

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, NOVEMBER 20, 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 6:00 p.m. and read the Land Acknowledgment.

**PLEDGE OF ALLEGIANCE:** Danielle Wilson led the Pledge of Allegiance.

**ROLL CALL:**

**PRESENT:** Councilmember Byers, Councilmember Heilman, Councilmember Meister, and Mayor Shyne.

**ABSENT:** Mayor Pro Tempore Erickson.

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

**REPORT OF CLOSED SESSION AGENDA:**

City Attorney Lauren Langer reported that the Closed Session was called to order at 5:30 pm. She stated that there were no members of the public that spoke under Public Comment. She reported that the City Council discussed the two (2) items of business on the posted agenda. The City Council voted to initiate litigation on the first item of business. There was no reportable action on the second agenda item, “conference with real property negotiators”.

**APPROVAL OF AGENDA:**

City Clerk Crowder noted that there were no changes to the agenda from staff.

Councilmember Heilman requested that Items 5.B., 5.C., 6.A., and 6.D. be moved to the Consent Calendar as Items 2.P., 2.Q., 2.R., and 2.S., respectively.

Councilmember Meister requested that Item 2.G be combined with Item 6.B.

**Motion by Councilmember Heilman, seconded by Councilmember Meister, to approve the November 20, 2023 agenda, as amended.**

**ADJOURNMENT MOTIONS:**

Councilmember Meister requested that the meeting be adjourned in memory of Carol Kossin Cleaveland and Robert Voakes.

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Councilmember Heilman requested that the meeting be adjourned in memory of Tamara Goldenberg.

Mayor Shyne requested that the meeting be adjourned in memory of former First Lady Rosalynn Carter.

**PRESENTATIONS:**

Councilmember Byers presented a Proclamation to Safer WEHO Coalition in honor of National Meth Awareness Day.

**1. PUBLIC COMMENT:**

NICHOLAS ROYBAL, WEST HOLLYOOD, spoke regarding follow-up, perception of public safety, and unhoused community members as outlined in Item 2.G. He noted the “theories” identified in Item 5.B.

JERARD WRIGHT, Director of Government Affairs for Greater LA Realtors, spoke in support of Item 5.B.

LUCIAN TUDOR, WEST HOLLYOOD, spoke in support of Item 5.C., political campaign donations, and abstentions from policy matters.

JACOB SHAW, WEST HOLLYOOD, spoke in support of Item 5.C., noting that business owners need more time to convert Out Zones to permanent outdoor dining.

TOKEYO PETERSON, WEST HOLLYOOD, spoke in support of Item 5.C.

MARK LEHMAN, WEST HOLLYOOD, spoke in support of Items 5.B. and 5.C. and requested an extension for the conversion of Out Zones to permanent outdoor dining until April 2024.

JIMMY PALMIERI, WEST HOLLYOOD, spoke in support of Item 6.D. and expressed concern with the staff analysis in the staff report.

KATY ORELLANA, WEST HOLLYOOD, spoke in support of Item 6.D.

GENEVIEVE MORRILL, WEST HOLLYOOD, spoke in support of Items 5.B. and 5.C. She requested an extension for business owners to convert Out Zones to permanent outdoor dining.

KEVIN BURTON, WEST HOLLYOOD, speaking on behalf of WeHo ReCERT, spoke regarding 2.O., noting that the staff report did not identify a timeline for implementation for the proposals identified in the Hazard Mitigation Plan.

JULIA CAMARA CALVO, West Hollywood Business Owner, spoke regarding the Melrose Streetscape Project and the disruption to the businesses along Melrose.

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EDDIE NAVARRETTE, Executive Director of the Independent Hospitality Coalition, spoke in support of Item 5.B.

ANTHONY VULIN, WEST HOLLYWOOD, spoke regarding the importance of supporting businesses in West Hollywood and shared a list of West Hollywood businesses that have closed over the last couple of years.

JOAN HENEHAN, West Hollywood Chamber of Commerce Board of Governors, wished everyone a Happy Thanksgiving and encouraged people to enjoy the businesses and restaurants in West Hollywood.

SCOTT SCHEFFER, on behalf of the Harriet Tubman Center for Social Justice, spoke regarding their campaign to convince President Biden to remove Cuba from the State Sponsors of Terrorism list.

KAREN EYRES, WEST HOLLYWOOD, spoke on behalf of the Human Services Commission regarding various social services offered by the City, specifically Transgender services in honor of Transgender Awareness Month.

ADAM DARVISH, WEST HOLLWYOOD, spoke regarding former First Lady Rosalynn Carter and her effect on him as a young immigrant in America.

DAVID EICHMAN, West Hollywood Business Owner, spoke regarding concerns about the number of vacant and closed businesses.

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

City Manager David Wilson announced that the City will celebrate 39 years of Cityhood next Wednesday, November 29<sup>th</sup>. Everyone is invited to the free State of the City event at the West Hollywood and Aquatic Recreation Center and encouraged the community to RSVP at [www.weho.org/wehoday](http://www.weho.org/wehoday). Secondly, he noted that the City is hosting a WeHo Mobility Pop-up which will take place on Monday, November 27, 2023 from 5 p.m. to 7 p.m. Bicycle lights will be given to people who have their bikes with them, on a first-come, first-served basis and supplies are limited along Santa Monica and San Vicente Boulevard.

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

City Clerk Crowder stated that the Fiscal Impact on the Consent Calendar with the removal of Item 2.G. and the addition of Items 5.B., 5.C., 6.A., and 6.D. was \$1,461,660 in expenditures, \$0 in revenue, and (\$1,674) in waived fees.

City Clerk Crowder noted changes to Item 2.E. from the November 6, 2023 City Council Meeting Minutes (Item 2.B.) and read the Ordinance Title of Item 5.C. into the record.

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**2. CONSENT CALENDAR:**

**2.A.,B.,C.,D.,E.,F.,H.,I.,J.,K.,L.,M.,N.,O.,P.,Q.,R.,S. Motion by Councilmember Heilman, seconded by Mayor Shyne, and approved (4/0).**

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

*SUBJECT: The agenda for the meeting of Monday, November 20, 2023 was posted at City Hall, Plummer Park, the Sheriff's Station, and at the West Hollywood Library on Wednesday, November 15, 2023.*

**ACTION:** Received and filed. **Approved as part of the Consent Calendar (4/0).**

**2.B. APPROVAL OF MINUTES:**

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

**ACTION:** Approved the minutes of November 6, 2023. **Approved as part of the Consent Calendar (4/0).**

**2.C. APPROVAL OF DEMAND REGISTER NO. 937:**

*SUBJECT: The City Council shall receive the Demand Register for period ending November 10, 2023 pursuant to Sections 37201 to 37210 of the Government Code of the State of California.*

**ACTION:** Approved Demand Register No. 937 and adopt Resolution No. 23-095, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING PAYMENT OF DEMANDS PRESENTED ON DEMAND REGISTER NO. 937". **Approved as part of the Consent Calendar (4/0).**

**2.D. CLAIMS ADMINISTRATION [J. JIMENEZ, M. CROWDER]:**

*SUBJECT: The City Council is receiving notification that the City's third-party administrator Carl Warren & Co. has denied one (1) Claim for Damages from Robert Ochoa.*

**ACTION:** Received and filed. **Approved as part of the Consent Calendar (4/0).**

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

*SUBJECT: The City Council will receive Synopses from the Arts and Cultural Affairs Commission, Historic Preservation Commission, Public Facilities, Recreation & Infrastructure Commission, and the Women's Advisory Board regarding actions taken at their recent meetings.*

**ACTION:** Received and filed. **Approved as part of the Consent Calendar (4/0).**

- 2.F. TREASURER'S REPORT FOR SEPTEMBER 2023 [L. QUIJANO, C. CORRALES, K. BARENG, S. STEPHENS]:**  
*SUBJECT: The City Council will receive the Treasurer's Reports for the month ended September 2023 pursuant to Section 53646 of the Government Code of the State of California.*  
**ACTION:** Received and filed the September 2023 Treasurer's Report. **Approved as part of the Consent Calendar (4/0).**
- 2.G. UPDATE ON ECONOMIC DEVELOPMENT INITIATIVES [L. BIERY]:**  
*SUBJECT: The City Council will receive an updated on various economic development initiatives to focus the City's attention on the retention of existing business in West Hollywood and attracting new ones.*  
**ACTION:** This Item was heard with Item 6.B.
- 2.H. LEGISLATIVE UPDATE FOR YEAR 1 OF THE 2023-2024 REGULAR SESSION OF THE CALIFORNIA LEGISLATURE AND FEDERAL ADVOCACY EFFORTS [Y. QUARKER, H. MOLINA]:**  
*SUBJECT: The City Council will receive the second legislative update report on the City's lobbying efforts in the California State Legislature during Year 1 of the 2023-2024 regular legislative session and a brief description of current advocacy efforts at the federal level.*  
**ACTION:** Received and filed. **Approved as part of the Consent Calendar (4/0).**
- 2.I. AMENDMENT NO. 2 TO THE AGREEMENT FOR SERVICES WITH WOLFE ENGINEERING AND DESIGN, INC. [S. CAMPBELL, J. GILMOUR]:**  
*SUBJECT: The City Council will consider approving Amendment No. 2 to the Agreement for services with Wolfe Engineering and Design, Inc. for on-call staff augmentation services increasing the not-to-exceed amount of the Agreement.*  
**ACTIONS:** 1) Approved Amendment No. 2 to the Agreement for services with Wolfe Engineering and Design, Inc., to increase the amount of the Agreement by \$50,000 for a total not-to-exceed amount of \$125,000; and 2) Authorized the City Manager or designee to execute documents incident to the Agreement. **Approved as part of the Consent Calendar (4/0).**
- 2.J. AMENDMENT NO. 3 TO THE AGREEMENT FOR ON-CALL PLUMBING AND DRAIN REPAIR SERVICES WITH H.L. MOE CO. INC. [S. CAMPBELL, H. COLLINS, E. HAMANT]:**  
*SUBJECT: The City Council will consider approving Amendment No. 3 with H.L. Moe. Co. Inc. to provide on-call plumbing and drain repair services.*  
**ACTIONS:** 1) Approved Amendment No. 3 to the Agreement with H.L. Moe Co. Inc. to provide on-call plumbing and drain repair services for an increased amount of \$200,000 and a new total not-to-exceed amount of \$322,600; and 2) Authorized the City Manager or designee to execute

documents incident to the award of the Amendment. **Approved as part of the Consent Calendar (4/0).**

**2.K. AUTHORIZE THE USE OF A COOPERATIVE PURCHASING AGREEMENT WITH BEAM GLOBAL TO PURCHASE MOBILE SOLAR PANEL ELECTRIC VEHICLE CHARGER SYSTEMS [S. CAMPBELL, V. GUARINO, H. COLLINS, E. HAMANT]:**

*SUBJECT: The City Council will consider approving the use of a cooperative purchasing agreement with Beam Global to purchase mobile solar panel electric vehicle charger systems.*

**ACTION:** Authorized the Finance & Technology Services Department to issue a Purchase Order to Beam Global, pursuant to the California Department of General Services' Cooperative Purchasing Agreement, to purchase mobile solar panel electric vehicle charger systems in an amount not-to-exceed \$336,000. **Approved as part of the Consent Calendar (4/0).**

**2.L. AWARD OF AGREEMENT FOR MULTIMEDIA TECHNOLOGY SUPPORT SERVICES [S. CAMPBELL, H. COLLINS, E. HAMANT]:**

*SUBJECT: The City Council will consider the award of an Agreement for Professional Services to Waveguide LLC, to provide multimedia technology support services at City-owned and City-leased locations including on-site technical support for audiovisual (AV) operations. ACTIONS: 1) Approved an Agreement for Professional Services with Waveguide LLC, to provide multimedia technology support services at City-owned and City-leased locations for a total not-to-exceed amount of \$803,589; and 2) Authorized the City Manager, or designee, to execute all documents incident to the Agreement. Approved as part of the Consent Calendar (4/0).*

**2.M. REJECT ALL BIDS RECEIVED AND RE-ADVERTISE FOR CITYWIDE WATER FEATURES MAINTENANCE SERVICES [S. CAMPBELL, H. COLLINS, E. HAMANT]:**

*SUBJECT: The City Council will consider rejecting all bids received to provide Citywide Water Features Maintenance Services and authorizing staff to re-issue and re-advertise the bid.*

**ACTIONS:** 1) Rejected the bid to provide Citywide Water Features Maintenance Services, as submitted on August 23, 2023, and return the associated bid bond; and 2) Authorized staff to re-issue and re-advertise the bid solicitation for Citywide Water Features Maintenance Services. **Approved as part of the Consent Calendar (4/0).**

**2.N. RESOLUTION EXTENDING THE CITY'S DEADLINE TO ESTABLISH AN ONLINE PERMITTING SYSTEM FOR POST-ENTITLEMENT PHASE PERMITS [N. MARICICH, B. GALAN]:**

*SUBJECT: The City Council will consider adopting a Resolution to extend the City's deadline to establish an online permitting system for post-entitlement phase permits in accordance with State law.*

**ACTION:** Adopted Resolution No. 23-096, “A RESOLUTION OF THE CITY COUNCIL OF WEST HOLLYWOOD TO EXTEND THE CITY’S DEADLINE TO ESTABLISH AN ONLINE PERMITTING SYSTEM FOR POST-ENTITLEMENT PHASE PERMITS TO JANUARY 1, 2026.” **Approved as part of the Consent Calendar (4/0).**

**2.O. RESOLUTION APPROVING AND ADOPTING THE CITY OF WEST HOLLYWOOD’S UPDATED LOCAL HAZARD MITIGATION PLAN [D. RIVAS, M. KUSTANOVICH]:**

*SUBJECT: The City Council will consider approving and adopting the City of West Hollywood’s updated Hazard Mitigation Plan.*

**ACTIONS:** 1) Adopted Resolution No. 23-097 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING AND ADOPTING THE UPDATED HAZARD MITIGATION PLAN;” 2) Directed staff to forward copies of the approved and adopted City of West Hollywood Hazard Mitigation Plan and Resolution No. 23-097 to the California’s Governor’s Office of Emergency Services and the Federal Emergency management Agency; 3) Authorized staff to make modifications to the City of West Hollywood Hazard Mitigation Plan as necessary or as required by the California Governor’s Office of Emergency Services and/or the Federal Emergency Management Agency before next formal five-year update; and 4) Directed staff to process an amendment to the City of West Hollywood’s General Plan to incorporate the updated Hazard Mitigation Plan as an appendix to the Safety and Noise Element of the West Hollywood General Plan 2035. **Approved as part of the Consent Calendar (4/0).**

**2.P. (5.B.) SMALL BUSINESS INITIATIVES IMPLEMENTATION PLAN [D. WILSON, J. ROCCO, A. MCINTOSH, N. MARICICH, J. ALKIRE, B. GALAN, L. BIERY]:**

*SUBJECT: The City Council will receive a Small Business Initiatives Implementation Plan prepared by staff in response to a series of recommended initiatives by the West Hollywood Chamber of Commerce, as well as previous City Council directives, and additional solutions identified by staff.*

**ACTIONS:** 1) Affirmed the guiding principles for implementing the Small Business Initiatives, included below; 2) Approved the Phase One Implementation Plan and direct staff to begin work on the actions; 3) Provided direction on the Phase Two plan and direct staff to incorporate a proposed work plan and budget for the FY 2024-26 Two-Year Budget Cycle; and 4) Provided direction on the Phase Three plan and direct staff to do further research on the costs associated with these actions for future consideration. **Approved as part of the Consent Calendar (4/0).**

**2.Q. (5.C.) EXTENSION OF DEADLINE TO REMOVE OR CONVERT TEMPORARY OUTZONES TO PERMANENT OUTDOOR DINING [D.**

**WILSON, J. ROCCO, R. ABRAMSON, N. MARICICH, J. ALKIRE, B. GALAN, S. CAMPBELL, J. GILMOUR, L. BIERY]:**

*SUBJECT: The City Council will consider a proposal to extend the deadline to remove or convert temporary OUTZones to permitted permanent outdoor dining, and to amend the West Hollywood Municipal Code to reflect the date by which temporary outdoor dining areas shall convert to permitted permanent outdoor dining.*

**ACTIONS:** 1) Approved the outlined proposal to extend the deadline to convert temporary OUTZones to permanent outdoor dining; and 2) Introduced on First Reading, by title only, the following Ordinance: Ordinance No. 23-24: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AMENDING THE DATE BY WHICH TEMPORARY OUTDOOR DINING AREAS SHALL CONVERT TO PERMANENT OUTDOOR DINING." **Approved as part of the Consent Calendar (4/0).**

**2.R. (6.A.) PROPOSED ACQUISITION OF TWO SCULPTURES FOR INCLUSION IN THE CITY'S URBAN ART COLLECTION [L. BIERY, R. EHEMANN, M. MITCHELL]:**

*SUBJECT: The City Council will consider the acquisition of two sculptures, "ONE LOVE" and "RELAX UR OK" by artist Scott Froschauer, for inclusion in the City's Urban Art Collection.*

**ACTIONS:** 1) Approved the purchase Agreement for acquisition of artworks RELAX UR OK and ONE LOVE from Wallspace LLC; 2) Authorized the Director of Finance and Technology Services to allocate \$55,676.25 from unallocated reserves in the Public Beautification & Art Fund to account number 209-4-10-12-704024 for costs associated with the purchase Agreement; and 3) Authorized the City Manager to sign any necessary documents required for the acquisition. **Approved as part of the Consent Calendar (4/0).**

**2.S. (6.D.) CO-SPONSORSHIP OF "VIBEZ: A SOBER NEW YEAR CELEBRATION" [J. ERICKSON, Y. QUARKER, J. DEL TORO, J. DUCKWORTH]:**

*SUBJECT: The City Council will consider a request to co-sponsor "VIBEZ: A Sober New Year Celebration" organized by The Phoenix and members of the sober community on December 31, 2023, from 9 p.m. to 1 a.m. in West Hollywood Plummer Park's Fiesta Hall.*

**ACTIONS:** 1) Approved co-sponsorship of "VIBEZ: A Sober New Year Celebration" organized by The Phoenix on December 31, 2023, from 9 p.m. to 1 a.m. in Plummer Park's Fiesta Hall; 2) Authorized the use of the City name and logo on invitations, programs, and other collateral materials; 3) Waived any Facility Use Fees, Special Event Permit Fees, Encroachment Permit Fees, and the 3-hour parking limit at the Plummer Park parking lot for event participants (estimated \$1,674); 4) Directed the Communications Department to utilize all appropriate communications tools to promote the event such as the City's website and social media tools; 5) Authorized the City Manager or his designee to execute documents incident to the Co-

Sponsorship Agreement between the City and the Phoenix; and 6) Authorize the Director of Finance and Technology Services to approve the use of \$1,395 from Fiscal Year 2023-24 budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with the event. **Approved as part of the Consent Calendar (4/0).**

**3. PUBLIC HEARINGS: None.**

**4. LEGISLATIVE: None.**

**5. UNFINISHED BUSINESS:**

**5.A. ADOPTION OF A RESOLUTION SETTING FORTH POLICY TO PROHIBIT THE CITY OF WEST HOLLYWOOD FROM USING THE ELLIS ACT ON CITY-OWNED RESIDENTIAL PROPERTIES [L. LANGER]:**

*SUBJECT: The City Council directed staff to develop a City policy restricting the City from utilizing the Ellis Act to remove units from the housing market in residential properties acquired by the City, thereby displacing tenants. Staff has developed said policy as reflected in the attached proposed resolution for the City Council's consideration and adoption.*

Councilmember Heilman inquired if the proposed policy allowed for commercial buildings acquired by the City to be Ellised if there was one unit with a current tenant. City Attorney Langer stated that if it was a standard residential unit, it would be covered under this policy, noting that the policy was intended to govern only the City's actions for properties that the City owned and not intended to cover affordable housing providers or other private property owners.

Councilmember Heilman further inquired if there was interest in exempting the City from affordable housing developments or homeless shelters, noting that the proposed ordinance only exempts non-profit organizations. City Attorney Langer clarified that the language of the ordinance ensured that private property owners who were granted loans from the affordable housing trust fund by the City were not covered; however, the City Council could place provisions or value statements that were more in line with their objectives.

The following speaker came forward:

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding his concerns with this item and requested further analysis be conducted.

Councilmember Meister stated that the intent of this ordinance is to prevent the City from Ellising rent stabilized units and spoke in opposition of

permitting non-profit organizations from Ellising buildings using the City's affordable trust fund.

Councilmember Byers spoke in support Tabling this Item so that Councilmembers Heilman and Meister's concerns can be addressed.

Councilmember Heilman requested that this item be Tabled.

Mayor Shyne echoed her colleagues' comments. She also supports Tabling the Item.

**ACTION:** This Item was Tabled. **Motion by Councilmember Byers, seconded by Councilmember Meister and approved (4/0).**

**\*\*The City Council recessed at 7:03 p.m. and reconvened at 7:15 p.m.**

**5.B. SMALL BUSINESS INITIATIVES IMPLEMENTATION PLAN [D. WILSON, J. ROCCO, A. MCINTOSH, N. MARICICH, J. ALKIRE, B. GALAN, L. BIERY]:**

*SUBJECT: The City Council will receive a Small Business Initiatives Implementation Plan prepared by staff in response to a series of recommended initiatives by the West Hollywood Chamber of Commerce, as well as previous City Council directives, and additional solutions identified by staff.*

**ACTION:** This item was moved to the Consent Calendar.

**5.C. EXTENSION OF DEADLINE TO REMOVE OR CONVERT TEMPORARY OUTZONES TO PERMANENT OUTDOOR DINING [D. WILSON, J. ROCCO, R. ABRAMSON, N. MARICICH, J. ALKIRE, B. GALAN, S. CAMPBELL, J. GILMOUR, L. BIERY]:**

*SUBJECT: The City Council will consider a proposal to extend the deadline to remove or convert temporary OUTZones to permitted permanent outdoor dining, and to amend the West Hollywood Municipal Code to reflect the date by which temporary outdoor dining areas shall convert to permitted permanent outdoor dining.*

**ACTION:** This item was moved to the Consent Calendar.

**6. NEW BUSINESS:**

**6.A. PROPOSED ACQUISITION OF TWO SCULPTURES FOR INCLUSION IN THE CITY'S URBAN ART COLLECTION [L. BIERY, R. EHEMANN, M. MITCHELL]:**

*SUBJECT: The City Council will consider the acquisition of two sculptures, "ONE LOVE" and "RELAX UR OK" by artist Scott Froschauer, for inclusion in the City's Urban Art Collection.*

**ACTION:** This item was moved to the Consent Calendar.

**6.B. SUPPORT FOR WEST HOLLYWOOD'S LOCAL BUSINESS COMMUNITY [D. WILSON, J. ROCCO, C. SAFRIET, P. KERSPRADIT, L. BIERY]**

*SUBJECT: The City Council will consider measures to provide support to West Hollywood's local business community and provide direction.*

*\*Items 2.G. and 6.B. were combined during Approval of the Agenda*

City Manager David Wilson provided background information as outlined in the staff report dated November 20, 2023.

Director of Economic Development Laura Biery shared a Power Point presentation outlining staff's recommendations.

Mayor Shyne asked staff to confirm that hotel workers and businesses are exempt from staff's recommendations. City Manager Wilson confirmed that it exempts hotel workers as defined in the Minimum Wage Ordinance (MWO).

The following speakers came forward:

LUCIAN TUDOR, West Hollywood Business Owner, spoke on concerns regarding the minimum wage ordinance and the effects on La Boheme.

MIKE ILIC, ON BEHALF OF CATCH RESTAURANT, spoke regarding his confusion that staff is not recommending reconsidering the minimum wage ordinance.

JOAN HENEHAN, WEST HOLLYWOOD CHAMBER OF COMMERCE BOARD OF GOVERNORS, spoke regarding eliminating the paid time off (PTO) for part time workers, suspending the CPI increase until California State law catches up, and adopt a Total Compensation Model as implemented in Seattle.

MAYAH NUNN, UNKNOWN, spoke regarding concerns with fair wages.

LOURDES NALASCO, UNITE HERE LOCAL 11, spoke in opposition to decreasing the minimum wage for hotel workers.

MARCUS MOLINA, UNITE HERE LOCAL 11, spoke as a banquet server at One Hotel in opposition to this item and mentioned the removal of service charge payments from the One Hotel to banquet servers.

DAVID STOOKEY, UNITE HERE LOCAL 11, spoke as a front desk agent at One Hotel in opposition to amending the minimum wage.

DANIELLE WILSON, UNITE HERE LOCAL 11, spoke in opposition to amending the minimum wage and staff's recommendations.

DAVID FANAROF, on behalf of Z Pizza, spoke in support of staff's recommendations.

GEORGE NICKLE, WEST HOLLYWOOD, spoke in support of this item and expressed concern with the adoption of the minimum wage ordinance.

MORENA HERNANDEZ, UNITE HERE LOCAL 11, spoke as a worker at the Andaz Hotel in opposition to reducing the minimum wage.

EDDIE DIAZ, Unite Here Local 11, spoke as a worker at Cecconi's and in opposition to reducing the minimum wage.

COLIN THOMAS, on behalf of John Reed Thomas, spoke regarding the other John Reed Thomas locations in other cities and that employees at those other locations want to move to the WeHo location. He further shared that there is a lack of businesses along Santa Monica Boulevard.

GENEVIEVE MORRILL, President/CEO West Hollywood Chamber of Commerce, spoke in support of this item.

MARK LEHMAN, WEST HOLLYWOOD, spoke regarding his concerns with the economic environment in the City. He also spoke in support of this item and finding a fair balance for both employees and business owners.

BRETT LATTERI, West Hollywood Business Owner, spoke in support of this item.

JERARD WRIGHT, Director of Government Affairs for Greater LA Realtors, spoke in support of this item.

BUFFALO, UNKNOWN, spoke regarding the City's Core Values and the common issue in the City with the high residential and retail rent as well as low wages necessitating working multiple jobs.

JOSH JENNINGS, WEST HOLLYWOOD and Unite Here Local 11, spoke in support of the minimum wage ordinance as it was initially established.

GRAHAM NORTHWOOD, West Hollywood Business Owner, spoke regarding his concern with the paid time off as a small business owner, especially around the holidays. He further stated that the biggest issue is affordable housing.

NICHOLAS ROYBAL, WEST HOLLYWOOD, spoke in support of staff's recommendations. He noted that the minimum wage ordinance had policy issues at implementation.

PATRICK DIAMOND, WEST HOLLYWOOD, spoke in support of this item and the unintended consequences of the minimum wage ordinance.

AIMEE E., WEST HOLLYWOOD, spoke in support of this item.

JULIA CAMARA CALVO, West Hollywood Business Owner, thanked the City Councilmembers who spoke with the business owners over the last few months. She shared some of the challenges that businesses have faced over the last three years and in support of this item.

Mayor Shyne outlined the nine (9) recommendations in the staff report to see which items there was consensus by her colleagues.

Councilmember Meister inquired about the new and closed business tax certificates for pre-COVID conditions for 2018 and 2019. Director of Economic Development Biery indicated that staff can provide that information at a later date.

Mayor Shyne noted that there is consensus with Recommendations 1, 2, 3, 4, and 5 as numbered in the original staff report and subsequent approved actions. Mayor Shyne stated that she is not ready to make a decision on Recommendations 6 (compensated leave) and 7 (exploration of restaurant and bar industry exemptions) this evening because workers were not consulted. The City Council further discussed Recommendations 8 (survey of current conditions of local businesses) and 9 (funding).

Councilmember Meister requested that for Recommendation 4 (Agreement with Visit West Hollywood) that the scope include residents in the advertising plan.

Councilmember Byers is interested in discussing and further modifying the paid time off (PTO) provision. She shared some potential changes such as number of employees, size of business, etc. and noted that staff needs to work on this issue further.

Councilmember Meister spoke in support of Recommendations 6 (compensated leave) and 7 (exploration of restaurant and bar industry exemptions) and clarified that these changes do not affect hotel workers. She recommended that staff speak with bar and restaurant workers and other employees impacted by the minimum wage ordinance. She further recommended that staff and the City Attorney analyze a high wage earner or total compensation model. She asked staff to bring back info on new and

closed business tax certificates for pre-COVID conditions for 2018 and 2019.

Councilmember Heilman thanked everyone for speaking this evening. He reiterated that there is consensus for Recommendations 1 through 5 as well as Recommendations 8 (survey of current conditions of local businesses) and 9 (funding). He noted that Council hasn't discussed Item 2.G., but he supports that item. He agrees with taking additional time on Recommendations 6 (compensated leave) and 7 (exploration of restaurant and bar industry exemptions). He clarified that staff is not recommending lowering the minimum wage. With respect to Items 6 (compensated leave) & 7 (exploration of restaurant and bar industry exemptions), we need to evaluate paid time off for part-time employees. He expressed his concern with high-end restaurant tip earners, and the issue that the Council needs to address is the lowest wage workers. He noted that he supports all the Recommendations generally.

Mayor Shyne requested that for Recommendation 8 (survey of current conditions of local businesses) that the scope of services is expanded to include outreach to workers. A discussion ensued regarding how to conduct a survey to receive feedback from West Hollywood workers. City Manager Wilson inquired about specific questions the City Council would like asked in the survey. Mayor Shyne provided sample questions.

City Manager Wilson noted that a survey of workers would likely require a separate consultant from the survey of businesses, and staff will return in March or April to report on the survey of current conditions of local businesses and outreach to employees.

**ACTIONS:** 1) Approved a waiver of renewal fees for Business Tax Certificates in FY 2023-24 for all businesses that are not delinquent as of December 31, 2023 for a total estimated loss in revenue of \$2,000,000; 2) Approved a waiver of Parking Credit Fees in FY 2023-24 for all businesses that are not delinquent as of December 31, 2023 for a total estimated loss of revenue of \$400,000; 3) Approved a waiver of fees associated with Outdoor Dining Fees for applications, administrative permits, and annual encroachment permits, excluding any structure-related permits or plan check and on-street parking space encroachment fees, in FY 2023-24 for all businesses that are not delinquent as of December 31, 2023 for a total estimated loss of revenue of \$100,000; 4) Directed staff to prepare an Agreement for Services with Visit West Hollywood in an amount not to exceed \$300,000 for marketing support for local businesses including advertising to West Hollywood residents and return to City Council for approval; 5) Directed staff to prepare an Agreement for Services with Fairbank, Maslin, Maullin, Metz & Associates (FM3) in an amount not to exceed \$17,750 for a statistically valid survey of the current conditions of local businesses; 6) Directed staff to conduct a survey with West Hollywood

employees to receive feedback on paid time off and high wage earners; 7) Directed staff to provide new and closed business tax certificate information for 2018 and 2019 when staff returns with an update; and 8) Authorized the Director of Finance and Technology Service to allocate \$317,750 from General Fund Reserves with \$300,000 to account number 100-3-10-13-533057, Business Retention & Attraction, for marketing support for local businesses and \$17,750 to account number 100-3-10-13-531004, Professional Services, for a statistically valid survey of the current conditions of local businesses. **Motion by Mayor Shyne, seconded by Mayor Byers and approved (4/0).**

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

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

Councilmember Meister indicated her reason for pulling this item. She inquired what type of metrics we're using to determine if what steps we are taking are working. Regarding the summary of business retention and outreach meetings, she stressed the impacts of rooftop uses on residential quality of life. She also noted that staff mentions that businesses they spoke with have concerns, but they don't specify what those concerns are. She would like a spreadsheet of why businesses are closing and/or leaving the City.

The following speaker came forward:

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding exit interviews and the need for real data.

Director of Economic Development Laura Biery provided information on the quarterly reports to the City Council.

**ACTIONS:** 1) Directed staff to provide a table without business names that includes the reason that businesses left the City; 2) Share any recommended policy proposals resulting from those meetings with the City Manager, City Attorney, and the City Council; 3) Provide information on the types of businesses closing and the types of businesses opening. **Motion by Councilmember Meister, seconded by Councilmember Heilman, approved (4/0).**

**6.C. COMMERCIAL VACANCY TAX [L. MEISTER, S. SHYNE, Y. QUARKER, H. MOLINA, M. WATSON]:**

*SUBJECT: The City Council will consider directing staff to negotiate an Agreement for Services with Fairbank, Maslin, Maullin, Metz & Associates to perform a statistically significant community survey and analysis of voters' opinions on a potential tax on prolonged commercial vacancies. Staff*

*to return to City Council with the results of the polling data and next steps for consideration to place a commercial vacancy tax measure on the November 2024 ballot.*

Councilmember Meister introduced the item and provided background information as outlined in the staff report dated November 20, 2023.

The following speakers came forward:

JERARD WRIGHT, Director of Government Affairs for Greater LA Realtors, spoke in opposition to additional taxation. He spoke regarding opportunities to bring back businesses as well as incentivizing property owners.

GEORGE NICKLE, WEST HOLLYWOOD, spoke in support of the item.

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

JULIA CAMARA CALVO, West Hollywood Business Owner, spoke in opposition of the item.

Councilmember Meister suggested conducting a poll.

Councilmember Heilman stated that the poll will tell the Council that residents do not like vacancies. He shared that commercial leasing is different than residential leasing. He provided the Barry's Bootcamp example at the Kings Road space. He does not support this item.

Councilmember Byers shared that she does not support this item. She noted that San Francisco implemented this and has a 97% non-compliance rate which has created a burden on its staff to address the non-compliant commercial owners. She shared that there are many opportunities identified in the Small Business Plan that we have not explored yet.

Mayor Shyne commented that she is interested in exploring and suggested that staff meet with the realtors' association.

Councilmember Meister suggested hosting focus groups with commercial property owners. She recommended that FM3 provide a proposal to conduct qualitative research among commercial owners and commercial realtors.

Mayor Shyne suggested also including commercial tenants.

Councilmember Heilman requested that the City Council authorize the City Manager to enter into an agreement with an appropriate surveyor.

Councilmember Byers recommended that the City issue a Request for Interest to commercial real estate leasing brokers.

**ACTIONS:** 1) Conduct a qualitative survey of commercial owners, tenants, and realtors; 2) Authorize the City Manager to enter into an agreement with an appropriate vendor and return with an agreement for services and funding request as part of the FY24 Midyear Budget Update; and 3) Issue a Request for Interest to commercial real estate leasing brokers to identify other uses for commercial spaces. **Motion by Councilmember Meister, seconded by Mayor Shyne and approved (4/0).**

**6.D. CO-SPONSORSHIP OF “VIBEZ: A SOBER NEW YEAR CELEBRATION” [J. ERICKSON, Y. QUARKER, J. DEL TORO, J. DUCKWORTH]:**

*SUBJECT: The City Council will consider a request to co-sponsor “VIBEZ: A Sober New Year Celebration” organized by The Phoenix and members of the sober community on December 31, 2023, from 9 p.m. to 1 a.m. in West Hollywood Plummer Park’s Fiesta Hall.*

**ACTION: This item was moved to the Consent Calendar.**

**EXCLUDED CONSENT CALENDAR:** None.

**PUBLIC COMMENT:**

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding the conflict in Gaza.

**COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:**

Councilmember Meister shared that she attended the Veterans Day Ceremony, the West Hollywood Chamber of Commerce Creative Business Awards and congratulated the Sunset Marquis. She also attended the Transgender Day of Remembrance (TDOR) event and commented on the lack of participation. She commented on Item 2.O. She announced various upcoming City events and wished everyone a Happy Thanksgiving Holiday.

Councilmember Byers reported her attendance at the National League of Cities Summit in Atlanta where she had the opportunity to sit on a panel to discuss the City’s decarbonizing delivery, specifically the City’s robot delivery program. She commented that before the lifting of the City’s travel ban, she would not have been able to attend this Summit due to its location. This Summit provided her with an opportunity to share the City’s progress. She attended the Transgender Day of Remembrance and shared that it was well recognized. She announced that it is World Day of Remembrance for Road Traffic Victims and shared statistics on the lives lost this past year. She concluded her comments by announcing various City events and wished everyone a Happy Thanksgiving.

Councilmember Heilman mentioned that he attended the Veterans Day Ceremony, the Transgender Day of Remembrance, and the Chamber of Commerce Creative Business Awards event. He noted that he met with representatives from Pride House for West Hollywood to host celebrations during the Word Cup and the 2028 Olympics celebrating

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the LGBTQ community and athletes participating in these events. He wished everyone a Happy Thanksgiving.

Mayor Shyne reported her attendance at the ribbon cutting ceremony of DELITALY Potato Chips Deli, the Veterans Day Ceremony, the Once Upon a Cocktail Book signing event, the Trans Vagina Diaries, the GARRAS Fashion Show, and the Transgender Day of Remembrance. She shared the City's advocacy and support of the Trans community and the events throughout Transgender Awareness Month. She announced various upcoming City events, and wished everyone a Happy Thanksgiving.

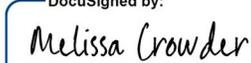
**ADJOURNMENT:** The City Council adjourned at 9:42 p.m. in memory of Carol Kossin Cleaveland, Robert Voakes, Tamara Goldenberg, and former First Lady Rosalynn Carter to its next Regular City Council meeting, which will be on Monday, December 4, 2023, at City Hall, First Floor Community Meeting Room.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 4<sup>th</sup> day of December 2023 by the following vote:

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

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 SEPI SHYNE, MAYOR

ATTEST:

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 MELISSA CROWDER, CITY CLERK