COVID-19 state of emergency; however, the teleconference virtual option is always available. Please check the meeting agenda to confirm and for all information for participating in the meeting.

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PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 20th day of December, 2021 by the following vote:

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

DocuSigned by:
LAUREN MEISTER
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LAUREN MEISTER, MAYOR

ATTEST:

DocuSigned by:
Melissa Crowder
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MELISSA CROWDER, CITY CLERK