

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
SPECIAL CLOSED SESSION AGENDA**

**MONDAY, AUGUST 1, 2022
4:30 P.M.**

**WEST HOLLYWOOD AQUATICS AND RECREATION CENTER
LA CIENEGA AND SAN VICENTE ROOMS
8750 EL TOVAR PLACE
WEST HOLLYWOOD, CA 90069**

- 1. CONVENE IN OPEN SESSION**
- 2. PUBLIC COMMENT ON THE CLOSED SESSION AGENDA**
- 3. RECESS TO CLOSED SESSION**
- 4. PUBLIC EMPLOYEE PERFORMANCE EVALUATION.....G.C. 54957(b)(1)**
TITLE: City Manager

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at www.weho.org

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Land Acknowledgement:

“The West Hollywood City Council acknowledges that the land on which we gather and that is currently known as the City of West Hollywood is the occupied, unceded, seized territory of the Gabrieleño Tongva and Gabrieleño Kizh peoples.”

AB 361 has authorized public meetings to take place via teleconference because State and Local officials are recommending measures to promote social distancing. The City Councilmembers, City staff, and members of the public will participate in Council Chambers located at 625 N. San Vicente Boulevard, West Hollywood, California 90069 and/or via teleconference using the Zoom platform. The meeting may also be viewed on various platforms. Please visit www.weho.org/wehotv for all the viewing options.

TO PARTICIPATE BY PROVIDING WRITTEN CORRESPONDENCE OR AN E-COMMENT:

Members of the public who wish to comment on matters before the City Council are strongly encouraged to submit written correspondence to publiccomment@weho.org or submit an E-Comment by visiting www.weho.org/wehotv no later than 2:00 p.m. on Council meeting day. *Note: Written Correspondence and E-Comments will not be read into the record during the City Council meeting; however, correspondence received by 2:00 p.m. will be forwarded to the City Council and posted on the City's website as part of the official meeting record. Your comments and information will become part of the official public record. If you do not want your personal information included in the official record, please do not include your address and/or phone number.*

TO PARTICIPATE BY PROVIDING PUBLIC COMMENT BY TELEPHONE:

(Please note: This option is to provide public comment via phone ONLY. To view the meeting, please see information on how to view the meeting provided above.)

1. You are strongly encouraged to e-mail the City Clerk at publiccomment@weho.org no later than 2:00 p.m. on the City Council meeting day, to be added to the Public Speaker List for the meeting. Please include your name, the phone number from which you will be calling, and which item you would like to speak on.

2. Dial-in 10 minutes prior to the start of the meeting (***the meeting begins at 6:00 p.m.***)

- Dial-in #: 669-900-6833
- Meeting I.D.: 863 6408 8893, then #

To comply with the Americans with Disabilities Act of 1990, Assistive Listening Devices (ALD) will be available for check out at the meeting. If special assistance to participate in this meeting is required, (e.g., an American Sign Language interpreter for people who are Deaf or hard of hearing), you must call or submit your request in writing to the Office of the City Clerk at (323) 848-6800 at least 48 hours prior to the meeting. The City TTY line is (323) 848-6496.

Special meeting related accommodations (e.g., transportation) may be provided upon written request to the Office of the City Clerk at least 48 hours prior to the meeting. For information on public transportation, call 323-GO-METRO (323/466-3876) or go to www.metro.net.

If you would like additional information on any item appearing on this agenda, please contact the Office of the City Clerk at (323) 848-6800.

Note: Any agenda item(s) not initiated by 11:00 p.m. may be continued to a subsequent City Council meeting. The City Council may direct staff to continue the item(s) to an already scheduled City Council meeting or may adjourn this meeting to an adjourned regular meeting to consider the item(s).

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
AGENDA
MONDAY, AUGUST 1, 2022
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

4:30 P.M. – SPECIAL CLOSED SESSION: See attached Closed Session Special Agenda

6:00 P.M. – REGULAR MEETING

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

REPORT OF CLOSED SESSION AGENDA:

APPROVAL OF AGENDA:

ADJOURNMENT MOTIONS:

PRESENTATIONS:

1. PUBLIC COMMENT: The City Council values your comments; however, pursuant to the Brown Act, Council cannot take action on items not listed on the posted agenda. The public comment period is limited to 20 minutes, with 2 minutes allotted for each speaker. This public comment period is to address the City Council on Consent Calendar items, other agenda items (if the member of the public cannot be present at the time the item is considered) or items of general interest within the jurisdiction of the City Council. Another period is also reserved for general comment later in the meeting for those that could not be heard at this time. Public Hearing testimony will only be taken at the time of the hearing.

1.A. PUBLIC COMMENTS ON CONSENT CALENDAR ITEMS WHICH HAVE NOT BEEN REMOVED FROM THE CONSENT CALENDAR:

1.B. PUBLIC COMMENTS, GENERAL INTEREST:

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS: This portion of the meeting is set aside for general comments, announcements, requests of staff, subcommittee meeting reports, and/or other issues of concern from members of the City Council.

CITY MANAGER'S REPORT: This time is set aside for the City Manager to update the Council on important items initiated by staff or previously requested by the City Council.

FISCAL IMPACT ON CONSENT CALENDAR:

2. CONSENT CALENDAR: The following routine matters can be acted upon by one motion. Individual items may be removed by the Council for separate discussion. Items removed for separate discussion will be heard following New Business Items. The title is deemed to be read and further reading waived of any ordinance listed on the consent calendar for introduction or adoption.

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Monday, August 1, 2022 was posted at City Hall, Plummer Park, the Sheriff's Station, and at the West Hollywood Library on Wednesday, July 27, 2022.

RECOMMENDATION: Receive and file.

2.B. APPROVAL OF MINUTES:

SUBJECT: The City Council is requested to approve the minutes of the prior Council meeting.

RECOMMENDATION: Approve the minutes of July 18, 2022.

2.C. DEMAND REGISTER NO. 911, RESOLUTION NO. 22-5540:

SUBJECT: The City Council is requested to approve payment of bills due as presented by the Director of Finance.

RECOMMENDATION: Approve Demand Register No. 911 and adopt Resolution No. 22-5540, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 911".

2.D. 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.

RECOMMENDATION: Allow for the continued use of virtual teleconference meetings for City Brown Act meetings (including 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.

2.E. ADOPT ORDINANCE NO. 22-1186 (2ND READING) “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, ADOPTING AMENDMENTS TO TITLE 19, ZONING ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE, TO ALLOW RESTAURANTS TO SELL ALCOHOLIC BEVERAGES FOR ON- AND OFF-SITE CONSUMPTION INCLUDING OFF-SITE ALCOHOL CONSUMPTION FOR TAKEOUT VIA PICK UP IN ACCORDANCE WITH RECENTLY STATE LAW (SB 389) AND TO STREAMLINE THE REVIEW PROCESS FOR ALL ON- AND OFF-SITE SALES, SERVICE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN COMMERCIAL ZONES AND THE R3C-C ZONE IN THE CITY OF WEST HOLLYWOOD AND FINDING THE ACTION CATEGORICALLY EXEMPT FROM CEQA” [M. CROWDER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 22-1186, approving amendments to Title 19, Zoning Ordinance of the West Hollywood Municipal Code, to allow restaurants to sell alcoholic beverages for on- and off-site consumption including off-site alcohol consumption for takeout via pick up in accordance with recently passed state law (SB 389) and to streamline the review process for all on- and off-site sales, service and consumption of alcoholic beverages in commercial zones and the R3C-C zone in the City of West Hollywood and finding the action categorically exempt from CEQA.

RECOMMENDATION: Waive further reading and adopt Ordinance 22-1186, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, ADOPTING AMENDMENTS TO TITLE 19, ZONING ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE, TO ALLOW RESTAURANTS TO SELL ALCOHOLIC BEVERAGES FOR ON- AND OFF-SITE CONSUMPTION INCLUDING OFF-SITE ALCOHOL CONSUMPTION FOR TAKEOUT VIA PICK UP IN ACCORDANCE WITH RECENTLY STATE LAW (SB 389) AND TO STREAMLINE THE REVIEW PROCESS FOR ALL ON- AND OFF-SITE SALES, SERVICE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN COMMERCIAL ZONES AND THE R3C-C ZONE IN THE CITY OF WEST HOLLYWOOD AND FINDING THE ACTION CATEGORICALLY EXEMPT FROM CEQA”.

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

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

RECOMMENDATION: Receive and file.

2.G. REQUEST TO DESIGNATE THE PROPERTY AT 8300 SUNSET BOULEVARD AS A LOCAL CULTURAL RESOURCE [J. KEHO, J. ALKIRE, D. VU, D. PURIFICACION]:

SUBJECT: The City Council will consider the Historic Preservation Commission's recommendation to approve the nomination of the property located at 8300 Sunset Boulevard as a local cultural resource. Originally developed in 1962 as the Thunderbird Inn, the hotel was most recently operated as The Standard.

RECOMMENDATION: Staff recommends that the City Council uphold the Historic Preservation Commission's recommendation and adopt Resolution No. 22-__ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING THE PROPERTY AT 8300 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA AS A LOCAL CULTURAL RESOURCE."

2.H. WOMEN'S EQUALITY DAY 2022 [Y. QUARKER, A. LOVANO]:

SUBJECT: The City Council will consider approval of programming for the City's annual Women's Equality Day commemoration.

RECOMMENDATIONS: 1) Approve programming recommendations from the Women's Advisory Board for the Women's Equality Day 2022 commemoration; 2) Direct staff to light City Hall and the City's lanterns over Santa Monica Boulevard in the colors purple and yellow/gold to recognize Women's Equality Day from August 22 – August 29, 2022; and 3) Direct the Communications Department to utilize all appropriate communications tools to promote the City's commemoration of Women's Equality Day, including, but not limited to, the City's website and social media tools.

2.I. COMMUNITY EDUCATION ON CRYPTOCURRENCY SCAMS [L. MEISTER, Y. QUARKER, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to inform and educate the community on cryptocurrency scams and how to avoid them.

RECOMMENDATION: Direct staff to develop ways to inform and educate the community on cryptocurrency scams and how to avoid them, including posting information on the City's website and social media tools.

2.J. CO-SPONSORSHIP OF HOLLYWOOD NOW'S TRANSVAGINA DIARIES [J. ERICKSON, Y. QUARKER, A. LOVANO, M. MÁRQUEZ]:

SUBJECT: The City Council will consider co-sponsoring Hollywood NOW's production of the TransVagina Diaries at the West Hollywood City Council Chambers on November 5 and 6, 2022.

RECOMMENDATIONS: 1) Authorize co-sponsorship of Hollywood NOW's production of the TransVagina Diaries on November 5 and 6, 2022 by approving the co-sponsorship agreement with Hollywood NOW; 2) Authorize the City Manager to execute documents incident to the co-sponsorship agreement; 3) Authorize the use of the City name and logo on invitations, programs, and other collateral materials for the event; 4)

Direct the Communications Department to utilize all appropriate communications tools to promote the event, including, but not limited to, the City's website and social media tools; 5) Waive the Facility Use Fee for the City Council Chambers for the two production days, as well as other Facility Use Fees for three rehearsal days, and any other ancillary permits that may be required for the event (estimated \$780 in waived fees); 6) Waive parking fees at the 5-story parking lot for attendees of the event on both production days, and during the dress rehearsal (estimated \$1,320 in waived fees); and 7) Authorize the Director of Finance & Technology Services to allocate \$10,000 from budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with the event.

2.K. CO-SPONSORSHIP OF THE ISRAELI-AMERICAN CIVIC EDUCATION INSTITUTE'S COMBATING ANTISEMITISM SUMMIT [L. MEISTER, Y. QUARKER, A. LOVANO, M. MÁRQUEZ]:

SUBJECT: The City Council will consider co-sponsoring the Israeli-American Civic Education Institute's Combating Antisemitism Summit, to be held at Congregation Kol Ami in late August 2022.

RECOMMENDATIONS: 1) Authorize co-sponsorship of the Israeli-American Civic Education Institute's Combating Antisemitism Summit by approving the co-sponsorship agreement with the Israeli-American Civic Education Institute; 2) Authorize the City Manager to execute documents incident to the co-sponsorship agreement; 3) Authorize the use of the City name and logo on invitations, programs, and other collateral materials for the event; and 4) Direct the Communications Department to utilize all appropriate communications tools to promote the Combating Antisemitism Summit, including, but not limited to, the City's website and social media tools.

3. PUBLIC HEARINGS: None.

4. UNFINISHED BUSINESS:

4.A. WEHO PRIDE 2022: INITIAL POST EVENT DEBRIEF REPORT [Y. QUARKER, C. SMITH, M. REATH, K. MCCORMACK]:

SUBJECT: The City Council will receive an initial post-event debrief regarding WeHo Pride 2022 and provide feedback related to the inaugural event.

RECOMMENDATIONS: 1) Receive an initial post-event debrief overview regarding WeHo Pride 2022; and 2) Provide feedback related to WeHo Pride 2022.

4.B. WEST HOLLYWOOD PARK PHASE II MASTER PLAN IMPLEMENTATION PROJECT - FINAL SETTLEMENT AND PROJECT CLOSEOUT [S. CAMPBELL, H. COLLINS]:

SUBJECT: The City Council will consider authorizing the release of the retention and the ratification and approval of a Settlement Agreement for final resolution and payment of all outstanding claims and associated costs for the West Hollywood Park Phase II Master Plan Implementation Project.

RECOMMENDATIONS: 1) Authorize the Director of Finance & Technology Services to allocate \$6,305,767 from the Debt Funded Capital Projects Fund 301 to accommodate the increase to the project budget for the West Hollywood Park Master Plan Phase II Implementation Project from \$113,499,810 to \$119,805,577; 2) Authorize the release of retention in the amount of \$4,408,920.06 from the established project escrow account to Sinanian Development, Incorporated; 3) Authorize payment to Sinanian Development, Incorporated in the amount of \$4,000,000 with a permanent holdback by the City of \$415,000, as outlined in the Settlement Agreement, for the resolution of all outstanding construction claims related to the West Hollywood Park Phase II Implementation Project; 4) Authorize funding in the amount of \$2,305,767 for closeout costs related to the West Hollywood Park Phase II Implementation Construction Project; and 5) Authorize the City Manager or designee to execute all documents incident to the closeout of construction including the release of retention held in the escrow account and ratification of the terms contained within the Settlement Agreement for resolution of all outstanding claims and associated costs for the West Hollywood Park Phase II Master Plan Implementation Project.

4.C. SMALL PROJECTS AFFORDABLE HOUSING IN-LIEU FEE AND INCLUSIONARY REQUIREMENT [J. LEONARD, B. LEAGUE, A. BARTLE]:

SUBJECT: The City Council will receive a study of the affordable housing in-lieu fee options and inclusionary requirement for small residential projects (2-10 units) and consider directing staff to amend the Title 19 Zoning Ordinance and the master fee resolution based on the study recommendations.

RECOMMENDATION: 1) Receive the study and consider directing staff to amend the Title 19 Zoning Ordinance and the master fee resolution based on the following study recommendation: Increase the set-aside for small projects from 10% currently to 15%, the increase shall be accompanied by a “must build” requirement for projects with at least 7 units with an in-lieu fee required for all fractional units.

4.D. AMENDMENT TO THE AGREEMENT FOR SERVICES WITH MYDATT SERVICES, INC. d/b/a BLOCK BY BLOCK FOR SECURITY AMBASSADOR SERVICES [D. RIVAS]:

SUBJECT: The City Council will consider approving an amendment to the Agreement for security ambassador services with Mydatt Services, Inc. d/b/a Block by Block to modify the scope of work and increase the amount of the agreement.

RECOMMENDATIONS: 1) Approve Amendment No. 1 to Agreement of Services with Mydatt Services, Inc. d/b/a Block by Block to increase the “not-to-exceed” amount by \$1,954,376.32 to \$5,696,511.69 in FY 2022-23 and by \$1,993,247.36 to \$5,804,105.44 in FY 2023-24 for a total two-year term of \$11,500,617.13 for security ambassador services; 2) Authorize the City Manager or designee to execute documents incident to the Agreement; and 3) Authorize the Director of Finance and Technology Services to allocate \$1,954,376.32 from unallocated General Fund Reserves in FY 2022-23 to account 100-2-04-18-534113 for these services.

4.E. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, DECLARING THAT OFFENSES RELATED TO PSILOCYBIN MUSHROOMS ARE A LOW ENFORCEMENT PRIORITY [L. LANGER, D. RIVAS]:

SUBJECT: The City Council will consider adopting a resolution declaring that the City of West Hollywood will make enforcement of offenses related to psilocybin mushrooms a low enforcement priority.

RECOMMENDATION: Adopt Resolution 22-____: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, DECLARING THAT OFFENSES RELATED TO PSILOCYBIN MUSHROOMS ARE A LOW ENFORCEMENT PRIORITY.”

4.F. APPOINTMENT TO THE PLANNING COMMISSION [M. CROWDER]:

SUBJECT: The City Council will consider making an at-large appointment to the Planning Commission.

RECOMMENDATION: Call for nominations for an at-large appointment to the Planning Commission for a term ending February 28, 2023.

5. NEW BUSINESS:

5.A. HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR CALENDAR YEAR 2021 [J. KEHO, A. MCINTOSH, A. MISHKY]:

SUBJECT: The City Council will receive the Annual Housing Element Report for calendar year 2021 and authorize staff to submit the report to the California Department of Housing and Community Development in compliance with state requirements.

RECOMMENDATION: Authorize staff to submit the 2021 Annual Housing Element Report to the California State Department of Housing and Community Development.

5.B. REQUEST FOR FINANCING COMMITMENT LETTER AND AUTHORIZATION TO ISSUE LOAN FROM THE AFFORDABLE HOUSING TRUST FUND IN THE AMOUNT OF \$10,000,000 FOR CONSTRUCTION AND PERMANENT FINANCING AT 910-916 N WETHERLY DRIVE [J. LEONARD, B. LEAGUE, A. BARTLE]:

SUBJECT: *The City Council will consider issuing a commitment letter and loan from the Affordable Housing Trust Fund to the West Hollywood Community Housing Corporation (“WHCHC”), a non-profit housing developer and operator, in the amount of \$10,000,000 for Construction and Permanent Financing at 910-916 N. Wetherly Drive.*

RECOMMENDATIONS: 1) Authorize the City Manager to sign a commitment letter in substantially the form attached, pledging \$10,000,000 for construction and permanent financing for the development of a minimum of 80 affordable housing units at 910-916 N. Wetherly Drive; 2) Authorize the Director of Finance and Technology Services to allocate \$10,000,000 from unallocated reserves in the Affordable Housing Trust Fund to account 216-3-05-62-537015 for the purposes of funding the loan; and 3) Authorize the City Manager or designee to execute all documents incident to the agreement.

EXCLUDED CONSENT CALENDAR: Items removed from the Consent Calendar for separate discussion are considered at this time.

6. LEGISLATIVE:

PUBLIC COMMENT: This time is set aside for the public to address the Council on any item of interest within the subject matter jurisdiction of the Council that could not be heard under Item 1 at the beginning of the meeting.

COUNCILMEMBER COMMENTS: Additional general comments, announcements, requests of staff and/or other issues of concern to Councilmembers are briefly presented at this time.

ADJOURNMENT: The City Council will adjourn to its next regular meeting, which will be on Monday, August 15, 2022 at 6:00 P.M. at West Hollywood Park Public Meeting Room - Council Chambers.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
August 15	Monday	6:00 PM	Regular Meeting	West Hollywood Park Council Chambers
September 19	Monday	6:00 PM	Regular Meeting	West Hollywood Park Council Chambers
October 3	Monday	6:00 PM	Regular Meeting	West Hollywood Park Council Chambers
October 17	Monday	6:00 PM	Regular Meeting	West Hollywood Park Council Chambers

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AFFIDAVIT OF POSTING

State of California)

County of Los Angeles)

City of West Hollywood)

I declare under penalty of perjury that I am employed by the City of West Hollywood in the Office of the City Clerk and that I posted this agenda on:

Date: July 27, 2022

Signature: Melissa Crowder
Office of the City Clerk