

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, FEBRUARY 6, 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:** MJ Godges led the Pledge of Allegiance.

**ROLL CALL:**

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

**ABSENT:** None.

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

**REPORT OF CLOSED SESSION AGENDA:**

City Attorney Langer reported that the Closed Session was called to order at 5:30 p.m. She stated that no members of the public spoke under public comment. The City Council discussed the one item of business on the posted agenda and provided direction to the City Attorney to file a Petition for Writ that asks the Court of Appeal for interlocutory review of certain issues that were raised in the demurrers and motions to strike.

**APPROVAL OF AGENDA:**

Councilmember Byers requested that Items 5.C. and 5.E. be moved to the Consent Calendar as Items 2.U. and 2.W., respectively.

Councilmember Heilman noted his abstention on Items 2.F. and 2.G. and requested that Items 5.D. and 6.A be moved to the Consent Calendar as Items 2.V. and 2.X., respectively.

Mayor Pro Tempore Erickson requested that Item 5.B be moved to the Consent Calendar as Item 2.T.

**Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Erickson to approve the February 6, 2023 agenda, as amended.**

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**ADJOURNMENT MOTIONS:**

Mayor Por Tempore Erickson requested that the meeting be adjourned in memory of Elsie Sgambellone, Christopher Teagarden, and Eunice Dwumfour, a Councilmember in the borough of Sayreville, New Jersey.

Mayor Shyne requested that the meeting be adjourned in memory of victims of the Turkey & Syria earthquake.

**PRESENTATIONS:**

The City Council presented a Proclamation in honor of V-Day/Silent Witness Display Planning Committee.

**1. PUBLIC COMMENT:**

RENEE SOTILE, WEST HOLLYWOOD, thanked the City Council for the proclamation in honor of V-Day.

ANNIE JUMP VICENTE, WEST HOLLYWOOD, commented on issues on the disparity of safety measures for bicyclists in the City.

MICHAEL RUSSNOW, WEST HOLLYWOOD, spoke on ongoing concerns regarding temporary parking issues due to construction.

MIKIE FRIEDMAN, WEST HOLLYWOOD, spoke on a productive meeting with Mayor Shyne regarding scooters and commented on initiating a petition to ban scooters.

TSUKURU FORS, WEST HOLLYWOOD, (bathroom break) protection to environment and human life.

STEVE MARTIN, WEST HOLLYWOOD, recognized reserved deputies and suggested mental health reform.

**COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:**

Councilmember Meister reported her attendance at the SCAG CEHD meeting and a webinar on reducing earthquake risks. She mentioned Item 5.B. which was moved to the Consent Calendar as Item 2.T. and inquired if there will be a pedestrian push button. She thanked her colleagues for bringing forward Item 5.D. (2.V.) and gave a shout out to Larry Block for making this issue part of his City Council campaign many years ago. She announced several community events taking place in the coming weeks and encouraged members of the public to visit the calendar on the City's website.

Councilmember Byers reported her attendance at the League of California Cities' New Mayors and Councilmembers Academy in Universal City.

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Councilmember Heilman requested that staff review the bulb-outs with regard to Item 5.B.

Mayor Pro Tempore Erickson reported his attendance at the annual LAHSA Homeless Count, the West Hollywood Elementary School door decorating awards, and the Cal Cities Transportation and Public Works Committee. He swore-in newly appointed Historic Preservation Commissioner Yawar Charlie. He attended the Clean Power Alliance Board meeting, the Contract Cities Executive Board meeting, and the SCAG Regional Council meeting. He thanked his colleagues for their support of Item 5.C. (2.U.). He requested an update from staff on signage at the West Hollywood Park Tennis Courts. He requested that Communications post on social media ways that the community may donate to victims of Turkey/Syria earthquake. He mentioned the upcoming PrEP/PEP meeting as well as, the recent FDA ruling to allow gay and bisexual men to donate blood.

Mayor Shyne wished the community a Happy Black History Month as well as, a Happy Valentine's Day. She mentioned a few upcoming events and encouraged the community to check the City calendar on the website. She reported her attendance at the Sanitation District meeting, the LAHSA Homeless Count, League of Cal Cities Policy Committee meeting, and the League of California Cities' New Mayors and Councilmembers Academy in Universal City. She participated in the compost/pail distribution event hosted by Athens. She requested that staff address Mr. Russnow's comments regarding parking along Havenhurst. She concluded her comments by providing an update on the Iranian protests and the Women, Light, Freedom movement.

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

City Manager Wilson provided responses to the Councilmember comments. He announced upcoming events in the City.

He introduced Senior Administrative Analyst Erin Hamant who is the lead staff person along with City Manager Wilson on the City's GARE (Government Alliance on Race and Equity) program. The presentation provided an update on the City's racial justice initiative as well as, Diversity, Equity, and Inclusion work.

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

City Clerk Crowder stated that the fiscal impact on the Consent Calendar with the addition of Items 5.B., 5.C., 5.D., 5.E., and 6.A. was \$695,474 in expenditures, \$300,000 in revenues, and \$0 in waived fees.

City Clerk Crowder read the title for first reading of the ordinance that was moved to the Consent Calendar as Item 2.X (6.A).

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## 2. CONSENT CALENDAR:

**2.A., B., C., D., E., F., G., H., I., J., K., L., M., N., O., P., Q., R., S., T., U., V., W., and X. Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Erickson, and approved, noting the abstention of Councilmember Heilman on Items 2.F. and 2.G.**

### 2.A. POSTING OF AGENDA:

*SUBJECT: The agenda for the meeting of Monday, February 6, 2023., was posted at City Hall, Plummer Park, the Sheriff's Station, and at the West Hollywood Library on Wednesday, February 1, 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.*

**ACTION:** Approve the minutes of January 23, 2023. **Approved as part of the Consent Calendar.**

### 2.C. APPROVAL OF DEMAND REGISTER NO. 921 [L. QUIJANO, S. STEPHENS]:

*SUBJECT: The City Council shall receive the Demand Register for period ending January 27, 2023, pursuant to Sections 37201 to 37210 of the Government Code of the State of California.*

**ACTION:** Approve Demand Register No. 922 and adopt Resolution No. 23-010, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING PAYMENT OF DEMANDS PRESENTED ON DEMAND REGISTER NO. 922." **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. 23-02 (2ND READING) "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, ADOPTING AMENDMENTS TO VARIOUS PROVISIONS WITHIN TITLE 19 (ZONING) OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING ACCESSORY AND

**JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION STATUTORILY EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT” [M. CROWDER, L. MORALES]:**

*SUBJECT: The City Council will waive further reading and adopt Ordinance No. 23-02 amending Section 19.36.310 of Chapter 19.36 of Title 19, regarding accessory and junior accessory dwelling units of the West Hollywood Municipal Code and finding these actions not subject to and exempt from CEQA.*

**ACTION:** Waive further reading and adopt Ordinance No. 23-02, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, ADOPTING AMENDMENTS TO VARIOUS PROVISIONS WITHIN TITLE 19 (ZONING) OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING ACCESSORY AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION STATUTORILY EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT”. **Approved as part of the Consent Calendar.**

**2.F. ADOPT ORDINANCE NO. 23-03 (2ND READING) “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, APPROVING A ZONING MAP AMENDMENT IN CONJUNCTION WITH A DEVELOPMENT AGREEMENT FOR THE OFF-SITE ADVERTISING BILLBOARD REPLACEMENT AT 8465 SANTA MONICA BOULEVARD WEST HOLLYWOOD, CALIFORNIA” [M. CROWDER, L. MORALES]:**

*SUBJECT: The City Council will waive further reading and adopt Ordinance No. 23-03 approving a zoning map amendment in conjunction with a Development Agreement for the off-site advertising billboard replacement at 8465 Santa Monica Boulevard, West Hollywood California and finding these actions not subject to and exempt from CEQA.*

**ACTION:** Waive further reading and adopt Ordinance 23-03, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, APPROVING A ZONING MAP AMENDMENT IN CONJUNCTION WITH A DEVELOPMENT AGREEMENT FOR THE OFF-SITE ADVERTISING BILLBOARD REPLACEMENT AT 8465 SANTA MONICA BOULEVARD WEST HOLLYWOOD, CALIFORNIA”. **Approved as part of the Consent Calendar, noting the abstention of Councilmember Heilman.**

**2.G. ADOPT ORDINANCE NO. 23-04 (2ND READING) “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, APPROVING A DEVELOPMENT AGREEMENT IN CONJUNCTION WITH THE OFF-SITE ADVERTISING BILLBOARD REPLACEMENT AT 8465 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA” [M. CROWDER, L. MORALES]:**

*SUBJECT: The City Council will waive further reading and adopt Ordinance No. 23-04, regarding a Development Agreement in conjunction with the off-site advertising billboard replacement at 8465 Santa Monica Boulevard West Hollywood and finding these actions not subject to and exempt from CEQA.*

**ACTION:** Waive further reading and adopt Ordinance No. 23-04, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, APPROVING A DEVELOPMENT AGREEMENT IN CONJUNCTION WITH THE OFF-SITE ADVERTISING BILLBOARD REPLACEMENT AT 8465 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA". **Approved as part of the Consent Calendar, noting the abstention of Councilmember Heilman.**

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

*SUBJECT: The City Council will receive Synopses from the City's Commissions and Advisory Boards on the actions taken at their recent meetings.*

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

**2.I. CHANGE THE DATE OF THE JUNE CITY COUNCIL MEETINGS [J. JIMENEZ, M. CROWDER, L. MORALES]:**

*SUBJECT: The City Council will approve changing the June City Council meeting dates to June 12 and June 26 in consideration of West Hollywood Pride weekend.*

**ACTION:** Reschedule the June City Council meetings to June 12 and June 26. **Approved as part of the Consent Calendar.**

**2.J. 2023 LOS ANGELES MARATHON STREET CLOSURES [Y. QUARKER, C. SMITH, M. REATH, J. HEREDIA]:**

*SUBJECT: The City Council will consider approving street closures on portions of Sunset Boulevard, North San Vicente Boulevard, Santa Monica Boulevard and North Doheny Drive to accommodate the Los Angeles Marathon for its event on Sunday, March 19, 2023.*

**ACTIONS:** 1) Approve the closure of Sunset Boulevard between Marmont Lane and Clark Street/North San Vicente Boulevard on Sunday, March 19, 2023, from 4:00 a.m. to 2:00 p.m.; 2) Approve the closure of North San Vicente Boulevard between Sunset Boulevard and Melrose Avenue on Sunday, March 19, 2023, from 4:00 a.m. to 2:00 p.m.; 3) Approve the closure of Santa Monica Boulevard between La Cienega Boulevard and North Doheny Drive on Sunday, March 19, 2023, from 4:00 a.m. to 2:00 p.m.; 4) Approve the closure of North Doheny Drive between Santa Monica Boulevard and Beverly Boulevard on Sunday, March 19, 2023, from 4:00 a.m. to 2:00 p.m.; and 5) Authorize the City Manager or his designee to negotiate with event producers regarding additional route, programming, or sponsorship requests. **Approved as part of the Consent Calendar.**

**2.K. 2022-23 AWARD OF AGENCY DEVELOPMENT GRANTS [C. SCHROEDER, L. ISENBERG, D. MURRAY]:**

*SUBJECT: The City Council will receive a report on the 2022-23 funding awards for Social Services Agency Development Grants.*

**ACTIONS:** 1) Approve amendments to the Agreement for Services to modify the scope of services and increase the amount of the following agreements: a. Being Alive: Increase by \$5,000 for a total not-to-exceed amount of \$142,719, b. Disability Community Resource Center: Increase by \$5,000 for a total not-to-exceed amount of \$68,964, c. National Council of Jewish Women: Increase by \$5,000 for a total not-to-exceed amount of \$147,046, d. Pathways: Increase by \$10,000 for a total not-to-exceed amount of \$158,683; and 2) Authorize the City Manager or designee to execute documents incident to the agreement. **Approved as part of the Consent Calendar.**

**2.L. ASSIGNMENT AGREEMENT BETWEEN THE CITY OF WALNUT 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 Walnut.*

**ACTIONS:** 1) Approve an Assignment Agreement for a Proposition A local return fund exchange with the City of Walnut for \$210,000 in City of West Hollywood General Fund dollars in exchange for \$300,000 in City of Walnut 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 \$210,000 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.M. CONSTRUCTION AGREEMENT WITH GENTRY GENERAL ENGINEERING INC AND AMENDMENT NO. 12 TO THE AGREEMENT FOR SERVICES WITH MICHAEL BAKER INTERNATIONAL FOR THE ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDED SIDEWALK REPAIR PROJECT [S. CAMPBELL, J. GILMOUR, M. SOLOGUB]:**

*SUBJECT: The City Council will consider approval of a construction agreement with Gentry General Engineering, Inc to construct CIP No. 2301, Concrete Repair Program – Phase XII, CDBG Project No. 602482-22, and will consider amending the agreement for services with Michael Baker International for construction management and inspection services to increase the not-to-exceed amount of the Agreement.*

**ACTIONS:** 1) Approve a construction contract with Gentry General Engineering, Inc, in the amount of \$255,563 for the construction of CIP No. 2301, Concrete Repair Program – Phase XII, CDBG Project 602482-22, and authorize the City Manager or designee to execute documents incident to the agreement; 2) Authorize the City Engineer to approve change orders to the construction agreement in an amount not to exceed ~10%, (\$25,556), of the total agreement amount; 3) Approve Amendment No. 12 to the agreement for services with Michael Baker International to

increase the amount of the agreement by \$51,855.00 for a total not-to-exceed amount of \$878,205.83 and authorize the City Manager or designee to execute documents incident to the agreement; 4) Adopt Resolution No. 23-011, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF CIP 2301, CONCRETE REPAIR PROGRAM – PHASE XII, CDBG PROJECT NO. 602482-22, PURSUANT TO GOVERNMENT CODE SECTION 830.6;" and 5) Make a finding that pursuant to the provisions of the California Environmental Quality Act (CEQA – Public Resources Code, Section 21084 et. Seq.), CIP No. 2301, Concrete Repair Program – Phase XII, CDBG Project No. 602482-22, meets the requirements for a categorical exemption in compliance with Article 19, Section 15301, (Class 1 – Existing Facilities). **Approved as part of the Consent Calendar.**

**2.N. AMENDMENT TO THE AGREEMENT FOR FIRE AND LIFE SAFETY SERVICES WITH MAJESTIC FIRE PROTECTION, INC. [S. CAMPBELL, H. COLLINS, E. HAMANT]:**

*SUBJECT: The City Council will consider approving an Amendment to the Agreement with Majestic Fire Protection, Inc. to increase the not-to-exceed amount of the Agreement for fire and life safety systems, equipment, and repairs as identified in the annual Title 19 inspections at City facilities.*

**ACTIONS:** 1) Approve Amendment No. 9 to the Agreement with Majestic Fire Protection, Inc. to provide citywide fire life safety systems services for an increased amount of \$50,000 and a new total not-to-exceed amount of \$729,000; and 2) Authorize the City Manager or designee to execute documents incident to the amendment to the Agreements. **Approved as part of the Consent Calendar.**

**2.O. AMENDMENT NO. 2 TO THE AGREEMENT WITH HARDY & HARPER, INC. FOR STREET AND ALLEY MAINTENANCE & REPAIR SERVICES [S. CAMPBELL, H. COLLINS]:**

*SUBJECT: The City Council will consider approving an amendment to the Agreement to amend the Exhibit A, Scope of Services, to allow proposals for related street, sidewalk, and alley work not included in the original on-call unit price bid.*

**ACTIONS:** 1) Approve Amendment No. 2 to the Agreement with Hardy & Harper, Inc., to provide street and alley maintenance and repair services by amending the Exhibit A, Scope of Services, to allow proposals for related street, sidewalk, and alley work not included in the original on-call unit price bid; and 2) Authorize the City Manager or designee to execute documents incident to the amendments to the Agreements. **Approved as part of the Consent Calendar.**

**2.P. RESOLUTION APPROVING THE SEWER SYSTEM MANAGEMENT PLAN (SSMP) [S. CAMPBELL, J. GILMOUR]:**

*SUBJECT: The City Council will consider a resolution approving the Sewer System Management Plan.*

**ACTION:** Adopt Resolution No. 23-012 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE SEWER SYSTEM MANAGEMENT PLAN (SSMP), AS REQUIRED BY THE STATE WATER RESOURCES CONTROL BOARD ORDER NO. 2006-0003-DWQ". **Approved as part of the Consent Calendar.**

**2.Q. RESOLUTION AMENDING THE CITY COUNCIL RULES FOR THE CONDUCT OF CITY COUNCIL MEETINGS AND REVISING THE CITY COUNCIL BYLAWS [M. CROWDER, L. MORALES, L. LANGER]:**

*SUBJECT: At the January 23, 2023 City Council meeting, the City Council approved an item directing the City Clerk to amend the City Council bylaws, which are included in Resolution 13-4451 as Attachment A.*

**ACTION:** It is recommended that the City Council rescind Resolution No. 13-4451 and adopt Resolution No. 23-013 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING RULES FOR THE CONDUCT OF CITY COUNCIL MEETINGS AND RESCINDING RESOLUTION NO. 13-4451" removing the first Councilmember Comment section. **Approved as part of the Consent Calendar.**

**2.R. APPOINTMENT OF CITY COUNCILMEMBER AS ALTERNATE TO THE SANTA MONICA BAY WATERSHED COUNCIL AND TO THE CITY PLAYHOUSE DESIGN STEERING SUBCOMMITTEE [J. JIMENEZ, M. CROWDER, L. MORALES]:**

*SUBJECT: The City Council will consider appointing Councilmember Byers as alternate to the Santa Monica Bay Watershed Agency and subcommittee member to the City Playhouse Subcommittee.*

**ACTIONS:** 1) Appoint Councilmember Byers as Alternate to the Santa Monica Bay Watershed Council; and 2) Appoint Councilmember Byers as Subcommittee Member to the City Playhouse Design Steering Committee (Ad Hoc). **Approved as part of the Consent Calendar.**

**2.S. AMEND THE CITY COUNCILMEMBER LIST OF PRE-APPROVED ORGANIZATIONS/EVENTS TO INCLUDE USC PRICE EXECUTIVE EDUCATION FORUM [C. BYERS, Y. QUARKER, A. LOVANO]:**

*SUBJECT: The City Council will consider amending the City Councilmember list of pre-approved organizations and events to include the USC Price Executive Education Forum for Local Leaders.*

**ACTION:** Approve the addition of the USC Price Executive Education Forum for Local Leaders to the list of pre-approved organizations and events that members of the City Council are permitted to attend each year. **Approved as part of the Consent Calendar.**

**2.T. (5.B.) SUNSET AND LA CIENEGA BOULEVARD INTERSECTION DESIGN & ENGINEERING STUDY – PHASE ONE [J. ROCCO, R. ABRAMSON, G. YOLLES, S. CAMPBELL, J. GILMOUR]:**

*SUBJECT: The City Council will receive a report and recommendations to move forward with improvements to reduce crossing distances and slope within the crosswalks, and to enhance the safety and walkability at pedestrian zones adjacent to the intersection at Sunset Boulevard and La Cienega Boulevard.*

**ACTIONS:** 1) Receive report and provide input and feedback as needed; and 2) Direct staff to move forward with retaining Psomas as a consulting team to develop design and engineering drawings to improve the Sunset Boulevard and La Cienega Boulevard intersection. **Approved as part of the consent calendar.**

**2.U. (5.C.) SPONSORSHIP OF PANEL DISCUSSION ADDRESSING CHILD ABUSE AS PART OF THE HUMAN RIGHTS SPEAKERS SERIES [J. ERICKSON, Y. QUARKER, A. LOVANO, J. DEL TORO]:**

*SUBJECT: The City Council will consider sponsoring a panel discussion addressing child abuse in recognition of National Child Abuse Prevention Month as part of the Human Rights Speakers Series.*

**ACTIONS:** 1) Approve the sponsorship of a Human Rights Speakers Series panel discussion addressing child abuse in recognition of National Child Abuse Prevention Month; 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 events including, but not limited to, the City's website, a press release, and social media tools; and 4) Authorize the Director of Finance and Technology Services to allocate \$3,000 from unallocated General Fund reserves to the Arts Account 100-1-10-12-531001 and increase the budget for Fiscal Year 2022-23 for the Human Rights Speaker Series by the same amount. **Approved as part of the consent calendar.**

**2.V. (5.D) UNIT SWAP PROGRAM IN RENT STABILIZED UNITS [S. SHYNE, J. ERICKSON, Y. QUARKER, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to evaluate possible local incentives to encourage a unit swap program in West Hollywood, whereby a resident with limited mobility who lives in an upper floor of a rent stabilized building could move to a lower floor unit in the same building and maintain the same rent.*

**ACTIONS:** 1) Direct staff to evaluate possible local incentives to encourage landlords to allow unit swaps, whereby a resident with limited mobility who lives in an upper floor of a rent stabilized building could move to a lower floor unit in the same building and maintain the same rent; and 2) Direct staff to continue to lobby for legislation to require unit swaps or provide state incentives to encourage landlord participation in a unit swap program. **Approved as part of the consent calendar.**

**2.W. (5.E.) SPONSORSHIP OF PANEL DISCUSSION OF DOCUMENTARY MOTHERLAND [S. SHYNE, Y. QUARKER, A. LOVANO, J. DEL TORO, J. DUCKWORTH]:**

*SUBJECT: The City Council will consider sponsoring a film screening and panel discussion of the documentary Motherland. The exact date of the event is still being determined, but it is expected to take place in March 2023 in the City Council Chambers.*

**ACTIONS:** 1) Approve the sponsorship of a film screening and discussion of the documentary Motherland in the City Council Chambers; 2) Authorize the use of the City name and logo on invitations, programs, and other collateral materials; 3) Direct the Communications Department to utilize all appropriate communication tools to promote the event, such as the City's website and social media tools; 4) Authorize the Director of Finance and Technology Services to allocate \$2,000 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 \$2,000 from Fiscal Year 2022-23 funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with technical support (Waveguide) and marketing.  
**Approved as part of the consent calendar.**

**2.X. (6.A) AN ORDINANCE OF THE CITY COUNCIL 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 [S. CAMPBELL, J. GILMOUR, M. MAGENER]:**

*SUBJECT: The purpose of this item is to introduce on first reading an Ordinance to amend Chapter 15.56 of Title 15 of the West Hollywood Municipal Code relating to Storm Water and Urban Runoff Pollution Control in order to ensure that the provisions of R4-2021-0105 (NPDES Permit No. CAS004004) is properly codified in the municipal code.*

**ACTION:** Introduce on first reading Ordinance No 23-05, "AN ORDINANCE OF THE CITY COUNCIL 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.**

**4. UNFINISHED BUSINESS:**

**4.A. SANTA MONICA BOULEVARD PROTECTED BIKE LANES FEASIBILITY STUDY [J. KEHO, F. CONTRERAS, B. CHEUNG]:**

*SUBJECT: The City Council will receive a presentation on the Santa Monica Boulevard Protected Bike Lanes Feasibility Study findings and*

*provide staff direction on the next steps. The proposed project is exempt from CEQA.*

Senior Transportation Planner Bob Cheung, Planning Manager Francisco Contreras, and Director of Planning and Development Services John Keho provided background information as outlined in the staff report dated February 6, 2023.

Councilmember Heilman asked if there was an estimated cost to have protected bike lanes added on the west side. Mr. Cheung responded the estimated cost was \$22 million.

Councilmember Byers inquired if the cost includes the artwork and irrigation systems with staff affirming the rough estimate noted above did include these items.

KEVIN BURTON, spoke on strongly supporting class 4 lanes to reduce risks for bike riders.

ANNIE JUMP VICENTE, WEST HOLLYWOOD, commented on the dangers of the width of proposed protected bike lanes.

JOSH KURPIES, WEST HOLLYWOOD, spoke in support of this item.

KIMBERLY WINICK, WEST HOLLYWOOD, spoke on the need to increase the safety for bicyclists and scooters noting staff's recommendations were good and suggested bike lanes be highly visible while also taking into account the quality of roads overall.

HELEN KRIEGER, WEST HOLLYWOOD, recommended a further study be conducted by the Block by Block stating it was an overall good bike plan.

KAREN O'KEEFE, WEST HOLLYWOOD, spoke in support of protected bike lanes.

MARC F., WEST HOLLYWOOD, spoke in support of protected bike lanes,

ALEX CRUZ, HOLLYWOOD, spoke in support of bike lanes and suggested reducing car lanes.

Mayor Pro Tempore Erickson thanked staff for their report and thanked the speakers for their comments, noting that the block by block analysis was a good suggestion and requesting staff conduct the study. He expressed his support for recommendation one on the agenda.

Councilmember Byers spoke in agreement with the westside have protected bike lanes and in support of utilizing on-street parking for the protected bike lanes.

Councilmember Meister inquired if staff conducted a traffic study taking into account the width of the bike lanes proposed with staff providing an in-depth explanation and options to divert traffic congestion issues. She stated she was in support to make bike lanes more visible and supported bike lanes on eastside.

Councilmember Heilman expressed concerns on the impact it would have on businesses, costs, and the quality of life for the community highlighting apprehensions surrounding loading zones for businesses and parking for the disabled. He expressed supporting bike lanes with reasonable accommodations.

Mayor Shyne inquired with City Manager Wilson if funding opportunities were available. Mr. Wilson indicated that if the item is approved that staff will need to work on funding strategy which may include lobbying our County, State, and Federal representatives. Mayor Shyne reiterated the importance of safety for all and spoke in support of the item with the addition of further analysis and outreach.

**ACTIONS:** 1) Approve additional study of the western segment of Santa Monica Boulevard to upgrade current bike lanes to protected bike lanes; and 2) Direct staff to proceed with studies to identify north/south connections from Santa Monica Boulevard to Fountain Avenue and Willoughby Avenue. 3) Direct staff conduct robust outreach to businesses and community members. 4) Direct staff proceed with a block-by block analysis. **Motion by Mayor Pro Tempore Erickson, seconded by Councilmember Byers, and approved noting the “no” votes Councilmembers Heilman and Meister.**

*\*The City Council recessed at 7:58 p.m. and reconvened at 8:06 pm.*

## 5. NEW BUSINESS:

### 5.A. PROPOSED PERMANENT OUTDOOR DINING POLICY AND AMENDMENT TO CHAPTER 11.28 OF THE WEST HOLLYWOOD MUNICIPAL CODE [J. ROCCO, R. ABRAMSON, G. YOLLES, J. KEHO, S. CAMPBELL, J. GILMOUR]:

*SUBJECT: The City Council will consider updating the City’s existing outdoor dining policy, and amending Chapter 11.28 of the West Hollywood Municipal Code to reflect those updates.*

Director of Planning and Development Services John Keho, Urban Design & Architecture Studio Manager Ric Abramson, and Deputy City Manager

Jackie Rocco provided background information as outlined in the staff report dated February 6, 2023.

Mayor Shyne inquired if staff took the concerns expressed by the Disabilities Advisory Board into consideration. Mr. Abramson confirmed that staff did consider the concerns. She also inquired about the lease arrangement with the tenant. Ms. Rocco responded to this inquiry. She inquired about where most of the OUT Zones are located. Mr. Keho responded. She further inquired about utilizing the space of an adjacent business by another business. Ms. Rocco responded.

Mayor Pro Tempore Erickson inquired if the OUT Zone is removed if the tenant is no longer at the site. Ms. Rocco and Mr. Keho responded.

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke in opposition of the item.

MANNY RODRIGUEZ, WEST HOLLYWOOD, spoke in opposition of the Item and requested that the City return to the pre-pandemic outdoor dining policy.

TODD GHAZALIM, WEST HOLLYWOOD, spoke in support of an alternative solution.

RICK WATTS, WEST HOLLYWOOD, commented on additional issues that needed to be factored in such as, bike and scooter lanes, parking issues, and enforcement.

JACOB SHAW, WEST HOLLYWOOD, expressed gratitude to the City Council for their support during the pandemic and in support of the item.

ALLISON FREED, WEST HOLLYWOOD, spoke in support of the item.

ISAAC SOLEMAN, WEST HOLLYWOOD, spoke in opposition of the item and concerns at the Dialog Cafe.

GENEVIEVE MORRILL, on behalf of the West Hollywood Chamber of Commerce, thanked the City Council for moving this item forward and requested each business be considered on a case-by-case basis.

WALTER SCHILL, WEST HOLLYWOOD, requested the application process be streamlined option for outdoor dining permits.

DIMITRI KERMANI, spoke in support of the item.

ELYSE EISENBERG, WEST HOLLYWOOD, echoed other speakers concerns on spaces too small to support permanent outdoor dining.

HUNTER HALL, spoke on the expenses to the tenant(s) to accommodate outdoor dining regulations.

MIKIE FRIEDMAN, WEST HOLLYWOOD, spoke regarding concerns with accessibility for the disabled community.

Councilmember Heilman noted that the item is amending the City's existing Outdoor Dining policy to accommodate different types of outdoor dining. He expressed concern with allowing outdoor dining in on-street parking spaces and felt it was not safe. He agrees with the comments that tenants should be allowed to utilize adjacent private property and supports a policy that would allow for this. Additionally, he mentioned the Dialog Café and the concerns expressed by some members of the public, and he requested that staff look at the location and make recommendations for changes. He commented that the item from staff addresses the access and safety concerns and thanked staff.

Councilmember Meister thanked staff for a thoughtful staff report and review of the City's current Outdoor Dining Policy. She commented on the decision by the City several years ago to widen the sidewalks and indicated that the space for pedestrians needs to be maintained. She further noted that utilizing the public right of way creates issues with access to utilities. She commented that there are many competing interests for use of the sidewalk. She agrees with allowing the expansion of the City's Outdoor Dining Policy if it keeps the space for pedestrians. She does not support placing outdoor dining in parking spaces in the public right of way. She indicated her support of the other items outlined in the staff report.

Councilmember Byers supports the case-by-case approach. She commented that she is comfortable with allowing outdoor dining in parking spaces in the public right of way. She indicated interest in hearing from staff what would need to occur for them to feel comfortable with tenants utilizing an adjacent private property for outdoor dining.

Mayor Pro Tempore Erickson spoke about the community created by the OUT Zones. He shared that he does not want to dictate what two private businesses do with their private property. He is supportive of expanding the Outdoor Dining Policy to allow for outdoor dining in the parking spaces in the public right of way. Additionally, he commented that our Outdoor Dining policy makes West Hollywood unique.

Mayor Shyne summarized the recommendations that the City Council has indicated support during the discussion.

Ms. Rocco clarified the use of an adjacent private property by a tenant for outdoor dining. Councilmember Heilman commented that there are legal instruments that can be used to address the concerns expressed by staff on this issue. City Attorney Langer noted that staff will revise the proposed ordinance to address this issue.

Mayor Shyne indicated her support for utilizing the parking spaces in the public right of way for outdoor dining. She expressed concern with the OUT Zone at the Dialog Café. She commented on the need to streamline the process since she has received complaints from applicants.

Councilmember Meister expressed concern with waiving the Fire Department review. She also expressed concern with allowing outdoor dining on the eastside along with bike lanes. She noted that there are a lot of competing interests.

Mayor Shyne commented that staff needs to be conscious of the installation of bike lanes when reviewing outdoor dining applications.

**ACTIONS:** 1) Adopt the amendment to the City's Outdoor Dining policy; 2) amend the policy to allow adjacent businesses to enter into agreements with one another for the use of private property for outdoor dining and direct the City Attorney to return with a revised ordinance; 3) allow use of parking spaces only where there are narrow sidewalks; 4) expedite the processing of the requests; and 5) Authorize the Director of Finance & Technology Services to allocate \$25,000 from unallocated reserves in General Fund to 100-3-40-41-531005 for the development of the Outdoor Dining Eligibility and Site Design Guide and related costs. **Motion by Councilmember Heilman, seconded by Mayor Shyne to table the item, and approved noting the "no" vote of Councilmember Meister.**

**5.B. (2.T) SUNSET AND LA CIENEGA BOULEVARD INTERSECTION DESIGN & ENGINEERING STUDY – PHASE ONE [J. ROCCO, R. ABRAMSON, G. YOLLES, S. CAMPBELL, J. GILMOUR]:**

*SUBJECT: The City Council will receive a report and recommendations to move forward with improvements to reduce crossing distances and slope within the crosswalks, and to enhance the safety and walkability at pedestrian zones adjacent to the intersection at Sunset Boulevard and La Cienega Boulevard.*

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

**5.C. (2.U) SPONSORSHIP OF PANEL DISCUSSION ADDRESSING CHILD ABUSE AS PART OF THE HUMAN RIGHTS SPEAKERS SERIES [J. ERICKSON, Y. QUARKER, A. LOVANO, J. DEL TORO]:**

*SUBJECT: The City Council will consider sponsoring a panel discussion addressing child abuse in recognition of National Child Abuse Prevention Month as part of the Human Rights Speakers Series.*

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

**5.D. (2.V) UNIT SWAP PROGRAM IN RENT STABILIZED UNITS [S. SHYNE, J. ERICKSON, Y. QUARKER, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to evaluate possible local incentives to encourage a unit swap program in West Hollywood, whereby a resident with limited mobility who lives in an upper floor of a rent stabilized building could move to a lower floor unit in the same building and maintain the same rent.*

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

**5.E. (2.W.) SPONSORSHIP OF PANEL DISCUSSION OF DOCUMENTARY MOTHERLAND [S. SHYNE, Y. QUARKER, A. LOVANO, J. DEL TORO, J. DUCKWORTH]:**

*SUBJECT: The City Council will consider sponsoring a film screening and panel discussion of the documentary Motherland. The exact date of the event is still being determined, but it is expected to take place in March 2023 in the City Council Chambers.*

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

**6. LEGISLATIVE:**

**6.A. (2.X) AN ORDINANCE OF THE CITY COUNCIL 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 [S. CAMPBELL, J. GILMOUR, M. MAGENER]:**

*SUBJECT: The purpose of this item is to introduce on first reading an Ordinance to amend Chapter 15.56 of Title 15 of the West Hollywood Municipal Code relating to Storm Water and Urban Runoff Pollution Control in order to ensure that the provisions of R4-2021-0105 (NPDES Permit No. CAS004004) is properly codified in the municipal code.*

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

**PUBLIC COMMENT:**

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke on various items on the agenda.

KEVIN BURTON, WEST HOLLYWOOD, requested the City Council bring back the closed captioning video monitor.

RICK WATTS, WEST HOLLYWOOD, thanked the City Council for approving Item 5.D. on the agenda and commented on Item 6.A.

WALTER SCHILL, WEST HOLLYWOOD, spoke further on the expansion of the City's outdoor dining program.

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**COUNCILMEMBER COMMENTS:**

Councilmember Meister commented on previous City Council items regarding dewatering and groundwater uses.

Councilmember Byers spoke on yielding the right of way to emergency vehicles and shared that the City Manager will provide a reminder to the community at the next meeting.

**ADJOURNMENT:** The City Council adjourned at 9:46 p.m. in memory of Elsie Sgambellone, Eunice Dwumfour, and the victims of the Turkey & Syria Earthquake to its next regular meeting, which will be on Tuesday, February 21, 2023, 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 21st day of February, 2023 by the following vote:

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

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 SEPI SHYNE, MAYOR

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