

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, SEPTEMBER 18, 2023
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD

6:00 P.M. – REGULAR MEETING**

CALL TO ORDER: Mayor Shyne called the meeting to order at 6:03 p.m. and read the Land Acknowledgment.

PLEDGE OF ALLEGIANCE: Marquita Thomas led the Pledge of Allegiance.

ROLL CALL:

PRESENT: Councilmember Byers, Councilmember Heilman, Councilmember Meister, Mayor Pro Tempore Erickson, and Mayor Shyne.

ABSENT: None.

ALSO PRESENT: City Manager Wilson, City Attorney Langer, Administrative Services Director Janet Jimenez, City Clerk Crowder, and Assistant City Clerk Morales.

APPROVAL OF AGENDA:

City Clerk Crowder noted that staff requested that Item 5.A. be Tabled.

Mayor Pro Tempore Erickson requested that Items 6.B. and 6.D. be moved to the Consent Calendar as Items 2.CC. and 2.DD., respectively.

Councilmember Meister requested that Item 2.U. be moved to Excluded Consent and noted her “no” vote on Item 2.D.

Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Erickson, to approve the September 18, 2023 agenda, as amended.

ADJOURNMENT MOTIONS:

Councilmember Meister requested that the meeting be adjourned in memory of Gloria Scheer.

Mayor Shyne requested the meeting be adjourned in memory of Los Angeles Sheriff's Department Deputy Ryan Clinkunbroomer and the victims of the Morocco earthquake.

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PRESENTATIONS:

Mayor Pro Tempore Erickson presented a Proclamation to the Van Ness Recovery House in honor of National Recovery Month.

Mayor Pro Tempore Erickson presented a Proclamation to the Ovarian Cancer Circle in honor of Ovarian Cancer Awareness Month.

Mayor Pro Tempore Erickson presented a Proclamation to QT Nightlife.

Mayor Shyne presented a Proclamation to the Iranian American Women Foundation in honor of “Mahsa Amini Day”.

The City Council presented plaques to outgoing Appointed Officials for their service to the City of West Hollywood’s Boards and Commissions.

1. PUBLIC COMMENT:

MEGAN ODDSEN, ORANGE COUNTY, spoke regarding her support of Agenda Item 6.D.

JESI HARRIS, WEST HOLLYWOOD, spoke regarding her support of Agenda Item 6.B. and provided suggestions on the best locations.

KELLY PILARSKI, WEST HOLLYWOOD, spoke regarding her support of Agenda Item 6.B.

MONIQUE GOMEZ, on behalf of Barrington Plaza Tenants Association, spoke regarding her support of Agenda Item 2.AA.

MARCUS MOLINA, Unite Here Local 11, spoke regarding fair wages for hotel workers.

MICHAEL SULLIVAN, Unite Here Local 11, spoke regarding fair wages for hotel workers and the housing crisis.

ISMAEL NAVARRO, Unite Here Local 11, spoke regarding fair wages for hotel workers and the housing crisis.

YANET GILMORE, Unite Here Local 11, spoke regarding her request to the City Council to support the approval of an ordinance for higher wages for hotel workers.

GILMA ANZORA, Unite Here Local 11, spoke regarding her gratitude to the City Council for approving the minimum wage ordinance and requested their support for fair wages for hotel workers.

MORENA HERNANDEZ, Unite Here Local 11, spoke regarding her request to the City Council to support higher wages for hotel workers.

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XIOMARA QUINTERO, Unite Here Local 11, spoke regarding higher wages of \$30 an hour for hotel workers to maintain the cost of living.

JULIA FUENTES, Unite Here Local 11, spoke regarding her request to the City Council to support raising the minimum wage for hotel workers.

MARIA LOURDES NOLASCO, Unite Here Local 11, spoke regarding higher wages for hotel workers.

LUCIAN TUDOR, on behalf of La Boheme, spoke in opposition to raising the minimum wage in the City.

JIM HOFFMAN, WEST HOLLYWOOD, spoke in support of Betsy Kalin's documentary film, *Lesbians in Boystown*.

ABBE LAND, WEST HOLLYWOOD, spoke in support of Item 6.D. and encouraged the City to fiscally support the documentary film, *Lesbians in Boystown*.

MICHAEL MORTON, WEST HOLLYWOOD, spoke regarding concerns at his residence.

***The City Council recessed at 7:21 p.m. and reconvened at 7:27 p.m.*

CITY MANAGER'S REPORT:

City Manager David Wilson briefed the City Council on the meeting that City staff conducted with City businesses to provide an overview on street closure impacts, programming, public safety, and special event permit activations that will occur during the Halloween Carnival and invited the public to contact the City if they have questions or concerns. Additionally, Mr. Wilson solicited the community's feedback on the updates to the City's local Hazard Mitigation Draft Plan which is required if the City applies for State and Federal emergency funding. Furthermore, he encouraged stakeholders' input to Metro's community meetings, so that they may share feedback on the K Line northern extension railroad project. He also invited the community to meet newly appointed Community Development Director Nick Maricich during one of their community meetings. He concluded his comments by mentioning that Director of Human Services and Rent Stabilization Christof Schroeder would be filling in for him at the October 2nd City Council meeting as he will be attending the International City/County Management Association (ICMA) Conference.

Mayor Shyne commented that the individuals who submitted speaker slips for the first Public Comment period would have the opportunity to speak during the second Public Comment period at the end of the meeting.

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FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Crowder stated that the fiscal impact on the Consent Calendar with the addition of Items 6.B. and 6.D., and the removal of Item 2.U. to Excluded Consent was \$8,390,208 in expenditures, \$255,784 in revenue, and (\$7,945) in waived fees.

2. CONSENT CALENDAR:

2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,K.,L.,M.,O.,P.,Q.,R.,S.,T.,V.,W.,X.,Y.,Z.,AA.,BB.,CC.,DD.

Motion by Mayor Pro Tempore Erickson, seconded by Councilmember Heilman, and approved, noting the “no” vote by Councilmember Meister on Item 2.D.

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Monday, September 18, 2023, was posted at City Hall, Plummer Park, the Sheriff’s Station, and at the West Hollywood Library on Wednesday, September 13, 2023.

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 meetings.

ACTION: Approve the minutes of August 14, 2023, and August 21, 2023. Approved as part of the Consent Calendar.

2.C. APPROVAL OF DEMAND REGISTER NO. 933 [L. QUIJANO, C. CORRALES, S. HERNANDEZ]:

SUBJECT: The City Council shall receive the Demand Register for period ending September 8, 2023, pursuant to Sections 37201 to 37210 of the Government Code of the State of California.

ACTION: Approve Demand Register No. 933 and adopt Resolution No. 23-076, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 933”. Approved as part of the Consent Calendar.

2.D. ADOPT ORDINANCE NO. 23-23 (2ND READING) “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING AMENDMENTS TO TITLE 19, ZONING ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE, TO UPDATE REPLACEMENT REQUIREMENTS OF ABOVE LOWER-INCOME PROTECTED UNITS IN NEW HOUSING PROJECTS” [M. CROWDER, L. MORALES]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 23-23, adopting amendments to Title 19, Zoning Ordinance of the West Hollywood Municipal Code to update replacement requirements of above lower-income protected units in new housing projects.

ACTION: Waive further reading and adopt Ordinance No. 23-23, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING AMENDMENTS TO TITLE 19, ZONING ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE, TO UPDATE REPLACEMENT REQUIREMENTS OF ABOVE LOWER-INCOME PROTECTED UNITS IN NEW HOUSING PROJECTS”. **Approved as part of the Consent Calendar noting the “no” vote of Councilmember Meister.**

2.E. COMMISSION AND ADVISORY BOARD MEETING SYNOPSES [M. CROWDER, L. MORALES]:

SUBJECT: The City Council will receive Synopses from the Human Services Commission, Disabilities Advisory Board, Older Adults Advisory Board, and Women’s Advisory Board regarding actions taken at their recent meetings.

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

2.F. TREASURER’S REPORT FOR JULY 2023 [L. QUIJANO, C. CORRALES, K. BARENG]:

SUBJECT: The City Council will receive the Treasurer’s Reports for the month ended July 2023 pursuant to Section 53646 of the Government Code of the State of California.

ACTION: Receive and file the July 2023 Treasurer’s Report. **Approved as part of the Consent Calendar.**

2.G. UPDATE ON SPORTING EVENTS AND SPORTS TOURISM IN WEST HOLLYWOOD [L. BIERY, Y. QUARKER, S. MARTINEZ, S. CAMPBELL, H. COLLINS]:

SUBJECT: The City Council will receive an update regarding City-hosted sporting events and regional sports tourism in West Hollywood.

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

2.H. UPDATE ON ECONOMIC DEVELOPMENT INITIATIVES [L. BIERY]:

SUBJECT: The City Council will receive an update on various economic development initiatives to focus the City’s attention on the retention of existing businesses in West Hollywood and attracting new ones.

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

2.I. SOCIAL SERVICES CONTRACT RENEWALS 2023-24 [C. SCHROEDER, C. PLANCK, L. ISENBERG]:

SUBJECT: The City Council will consider renewals of Social Services contracts for the second year of the 2022-25 funding cycle (October 1, 2023-September 30, 2024).

ACTIONS: 1) Approve the 2023-24 Social Services contract renewals with 28 social service programs for a total of \$6,951,985; and 2) Authorize the City Manager or his designee to execute documents related to the agreements. **Approved as part of the Consent Calendar.**

2.J. AGREEMENTS FOR SERVICES WITH HARRIS & ASSOCIATES FOR HOUSING ELEMENT MIXED-USE PROGRAM POLICY DEVELOPMENT AND IMPLEMENTATION [F. CONTRERAS, T. FARRIS, P. PORTWOOD]:

SUBJECT: The City Council will consider approval of an Agreement for Services with the existing Long Range Planning bench consultant, Harris & Associates, to assist in developing and implementing mixed-use housing policies in support of the 6th Cycle Housing Element.

ACTIONS: 1) Approve the Agreement for Services with Harris & Associates for \$175,373 with an expiration date of June 30, 2026; and 2) Authorize the City Manager or designee to sign and execute all documents related to this Agreement. **Approved as part of the Consent Calendar.**

2.K. AMENDMENT TO THE AGREEMENT FOR PARKING GARAGE EQUIPMENT MAINTENANCE SERVICES WITH PARK PLUS CALIFORNIA, INC. [S. CAMPBELL, H. COLLINS, E. HAMANT]:

SUBJECT: The City Council will consider approving Amendment No. 1 with Park Plus California, Inc. to provide parking garage equipment maintenance services.

ACTIONS: 1) Approve Amendment No. 1 to the Agreement with Park Plus California, Inc. to provide parking garage equipment maintenance services for an increased amount of \$118,850 and a new total not-to-exceed amount of \$188,850; and 2) Authorize the City Manager or designee to execute documents incident to the Amendment. **Approved as part of the Consent Calendar.**

2.L. AMENDMENT NO. 1 TO THE AGREEMENT FOR SERVICES WITH ITERIS, INC. [S. CAMPBELL, J. GILMOUR, R. GARLAND]:

SUBJECT: The City Council will consider amending the Agreement for Services with Iteris, Inc. for on-call traffic engineering services to increase the not-to-exceed amount of the Agreement.

ACTIONS: 1) Approve Amendment No. 1 to the Agreement for Services with Iteris, Inc. to increase the amount of the agreement by \$100,000 for a total not-to-exceed amount of \$175,000; and 2) Authorize the City Manager or designee to execute documents incident to the Amendment. **Approved as part of the Consent Calendar.**

2.M. AMENDMENT NO. 2 TO THE AGREEMENT FOR SERVICES WITH PROJECT PARTNERS, INC. [S. CAMPBELL, J. GILMOUR]:

SUBJECT: The City Council will consider amending the Agreement for services with Project Partners, Inc. for professional services to increase the not-to-exceed amount of the Agreement.

ACTIONS: 1) Approve Amendment No. 2 to the Agreement for services with Project Partners, Inc., to increase the amount of the agreement by \$120,000 for a total not-to-exceed amount of \$195,000; and 2) Authorize

the City Manager or designee to execute documents incident to the Agreement. **Approved as part of the Consent Calendar.**

2.N. AUTHORIZE THE USE OF A COOPERATIVE PURCHASING AGREEMENT WITH ENTERPRISE FM TRUST TO PURCHASE ALTERNATIVE FUEL FLEET VEHICLES [S. CAMPBELL, H. COLLINS, D. GONZALEZ]:

SUBJECT: The City Council will consider approving the use of a cooperative purchasing Agreement with Enterprise FM Trust to purchase alternative fuel fleet vehicles.

ACTION: Authorize the Finance & Technology Services Department to issue a Purchase Order to Enterprise FM Trust, pursuant to the Sourcewell Cooperative Purchasing Agreement, to purchase alternative fuel fleet vehicles in an amount not-to-exceed \$400,000. **Approved as part of the Consent Calendar.**

2.O. AWARD OF AGREEMENT FOR ON-CALL CONSTRUCTION MANAGEMENT SERVICES WITH GRIFFIN STRUCTURES, INC. [S. CAMPBELL, H. COLLINS, E. HAMANT]:

SUBJECT: The City Council will consider approving the award of an Agreement to Griffin Structures, Inc. to provide on-call construction management services for the City's Capital Improvement Program.

ACTIONS: 1) Approve an Agreement with Griffin Structures, Inc. to provide on-call construction management services for the City's Capital Improvement Program for a total not-to-exceed amount of \$500,000; and 2) Authorize the City Manager or designee to execute documents incident to the Amendment. **Approved as part of the Consent Calendar.**

2.P. NOTICE OF COMPLETION FOR IN-ROADWAY WARNING LIGHTS (IRWL) IMPROVEMENTS PROJECT ON SANTA MONICA BOULEVARD BETWEEN LA PEER DRIVE AND POINSETTIA PLACE [S. CAMPBELL, J. GILMOUR, R. GARLAND]:

SUBJECT: The City Council will consider approving the Notice of Completion for the In-Roadway Warning Lights (IRWL) Improvements Project on Santa Monica Boulevard Between La Peer Drive and Poinsettia Place by Baker Electric, Inc.

ACTIONS: Accept the work and authorize the following: a. File the Notice of Completion by the City Clerk with the Los Angeles Recorder's Office, b. Issue the final payment to the contractor at the end of the 35 day lien period, c. Release of the Performance Bond on the date of recordation of the Notice of Completion, and d. Release of the Payment Bond 35 days after the date of recordation of the Notice of Completion, pending no receipt of Stop Notices from material suppliers or subcontractors. **Approved as part of the Consent Calendar.**

2.Q. ACCEPT AN EASEMENT AND RIGHT OF WAY FOR PUBLIC STREET AND SIDEWALK PURPOSES AT THE CORNER OF SANTA MONICA

BLVD. AND DOHENY DR. ALONG THE FRONTAGE OF THE ONE WEST HOLLYWOOD, LLC DEVELOPMENT PROJECT AT 9091 SANTA MONICA BLVD. [S. CAMPBELL, J. GILMOUR]:

SUBJECT: The City Council will consider accepting an easement and right of way for street and sidewalk purposes at the corner of Santa Monica Blvd. and Doheny Dr. along the frontage of the One West Hollywood, LLC development project located at 9091 Santa Monica Blvd.

ACTIONS: 1) Adopt Resolution No. 23-077 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ACCEPTING GRANT OF EASEMENT FOR PUBLIC SIDEWALK AND PARKWAY PURPOSES AT 9091 SANTA MONICA BLVD. IN THE CITY OF WEST HOLLYWOOD”; and 2) Direct the City Clerk to submit a certified copy of Resolution No. 23-077, as well as the Easement in Attachment B for recordation by the office of the Recorder of the County of Los Angeles. **Approved as part of the Consent Calendar.**

2.R. APPROVAL OF A RESOLUTION SUMMARILY VACATING PART OF AN EASEMENT FOR PUBLIC STREET AND SIDEWALK PURPOSES LOCATED ALONG OLIVE DRIVE ADJACENT TO THE PROPERTY AT 8445 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA [S. CAMPBELL, J. GILMOUR]:

SUBJECT: The City Council will consider adopting a resolution authorizing a summary vacation of part of an easement located along Olive Drive adjacent to the property at 8445 Santa Monica Blvd.

ACTIONS: 1) Make the findings that the portion of easement area described: has been impassable for vehicular travel and no public money was expended for maintenance of it for a period of five consecutive years; and is an excess right-of-way and not required for street or highway purposes; 2) Make the finding that the summary vacation of the portion of easement is consistent with the General Plan of the City of West Hollywood; 3) Adopt Resolution No. 23-078, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUMMARILY VACATING A PORTION OF AN EASEMENT FOR PUBLIC STREET AND SIDEWALK PURPOSES LOCATED ALONG OLIVE DRIVE ADJACENT TO THE PROPERTY AT 8445 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA”; and 4) Direct the City Clerk to submit a certified copy of Resolution No. 23-078 for recordation by the office of the Recorder of the County of Los Angeles. **Approved as part of the Consent Calendar.**

2.S. CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING FINAL MAP NO. 83214 FOR THE SUBDIVISION OF 4 CONDOMINIUM UNITS, LOCATED AT 621 KINGS ROAD IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA [S. CAMPBELL, J. GILMOUR]:

SUBJECT: The City Council will consider adopting a Resolution approving Final Map No. 83214, a 4-unit condominium subdivision,

located at 621 Kings Road. Approval of the Final Map is exempt from the California Environmental Quality Act under Title 14 of the California Code of Regulations, section 15268(b)(3) - ministerial projects.

ACTION: Staff recommends that the City Council adopt Resolution No. 23-079" A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING FINAL MAP NO. 83214 FOR THE SUBDIVISION OF 4 CONDOMINIUM UNITS, LOCATED AT 621 KINGS ROAD, IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA".
Approved as part of the Consent Calendar.

- 2.T. CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING FINAL MAP NO. 81339 FOR THE SUBDIVISION OF A FIVE-UNIT CONDOMINIUM, LOCATED AT 933 SPAULDING AVENUE IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA [S. CAMPBELL, J. GILMOUR]: SUBJECT:** *The City Council will consider adopting a Resolution approving Final Map No.81339, a five-unit condominium subdivision, located at 933 Spaulding Avenue. Approval of the Final Map is exempt from the California Environmental Quality Act under Title 14 of the California Code of Regulations, section 15268(b)(3) - ministerial projects.*

ACTION: Staff recommends that the City Council adopt Resolution No. 23-080 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING FINAL MAP NO. 81339 FOR THE SUBDIVISION OF A FIVE-UNIT CONDOMINIUM, LOCATED AT 933 SPAULDING AVENUE IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA". **Approved as part of the Consent Calendar.**

- 2.U. ANALYSIS OF THE CITY'S HOA FEE POLICY IN INCLUSIONARY HOUSING CONDOMINIUMS [L. BIERY, B. LEAGUE, A. BARTLE]: SUBJECT:** *Staff will provide an update on the analysis of the City's HOA fee policy in condo buildings with inclusionary housing and provide policy recommendations to better achieve both the goal of maintaining the inclusionary units affordable for lower-income families and qualified nonprofit owners and mitigating the impact of the cap on the owners of the market rate units in the development.*

ACTION: This Item was moved to Excluded Consent.

- 2.V. 2024 LOS ANGELES MARATHON STREET CLOSURES [Y. QUARKER, C. SMITH, M. REATH, J. HEREDIA]: SUBJECT:** *The City Council will consider approving street closures of portions of Sunset Boulevard, North San Vicente Boulevard, Santa Monica Boulevard and North Doheny Drive to accommodate the Los Angeles Marathon for its event on Sunday, March 17, 2024.*

ACTIONS: 1) Approve the closure of Sunset Boulevard between Marmont Lane and Clark Street/North San Vicente Boulevard on Sunday, March 17, 2024, from 4:00 a.m. to 2:00 p.m.; 2) Approve the closure of North San Vicente Boulevard between Sunset Boulevard and Melrose Avenue on

Sunday, March 17, 2024, from 4:00 a.m. to 2:00 p.m.; 3) Approve the closure of Santa Monica Boulevard between La Cienega Boulevard and North Doheny Drive on Sunday, March 17, 2024, from 4:00 a.m. to 2:00 p.m.; 4) Approve the closure of North Doheny Drive between Santa Monica Boulevard and Beverly Boulevard on Sunday, March 17, 2024, from 4:00 a.m. to 2:00 p.m.; and 5) Authorize the City Manager or his designee to negotiate with event producers regarding additional route, programming, or sponsorship requests. **Approved as part of the Consent Calendar.**

2.W. WEST HOLLYWOOD CITY POET LAUREATE 2023-26 [L. BIERY, R. EHEMANN, M. CHE]:

SUBJECT: The City Council will review and ratify the Arts and Cultural Affairs Commission's recommendation for the West Hollywood City Poet Laureate 2023-26 who will serve from October 2023 to October 2026.

ACTIONS: 1) Approve the Arts and Cultural Affairs Commission's recommendation of Jen Cheng for the West Hollywood City Poet Laureate 2023-26, to serve a three-year term from October 2023 to October 2026; and 2) Authorize use of the City's name and logo on promotional and collateral materials for City Poet Laureate-related programs and authorize the promotion of the programs through the City's website, calendar, and social media networks. **Approved as part of the Consent Calendar.**

2.X. CO-SPONSORSHIP OF WORLD DOG DAY 2023 [Y. QUARKER, C. SMITH, M. REATH, B. SMITH]:

SUBJECT: The City Council will consider co-sponsoring World Dog Day to be hosted by The Vanderpump Dog Foundation on Saturday, December 2, 2023, from 11:00 a.m. to 4:00 p.m. in West Hollywood Park.

ACTIONS: 1) Authorize the co-sponsorship of World Dog Day on Saturday, December 2, 2023, and approve the use of Northern sections of West Hollywood Park on December 1, 2023, for set up, and December 2, 2023, for the event; 2) Authorize December 3rd, 8th, 9th, and 10th as potential back-up dates in case of inclement weather on December 1st and 2nd; 3) Approve a Co-Sponsorship Agreement with The Vanderpump Dog Foundation for World Dog Day 2023; 4) Authorize the City Manager to execute documents incident to the Agreement; 5) Authorize the use of the City name and logo on invitations, programs, and other collateral materials; 6) Authorize the use of 75 parking spaces in the 5-Story Parking Structure on December 2nd for event volunteers and vendors. With the potential loss of revenue in the amount of \$900; 7) Authorize the use of 9 parking meters on December 1st and 2nd for vendor load-in and load-out. With the potential loss of revenue in the amount of \$432; 8) Waive fees for Building and Safety permits, Film Permits, Major Event Park Space Use Fee, and Special Event permit (approximately \$7,945); and 9) Direct the Communications Department to utilize all appropriate communications tools to promote the event such as the City's website and social media tools. **Approved as part of the Consent Calendar.**

- 2.Y. DIRECT PORTION OF PARKING METER REVENUE TO “WEHO GIVES BACK” CAMPAIGN TO SUPPORT THE WEST HOLLYWOOD HOMELESS INITIATIVE [L. MEISTER, C. SCHROEDER, C. PLANCK]:**
SUBJECT: The City Council will consider allocating a portion of the Citywide parking meter revenues from December 26-31, 2023 to the West Hollywood Homeless Initiative.
ACTIONS: 1) Authorize the Director of Finance and Technology Services to allocate 10 percent of Citywide parking meter revenue collected between Dec. 26-31, 2023 to account 100-3-05-53-536035 (Homeless Prevention) for the purchase of outreach supplies; and 2) Direct the Human Services Division to ensure those funds are used to purchase and distribute outreach supplies to the City’s contracted agencies serving those who are unhoused in West Hollywood. **Approved as part of the Consent Calendar.**
- 2.Z. RECOGNITION OF AGEISM AWARENESS DAY [J. ERICKSON, Y. QUARKER, H. MOLINA, J. DEL TORO, M. WATSON]:**
SUBJECT: The City Council will consider recognizing Ageism Awareness Day on October 7, 2023, in the City of West Hollywood by sharing information about ageism through the City’s communication platforms.
ACTION: Direct the Communications Department to utilize all appropriate communications tools to promote Ageism Awareness Day. **Approved as part of the Consent Calendar.**
- 2.AA. RESOLUTION IN SUPPORT OF THE TENANTS OF BARRINGTON PLAZA [J. ERICKSON, Y. QUARKER, H. MOLINA, J. DEL TORO, M. WATSON]:**
SUBJECT: The City Council will consider adopting a resolution in support of the tenants of Barrington Plaza as they fight mass eviction.
ACTIONS: 1) Adopt Resolution No. 23-081 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE TENANTS OF BARRINGTON PLAZA”; and 2) Direct staff to send copies of the adopted resolution to the tenants’ association, Los Angeles City Councilmember representing the area, and other parties as deemed appropriate. **Approved as part of the Consent Calendar.**
- 2.BB. RESOLUTION IN RECOGNITION OF OCTOBER 1-7, 2023 AS BANNED BOOKS WEEK IN THE CITY OF WEST HOLLYWOOD AND IN SUPPORT OF L.A. COUNTY’S DIGITAL LIBRARY CARD PILOT PROGRAM [J. ERICKSON, Y. QUARKER, H. MOLINA, J. DEL TORO, M. WATSON]:**
SUBJECT: The City Council will consider adopting a resolution recognizing October 1st-7th, 2023 as Banned Books Week in the City of West Hollywood and in support of the soon to be launched digital library card pilot program, which would allow California teens and other residents to access the library’s digital collections.

ACTIONS: 1) Adopt Resolution No. 23-082 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN RECOGNITION OF OCTOBER 1-7, 2023 AS BANNED BOOKS WEEK AND IN SUPPORT OF L.A. COUNTY’S DIGITAL LIBRARY CARD PILOT PROGRAM”; 2) Direct staff to send copies of the adopted Resolution to the Los Angeles County Board of Supervisors, to the Director of the Los Angeles County Library and to the West Hollywood Library Manager; and 3) Direct the Communications Department to utilize all appropriate communication tools, including, the City’s website and social media channels to promote Banned Books Week in the City of West Hollywood. **Approved as part of the Consent Calendar.**

2.CC. (6.B.) IMPLEMENTATION OF A BICYCLE REPAIR STATIONS PILOT PROGRAM [J. ERICKSON, Y. QUARKER, H. MOLINA, J. DEL TORO, M. WATSON]:

SUBJECT: The City Council will consider the implementation of a bicycle repair stations pilot program with locations to be determined. These stations will be equipped with a basic repair kit to assist bicyclists.

ACTIONS: 1) Direct staff to work with the Public Facilities, Recreation, and Infrastructure Commission to develop a bicycle repair station pilot program, which will include the selection of locations for the stations and incorporate feedback from the Transportation Commission; 2) Direct staff to develop metrics to measure the success of the program and return to City Council within 18 months with a program report and evaluation of the pilot program; and 3) Authorize the Director of Finance and Technology Services to reserve \$9,000 from Fiscal Year (FY) 2023-24 budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with the implementation of this pilot program. **Approved as part of the Consent Calendar.**

2.DD. (6.D.) ENHANCEMENTS OF LOCAL GUN CONTROL ORDINANCES [J. ERICKSON, Y. QUARKER, H. MOLINA, J. DEL TORO, M. WATSON]:

SUBJECT: The City Council will consider directing staff and the City Attorney to examine current City of West Hollywood gun-related control ordinances and draft new ordinances addressing some of the issues presented in this staff report, where not preempted by state and/or federal statutes.

ACTIONS: 1) Direct staff and the City Attorney to research feasibility of new gun control measures in West Hollywood provided that the areas to be regulated are not preempted by state and/or federal statutes; and 2) City Attorney to return to City Council as soon as practicable with the results of the research and draft of new ordinances as allowed under current federal and/or state statutes. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS: None.

4. LEGISLATIVE: None.

5. UNFINISHED BUSINESS:

5.A. PRESENTATION OF THE RESULTS OF AN AFFORDABLE HOUSING RESIDENT SATISFACTION SURVEY [C. SCHROEDER, J. HOLUB, A. BORGE]:

SUBJECT: The City Council will receive a presentation on the results of an affordable housing resident satisfaction survey.

ACTION: This item was Tabled.

5.B. CANNABIS PROGRAM UPDATE [J. ROCCO, D. RIVAS, V. ADOMAITIS, Y. BENITEZ, L. LANGER]:

SUBJECT: The City Council will receive an update on the City of West Hollywood's cannabis program, including an update on the progress made by applicants in opening their businesses.

Director of Community Safety Danny Rivas, Neighborhood and Business Safety Manager Vyto Adomaitis, and Code Enforcement Supervisor Yessica Benitez provided background information as outlined in the staff report dated September 18, 2023.

Councilmember Meister commented on criteria for extensions and requested clarification on the conditions used to grant extensions. Director Rivas stated applications were considered on a case-by-case basis with significant progress made by the applicants, such as plans submitted to the City.

Councilmember Meister inquired if business license extensions were approved/granted by the Business License Commission without a lease or ownership of property. Director Rivas clarified that applications were granted conditional approval by the Business License Commission, not a business license approval, and that many factors were considered to grant an extension.

Councilmember Meister inquired how staff determined if waitlist companies were still interested in moving forward. Director Rivas stated that staff planned to meet with the 3 highlighted businesses reflected in the report to ensure they were motivated to continue.

Councilmember Meister inquired if staff had established a reasonable timeframe for applicants to respond. Director Rivas stated staff would consult with City Attorney Langer on the time frame the City would provide an applicant to respond and explore creating a policy with Council's direction.

Councilmember Heilman inquired how staff would carry out applications from 2018, if they planned to consider them active, and how staff planned to proceed with the waitlist. Director Rivas stated staff planned to review the process with City Attorney Langer. Supervisor Benitez clarified that the waiting list was set to expire in 2025.

Mayor Pro Tempore Erickson inquired if sustainable progress or the momentum of progress was defined in the code to grant extensions. Director Rivas stated that the Business License Code did not define the criteria for granting extensions, however, he suggested adding parameters for extensions during their review process.

Mayor Pro Tempore Erickson inquired if applicants were allowed to reconfigure a kitchen and if it involved additional requirements. Director Rivas explained that applicants would have to go through an approval process and mentioned that AB 374 would allow for pre-packaged food and beverages to be administered and sold.

Mayor Pro Tempore Erickson inquired if it was possible to move on to an applicant on the waitlist due to the lack of progress from current ones. Director Rivas stated that a code amendment would be required to act on those considerations.

City Attorney Langer stated that the City Council needs to be involved in the process.

SCOTT SCHMIDT, on behalf of Emerald Village, spoke regarding establishing a clear process that facilitates cannabis businesses to open and remain operable.

AARON GREEN, on behalf of Afriat Consulting Group, spoke regarding various factors affecting significant progress for businesses and spoke on other factors that should be considered for granting extensions, such as businesses who seek ground up developments versus those who are only required to complete tenant improvements.

MIKEY TANHA, on behalf of Noble 33, spoke regarding the investments their company has expended on Villa Nobly and requested a four year extension from the City for their business to open.

GENEVIEVE MORRILL, on behalf of the West Hollywood Chamber of Commerce, spoke regarding her support of moving cannabis licenses forward and requested the City Council consider different time frames for ground up businesses versus tenant improvement businesses.

JACKIE SUBEK, WEST HOLLWYOOD, spoke regarding simplifying the process for cannabis approvals.

Councilmember Heilman spoke in support of additional extensions for ground up constructions.

Councilmember Meister spoke in support of reviewing criteria for approval of an extension, and commented on concerns with businesses who have not attained a concrete lease or purchased a property. She expressed support to allow ground up businesses up to 3 years with a lease or grant deed, spoke in favor of amending the code to establish clear objective standards, and commented on establishing deadlines for businesses who have not been in contact with the City. Additionally, she requested staff provide specifics on the issues for those businesses highlighted in yellow in the report at a future meeting.

Councilmember Byers spoke in suggested implementing next in line notices of 60 or 90 days for those on the waiting list. Furthermore, she expressed support to allow ground up businesses three years with the option of two extensions to commence operations and requested significant diligent progress be defined in future code amendments.

Mayor Pro Tempore Erickson stated that he agreed with Councilmember Meister's comments and input and spoke in support of two years with an extension of one year on a case-by-case basis for ground up businesses to commence operations. He requested that staff return to the second City Council meeting in December to review the businesses that are scheduled to open soon and review code amendments.

Mayor Shyne also requested significant diligent progress be defined and requested that City Attorney Langer research potential liability if the City takes a position to terminate licenses. She spoke in support of providing three years with a 1-year extension for ground-up businesses to commence operations.

ACTION: Receive an update and provide feedback on the City of West Hollywood's cannabis program. **The City Council provided unanimous direction.**

5.C. OLDER ADULTS ADVISORY BOARD AT-LARGE APPOINTMENTS [J. JIMENEZ, M. CROWDER, L. MORALES]:

SUBJECT: The City Council will consider making two (2) at-large appointments to the Older Adults Advisory Board.

ACTION: Russell Holguin was appointed to the Older Adults Advisory Board with a term ending February 28, 2025.

6. NEW BUSINESS:

6.A. COMMUNITY GARDEN PROGRAM [J. ROCCO, R. ABRAMSON, S. CAMPBELL, H. COLLINS, Y. QUARKER, S. MARTINEZ]:

SUBJECT: The City Council will receive an overview of the City's Community Garden Program, and recommendations from the City Council Plummer Park Ad Hoc Committee on the placement of Community Garden Plots at Plummer Park.

Facilities and Field Services Division Manager Hellen Collins and Urban Design and Architecture Studio Manager Ric Abramson provided background information as outlined in the staff report dated September 18, 2023.

Councilmember Heilman inquired if these community gardens were overlapping. Division Manager Collins clarified that A1 was not a recommended location and that A1R was the location staff recommended in the place of A1.

ANDREW SOLOMON, WEST HOLLWYOOD, urged the City Council to approve all three locations.

SANTO RAGNO, WEST HOLLYWOOD, urged the City Council to approve this item.

PATRICK BLOD, WEST HOLLYWOOD, spoke regarding accessibility for people for disabilities,

SAM ELBAZ, WEST HOLLYWOOD, spoke regarding support for all locations to place gardens.

CHRISTOPHER, spoke on his gratitude to all for their hard work, spoke in support of the community garden, and provided pros and cons regarding elevated garden beds.

Mayor Pro Tempore Erickson reported that the Ad Hoc Committee concluded that the City should approve all three plots as they were ADA accessible, enhancing unused space, and giving back to the community.

Councilmember Meister spoke on the long waiting list for the Detroit Garden, spoke in favor of incorporating beds at all locations stating it would activate unused space, and suggested incorporating an education element.

Councilmember Heilman spoke in support of all locations except Fuller Street, noting obstruction concerns with the garden beds along Fuller Street near the entrance of the park. He further recommended modifying the space to ensure the entrance to the park was welcoming.

Manager Abramson shared that they have learned that these spaces are used to socialize and could integrate seating to best balance the space.

City Manager Wilson stated that this space was used for special events and inquired if staff had reviewed the impacts of all three spaces. Division Manager Collins stated gardens would impact all future programming events organically.

Councilmember Meister inquired if staff had considered placing the beds on Fuller Street in a different angle.

Mayor Pro Tempore Erickson spoke in support of the approval of all three spaces noting the space on Fuller Street was not currently very active.

Councilmember Byers spoke in support of all three locations and on concerns of the extent of use of other spaces and inquired if there was an estimated lifespan for these projects. Division Manager Collins stated these projects could potentially be a long-term venture.

Mayor Shyne spoke in support of all three proposed locations.

Councilmember Heilman directed that staff review A1R to ensure there is no barrier at the entrance at the park.

ACTION: Approve the three locations identified in the staff report. **Motion by Mayor Pro Tempore Erickson, seconded by Councilmember Byers, and approved.**

6.B. IMPLEMENTATION OF A BICYCLE REPAIR STATIONS PILOT PROGRAM [J. ERICKSON, Y. QUARKER, H. MOLINA, J. DEL TORO, M. WATSON]:

SUBJECT: The City Council will consider the implementation of a bicycle repair stations pilot program with locations to be determined. These stations will be equipped with a basic repair kit to assist bicyclists.

ACTION: This item was moved to the Consent Calendar.

6.C. PROPOSED AMENDMENTS TO THE BUSINESS LICENSE TAX ORDINANCE TO EXPAND INCENTIVES FOR BUSINESSES RENEWING LEASES IN WEST HOLLYWOOD [J. HEILMAN, Y. QUARKER, H. MOLINA]:

SUBJECT: The City Council will consider directing staff and the City Attorney to draft amendments to the City's Business License Tax Ordinance to expand incentives for businesses renewing leases in the City.

Councilmember Heilman introduced the item stating that the City currently has a provision in the Business License Tax Ordinance that gives incentives to very large businesses that want to renew their lease and would like the City Attorney to introduce an amended ordinance to afford small businesses with the same opportunity. Additionally, he was

requesting the code repeal the provision of the Santa Monica reconstruction project, which has been completed, and noted this action did not preclude other actions to assist businesses in the future.

ACTIONS: 1) Direct staff and the City Attorney to review the City's Business License Tax Ordinance and, if feasible, expand existing incentive programs to include most businesses renewing leases in the City; and 2) Direct the City Attorney to draft an ordinance repealing Section 3.36.092 of the West Hollywood Municipal Code as that section has expired. **Motion by Councilmember Meister, seconded by Councilmember Heilman, and approved.**

- 6.D. ENHANCEMENTS OF LOCAL GUN CONTROL ORDINANCES [J. ERICKSON, Y. QUARKER, H. MOLINA, J. DEL TORO, M. WATSON]:**
SUBJECT: The City Council will consider directing staff and the City Attorney to examine current City of West Hollywood gun-related control ordinances and draft new ordinances addressing some of the issues presented in this staff report, where not preempted by state and/or federal statutes.
ACTION: This item was moved to the Consent Calendar.

EXCLUDED CONSENT CALENDAR:

- 2.U. ANALYSIS OF THE CITY'S HOA FEE POLICY IN INCLUSIONARY HOUSING CONDOMINIUMS [L. BIERY, B. LEAGUE, A. BARTLE]:**
SUBJECT: Staff will provide an update on the analysis of the City's HOA fee policy in condo buildings with inclusionary housing and provide policy recommendations to better achieve both the goal of maintaining the inclusionary units affordable for lower-income families and qualified nonprofit owners and mitigating the impact of the cap on the owners of the market rate units in the development.

Project Development Administrator Alicen Bartle, Property Development Manager Brian League, and Director of Economic Development Laura Biery provided background information as outlined in the staff report dated September 18, 2023.

Councilmember Meister spoke regarding the concerns with special assessments and inquired if the properties owned by non-profit or lower income qualifying owners, could use the City's housing trust funds to subsidize assessments.

City Attorney Langer stated that the limits on the affordable housing trust fund are identified in the Municipal Code and stated the funds at the discretion of the Council could be used for pre-development costs, land or heir rights, acquisitions, administrative costs, gap financing, or to lower the interest rate of construction, loans or permanent financing; in a project that includes market rate units trust funds money shall only be provided to

assist in the acquisition and construction on those affordable units, low and moderate income households. She stated the money is provided from the developers in lieu of providing the affordable units on site and is only to be used for acquisition and construction.

Councilmember Meister inquired if the money could be used in the future for HOA fees if the ordinance was modified. City Attorney Langer stated that the fund was taken for a specific purpose and calculated at a specific rate, for these purposes, and would not suggest using existing money for a different purpose, unless it is a completely different fund in the future.

Councilmember Meister inquired if HOA fees were determined by unit size. Administrator Bartle stated HOA fees were assessed using various methods determined by property owners, however, since this project is under the possession of a non-profit organization, the HOA fees are determined by a majority of renters.

ANDREW SOLOMON, WEST HOLLYWOOD, spoke regarding his support for developing a homeownership program.

Councilmember Heilman spoke in support of the increase of the for-sale options, however, stated that to keep these units permanently affordable, there had to be a resale cap to ensure units were not sold per market value in the future and spoke in support to incentivize homeownership for non-profits. He further commented on keeping HOA fees at the same rate for all and noted that all renters benefit from a special assessment.

ACTIONS: 1) Receive an update on caps for HOA assessments for inclusionary housing units; 2) Direct staff to amend the municipal code to narrow the applicability of its current policy – the cap on assessments charges to the inclusionary units – such that it is only applicable where the inclusionary units are owned by a lower-income households or a qualified nonprofit; and 3) Direct staff to further develop the inclusionary housing ownership program so that inclusionary units in condominium projects can be directly sold to moderate- and lower-income households, rather than continuing to be owned and rented out by the developer of a building and/or a nonprofit organization with no change to the current caps on assessments for affordable units. **Motion by Councilmember Heilman, seconded by Councilmember Byers, and approved.**

PUBLIC COMMENT:

PATRICK BLOOD, WEST HOLLYWOD, spoke regarding the upcoming bi-visibility week, spoke in support of the co-sponsorship of the documentary Lesbians in Boystown, thanked Richard Maggio for his service, thanked the City Council for approving Agenda Item 6.B., and commended City Attorney Langer for her dedication.

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JEN CHANG, WEST HOLLYWOOD, spoke regarding her gratitude to committed leaders for creating arts and culture in this community and announced she was the next Poet Laureate.

HOWARD BRYAN CHAPMAN, UNKNOWN, spoke on various items.

ELY SORKIN, Founder and CEO of Electric Bus Fleet Solutions, spoke regarding bus fleet electrification.

NIK ROYBAL, WEST HOLLYWOOD, spoke regarding the City's leadership.

CHRISTOPHER, UNKNOWN, spoke regarding City staff's quick responsiveness and the inability to please all.

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

Councilmember Meister reported her attendance at the Plummer Park Ad Hoc Committee, the Annual Congress of Commissions and Advisory Boards, the Southern California Association of Governments Joint Policies Committee meeting and Regional Council meeting, the Historic Preservation Commission Annual Event, celebrated the 50th anniversary of the Roxy, and welcomed Community Development Director Nick Maricich. She spoke in opposition of Agenda Item 2.D., noting that 100% of replacement units should be affordable not rent stabilized units starting at market rates. Additionally, she spoke in support of Agenda Item 2.H. expressing her desire for this item to come back to the City Council next month in hopes to have a discussion and commented on addressing storefronts used as tall walls which lessened activation of walkability. She further requested a review of commercial vacancies and an update on trends to better address empty spaces, and requested residential zones be considered when evaluating commercial rooftops. She concluded her comments by announcing upcoming events.

Councilmember Byers reported her attendance at the Southern California Association of Governments Safe and Active Streets working group meeting, the Los Angeles County Affordable Housing Solutions Agency (LACAHS), the Clean Power Alliance Agency Energy and Resource Committee meeting, and various City events, noting that the Roxy event conversation was available on YouTube. She further reported attending the Grand Opening of the La Brea Bus Priority Lane, highlighting the bus lanes achievements, congratulated Dan Wentzel on his appointment to the Metro Los Angeles Westside Los Angeles and Central Services Council. She announced that the LA County Assessors Office was recognized with a Certificate of Excellence, announced September was Pedestrian Safety Month and National Hispanic Heritage Month, announced September 19th was National Voter Registration Day, wished a Happy Rosh Hashana, and a Happy belated Birthday to Mayor Pro Tempore John Erickson.

Councilmember Heilman reported his attendance at the Homeless Subcommittee meeting, Congress of Cities, and various community events. He wished everyone a Happy Yom Kippur.

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Mayor Pro Tempore Erickson thanked his colleagues for their support on Agenda Items 6.D., and 6.B., and congratulated community garden individuals. He reported his attendance at the Plummer Park Ad Hoc Committee, the Annual Congress of Commissions and Advisory Boards, the Equality California LGBTQ+ Leaders Conference, the ERA Feminist Art Show, End of the Year Picnic for WEHO staff, the Zev Lebowksi book event, OutLoud Sports Festival Dodgeball Tournament, the Liability Trust Fund Claims and Oversight Committee meeting, the CPA Board of Directors meeting, the Contract Cities Fall Education Summit, the Third District Consolidated Oversight Board meeting, the West Hollywood Chamber of Commerce and Businesses meeting, and the Pelota de Trapo Program launch and press conference. He wished all a Happy Rosh Hashana and upcoming Yom Kippur, a Happy Hispanic Heritage Month, and publicly apologize to Lucian and Global dining for previous comments. Additionally, he requested staff review improvements to Holloway and La Cienega, announced upcoming events, and congratulated Jen Chang on her achievements. Lastly, he commended Mayor Shyne for her leadership during tonight's meeting, expressed his support to her, and stated that the City Council was committed to their community.

Mayor Shyne thanked Mayor Pro Tempore Erickson for his support, noting everyone had a right to their opinions. She wished all a happy bi-visibility week, announced the upcoming bi-ice-cream social event, and stated the City's lanterns over Santa Monica Boulevard and lights at City Hall would be lit in pink, purple, and blue in homage to the community. She wished the Jewish community a Happy Rosh Hashana and announced the closing of the ERA Feminist Art Show over the upcoming weekend. In addition, she requested staff review funding opportunity options to assist with the documentary film Lesbians in Boystown. Mayor Shyne reported her attendance at the Annual Congress of Commissions and Advisory Boards, the 50th Anniversary of the Roxy, the Sanitation Board Member meeting, the Grand Opening of the La Brea Bus Priority Lane, and the opening celebration and press conference of the American Born Chinese LA Kids Book Festival. She finalized her comments by providing an updated on the AB 1620 Costa-Hawkins Rental Act and on the protests in Iran.

Councilmember Meister requested updates concerning developments on Crescent Heights and Santa Monica Boulevard.

ADJOURNMENT: The City Council adjourned at 9:39 p.m. in memory of Gloria Scheer, LASD Deputy Ryan Clinkunbroomer, and the victims of the Morocco earthquake to its next regular meeting, which will be on Monday, October 2, 2023, at West Hollywood Park Public Meeting Room - Council Chambers.

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PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 2nd day of October, 2023 by the following vote:

AYES:	Councilmember:	Byers, Heilman, Meister, and Mayor Pro Tempore Erickson.
NOES:	Councilmember:	None.
ABSENT:	Councilmember:	Mayor Shyne.
ABSTAIN:	Councilmember:	None.

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SEPI SHYNE, MAYOR

ATTEST:

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MELISSA CROWDER, CITY CLERK