

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, APRIL 3, 2023
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

6:00 P.M. – REGULAR ADJOURNED MEETING

CALL TO ORDER: Mayor Shyne called the meeting to order at 6:00 p.m. and read the Land Acknowledgment.

PLEDGE OF ALLEGIANCE: Anthony Vulin 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 Janet Jimenez, City Clerk Crowder, and Assistant City Clerk Morales.

APPROVAL OF AGENDA:

Councilmember Meister requested that Items 5.A., 5.C., and 5.D. be moved to the Consent Calendar as Items 2.U., 2.V., and 2.W., respectively. She also requested that Item 2.H. be moved to Excluded Consent.

Motion by Councilmember Heilman, seconded by Councilmember Meister, to approve the April 3, 2023 agenda, as amended.

ADJOURNMENT MOTIONS:

Mayor Shyne requested that the meeting be adjourned in memory of Dr. Jaxson Cat Williams.

Mayor Pro Tempore Erickson requested that the meeting be adjourned in memory of Zinaida Mazin, the aunt of City employee Margarita Kustanovich.

PRESENTATIONS:

Mayor Shyne presented a Key to the City to Dr. Jaxson Cat Williams posthumously. Chaz Bono accepted the Key to the City on behalf of Dr. Williams.

Mayor Pro Tempore Erickson presented a Proclamation to Dawn McCoy from Loving Way in recognition of Child Abuse Prevention Month.

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Mayor Shyne presented a Proclamation to Brian Sonia-Wallace, the City's Poet Laureate, in honor of National Poetry Month.

1. PUBLIC COMMENT:

BRANDON BLAU, WEST HOLLYWOOD, spoke regarding Item 2.G. expressing concerns with the ALPR system privacy policies.

DAVID NASH, WEST HOLLYWOOD, spoke regarding the advocacy for Drag Queens, LGBTQ+, People with Disabilities, and the Senior community and invited the City Council and community to the *Boys Don't Wear Dresses* screening.

MIKIE FREEDMAN, CITY OF WEST HOLLYWOOD, spoke in opposition of scooter pilot program.

NICK ROYBAL, WEST HOLLYWOOD, spoke regarding his experience with child abuse and commented on a letter sent to Mayor Pro Tempore Erickson and Mayor Shyne.

ANTHONY VULIN, WEST HOLLYWOOD, spoke in support of the zone text amendment regarding microunits, in support of affordable housing, and his desire to continue serving on the Business License Commission.

ADAM DARVISH, WEST HOLLYWOOD, spoke in support of agenda items addressing quality of life and safety issues.

KEELY FIELD, WEST HOLLYWOOD, spoke regarding Item 4.C. and on her interest in advocating for assault victims.

LYNN RUSSELL, spoke regarding Item 2.P., and the need to assess this property from a historical point of view.

The following Citizen Position Slips were submitted on Consent Calendar items:

Victor Omelczenko, West Hollywood, in support of Items 2.S. and 2.T.

CITY MANAGER'S REPORT:

City Manager David Wilson thanked everyone who spoke under Public Comment. He responded to the inquiry under Public Comment regarding the use of the data collected as part of the ALPR program. He also noted that staff will reach out to Mr. Darvish to address the concerns expressed during his public comment. He reported that 183 employees attended the Bystander Intervention Training bringing the total number of people trained to 2,200 from 131 businesses.

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FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Crowder stated that the fiscal impact on the Consent Calendar with the addition of Items 5.A., 5.C., and 5.D. and the removal of Item 2.H. was \$2,280,490 in expenditures, \$0 in revenue, and (\$0) in waived fees.

2. CONSENT CALENDAR:

2.A.,B.,C.,D.,F.,G.,I.,K.,L.,M.,N.,O.,P.,R.,S.,T.,U.,V.,W. Motion by Councilmember Meister, seconded by Mayor Pro Tempore Erickson, and approved.

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Monday, April 3, 2023 was posted at City Hall, Plummer Park, the Sheriff's Station, and at the West Hollywood Library on Wednesday, March 29, 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 March 20, 2023. **Approved as part of the Consent Calendar.**

2.C. APPROVAL OF DEMAND REGISTER NO. 926 [L. QUIJANO, C. CORRALES, S. HERNANDEZ]:

SUBJECT: The City Council shall receive the Demand Register for period ending March 24, 2023 pursuant to Sections 37201 to 37210 of the Government Code of the State of California.

ACTION: Approve Demand Register No. 926 and adopt Resolution No. 23-027, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING PAYMENT OF DEMANDS PRESENTED ON DEMAND REGISTER NO. 926." **Approved as part of the Consent Calendar.**

2.D. ADOPT ORDINANCE NO. 23-11 (2ND READING) "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING PORTIONS OF TITLE 2, ARTICLE 1, SECTION 2.08.040 OF THE WEST HOLLYWOOD MUNICIPAL CODE" [M. CROWDER, J. JIMENEZ, L. MORALES]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 23-11, amending City Council Meeting start time defined in Chapter 2.08 of Title 2 or Article 1 of the West Hollywood Municipal Code.

ACTION: Waive further reading and adopt Ordinance No. 23-11, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING PORTIONS OF TITLE 2, ARTICLE 1, SECTION 2.08.040 OF THE WEST HOLLYWOOD MUNICIPAL CODE". **Approved as part of the Consent Calendar.**

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

SUBJECT: The City Council will receive Synopses from the Arts and Cultural Affairs Commission, Business License Commission, Historic Preservation Commission, Public Safety Commission, and Transportation & Mobility Commission regarding actions taken at their recent meetings.

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

2.F. UPDATE ON TEMPORARY CANNABIS EVENT FEES [J. ROCCO, D. RIVAS]:

SUBJECT: The City Council will receive an update regarding West Hollywood temporary cannabis event fees.

ACTIONS: 1) Receive an update regarding West Hollywood temporary cannabis event fees; 2) Approve the exclusion of temporary cannabis event fees from the waiver of Special Event Permit fees and Encroachment Permit fees for City businesses hosting events on June 2, 2023, June 3, 2023, or June 4, 2023, in celebration of WeHo Pride; and 3) Approve the waiver of Los Angeles County Fire Department site plan review fees in an amount estimated at \$2,500 for City businesses hosting events on June 2, 2023, June 3, 2023, or June 4, 2023, in celebration of WeHo Pride. **Approved as part of the Consent Calendar.**

2.G. AGREEMENT FOR SERVICES WITH FLOCK GROUP INC. FOR AN AUTOMATED LICENSE PLATE READER (ALPR) CAMERA SUBSCRIPTION [D. RIVAS]:

SUBJECT: The City Council will consider the approval of an agreement for services with Flock Group Inc. to purchase the subscription for Automated License Plate Reader (ALPR) cameras for deployment in West Hollywood.

ACTIONS: 1) Approve an Agreement for Services with Flock Group Inc. to purchase the subscription for Automated License Plate Reader (ALPR) cameras for up to five years for a total not-to-exceed amount of \$501,150 (\$111,150 for first year including installation costs and \$97,500 every year after); and 2) Authorize the City Manager, or designee, to execute all documents incident to the Agreement. **Approved as part of the Consent Calendar.**

2.H. AGREEMENT FOR SERVICES WITH FRANCIS KRAHE & ASSOCIATES TO CONDUCT A LIGHTING STUDY FOR PROPOSED BILLBOARDS ON SUNSET BOULEVARD [J. KEHO, B. LEAGUE, J. ALKIRE, J. DAVIS]:

SUBJECT: The City Council will consider approval of an agreement with Francis Krahe & Associates (FKA) to provide a lighting study, analyzing the proposed billboards on Sunset Boulevard.

ACTION: This Item was moved to Excluded Consent.

- 2.I. AMENDMENT TO THE AGREEMENT FOR SECURITY ACCESS CONTROL SERVICES WITH ENTERPRISE SECURITY, INC. [S. CAMPBELL, H. COLLINS, E. HAMANT]:**
SUBJECT: The City Council will consider approving Amendment No. 3 with Enterprise Security, Inc. to provide security access control services.
ACTIONS: 1) Approve Amendment No. 3 to the Agreement with Enterprise Security, Inc. to provide security access control services for an increased amount of \$250,000 and a new total not-to-exceed amount of \$1,223,000; and 2) Authorize the City Manager or designee to execute documents incident to the award of the Amendment. **Approved as part of the Consent Calendar.**
- 2.J. AMENDMENT TO THE AGREEMENT FOR ON-CALL PLUMBING AND DRAIN REPAIR SERVICES WITH H.L. MOE CO. INC. [S. CAMPBELL, H. COLLINS, E. HAMANT]:**
SUBJECT: The City Council will consider approving Amendment No. 2 with H.L. Moe. Co. Inc. to provide on-call plumbing and drain repair services.
ACTIONS: 1) Approve Amendment No. 2 to the Agreement with H.L. Moe Co. Inc. to provide on-call plumbing and drain repair services for an increased amount of \$25,000 and a new total not-to-exceed amount of \$122,600 and extend the term of the Agreement by 36 months; and 2) Authorize the City Manager or designee to execute documents incident to the award of the Amendment. **Approved as part of the Consent Calendar.**
- 2.K. AMENDMENT TO THE AGREEMENT FOR ROLL-UP & INDUSTRIAL DOOR MAINTENANCE SERVICES WITH R&S OVERHEAD DOORS OF SOUTH BAY, INC. [S. CAMPBELL, H. COLLINS, E. HAMANT]:**
SUBJECT: The City Council will consider approving Amendment No. 5 with R&S Overhead Doors of South Bay, Inc. to provide roll-up and industrial door maintenance services.
ACTIONS: 1) Approve Amendment No. 5 to the Agreement with R&S Overhead Doors of South Bay, Inc. to provide roll-up and industrial door maintenance services for an increased amount of \$55,000 and a new total not-to-exceed amount of \$145,000; and 2) Authorize the City Manager or designee to execute documents incident to the award of the Amendment. **Approved as part of the Consent Calendar.**
- 2.L. AMENDMENT TO THE AGREEMENT FOR AUDIO VISUAL TECHNICAL SUPPORT SERVICES WITH WAVEGUIDE LLC [S. CAMPBELL, H. COLLINS, E. HAMANT]:**
SUBJECT: The City Council will consider approving Amendment No. 3 with Waveguide LLC to provide on-call audio visual technical support services.
ACTIONS: 1) Approve Amendment No. 3 to the Agreement with Waveguide LLC to provide on-call audio visual technical support services

for an increased amount of \$50,000 and a new total not-to-exceed amount of \$310,000; and 2) Authorize the City Manager or designee to execute documents incident to the award of the Amendment. **Approved as part of the Consent Calendar.**

2.M. AMENDMENT NO. 2 TO THE PURCHASE ORDER FOR CITYWIDE HVAC SERVICES WITH JOHNSON CONTROLS, INC. [S. CAMPBELL, H. COLLINS, E. HAMANT]:

SUBJECT: The City Council will consider increasing the Purchase Order issuance authorization amount with Johnson Control, Inc., pursuant to the Sourcewell Collaborative Agreement, to provide citywide HVAC services.

ACTION: Authorize staff to increase the Purchase Order issuance authorization amount with Johnson Controls, Inc., pursuant to the Sourcewell Collaborative Agreement, to provide citywide HVAC services by \$330,000 for a new total not-to-exceed amount of \$930,000. **Approved as part of the Consent Calendar.**

2.N. AMENDMENT NO. 5 TO THE AGREEMENT FOR SERVICES WITH WESTERN AUDIO VISUAL [L. QUIJANO, E. TSIPIIS, K. DEVINE]:

SUBJECT: The City Council will consider amending the agreement with Western Audio Visual for teleconferencing equipment installation and maintenance services in City conference rooms.

ACTIONS: 1) Approve Amendment No. 5 to the agreement for services with Western Audio Visual to increase the amount of the agreement by \$100,000 for a total not-to-exceed amount of \$298,000 to cover the cost of the Audio Visual Equipment upgrades; and 2) Authorize the City Manager or designee to execute documents incident to this Lease Agreement. **Approved as part of the Consent Calendar.**

2.O. AUTHORIZE THE USE OF COOPERATIVE PURCHASING AGREEMENT WITH ATI RESTORATION, LLC FOR DISASTER RELIEF AND RELATED EMERGENCY RESPONSE SERVICES [S. CAMPBELL, H. COLLINS, E. HAMANT]:

SUBJECT: The City Council will consider authorizing the use of the Omnia Partners cooperative purchasing agreement with ATI Restoration, LLC to provide disaster relief and related emergency response services.

ACTION: Authorize the Finance & Technology Services Department to issue Purchase Orders to ATI Restoration, LLC, pursuant to the Omnia Partners Collaborative Agreement, to provide disaster relief and related emergency response services in a total amount not-to-exceed \$100,000. **Approved as part of the Consent Calendar.**

2.P. AWARD OF AGREEMENT FOR DESIGN SERVICES FOR THE LAUREL HOUSE ARTIST IN RESIDENCE RENOVATION PROJECT [J. ROCCO, B. LEAGUE, R. EHEMANN, A. BARTLE]:

SUBJECT: The City Council will consider the award of an Agreement to Page and Turnbull, Inc., to provide Design Services – Laurel House Artist in Residence Project.

ACTIONS: 1) Approve an Agreement with Page and Turnbull, Inc., to provide design services for the Laurel House Artist in Residence Renovation Project in the amount of \$195,284 and include a 20% contingency for related services in the amount of \$39,056 for a total not-to-exceed amount of \$234,340; and 2) Authorize the City Manager, or designee, to execute all documents incident to the Agreement. **Approved as part of the Consent Calendar.**

2.Q. NAMING REQUEST FOR THE INTERSECTION OF LEXINGTON AVENUE AND LA BREA AVENUE [S. CAMPBELL, H. COLLINS]:

SUBJECT: The City Council will consider the request to name the intersection at Lexington Avenue and La Brea Avenue as the “Shalom Peace Square.”

ACTION: Direct the Public Facilities Commission to follow the procedure as outlined in the City’s Naming Policy to consider the ceremonial naming request to designate the intersection at Lexington Avenue and La Brea Avenue as “Shalom Peace Square” and return to the City Council at its April 17th, 2023, meeting for a final determination. **Approved as part of the Consent Calendar.**

2.R. RECOGNITION OF NATIONAL SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH 2023 [Y. QUARKER, A. LOVANO, L. FOOKS, D. RIVAS]:

SUBJECT: The West Hollywood City Council will consider recognizing April as National Sexual Assault Awareness and Prevention Month.

ACTIONS: 1) Direct staff to coordinate appropriate awareness activities for National Sexual Assault Awareness and Prevention Month; 2) Light up City Hall and the City’s lanterns over Santa Monica Boulevard in the color teal blue and white from April 2-10, 2023; and 3) Direct the Communications Department to utilize all appropriate communications tools to promote the City’s recognition of National Sexual Assault Awareness and Prevention Month. **Approved as part of the Consent Calendar.**

2.S. A RESOLUTION TO COMMEMORATE THE VICTIMS OF THE ARMENIAN GENOCIDE AND TO CONDEMN MASS ATROCITIES AND HUMAN RIGHTS VIOLATIONS AGAINST ANY PEOPLE [S. SHYNE, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider adopting a resolution to commemorate the victims of the Armenian Genocide and to condemn mass atrocities and human rights violations against any people.

ACTION: Adopt Resolution No. 23-028 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD TO COMMEMORATE THE VICTIMS OF THE ARMENIAN GENOCIDE ON APRIL 24TH AND

TO CONDEMN MASS ATROCITIES AND HUMAN RIGHTS VIOLATIONS AGAINST ANY PEOPLE.” **Approved as part of the Consent Calendar.**

2.T. A RESOLUTION IN RECOGNITION OF APRIL AS LIBRARY APPRECIATION MONTH IN THE CITY OF WEST HOLLYWOOD [J. ERICKSON, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider adopting a resolution recognizing the month of April as Library Appreciation Month in the City of West Hollywood to honor and celebrate the valuable role libraries, librarians, and library staff play in transforming lives and strengthening communities.

ACTIONS: 1) Adopt Resolution No. 23-029, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN RECOGNITION OF APRIL AS LIBRARY APPRECIATION MONTH;” and 2) Direct the Communications Department to utilize all appropriate communication tools, including, the City’s website and social media channels to promote Library Appreciation Month in the City of West Hollywood. **Approved as part of the Consent Calendar.**

2.U. (5.A.) APPROVAL OF UPDATE TO PUBLIC OFFICIALS EXPENSE REIMBURSEMENT POLICY PURSUANT TO AB 1234 (GOVERNMENT CODE SECTIONS 53232. 2 AND 53232. 3) AND INCORPORATE LIST OF CITIES AND STATES BANNED FROM CITY-SPONSORED TRAVEL [L. LANGER, D. WILSON]:

SUBJECT: The City Council will consider adopting a resolution updating and clarifying the expense reimbursement policy applicable to elected and appointed officials of the City (most recently updated by the City Council as Resolution 15-4766) in compliance with Government Code Sections 53232. 2 and 53232. 3, to reflect subsequent changes in the City’s fiscal policies.

ACTIONS: 1) Adopt Resolution No. 23-030 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD UPDATING THE CITY’S PUBLIC OFFICIALS EXPENSE REIMBURSEMENT POLICY; and 2) Incorporate the list of City Council adopted resolutions banning City-sponsored travel to certain cities/states due to those cities’/states’ laws and policies that are counter to West Hollywood’s progressive values and policies. **Approved as part of the Consent Calendar.**

2.V. (5.C.) HUMANE AND SUSTAINABLE BEE REMOVAL [J. ERICKSON, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider directing staff and the City Attorney to research an ordinance to require the humane and sustainable removal of bees.

ACTIONS: 1) Direct the City Attorney to research and analyze establishing a local ordinance to require the humane and sustainable removal of bees; and 2) If the research determines that the ordinance is appropriate and defensible, return to City Council with the results of the

analysis and recommendations for further consideration. **Approved as part of the Consent Calendar.**

2.W. (5.D.) COMMUNITY EDUCATIONAL FORUM ON PSILOCYBIN [J. ERICKSON, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider sponsoring a community educational forum on psilocybin, including discussion on previous and current legislation aimed at decriminalizing psilocybin mushrooms and other hallucinogenic substances, as well as the City's efforts on this issue.

ACTIONS: 1) Approve sponsorship of a community educational forum on psilocybin, including discussion on legislative efforts to decriminalize psilocybin mushrooms and other hallucinogenic substances; 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.**

3. PUBLIC HEARINGS:

3.A. AN ORDINANCE ADOPTING BY REFERENCE TITLE 32 – FIRE CODE - OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA FIRE CODE, 2022 EDITION [J. KEHO, B. GALAN]:

SUBJECT: The City Council will consider approving an Ordinance amending Chapters 14.04 (Fire Code Adoption) and 14.08 (High-Rise Building Requirements) of Title 14 of the West Hollywood Municipal Code. The proposed Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the State CEQA Guidelines, which provides that a project is exempt from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

City Clerk Crowder stated this item was noticed as required by law.

Building and Safety Manager Ben Galan provided background information as outlined in the staff report dated April 3, 2023.

Mayor Shyne closed the public hearing after no speakers were confirmed to provide public testimony on this item.

ACTION: Introduce on first reading, Ordinance No. 23-12, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING BY REFERENCE TITLE 32 – FIRE CODE - OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA FIRE CODE, 2022 EDITION; MAKING AMENDMENTS TO SAID CODE; AMENDING CHAPTERS 14.04 AND 14.08 OF TITLE 14 OF THE WEST HOLLYWOOD MUNICIPAL CODE.” **Motion by Councilmember Heilman, seconded by Councilmember Meister, and approved.**

3.B. APPEAL OF THE PLANNING COMMISSION’S APPROVAL TO DEMOLISH A ONE-STORY COMMERCIAL BUILDING AND CONSTRUCT A SIX-STORY MIXED-USE DEVELOPMENT CONTAINING 30 CONDOMINIUM DWELLING UNITS ABOVE 3,627 SQUARE FEET OF GROUND FLOOR COMMERCIAL SPACE OVER A SUBTERRANEAN GARAGE WITH 31 PARKING SPACES AT 8500 SANTA MONICA BOULEVARD, INCLUDING CONSIDERATION OF PROPOSED REVISIONS TO APPLICANT’S REQUESTED PROJECT ENTITLEMENTS AND SUBDIVISION MAP IN RESPONSE TO THE APPEAL [J. KEHO, J. ALKIRE, D. VU]:

SUBJECT: This item is regarding an appeal of the Planning Commission’s adoption of Resolution Nos. PC 22-1943 and PC 22-1494, which found the project to be exempt from CEQA under Section 15532 (In-fill Development Projects) and approved the demolition of an existing one-story commercial building and its billboard, and the construction of an approximately 33,159 square-foot, six-story, mixed-use building containing 30 dwelling units above approximately 3,627 square-feet of ground floor commercial space over a two-level subterranean garage with 31 parking spaces. The approval also included a subdivision to combine the large parcel at 8500 Santa Monica Boulevard with two adjacent parcels (APNs 4337-001-032, 4337-001-033) into one property, and subdivision of the 30 dwelling units into a condominium. The approved project included five units of on-site affordable housing and utilizes a density bonus, concessions, and waivers pursuant to West Hollywood Municipal Code § 19.22.050 and the State Density Bonus Law under Government Code § 65915. The Applicant has also proposed changes to the project entitlement and subdivision map in response to the appeal for consideration.

The City Councilmembers provided their disclosures.

City Clerk Crowder stated this item was noticed as required by law.

Senior Planner Doug Vu provided background information as outlined in the staff report dated April 3, 2023. He addressed the objections made by

appellant Allan Wilion, noting staff did not find errors or inadequate facts in the project based on their assessment of the evidence.

Councilmember Heilman inquired about the reduction in affordable housing units and requested further clarification from staff.

Mr. Vu provided an explanation on the new state law and the calculation used to reach the number of affordable housing units.

Councilmember Meister asked if the square footage of the project was modified. Mr. Vu indicated that the square footage was not reduced. She requested further explanation as to why this proposal has fewer square feet per unit than the project approved by the Planning Commission. Mr. Vu noted that the developer requested a waiver to modify the square footage per unit. Councilmember Meister asked City Attorney Langer if there was a formula based on waivers and/or concessions for affordable units. City Attorney Langer confirmed there is a formula based on state law limiting concessions, but waivers do not have a cap. Councilmember Meister also asked about permeability requirements.

A conversation ensued on concessions, waivers, and objective standards.

Additionally, Councilmember Meister inquired whether the submittal of this project included a licensed landscape architect and if the approval was contingent upon this provision. Mr. Vu provided clarification on the application language. Councilmember Meister noted that the Zoning Code appeared to not be consistent with the Development Application and that staff should take corrective action.

Councilmember Byers asked if the City did not meet the burden of denial based on the new state density bonus density laws. Mr. Vu responded to this inquiry.

Mayor Pro Tempore Erickson provided several scenarios if the City were to approve the appeal. He also mentioned the Housing Affordability Act and its requirements that the City must follow.

Mayor Shyne requested that the City's development permit application language be clarified to align with the language in the City's zoning code. She also requested that the applicant provide an additional rent stabilized unit. Ms. Paster indicated that the applicant would provide an additional moderate-income unit.

ALLAN WILION, APPELLANT, provided his argument in support of his appeal.

ELISA PASTER, ON BEHALF OF THE APPLICANT, outlined the applicants' proposed project and responded to comments and questions made by the City Council.

LYNN HOOPINGARNER, WEST HOLLYWOOD, spoke in support of the appeal.

AMY ZVI, WEST HOLLYWOOD, spoke in support of the appeal.

STEVE MARTIN, WEST HOLLYWOOD, commented on the integrity of a process for staff and the public to analyze these types of projects.

RICK WATTS, WEST HOLLYWOOD, spoke regarding the City moving forward via a due process hearing at the Planning Commission level.

CATHY BLAIVIS, WEST HOLLYWOOD, provided a neutral comment on the appeal and spoke on the housing crisis due to the lack of affordable units.

LYNN RUSSELL, WEST HOLLYWOOD, spoke regarding the legislative process of this appeal.

The following Citizen Position Slips were submitted on Item 3.B.:

VICTOR OMELCZENKO, WEST HOLLYWOOD, in support of the appeal.

MICHAEL HADDAD, WEST HOLLYWOOD, in support of the appeal.

Mr. Wilion provided his rebuttal noting that the project should be remanded back to the Planning Commission.

Ms. Paster provided her rebuttal indicating that the zoning code contemplates modifications to projects, confirmed that the applicant agrees to include an additional moderate-income unit, and that concessions and/or waivers do not set a precedent.

A discussion between the City Council, applicant, and City staff ensued regarding affordable housing, average unit size, and concessions based on the Housing Affordability Act.

Mayor Shyne requested that City Attorney Langer respond to the concerns expressed setting a precedence around developments utilizing non-contiguous parcels and redefining FAR. City Attorney Langer responded that every development application is reviewed based on the specifications of that project. She indicated that language could be incorporated into the Resolution so that FAR and non-contiguous parcels shall not set precedence.

Mayor Shyne closed the public testimony portion of the public hearing.

Councilmember Heilman spoke in support of moving forward with the project.

Councilmember Meister was in support of granting the appeal in part; however, seeing a lack of support for that option, she spoke in support of the project with language that addresses the non-contiguous partials and redefining the definition of FAR so that there is no precedent set by the Planning Commission decision. She also recommended that the definition of contiguous as “adjoining” be added to the Zoning Code so there is no question as to its meaning in the future. She also noted that even the Housing Accountability Acts talks about projects being consistent with objective, local development standards and that the definition of contiguous and the definition of FAR are basic objective standards that should not be waived.

Councilmember Byers also spoke in support of the project and language to avoid setting precedence for other developments.

Mayor Pro Tempore Erickson spoke in support of the project and in support of the additional moderate-income housing unit.

Mayor Shyne spoke in favor of denying the appeal and moving forward with the project.

Councilmember Heilman suggested adding the following language to the resolution: “As modified, this project does not include non-contiguous lots, and therefore, it should not be viewed as any precedent with respect to that issue”. Councilmember Meister requested that “no change to the definition of FAR” and this change was accepted. City Attorney Langer noted for the record that this language will be added to the Resolution at the end of Section 12; and revising the conditions in Sections 2.1 and 3.1 to read “five (5) onsite affordable units consisting of three (3) very low income, and two (2) moderate income units.” Planning Manager Jennifer Alkire requested that “any instance where we refer to four affordable housing units be changed to five with the breakdown of three (3) very low and two (2) moderate”. This was accepted.

The public hearing was closed as part of the motion.

ACTIONS: 1) Close the Public Hearing; 2) Adopt Resolution No. 23-031: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL FILED BY ALLAN WILION AND CONDITIONALLY APPROVING A REVISED APPLICATION FOR A DEMOLITION PERMIT AND DEVELOPMENT PERMIT TO DEMOLISH AN EXISTING COMMERCIAL BUILDING AND CONSTRUCT A SIX-

STORY MIXED-USE DEVELOPMENT CONTAINING APPROXIMATELY 3,627 SQUARE FEET OF GROUND FLOOR COMMERCIAL SPACE AND 30 RESIDENTIAL UNITS ABOVE A TWO-LEVEL SUBTERRANEAN GARAGE WITH 31 PARKING SPACES LOCATED AT 8500 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;” and 3) Adopt Resolution No. 23-032: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL FILED BY ALLAN WILION AND CONDITIONALLY APPROVING REVISED VESTING TENTATIVE TRACT MAP (MAJOR LAND DIVISION NO. 83369), FOR THE SUBDIVISION OF A 30-UNIT RESIDENTIAL BUILDING INTO A COMMON INTEREST DEVELOPMENT LOCATED AT 8500 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA.” **Motion by Councilmember Heilman, seconded by Mayor Shyne, and approved.**

The City Council recessed at 8:23, and reconvened at 8:32

4. UNFINISHED BUSINESS:

4.A. CITY OF WEST HOLLYWOOD HISTORICAL CONTEXT STUDY [Y. QUARKER, A. LOVANO, J. DUCKWORTH]:

SUBJECT: The City Council will receive and file the City of West Hollywood’s Historical Context Study prepared by Architectural Resources Group and provide further direction to staff if applicable.

Community & Legislative Affairs Manager Andi Lovano and Elysha Paluszek, of Architectural Resources Group, provided background information as outlined in the staff report dated April 3, 2023.

NICK ROYBAL, WEST HOLLYWOOD, thanked staff for their work and spoke regarding a tragic incident involving a transgender individual on Jan 16, 1985.

JERARD WRIGHT acknowledged the study’s findings and applauded the City Council for confronting this history and making a difference. Mr. Wright spoke on advocating for affordable housing and resources to best use Measure H funding.

VICTOR OMELCZENKO, WEST HOLLYWOOD, submitted a citizen’s position slip in support of this item.

KEITH KAPLAN, spoke in support of this item and spoke in support of housing opportunities and equality.

Mayor Por Tempore Erickson thanked staff for this study.

Councilmember Byers thanked the speakers and stated that she looked forward to the Social Justice Advisory Board furthering the mission to build a more inclusionary City.

Mayor Shyne stated she was proud that Council approved this study and spoke on the importance of celebrating the achievements of West Hollywood as well as recognizing the issues.

ACTIONS: 1) Receive and file; and 2) Provide any further direction to staff on the report or next steps, if applicable. **Motion by Councilmember Heilman, seconded by Councilmember Byers, and approved.**

4.B. WILLIAM S. HART PARK SITE IMPROVEMENTS [R. ABRAMSON, M. BARKER, S. CAMPBELL, H. COLLINS]:

SUBJECT: The City Council will consider a two-phase approach to improving Hart Park. Phase 1 Improvements include site access and disability upgrades, a reconfiguration and surface material replacement of the off-leash dog area, and associated enhancements identified during the community outreach process. Phase 2 Improvements for additional opportunities for enhancements that resulted from the community outreach process shall be considered through a Subcommittee led evaluation process.

Councilmember Byers requested a water bottle refilling station be included as part of the improvements to the park.

Councilmember Heilman asked about the AIDS Monument. Facilities and Field Services Manager Helen Collins provided an update on the monument.

The following Citizen Position Slip was submitted:

Victor Omelczenko, West Hollywood, in support of the Item.

Councilmember Byers and Mayor Pro Tempore Erickson were appointed to serve on the Council Ad Hoc Hart Subcommittee.

ACTIONS: 1) Direct staff to proceed with the recommended Phase 1 Improvements as follows: a) Upgrade all pedestrian path-of-travel routes and proceed with site accessibility barrier-removal improvements in locations identified in the Certified Access Specialist (CASp) Report, b) Reconfigure the off-leash dog area in accordance with the results of the community outreach process, c) Remove the existing wood chip surface material and replace it with dog-friendly synthetic turf, d) Retain a consultant to provide design and engineering services, to produce construction documents, and work with a Construction Manager to prepare a revised project cost estimate. Staff will return to Council upon

completion for approval of the final design and budget prior to proceeding with the bidding process for construction; 2) Appoint Councilmember Byers and Mayor Pro Tempore Erickson to the City Council Ad-Hoc Hart Park Subcommittee to evaluate, as a Phase 2 effort, concepts and potential enhancements that arose during the community outreach process, determine a scope of work to be explored by a consultant, and make recommendations to the City Council regarding additional desired improvements; and 3) Authorize the Director of Finance & Technology Services to allocate \$600,000 from unallocated reserves in the Park Development Fund for design, engineering, consulting, construction management services for the Phase 1 Improvements, additional studies as part of Phase 2, and related costs. **Motion by Councilmember Heilman, seconded by Councilmember Meister, and approved.**

4.C. COMMISSION AND ADVISORY BOARD APPOINTMENTS AND RE-APPOINTMENTS [J. JIMENEZ, M. CROWDER, L. MORALES]:

SUBJECT: The City Council will consider making direct appointments to City Commissions and Advisory Boards.

ACTIONS: Make new appointments or re-appointments to City Commissions and Advisory Boards with terms ending February 28, 2025, as follows: 1) **Councilmember Byers** made the following direct appointments: Business License Commission – **Mark Farhad Yusupov**, LGBTQ+ Commission – **Amber Whittington**, Public Safety Commission – **Joy Freiberg**, and Disabilities Advisory Board - **Margaret Mann**; 2) **Councilmember Heilman** made the following appointments: Business License Commission – **Jordan Cockeram**, Human Services Commission – **Sam Borelli**, Public Facilities, Infrastructure & Recreation Commission – **Richard Karliss**, Rent Stabilization Commission – **Kellan Martz**, Russian-Speaking Advisory Board – **Luybov Levitan**, Senior Advisory Board – **Nadia Sutton**, Women’s Advisory Board – **Angela De Silva**, and Transgender Advisory Board – **Karina Samala**; 3) **Mayor Pro Tempore Erickson** made the following appointments: Rent Stabilization Commission – **Tina Moore**, Disabilities Advisory Board - **Yola Dore**, and Women’s Advisory Board – **Melanie Elman**; and 4) **Mayor Shyne** made the following direct appointments: Arts & Cultural Affairs Commission – **Mito Aviles**, Business License Commission – **Danny Hang**, Historic Preservation Commission – **Michael King**, Human Services Commission – **Annie-Marie Williams**, LGBTQ+ Commission – **Nik Kacy**, Planning Commission – **David Gregoire**, Public Facilities, Recreation, & Infrastructure Commission – **Jake Mason**, Public Safety Commission – **Robert Saltzman**, Rent Stabilization Commission – **Zekiah Wright**, and Transportation & Mobility Commission – **Kimberly Winick**, Disabilities Advisory Board – **Anny Semonco**, Russian-Speaking Advisory Board – **Sasha Razor**, Senior Advisory Board – **Esther Baum**, Social Justice Advisory Board – **Shannon Morton**, Transgender Advisory Board – **Blossom Brown**, and Women’s Advisory Board – **Stevie Hall**.

5. NEW BUSINESS:

5.A. (2.U) APPROVAL OF UPDATE TO PUBLIC OFFICIALS EXPENSE REIMBURSEMENT POLICY PURSUANT TO AB 1234 (GOVERNMENT CODE SECTIONS 53232. 2 AND 53232. 3) AND INCORPORATE LIST OF CITIES AND STATES BANNED FROM CITY-SPONSORED TRAVEL [L. LANGER, D. WILSON]:

SUBJECT: The City Council will consider adopting a resolution updating and clarifying the expense reimbursement policy applicable to elected and appointed officials of the City (most recently updated by the City Council as Resolution 15-4766) in compliance with Government Code Sections 53232. 2 and 53232. 3, to reflect subsequent changes in the City's fiscal policies.

ACTION: This item was moved to Consent Calendar.

5.B. RECOGNITION AND APPRECIATION PLAQUE TO HONOR CITY COUNCILMEMBERS [J. ERICKSON, C. BYERS, Y. QUARKER, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to develop design options for a recognition and appreciation plaque honoring and remembering Councilmembers that served the City of West Hollywood.

Mayor Pro Tempore Erickson and Councilmember Byers provided their reasons for placing this item on the agenda.

Councilmember Heilman spoke on receiving comments that it was self-indulgent to approve this item; however, he agreed with providing direction to staff to research and come back with options.

Councilmember Meister requested a roster be uploaded to the City's website with historical data of Councilmembers and agreed to a simple plaque.

Mayor Shyne suggested an unveiling during West Hollywood Day, and she trusts staff to return with a creative solution.

ACTIONS: 1) Direct staff to develop design options for a recognition and appreciation plaque honoring and remembering City Councilmembers; 2) Return to City Council with an overview of potential options for the commemorative plaque, including designs for consideration and location prior to moving forward with installation; 3) Authorize the Director of Finance and Technology Services to allocate \$30,000 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 4) Authorize the Director of Finance and Technology Services to allocate \$30,000 from Fiscal Year 2022-23 funds in the Special Council Programs account number 100-1-01-00-531001 for

costs associated with the design and installation of the plaque. **Motion by Mayor Pro Tempore Erickson, seconded by Councilmember Heilman, and approved.**

5.C. (2.V.) HUMANE AND SUSTAINABLE BEE REMOVAL [J. ERICKSON, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider directing staff and the City Attorney to research an ordinance to require the humane and sustainable removal of bees.

ACTION: This item was moved to Consent Calendar.

5.D. (2.W.) COMMUNITY EDUCATIONAL FORUM ON PSILOCYBIN [J. ERICKSON, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider sponsoring a community educational forum on psilocybin, including discussion on previous and current legislation aimed at decriminalizing psilocybin mushrooms and other hallucinogenic substances, as well as the City's efforts on this issue.

ACTION: This item was moved to Consent Calendar.

EXCLUDED CONSENT CALENDAR:

2.H. AGREEMENT FOR SERVICES WITH FRANCIS KRAHE & ASSOCIATES TO CONDUCT A LIGHTING STUDY FOR PROPOSED BILLBOARDS ON SUNSET BOULEVARD [J. KEHO, B. LEAGUE, J. ALKIRE, J. DAVIS]:

SUBJECT: The City Council will consider approval of an agreement with Francis Krahe & Associates (FKA) to provide a lighting study, analyzing the proposed billboards on Sunset Boulevard.

Councilmember Meister requested that this item be pulled because the consultant indicated that the Sunset Strip billboards are classified as LZ4. Her understanding is that this requires approval by the state's Public Utilities Commission. Furthermore, she suggested that the study be approached in two ways – one in LZ4 and one in LZ3 so that we have context for both. She also would like it to address items in our Climate Action Plan. Further, she mentioned the skyglow impact on birds and requested that consultants and staff include in an environmental review to determine the impact on wildlife.

Councilmember Heilman inquired with staff if there are additional costs associated with Councilmember Meister's recommendation. Property Development Manager Brian League responded to this inquiry.

Senior Planner Jennifer Davis and Francis Krahe of Francis Krahe & Associates responded to Councilmember Meister's requests. Mr. Krahe indicated that the conditions on Sunset Boulevard is LZ4. He also

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responded to the questions about submitting this to the Public Utilities Commission.

ACTIONS: 1) Approve an agreement for services with Francis Krahe & Associates in the amount not to exceed \$111,400.00; 2) to conduct a lighting study for proposed billboards on Sunset Boulevard; and 3) Authorize the City Manager to execute all necessary documents related to the agreement. **Motion by Councilmember Heilman, seconded by Councilmember Heilman and approved.**

6. LEGISLATIVE: None.

PUBLIC COMMENT:

CATHY BLAVIS, WEST HOLLYWOOD, commented on the disadvantages of in person meetings and requested accommodations be made to enable the public to participate via Zoom.

RICK WATTS, WEST HOLLYWOOD, spoke regarding public meetings and requested the City make accommodations for the Disabilities Advisory Board and Senior Advisory Board to meet remotely.

SHANE NASH, WEST HOLLYWOOD, thanked the City Council for recognizing the Transgender community and commented on the negative impacts that a local blog has caused.

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

Councilmember Heilman wished everyone a Happy Easter, Passover, and Ramadan. He encouraged everyone to enjoy the holiday and spring.

Councilmember Meister reported her attendance at the Contract Cities ALADs dinner with Sheriff Luna. She presented an Introduction to Business Continuity Planning to the West Hollywood Chamber of Commerce. She also attended the Pet Mayor Installation. She wished everyone a happy holiday.

Councilmembers Byers reported her attendance at the Clean Power Alliance Energy Committee, the SCAG Safe Streets and Mobility Working Group, the National League of Cities in Washington DC, the Contract Cities ALADs dinner with Sheriff Luna, and a series of award events. She commented on the Transgender Day of Visibility event last Friday and the need to stand in unity with the Trans community. She commented on her visit with Congressman Schiff and recent legislation he has introduced to protect the Trans community. She shared that April is the Arts, Culture, and Creativity month in the State of California. She wished everyone a Happy Easter, Passover, and Ramadan as well as, a Happy Birthday to her mother.

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Mayor Pro Tempore Erickson reported his attendance at Mother Land film screening, the 100th anniversary event of the E.R.A., and the Women’s Leadership awards ceremony. He also attended the Women’s Advisory Board meeting to thank them for their work. He attended the National League of Cities in Washington DC. He shared information on his meeting with Congressman Adam Schiff. Additionally, he attended the Contract Cities ALAD’s dinner with Sheriff Luna who gave shoutouts to the City of West Hollywood. He thanked his colleagues for supporting his items. He shared that Barbara Meltzer was recognized as Woman of the Year by Adam Schiff for Congressional District 30. Finally, he requested that the City Manager and the City Attorney assess the City’s ability to accommodate the Disabilities and Senior Advisory Boards to allow for teleconferencing or meet in Council Chambers.

Mayor Shyne announced upcoming events in the City. She wished the community a Happy Easter, Passover, and Ramadan. She thanked her colleagues for supporting her items. She spoke about recent antisemitism as well as, hate speech directed at the Armenian community. She reported her LGBTQ Caucus meeting, the International Women’s Day rally at UCLA, moderated the Motherland film screening, Elton John AIDS Foundation event, the City Playhouse Design Steering Committee, Cal Cities Governance, Transparency, and Labor Relations Policy Committee, Iran with Love event, and the Nowruz celebration at the White House. She also attended the 100th anniversary of the ERA, the Women’s Leadership awards, and the installation of the Pet Mayor. She concluded her comments by sharing information on the protests in Iran as well as, addressing Mr. Nash’s comments about a local blog.

ADJOURNMENT: The City Council adjourned at 9:44 p.m. in memory of Dr. Jaxson Cat Williams and Zinaida Mazin to an adjourned regular meeting, which will be on Monday, April 17, 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 an adjourned regular meeting held this 17th day of April, 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:
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 MELISSA CROWDER, CITY CLERK