

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY MAY 6, 2024
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

6:00 P.M. – REGULAR MEETING

CALL TO ORDER: Mayor Erickson called the meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE: Jayden Watts, a student at West Hollywood Elementary School, led the Pledge of Allegiance.

LAND ACKNOWLEDGEMENT: Deepa Krishna read the City's Land Acknowledgement.

ROLL CALL:

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

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

APPROVAL OF AGENDA:

City Clerk Crowder requested that Item 3.B. be heard before Item 3.A.

Councilmember Meister requested that Items 2.L. and 2.Q. be moved to Excluded Consent. She also requested that Item 6.C. and 6.E. be moved to the Consent Calendar as Items 2.DD. and 2.EE., respectively. Additionally, she indicated her "no" vote on Item 2.E.

Councilmember Heilman requested that Item 6.A. be moved to the Consent Calendar as Item 2.BB. He also noted his recusal of Item 2.U.

Mayor Erickson requested that Item 6.B. be moved to the Consent Calendar as Item 2.CC. He also noted his recusal of Item 2.H.

Councilmember Shyne noted her "no" vote on Items 2.Z. and 2.AA.

Motion by Councilmember Heilman, seconded by Vice Mayor Byers to approve the May 6, 2024 agenda, as amended.

LEVINE ACT DISCLOSURES: None.

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ADJOURNMENT MOTIONS:

Councilmember Shyne requested that the meeting be adjourned in memory of Margo Harlen Kane.

Vice Mayor Byers requested that the meeting be adjourned in memory of Delaine Eastin.

Mayor Erickson requested that the meeting be adjourned in memory of Morgan Alexander Simon.

PRESENTATIONS:

Vice Mayor Byers presented a Proclamation to Harmony Studios Pilates in recognition of World Pilates Day.

Mayor Erickson presented a Proclamation to the American Born Chinese Foundation in recognition of Asian/Pacific American Heritage Month.

Mayor Erickson presented a Proclamation to the members of the older Adults Advisory Board in recognition of Older Adults Month.

PUBLIC COMMENT:

YOLA DORE, WEST HOLLYWOOD, spoke regarding Item 2.J.

DENNY ZANE, SANTA MONICA, spoke regarding Item 2.Y.

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding Item 2.Y.

ANDY SACHER, LOS ANGELES, spoke regarding Item 6.D.

MIKIE FRIEDMAN, WEST HOLLYWOOD, spoke regarding the removal of parking in favor of bike lanes, scooters, and robot delivery devices.

MAX PSHENICHNIKOV, WEST HOOLLYWOOD, spoke on behalf of the Coalition for Economic Survival in support of Item 2.Y.

IVAN MAKARENKO, WEST HOLLYWOOD, spoke on behalf of the Coalition for Economic Survival in support of Item 2.Y.

MICHAEL NUTTALL, WEST HOLLYWOOD, spoke regarding a trespassing charge by the West Hollywood Sheriff's.

SARAH ADOLPHSON, WEST HOLLYWOOD, spoke on behalf of the Human Services Commission regarding the services available to Older Adults in the community.

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WILLIAM WEST SEEGMILLER, WEST HOLLYWOOD, spoke regarding a community conversation with Dr. Balekian at Plummer Park.

DANNY HANG, WEST HOLLYWOOD, spoke regarding Older Adults Month and Asian American and Pacific Islander Heritage Month.

DEEPA KRISHNA, WEST HOLLYWOOD, spoke regarding Asian American and Pacific Islander Heritage Month and read comments from Catherine Eng into the record.

GENEVIEVE MORRILL, WEST HOLLYWOOD, spoke regarding Item 2.E. as well as the other measures that the City Council has taken to assist the business community. She wished everyone a Happy Mother's Day.

CITY MANAGER'S REPORT:

City Manager David Wilson shared information on upcoming events. He noted that the City was designated as a pro-housing center. He indicated that the City is also working on a Victim Resources Guide.

FISCAL IMPACT ON CONSENT CALENDAR:

Assistant City Clerk Morales stated that the Fiscal Impact on the Consent Calendar with the addition of Items 6.A., 6.B., 6.C., and 6.E. and the removal of Items 2.L. and 2.Q. was \$10,312,494 in expenditures, \$1,411,893 in revenues, and (\$4,125) in waived fees.

Ms. Morales read the titles of the Ordinances in Items 2.Z. and 2.AA. introducing them on first reading.

Ms. Morales also noted Councilmember Meister's "no" vote on Item 2.E, Mayor Erickson's recusal on Item 2.H., Councilmember Heilman's recusal on Item 2.U., and Councilmember Shyne's "no" vote on Item 2.Z., and 2.AA.

2. CONSENT CALENDAR:

2.A.,B.,C.,D.,E.,F.,G.,H.,I.,K.,M.,N.,O.,R.,S.,T.,U.,V.,W.,Z.,Y.,Z.,AA.,BB.,CC.,DD.,EE.

Motion by Councilmember Heilman, seconded by Vice Mayor Byers, and approved, noting the "no" vote of Councilmember Meister on Item 2.E. Mayor Erickson's recusal on Item 2.H., Councilmember Heilman's recusal on Item 2.U., and Councilmember Shyne's "no" vote on Items 2.Z., and 2.AA.

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Monday, May 6, 2024 was posted at City Hall, Plummer Park, the Sheriff's Station, and at the West Hollywood Library on Wednesday, May 1, 2024.

ACTION: Received and filed. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

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

ACTION: Approved the minutes of April 15, 2024. **Approved as part of the Consent Calendar.**

2.C. APPROVAL OF DEMAND REGISTER NO. 948 [L. QUIJANO, C. CORRALES, S. HERNANDEZ]:

SUBJECT: The City Council shall receive the Demand Register for period ending April 26, 2024 pursuant to Sections 37201 to 37210 of the Government Code of the State of California.

ACTION: Approved Demand Register No. 948 and adopt Resolution No. 24-028: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 948". **Approved as part of the Consent Calendar.**

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 three (3) Claims for Damage from Deeanna Linsmaier, David Ruiz, and Nima Nikkhrou.

ACTION: Received and filed. **Approved as part of the Consent Calendar.**

2.E. ADOPT ORDINANCE NO. 24-11 (2ND READING) "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AMENDING CHAPTER 11.28.090 "OUTDOOR DINING ON PUBLIC RIGHT OF WAY – ELIGIBLE SITES" OF THE WEST HOLLYWOOD MUNICIPAL CODE TO CLARIFY ELIGIBLE AREAS TO BE PERMITTED TO CONVERT TEMPORARY OUTZONES TO PERMITTED PERMANENT OUTDOOR DINING" [M. CROWDER, L. MORALES]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 24-11, amending Chapter 11.28.090 "outdoor dining on public right of way – eligible sites" of the West Hollywood Municipal Code to clarify eligible areas to be permitted to convert temporary OUTZones to permitted permanent outdoor dining.

ACTION: Waived further reading and adopted Ordinance No. 24-11: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AMENDING CHAPTER 11.28.090 "OUTDOOR DINING ON PUBLIC RIGHT OF WAY – ELIGIBLE SITES" OF THE WEST HOLLYWOOD MUNICIPAL CODE TO CLARIFY ELIGIBLE AREAS TO BE PERMITTED TO CONVERT TEMPORARY OUTZONES TO PERMITTED PERMANENT OUTDOOR DINING". **Approved as part of the Consent Calendar, noting the "no" vote by Councilmember Meister.**

- 2.F. ADOPT ORDINANCE NO. 24-12 (2ND READING) “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, ADDING CHAPTER 9.55 TO ARTICLE 4 OF TITLE 9 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO PROVIDE FOR THE HUMANE REMOVAL OF BEE SWARMS AND COLONIES” [M. CROWDER, L. MORALES]:**
SUBJECT: The City Council will waive further reading and adopt Ordinance No. 24-12, adding Chapter 9.55 to Article 4 of Title 9 of the West Hollywood Municipal Code to provide for the humane removal of bee swarms and colonies.
ACTION: Waived further reading and adopted Ordinance No. 24-12: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, ADDING CHAPTER 9.55 TO ARTICLE 4 OF TITLE 9 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO PROVIDE FOR THE HUMANE REMOVAL OF BEE SWARMS AND COLONIES”. **Approved as part of the Consent Calendar.**
- 2.G. COMMISSION AND ADVISORY BOARD MEETING SYNOPSSES [M. CROWDER, L. MORALES]:**
SUBJECT: The City Council will receive Synopses from the Arts and Cultural Affairs Commission, Human Services Commission, Public Facilities, Recreation, and Infrastructure Commission and the Social Justice Advisory Board regarding actions taken at their recent meetings.
ACTION: Received and filed. **Approved as part of the Consent Calendar.**
- 2.H. 2024 RAINBOW KEY AWARDS – AWARDEE SELECTION [Y. QUARKER, A. LOVANO, J. DEL TORO, M. MÁRQUEZ]:**
SUBJECT: The City Council will consider approving the LGBTQ+ Commission’s recommended recipients for the 2024 Rainbow Key Awards.
ACTION: Approved the LGBTQ+ Commission’s recommended recipients for the 2024 Rainbow Key Awards: Jackie Beat, Vivian “Dapper Dyke” Escalante, Rebecca Gitlin, LZ Love, Brian Sonia-Wallace. **Approved as part of the Consent Calendar, noting Mayor Erickson’s recusal.**
- 2.I. RECOGNITION OF MENTAL HEALTH AWARENESS MONTH [Y. QUARKER, A. LOVANO, L. FOOKS, C. SCHROEDER, D. MURRAY]:**
SUBJECT: The West Hollywood City Council will consider recognizing May as Mental Health Awareness Month.
ACTIONS: 1) Light up City Hall in the colors green and white from May 15-29, 2024; 2) Directed staff to highlight the City’s mental health services, resources, programming, and initiatives during Mental Health Awareness Month; and 3) Directed the Communications Department to utilize all appropriate communications tools to promote the City’s recognition of Mental Health Awareness Month. **Approved as part of the Consent Calendar.**

2.J. MEMORANDUM OF UNDERSTANDING (MOU) WITH THE CALIFORNIA JOINT POWERS INSURANCE AUTHORITY FOR THE CALIFORNIA JOINT POWERS INSURANCE AUTHORITY (CJPIA) AMERICANS WITH DISABILITIES ACT (ADA) ASSISTANCE PROGRAM [J. JIMENEZ, M. CROWDER, R. NAPPER, S. CAMPBELL, H. COLLINS]:

SUBJECT: The City Council will consider approving a Memorandum of Understanding (MOU) with the California Joint Powers Insurance Authority (CJPIA) to utilize the CJPIA's Americans with Disabilities Act (ADA) Assistance Program for the completion of an ADA Self- Assessment and Transition Plan.

ACTION: Approved a Memorandum of Understanding (MOU) with the California Joint Powers Insurance Authority (CJPIA) to utilize the CJPIA's Americans with Disabilities Act (ADA) Assistance Program for the completion of an ADA Self-Assessment and Transition Plan and authorize the City Manager to execute the MOU. **Approved as part of the Consent Calendar.**

2.K. ARTS & ECONOMIC PROSPERITY 6 (AEP6) STUDY RESULTS [L. BIERY, R. EHEMANN]:

SUBJECT: The City Council will receive the results of the Arts & Economic Prosperity (AEP6) study, conducted by the Americans for the Arts.

ACTION: Received and filed. **Approved as part of the Consent Calendar.**

2.L. UPDATE ON MAJOR COMMERCIAL AND MIXED-USE DEVELOPMENT PROJECTS [N. MARICICH, J. ALKIRE, B. GALAN]:

SUBJECT: The City Council will receive a quarterly update on the status of major commercial and mixed-use development projects, as requested.

ACTION: Received and filed this report. **Approved as part of the Consent Calendar.**

2.M. GRANT AWARD AND EXPENDITURE PLAN FOR THE JUSTICE ASSISTANCE GRANT (JAG) FOR FISCAL YEAR 2023-24 [D. RIVAS, A. SHANDI, J. ANUKAM]:

SUBJECT: The City Council will consider authorizing the acceptance of \$22,025 funding awarded to the City of West Hollywood from the United States Department of Justice's Bureau allocation for the Edward Byrne Memorial Justice Assistance Grant (JAG) for the Fiscal Year 2023-24 Program.

ACTIONS: 1) Authorized staff to accept the \$22,025 funding awarded to the City of West Hollywood from the US Department of Justice's Bureau allocation of the Edward Byrne Memorial Justice Assistance Grant (JAG) Fiscal Year 2023-24 Program; 2) Upon award of the grant, authorized the Director of Finance and Technology Services to increase revenues and

expenditures by an equal amount, which will be determined upon successful award of the grant and is projected to be \$22,025; 3) Authorized the expenditure of JAG funds to continue the Park Security Patrol Program; and 4) Authorized the City Manager, or designee, to execute documents incident to the grant. **Approved as part of the Consent Calendar.**

2.N. ACCEPT SPONSORSHIP OF \$10,000 FROM THE 3RD SUPERVISORIAL DISTRICT OF LOS ANGELES COUNTY FOR HARVEY MILK DAY PROGRAMMING [L. BIERY, R. EHEMANN]:

SUBJECT: The City Council will consider accepting a sponsorship of \$10,000 from the 3rd Supervisorial District of Los Angeles County for Harvey Milk Day programming.

ACTIONS: 1) Authorized acceptance of a \$10,000 sponsorship from the 3rd Supervisorial District of Los Angeles County for Harvey Milk Day programming; 2) Authorized the City Manager or his designee to execute all documents incident to the sponsorship; 3) Authorized inclusion of the County of Los Angeles Third District Supervisor pride themed logo on the WeHo Pride website, social media graphic, and flyer for the event; and 4) Authorized the Director of Finance and Technology Services to increase budgeted revenues and expenditures in the Miscellaneous Grants Fund by the sponsorship amount upon receipt of the funds. **Approved as part of the Consent Calendar.**

2.O. RELEASE AGREEMENT WITH DEVELOPERS SURETY AND INDEMNITY COMPANY AND STANCE CONSTRUCTION COMPANY REGARDING CIP 2302, CONCRETE REPAIR PROGRAM [S. CAMPBELL, J. GILMOUR]:

SUBJECT: The City Council will consider approval of a Release Agreement with Developers Surety and Indemnity Company and Stance Construction Company regarding CIP 2302, Concrete Repair Program.

ACTIONS: 1) Approved a Release Agreement with Developers Surety and Indemnity Company and Stance Construction Company; and 2) Authorize the City Manager or designee to execute documents incident to the agreement. **Approved as part of the Consent Calendar.**

2.P. CONSTRUCTION AGREEMENT WITH INTERNATIONAL LINE BUILDERS, INC. DBA ILB ELECTRIC TO CONSTRUCT CIP 2306, TRAFFIC SIGNAL IMPROVEMENTS AT FOUNTAIN AVENUE AND FAIRFAX AVENUE [S. CAMPBELL, J. GILMOUR, R. GARLAND]:

SUBJECT: The City Council will consider approval of a Construction Agreement with International Line Builders, Inc. dba ILB Electric to construct CIP 2306, Traffic Signal Improvements at Fountain Avenue and Fairfax Avenue.

ACTIONS: 1) Approved a Construction Agreement with International Line Builders, Inc. dba ILB Electric in the amount of \$214,825 for the construction of CIP 2306, Traffic Signal Improvements at Fountain Ave.

and Fairfax Ave., and authorize the City Manager or designee to execute documents incident to the Agreement; 2) Authorized the City Engineer to approve change orders to the Construction Agreement in an amount not to exceed 15% (\$32,223.75) of the Agreement amount; and 3) Adopted Resolution No. 24-029: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF CIP 2306, TRAFFIC SIGNAL IMPROVEMENTS AT FOUNTAIN AVENUE AND FAIRFAX AVENUE, PURSUANT TO GOVERNMENT CODE SECTION 830.6." **Approved as part of the Consent Calendar.**

2.Q. AGREEMENT FOR SERVICES WITH THE HOUSING WORKSHOP FOR HOUSING ELEMENT INCLUSIONARY AND DENSITY BONUS FEASIBILITY STUDY AND ORDINANCE UPDATES [N. MARICICH, F. CONTRERAS, T. FARRIS]:

SUBJECT: The City Council will consider approval of an Agreement for Services with the existing Long Range Planning bench consultant, The Housing Workshop, to assist in updating the City's Inclusionary Housing and Density Bonus Ordinances in support of the 6th Cycle Housing Element and compliance with state laws. This item is not subject to CEQA.

ACTIONS: 1) Approved the Agreement for Services with The Housing Workshop for \$191,050 with an expiration date of June 30, 2025; and 2) Authorized the City Manager or designee to sign and execute all documents related to this Agreement. **Approved as part of the Consent Calendar.**

2.R. AMENDMENT NO. 3 TO THE AGREEMENT WITH SDI PRESENCE LLC FOR CONSULTING SERVICES RELATED TO PROJECT MANAGEMENT, REPORT WRITING, AND DATA ANALYTICS FOR THE PERMITTING AND LAND MANAGEMENT SYSTEM MIGRATION PROJECT [L. QUIJANO, E. TSIPIIS, K. DEVINE]:

SUBJECT: The City Council will consider approving Amendment No. 3 to Agreement for Professional Services with SDI Presence LLC for consulting services related to project management, report writing, and data analytics for the Permitting and Land Management system migration project.

ACTIONS: 1) Approved Amendment No. 3 to the Agreement for Professional Services with SDI Presence LLC for an additional \$50,000 for a total of not-to-exceed \$477,225; and 2) Authorized the City Manager or designee to execute documents incident and appropriate actions to carry out the purpose and intent relating to this amendment. **Approved as part of the Consent Calendar.**

2.S. AMENDMENT NO. 3 TO THE AGREEMENT FOR SERVICES WITH PROJECT PARTNERS, INC. FOR PROFESSIONAL SERVICES TO

PROVIDE ON-CALL PROFESSIONAL ENGINEERING SERVICES [S. CAMPBELL, J. GILMOUR]:

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

ACTIONS: 1) Approved Amendment No. 3 to the Agreement for Services with Project Partners, Inc. to extend the Agreement to June 30, 2026, and increase the amount of the agreement by \$105,000 for a total not-to-exceed amount of \$300,000; and 2) Authorized the City Manager or designee to execute documents incident to the Agreement. **Approved as part of the Consent Calendar.**

2.T. AMENDMENT NO. 1 TO THE AGREEMENT FOR SERVICES WITH BOUNDARY DIGITAL LLC FOR WEB DEVELOPMENT SERVICES [J. SCHARE, E. TAYLOR, J. SIMPSON, S. JACKSON]:

SUBJECT: The City Council will consider approving Amendment No. 1 to the Agreement for Services with Boundary Digital LLC for web development services.

ACTIONS: 1) Approved Amendment No. 1 to the Agreement for Services with Boundary Digital LLC for web development services to increase the not-to-exceed amount by \$87,500 for a total not-to-exceed contract amount of \$140,000; and 2) Authorized the City Manager or designee to execute the agreement. **Approved as part of the Consent Calendar.**

2.U. ACCEPT AN EASEMENT AND RIGHT OF WAY FOR PUBLIC STREET AND SIDEWALK PURPOSES ALONG THE LA CIENEGA BOULEVARD FRONTAGE OF THE HOLLCIEN, INC. DEVELOPMENT PROJECT AT 1107 LA CIENEGA BOULEVARD [S. CAMPBELL, J. GILMOUR]:

SUBJECT: The City Council will consider accepting an easement and right of way for street and sidewalk purposes along the La Cienega Blvd. frontage of the Hollcien, Inc. development project located at 1107 La Cienega Blvd.

ACTIONS: 1) Adopted Resolution No. 24-030: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ACCEPTING GRANT OF EASEMENT FOR PUBLIC SIDEWALK AND PARKWAY PURPOSES AT 1107 LA CIENEGA BOULEVARD IN THE CITY OF WEST HOLLYWOOD"; and 2) Directed the City Clerk to submit a certified copy of the Resolution as well as the Easement in Exhibit A of Attachment A for recordation by the office of the Recorder of the County of Los Angeles. **Approved as part of the Consent Calendar, noting Councilmember Heilman's recusal.**

2.V. ADOPTION OF A RESOLUTION IMPLEMENTING THE CURRENT EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION [S. CAMPBELL, J. GILMOUR, H. COLLINS]:

SUBJECT: The Council will consider the adoption of the 2024 edition of the Standard Specifications for Public Works Construction, (commonly called the "Greenbook") for use on public works projects and any work done in the public right of way.

ACTION: Adopted Resolution No. 24-031: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REGULATING MATERIALS OF CONSTRUCTION AND THEIR USE IN THE ERECTION, INSTALLATION, ALTERATION, REPAIR, REMOVAL, CONVERSION, DEMOLITION, AND CONSTRUCTION OF PUBLIC WORKS IMPROVEMENTS IN THE CITY OF WEST HOLLYWOOD; PROVIDING FOR THE ADMINISTRATION OF CONTRACTS AS WELL AS PERMITS ISSUED IN CONNECTION WITH SUCH IMPROVEMENTS; AND REPEALING ALL RESOLUTIONS AND PARTS OF RESOLUTIONS IN CONFLICT THEREWITH." **Approved as part of the Consent Calendar.**

2.W. ADOPT A RESOLUTION LISTING TRANSPORTATION RELATED PROJECTS ELIGIBLE FOR FUNDING UNDER SB-1 (BEALL) TRANSPORTATION FUNDING FY 2024-2025 [S. CAMPBELL, J. GILMOUR]:

SUBJECT: The City Council will consider adopting a resolution specifying certain transportation related projects eligible for funding under SB-1 (Beall) Transportation Funding to be completed during the next fiscal year. The project list included in the resolution will be submitted to the California Transportation Commission (CTC) before the deadline of July 1, 2024.

ACTIONS: 1) Adopted Resolution No. 24-032: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2024-2025 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017"; and 2) Directed staff to submit the City's project list to the California Transportation Commission (CTC) before the July 1st, 2024, deadline. **Approved as part of the Consent Calendar.**

2.X. CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING FINAL MAP NO. 82661 FOR A MAJOR LAND SUBDIVISION LOCATED AT 917-927 HILLDALE 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. 82661, a major land subdivision, located at 917-927 Hilldale Avenue. This item is exempt from CEQA.

ACTION: Adopted Resolution No. 24-033: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING FINAL MAP NO. 82661 FOR THE MAJOR LAND SUBDIVISION, LOCATED AT 917-927 HILLDALE AVENUE IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA." **Approved as part of the Consent Calendar.**

2.Y. A RESOLUTION IN SUPPORT OF THE JUSTICE FOR RENTERS ACT, A BALLOT INITIATIVE [Y. QUARKER, A. LOVANO, H. MOLINA, M. WATSON]:

SUBJECT: The City Council will consider adopting a resolution in support of the Justice for Renters Act, a ballot initiative that will appear on the November 5, 2024, General Election ballot.

ACTIONS: 1) Adopted Resolution 24-034: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE JUSTICE FOR RENTERS ACT, A BALLOT INITIATIVE"; and 2) Directed staff to send copies of the adopted resolution to California Governor Gavin Newsom, California State Senator Ben Allen, California Assembly Member Rick Chavez Zbur, and others as deemed appropriate.
Approved as part of the Consent Calendar.

2.Z. RESOLUTION AND ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AMENDING CHAPTER 5.130, SECTION 5.130.020 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING THE WEST HOLLYWOOD MINIMUM WAGE PAYMENT REQUIREMENTS FOR NON-HOTEL WORKERS [D. WILSON, C. SAFRIET, P. KESPRADIT, L. LANGER, L. BIERY, T. COYNE]:

SUBJECT: The City Council will consider amendments to Title 5 (Minimum Wage) of the West Hollywood Municipal Code Chapter 5.130, Section 5.130.020 concerning Minimum Wage Payment Requirements for non-hotel workers.

ACTIONS: 1) Adopted Resolution No. 24-035: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, ESTABLISHING AN ANNUAL MINIMUM WAGE INCREASE BY THE CONSUMER PRICE INDEX FOR URBAN WAGE EARNERS AND CLERICAL WORKERS (CPI-W) PURSUANT TO WEST HOLLYWOOD MUNICIPAL CODE SECTION 5.130.020;" and 2) Introduced on first reading Ordinance No. 24-13: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AMENDING CHAPTER 5.130, SECTION 5.130.020, OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING MINIMUM WAGE PAYMENT REQUIREMENTS." **Approved as part of the Consent Calendar, noting Councilmember Shyne's "no" vote.**

2.AA. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AMENDING SECTION 3.20.040 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING ANNUAL CPI INCREASES TO THE LIVING WAGE ORDINANCE [D. WILSON, C. SAFRIET, L. LANGER, L. BIERY, T. COYNE]:

SUBJECT: The City Council will consider amendments to Title 3 (Revenue and Finance) of the West Hollywood Municipal Code Chapter 3.20, Section 3.20.040 concerning Living Wage Payment Requirements for Service Contracts, removing the language connecting the annual

increase of the Living Wage for City contracts to the Citywide Minimum Wage Ordinance.

ACTION: Introduced on first reading Ordinance No. 24-14: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AMENDING SECTION 3.20.040, OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING ANNUAL CPI INCREASES TO THE LIVING WAGE ORDINANCE." **Approved as part of the Consent Calendar, noting Councilmember Shyne's "no" vote.**

2.BB. (6.A.) AWARD OF CONSTRUCTION AGREEMENT TO PCL CONSTRUCTION SERVICES, INC. FOR STORIES: THE AIDS MONUMENT, CIP 41-02 AND ADOPTION OF A RESOLUTION APPROVING THE DESIGN PLANS [J. ROCCO, R. ABRAMSON, M. BARKER, S. CAMPBELL, H. COLLINS, L. BIERY, R. EHEMANN]:

SUBJECT: The City Council will consider awarding a Construction Agreement to PCL Construction Services, Inc., for the construction of the STORIES: The AIDS Monument project, CIP 41-02 and adopting a Resolution approving the design plans.

ACTIONS: 1) Approved a Construction Agreement to PCL Construction Services, Inc., in the amount of \$6,675,000 for the construction of the STORIES: The AIDS Monument project, CIP No. 41-02, and authorize the City Manager or designee to execute documents incident to the Agreement; 2) Authorized the Urban Design and Architecture Studio Manager and the Facilities and Field Services Manager to approve change orders to the construction Agreement in an amount not to exceed 20% (\$1,335,000) of the total Agreement amount; 3) Authorized the Director of Finance and Technology Services to allocate \$3,700,000 from the unallocated reserves in the 301 Capital Projects fund reserves for construction of the STORIES: The AIDS Monument project; and 4) Adopt Resolution No. 24-036: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF CIP 41-02, STORIES: THE AIDS MONUMENT, UNDER GOVERNMENT CODE SECTION 830.6." **Approved as part of the Consent Calendar.**

2.CC. (6.B.) AMENDMENT NO. 2 TO THE AGREEMENT FOR SERVICES WITH BBB-CA, INC. DBA BLOCK BY BLOCK FOR SECURITY UNARMED SECURITY AMBASSADOR SERVICES [D. RIVAS, A. SHANDI]:

SUBJECT: The City Council will consider approving Amendment No. 2 to the Agreement for Services for security ambassador services with BBB-CA, Inc. dba Block by Block to maintain the same level of services performed throughout the City of West Hollywood for unarmed security ambassador services for an additional period of one year.

ACTIONS: 1) Approved Amendment No. 2 to Agreement for Services with BBB-CA, Inc. dba Block by Block, to increase the "not-to-exceed" amount

of \$11,500,617.13 (\$5,696,511.69 in FY 2022-23 and \$5,804,105.44 in FY 2023-24) by an additional \$5,966,620.40 for a total of \$17,467,237.53 (\$5,696,511.69 in FY 2022-23, \$5,804,105.44 in FY 2023-24, and \$5,966,620.40 for FY 2024-25) to cover the costs of providing existing services; 2) Extended the Agreement for Services for an additional year beginning July 1, 2024, through June 30, 2025; and 3) Authorized the City Manager or designee to execute documents incident to the Agreement.

Approved as part of the Consent Calendar.

2.DD. (6.C.) CO-SPONSORSHIP OF OUTLOUD SPORTS FESTIVAL [Y. QUARKER, A. LOVANO, J. DEL TORO, J. DUCKWORTH]:

SUBJECT: The City Council will consider a request to Co-Sponsor the OutLoud Sports Festival. The festival's dodgeball tournament will occur on Saturday, August 31, 2024, and Sunday, September 1, 2024, and be held in West Hollywood Park's Aquatic and Recreation Center.

ACTIONS: 1) Approved a Co-sponsorship of the OutLoud Sports Festival to be held at West Hollywood Park on Saturday, August 31, 2024, and Sunday, September 1, 2024; 2) Authorized the City Manager or his designee to execute documents incident to the Co-Sponsorship agreement between the City and OutLoud Sports; 3) Approved waiving the Facility Use Fee for the West Hollywood Park Aquatic and Recreation Center or any other Permit Fees required for the successful execution of the event. (Estimated \$2,925 in waived fees); 4) Approved the waiver of parking fees at the 5-story parking lot for tournament participants of the event on both days (estimated \$1,200 in waived fees); 5) Authorized the Director of Finance and Technology Services to allocate \$375 from unallocated General Fund reserves to the Special Council Programs Account 100-1-01-00-531001 and increase the budget for Special Council Programs by the same amount; 6) Authorized the Director of Finance & Technology Services to approve the use of \$2,500 from budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with the event; 7) Authorized the use of the City name and logo on invitations, programs, and other collateral materials for the event; and 8) Directed the Communications Department to utilize all appropriate communication tools to promote the OutLoud Sports Festival, including, but not limited to, the City's website and social media tools.

Approved as part of the Consent Calendar.

2.EE. (6.E.) SPONSORSHIP OF A PANEL DISCUSSION FOCUSED ON THE CONFLICT IN UKRAINE AND ITS IMPACT ON THE LGBTQ+ COMMUNITY AS PART OF THE HUMAN RIGHTS SPEAKERS SERIES [J. HEILMAN, Y. QUARKER, A. LOVANO, J. DEL TORO, J. DUCKWORTH, L. BIERY, R. EHEMANN, J. TRIBBLE]:

SUBJECT: The City Council will consider sponsoring a panel discussion focused on the ongoing conflict in Ukraine, amid the Russian invasion, and its impacts on the LGBTQ+ community.

ACTIONS: 1) Approved the sponsorship of a panel discussion focused on the conflict in Ukraine and its impacts on the LGBTQ+ community, as part of the Human Rights Speakers Series; 2) Authorized the use of the City name and logo on invitations, programs, and other collateral materials for the event; 3) Directed the Communications Department to utilize all appropriate communication tools to promote the events including, but not limited to, the City's website, a press release, and social media tools; and 4) Authorized the Director of Finance and Technology Services to approve the use of \$1,000 from budgeted funds in the Special Council Programs account 100-1-01-01-531001 for costs associated with this event.
Approved as part of the Consent Calendar.

THE CITY COUNCIL WILL RECESS AND RECONVENE AS THE PUBLIC FINANCING AUTHORITY:

The City Council recessed to the Public Financing Authority at 6:56 p.m.

The Public Financing Authority approved the minutes of the April 20, 2020 meeting and adopted Resolutions regarding the lease of revenue bonds to finance capital improvement projects and refinance the outstanding West Hollywood Public Financing Authority 2013 lease revenue bonds.

The actions are more fully described in the minutes of the Public Financing Authority.

THE PUBLIC FINANCING AUTHORITY WILL RECESS AND RECONVENE AS THE CITY COUNCIL:

The Public Financing Authority reconvened as the City Council at 7:00 p.m.

3. PUBLIC HEARINGS:

- 3.B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DOCUMENTS AND ACTIONS RELATING TO THE ISSUANCE AND SALE OF ONE OR MORE SERIES OF LEASE REVENUE BONDS BY THE WEST HOLLYWOOD PUBLIC FINANCING AUTHORITY TO FINANCE CERTAIN CAPITAL IMPROVEMENT PROJECTS FOR THE CITY AND REFINANCE THE OUTSTANDING WEST HOLLYWOOD PUBLIC FINANCING AUTHORITY 2013 LEASE REVENUE BONDS (CITY HALL PARKING; WERLE BUILDING) [D. WILSON, C. SAFRIET, M. LINDLEY, L. QUIJANO, C. CORRALES, A. RUIZ, K. BARENG]:**

SUBJECT: The City Council will consider adopting the attached resolution approving the issuance and sale of up to \$45 million of 2024 Lease Revenue Bonds (the "2024 Lease Revenue Bonds") in one or more series by the West Hollywood Public Financing Authority (the "Public Financing Authority"). The

total bond issue of up to \$45 million will provide financing for: (1) the refunding of 2013 bonds; (2) construction of AIDS Monument; (3) the Design District Undergrounding Project, (4) development of a surface parking lot at 8120 Santa Monica Boulevard; (5) acquisition and construction of Plummer Park Off-leash Dog Park; (6) acquisition and construction of improvements at Hart Park; (7) implementation of the Design District Streetscape & Utility Undergrounding Project; (8) acquisition and improvement of Sunset and La Cienega Intersection; and (9) acquisition and construction of Melrose Gathering Place project.

Mayor Erickson opened the Public Hearing.

Assistant City Clerk Morales noted that this Public Hearing was noticed as required by law.

Accounting Manager Carlos Corrales and Director of Finance & Technology Services provided background information as outlined in the staff report dated May 6, 2024. Also in attendance was Chris Lynch with Jones Hall and Jose Vera with Raymond James.

Councilmember Meister inquired why the City Council is being asked to refinance the 2013 bonds. Mr. Vera responded to this inquiry.

Councilmember Heilman commented that the City has some outstanding debt financing older projects as well as new projects that require financing. By refinancing the bonds, the City is saving money on interest.

Councilmember Erickson inquired why the City uses Raymond James. City Manager David Wilson shared that the City has a long-term relationship with Raymond James.

Councilmember Heilman thanked Chris Lynch, our bond counsel.

Councilmember Meister inquired about using reserves for CIP projects rather than issuing bonds. City Manager Wilson responded.

No members of the public came forward to speak.

Mayor Erickson closed the Public Hearing.

ACTIONS: 1) The City Council held a public hearing on the proposed lease financing by the City and the Public Financing Authority and the substantial public benefits of the proposed financing; 2) Adopted Resolution No. 24-037: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DOCUMENTS AND ACTIONS RELATING TO THE ISSUANCE AND SALE OF ONE OR MORE SERIES OF LEASE REVENUE BONDS BY THE WEST HOLLYWOOD PUBLIC FINANCING

AUTHORITY TO FINANCE CERTAIN CAPITAL IMPROVEMENT PROJECTS FOR THE CITY AND REFINANCE THE OUTSTANDING WEST HOLLYWOOD PUBLIC FINANCING AUTHORITY 2013 LEASE REVENUE BONDS (CITY HALL PARKING; WERLE BUILDING); 3) Adopted Resolution No. 24-011: "A RESOLUTION OF THE WEST HOLLYWOOD PUBLIC FINANCING AUTHORITY AUTHORIZING THE ISSUANCE AND SALE OF ONE OR MORE SERIES OF LEASE REVENUE BONDS TO FINANCE CAPITAL IMPROVEMENT PROJECTS FOR THE CITY OF WEST HOLLYWOOD AND REFINANCE THE OUTSTANDING WEST HOLLYWOOD PUBLIC FINANCING AUTHORITY 2013 LEASE REVENUE BONDS (CITY HALL PARKING; WERLE BUILDING), AND APPROVING RELATED DOCUMENTS AND OFFICIAL ACTIONS; and 4) Authorized the City Manager, Deputy City Manager and/or Director of Finance and Technology Services (in their capacities as representatives of the City and the Authority) to execute any documents necessary to issue the 2024 Lease Revenue Bonds, provided the principal amount does not exceed \$45 million. **Motion by Councilmember Heilman, seconded by Vice Mayor Byers, and approved (5/0).**

3.A. REQUEST TO PERMIT A NEW TWO-SIDED, INTERNALLY LIT, FULL MOTION DIGITAL BILLBOARD AT 8501 SUNSET BOULEVARD IN CONJUNCTION WITH NEW INTERIOR AND EXTERIOR BUILDING AND SITE IMPROVEMENTS [L. BIERY, B. LEAGUE, N. MARICICH, J. ALKIRE, J. DAVIS, R. ABRAMSON]:

SUBJECT: This proposal is for construction of a new two-sided full motion digital billboard, replacing an existing one-sided billboard, on the rooftop of 8501 Sunset (The Sterling Building) and for the improvement of both the interior and exterior of the building to accommodate an art gallery/community space or similar civic use that will be leased to the City for the term of the development agreement. Site improvements will also be made to accommodate this new use. The City Council will hold a public hearing and make a decision regarding the approval of Master Project (MP21-0021) including Sign Permit (BB21-0003), Administrative Permit (AP21-0021), Zoning Map Amendment (ZMA21-0003) and Development Agreement (DA21-0004) for the construction and installation of the new billboard and site and building improvements. This item is subject to CEQA and an addendum to the Sunset Arts & Advertising Billboard Policy Negative Declaration was prepared for the project.

Mayor Erickson opened the Public Hearing.

Assistant City Clerk Morales noted that this Public Hearing was noticed as required by law.

The City Council provided their disclosures.

Property Development Manager Brian League provided background information as outlined in the staff report dated May 6, 2024.

Councilmember Heilman commented on the environmental review. Planning Manager Jennifer Alkire responded. Councilmember Heilman requested that an item come before the City Council to discuss full motion billboards for a policy discussion.

Vice Mayor Byers inquired about the use of the space. Mr. League responded.

Councilmember Meister spoke about the Sunset Specific Plan and the Sunset Arts & Advertising, and if this proposed billboard is in line with the Plan. Mr. League responded. Councilmember Meister asked why the Sunset Specific Plan didn't return to the City Council since so many of the proposed billboards are "Alternative Projects" (e.g., two faces). She also inquired about the EIR and cumulative effect of multiple billboards near one another. Councilmember Meister also inquired about the public benefits and inconsistencies in the staff report versus the Development Agreement. She inquired about other provisions in the Development Agreement. Staff responded.

The applicant team consisting of Jeff Seymour, Spencer Kallick, Brad Berkely, Ben Anderson, and Dawn Hollingsworth presented their project.

The following members of the public came forward to speak:

ANN LESLIE UZDAVINK, WEST HOLLYWOOD, spoke in opposition to the proposed billboard.

STEVE MARTIN, WEST HOLLYWOOD, spoke in opposition to the proposed billboard.

ELLEN EVANS, LOS ANGELES, spoke in opposition to the proposed billboard.

GENEVIEVE MORRILL, PRESIDENT/CEO OF WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of the proposed billboard.

JAMIE FRANCIS, WEST HOLLYWOOD, spoke in opposition to the proposed billboard.

JOSHUA GAFU, WEST HOLLYWOOD, spoke about leasing the space.

SPENCER KALLICK, on behalf of the applicant team, provided rebuttals to the comments made during public testimony.

Councilmember Heilman agreed that this site is not appropriate for housing. He also noted that it's a difficult location for a business due to the lack of parking and shared his concerns about the proposed billboard.

Councilmember Meister expressed concern with the projected amounts for anticipated revenue versus actual audited gross revenue, the credit being paid back to the city 25 years later without interest, and suggested language changes to 3.4.5 and 3.4.6 of the Development Agreement. She spoke in disagreement with protecting the applicant's view shed for their billboard from the City's proposed gateway, project valuation that was based on views of the billboard from the south, and with the City entering into tenancy at this site. She also spoke of ways to prioritize BIPOC or women-owned small businesses if possible.

Councilmember Shyne spoke in agreement with Councilmember Meister's comments on the tenancy at this site as well as the City receiving interest on the credit that will be paid to the City in 25 years.

Vice Mayor Byers expressed her interest in leasing the space as expressed by Councilmember Meister. She inquired when the space would be available. Mr. League responded. City Attorney Langer shared information from Prop 209, and the limitations on the City. Vice Mayor Byers spoke in support of the proposed billboard.

Mayor Erickson shared that there was consensus regarding the Interest rate on the 25-year credit and removing the view shed.

Mayor Erickson responded to the comments made that the billboards are distracting to drivers. He expressed concern with the number of staff involved in the billboard program that creates challenges and confusion.

Councilmember Heilman proposed Continuing the Public Hearing.

Brad Berkeley with the Applicant team spoke to the challenges with Continuing the Public Hearing.

ACTIONS: The City Council Continued the Public Hearing to a Date Uncertain. **Motion by Councilmember Heilman, seconded by Councilmember Meister, and approved (5/0).**

The City Council took a recess at 8:48 p.m. and returned at 9:00 p.m.

4. LEGISLATIVE:

4.A. CANNABIS BUSINESS UPDATE AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST

HOLLYWOOD AMENDING SECTION 5.70.035 (APPLICATION PERIOD, SCORING, AND REVIEW) OF CHAPTER 5.70 (CANNABIS USES) OF THE WEST HOLLYWOOD MUNICIPAL CODE AND AMENDING CHAPTER 3.36 (BUSINESS LICENSE TAX) OF THE WEST HOLLYWOOD MUNICIPAL CODE TO CREATE A TEMPORARY TAX REBATE FOR ALL CANNABIS BUSINESSES [D. WILSON, L. LANGER, D. RIVAS]:

SUBJECT: The City Council will receive an update on the cannabis licensing and operations activities in the City and discuss adopting an ordinance to clarify the criteria used when granting extensions of time to cannabis businesses and revising deadlines reflected in Section 5.70.035 (Application, Period, Scoring, and Review) of the City of West Hollywood's Cannabis Licensing Ordinance, and to provide financial relief through a temporary tax rebate to cannabis businesses for Fiscal Year 2024-2025.

Director of Community Safety Danny Rivas, City Manager David Wilson, City Attorney Lauren Langer, and Neighborhood & Business Safety Manager Vyto Adomaitis provided background information as outlined in the staff report dated May 6, 2024.

The following members of the public came forward to speak:

GENEVIEVE MORRILL, PRESIDENT/CEO OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke regarding the additional amendments requested by the cannabis operators.

SCOTT SCHMIDT, WEST HOLLYWOOD, spoke regarding regulatory changes and expansion of the contract.

ALEX KARDOS, LOS ANGELES, spoke regarding the challenges facing the cannabis businesses, specifically the edible-only businesses.

AARON GREEN, LOS ANGELES, representing Villa Nova in support of the proposed changes in the City's cannabis ordinance.

YLSA TELLEZ, LOS ANGELES, representing Ashe Society spoke regarding additional changes necessary for their business to be successful.

JASON BECK, WEST HOLLYWOOD, representing AHHS spoke regarding additional changes necessary for their business to be successful.

JAY HANDAL, MALIBU, representing The Woods and Holy Water spoke regarding the challenges in the cannabis industry and the proposed expansion of the ordinance.

SARAH UPHOFF, SHERMAN OAKS, representing Door Number Six spoke regarding staff not getting back to them with comments and the need for extensions.

KIRK CARTOZIAN, LA CANADA FLINTRIDGE, spoke regarding the regulatory challenges in West Hollywood.

JACKIE SUBECK, WEST HOLLYWOOD, representing Door Number Six spoke regarding the challenges facing their business.

BRIAN ROBINSON, UNKNOWN, representing Pleasure Med spoke regarding the high-level cannabis businesses in the City and requesting that the City Council not change the rules.

AMY PAGEL, LOS ANGELES, representing Zen Cannabis spoke to request that the City reduce the security requirement and the proposed extensions.

SOL YAMINI, UNKNOWN, spoke regarding the number of licenses issued in the City and the request from some businesses continually requesting changes to the cannabis ordinance.

GRACE LAHLOUH, HOLLYWOOD, spoke regarding the cannabis consumption and retail event that she produced for Emerald Village for the City's Halloween Carnival and requested more opportunities for cannabis tourism.

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding the requests from some businesses to expand the City's cannabis program and that we've reached saturation in the City.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding the Villa Nova cannabis dispensary. He also asked about the "Where Eagles Fly" cannabis project. He concluded that the cannabis businesses are going to start cannibalizing each other.

MITCH KAHAN, UNKNOWN, spoke in opposition to the proposed ordinance changes.

The following individual submitted a Citizen Position Slip in support of the Item:

STEPHEN POST, WEST HOLLYWOOD

Councilmember Meister spoke in support of staff's recommendations and spoke in opposition to changing requirements for edible consumption lounges. She requested that the contract for marketing granted to Emerald

Village be fulfilled expeditiously. She stated that public safety was one of the reasons for the cannabis tax. She suggested that to help cannabis businesses with the cost of required security patrolling the surrounding neighborhoods, the City and the cannabis businesses could share in the expense by having Block by Block patrolling these areas. She also inquired about the creation of a cannabis business improvement district.

Councilmember Shyne spoke in support of staff's recommendations. She is interested in learning more about Councilmember Meister's proposal regarding the use of Block by Block.

Councilmember Heilman inquired about the recommendation for security at cannabis businesses. Mr. Rivas responded.

Vice Mayor Byers inquired about the legacy businesses. City Attorney Langer responded. She noted her support of using Emerald Village for marketing.

Mayor Erickson expressed concern that one of the business owners is still waiting on comments from the City. He inquired about any security issues with cannabis businesses. Mr. Rivas responded. Mayor Erickson spoke in support of a business improvement district for cannabis businesses as well as using Emerald Village to market the City's cannabis businesses.

Councilmember Heilman spoke in approval of staff's recommendations and in support of increasing the rebate to 2%.

The City Council directed staff to explore utilizing Block by Block for patrolling purposes around cannabis businesses.

ACTIONS: 1) Introduced on first reading Ordinance No. 24-15: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 5.70.035 (APPLICATION PERIOD, SCORING, AND REVIEW) OF CHAPTER 5.70 (CANNABIS USES) OF THE WEST HOLLYWOOD MUNICIPAL CODE AND AMENDING CHAPTER 3.36 (BUSINESS LICENSE TAX) OF THE WEST HOLLYWOOD MUNICIPAL CODE TO CREATE A TEMPORARY TAX REBATE FOR ALL CANNABIS BUSINESSES;" 2) Received a cannabis program update and directed staff to increase the rebate to 2%; 3) Determined that the pause on deadlines to open should remain in effect until the previously determined July 1, 2024, date; but authorize staff to begin processing applications for license changes for businesses that are open and operating prior to July 1, 2024. **Motion by Councilmember Heilman, seconded by Vice Mayor Byers, and approved (5/0).**

5. UNFINISHED BUSINESS:

5.A. FEASIBILITY STUDY FOR THE REPLACEMENT OF ABOVE LOWER INCOME PROTECTED UNITS [N. MARICICH, F. CONTRERAS, T. FARRIS, M. MONTENEGRO]:

SUBJECT: The City Council will receive a feasibility study ("Study") analyzing the replacement requirement of the above lower-income protected units in new housing projects. Additionally, the City Council will consider directing staff to prepare a Zone Text Amendment (ZTA), based on the findings of the study, to require the replacement of demolished rent-stabilized units (protected units) that were also occupied by households or individuals of above lower income (80% or higher Area Median Income) account for 32 percent (32%) of the base units in a proposed housing development as deed-restricted affordable units, with any remainder subject to rent stabilization (WHMC Title 17).

Councilmember Meister asked if rents could be raised to market rate if the city allocated units as rent stabilized rather than affordable. Associate Planner Michelle Montenegro responded.

Councilmember Heilman inquired if there was outreach to developers. Ms. Montenegro responded.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke about the confusing staff report and expressed concern with the lack of outreach.

JAMIE FRANCIS, WEST HOLLYWOOD, spoke regarding being a low-income renter in the City.

Councilmember Meister acknowledged that requiring all above lower income unit replacements to be affordable would act as a disincentive for new development but that was the purpose of the state law, which allowed rent stabilized cities like West Hollywood to designate all replacements, low income and above lower income, to be affordable. She stated that by not doing, it was a lost opportunity to protect existing tenants who are not necessarily low income but can't afford the above market rate units being produced today.

Councilmember Heilman spoke in agreement to provide housing protections to all residents but noted that the existing and proposed replacement policy did not make sense. He suggested that staff explore other options to avoid displacement and/or replacements of affordable housing.

Vice Mayor Byers spoke regarding concerns with this item and expressed her opposition.

Councilmember Heilman directed staff to research options to protect middle income housing and replacement housing possibilities.

Long Range Planning Manager Francisco Contreras stated that the City would be required to pass a ZTA to reduce the requirement of replacement units from the existing 35% to 0%.

ACTIONS: 1) Receive and file the Feasibility Study for the Replacement of Above Lower-Income Protected Units; and 2) Direct staff to process a ZTA eliminating the requirement to replace demolished rent-stabilized units that were also occupied by households or individuals of above lower income (80% or higher Area Median Income) in a proposed housing development as deed-restricted affordable units, but maintaining the replacement units subject to rent stabilization (WHMC Title 17). **Motion by Heilman, seconded by Byers, and approved noting the “no” vote of Councilmember Meister (4/1).**

5.B. DISCUSSION ON SETTING FORTH A POLICY REGARDING THE USE OF THE ELLIS ACT ON CITY OWNED PROPERTIES OR PROPERTIES ACQUIRED WITH CITY FUNDS [L. LANGER, L. BIERY, B. LEAGUE, A. BARTLE]:

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. At City Council’s November 20, 2023 meeting Councilmembers expressed concerns with staff’s initial policy recommendation and requested additional recommendations for City Council’s consideration and direction.

The following members of the public came forward to speak:

JAMIE FRANCIS, WEST HOLLYWOOD, spoke regarding the detrimental effects of the Ellis Act and the challenges facing low-income renters.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding the number of low-income units lost in West Hollywood.

Councilmembers provided their thoughts on Alternatives, with Council majority not in favor of Alternatives A or B. Councilmembers Shyne and Meister disagreed, stating the Ellis Act should not be used to evict existing tenants on City-owned properties.

A majority of the City Council agreed to issuing a values statement and limiting the use of the Ellis Act where possible.

ACTIONS: 1) Adopted Resolution No. 24-038: “A RESOLUTION OF THE CITY COUNCIL OF WEST HOLLYWOOD ESTABLISHING THE CITY’S POLICY FOR THE USE OF THE ELLIS ACT TO REMOVE UNITS FROM THE HOUSING MARKET IN CITY-OWNED RESIDENTIAL PROPERTIES

OR WITH THE USE OF CITY FUNDS”, including the selection of alternative D: Rather than a policy, this values statement expresses that the City of West Hollywood is committed to preserving existing affordable housing, increasing the overall supply of affordable housing, and expanding tenant protections. In the City’s continued efforts to address the affordable housing crisis and protecting vulnerable tenants, the City is committed to limit its use of the Ellis Act on City-owned properties when possible. **Motion by Heilman, seconded by Byers, and approved noting the “no” vote of Meister and Shyne (3/2).**

5.C. APPOINTMENT TO THE PUBLIC SAFETY COMMISSION [J. JIMENEZ, M. CROWDER, L. MORALES]:

SUBJECT: Councilmember Shyne will make her direct appointment to the Public Safety Commission.

STEPHEN POST, WEST HOLLYWOOD, spoke regarding his involvement in the City.

ACTION: Councilmember Shyne appointed Stephen Post to the Public Safety Commission with a term ending February 28, 2025.

6. NEW BUSINESS:

6.A. AWARD OF CONSTRUCTION AGREEMENT TO PCL CONSTRUCTION SERVICES, INC. FOR STORIES: THE AIDS MONUMENT, CIP 41-02 AND ADOPTION OF A RESOLUTION APPROVING THE DESIGN PLANS [J. ROCCO, R. ABRAMSON, M. BARKER, S. CAMPBELL, H. COLLINS, L. BIERY, R. EHEMANN]:

SUBJECT: The City Council will consider awarding a Construction Agreement to PCL Construction Services, Inc., for the construction of the STORIES: The AIDS Monument project, CIP 41-02 and adopting a Resolution approving the design plans.

ACTION: This Item was moved to the Consent Calendar.

6.B. AMENDMENT NO. 2 TO THE AGREEMENT FOR SERVICES WITH BBB-CA, INC. DBA BLOCK BY BLOCK FOR SECURITY UNARMED SECURITY AMBASSADOR SERVICES [D. RIVAS, A. SHANDI]:

SUBJECT: The City Council will consider approving Amendment No. 2 to the Agreement for Services for security ambassador services with BBB-CA, Inc. dba Block by Block to maintain the same level of services performed throughout the City of West Hollywood for unarmed security ambassador services for an additional period of one year.

ACTIONS: This Item was moved to the Consent Calendar.

6.C. CO-SPONSORSHIP OF OUTLOUD SPORTS FESTIVAL [Y. QUARKER, A. LOVANO, J. DEL TORO, J. DUCKWORTH]:

SUBJECT: The City Council will consider a request to Co-Sponsor the OutLoud Sports Festival. The festival's dodgeball tournament will occur on Saturday, August 31, 2024, and Sunday, September 1, 2024, and be held in West Hollywood Park's Aquatic and Recreation Center.

ACTION: This Item was moved to the Consent Calendar.

6.D. SPONSORSHIP OF THE LAVENDER EFFECT'S EXHIBITION – "YOUNG CITY AT WAR" AS PART OF THE CITY'S 40TH ANNIVERSARY PROGRAMMING [L. MEISTER, J. ERICKSON, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider sponsoring The Lavender Effect's Young City at War: Stories from West Hollywood during the AIDS Epidemic Exhibition as part of the City of West Hollywood's 40th Anniversary programming.

Councilmember Meister shared the reasons that she and Mayor Erickson brought this item forward.

ACTIONS: 1) Approved an Agreement with Community Partners (fiscal sponsor for The Lavender Effect) for the Young City at War: Stories from West Hollywood during the AIDS Epidemic Exhibition as part of the City's 40th Anniversary programming and authorize the City Manager or designee to execute documents incident to the agreement; 2) Authorized the use of the City name and logo on invitations, programs, and other collateral materials; 3) Directed the Communications Department to utilize all appropriate communications tools to promote the project; and 4) Authorized the Director of Finance and Technology Services to allocate \$53,600 from unallocated General Fund reserves to the Special Council Programs Account 100-1-01-00-531001 and increase the budget for Special Council Programs by the same amount; and authorize the Director of Finance & Technology Services to approve the use of \$53,600 from budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with sponsorship of this exhibition.
Motion by Meister, seconded by Erickson, and approved (5/0).

6.E. SPONSORSHIP OF A PANEL DISCUSSION FOCUSED ON THE CONFLICT IN UKRAINE AND ITS IMPACT ON THE LGBTQ+ COMMUNITY AS PART OF THE HUMAN RIGHTS SPEAKERS SERIES [J. HEILMAN, Y. QUARKER, A. LOVANO, J. DEL TORO, J. DUCKWORTH, L. BIERY, R. EHEMANN, J. TRIBBLE]:

SUBJECT: The City Council will consider sponsoring a panel discussion focused on the ongoing conflict in Ukraine, amid the Russian invasion, and its impacts on the LGBTQ+ community.

ACTIONS: This Item was moved to the Consent Calendar.

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EXCLUDED CONSENT CALENDAR:

2.L. UPDATE ON MAJOR COMMERCIAL AND MIXED-USE DEVELOPMENT PROJECTS [N. MARICICH, J. ALKIRE, B. GALAN]:

SUBJECT: The City Council will receive a quarterly update on the status of major commercial and mixed-use development projects, as requested.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding concerns with delays on projects.

Councilmembers Meister and Heilman directed staff to provide additional context to the projects listed to future reports and requested that staff develop policies for Council's approval to ensure future developments don't languish for a long period of time.

ACTIONS: 1) The City Council Received and filed this report; and 2) Provided additional direction to staff.

2.Q. AGREEMENT FOR SERVICES WITH THE HOUSING WORKSHOP FOR HOUSING ELEMENT INCLUSIONARY AND DENSITY BONUS FEASIBILITY STUDY AND ORDINANCE UPDATES [N. MARICICH, F. CONTRERAS, T. FARRIS]:

SUBJECT: The City Council will consider approval of an Agreement for Services with the existing Long Range Planning bench consultant, The Housing Workshop, to assist in updating the City's Inclusionary Housing and Density Bonus Ordinances in support of the 6th Cycle Housing Element and compliance with state laws. This item is not subject to CEQA.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding concerns with housing element bench consultant contracts.

JAMIE FRANCIS, WEST HOLLYWOOD, spoke regarding concerns with the lack of affordable housing projects.

Councilmember Meister stated the staff report talked about increasing height and density to meet RHNA numbers but noted that 62% of RHNA units needed to be for low or moderate income. She requested that staff include in the Scope of Services creative ideas on how to achieve the RHNA numbers in the proportions mandated by HCD.

Councilmember Heilman commented that the proposed addition may be out of the scope for this contract; however, spoke in support of another housing study that includes Councilmember Meister's recommendation.

Community Development Director Maricich commented that if the additional scope cannot be accommodated in the proposed contract, an amendment to the

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contract or a new contract will be brought forward for Council's consideration in the future if necessary.

ACTIONS: 1) Approved the Agreement for Services with The Housing Workshop for \$191,050 with an expiration date of June 30, 2025; and 2) Authorized the City Manager or designee to sign and execute all documents related to this Agreement. **Motion by Heilman, seconded by Byers, and approved (5/0).**

PUBLIC COMMENT:

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding a community conversation with Dr. Balekian at Plummer Park.

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

Vice Mayor Byers reported her attendance at the Southern California Association of Governments meeting, the Clean Power Alliance Board meeting, the Energy Planning Committee meeting, the second Annual Housing Policy Symposium, and the California Cities Leaders Summit. She thanked staff for the Waterwise Symposium and for an amazing Spring Fest.

Councilmember Meister expressed her excitement for the program delineated in Item 2.J. (CJPIA MOU) and requested staff to research whether scooters would be included in the study. She reported her attendance at the Waterwise Symposium, the Denim Day event, the WEHO 40 Community Workshop, Holocaust Remembrance Day, Spring Fest, welcomed the first Civic Leadership class, attended the Public Safety Commission Open House, and the 79th Anniversary of Victory in Europe Day. Additionally, Councilmember Meister invited the community to attend the Rainbow Neon Dog Dedication and the Older Adults meeting, thanked Vice Mayor Byers for attending SCAG as the alternate, wished all mothers a Happy Mother's Day, and thanked Steve Martin for speaking on Holocaust Remembrance Day.

Councilmember Shyne also recognized National Holocaust Remembrance Day, wished a Happy Asian American Pacific Heritage Month, and wished a Happy Mother's Day to her family and friend. She reported her attendance at WEHO reads, the Poetry Spa Day, Denim Day, Lesbian and Queer Women's Visibility event, Next Gen Coffee and Convo, Queer Art in the Park, and Spring Fest. She suggested staff work with the L project to ensure booths spaces are filled in the future.

Mayor Erickson reported his attendance at the and the California Cities Leaders Summit in Sacramento, Cal Cities Conference, Poetry Spa Day, the annual Tree Planting event, the Waterwise Symposium, Saturdays in Plummer Park with the Mayor, the WWHO 40 Community Workshop, the Budget Subcommittee meeting, the Aids Monument Committee meeting, the Lesbian and Queer Women's Visibility event, the California Contract Cities Legislative Committee, the Holocaust Remembrance Day requesting that all social media posts be linked to the calendar, reported attending the Chamber of Commerce Leadership Luncheon, the Sexual Assault Prevention Outreach Activity,

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Spring Fest, Umpired the Drag Queen World Series, held a Mayor's Mass, Queer out of the Park, Cynthia Street Neighborhood Watch meeting, Jane Fonda Day, the Public Safety Commission Open House, the Civic Leadership Academy, the CPA Board of Directors meeting, Maysky Classical Night, and the 79th Anniversary of Victory in Europe Day. Requested staff review a bulb out on Fairfax and Santa Monica Boulevard in front of the Metro stop and traffic back-up. Announced that Kesha and Adam Lambert would be headlining WEHO Pride, wished everyone a Happy Mother's Day, and wished his nephew a Happy Birthday. He concluded his comments by thanking all the community members for their advocacy with the AAPI month recognition.

ADJOURNMENT: The City Council adjourned at 11:08 P.M. in memory of Margo Harlen Kane, Delaine Eastin and Morgan Alexander Simon to its next regular meeting, which will be on Monday, May 20, 2024, at 6:00 P.M. at West Hollywood Park Public Meeting Room - Council Chambers.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 20th day of May 2024 by the following vote:

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

DocuSigned by:

JOHN ERICKSON

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JOHN M. ERICKSON, MAYOR

ATTEST:

DocuSigned by:

Melissa Crowder

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MELISSA CROWDER, CITY CLERK