

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, APRIL 18, 2022  
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS  
625 N. SAN VICENTE BOULEVARD**

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

**6:00 P.M. –REGULAR MEETING**

**CALL TO ORDER:** Mayor Meister called the meeting to order at 6:02 p.m.

**PLEDGE OF ALLEGIANCE:** Adam Darvish 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, Acting Director of Administrative Services Janet Jimenez, 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 5:32 p.m. She stated that there was no public comment. The City Council discussed the one item of business on the posted agenda and took no reportable action. The Closed Session adjourned at 6:00 p.m.

**APPROVAL OF AGENDA:**

City Clerk Crowder indicated that Item 5.C. cannot be moved from New Business to the Consent Calendar due to CalPERS rules.

Councilmember Erickson requested that Item 5.D. be moved to the Consent Calendar as Item 2.N.

Mayor Pro Tempore Shyne requested that Item 2.I. be moved to Excluded Consent.

**Motion by Councilmember Erickson, seconded by Mayor Pro Tempore Shyne, to approve the April 18, 2022 Agenda as amended, and approved.**

**ADJOURNMENT MOTIONS:**

Councilmember Horvath requested that the meeting be adjourned in memory of William Mark Gordon.

Mayor Pro Tempore Shyne requested that the meeting be adjourned in memory of Andrew Jelmert.

## **PRESENTATIONS:**

Mayor Pro Tempore Shyne recognized Lesbian & Queer Women Visibility Week with a Proclamation presented to representatives from the Lesbian & Gay Advisory Board.

Councilmember Erickson presented a Proclamation to Peace Over Violence in recognition of Denim Day.

Mayor Meister presented a Proclamation to Jordan Ramirez who organized a walk to honor first responders.

Mayor Meister presented a Proclamation to West Hollywood Sheriff's Deputies Olvera and Martinez for their service to a baby in distress at a West Hollywood restaurant.

### **1. PUBLIC COMMENT:**

LUCKIE ALEXANDER, WEST HOLLYWOOD, spoke in support of Items 2.K. and 5.B.

BARBARA MAYO, WEST HOLLYWOOD, spoke in support of Items 2.K. and 5.B.

ANDREW SOLOMON, WEST HOLLYWOOD, spoke in support of Items 2.J. and 2.K.

WALTER SCHILD, WEST HOLLYWOOD, spoke about service fees and charges and how this should be part of the discussion during Item 4.C.

SHARON CARZ, WEST HOLLYWOOD, spoke in support of Item 2.J.

ADAM DARVISH, WEST HOLLYWOOD, spoke about safety on residential streets and transportation tools that can assist with excessive speed such as speed humps.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke about Tax Day and requested more public participation in the City's budget process, specifically identifying dates for the public when the City Council Finance and Budget Subcommittee meetings.

WEST SEEGMILLER, WEST HOLLYWOOD, spoke in support of returning to in-person events in the City.

ZEKIAH WRIGHT, WEST HOLLYWOOD, spoke in support of Items 2.J., 2.K., and 2.M.

MOJEN JENKINS, WEST HOLLYWOOD, spoke in support of Item 2.K.

YOLA DORE, WEST HOLLYWOOD, spoke regarding access on sidewalks, on City streets, and in City meetings from the perspective of our other-abled community members.

VADIM PLOTKIN, WEST HOLLYWOOD, spoke regarding dog odor entering residential units and the harm it causes. *(City Clerk Crowder commented that Russian Community Programs Coordinator Tatyana Rodzinek will reach out to him for further information. Councilmember Erickson requested that the information be shared with the City Council.)*

*Citizen Position Slip: Alison Freed in support of Item 2.K.*

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

Councilmember Horvath confirmed that Item 2.M. addresses dog breeds and not exotic animals. She reported on her attendance at the Contract Cities Public Safety meeting, the SCAG Transportation Committee meeting, Clean Power Alliance Board meeting, and Chaired the Liability Trust Fund Claims Board and Oversight Committee meeting. She invited Karen Bartek, who represents the Liability Trust Fund Claims Board insurance services, to speak briefly on the challenges procuring liability coverage.

Mayor Pro Tempore Shyne reported that she Chaired the Westside Cities Council of Governments in person meeting in Culver City and congratulated Mayor Meister on being reappointed to the SCAG CEHD Committee. She reported her attendance at the City Council Finance & Budget Subcommittee meeting as well as the City Council Pride Subcommittee meeting. She invited residents and community members to attend the next Sips with Sepi on April 24<sup>th</sup> at 9:30 a.m. - 11:30 a.m. at S.O.L. (Strings of Life) Coffee Shop. She commented on her desire to bring the community together on the discussion of public safety and reiterated her commitment to safety, transparency, and accountability. She shared that at the last City Council meeting, the Council voted on a feasibility study for a West Hollywood Police Department, which will take some time and she further commented that now is not the time to increase or decrease the number of Sheriff's Deputies in the City. She requested an update from the City Manager on the progress of Sheriff's Deputies training with the Santa Monica Rape Treatment Center. Lastly, she thanked Councilmember Erickson for co-sponsoring the Pan African Flag and Juneteenth item.

Councilmember Erickson wished everyone a Happy Easter, Passover, and Ramadan. He thanked Public Safety Commissioner Robert Oliver for inviting him to Saddar at his home. He reported on his attendance at Contract Cities Legislative Committee meeting, the 50<sup>th</sup> Anniversary of the Comedy Store, the grand opening of new ramen and poke restaurant on the Eastside, the OutLoud LA Blade 5<sup>th</sup> anniversary event, Gaybors Agency grand opening, and the SCAG Energy Committee. He attended the Community Clean Up event and shared information regarding future Community Clean Up events. He thanked those in attendance at the 9<sup>th</sup> "Saturdays with John" at Plummer Park over the past weekend. He disclosed that he met with businesses regarding Item 4.C. on tonight's City Council agenda. He requested that staff create an internal calendar for proclamations and lighting requests to assist with tracking and scheduling. He requested updates from the City Manager on the street speed survey, the Fountain Avenue and Santa Monica Boulevard Bike Lane Studies, as well as an update on the opening of the West Hollywood Park and playground. He commented on two public

safety incidents that occurred over the weekend and requested additional information from the City Manager and the West Hollywood Sheriff's. He thanked staff for the installation of the eastside lanterns. He mentioned antisemitic leaflets found in the community, requested an update, and encouraged community members to report these incidents to the Sheriff's Department. He mentioned several items on the Consent Calendar. Lastly, he commented that some Senior Advisory Boardmembers communicated to him that they want more input on City decisions.

Councilmember D'Amico indicated that he intends to support all Consent Calendar items; however, the airport shuttle item may be optimistic and suggested connecting to the existing one at Hollywood/Highland. He asked the City Manager for an update on the vacant property at 1042 N. Orange Grove and AKA on Sunset and efforts to transition to short term rentals. He requested an updated at a May meeting to provide an update on affordable and inclusionary housing units coming online. Lastly, he requested that the City's Legislative Affairs and Public Safety staff provide an analysis on the effectiveness of the District Attorney's Office in prosecuting criminals and if they are contributing to the ongoing crime wave in the region.

Councilmember Erickson suggested that District Attorney Gascon be invited to an upcoming City Council meeting.

Mayor Meister reported her attendance at the SCAG CEHD meeting, the Ogden/Orange Grove Owls Neighborhood Watch meeting, the active shooter training for City staff, and the City Council Finance & Budget Subcommittee meeting. She attended several ribbon cuttings including: the Ziggy Hotel, Poke and Ramen at the Gateway, and the 50<sup>th</sup> Anniversary of the Comedy Store on Sunset. Regarding Item 2.J. on the Consent Calendar, she suggested adding the Sunset and Design District BIDs to the outreach plan, explore partnering with Los Angeles World Airports to make it a Fly Away Bus, potential stops at La Cienega and Wilshire and La Cienega and Jefferson Metro stops. She thanked her colleagues for supporting Item 5.D. Lastly, she commented that today is National Transgender HIV Testing Day, and the need to address the impact of HIV on the Transgender community.

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

City Manager Wilson shared information on the Community Clean Up events occurring throughout the City. He mentioned the upcoming Joint Study Session with the City Council and members of the Public Safety Commission, Lesbian and Gay Advisory Board, Transgender Advisory Board, and Women's Advisory Board to discuss nightlife safety. He provided information on the May 1<sup>st</sup> benefit for Ukrainian refugees. He provided an update on the Eastside lanterns. He responded to several City Council inquiries made during Councilmember comments.

Director of Facilities and Field Services Steve Campbell provided an update on the opening of the West Hollywood Park and playground.

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

City Clerk Crowder stated that the fiscal impact on the Consent Calendar with the removal of Item 2.I. and the addition of Item 5.D. is \$203,150 in expenditures, \$0 in revenues, and (\$0) in waived fees.

## **2. CONSENT CALENDAR:**

**2.A.,B.,C.,D.,E.,F.,G.,H.,J.,K.,L.,M.,N. Motion by Councilmember Horvath, seconded by Mayor Pro Tempore Shyne, and approved.**

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

*SUBJECT: The agenda for the meeting of Monday, April 18, 2022, was posted at City Hall, Plummer Park, the Sheriff's Station, and at the West Hollywood Library on Wednesday, April 13, 2022.*

**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 April 4, 2022. **Approved as part of the Consent Calendar.**

### **2.C. APPROVAL OF DEMAND REGISTER NO. 905 [L. QUIJANO, C. CORRALES]:**

*SUBJECT: The City Council shall receive the Demand Register for period ending April 8, 2022, pursuant to Sections 37201 to 37210 of the Government Code of the State of California.*

**ACTION:** Approve Demand Register NO. 905 and adopt Resolution No. 22-5497, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING PAYMENT OF DEMANDS PRESENTED ON DEMAND REGISTER NO. 905." **Approved as part of the Consent Calendar.**

### **2.D. ADOPT ORDINANCE NO. 22-1179 (2ND READING) "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AMENDING CHAPTER 3.20 REGARDING LIVING WAGE REQUIREMENTS FOR SERVICE CONTRACTS" [M. CROWDER, A. POBLADOR]:**

*SUBJECT: The City Council will waive further reading and adopt Ordinance No. 22-1179, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AMENDING CHAPTER 3.20 REGARDING LIVING WAGE REQUIREMENTS FOR SERVICE CONTRACTS".*

**ACTION:** Waive further reading and adopt Ordinance 22-1179, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST

HOLLYWOOD, CALIFORNIA, AMENDING CHAPTER 3.20 REGARDING LIVING WAGE REQUIREMENTS FOR SERVICE CONTRACTS".  
**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. COMMISSION AND ADVISORY BOARD MEETING SYNOPSES [M. CROWDER, A. POBLADOR]:**

*SUBJECT: The City Council will receive Synopses from the Public Facilities Commission and Rent Stabilization Commission regarding actions taken at their recent meeting.*

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

**2.G. TREASURER'S REPORT FOR FEBRUARY 2022 [L. QUIJANO, C. CORRALES, K. BARENG, N. CORONADO]:**

*SUBJECT: The City Council will receive the Treasurer's Reports for the month ended February 2022 pursuant to Section 53646 of the Government Code of the State of California.*

**ACTION:** Receive and file the February 2022 Treasurer's Report. **Approved as part of the Consent Calendar.**

**2.H. AMENDMENT TO THE AGREEMENT FOR SECURITY ACCESS CONTROL SERVICES WITH ENTERPRISE SECURITY, INC. [S. CAMPBELL, H. COLLINS, E. HAMANT]:**

*SUBJECT: The Council will consider approving Amendment No. 2 with Enterprise Security, Inc. to provide security access control services.*

**ACTIONS:** 1) Approve Amendment No. 2 to the Agreement with Enterprise Security, Inc. to provide security access control services for an increased amount of \$200,000 and a new total not-to-exceed amount of \$973,000; and 2) Authorize the City Manager or designee to execute documents incident to the agreements. **Approved as part of the Consent Calendar.**

**2.I. APPROVAL OF 2023 ARTS GRANT PROGRAM [J. LEONARD, R. EHEMANN, E. ANGELOFF]:**

*SUBJECT: The City Council will consider approving the City of West Hollywood's 2023 Arts Grant Program guidelines, schedule, and funding, apart from the WeHo Pride LGBTQ Arts Festival (formerly known as One City One Pride), as recommended by the Arts and Cultural Affairs Commission.*

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

**2.J. AIRPORT TRANSIT FROM WEST HOLLYWOOD [J. ERICKSON, Y. QUARKER, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to perform an initial analysis of the potential costs and routes for a shuttle service from West Hollywood to and from local airports and initiate community engagement to gauge interest and gather feedback. Staff will perform outreach at various Advisory Boards and Commissions, as well as with relevant stakeholders such as Visit West Hollywood and the West Hollywood Chamber of Commerce and report back to City Council with findings.*

**ACTIONS:** 1) Direct staff to perform initial analysis on the potential costs and routes to develop a shuttle from West Hollywood to and from local airports (Hollywood Burbank Airport and/or Los Angeles International Airport (LAX)); 2) Direct staff to initiate community engagement to gauge interest and gather feedback from community members and stakeholders on the possible airport shuttle; and 3) Return to City Council with findings, including information on potential interest, routes, costs, and next steps for consideration. **Approved as part of the Consent Calendar.**

**2.K. PAN-AFRICAN FLAG FLOWN AT CITY HALL ON JUNETEENTH AND DURING BLACK HISTORY MONTH [S. SHYNE, J. ERICKSON, Y. QUARKER, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to fly the Pan-African flag at City Hall annually on Juneteenth and during Black History Month.*

**ACTIONS:** 1) Direct staff to fly the Pan-African flag at City Hall annually on Juneteenth and during Black History Month; and 2) Direct staff to organize a flag-raising ceremony on Juneteenth and invite staff, appointed officials, and interested community members to attend. **Approved as part of the Consent Calendar.**

**2.L. CO-SPONSORSHIP OF THE AMERICAN RED CROSS "SOUND THE ALARM" EVENT [J. ERICKSON, Y. QUARKER, A. LOVANO, J. DUCKWORTH]:**

*SUBJECT: The City Council will consider approving the co-sponsorship of a "Sound the Alarm" event in partnership with the American Red Cross Los Angeles Region to educate residents and community members on*

*home fire prevention and safety, as well as provide free installation of smoke alarms.*

**ACTIONS:** 1) Approve the co-sponsorship of the American Red Cross “Sound the Alarm” event in Plummer Park to provide educational tips on home fire prevention and safety, and free installation of smoke alarms, scheduled for Saturday, May 7, 2022, from 9:00 a.m. – 2:00 p.m.; 2) Approve the waiver of fees for Special Event Permits, Building and Safety Permits and Encroachment Permits; 3) Authorize the use of the City name and logo on invitations, programs, and other collateral materials for the events; 4) Direct the Communications Department to utilize all appropriate communication tools to promote the events including, but not limited to, the City’s website and social media tools; and 5) Authorize the City Manager or designee to execute documents incident to the co-sponsorship agreements. **Approved as part of the Consent Calendar.**

**2.M. PET BREED RESTRICTIONS IN RENTAL HOUSING [J. ERICKSON, Y. QUARKER, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff and the City Attorney to evaluate the City’s Municipal Code and California state law to determine if the City can prohibit landlords from establishing restrictions on pet breeds in rental housing.*

**ACTIONS:** 1) Direct staff and the City Attorney to evaluate the City’s Municipal Code and California state law to determine if the City can prohibit landlords from establishing restrictions on pet breeds in rental housing; and 2) Present the findings and recommendations to the Rent Stabilization Commission before returning to City Council for further consideration. **Approved as part of the Consent Calendar.**

**2.N. (5.D.) PANDEMIC PREPAREDNESS [L. MEISTER, Y. QUARKER, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to take steps to continue to support the City’s and community’s efforts to be prepared in the case of another COVID-19 surge and/or future pandemic or public health crises.*

**ACTIONS:** 1) Direct the Public Safety Department to include in the emergency plan update a section on pandemic and public health crises preparedness, including response from City, households, and businesses, and to develop a Pandemic Preparedness Checklist to be posted on the City’s website and through communication tools; 2) Direct the Facilities & Field Services Division to maintain necessary supplies on hand – such as gloves, masks, sanitizers, etc. – to stock City facilities and vulnerable community members in the case of another COVID-19 surge and/or for future public health crises; 3) Direct the Communications Department to utilize all appropriate communication tools to promote preparedness including, but not limited to, the City’s website and social media tools; 4) Authorize the Director of Finance and Technology Services to allocate \$3,000 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 5) Authorize the Director of Finance & Technology Services to allocate \$3,000 from budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with purchasing the supplies.  
**Approved as part of the Consent Calendar.**

**3. PUBLIC HEARINGS: None.**

**4. UNFINISHED BUSINESS:**

**4.A. UPDATE REGARDING WEHO PRIDE 2022 [Y. QUARKER, C. SMITH, M. REATH, K. COOK]:**

*SUBJECT: The City Council will receive a planning update regarding WeHo Pride 2022, including an update on the proposed site plan, programming, and the community group application process. The City Council will also consider approving the closure of Robertson Blvd. for the WeHo Pride event as well as the waiver of Special Event Permit fees and an allocation of funding for Los Angeles County Fire Department fees for City businesses wishing to activate their spaces during WeHo Pride weekend.*

Event Services Supervisor Megan Reath provided background information as outlined in the staff report dated April 18, 2022.

Mayor Pro Tempore Shyne inquired about accessible space(s) for people with disabilities and our senior community for the festival, but specifically the Pride Parade. Ms. Reath responded.

Councilmember Erickson requested that staff works to ensure that businesses on Sunset Boulevard are activated during Pride weekend.

Councilmember D'Amico asked if the hours of the event over the weekend have been finalized. Ms. Reath responded that those will be determined in the coming weeks and that the information will be updated on all social media platforms and the website accordingly.

Mayor Meister mentioned that exit locations should be communicated to the public in their confirmation emails and to offer attendees the ability to opt in to text messages on the event days for emergency preparedness purposes.

Councilmember Horvath requested that the footprint of the event be standardized for the community and staff moving forward.

Mayor Pro Tempore Shyne reiterated her request to provide priority to the affinity groups specifically identified and to work in concert with

communications on the Dyke March, Women's Freedom Festival, and to communicate that West Hollywood Pride and LA Pride are separate events.

**ACTIONS:** 1) Receive a planning update regarding WeHo Pride 2022; 2) Receive an update on the community group application process, approve staff's recommendations related to community group participation (memo to be provided under separate cover prior to the City Council meeting) and authorize the City Manager or his designee to execute Co-Sponsorship agreements where applicable; 3) Approve the closure of Robertson Blvd. between Santa Monica Blvd. and Melrose Ave. from Friday, June 3, 2022 at 6:00 AM through Monday, June 6, 2022 at 6:00 AM for event elements; 4) Approve the waiver of Special Event Permit fees and Encroachment Permit fees, in an amount estimated at \$14,000 for City businesses hosting events on June 3, 4, or 5 in celebration of WeHo Pride; 5) Allocate up to \$12,500 for basic Los Angeles County Fire Department site plan review fees related to Pride weekend activations at City businesses; 6) Authorize the Director of Finance and Technology Services to allocate \$12,500 from unallocated General Fund Reserves for site plan review fees; and 7) Waive permit parking citywide from Friday, June 3, 2022 at 4:00 PM through Monday, June 6, 2022 at 7:00 AM. **Motion by Councilmember Erikson, seconded by Councilmember D'Amico, and approved.**

**4.B. UPDATE REGARDING IN-PERSON EVENTS [Y. QUARKER, C. SMITH, M. REATH, J. HEREDIA, B. SMITH]:**

*SUBJECT: The City Council will receive an update regarding events in light of the COVID-19 pandemic and will consider continuing to authorize in-person, outdoor events between May 1 and June 30, 2022; the Council will also consider authorizing the return of in-person, indoor events at City facilities between May 1 and June 30, 2022.*

Event Services Manager Cleo Smith provided background information as outlined in the staff report dated April 18, 2022.

Mayor Pro Tempore Shyne expressed concern that the measures outlined in the staff report are too conservative.

Councilmember Erickson expressed the same concerns identified by Mayor Pro Tempore Shyne and would like events to be in-person.

Councilmember Horvath commented that the staff report is written with the appropriate amount of caution. She mentioned that there are community members who remain at risk and the effect of COVID surges on hospitals and frontline workers.

Councilmember D'Amico expressed concern that stating the pandemic is over, we may endanger tenant protections. He stated that the discussion needs to be a holistic discussion about the local emergency, rather than simply in-person events.

Mayor Pro Tempore Shyne requested that the City Attorney address the comments by her colleagues. City Attorney Langer responded.

Mayor Meister stated she would rather err on the side of caution and supported staff's recommendations.

**ACTIONS:** 1) Authorize the City Manager to continue approving in-person, outdoor events on a case-by-case and allow for in-person indoor events on a limited, case-by-case basis, including City events, Co-sponsored events, and private events to be held at City facilities between May 1 and June 30, 2022, provided that the events adhere to the COVID-19 safety protocols outlined in this report; and 2) Beginning July 1, 2022, authorize the City Manager to determine what, if any, ongoing restrictions should be in place pertaining to indoor in-person events. **Motion by Mayor Meister, seconded by Councilmember Horvath, and approved noting the "no" votes of Councilmember Erickson and Mayor Pro Tempore Shyne.**

*\*\*The City Council took a recess at 8:00 p.m. and returned at 8:10 p.m.\*\**

**4.C. WEST HOLLYWOOD MINIMUM WAGE ORDINANCE UPDATE, CONSIDERATION OF ADMINISTRATIVE REGULATIONS, AND RESOLUTION ADOPTING THE ANNUAL MINIMUM WAGE ADJUSTMENT [D. WILSON, P. KESPRADIT, L. LANGER, J. LEONARD]:**

*SUBJECT: The City Council will receive an update and provide direction on implementation of the minimum wage ordinance and consider authorizing the City Manager to publish the Minimum Wage Administrative Regulations and adopting a resolution establishing the location index for the annual minimum wage increase.*

Director of Economic Development John Leonard provided background information as outlined in the staff report dated April 18, 2022.

The City Council inquired about the waiver provision. Mr. Leonard responded to this inquiry.

MYLENE BROOKS, VICE PRESIDENT AND ASSISTANT GENERAL COUNSEL/HR COMPLIANCE AND LABOR RELATIONS FOR CEDARS SINAI, spoke to request a public policy exemption from the provisions of the minimum wage ordinance.

KAREN SWIFT, ASSOCIATE DIRECTOR-GOVERNMENT & INDUSTRY RELATIONS FOR CEDARS SINAI, spoke to request a public policy exemption from the provisions of the minimum wage ordinance.

DANIELLE WILSON, WEST HOLLYWOOD UNITE HERE LOCAL 11, spoke in support of the original minimum wage ordinance.

JORGE SEPARAK, WEST HOLLYWOOD, spoke in support of the original minimum wage ordinance on behalf of workers.

BRETT LATTERI, WEST HOLLYWOOD, spoke to request a delay in the implementation of certain provisions of the ordinance.

WALTER SCHILD, WEST HOLLYWOOD, spoke to request that the City adopt State law which exempts highly paid tipped workers.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in opposition to the administrative fees.

JACOB SHAW, WEST HOLLYWOOD, spoke to request an extension of the implementation of certain provisions of the ordinance and exemptions for small businesses and highly paid tipped workers.

GENEVIEVE MORRILL, CEO OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke to request an extension of the implementation of certain provisions of the ordinance and encouraged the City to work with the business community.

CHRISTINE OVERGARD, ON BEHALF OF HWOOD GROUP, spoke of the challenges faced by Human Resource professionals to implement provisions of the ordinance.

NICK RIMEDIO, ON BEHALF OF THE CHAMBER OF COMMERCE, spoke regarding City employment policies conflicting with the ordinance and requested more time on the implementation.

STEVE MARTIN, WEST HOLLYWOOD, spoke to the original spirit of the ordinance and is in opposition to the administrative fee.

MARCUS MOLINA, WEST HOLLYWOOD, spoke in support of the minimum wage ordinance and opposed the administrative regulations.

ZEKIAH WRIGHT, WEST HOLLYWOOD, spoke regarding the need for clarity with certain regulations and supports a cap on leave time.

ALEXIS TEODORO, ONE FAIR WAGE CAMPAIGN, spoke to oppose the administrative fee.

*Citizen Position Slips: Allison Freed and Barbara Mayo in support of the recommended Item.*

City Attorney Langer spoke about total compensation under the California Labor Code as well as State Law regarding tip credits. She noted that there is a prohibition against tip credits under State law and that California does not allow a two-tiered wage system. She further noted that there is no case law that has tested the total compensation model; however, there is significant legal risk associated with a total compensation model.

Mayor Pro Tempore Shyne made the following motion:

- 1) Annual Minimum Wage Adjustment of at least 1% and no more than 4%
- 2) Calculation of Number of Employees – agrees with staff's recommendations
- 3) Leave Provisions – agrees with staff's recommendation
- 4) Cap on Leave – cap leave at 192 hours (50% sick and 50% vacation) with no accrual if the employee is at the cap
- 5) Extending the implementation date – recommends extending to October 1<sup>st</sup> rather than July 1<sup>st</sup>
- 6) Waiver portion – recommends that it applies to leave times and increase in wages.
- 7) Total Compensation – No
- 8) Administrative Fee – indicated that it is a service charge in disguise.

Councilmember D'Amico agrees with Mayor Pro Tempore Shyne; however, he indicated that the July 1<sup>st</sup> date should remain in place with the possibility of a deferral of up to one year on a case-by-case basis. Mayor Pro Tempore Shyne accepted the implementation date and Councilmember D'Amico seconded the motion.

Councilmember Erickson indicated his support of Mayor Pro Tempore Shyne's motion. He noted that since this is an Administrative Regulation that it should have been handled between staff and the businesses.

Councilmember Horvath responded to Councilmember Erickson's comment that this should have been handled between staff and the businesses noting that since some of the proposed changes require an amendment to the Minimum Wage Ordinance that the City Council needs to provide direction to staff. She does not agree with a total compensation model. She supports the Administrative Regulations presented this evening except for the administrative fee language and recommends it remains silent. She agrees with the other items in the motion. She briefly spoke as a business owner about the challenges with implementing wage/benefits every six months.

Mayor Meister commented that the wages could increase on July 1<sup>st</sup> and eliminate the January 1, 2023 increase in order to lessen the burden on the businesses. She noted that she supported a delayed implementation date for the other provisions.

Mr. Leonard summarized the City Council's direction and indicated that the amended ordinance will be on the May 2<sup>nd</sup> City Council agenda.

Mayor Pro Tempore Shyne restated her motion for the record.

**ACTIONS:** 1) Authorize the City Manager to publish the Minimum Wage Administrative Regulations; 2) Adopt Resolution No. 22-5498: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, ESTABLISHING AN ANNUAL MINIMUM WAGE INCREASE BY THE CONSUMER PRICE INDEX FOR URBAN WAGE EARNERS AND CLERICAL WORKERS (CPI-W), PURSUANT TO WEST HOLLYWOOD MUNICIPAL CODE SECTION 5.130.020."; and 3) Amend the Minimum Wage Ordinance as follows: Annual Minimum Wage Adjustment of at least 1% and no more than 4%, Calculation of Number of Employees (Staff's Recommendation), 96 hours half sick/half paid time off, Leave Provisions (Staff's Recommendation), Cap on Leave at 192 hours (50% sick and 50% vacation) after two years with no accrual if the employee is at the cap, and staff will return with proposed language changes in the Waiver Portion that may include leave times and increase in wages. **Motion by Mayor Pro Tempore Shyne, seconded by Councilmember D'Amico, and approved, noting the "no" vote of Mayor Meister.**

## 5. NEW BUSINESS:

### 5.A. PROPOSAL TO MODIFY THE CITY'S MIXED-USE BONUS TO REQUIRE MAJORITY AFFORDABLE UNITS IN NEW MIXED-USE DEVELOPMENTS TO MEET 6TH CYCLE RHNA NUMBERS [L. MEISTER, JOHN D'AMICO, Y. QUARKER, A. LOVANO]:

*SUBJECT: The City Council will consider updating the requirements in the City's existing mixed-use ordinance to specifically require residential units to reflect and be in alignment with dwelling unit ratios mandated in the state's Regional Housing Needs Assessment (RHNA) allocation.*

Mayor Meister provided background information as outlined in the staff report dated April 18, 2022.

JERARD WRIGHT, DIRECTOR OF GOVERNMENT AFFAIRS AT GREATER LA REALTORS, spoke regarding how mixed-use developments effect the ability of cities to comply with state legislation to

increase housing. He also encouraged the City to reach out to the Greater Los Angeles Realtors for their insight on land use issues.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in support of more affordable housing units.

STEVE MARTIN, WEST HOLLYWOOD, spoke in support of more affordable housing units.

Councilmember Erickson inquired about cost. Mayor Meister responded.

Mayor Meister added direction to revisit the unit size square footage requirements in the Municipal Code to incentivize developers to use this new bonus, and that Planning consult with UDAS to get an architect perspective on costs and design.

**ACTIONS:** 1) Direct staff to initiate a Zone Text Amendment to amend the Mixed Use Development Incentives in Municipal Code Section 19.10.050 to reflect the affordable housing ratios in the City's current Regional Housing Needs Assessment allocations; 2) Direct staff to draft a General Plan Amendment to conform to the amended Zoning Code; 3) Revisit the unit size square footage requirements in the Code to incentivize developers to use this new business; 4) Direct Planning to consult with UDAS for an architect's perspective on costs and design; and 5) Bring the amendments back to Council for consideration, after review by the Planning Commission's Long Range Subcommittee as well as the Planning Commission within the next 120 days. **Motion by Councilmember D'Amico, seconded by Mayor Meister, and approved, noting the "no" vote of Councilmember Erickson.**

**5.B. INCREASE INCLUSIVITY THROUGH USE OF PRONOUNS AND DISPLAY OF THE PROGRESS FLAG [S. SHYNE, J. ERICKSON, Y. QUARKER, A. LOVANO]:**

*SUBJECT: The City Council will consider providing training to appointed officials regarding the use of pronouns and gather input from the Transgender Advisory Board and transgender service agencies on a potential policy to display gender pronouns during official meetings. The City Council will also consider amending the flag resolution to replace the Lambda Pride Flags and Rainbow Pride Flags permanently on display, and the added annual Pride month Rainbow Flags on display during the month of June, with the Progress Flag.*

Mayor Pro Tempore Shyne provided background information as outlined in the staff report dated April 18, 2022.

She clarified that the use of pronouns by City officials is not a requirement; however, it is encouraged to promote inclusivity.

ANDREW SOLOMON, WEST HOLLYWOOD, spoke in support of the item.

STEVE MARTIN, WEST HOLLYWOOD, spoke in support of the item.

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

*Citizen Position Slips: Allison Freed and Barbara Mayo in support of the recommended item.*

Mayor Meister requested clarification on the flags and locations. Mayor Pro Tempore Shyne responded.

The City Council directed staff to investigate adding the Progressive flag to Sheriff's vehicles. City Attorney Langer indicated that staff would research any licensing issues.

**ACTIONS:** 1) Direct staff to coordinate a training for appointed officials led by one of the City's transgender services agencies on gender identity, gender pronouns, and inclusivity; 2) Direct City staff to allow appointed officials to choose to display pronouns on name placards during official City meetings and gather feedback from the City's Transgender Advisory Board and the City's contracted transgender services agencies regarding the potential establishment of a policy to require City Council members and appointed officials – including Advisory Board Members, Commissioners, and Task Force members – to display gender pronouns during official City meetings held virtually or in person; 3) Adopt Resolution No. 22-5499 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE UNIFORM POLICY FOR THE OUTDOOR PUBLIC DISPLAY OF GOVERNMENTAL AND NON-GOVERNMENTAL FLAGS", which will replace one of the two Lambda Pride Flags currently on display at four locations along the Santa Monica Boulevard median with the Progress Flag; 4) Authorize the Director of Finance and Technology Services to allocate \$1,500 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 \$1,500 from budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with purchasing Progress Flags to replace the permanent Lambda Flags and Rainbow Flags, as well as the annual Rainbow Flags flown during Pride month; and 6) Research adding the Progressive flag to Sheriff's vehicles. **Motion by Mayor Pro Tempore Shyne, seconded by Councilmember Erickson, and approved.**

**5.C. ADOPTION OF A RESOLUTION FOR AN EXCEPTION TO THE 180-DAY WAIT PERIOD PURSUANT TO GOVERNMENT CODE SECTIONS 7522.56 AND 21221(H) [J. JIMENEZ, S. SCHUMACHER, C. KOKUBUN, J. KEHO]:**

*SUBJECT: The City Council will consider adopting a resolution approving exception to the 180-Day Wait Period pursuant to Government Code Sections 7522.56 and 21221(h) to temporarily employ Anne McIntosh to perform limited duration work and fill the critically needed vacant Planning Manager position in the Long-Range Planning Division.*

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

STEVE MARTIN, WEST HOLLYWOOD, spoke in opposition to the Item.

Mayor Meister indicated she will vote no because it is a bad precedent.

**ACTION:** Adopt Resolution No. 22-5500 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD FOR EXCEPTION TO THE 180-DAY WAIT PERIOD GC SECTION 7522.56 & 21221(H) FOR ANNE MCINTOSH." **Motion by Councilmember Erickson, seconded by Councilmember Horvath, and approved noting "no" votes of Councilmember D'Amico and Mayor Meister.**

**5.D. PANDEMIC PREPAREDNESS [L. MEISTER, Y. QUARKER, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to take steps to continue to support the City's and community's efforts to be prepared in the case of another COVID-19 surge and/or future pandemic or public health crises.*

**ACTIONS:** This Item was moved to Consent Calendar.

**EXCLUDED CONSENT CALENDAR:**

**2.I. APPROVAL OF 2023 ARTS GRANT PROGRAM [J. LEONARD, R. EHEMANN, E. ANGELOFF]:**

*SUBJECT: The City Council will consider approving the City of West Hollywood's 2023 Arts Grant Program guidelines, schedule, and funding, apart from the WeHo Pride LGBTQ Arts Festival (formerly known as One City One Pride), as recommended by the Arts and Cultural Affairs Commission.*

Mayor Pro Tempore Shyne commented that there is only one grant item that calls out BIPOC and women, and that it is the lowest funded category. She made a motion to change the grant funding from \$6,000 to \$12,000 as well as increase the amount each organization may receive from \$2,000 to \$3,000.

**ACTIONS:** 1) Approve the implementation of the City of West Hollywood's 2023 Arts Grant Program, apart from WeHo Pride LGBTQ Arts Festival (formerly known as One City One Pride); 2) Increase the Community Arts Grant; and 3) Change the Community Arts Grant funding from \$6,000 to \$12,000 as well as increase the amount each organization from \$2,000 per organization to \$3,000 per organization. **Motion by Mayor Pro Tempore Shyne, seconded by Councilmember D'Amico, and approved.**

**6. LEGISLATIVE: None.**

**PUBLIC COMMENT:**

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke about public noticing, transparency, and the need for noticing language that is clear and uses layman's terms to assist the public.

STEVE MARTIN, WEST HOLLYWOOD, spoke about National Night Out funding for neighborhood groups this year and requested that the City provide the tables and chairs since this is a significant cost to the neighborhood groups.

**COUNCILMEMBER COMMENTS:**

Councilmember Erickson requested an update on National Night Out before August.

**ADJOURNMENT:** The City Council adjourned at 10:49 P.M. in memory of Andrew Jelmert and William Mark Gordon to a Study Session, which will be on Monday, April 25, at 6:00 P.M. at West Hollywood Park Public Meeting Room - Council Chambers.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 2<sup>nd</sup> day of May, 2022 by the following vote:

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

  
LAUREN MEISTER, MAYOR

ATTEST:

  
MELISSA CROWDER, CITY CLERK