

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, FEBRUARY 21, 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.

PLEDGE OF ALLEGIANCE: Stephanie Harker led the Pledge of Allegiance.

ROLL CALL:

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

ABSENT: None.

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

APPROVAL OF AGENDA:

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

Councilmember Heilman noted that Item 6.A. had a typo in the ordinance and requested that it be corrected prior to second reading.

Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Erickson approving the agenda, as amended.

ADJOURNMENT MOTIONS:

Councilmember Heilman requested that the meeting be adjourned in memory of Howard Bragman and Tatyana Egorova (this request was made during Councilmember Comments).

Mayor Pro Tempore Erickson requested that the meeting be adjourned in memory of Jeffrey Kay.

Mayor Shyne requested that the meeting be adjourned in memory of Alexander Yepremovich Nazarian.

PRESENTATIONS:

Councilmember Meister presented a Proclamation honoring the West Hollywood Preservation Alliance's 10th Anniversary.

City Council Minutes
Tuesday, February 21, 2023
Page 2

Mayor Pro Tempore Erickson presented a Proclamation honoring Diane Warren.

1. PUBLIC COMMENT:

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke regarding fascism.

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding the recent Public Safety Commission's recent meeting and discussion on the feasibility study for a possible West Hollywood Police Department.

ALAN STRASBURG, WEST HOLLYWOOD, spoke about alleged mistreatment of four straight women in West Hollywood by a Councilmember and lack of enforcement of the Code of Conduct for public meetings by the City Council, City Manager, and City Clerk.

RICK WATTS, WEST HOLLYWOOD, spoke regarding gun violence.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke regarding the Detroit Community Garden.

CATHY BLAIVAS, WEST HOLLYWOOD, spoke regarding the last Public Safety Commission meeting and lack of community outreach on the proposed feasibility study. She also expressed concern that the Public Safety Commission was not involved in the process.

WEST SEEGMILLER, WEST HOLLYWOOD, spoke in opposition to Item 5.D.

JAMIE FRANCIS, WEST HOLLYWOOD, spoke to express his concern with alleged unethical behavior by elected and appointed officials.

GENEVIEVE MORRILL, PRESIDENT/CEO WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of Item 2.P. (5.C.).

KAREN EYRES, WEST HOLLYWOOD, spoke on behalf of the West Hollywood Chapter of the National Organization for Women in support of Item 2.S. (6.A.).

Citizen Position Slip: Victor Omelczenko, West Hollywood, submitted Citizen Position slips in support of Items 2.Q. (5.E.) and 2.R. (5.F.)

CITY MANAGER'S REPORT:

Assistant City Manager Delgado reminded the community about upcoming meetings and events in the community.

Building and Safety Manager Ben Galan provided an update on the City's seismic retrofit program. Mayor Pro Tempore Erickson requested that staff provide an update twice a year to the City Council.

City Council Minutes
Tuesday, February 21, 2023
Page 3

Community Safety Director Danny Rivas provided information on upcoming Community Safety events. Deputy Fire Chief Drew Smith shared information on how drivers should respond when emergency vehicles are responding Code 3 (lights and sirens). Mayor Pro Tempore Erickson inquired about the recent carport fires. Chief Smith responded.

FISCAL IMPACT ON CONSENT CALENDAR:

Assistant City Clerk Lulu Morales stated that the fiscal impact on the Consent Calendar with the addition of Items 5.B., 5.C., 5.E., 5.F., and 6.A. was \$315,882 in expenditures, \$0 in revenues, and \$3,040 in waived fees.

City Clerk Crowder read the title for first reading of the ordinance for Item 2.S. (6.A.).

2. CONSENT CALENDAR:

2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,K.,L.,M.,N.,O.,P.,Q.,R.,S. Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Erickson, and approved.

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Tuesday, February 21, 2023 was posted at City Hall, Plummer Park, the Sheriff's Station, and at the West Hollywood Library on Wednesday, February 15, 2023.

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

2.B. APPROVAL OF MINUTES:

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

RECOMMENDATION: Approve the minutes of February 6, 2023.
Approved as part of the Consent Calendar.

2.C. APPROVAL OF DEMAND REGISTER NO. 923 [L. QUIJANO, C. CORRALES, S. HERNANDEZ]:

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

ACTIONS: Approve Demand Register NO. 923 and adopt Resolution No. 23-014, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING PAYMENT OF DEMANDS PRESENTED ON DEMAND REGISTER NO. 923." **Approved as part of the Consent Calendar.**

2.D. AB 361 - ALLOW FOR THE CONTINUED USE OF VIRTUAL TELECONFERENCE MEETINGS CITY BROWN ACT MEETINGS [J. JIMENEZ, M. CROWDER, L. MORALES, L. LANGER]:

SUBJECT: The City Council will authorize the continued use of virtual teleconference meetings for the City's Brown Act meetings as required under AB 361.

ACTION: Allow for the continued use of virtual teleconference meetings for the City's Brown Act meetings under AB 361 by finding that a statewide state of emergency continues to exist, and local and state health officials continue to recommend measures to prevent the spread of COVID-19, including distancing, ventilation, and others depending on the space and activity. **Approved as part of the Consent Calendar.**

2.E. ADOPT ORDINANCE NO. 23-05 (2ND READING) "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AMENDING CHAPTER 15.56 OF TITLE 15 OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO STORM WATER AND URBAN RUNOFF POLLUTION CONTROL" [M. CROWDER, L. MORALES]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 23-05, regarding an amendment to the West Hollywood Municipal Code relating to storm water and urban runoff pollution control and finding these actions not subject to and exempt from CEQA.

ACTION: Waive further reading and adopt Ordinance No. 23-05, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AMENDING CHAPTER 15.56 OF TITLE 15 OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO STORM WATER AND URBAN RUNOFF POLLUTION CONTROL". **Approved as part of the Consent Calendar.**

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

SUBJECT: The City Council will receive Synopses from the Historic Preservation Commission, Human Services Commission, Rent Stabilization Commission, Transportation Commission, Disabilities Advisory Board, and the Senior Advisory Board regarding actions taken at their recent meetings.

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

2.G. TREASURER'S REPORT FOR DECEMBER 2022 [L. QUIJANO, C. CORRALES, K. BARENG]:

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

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

2.H. SUBMITTAL OF THE CITY OF WEST HOLLYWOOD'S ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2022 [L. QUIJANO, C. CORRALES, K. BARENG]:

SUBJECT: The City Council will receive the Annual Comprehensive Financial Report for the fiscal year ended June 30, 2022.

ACTION: Receive and file the City of West Hollywood's Annual Comprehensive Financial Report and related documents for the fiscal year ended June 30, 2022. **Approved as part of the Consent Calendar.**

2.I. 2022 CO-SPONSORED AND COUNCIL-INITIATED EVENTS [Y. QUARKER, A. LOVANO]:

SUBJECT: The City Council will receive a summary of co-sponsored events and Council-initiated events from 2022.

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

2.J. AMENDMENT TO THE AGREEMENT FOR SERVICES WITH MAROON SOCIETY [C. SCHROEDER, L. ISENBERG, D. MURRAY]:

SUBJECT: The City Council will consider approving an amendment to the agreement for services with Maroon Society for HIV Zero Evaluation Services.

ACTION: Approve Amendment 8 to the agreement for services with Maroon Society; Increase by \$4,820 for a total not-to-exceed amount of \$279,918 to provide HIV Zero Evaluation Services. **Approved as part of the Consent Calendar.**

2.K. AMENDMENT NO. 6 TO THE AGREEMENT FOR SERVICES WITH KABBARA ENGINEERING [S. CAMPBELL, J. GILMOUR]:

SUBJECT: The City Council will consider amending the Agreement for Services with Kabbara Engineering for professional civil engineering design services to increase the not-to-exceed amount and extend the Agreement.

ACTIONS: 1) Approve Amendment No. 6 to the Agreement for Services with Kabbara Engineering to increase the amount of the Agreement by \$140,000, for a total not-to-exceed amount of \$2,400,464 and extend the Agreement to June 30, 2025; and 2) Authorize the City Manager or designee to execute documents incident to the Agreement. **Approved as part of the Consent Calendar.**

2.L. INCREASE IN PROJECT CONTINGENCY FOR THE CITY'S CONTRACT WITH KORDICH CONSTRUCTION AND APPROVE THE NOTICE OF COMPLETION FOR THE WESTBOURNE DR WATER SEEPAGE MITIGATION CIP 2105 [S. CAMPBELL, J. GILMOUR]:

SUBJECT: The City Council will consider increasing the project contingency for the Westbourne Drive Water Seepage Mitigation CIP 2105 by \$20,361.75 to account for changes in the construction agreement with Kordich Construction due to unforeseen conditions, for a total not to exceed amount of \$114,087.15, and approving the Notice of Completion for the project.

ACTIONS: 1) Authorize a \$20,361.75 increase in the contingency amount for Construction Services with Kordich Construction, for a new not to exceed contingency amount of \$114,087.15 and authorize the City Engineer to approve change orders to the agreement for services; 2)

Authorize the City Manager or designee to execute all documents incident to the Agreements; 3) Accept the work and authorize the following: a. File the Notice of Completion by the City Clerk with the Los Angeles Recorder's Office, b. Issue the final payment to the contractor at the end of the 35 day lien period, c. Release of the Performance Bond on the date of recordation of the Notice of Completion, d. Release of the Payment Bond 35 days after the date of recordation of the Notice of Completion, pending no receipt of Stop Notices from material suppliers or subcontractors. **Approved as part of the Consent Calendar.**

2.M. NATIONAL WOMEN'S HISTORY MONTH 2023 [Y. QUARKER, A. LOVANO, L. FOOKS]:

SUBJECT: The City Council will consider approval of programming in celebration of National Women's History Month 2023.

ACTIONS: 1) Approve programming for National Women's History Month 2023 and direct the appropriate City staff to coordinate the production and promotion of Women's History Month activities; 2) Authorize the use of the City's name and logo on invitations, programs, and other collateral materials; 3) Direct the Public Works Department to light the City's lanterns over Santa Monica Boulevard in the colors purple and gold from March 5 – March 22, 2023 to recognize National Women's History Month; 4) Direct the Communications Department to utilize all appropriate communications tools to promote the City's celebration of National Women's History Month via social media platforms and distribution of information; and 5) Approve the waiver of parking fees in the five-story parking structure for 150 attendees of the Women's History Month Block Party event to be held March 25, 2023 in West Hollywood Park. **Approved as part of the Consent Calendar.**

2.N. RESOLUTION DENOUNCING THE CITY OF HUNTINGTON BEACH'S RECENT MOTION AND FORTHCOMING ORDINANCE TO BAN THE DISPLAY OF THE PRIDE FLAG [J. ERICKSON, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider adopting a resolution to denounce the City of Huntington Beach's recent motion and forthcoming ordinance to ban the display of the LGBTQ+ Pride flag. The City Council will also consider suspending official travel to the City of Huntington Beach if it adopts the proposed ordinance and until such time as the new policy is revoked or amended.

ACTIONS: 1) Adopt Resolution No. 23-015 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENOUNCING THE CITY OF HUNTINGTON BEACH'S RECENT MOTION AND FORTHCOMING ORDINANCE TO BAN THE DISPLAY OF THE PRIDE FLAG"; 2) Direct staff to send copies of the resolution to California Governor Gavin Newsom, California State Senator Ben Allen, California State Assembly Member Rick Chavez Zbur, Huntington Beach Mayor Tony Strickland, and others as deemed appropriate; 3) Authorize the City

Manager to suspend official travel to the City of Huntington Beach if the proposed ordinance is approved and until such time as the new policy is revoked or amended; and 4) Direct the Community & Legislative Affairs Division to maintain and update the list of states and cities to which the City has suspended official travel due to anti-LGBTQ+ policies and/or legislation and make this list available on the City's website. **Approved as part of the Consent Calendar.**

2.O. (5.B.) AMENDMENT NO. 1 TO THE ON-CALL AGREEMENT FOR SERVICES WITH GRIMSHAW [J. ROCCO, B. LEAGUE, A. BARTLE, O. DELGADO, R. ABRAMSON, M. BARKER]:

SUBJECT: The City Council will consider amending the Agreement for Services with Grimshaw for on-call Architectural and Design Services to increase the not-to-exceed value.

ACTIONS: 1) Approve Amendment No. 1 to the Agreement for Services with Grimshaw to increase the amount of the agreement by \$135,000 for a total not-to-exceed amount of \$209,500 and extend the agreement timeframe to January 31, 2025; 2) Authorize Director of Finance and Technology Services to allocate \$135,000 in the Debt Funded Capital Projects Fund to account number 301-4-08-55-702032 for urban design and architecture services and related costs; and 3) Authorize the City Manager or designee to execute documents incident to the agreement. **Approved as part of the Consent Calendar.**

2.P. (5.C.) DECORATIVE LIGHTING ON MELROSE AVENUE IN DESIGN DISTRICT [J. ERICKSON, Y. QUARKER, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to gather feedback from community and business stakeholders on decorative lighting along Melrose Avenue in the Design District, which would be installed after the current Design District Streetscape Project is completed.

ACTIONS: 1) Direct staff to gather feedback from community and business stakeholders on decorative lighting along Melrose Avenue in the Design District, which would be installed after the current Design District Streetscape Project is completed; and 2) Return to City Council with an overview of potential options for the decorative lighting and a request for funding once the community outreach and engagement is complete. **Approved as part of the Consent Calendar.**

2.Q. (5.E.) A PANEL DISCUSSION ON THE METHAMPHETAMINE AND FENTANYL EPIDEMIC FEATURING SAM QUINONES [L. MEISTER, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider sponsoring a panel discussion featuring independent journalist and author, Sam Quinones, and other experts on the opioid epidemic and the impacts methamphetamine and fentanyl have had on communities across the country.

ACTIONS: 1) Approve sponsorship of a panel discussion featuring Sam Quinones and experts in the field addressing the methamphetamine and

fentanyl epidemic and the impact these opioids have had on communities across the country; 2) Authorize the use of the City name and logo on invitations, programs, and other collateral materials for the event; 3) Direct the Communications Department to utilize all appropriate communication tools to promote the event including, but not limited to, the City's website, a press release, and social media tools; 4) Authorize the Director of Finance and Technology Services to allocate \$2,500 from unallocated General Fund reserves to the Special Council Programs Account 100-1-01-00-531001 and increase the budget for Special Council Programs by the same amount; and 5) Authorize the Director of Finance and Technology Services to allocate \$2,500 from Fiscal Year 2022-23 funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with this event for technical support (Waveguide), moderator fees, and marketing. **Approved as part of the Consent Calendar.**

2.R. (5.F.) CO-SPONSORSHIP OF THE IRANIAN AMERICAN WOMEN FOUNDATION'S EVENT IN RECOGNITION OF NOWRUZ, PERSIAN NEW YEAR [S. SHYNE, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider a request to Co-sponsor the Iranian American Women Foundation's Nowruz event in recognition of Persian New Year on Sunday, March 19, 2023 at the City Council Chambers.

ACTIONS: 1) Approve a Co-sponsorship of the Iranian American Women Foundation's Nowruz event in recognition of Persian New Year to be held at the City Council Chambers on Sunday, March 19, 2023; 2) Waive the Facility Use fee for the City Council Chambers for the event, parking fees at the 5-story parking structure for attendees, and any other ancillary City permits that may be required for the event (estimated \$1,240 in waived fees); 3) Authorize the use of the City name and logo on invitations, programs, and other collateral materials; 4) Direct the Communications Department to utilize all appropriate communication tools to promote the event, such as the City's website and social media tools; 5) Authorize the City Manager to execute documents incident to the Co-sponsorship agreement; 6) Authorize the Director of Finance and Technology Services to allocate \$4,200 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 7) Authorize the Director of Finance and Technology Services to allocate \$4,200 from Fiscal Year 2022-23 funds in the Special Council Programs Account 100-1-01-00-531001 for costs associated with technical support (Waveguide) and financial support. **Approved as part of the Consent Calendar.**

2.S. (6.A.) ORDINANCE TO PROHIBIT FALSE AND MISLEADING ADVERTISING BY A PREGNANCY CRISIS CENTER [L. LANGER]:

SUBJECT: The City Council will consider an Ordinance to prohibit false and misleading advertising by a crisis pregnancy center.

ACTION: Introduce on first reading Ordinance No. 23-07, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROHIBITING FALSE AND MISLEADING ADVERTISING BY A PREGNANCY CRISIS CENTER.” **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. ADOPTION OF THE 6TH CYCLE 2021-2029 UPDATE TO THE HOUSING ELEMENT OF THE GENERAL PLAN AND CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT [J. KEHO, F. CONTRERAS, J. HITTLEMAN]:

SUBJECT: The City Council will review and consider the adoption of the final draft of the 6TH Cycle 2021-2029 Update to the Housing Element of the General Plan and all associated documents, including the Technical Background Report. Additionally, the City Council will review and consider certification of the Final Environmental Impact Report for the Update to the Housing Element, which includes the adoption of a Statement of Overriding Considerations and a Mitigation and Monitoring Reporting Program.

Assistant City Clerk Morales reported that the Public Hearing was noticed as required by law.

Long Range Planning Manager Francisco Contreras and Contract Planner Jerry Hittleman provided background information as outlined in the staff report dated February 21, 2023.

Mayor Pro Tempore Erickson inquired about the last letter that the City received from HCD. Mr. Contreras responded.

Mayor Shyne opened the public hearing, and the following speakers came forward:

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke regarding rent protections in the City and suggested that the City needs public housing to compete with the private market.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke regarding the State’s requirement for the City to build 4,000 units during this housing cycle. She inquired if the City has the infrastructure for 4,000 new units.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding planning for 4,000 units and noted that it would be helpful if the report included how many units were built in 2021 and 2022. He expressed concern with the statement of overriding considerations.

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding the units built by the City and the City's reduction in population per the recent census. He also mentioned the loss of units due to short term rentals. He also spoke about mixed use buildings and amending it to allow for more housing.

JAMIE FRANCIS, WEST HOLLYWOOD, spoke regarding the requirement to build 4,000 units and the lack of affordable housing in the City. He spoke about density bonuses and dereliction of duty.

Mayor Shyne closed the public hearing.

Councilmember Meister inquired if there is anything in the City's municipal code that prohibits 100% residential in commercial zones. Mr. Keho responded. She inquired about the number of development applications that have been filed requesting builders' remedy. Director of Planning and Development Services John Keho responded. She also expressed frustration with the State of California; however, she noted that she would support the item.

Councilmember Byers thanked staff for the Housing Element. She shared the items in the Housing Element that she is excited to see move forward. She indicated her support for the item.

Councilmember Heilman shared his disappointment that the City did not adopt a Housing Element sooner given the liability to the City. He noted that the City Council needs to make a commitment moving forward to ensure the City adopts a timely Housing Element.

Mayor Pro Tempore Erickson shared his reasons for not voting in favor of older iterations of the Housing Element. He noted that the City was going to sue HCD. He mentioned challenges with short-term rentals. He inquired about the unit replacement topic.

ACTIONS: 1) RESOLUTION NO. 23-016: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, ADOPTING AMENDMENTS TO THE WEST HOLLYWOOD GENERAL PLAN BY ADOPTING THE 6TH CYCLE HOUSING ELEMENT UPDATE;" and 2) RESOLUTION NO. 23-017: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT ("EIR"), ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE WEST HOLLYWOOD GENERAL PLAN 6TH CYCLE HOUSING ELEMENT UPDATE, WEST HOLLYWOOD, CALIFORNIA." **Motion by Councilmember Byers, seconded by Councilmember Heilman and approved.**

3.B. ZONE TEXT AMENDMENT TO REQUIRE MULTI-STALL GENDER NEUTRAL RESTROOM FACILITIES FOR ALL COMMERCIAL BATHROOM REMODEL PROJECTS AND COMMERCIAL BUILDING RENOVATIONS REQUIRING A BUILDING PERMIT [B. GALAN, F. CONTRERAS]:

SUBJECT: The City Council will consider a Zone Text Amendment to amend Section 19.20.260 (Gender Neutral Public Toilet Facilities) to require Gender Neutral Public Toilet Facilities for all commercial bathroom remodel projects and commercial building renovations requiring a building permit. The proposed ordinance is not subject to CEQA.

Assistant City Clerk Morales reported that the Public Hearing was noticed as required by law.

Building and Safety Manager Ben Galan provided background information as outlined in the staff report dated February 21, 2023.

Councilmember Meister inquired if staff reached out to the business community or the Chamber of Commerce. Mr. Galan responded.

Mayor Shyne opened the public hearing, and the following speakers came forward:

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke regarding including gender neutral restrooms in government facilities.

SHERRIE FRANKLIN, WEST HOLLYWOOD, spoke in support of the item.

Mayor Shyne closed the Public Hearing.

Mayor Pro Tempore Erickson inquired if this item pertains to City facilities. Mr. Keho responded.

ACTIONS: 1) Introduce on First Reading Ordinance No. 23-06 “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AMENDING SECTION 19.20.260 (GENDER NEUTRAL PUBLIC TOILET FACILITIES) TO REQUIRE GENDER NEUTRAL PUBLIC TOILET FACILITIES FOR CERTAIN COMMERCIAL RENOVATION PROJECTS, INCLUDING BATHROOM REMODEL PROJECTS AND SPECIFIED COMMERCIAL BUILDING RENOVATIONS REQUIRING A BUILDING PERMIT (ZONING ORDINANCE);” and 2) Authorize staff to make conforming changes to Resolution 22-5573 to include gender neutral public toilet facilities for all restroom remodel projects and commercial building renovations requiring a building permit. **Motion by Councilmember Heilman, seconded by Councilmember Byers and approved.**

***The City Council recessed at 7:48 p.m. and returned at 7:59 p.m.*

4. UNFINISHED BUSINESS:

4.A. STORIES: THE AIDS MONUMENT PROJECT UPDATE, AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH THE FOUNDATION FOR THE AIDS MONUMENT, AND AN AMENDMENT TO THE AGREEMENT FOR SERVICES WITH LPA, INC. [O. DELGADO, R. ABRAMSON, M. BARKER, S. CAMPBELL, H. COLLINS]:

SUBJECT: The City Council will receive an update on the results of the design-build RFP process, and will consider next steps for moving forward with the project, an amendment to the Memorandum of Understanding (MOU) with the Foundation for the AIDS Monument (FAM), and amending an existing agreement with LPA Inc. to now include construction documents and construction administration services, increase their not-to-exceed amount, and extend the timeline of their agreement.

Urban Design and Architecture Studio Manager Ric Abramson provided background information as outlined in the staff report dated February 21, 2023.

Mayor Pro Tempore Erickson inquired about the timeline. Mr. Abramson responded.

IRWIN RAPPAPORT, BOARD CHAIR OF THE FOUNDATION FOR THE AIDS MONUMENT, spoke regarding the goals that the Board hopes to achieve and thanked the City Council for their continued support.

Councilmember Heilman indicated the Council's support for the monument; however, he acknowledged the delays. He requested that the Foundation provide a timeline to individuals that donated to the project.

Councilmember Meister shared the original budget for this monument. She expressed concern with the escalating costs. She noted that she wants the project to move forward; however, she wants to ensure it's affordable.

Mayor Pro Tempore Erickson thanked Mr. Rappaport, the Board, and City staff. He requested that Arts staff incorporate this into their workplan to further amplify the project.

Councilmember Meister inquired if FAM is still actively fundraising. Mr. Rappaport responded.

ACTIONS: 1) Receive an update on the RFP process and next steps to complete the design and construction of STORIES: The AIDS Monument; 2) Direct staff to reject the bid and cancel the current Design-Build RFP process for STORIES: The AIDS Monument and evaluate other forms of project delivery; 3) Approve Amendment No. 1 to the Second Revised and Restated Memorandum of Understanding (MOU) with the Foundation for the AIDS Monument (FAM); 4) Approve Amendment No. 5 to the Agreement for Services with LPA Inc. to increase the amount of the agreement by \$600,000 for a total not-to-exceed amount of \$1,900,000, and extend the agreement by 24 months from June 30, 2023 to June 30, 2025; and 5) Authorize the City Manager or designee to execute documents incident to the agreement. **Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Erickson and approved.**

4.B. UPDATES TO THE CITY'S COMMISSIONS, AMENDMENTS TO THE ATTENDANCE POLICY FOR APPOINTED OFFICIALS, CHANGES TO THE REQUIREMENTS FOR APPLICANTS TO THE CITY'S COMMISSIONS, TERM LIMITS FOR APPOINTED OFFICIALS, AND UPDATES TO THE BYLAWS OF THE COMMISSIONS AND ADVISORY BOARDS [J. JIMENEZ, M. CROWDER, L. MORALES, D. WILSON, L. LANGER]:

SUBJECT: The City Council will consider changes to the name of the Public Facilities and the Transportation Commissions, amendments to the purview of some of the City's Commissions, approve term limits for appointed officials, approve changes to the attendance policy for appointed officials to include parental leave, approve new requirements for applicants to the City's Commissions, and approve changes to the bylaws of the City's Commissions and Advisory Boards.

City Clerk Crowder provided background information as outlined in the staff report dated February 21, 2023.

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke on the need of a democratic process for appointed commission/advisory board members, the interest to contribute, and inclusion of pedestrian safety concerns.

STEPHANIE HARKER, WEST HOLLYWOOD, suggested six two-year terms for commission/advisory members and requested the background process be applied to all.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke on behalf of the West Hollywood Preservation Alliance, urged that the suggested purview changes for the Historic Preservation Commission be shared with the Commission for its comments before being codified.

JAIME FRANCIS, WEST HOLLYWOOD, spoke on concerns regarding the appointment process, unlimited terms of service, and verification of residency.

MIKIE FREIDMAN, WEST HOLLYWOOD, spoke on concerns on the change of name of the transportation commission, requested an update on a citywide poll to ban scooters, and invited individuals to sign a petition to ban scooters.

A lengthy discussion ensued with the City Council.

The City Council agreed with:

- the proposed purview changes with the exception of the Historic Preservation Commission and recommended that the Historic Preservation weigh in on the proposed changes.
- changing the names of the Public Facilities Commission and Transportation Commission to the Public Facilities, Recreation, and Infrastructure Commission and the Transportation and Mobility Commission.
- parental Leave for Appointed Officials.
- include a residency requirement for the Public Facilities, Recreation, and Infrastructure Commission.
- require proof of residency for those Commissions that have a residency requirement.

Councilmember Heilman indicated that he does not support term limits; however, four two-year terms per Commission or Advisory Board was ultimately approved by the City Council. He also suggested that a background check or some other mechanism may be appropriate for all appointed officials. Therefore, the City Council directed the City Clerk to meet with the City Council subcommittee to further discuss this topic and included it in the motion.

ACTIONS: 1) Approve the proposed changes to the name(s) and purview(s) of the City's Commissions with the exception of the Historic Preservation Commission and direct the City Clerk to return with an ordinance codifying these changes; 2) Direct the City Clerk to include parental leave as part of the ordinance codifying the other changes to the City's Commission and a resolution to include parental leave for the City's Advisory Boards; 3) Direct the City Clerk to codify term limits for appointed officials; 4) Upon conditional appointment to a City Commission, require a Livescan background check for the quasi-judicial Commissions only; 5)

Add a residency requirement to the Public Facilities, Recreation, & Infrastructure Commission; 6) Agendize the Historic Preservation Commission purview changes at a future Historic Preservation Commission meeting for their feedback; 7) Adopt revised bylaws for the City's Commissions and Advisory Boards; 8) Require proof of residency for those Commissions that have a residency requirement; and 9) Schedule a meeting with the City Council subcommittee to further discuss background checks for appointed officials. **Motion by Mayor Pro Tempore Erickson, seconded by Mayor Shyne, and approved.**

5. NEW BUSINESS:

5.A. UPDATE ON CAPITAL PROJECTS IMPLEMENTATION [B. LEAGUE, A. BARTLE, O. DELGADO, J. ROCCO, R. ABRAMSON, M. BARKER, S. CAMPBELL, H. COLLINS, J. GILMOUR, J. KEHO, B. CHEUNG]:

SUBJECT: Staff will provide an update on major capital improvement projects related to City-owned properties and public parks (exclusive of public right-of-way streetscape and transportation-related projects), including status of the projects, timelines, and staffing needs.

Urban Design and Architecture Studio Manager Ric Abramson provided background information as outlined in the staff report dated February 21, 2023.

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke regarding the undemocratic process.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding the need to spruce up the city's original AIDS monument in Hart Park; the Holloway Motel; preserving the plaques remembering AIDS victims along Santa Monica Boulevard; and the Melrose Gathering Place.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke regarding Laurel House, Hart Park, and Plummer Park.

Councilmember Meister inquired if there is any space at Plummer Park for a community garden. She also shared with the public commenter how the City Council hears items on the agenda.

Councilmember Heilman thanked staff for a comprehensive report. He expressed concern with the Crescent Heights/Santa Monica project and the surface parking lot that was initially slated for that site. He recommends moving forward with the temporary surface parking lot and then move forward with housing.

Mayor Pro Tempore Erickson agrees with moving forward with the temporary surface parking lot. He requested that the entrance to the

Library be upgraded. He further inquired about the Plummer Park subcommittee meeting sometime soon. Mr. Abramson responded with information on the Plummer Park subcommittee meetings. Mayor Pro Tempore Erickson also requested that staff preserve the AIDS Monument at Hart Park.

Councilmember Byers contemplated what the City's assets will be in the next five years and her excitement to see where we are in 2025.

Mayor Shyne expressed interest in a community garden at Plummer Park and agrees with her colleagues' comments.

Councilmember Meister inquired about 8120 Santa Monica Boulevard and the properties acquired by the City along Crescent Heights. Property Development Manager Brian League responded to this inquiry.

ACTIONS: The City Council expressed interest in a community garden at Plummer Park, a surface parking lot at Crescent Heights/Santa Monica, upgrades to the front of the West Hollywood Library, preserving the AIDS monument at Hart Park, and scoping for the other City assets along Crescent Heights. **Approved by consensus.**

5.B. AMENDMENT NO. 1 TO THE ON-CALL AGREEMENT FOR SERVICES WITH GRIMSHAW [J. ROCCO, B. LEAGUE, A. BARTLE, O. DELGADO, R. ABRAMSON, M. BARKER]:

SUBJECT: The City Council will consider amending the Agreement for Services with Grimshaw for on-call Architectural and Design Services to increase the not-to-exceed value.

ACTION: This item was moved to the Consent Calendar.

5.C. DECORATIVE LIGHTING ON MELROSE AVENUE IN DESIGN DISTRICT [J. ERICKSON, Y. QUARKER, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to gather feedback from community and business stakeholders on decorative lighting along Melrose Avenue in the Design District, which would be installed after the current Design District Streetscape Project is completed.

ACTION: This item was moved to the Consent Calendar.

5.D. ADVANCED PUBLIC SAFETY TECHNOLOGY PILOT PROGRAM [L. MEISTER, J. HEILMAN, Y. QUARKER, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to partner with the Los Angeles County Sheriff's Department to pilot advanced technologies to help support community safety efforts in West Hollywood.

Councilmembers Meister and Heilman shared the reasons that they added this item to the agenda.

Councilmember Byers inquired about the 5-year safety update plan.

The City Council requested that staff return with an update on the two previously approved items from the City Council related to safety.

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke about noise pollution from helicopters and drones. She further spoke about her opposition to state sanctioned violence.

JAMIE FRANCIS, WEST HOLLYWOOD, spoke to express their frustration with one of the public commenters.

Councilmember Byers inquired about what “proper response” means. She also spoke about the budget costs that Beverly Hills is incurring with its drone program. She shared comments made by the ACLU on drones.

Mayor Pro Tempore Erickson noted his support for this item moving forward.

Councilmember Heilman noted that Councilmember Byers expressed valid concerns with the cost and privacy issues.

Mayor Shyne expressed concern with the cost, privacy, and equity issues with this proposal. She recommended that the Public Safety Commission, Social Justice Advisory Board, Human Services Commission, and the LGBTQ+ Commission for review prior to returning to the City Council.

ACTIONS: 1) Direct staff to explore a partnership with the Los Angeles County Sheriff’s Department to pilot advanced technologies to help support community safety efforts; and 2) Return to City Council with an overview of potential options and estimated costs to implement a pilot program or an ongoing program. **Motion by Councilmember Meister, seconded by Councilmember Heilman, and approved noting the “no” vote of Councilmember Byers.**

5.E. A PANEL DISCUSSION ON THE METHAMPHETAMINE AND FENTANYL EPIDEMIC FEATURING SAM QUINONES [L. MEISTER, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider sponsoring a panel discussion featuring independent journalist and author, Sam Quinones, and other experts on the opioid epidemic and the impacts methamphetamine and fentanyl have had on communities across the country.

ACTION: This item was moved to the Consent Calendar.

5.F. CO-SPONSORSHIP OF THE IRANIAN AMERICAN WOMEN FOUNDATION’S EVENT IN RECOGNITION OF NOWRUZ, PERSIAN NEW YEAR [S. SHYNE, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider a request to Co-sponsor the Iranian American Women Foundation's Nowruz event in recognition of Persian New Year on Sunday, March 19, 2023 at the City Council Chambers.

ACTION: This item was moved to the Consent Calendar.

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

6. LEGISLATIVE:

6.A. ORDINANCE TO PROHIBIT FALSE AND MISLEADING ADVERTISING BY A PREGNANCY CRISIS CENTER [L. LANGER]:

SUBJECT: The City Council will consider an Ordinance to prohibit false and misleading advertising by a crisis pregnancy center.

ACTION: This item was moved to the Consent Calendar.

6.B. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE TO ALLOW AND REGULATE TEMPORARY CANNABIS EVENTS [J. ROCCO, D. RIVAS, V. ADOMAITIS, Y. BENITEZ, J. KEHO, F. CONTRERAS]:

SUBJECT: The West Hollywood City Council will consider an ordinance amending the West Hollywood Municipal Code to allow and regulate temporary cannabis events in the City of West Hollywood and determining the ordinance to be exempt from the California Environmental Quality Act (CEQA).

Director of Community Safety Danny Rivas and Deputy City Manager Jackie Rocco provided background information on the staff report dated February 21, 2023. He noted a change to the proposed ordinance as well.

SCOTT SCHMIDT, EXECUTIVE DIRECTOR OF EMERALD VILLAGE, spoke in support of the item.

SHERRI FRANKLIN, WEST HOLLYWOOD, spoke in support of the item.

JACKIE SUBECK, WEST HOLLYWOOD, spoke in opposition to the item and submitted written correspondence with her proposed changes.

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke regarding the limitations and cost mentioned by the previous speaker.

Councilmember Heilman noted that Mr. Schmidt brought up some valid points. Mr. Rivas responded. Councilmember Heilman inquired if staff would object to a second City-sponsored event. Mr. Rivas and Ms. Rocco responded.

City Council Minutes
Tuesday, February 21, 2023
Page 19

Councilmember Byers thanked staff for the quick turnaround on this item. She supports cannabis at City events and further destigmatizing cannabis use. She noted her support in general of a fee.

Mayor Pro Tempore Erickson commented that he does not to burden Pride/JJLA with adding a cannabis event. He also mentioned the status of cannabis businesses in the City.

Councilmember Meister thanked staff for the item. She noted that we want to incentivize West Hollywood cannabis businesses as they have gone through a stringent vetting process. In terms of events, she noted Pride and one other City-sponsored event, rather than specifying Halloween.

City Attorney Langer paragraph 1 “2 events per license” these events shall occur as City-established Pride and one other City-sponsored event. She noted that staff will need to research the marketing fee.

ACTION: Introduce on first reading Ordinance 23-08: “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE TO ADD SECTION 5.70.045 TO CHAPTER 5.70 (CANNABIS USES) TO ALLOW AND REGULATE TEMPORARY CANNABIS EVENTS”. **Motion by Mayor Pro Tempore Erickson, seconded by Councilmember Byers, and approved.**

PUBLIC COMMENT:

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke regarding fascism, lack of a democratic process, and her desire to participate more in the public process.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke about the cancelled Feb. 16 Planning Commission meeting and is looking forward to a future hearing on how rental units demolished for new non-residential uses can be replaced.

NIC ROYBAL, WEST HOLLYWOOD, spoke about learning more about local government and wished Mayor Shyne a Happy Birthday.

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

Councilmember Meister reported her attendance at the WSCCOG where she was appointed to the SCAG regional council representing District 41. She mentioned Item 2.I. and suggested that the report include a column “costs per attendee” and that the Finance and Budget Subcommittee review this. She announced various City Council meetings.

Councilmember Byers reported her attendance at the Westside COG as a representative for SCAG. She thanked Chief Smith for his presentation on yielding the

City Council Minutes
Tuesday, February 21, 2023
Page 20

right of way to emergency vehicles, drive mindfully artwork via Comms, and a note on the weather and the work that needs to be done.

Councilmember Heilman responded adjourn in memory of Tatyana Egorova, who passed just shy of her 102nd birthday.

Mayor Pro Tempore Erickson West Hollywood Reads, the Contract Cities Legislative Committee meeting, Westside Cities COG, walked with the Tri-west community, Saturdays with John, Friendly house tour, Liability Trust Fund oversight board, and the Kings Road Community meeting. He requested that we avoid events on Valentine's Day. He also attended the Contract Cities Board meeting where they honored Brandon Tsay. He requested an update on the flashing sidewalk signs. He wished Mayor Shyne a Happy Birthday. He shared that he's noticed an increase in trash in the parks and requested that staff keep the parks clean. He requested additional CARE team patrols, especially in the parks, as more unhoused community members move to the City since surrounding cities are removing the unhoused from their cities. He thanked the Sheriff's Dept for increased awareness on antisemitism. He thanked Ric Zbur for AB 1621. He requested an update on the ethical bee removal next steps. He invited the community to attend the PrEP/PEP town hall. He concluded his comments by mentioned the resolution that the City passed this evening related to not flying the LGBTQ flag in the City of Huntington Beach.

Mayor Shyne requested that staff provide an update on Mikie Friedman's request to conduct a poll. She mentioned upcoming City events. She spoke about antisemitism in and around West Hollywood. She provided an update regarding Iran and the Mahsa Act. She reported her attendance at the Sanitation Board of Directors and the WSCOG Board of Directors. She shared that she would host another Sips with City this Saturday.

ADJOURNMENT: The City Council adjourned at 10:31 p.m. in memory of Howard Bragman, Jeffrey Kay, Tatyana Egorova, and Alexander Yepremovich Nazarian to its next regular meeting, which will be on Monday, March 6, 2023 at 6:00 P.M. at West Hollywood Park Public Meeting Room - Council Chambers.

City Council Minutes
Tuesday, February 21, 2023
Page 21

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 6th day of March, 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.

DocuSigned by:

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SEPI SHYNE, MAYOR

ATTEST:
DocuSigned by:

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MELISSA CROWDER, CITY CLERK