

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, NOVEMBER 21, 2022
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

5:30 P.M. – CLOSED SESSION: None

6:00 P.M. – REGULAR MEETING

CALL TO ORDER: Mayor Meister called the meeting to order at 6:13 p.m.

PLEDGE OF ALLEGIANCE: Mr. Horvath led the Pledge of Allegiance.

ROLL CALL:

PRESENT: Councilmember D’Amico, Councilmember Erickson, Councilmember Horvath, Mayor Pro Tempore Shyne, and Mayor Meister.

ABSENT: None.

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 indicated that staff is requesting that Item 4.A. be Tabled.

Councilmember Horvath requested Item 5.A be added to the Consent Calendar as Item 2.V.

Mayor Pro Tempore Shyne requested that Item 2.H. be moved to Excluded Consent. *(The Item was subsequently Tabled to the December 5, 2022 City Council meeting as an Unfinished Business item.)*

Motion by Councilmember Erickson, seconded by Mayor Meister to approve the November 21, 2022 Agenda as amended.

ADJOURNMENT MOTIONS:

Councilmember Horvath requested that the City Council adjourn in the memory of Ed Levin.

Mayor Pro Tempore Shyne requested that the City Council adjourn in the memory of Etta Goodman (poodle).

Councilmember Erickson requested that the City Council adjourn in the memory of Thomas Grogan.

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Mayor Meister a requested that the City Council adjourn in the memory of Joe Evans and Vonna Contessa.

The City Council also adjourned in memory of the victims of the Club Q shooting in Colorado Springs, Colorado.

PRESENTATIONS:

Mayor Meister presented a Proclamation to Elements Pharmacy and Block Party WeHo for the vaccine clinic that they hosted.

1. PUBLIC COMMENT:

ALLISON KIRSTE, WEST HOLLYWOOD, spoke in support of Item 2.T.

JOYCE HEFTEL, WEST HOLLYWOOD, spoke regarding her comments from the November 7th City Council meeting about the noise from the Harriet and the Ziggy hotel. She also provided comments regarding Item 4.B.

ADAM DARVISH, WEST HOLLYWOOD, spoke regarding the shooting at Club Q in Colorado Springs. He also spoke about second-hand smoke from cannabis users.

ALEX DEVORE, WEST HOLLYWOOD, spoke regarding fentanyl overdoses.

JEFF PALKEUCH, WEST HOLLYWOOD, spoke regarding the recent election and congratulated Mayor Meister. He also spoke in support of Item 2.T.

DAVID NASH, WEST HOLLYWOOD, spoke in support of Item 2.P. He also spoke about the recent election and congratulated Mayor Meister and Supervisor-elect Horvath.

MICHAEL KING, WEST HOLLYWOOD, spoke regarding the recent passing of Historic Preservation Commissioner Ed Levin. He congratulated Supervisor-elect Horvath. He also spoke in opposition to Item 4.B.

RICK WATTS, WEST HOLLYWOOD, spoke regarding the recent election and congratulated Mayor Meister as well as, Supervisor-elect Horvath. He also spoke regarding publicizing the smoking ordinance.

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke regarding an incident she encountered while walking in West Hollywood. She also spoke about the West Hollywood Sheriff's Department and Block by Block personnel.

MARIEH DARLING, WEST HOLLYWOOD, spoke regarding her fears as a Trans woman.

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ELEANORA SHULMAN, WEST HOLLYWOOD, spoke regarding interning with Jewish Family Services at Plummer Park and her experience with assisting community members with Section 8 housing.

GENEVIEVE MORRILL, PRESIDENT/CEO OF WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke regarding the recent passing of Historic Preservation Commissioner Ed Levin. She spoke in support of Items 2.M. and 2.T. She also congratulated Mayor Meister and Supervisor-elect Horvath.

DOMINIC MOONHEAR, WEST HOLLYWOOD, congratulated Supervisor-elect Horvath and thanked her for her service to the City of West Hollywood.

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

Councilmember Erickson reported his attendance at Contract Cities, swore in Olivia Lane at the Women's Advisory Board meeting, and represented the City at the Unique Women's Coalition. He spoke regarding various items on the Consent Calendar item. He expressed his condolences to the victims of the Club Q shooting in Colorado. He concluded his remarks by congratulating Mayor Meister on her re-election, Supervisor-elect Horvath on her election to the Los Angeles County Board of Supervisors as well as Chelsea Byers for her election to the City Council.

Councilmember D'Amico spoke in support of the Athens contract and commented on some of the new requirements on food waste. He also spoke regarding Item 2.S. He responded to the Public Comment by Mariah Darling and encouraged her to attend the City's Transgender Advisory Board. He concluded his comments by sharing that he spoke with a representative from the West Hollywood Housing Corp (WHHC) regarding the Wetherly Project and noted that the WHHC is not utilizing "builders remedy".

Mayor Pro Tempore Shyne reported her attendance at the Transgender Day of Remembrance (TDOR). She spoke about the need for training our community safety partners and requested an Item at the next City Council meeting outlining a plan. She provided an update on the protests in Iran. She congratulated Supervisor-elect Horvath on her election to the Los Angeles County Board of Supervisors. She also congratulated Mayor Meister on her re-election to the City Council. She further reported her attendance at the City's Veterans Day event, Temple Isaiah, Plummer Park, the Los Angeles premiere of the documentary *Voice of Justin Ash*, and the GARRAS fashion show. She shared that she spoke at the Club Q vigil last night. Finally, she thanked her colleagues for supporting Item 2.T.

Councilmember Horvath requested that staff respond to the Public Comment regarding Section 8 housing. She reported her attendance at the Liability Claims Board and the Transgender Day of Remembrance (TDOR). She congratulated Planning Commission Chair Stacey Jones and Brett Spencer on their recent nuptials. She spoke about the vigil honoring the victims of the Colorado shooting. She spoke about the importance of keeping our community members safe. She congratulated Mayor Meister on her re-election. She congratulated Barbara Meltzer and Chelsea Byers on being the first

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female Chair and Vice Chair of the Human Services Commission. She also mentioned the recent election and the semi-final results. She noted that she is grateful for the opportunity to serve West Hollywood. She shared that she will be sworn-in to the Board of Supervisors on December 5th and invited everyone to attend. She concluded by noting that she will provide final remarks at the December 5th City Council meeting.

Mayor Meister shared that she attended the Urban Leaf ribbon cutting, the West Hollywood Chamber of Commerce 38th Annual Creative Business awards, the SEMS/NIMS Training, Sheriff's station academy session, the vigil honoring the victims of the Colorado shooting, and the Transgender Day of Remembrance. She attended the Westside Urban Forum's Panel on the Builders Remedy. She congratulated Supervisor-elect Horvath. She spoke on various Consent Calendar items. Finally, she mentioned several upcoming City events (www.weho.org/calendar).

CITY MANAGER'S REPORT:

City Manager Wilson provided an overview of the Athens contract which was moved to the Consent Calendar. He provided an update on the City's smoking ordinance mailers. He responded to Councilmember Horvath's inquiry regarding the public comment on Section 8. He provided a public safety update in response to the mass shooting at Club Q in Colorado. He shared that the City will host "West Hollywood Day" honoring 38 years of Cityhood. He congratulated Supervisor-elect Horvath on her election to the Los Angeles County Board of Supervisors.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Crowder stated that the fiscal impact on the Consent Calendar with the removal of Item 2.H. and the addition of Item 5.A. is \$1,211,009 in expenditures, \$969,336 in revenues, and (\$960) in waived fees.

City Clerk Crowder read the title of the Ordinance introduced on First Reading for Item 2.V. (Item 5.A.).

2. CONSENT CALENDAR:

2.A.,B.,C.,D.,E.,F.,G.,I.,J.,K.,L.,M.,O.,P.,Q.,R.,S.,T.,U.,V. Motion by Councilmember Horvath, seconded by Councilmember D'Amico, and approved.

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Monday, November 21, 2022 was posted at City Hall, Plummer Park, the Sheriff's Station, and at the West Hollywood Library on Wednesday, November 16, 2022.

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.

ACTION: Approve the minutes of November 7, 2022. **Approved as part of the Consent Calendar.**

2.C. APPROVAL OF DEMAND REGISTER NO. 917 [L. QUIJANO, C. CORRALES, S. STEPHENS]:

SUBJECT: The City Council shall receive the Demand Register for period ending November 11, 2022 pursuant to Sections 37201 to 37210 of the Government Code of the State of California.

ACTION: Approve Demand Register NO. 917 and adopt Resolution No. 22-5569, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING PAYMENT OF DEMANDS PRESENTED ON DEMAND REGISTER NO. 917." **Approved as part of the Consent Calendar.**

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

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

ACTION: Allow for the continued use of virtual teleconference meetings for some of the City's Brown Act meetings (including the Disabilities Advisory Board and the Senior Advisory Board as well as some subcommittee 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 social distancing, ventilation, and others depending on the space and activity. **Approved as part of the Consent Calendar.**

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

SUBJECT: The City Council will receive Synopses from the Women's Advisory Board regarding actions taken at their recent meeting

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

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

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

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

2.G. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE ASSOCIATION OF CONFIDENTIAL EMPLOYEES, SUPERVISORY AND NON-SUPERVISORY UNITS, FOR THE PERIOD OF JULY 1, 2022 THROUGH JUNE 30, 2027 [J. JIMENEZ, S. SCHUMACHER]:

SUBJECT: The City Council will consider approving the Memorandum of Understanding with the Association of Confidential Employees, Supervisory and Non-Supervisory Units, for the period of July 1, 2022 through June 30, 2027.

ACTIONS: 1) Approve the Memorandum of Understanding with the Association of Confidential Employees, Supervisory and Non-Supervisory Units, which incorporates the agreements in the attached Memorandum of Understanding; 2) Authorize the City Manager to execute the Memorandum of Understanding; and 3) Approve the Fiscal Year 2022-23 Salary Schedule reflecting all City position and associated salaries to meet the California Public Employees' Retirement System requirements of Government Code § 20636(b)(1).. **Approved as part of the Consent Calendar.**

2.H. NEW BUSINESS OPENINGS IN WEST HOLLYWOOD [J. LEONARD, T. COYNE]:

SUBJECT: The City Council will receive a report on new business openings in West Hollywood over the last two years (2021-2022), as well as up-coming business openings

ACTION: This Item was Tabled to December 5, 2022.

2.I. DATA EXCHANGE PROGRAM WITH THE FRANCHISE TAX BOARD OF CALIFORNIA RENEWAL [L. QUIJANO, A. RUIZ, A. CHIRIBOGA]:

SUBJECT: The City Council will consider the renewal of the Business Tax Data Exchange Program with the Franchise Tax Board of California.

ACTIONS: 1) Approve the City's participation in the Business Tax Data Exchange program with the Franchise Tax Board starting January 1, 2023, to December 31, 2025; and 2) Authorize the City Manager or designee to execute documents incident to the Agreement. **Approved as part of the Consent Calendar.**

2.J. ASSIGNMENT AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND THE CITY OF WEST HOLLYWOOD FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS [C. SCHROEDER, L. ISENBERG, F. GOMEZ]:

SUBJECT: The City Council will consider a General Fund trade agreement for Proposition A Local Return Funds with the City of Lakewood.

ACTIONS: 1) Approve an Assignment Agreement for a Proposition A local return fund exchange with the City of Lakewood for \$700,000 in City of West Hollywood General Fund dollars in exchange for \$1,000,000 in City of Lakewood Proposition A Funds and authorize the City Manager to

execute documents incident to the Agreement; and 2) Authorize the Director of Finance and Technology Services to allocate \$700,000 from reserves committed for Proposition A purchases in the General Fund to the Expenditure for Traded Funds account (100-1-03-31-531016). **Approved as part of the Consent Calendar.**

2.K. FACILITIES AND FIELD SERVICES DIVISION AMENDMENTS TO TWO ON-CALL PROFESSIONAL SERVICE AGREEMENTS [S. CAMPBELL, H. COLLINS, E. HAMANT]:

SUBJECT: The City Council will consider amending two current Professional Services Agreements with updated fee schedules.

ACTIONS: : 1) Approve Amendment No. 5 to the Agreement with Moore, Iacofano, Goltsman, Inc. to provide landscape architectural services by amending the billing rates as outlined below and shown in Exhibit A of the Agreement; 2) Approve Amendment No. 5 to the Agreement with Griffin Structures, Inc. to provide construction management related services by amending the billing rates as outlined below and shown in Exhibit A of the Agreement; and 3) Authorize the City Manager or designee to execute documents incident to the amendments to the Agreements. **Approved as part of the Consent Calendar.**

2.L. AMENDMENT TO THE AGREEMENT FOR SERVICES WITH HR&A ADVISORS INC. FOR METRO CRENSHAW NORTH FUNDING STUDY PHASE 2 [J. KEHO, F. CONTRERAS, D. FENN, J. LEONARD]:

SUBJECT: The City Council will consider authorizing an amendment to the Agreement for Services with HR&A Advisors, Inc. for Phase 2 of the City's Funding and Project Delivery Strategy Study on the Northern Extension of the Metro Crenshaw/LAX Line.

ACTIONS: 1) Approve Amendment No. 4 to the Agreement for Services with HR&A Advisors Inc. to extend the contract term by an additional 12 months and increase the amount of the agreement by \$103,544.60, utilizing Measure M local return transportation funds, for a total not-to-exceed amount of \$496,559.60 to facilitate Phase 2 of the City's Funding and Project Delivery Strategy Study; and 2) Authorize the City Manager or designee to execute documents incident to the Agreements. **Approved as part of the Consent Calendar.**

2.M. AMENDMENT TO THE AGREEMENT FOR SERVICES WITH AAA FLAG & BANNER & SOUTHERN CALIFORNIA BARRICADES [D. WILSON, C. SAFRIET, P. KESPRADIT]:

SUBJECT: The City Council will consider amending the agreements for services for the OUT Zone Parklet Program with Southern California Barricades for rental fees of concrete barriers and labor costs and with AAA Flag & Banner for barricade covers; the amendments will increase the not-to-exceed amounts and extend the terms of the agreements.

ACTIONS: 1) Approve Amendment No. 3 to the agreement for services with Southern California Barricades to increase the amount by \$214,110

for a total not to exceed amount of \$650,000 and extend the term to December 31, 2023; 2) Approve Amendment No. 4 to the agreement for services with AAA Flag & Banner to extend the term to December 31, 2023; and 3) Authorize the City Manager or designee to execute documents incident to the agreements. **Approved as part of the Consent Calendar.**

2.N. APPROVAL OF FINAL MAP NO. 82762 FOR THE CONDOMINIUM PROJECT LOCATED AT 916 WESTBOURNE DRIVE [S. CAMPBELL, J. GILMOUR]:

SUBJECT: The City Council will consider approval of Final Map No. 82762, an 8-unit condominium subdivision, located at 916 Westbourne Drive. This item does not require CEQA findings.

ACTIONS: 1) Make findings for the Final Map as follows: a. That this project will not violate any of the provisions of Sections 66474, 66474.1, and 66474.6 of the Subdivision Map Act, b. That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code, c. That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights of way and/or easements within the subject division of land, pursuant to Section 66436(a)3A(i-viii) of the Subdivision Map Act; 2) Approve Final Map No. 82762; and 3) Instruct the City Clerk to endorse on the face of the map of Final Map No. 82762 the certificate that embodies the approval of said map. **Approved as part of the Consent Calendar.**

2.O. LOAN AMENDMENT FOR AFFORDABLE HOUSING AT 1116-1118 N. MCCADDEN AVENUE (MCCADDEN PLAZA) [J. LEONARD, B. LEAGUE, A. BARTLE]:

SUBJECT: The City Council will consider authorizing the City Manager to sign an amendment extending the affordability term to the loan agreement for construction and permanent financing at the Los Angeles LGBT Center's 98-unit senior affordable housing development at 1116-1118 N. McCadden Avenue known as McCadden Plaza.

ACTIONS: 1) Authorize the City Manager to sign a loan amendment for the McCadden Plaza project located at 1116-1118 N. McCadden Avenue; and 2) Authorize the City Manager or designee to execute all documents incident to this amendment agreement. **Approved as part of the Consent Calendar.**

- 2.P. WORLD AIDS DAY PAUL ANDREW STARKE WARRIOR AWARDS [C. SCHROEDER, L. ISENBERG, D. MURRAY, D. SAUNDERS]:**
SUBJECT: The City Council will recognize December 1, 2022, as World AIDS Day and approve City participation of a related event on December 1, 2022.
ACTIONS: 1) The City Council will recognize December 1, 2022 as World AIDS Day and approve City participation of a related event on December 1, 2022; 2) Direct staff to work with the Communications Department to utilize all appropriate communication tools to promote the event including, but not limited to, the City's website and social media platforms; 3) Authorize the use of the City of West Hollywood logo on materials associated with the event; and 4) Approve the provision of validated parking at the five-story public parking garage for attendees of the event.
Approved as part of the Consent Calendar.
- 2.Q. 2023 WEST HOLLYWOOD MLK DAY OF SERVICE [Y. QUARKER, A. LOVANO, L. FOOKS]:**
SUBJECT: The City Council will consider approving the coordination of a MLK Day of Service activity in January 2023 to commemorate Martin Luther King, Jr., National Day of Service in the City of West Hollywood.
ACTIONS: 1) Direct staff to coordinate appropriate 2023 MLK Day of Service activities and promote volunteerism to commemorate Martin Luther King, Jr. Day; and 2) Direct the Communications Department to utilize all appropriate communications tools to promote the City's commemoration of Martin Luther King, Jr., National Day of Service.
Approved as part of the Consent Calendar.
- 2.R. CONVENING OF A LOCAL COMMUNITY HEARING TO IDENTIFY BARRIERS IN ACCESSING PRE-EXPOSURE PROPHYLAXIS (PREP) AND POST-EXPOSURE PROPHYLAXIS (PEP) TREATMENTS AS PRESCRIBED BY SENATE BILL (SB) 159 (WIENER) OF 2019 [J. ERICKSON, Y. QUARKER, A. LOVANO, H. MOLINA]:**
SUBJECT: The City Council will consider approving the convening of a local community hearing to ascertain barriers experienced by HIV negative individuals who are at high risk of HIV infection to access Pre-Exposure Prophylaxis (PrEP) and Post-Exposure Prophylaxis (PEP) at local pharmacies, as prescribed by Senate Bill (SB) 159.
ACTIONS: 1) Approve the convening of a local community hearing within ninety (90) days with the goals of obtaining testimony from a) local residents as to their experiences accessing Pre-Exposure Prophylaxis (PrEP) and Post-Exposure Prophylaxis (PEP), b) local pharmacists as to their experiences dispensing PrEP and PEP, and c) Community-Based Organizations (CBOs) working with individuals who are at risk for HIV infection and who can qualify for PrEP and PEP; 2) Direct staff to invite Senators Scott Wiener, D-San Francisco and Ben Allen, D-Santa Monica, as well as the newly elected Assemblymember representing West Hollywood, and/or the staff to attend and participate in the hearing; 3)

Direct staff to work collaboratively with the City's Human Services Commission (HSC), the LGBTQ+ Advisory Board and the Transgender Advisory Board (TAB), local CBOs like The Los Angeles Gay & Lesbian Center, AIDS Project Los Angeles (APLA), Equality California (EQCA), and other key stakeholders; 4) Direct the Communications Department to utilize all appropriate communication tools to promote the community hearing, such as the City's website and social media tools; and 5) Report back to the City Council 30 days after the local hearing is held with findings and any recommendations from stakeholders involved in the process and from experts on the subject matter. **Approved as part of the Consent Calendar.**

2.S. DEVELOPMENT OF A CITY POLICY TO PROHIBIT THE CITY OF WEST HOLLYWOOD FROM USING THE ELLIS ACT ON CITY-OWNED RESIDENTIAL PROPERTIES [J. D'AMICO, Y. QUARKER, A. LOVANO, H. MOLINA, J. DEL TORO]:

SUBJECT: The City Council will consider directing 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 and owned by the City and displacing tenants.

ACTION: Direct staff to develop a policy restricting the City from utilizing the Ellis Act to remove units from the rental market in residential properties acquired and retained by the City. **Approved as part of the Consent Calendar.**

2.T. PROPOSED REVIEW OF SHORT-TERM RENTAL ORDINANCE TO ADDRESS LISTINGS WITH FALSE LOCATION INFORMATION [S. SHYNE, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider directing staff to enhance the language in the short-term rental ordinance, and work with the City of Los Angeles and short-term rental platforms to address short-term rental listings referencing false property listings in the City of West Hollywood.

ACTIONS: 1) Direct staff and the City Attorney to review the City's short-term rental ordinance to determine if any amendments can be made to hold platforms and users accountable for using false West Hollywood addresses on rental listings; and 2) Direct staff to work with the City of Los Angeles and short-term rental platforms to address short-term rental listings referencing false property addresses within the City of West Hollywood. **Approved as part of the Consent Calendar.**

2.U. INCENTIVES FOR HISTORIC HOTELS IN WEST HOLLYWOOD [L. HORVATH, Y. QUARKER, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to reach out to historic hotel owners and stakeholders to identify needs and possible incentives to keep them competitive in the modern hotel market and mitigate potential additional costs related to ongoing maintenance of the historic structures.

ACTIONS: 1) Direct staff – including the City Manager, Economic Development Department and Planning & Development Services Department – to reach out to relevant historic hotel owners and stakeholders to identify the specific issues and needs in West Hollywood; and 2) Based on the engagement, return to the City Council with recommendations for possible incentives to help historic hotels remain competitive in the modern hotel market and help mitigate any potential additional costs related to ongoing maintenance and the historic designation. **Approved as part of the Consent Calendar.**

2.V. (5.A.) APPROVE RESOLUTION NO. 22-5571 APPROVING AMENDMENT NO. 3 TO THE AGREEMENT WITH ARAKELIAN ENTERPRISES, INC. DBA ATHENS SERVICES FOR INTEGRATED SOLID WASTE MANAGEMENT SERVICES AND INTRODUCE ORDINANCE 22-1198 AMENDING PORTIONS OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATED TO SOLID WASTE CHAPTER 15.44 (FRANCHISES) OF ARTICLE 2 OF TITLE 15 OF THE WEST HOLLYWOOD MUNICIPAL CODE [J. ROCCO, S. CAMPBELL, J. GILMOUR, M. MAGENER]:

SUBJECT: The City Council shall consider adopting Resolution No. 22-5571 approving Amendment No. 3 to the Agreement for Integrated Solid Waste Management Services with Arakelian Enterprises, Inc. dba Athens Services to comply with the regulations implementing SB 1383 (Chapter 395, Statutes of 2016) and making other miscellaneous additional Agreement changes including extending the term of the agreement, and introducing Ordinance No. 22-1198 amending portions of Title 2 of Article 15 of the West Hollywood Municipal Code related to Solid Waste, and finding these actions not subject to and exempt from CEQA.

ACTIONS: 1) Approve Resolution No. 22-5571 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA APPROVING AMENDMENT NO. 3 TO EXCLUSIVE FRANCHISE AGREEMENT FOR INTEGRATED SOLID WASTE MANAGEMENT SERVICES;” 2) Authorize the City Manager or designee to execute documents to implement Amendment No. 3; and 3) Introduce on First Reading Ordinance No. 22-1198 “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING PORTIONS OF TITLE 2, ARTICLE 15, OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO SOLID WASTE”. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. REQUEST TO PERMIT THE CONVERSION OF A TWO-SIDED STATIC BILLBOARD TO A NEW TWO-SIDED DIGITAL AND INTERNALLY LIT STATIC BILLBOARD ON THE PROPERTY LOCATED AT 8901 SUNSET BOULEVARD (WHISKY-A-GO-GO) [J. LEONARD, J. KEHO, J. ALKIRE, J. DAVIS]:

SUBJECT: The City Council will consider an application to convert an existing, two-sided static billboard located at 8901 Sunset Boulevard (Whisky-a-Go-Go), a cultural resource, to a new, two-sided billboard, with one 1,000 sq. ft. digital side and one 500 sq. ft. internally lit static side. The City Council will hold a public hearing and provide a determination regarding the approval of Master Project (MP20-0015) including Certificate of Appropriateness (COA20-0014), Sign Permit (BB20-0003), Zoning Map Amendment (ZMA20-0003), and Development Agreement Overlay (DA20-0003) and make a determination under CEQA that the project has been evaluated for environmental impacts in the Sunset Strip Off-Site Signage Policy Negative Declaration.

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

The City Councilmembers provided their disclosures.

Director of Economic Development John Leonard provided background information as outlined in the staff report dated November 21, 2022.

AARON GREEN, ON BEHALF OF THE APPLICANT, provided a presentation on the proposed billboard.

Mayor Meister opened the public hearing, and the following speakers came forward.

DANIEL ALEXANDER, WEST HOLLYWOOD, spoke in support of the Item.

LINDA GODKIN, WEST HOLLYWOOD, spoke in support of the Item.

LEON NABATOFF, WEST HOLLYWOOD, spoke in support of the Item.

DELAN JIMENEZ, WEST HOLLYWOOD, spoke in support of the Item.

AARON MATIJASIC, WEST HOLLYWOOD, spoke in support of the Item.

MICHAEL MAGLIERI, OWNER OF THE WHISKEY-A-GO-GO, spoke in support of the Item.

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

BILL MCBRIDE, UNKNOWN, spoke in support of the Item.

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

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke about the need for billboards to provide more shade and in opposition of the Item.

VICTOR OMELCZENKO, ON BEHALF OF THE WEST HOLLYWOOD PRESERVATION ALLIANCE, spoke in support of the Item.

DANIELLA TEDASCO WEST HOLLYWOOD, spoke in support of the Item.

ASHLEY MERCADAL WEST HOLLYWOOD, spoke in support of the Item.

EDUARDO ARRENDONDO WEST HOLLYWOOD, spoke in support of the Item.

KATY HARVEY, WEST HOLLYWOOD, spoke in support of the Item.

SUSAN MARKHEIM WEST HOLLYWOOD, spoke in support of the Item.

Mayor Meister closed the public hearing.

Based on the City Council discussion, the font size of “Orange Barrel Media” was reduced to eight (8) inches and an additional condition was added to the permit.

Director of Planning and Development Services John Keho read the following condition into the record:

3.9 Prior to submittal of building permits, the applicant shall work with UDAS Division to improve the visual aesthetics of the rear property in conjunction with the sign to the satisfaction of the Director of PDS and the planning entitlement plans shall be revised to include this revision.

ACTIONS: 1) Introduce on first reading Ordinance No. 22-1196: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A DEVELOPMENT AGREEMENT IN CONJUNCTION WITH THE NEW OFF-SITE ADVERTISING BILLBOARD AT 8901 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;” 2) Introduce on first reading Ordinance No. 22-1197: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A ZONING MAP AMENDMENT IN CONJUNCTION WITH THE NEW OFF-SITE ADVERTISING BILLBOARD AT 8901 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA”; and 3) Resolution No. 22-5570: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A SIGN PERMIT AND CERTIFICATE OF APPROPRIATENESS IN CONJUNCTION WITH THE NEW OFF-SITE ADVERTISING BILLBOARD AT 8901 SUNSET

BOULEVARD, WEST HOLLYWOOD, CALIFORNIA.” **Motion by Councilmember D’Amico, seconded by Councilmember Horvath, and approved.**

***Recess at 8:48 p.m. The City Council meeting resumed at 9:12 PM.*

4. UNFINISHED BUSINESS:

4.A. UPDATE ON THE IMPLEMENTATION OF THE SUNSET ARTS AND ADVERTISING PROGRAM [J. LEONARD, J. KEHO, J. DAVIS]:

SUBJECT: The City Council will receive an update on the implementation of the Sunset Arts and Advertising Program, with a focus on Round 2 submissions.

ACTION: This Item was Tabled.

4.B. FOUNTAIN AVENUE PROTECTED BIKE LANES FEASIBILITY STUDY [J. KEHO, F. CONTRERAS, D. FENN, B. CHEUNG]:

SUBJECT: The City Council will receive a presentation on the findings of the Fountain Avenue Protected Bike Lanes Feasibility Study and select an alternative. The proposed project is exempt from the California Environmental Quality Act (CEQA).

Senior Transportation Planner Bob Cheung provided background information as outlined in the staff report dated November 21, 2022.

PHILLIP BROWN, WEST HOLLYWOOD, spoke regarding a new transportation system that he has patented.

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke regarding induced demand, the current speed limit along Fountain, and the Santa Monica Boulevard Traffic Study.

SARAH ADOLPHSON, WEST HOLLYWOOD, spoke in opposition to the Item.

KEVIN BURTON, ON BEHALF OF THE WEST HOLLYWOOD BICYCLCE COALITION, spoke in support of Option 1.

JESSIE HARRIS, WEST HOLLYWOOD, spoke in support of Option 1.

JESSE SILVER, WEST HOLLYWOOD, spoke in opposition to the Item.

HELEN KRIEGER, WEST HOLLYWOOD, spoke in support of Option 1.

ADAM KROLL, WEST HOLLYWOOD, spoke in support of the Item.

KIMBERLY WINICK, WEST HOLLYWOOD, spoke in support of the Item.

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding coordinating this Item with the Santa Monica Boulevard Feasibility Study.

JORDAN COCKERAM , WEST HOLLYWOOD, spoke in opposition to the Item.

CHELSEA BYERS, WEST HOLLYWOOD, spoke in support of Option 1.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in support of Option 1.

THERESE WHITESIDE, WEST HOLLYWOOD, spoke in support of the Item.

TONY HUDGINS, WEST HOLLYWOOD, spoke about the challenges as a resident on Fountain Avenue and his confusion about the proposed options.

MARIA VOYLOKOV, WEST HOLLYWOOD, spoke in opposition of the Item.

JOYCE HEFTEL, WEST HOLLYWOOD, spoke in opposition of the Item.

PETER JARVIS, WEST HOLLYWOOD, spoke in opposition of the Item.

CATHERINE PARKER, WEST HOLLYWOOD, spoke in opposition of the Item.

SUSAN MARKHEIM, WEST HOLLYWOOD, spoke in opposition of the Item.

KAREN O'KEEFE, WEST HOLLYWOOD, spoke in support of the Item.

ALEXANDER FREIDMAN, WEST HOLLYWOD, spoke in support of the Item.

CARRO VILIAN, WEST HOLLYWOOD, spoke in support of the Item.

SHARON RESENDIZ, WEST HOLLYWOOD, spoke in opposition to the Item.

OLGA LEXELL, WEST HOLLYWOOD, spoke in support of Option 1.

JOE BRUKNER, WEST HOLLYWOOD, spoke in support of the Item.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in opposition to the Item.

MICHAEL SCHNEIDER, WEST HOLLYWOOD, spoke in support of Option 1.

CHRISTIAN LINDEK, WEST HOLLYWOOD, spoke in support of the Item.

ALLAN WILLION, WEST HOLLYWOOD, spoke in opposition to the Item.

JAIME FRANCIS, WEST HOLLYWOOD, spoke about walkability in the City.

AARON BARRALL, WEST HOLLYWOOD, spoke in support of Option 1.

ALPITA PATEL, WEST HOLLYWOOD, spoke in support of the Item.

CULLEN WHITESIDE, WEST HOLLYWOOD, spoke about the various challenges that residents who live along Fountain Avenue face.

ACTIONS: 1) Select Alternative 1 (Protected Bike Lanes); 2) Include Dedicated Left Turn Lanes; 3) Proceed with pilot implementation before permanent installation; 4) explore parking options for displaced parking; and 5) Direct staff to prepare 35% construction plans and cost estimates and return to the City Council with cost estimates and implementation timeline for approval. **Motion by Councilmember D'Amico, seconded by Councilmember Erickson, and approved.**

5. NEW BUSINESS:

5.A. APPROVE RESOLUTION NO. 22-_____ APPROVING AMENDMENT NO. 3 TO THE AGREEMENT WITH ARAKELIAN ENTERPRISES, INC. DBA ATHENS SERVICES FOR INTEGRATED SOLID WASTE MANAGEMENT SERVICES AND INTRODUCE ORDINANCE 22-_____ AMENDING PORTIONS OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATED TO SOLID WASTE CHAPTER 15.44 (FRANCHISES) OF ARTICLE 2 OF TITLE 15 OF THE WEST HOLLYWOOD MUNICIPAL CODE [J. ROCCO, S. CAMPBELL, J. GILMOUR, M. MAGENER]:

SUBJECT: The City Council shall consider adopting Resolution No. 22-_____ approving Amendment No. 3 to the Agreement for Integrated Solid Waste Management Services with Arakelian Enterprises, Inc. dba Athens Services to comply with the regulations implementing SB 1383 (Chapter 395, Statutes of 2016) and making other miscellaneous additional Agreement changes including extending the term of the agreement, and introducing Ordinance No. 22-_____ amending portions of Title 2 of Article 15 of the West Hollywood Municipal Code related to Solid Waste, and finding these actions not subject to and exempt from CEQA.

ACTION: This Item was moved to the Consent Calendar.

5.B. MITIGATION MEASURES FOR BUSINESSES IMPACTED BY DESIGN DISTRICT STREETScape CONSTRUCTION [J. D'AMICO, J. LEONARD, T. COYNE]:

SUBJECT: The City Council will consider approving mitigation measures to reduce impacts to businesses related to the construction of the Design District Streetscape Improvements. These mitigation measures may include the waiver of fees and taxes, and/or financial assistance to the West Hollywood Design District Business Improvement District (WHDD) for marketing of the area.

Director of Economic Development John Leonard provided background information as outlined in the staff report dated November 21, 2022.

GENEVIEVE MORRILL, PRESIDENT/CEO OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke regarding the streetscape project, the need for assistance to the businesses along Melrose, and better project management.

JULIA CAMARA CALVO, WEST HOLLYWOOD, spoke regarding her experiences as a business owner along Melrose since the project started.

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke regarding updating the City's infrastructure on the eastside of West Hollywood.

KATHERINE SHADLEY, CHAIR OF THE WEST HOLLYWOOD DESIGN DISTRICT, spoke about the economic impacts to the businesses along Melrose.

ACTIONS: 1) Provide \$250,000 in business license waivers for one year. West Hollywood Design District Business Improvement District and the businesses in the district; 2) Direct the City Manager to negotiate and enter into an agreement with the West Hollywood Design District Business Improvement District in an amount of \$150,000 for marketing purposes; and 3) Direct the Director of Finance & Technology Services allocate funding from the City's General Fund in a dollar amount equal to any amount Council elects to provide for marketing purposes. **Motion by Councilmember D'Amico, seconded by Mayor Meister and approved.**

EXCLUDED CONSENT CALENDAR: None.

6. LEGISLATIVE: None.

PUBLIC COMMENT:

JAIME FRANCIS, WEST HOLLYWOOD, spoke regarding the past few years in West Hollywood and challenges that he's faced.

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ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke about mass shootings and bombings as well as, training for the Sheriff’s Department on the LGBTQ+ community.

COUNCILMEMBER COMMENTS:

Councilmember Erickson shared that Jack the German Shepherd was found and returned to his owner.

ADJOURNMENT: The City Council adjourned at 12:25 a.m. in memory of Ed Levin, Etta Goodman (poodle), Thomas Grogan, Joe Evans, Vonna Contessa, and the victims of the Club Q to its next regular meeting, which will be on Monday, December 5, 2022 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 5th day of December, 2022 by the following vote:

AYES:	Councilmember:	D’Amico, Erickson, Mayor Pro Tempore Shyne, and Mayor Meister.
NOES:	Councilmember:	None.
ABSENT:	Councilmember:	None.
ABSTAIN:	Councilmember:	None.

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 LAUREN MEISTER, MAYOR

ATTEST:

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 MELISSA CROWDER, CITY CLERK