

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, OCTOBER 7, 2024
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

6:00 P.M. – REGULAR MEETING

CALL TO ORDER: Mayor Erickson called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE: Calla Harris led the Pledge of Allegiance.

ROLL CALL:

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

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

APPROVAL OF AGENDA:

Councilmember Heilman requested that Items E.1. and F.3. be moved to the Consent Calendar as Items B.23. and B.24., respectively.

Councilmember Meister requested D.1. be moved to the Consent Calendar as Item B.22.

Mayor Erickson requested that Item B.5. be moved to the Excluded Consent Calendar.

Meister indicated her “no” vote on Item B.7.

Motion by Councilmember Heilman, seconded by Vice Mayor Byers, and approved the October 7, 2024 agenda, as amended (5/0).

LEVINE ACT DISCLOSURES: None.

ADJOURNMENT MOTIONS:

Mayor Erickson requested that the meeting be adjourned in memory of Maggie Smith.

Councilmember Heilman requested that the meeting be adjourned in memory of Rita Imogene “Gene” Prang, the people who were lost last year in the Hamas attacks, and in the Middle East.

Mayor Erickson requested a Moment of Silence in recognition of the one-year anniversary of the Hamas attack in Israel.

PRESENTATIONS:

The City Council presented a Certificate to Calla Harris for leading the Pledge of Allegiance.

Mayor Erickson presented a Proclamation to Barbara Meltzer in honor of Ageism Day.

Vice Mayor Byers presented a Proclamation to the Women's Advisory Board in honor of Breast Cancer Awareness Month.

Councilmember Meister presented a Proclamation to the Neighborhood and Business Safety Division's Code Enforcement team in honor of Code Enforcement Officer Week.

Mayor Erickson presented a Proclamation to Cosmo honoring her as "The Queen of Melrose".

PUBLIC COMMENT:

ZEKIHA WRIGHT, WEST HOLLYWOOD, spoke regarding various City events that they attended over the weekend.

ADAM DARVISH, WEST HOLLYWOOD, spoke regarding Item B.10. as well as recent burglaries, unhoused community members, and the need for a cleaner and safer community.

ALLAN STRASBURG, WEST HOLLYWOOD, spoke regarding Item B.3. and the recent Public Records Request that he submitted to the City for more information related to the recent trip to the Paris Olympics by Mayor Erickson and City staff.

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke regarding money in politics and her concern that the City Council is not listening to her.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding the WEHO 40 Strategic Plan.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke regarding misleading political mailers by UNITE Here, safety concerns along Fountain Avenue if bike lanes are installed, and in support of Item B.10.

DAVID NASH, WEST HOLLYWOOD, spoke regarding his love for the month of October because it starts with Disabilities Awareness Month and ends with Halloween. He expressed his support for Mayor Erickson's re-election.

SAM BORELLI, on behalf of the Human Services Commission, spoke regarding supportive services for the City's community members living with disabilities.

MICHAEL RUSSNOW, WEST HOLLYWOOD, spoke regarding staff's recommendation to not install left turn lanes and encouraged that it be looked at from a community perspective rather than a traffic engineering standpoint.

CITY MANAGER'S REPORT:

City Manager David Wilson provided an update on the City's Care Team and services available to the community. He invited community members to visit www.weho.org/careteam for additional information. He encouraged the community to register to vote in the November 5th election and shared that the registration deadline is October 21st, and he invited the community to pick up the City's "vote" lawn signs in the Council Chambers lobby.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Crowder stated that the Fiscal Impact on the Consent Calendar with the addition of Items D.1., E.1., and F.3. and the removal of Item B.5. was \$4,312,720 in expenditures, \$19,937 in revenues, and (\$0) in waived fees.

City Clerk Crowder read the title of the Ordinance for Item B.22. into the record on first reading.

B. CONSENT CALENDAR:

B.1.,2.,3.,4.,6.,7.,8.,9.,10.,11.,12.,13.,14.,15.,16.,17.,18.,19.,20.,21.,22.,23.,24. Motion by Councilmember Heilman, seconded by Vice Mayor Byers, and approved (5/0), noting Councilmember Meister's "no" vote on Item B.7.

B.1. POSTING OF AGENDA [J. JIMENEZ, M. CROWDER, L. MORALES]:

SUBJECT: The agenda for the meeting of Monday, October 7, 2024 was posted at City Hall, Plummer Park, the Sheriff's Station, the West Hollywood Library, and the Aquatics & Recreation Center (ARC) on Wednesday, October 2, 2024

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

B.2. APPROVAL OF MINUTES [J. JIMENEZ, M. CROWDER, L. MORALES]:

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

ACTION: Approved the meeting minutes of September 16, 2024. **Approved as part of the Consent Calendar.**

B.3. APPROVAL OF DEMAND REGISTER NO. 955 [L. QUIJANO, C. CORRALES, S. HERNANDEZ]:

SUBJECT: The City Council shall receive the Demand Register for period ending September 27, 2024 pursuant to Sections 37201 to 37210 of the Government Code of the State of California.

ACTION: Approve Demand Register No. 956 and Adopt Resolution No. 24-093: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 956”. **Approved as part of the Consent Calendar.**

B.4. COMMISSION AND ADVISORY BOARD MEETING SYNOPSES [J. JIMENEZ, M. CROWDER, L. MORALES]:

SUBJECT: The City Council will receive Synopses from the Arts and Cultural Affairs Commission, the Business License Commission, and the Human Services Commission regarding actions taken at their recent meetings.

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

B.5. ATTENDANCE REPORT FOR CITY COMMISSIONS AND ADVISORY BOARDS [J. JIMENEZ, M. CROWDER, L. MORALES]:

SUBJECT: The City Council will receive the attendance reports for the City’s 16 Commissions and Advisory Boards for meetings convened between January 2024 through September 2024.

ACTION: This Item was moved to the Excluded Consent Calendar.

B.6. CLAIMS ADMINISTRATION [J. JIMENEZ, M. CROWDER, Y. ZOHSAN]:

SUBJECT: The City Council is receiving notification that the City’s third-party administrator Carl Warren & Co. has denied three (3) Claims for Damages from Jordan Stuart, Chad Harrison, and Robert Adell.

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

B.7. ADOPT ORDINANCE NO. 24-26 (2ND READING) “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING AN AMENDMENT TO TITLE 19, THE ZONING ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE, TO UPDATE REPLACEMENT REQUIREMENTS OF ABOVE LOWER-INCOME PROTECTED UNITS IN NEW HOUSING PROJECTS AND UPDATE PROVISIONS RELATED TO UNIT DEMOLITION IN ALIGNMENT WITH STATE LAW” [J. JIMENEZ, M. CROWDER, L. MORALES]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 24-26, adopting an amendment to Title 19, the Zoning Ordinance of the West Hollywood Municipal Code, to update replacement requirements of above lower income protected units in new housing projects and update provisions related to unit demolition in alignment with State law.

ACTION: Waived further reading and adopted Ordinance No. 24-26: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING AN AMENDMENT TO TITLE 19, THE ZONING ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE, TO UPDATE REPLACEMENT

REQUIREMENTS OF ABOVE LOWER-INCOME PROTECTED UNITS IN NEW HOUSING PROJECTS AND UPDATE PROVISIONS RELATED TO UNIT DEMOLITION IN ALIGNMENT WITH STATE LAW.” **Approved as part of the Consent Calendar, noting Councilmember Meister’s “no” vote.**

B.8. ADOPT ORDINANCE NO. 24-27 (2ND READING) “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 17 OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO TRANSFER TO A DIFFERENT RENTAL UNIT FOR CERTAIN QUALIFIED TENANTS AND REPOSSESSION OF A RENTAL UNIT FOR AUTHORIZED CORRECTION OF VIOLATIONS” [J. JIMENEZ, M. CROWDER, L. MORALES]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 24-27, amending Title 17 of the West Hollywood Municipal Code relating to transfer to a different rental unit for certain qualified tenants and repossession of a rental unit for authorized correction of violations.

ACTION: Waived further reading and adopted Ordinance No. 24-27: “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 17 OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO TRANSFER TO A DIFFERENT RENTAL UNIT FOR CERTAIN QUALIFIED TENANTS AND REPOSSESSION OF A RENTAL UNIT FOR AUTHORIZED CORRECTION OF VIOLATIONS.” **Approved as part of the Consent Calendar.**

B.9. WEHO 40 STRATEGIC PLAN [D. WILSON, C. SAFRIET, P. KESPRADIT]:

SUBJECT: The City Council will receive the City of West Hollywood’s preliminary WeHo 40 Strategic Plan, which will be brought back for discussion and adoption at the City Council Meeting scheduled for October 21, 2024.

ACTION: Received and filed the City of West Hollywood’s preliminary WeHo 40 Strategic Plan. **Approved as part of the Consent Calendar.**

B.10. PUBLIC SAFETY TECHNOLOGY OUTREACH PLAN [D. RIVAS, A. SHANDI, J. SCHARE, E. TAYLOR]:

SUBJECT: The City Council will receive an update regarding planned outreach for the use of public safety technology in West Hollywood.

ACTION: Received an update regarding the outreach plan that will be implemented for public safety technology in West Hollywood. **Approved as part of the Consent Calendar.**

B.11. AGREEMENT FOR SERVICES WITH EMERGENCY-1 RESPONSE, INC. [D. RIVAS, A. SHANDI, M. KUSTANOVICH]:

SUBJECT: The City Council will consider approving an agreement for services with Emergency-1 Response, Inc. in the amount of \$150,000 for medical care center services during the West Hollywood Halloween Celebration on October 31, 2024, and during the West Hollywood Pride Celebration the weekend of May 30 through June 1, 2025.

ACTIONS: 1) Approved the Agreement for Services with Emergency-1 Response, Inc. for a not-to-exceed amount of \$150,000 for medical care center

services during major special events or activities occurring in the City; and 2) Authorize the City Manager or designee to execute all documents incident to this Agreement. **Approved as part of the Consent Calendar.**

B.12. AWARD OF MAINTENANCE AGREEMENT FOR ON-CALL CITYWIDE ELECTRICAL AND LOW VOLTAGE SYSTEMS SERVICES WITH GA TECHNICAL SERVICES, INC. [H. COLLINS, E. HAMANT]:

SUBJECT: The City Council will consider approving the award of a Maintenance Agreement with GA Technical Services, Inc. to provide on-call citywide electrical and low voltage systems services.

ACTIONS: 1) Approved an Agreement for Maintenance Services with GA Technical Services, Inc. to provide on-call citywide electrical and low voltage systems services for a total not-to-exceed amount of \$450,000; and 2) Authorized the City Manager, or designee, to execute documents incident to the Agreement. **Approved as part of the Consent Calendar.**

B.13. AWARD OF MAINTENANCE AGREEMENT FOR ON-CALL CITYWIDE ELECTRICAL AND LOW VOLTAGE SYSTEMS SERVICES WITH SELECT ELECTRIC, INC. [H. COLLINS, E. HAMANT]:

SUBJECT: The City Council will consider approving the award of a Maintenance Agreement with Select Electric, Inc. to provide on-call citywide electrical and low voltage systems services.

ACTIONS: 1) Approved an Agreement for Maintenance Services with Select Electric, Inc. to provide on-call citywide electrical and low voltage systems services for a total not-to-exceed amount of \$650,000 and 2) Authorized the City Manager, or designee, to execute documents incident to the Agreement. **Approved as part of the Consent Calendar.**

B.14. AWARD OF MAINTENANCE AGREEMENT FOR ON-CALL CITYWIDE ELECTRICAL AND LOW VOLTAGE SYSTEMS SERVICES WITH WEST COAST CABLE, INC. [H. COLLINS, E. HAMANT]:

SUBJECT: The City Council will consider approving the award of a Maintenance Agreement with West Coast Cable, Inc. to provide on-call citywide electrical and low voltage systems services.

ACTIONS: 1) Approve an Agreement for Maintenance Services with West Coast Cable, Inc. to provide on-call citywide electrical and low voltage systems services for a total not-to-exceed amount of \$450,000; and 2) Authorize the City Manager, or designee, to execute documents incident to the Agreement. **Approved as part of the Consent Calendar.**

B.15. AWARD AMENDMENT NO. 1 TO THE AGREEMENT FOR ON-CALL MATERIALS TESTING & PUBLIC WORKS INSPECTION SERVICES WITH AESCO, INC. [H. COLLINS, E. HAMANT]:

SUBJECT: The City Council will consider approving Amendment No. 1 to the Professional Services Agreement with AESCO, Inc. to provide on-call materials testing and public works inspection services for City projects.

ACTIONS: 1) Approved Amendment No. 1 to the Professional Services with AESCO, Inc. to provide on-call materials testing and public works inspection services for City projects for an increased amount of \$400,000 and a new total not-to-exceed amount of \$600,000; and 2) Authorized the City Manager, or designee, to execute documents incident to the Agreement. **Approved as part of the Consent Calendar.**

B.16. AWARD AMENDMENT NO. 1 TO THE AGREEMENT FOR POOL MAINTENANCE AND REPAIR SERVICES WITH AQUA SOURCE, INC. [H. COLLINS, E. HAMANT]:

SUBJECT: The City Council will consider approving Amendment No. 1 to the Maintenance Agreement with Aqua Source, Inc. to provide pool maintenance and repair services.

ACTIONS: 1) Approved Amendment No. 1 to the Maintenance Agreement with Aqua Source, Inc. to provide pool maintenance and repair services for an increased amount of \$1,904,451.69 and a new total not-to-exceed amount of \$2,969,217.69; and 2) Authorized the City Manager, or designee, to execute documents incident to the Agreement. **Approved as part of the Consent Calendar.**

B.17. AMENDMENT NO. 3 TO THE AGREEMENT FOR SERVICES WITH MAGNA CONSULTING & DESIGN FOR DESIGN SERVICES FOR CIP 2204, RULE 20B OVERHEAD TO UNDERGROUND CONVERSION LA PEER DRIVE & ALMONT DRIVE [H. COLLINS, J. GILMOUR]:

SUBJECT: The City Council will consider approving Amendment No. 3 to the Agreement for Services with Magna Consulting & Design for design services to increase the not-to-exceed amount of the Agreement.

ACTIONS: 1) Approved Amendment No. 3 to the Agreement for Services with Magna Consulting & Design to increase the amount of the agreement by \$90,000 for a total not-to-exceed amount of \$270,053; and 2) Authorized the City Manager or designee to execute documents incident to the Agreement. **Approved as part of the Consent Calendar.**

B.18. AWARD AMENDMENT NO. 4 TO THE AGREEMENT FOR ON-CALL GLASS AND GLAZING REPAIR SERVICES WITH NATIONAL GLASS LLC [H. COLLINS, E. HAMANT]:

SUBJECT: The City Council will consider approving Amendment No. 4 to the Maintenance Agreement with National Glass LLC to provide on-call glass and glazing repair services.

ACTIONS: 1) Approved Amendment No. 4 to the Maintenance Agreement with National Glass LLC to provide on-call glass and glazing repair services for an increased amount of \$150,000 and a new total not-to-exceed amount of \$405,440; and 2) Authorized the City Manager, or designee, to execute documents incident to the Agreement. **Approved as part of the Consent Calendar.**

B.19. INCREASE IN PROJECT CONTINGENCY FOR THE CITY'S CONTRACT WITH CROSTOWN ELECTRICAL & DATA, INC. FOR THE CIP 2207, SANTA MONICA BLVD AT FIRE STATION NO. 8 TRAFFIC SIGNAL INSTALLATION [H. COLLINS, J. GILMOUR, R. GARLAND]:

SUBJECT: The City Council will consider increasing the project contingency for the CIP 2207, Santa Monica Boulevard at Fire Station No. 8 Traffic Signal Installation, by \$27,268.50 to account for changes in the Construction Agreement with Crosstown Electrical & Data, Inc. to provide additional construction efforts for unforeseen conditions.

ACTIONS: 1) Authorized a \$27,268.50 increase in the contingency amount for construction services with Crosstown Electrical & Data, Inc. for a new not to exceed contingency amount of \$45,446.50 and authorize the City Engineer to approve change orders to the Construction Agreement; and 2) Authorize the City Manager or designee to execute all documents incident to the Construction Agreement. **Approved as part of the Consent Calendar.**

B.20 VETERANS DAY CEREMONY 2024 [Y. QUARKER, S. MARTINEZ, C. JUBREY, A. YANEZ]:

SUBJECT: The City Council will consider approval of programming for Veterans Day 2024 in West Hollywood.

ACTIONS: 1) Approved the City of West Hollywood's sponsorship of Veterans Day 2024 and authorize the use of the City's name and logo on printed materials advertising the event; 2) Directed 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 tools; and 3) Authorized the temporary street closure of Holloway Drive at Santa Monica Boulevard and Hacienda Place from 8:00 a.m. to 2:00 p.m. on Monday, November 11, 2024. **Approved as part of the Consent Calendar.**

B.21 CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING FINAL MAP NO. 83702 FOR A 6 UNIT CONDOMINIUM SUBDIVISION, LOCATED AT 914 WEST KNOLL DRIVE IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA [H. COLLINS, J. GILMOUR]:

SUBJECT: The City Council will consider adopting a Resolution approving Final Map No. 87302, a 6 unit condominium subdivision, located at 914 West Knoll Dr. Approval of the Final Map is exempt from the California Environmental Quality Act under Title 14 of the California Code of Regulations, section 15268(b)(3) - ministerial projects.

ACTION: The City Council adopted Resolution No. 24-094: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING FINAL MAP NO. 83702 FOR A 6 UNIT CONDOMINIUM SUBDIVISION, LOCATED AT 914 WEST KNOLL DRIVE IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA." **Approved as part of the Consent Calendar.**

B.22. (D.1.) AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 2.64 OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO THE RENT STABILIZATION COMMISSION [J. JIMENEZ, M. CROWDER, L. MORALES, L. LANGER, K. MARTZ]:

SUBJECT: The City Council will consider introducing on first reading an Ordinance that would amend West Hollywood Municipal Code Section 2.64.090 "Rent Stabilization Commission: Duties" regarding the 45-day rule for regulations, policies, and rules promulgated by the Commission becoming final unless considered by the City Council.

ACTIONS: 1) Introduced on first reading Ordinance No. 24:28: "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 2.64 OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO THE RENT STABILIZATION COMMISSION." **Approved as part of the Consent Calendar.**

B.23 (E.1.) UPDATED REVISIONS TO THE CO-SPONSORSHIP PROGRAM POLICIES & GUIDELINES [Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider approving amendments to the City's Co-Sponsorship Program Policies & Guidelines.

ACTION: Approved the revised Co-sponsorship Program Policies & Guidelines. **Approved as part of the Consent Calendar.**

B.24. (F.3.) CO-SPONSORSHIP OF TRANSLATIN@ COALITION'S 2024 GARRAS FASHION SHOW EVENT [J. ERICKSON, S. SHYNE, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will approve a Co-Sponsorship Agreement with TransLatin@ Coalition for the GARRAS Fashion Show event on Saturday November 16, 2024 at the Pacific Design Center.

ACTIONS: 1) Approved the co-sponsorship of TransLatin@ Coalition's GARRAS Fashion Show event at the Pacific Design Center on Saturday, November 16, 2024; 2) Authorize the City Manager or his designee to execute documents incident to the co-sponsorship agreement between the City and TransLatin@ Coalition; 3) Authorize the Director of Finance and Technology Services to allocate \$10,000 from Fiscal Year 2024-25 budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with the event; 4) Authorize the use of the City name and logo on invitations, programs, and other collateral materials for this event; and 5) Direct the Communications Department to utilize all appropriate communication tools to promote TransLatin@ Coalition's GARRAS Fashion Show including, but not limited to, the City's website, a press release, and social media tools. **Approved as part of the Consent Calendar.**

C. PUBLIC HEARINGS:

C.1. REQUEST FOR A DEVELOPMENT AGREEMENT TO EXTEND THE IMPLEMENTATION TIMELINE FOR THE APPROVED PROJECT LOCATED AT 8920 SUNSET BOULEVARD, WEST HOLLYWOOD [N. MARICICH, J. ALKIRE, J. DAVIS, D. VU]:

SUBJECT: The proposal is a request for a development agreement that would extend the implementation and construction timeline for a previously approved new nine-story and approximately 116,801-square-foot commercial development containing a private membership club (with lounges, dining rooms, outdoor terraces, and a rooftop deck), creative office, retail, and restaurant with outdoor dining uses over a subterranean garage with 279 parking spaces.

Mayor Erickson opened the Public Hearing.

The City Councilmembers provided their disclosures.

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

Director of Community Development Nick Maricich, Current and Historic Preservation Manager Jennifer Alkire, and Senior Planner Doug Vu provided background information as outlined in the staff report dated October 7, 2024. Mr. Vu noted that the proposed Development Agreement will go into effect October 21, 2024, if approved.

Councilmember Heilman inquired if the issue at the Planning Commission related to funding for education was included in tonight's item. Mr. Vu indicated that it is in the redlined Development Agreement.

D.J MOORE, on behalf of the Applicant, presented the project. He reviewed the public benefits that are part of the Development Agreement, the project timeline, the proposed mural as well as the possibility of a community garden at the rear of the project.

Councilmember Meister inquired about the size of the mural. Mr. Moore responded. Councilmember Meister also inquired about the definition of "meaningful progress". Mr. Moore responded.

Mayor Erickson inquired with City Attorney Langer if the definition of "meaningful progress" is the same as the definition applied to cannabis business openings. City Attorney Langer stated that staff did reach a consensus; however, staff has the ultimate discernment on the meaning of "meaningful progress" for purposes of this proposed Development Agreement. Mayor Erickson further inquired if staff reviewed the definitions of "meaningful" and "substantial" in the City's Municipal Code. Ms. Langer responded. He further inquired if there is a current City process for the proposed mural. Aaron Green of Afriat Consulting and part of the

applicant team shared that the applicant team plans to work from the City's Art on Construction Fence program.

The following members of the public came forward to speak:

SARAH WHITE, WEST HOLLYWOOD, spoke in support of this item.

JEAN-PAUL TREMBLAY, WEST HOLLYWOOD, spoke in support of this Item.

ANNIE JUMP VICENTE, WEST HOLLYWOOD, spoke in support of art.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding incorporating affordable housing into this project and in support of changing the public benefits.

STEVE MARTIN, WEST HOLLYWOOD, spoke in support of including affordable housing into the public benefits and spoke in support of the art component.

DAVID ECKERT, WEST HOLLYWOOD, spoke in support of the Item and regarding the mural.

ADAM DARVISH, WEST HOLLYWOOD, spoke regarding concerns with traffic circulation.

The following individual submitted a Citizen Position Slip in opposition of the Item: Wendy Goldman, West Hollywood.

DJ MOORE, on behalf of the Applicant, provided rebuttal remarks.

Councilmember Heilman thanked everyone who spoke this evening. He spoke about the original Arts Club development. He noted that staff's recommendation is responsive to Council's previous direction and is mostly supportive of the recommendations. He expressed concern with the project being built. He supports a 4-year extension of the Development Agreement rather than an 8-year extension. He supports the public school education funding included in the Development Agreement. He is supportive of activating the site as much as possible while it goes through plan check.

Councilmember Meister spoke about including an inflationary factor into the public benefits. She would like the \$50,000 payment per year and the \$100,000 payment per year to start once the Development Agreement is signed, rather than when the Certificate of Occupancy is issued. She noted that the City's RHNA numbers are 50x more than when this project was originally approved; therefore, the loss of housing when the project was originally approved and rezoned is more substantial now. She is supportive of a 4-year term.

Vice Mayor Byers shared that she is generally supportive of the Item. She inquired if the mural would commence within 90 days. Mr. Vu responded. Community Development Director Nick Maricich shared that the mural language is included in Section 4.1.6 of the Development Agreement and clarified the timeline. Vice Mayor Byers noted that activation at the site is needed and inquired about the proposed community garden. Acting Director of Public Works Helen Collins provided an approximate timeline.

Councilmember Shyne inquired about the penalties outlined in the Development Agreement that are included to encourage timely construction. Mr. Vu and City Attorney Langer responded. She expressed support for a five to six year extension of the Development Agreement. She agreed with Councilmember Meister's proposed inclusion of an inflationary factor on the public benefit payments and asked for clarification on the payments. Councilmember Meister shared that the \$100,000 for arts in education for public schools and asked staff to clarify what the \$50,000 payment includes. Planning Manager Jennifer Alkire clarified that the \$50,000 payment is a grant for artists who wish to use the space, and that is why it is payable after the Certificate of Occupancy is issued. Councilmember Shyne indicated that she is supportive overall of an extension of the Development Agreement.

Councilmember Mesiter asked for clarification on Councilmember Heilman's 4-year proposal. Councilmember Heilman clarified. Councilmember Meister also requested that if the community garden cannot work can the space be used for some other community use.

Mayor Erickson stated he does not support a 4-year extension. Mr. Moore stated the applicant does support a 4-year extension but is supportive of a 6-year extension.

Further City Council deliberations ensued.

Councilmember Heilman proposed a six year extension of the Development Agreement, payment in year four, modify the provision of the community garden to be made available for other public use if the community garden is not feasible, include a reopener in year 4, and add interest and an inflationary factor.

*** The City Council recessed at 8:17 p.m. and reconvened at 8:31 p.m. ***

City Attorney Lauren Langer stated the following motion for the record: Approve staff's recommendation, approve revisions to the Development Agreement in Section 2.6. term is six years, Section 4.1.3. public education, Section 4.1.4 Three Million Dollars in penalties, Section 4.1.4.5 additional language added (reflected in Recommendation 4 below).

The public testimony portion of the Public Hearing was closed.

City Clerk Crowder read the title of the Ordinances into the record on first reading.

ACTIONS: The City Council held a public hearing, considered all pertinent testimony, and approved the Development Agreement by taking the following actions: 1) Introduced on first reading Ordinance No. 24-29: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A DEVELOPMENT AGREEMENT TO EXTEND THE IMPLEMENTATION TIMELINE FOR THE PROJECT LOCATED AT 8920 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA, AND FINDING THE ACTION EXEMPT FROM CEQA;” 2) Introduced on first reading Ordinance No. 24-30: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE ZONING MAP IN CONJUNCTION WITH THE DEVELOPMENT AGREEMENT TO EXTEND THE IMPLEMENTATION TIMELINE FOR THE PROJECT LOCATED AT 8920 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;” 3) Adopted Resolution No. 24-095: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING AN AMENDMENT TO EXTEND THE PERMIT EXPIRATION DATE TO BE COTERMINOUS WITH THE DEVELOPMENT AGREEMENT FOR THE PROJECT LOCATED AT 8920 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA, AND FINDING THE ACTION EXEMPT FROM CEQA”; and 4) Included the following changes in the Development Agreement: Section 2.6. “Term” change to six (6) years, Section 4.1.3 clarified “arts and public education”, Section 4.1.4 change to three million dollars, Section 4.1.4.5 change language to read “If the Building Permit has not issued within 90 days following the payment due date, the parties agree to conduct a re-opener hearing before the City Council to consider the public benefit and penalty terms of this agreement, including inflation”, removed Sections 4.1.4.7 and 4.1.4.8, Section 4.1.5 add “If construction of the Project has commenced and Owner stops meaningful construction for more than six months (*as determined by the City*) and at the end of Section 4.1.5 add “the provisions of this Section shall survive expiration of the Term or other termination of this Agreement and shall remain in full force and effect”, update Section 4.1.7 to read “Community Garden on Property Prior to Construction. At the City Manager’s request, Owner shall submit to the City a proposed layout for a Community Garden to occupy the Property’s rear surface parking area prior to commencement of Project construction. The proposed layout shall be submitted within 90 days of the City Manager’s request and shall be in a form acceptable to the City. The Owner shall provide such area to the City for use as a Community Garden free of charge during this period, subject to entering an agreement with the City for such use to the satisfaction of the City Attorney. Such agreement shall provide, reasonably consistent with previous Community Gardens located on private property in the City, that the City shall be responsible for all aspects of the Community Garden, including but not limited to, construction and implementation of garden plots, insurance, assignment of plots to West Hollywood residents, on-going oversight, etc. Owner shall be responsible

for providing water service to the Community Garden and secure access to users of the Community Garden, but shall not be responsible for any other costs or management obligations. The agreement shall provide that the Community Garden will remain on the Property during the Term until two (2) months prior to demolition of the building, unless a different period of time is agreed to by the City in writing. Should the community garden not be feasible, then the parties (through the City Manager) may agree to a different publicly oriented use to activate the site.” **Motion by Councilmember Heilman, seconded by Vice Mayor Byers, and approved (5/0).**

- C.2. ZONE TEXT AMENDMENT TO ADOPT NEW POLICIES, REGULATIONS, AND DEFINITIONS FOR STUDIO AND MICRO-UNITS IN THE CITY OF WEST HOLLYWOOD [N. MARICICH, F. CONTRERAS, T. FARRIS, J. HITTLEMAN]:**
SUBJECT: The City Council will consider a proposed Zone Text Amendment to amend TITLE 19, Zoning Ordinance of the West Hollywood Municipal Code, to adopt new policies, regulations, development standards, and definitions for studio and micro-units. The proposed Zone Text Amendment is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) (Common Sense Exemption).

Mayor Erickson opened the Public Hearing.

There were no disclosures from the City Councilmembers.

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

Councilmember Meister inquired if micro-units could be resized, if micro-unit bathrooms included full size bathrooms, if it was ADA compliant, and if the micro-units included Air Conditioning. Long Range Planning Manager Francisco Contreras stated that these units would be required to adhere to all current building code regulations, but air conditioning is not required.

The following member of the public came forward to speak:

KEVIN BURTON, WEST HOLLYWOOD, spoke regarding concerns with the size of the bathrooms in micro-units.

The public testimony portion of the Public Hearing was closed.

Councilmember Heilman spoke in support of this Item, noting that this Item was brought forward at the direction of the City Council.

Councilmember Meister stated the minimum dwelling size requirement should be increased from 150 square feet to 350 or 400 square feet.

Councilmember Shyne requested clarification on the minimum square feet for the micro-units. Senior Planner Tahirah Farris responded.

Councilmember Heilman noted his support for the Item.

Councilmember Meister indicated that the City Council should require a minimum square footage for micro-units.

Councilmember Shyne agreed with Councilmember Meister's suggested minimum square footage.

Vice Mayor Byers clarified that the City Council is setting development standards and is supportive of the Item. She thanked staff for contemplating parking minimums and is supportive of staff studying this further.

A minimum square footage for microunits was not included as part of the motion.

ACTIONS: The City Council held a public hearing, considered all pertinent testimony, and 1) Introduced on first reading Ordinance No. 24-31: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING AMENDMENTS TO TITLE 19, ZONING ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE, TO ADOPT NEW DEFINITIONS AND STANDARDS REGULATING STUDIO UNITS AND MICRO-UNITS AND FINDING THE ACTION EXEMPT FROM CEQA;" and 2) Directed staff to further study the required parking for micro-units to determine whether less parking can be required in light of applicable State and code requirements (AB 2097, etc.) and process a Zone Text Amendment if needed. **Motion by Councilmember Heilman, seconded by Vice Mayor Byers, and approved (3/2), noting "no" votes of Councilmembers Meister and Shyne.**

C.3. APPEAL OF THE BUSINESS LICENSE COMMISSION'S ADOPTION OF RESOLUTION NO. BLC24-0004 TO IMPOSE CONDITIONS UPON CANNABIS LEGACY MEDICAL BUSINESS LICENSE NO. CLM-000001 IN LIEU OF REVOCATION, FOR THE BUSINESS KNOWN AS FARMACY COLLECTIVE DBA "MEDMEN WEHO" LOCATED AT 8208 SANTA MONICA BOULEVARD [D. RIVAS, J. ECKART, V. ADOMAITIS, Y. BENITEZ]:

SUBJECT: This item is an appeal of the Business License Commission's adoption of Resolution No. BLC24-0004 denying the revocation and imposing conditions upon Cannabis Legacy Medical Business License No. CLM-000001, for the business known as MedMen WeHo located at 8208 Santa Monica Boulevard.

Mayor Erickson opened the Public Hearing.

There were no disclosures from the City Councilmembers.

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

Director of Community Safety Danny Rivas, Neighborhood and Business Safety Manager Vyto Adomaitis, and City Prosecutor Jim Eckart provided background information as outlined in the staff report dated October 7, 2024.

Councilmember Meister inquired about staff's recommendation to the Business License Commission. Mr. Eckart responded and provided clarification on the definition of management agreement. Councilmember Meister also inquired if the revocation was negotiated.

STEVE MARTIN, APPELLANT, provided a presentation on the points outlined in his appeal.

RICHARD ORMOND, Receiver for the Farmacy Collective dba MedMen, spoke regarding the receivership of the Farmacy Collective dba MedMen and his role as Receiver.

The following members of the public came forward to speak:

JAY HANDAL, WEST HOLLYWOOD, spoke regarding concerns with setting a precedent for businesses not to pay taxes.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding the steps taken by code enforcement staff to revoke the business' license and requested that the City Council approve the appeal.

The following member of the public submitted a Citizen Position Slip in support of the Appeal: Wendy Goldman, West Hollywood.

STEVE MARTIN, APPELLANT, provided rebuttal arguments.

RICHARD ORMOND, Receiver for the Farmacy Collective dba MedMen, provided rebuttal arguments.

Councilmember Meister inquired if the owners have paid the marketing tax. Staff responded that the business was up to date on all payments. Councilmember Meister inquired about the businesses standing with the Franchise Tax Board. Mr. Eckart responded.

Councilmember Heilman spoke in support of Staff's recommendation based on the Business License Commission's decision.

Vice Mayor Byers also spoke in support of Staff's recommendation.

Councilmember Shyne spoke in support of Staff's recommendation.

Councilmember Meister spoke in support of remanding the Item back to the Business License Commission.

The public testimony portion of the Public Hearing was closed.

City Clerk Crowder read the title of the Ordinance into the record for first reading.

ACTIONS: The City Council held a public hearing, considered all pertinent testimony, denied the appeal, and affirmed the Business License Commission's decision by adopting Resolution No. 24-096: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING AN APPEAL FILED BY STEVE MARTIN, AND AFFIRMING THE BUSINESS LICENSE COMMISSION'S DECISION (AS REFLECTED IN RESOLUTION NO. BLC24-004) TO IMPOSE CONDITIONS UPON CANNABIS LEGACY MEDICAL BUSINESS LICENSE NO. CLM-000001 IN LIEU OF REVOCATION, FOR THE BUSINESS KNOWN AS FARMACY COLLECTIVE DBA "MEDMEN WEHO" LOCATED AT 8208 SANTA MONICA BOULEVARD." **Motion by Councilmember Heilman, seconded by Councilmember Shyne (4/1), noting the "no" vote of Councilmember Meister.**

D. LEGISLATIVE:

D.1. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 2.64 OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO THE RENT STABILIZATION COMMISSION [J. JIMENEZ, M. CROWDER, L. MORALES, L. LANGER, K. MARTZ]:

SUBJECT: The City Council will consider introducing on first reading an Ordinance that would amend West Hollywood Municipal Code Section 2.64.090 "Rent Stabilization Commission: Duties" regarding the 45-day rule for regulations, policies, and rules promulgated by the Commission becoming final unless considered by the City Council.

ACTION: This item was moved to Consent Calendar.

E. UNFINISHED BUSINESS:

E.1. UPDATED REVISIONS TO THE CO-SPONSORSHIP PROGRAM POLICIES & GUIDELINES [Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider approving amendments to the City's Co-Sponsorship Program Policies & Guidelines.

ACTION: This item was moved to Consent Calendar.

F. NEW BUSINESS:

F.1. OFF-SITE SIGNAGE IN COMMERCIAL ZONES [J. HEILMAN, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: This item directs staff to draft an amendment to the zoning code to establish a policy to negotiate development agreements to permit off-site signage in commercial zones on Santa Monica Boulevard, Fairfax Avenue, and La Brea Avenue in connection with the development of housing or mixed-use developments with a higher percentage of permanently affordable units than what would have otherwise been required on the site.

Councilmember Heilman provided background information as outlined in the staff report dated October 7, 2024.

ZEKIAH WRIGHT, WEST HOLLYWOOD, spoke in support of the Item.

The following member of the public submitted a Citizen Position Slip in opposition to the Item: Alan Strasburg, West Hollywood.

Councilmember Meister does not support the Item. She shared that the billboards along Sunset Strip are what make it special and potentially cannibalizing the billboard revenue. She encouraged requiring affordable housing when billboards are approved as part of approved projects along Sunset.

Councilmember Heilman noted that Councilmember Meister's concerns are valid; however, this proposed change to the City's zoning code could make housing projects more financially viable and offset the cost of including affordable housing.

Councilmember Shyne spoke in support of the Item, but she expressed concern with Santa Monica Boulevard, Fairfax Avenue, and La Brea Avenue becoming Sunset Boulevard. Councilmember Heilman indicated that the Zone Text Amendment would identify where along these corridors off-site signage can occur. She encouraged a zone text amendment that was tailored to provide as much affordable housing as possible.

Vice Mayor Byers spoke in support of the Item. She inquired why La Cienega was not included in the Item. Councilmember Heilman responded. A discussion regarding digital versus static billboards ensued.

ACTIONS: 1) Directed staff to draft a zone text amendment and policy to permit the replacement of existing off-site signage or the development of new off-site signage in commercial zones in conjunction with a new housing or mixed-use development that is at least two-thirds housing and includes a higher percentage of permanently affordable units than what would have otherwise been required on the site; and 2) Return to City Council with the draft policy and zone text amendments for further consideration and approval. **Motion by Councilmember Heilman, seconded by Vice Mayor Byers, and approved (4/1), noting the "no" vote of Councilmember Meister.**

F.2. CORPORATE OWNERSHIP OF RENTAL HOUSING UNITS [L. MEISTER, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will consider directing staff to perform an analysis of corporate ownership of single-family and multi-family rental properties in West Hollywood. Based on the analysis, Council may consider providing further direction to address potential issues caused by institutional investors and corporate ownership of rental housing.

Councilmember Heilman indicated his support for the Item. He noted that he understands the goal of this item regarding corporate ownership. He wants to ensure that staff differentiates between investment companies versus “mom and pop” apartment companies or small limited liability corporations or small corporate entities. Councilmember Meister confirmed that the goal is investment company ownership.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in support of the Item.

The following individuals submitted Citizen Position Slips in support of the Item: Alan Strasburg, West Hollywood & Kevin Burton, West Hollywood.

Councilmember Byers expressed concern with engaging a consultant or potentially staff intensive work and not getting a lot of information back. She also expressed concern with tangible next steps. Councilmember Meister responded.

Mayor Erickson expressed the same concerns as Vice Mayor Byers. He commented that the State of California is looking into this issue as well.

ACTIONS: 1) Directed staff to hire a consultant to perform an analysis of corporate ownership of single-family and multi-family rental properties in West Hollywood; and 2) Return to City Council with the findings of the analysis. **Motion by Councilmember Meister, seconded by Mayor Erickson, and approved (5/0).**

F.3. CO-SPONSORSHIP OF TRANSLATIN@ COALITION'S 2024 GARRAS FASHION SHOW EVENT [J. ERICKSON, S. SHYNE, Y. QUARKER, A. LOVANO, J. DEL TORO]:

SUBJECT: The City Council will approve a Co-Sponsorship Agreement with TransLatin@ Coalition for the GARRAS Fashion Show event on Saturday November 16, 2024 at the Pacific Design Center.

ACTION: This item was moved to Consent Calendar.

EXCLUDED CONSENT CALENDAR:

B.5. ATTENDANCE REPORT FOR CITY COMMISSIONS AND ADVISORY BOARDS [J. JIMENEZ, M. CROWDER, L. MORALES]:

SUBJECT: The City Council will receive the attendance reports for the City's 16 Commissions and Advisory Boards for meetings convened between January 2024 through September 2024.

Mayor Erickson commented that he pulled this Item from the Consent Calendar.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding the codes used in the attendance reports. He mentioned Adam Bass' written correspondence related to this Item and agrees with his comments.

Mayor Erickson inquired about the cancellation of the Rent Stabilization Commission meetings due to lack of quorum. City Clerk Crowder provided clarifying information.

Councilmember Meister mentioned the percentages that are used in the reports and whether that accurately reflects attendance.

Vice Mayor Byers requested that additional outreach occurs ahead of the February reappointment process.

Councilmember Shyne spoke about her appointees to the Rent Stabilization Commission.

ACTION: Received and filed the attendance reports.

PUBLIC COMMENT:

KEVIN BURTON, WEST HOLLYWOOD, thanked the City for the Mobility Expo hosted by the City this past Saturday.

RICHARD EASTMAN, WEST HOLLYWOOD, spoke regarding medical marijuana and the upcoming election.

MIKIE FREIDMAN, WEST HOLLYWOOD, spoke regarding scooters and the 1-year anniversary of the attack on Israel by Hamas.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding the war that continues in Ukraine. He also mentioned the E-Comment reports that are usually included with the agenda packet.

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

Councilmember Meister noted her "no" vote on Item B.7. She provided her attendance at various City events. She mentioned Item B.10. and requested that Public Safety conduct outreach to the Neighborhood Watch Groups. She congratulated the recent CERT graduates. She commented on the letter that was sent to the City Council by

WEHOME and requested a meeting with them to discuss it. She mentioned the Hamas attack on Israel and where we are 365 days later.

Councilmember Shyne spoke regarding the attacks on Israel last year, the ongoing conflict in the Middle East, and her own experience as a child in Iran during conflict.

Councilmember Heilman shared that the upcoming AIDS Walk in West Hollywood on Sunday, October 13th marks the 40th anniversary and encouraged people to participate. He wished those that celebrate Yom Kippur a good fast.

Vice Mayor Byers shared that she attended various City events. She reported her attendance at the Mobility 21 Conference, the EV Working Group, the Los Angeles County Affordable Housing Solutions Agency (LACAHS) Board meeting, and the New York Climate Week Conference on a Plant-Based Food panel. She offered her appreciation to staff for hosting many City events over the past weekend. Lastly, she encouraged everyone to read the WEHO 40 Strategic Plan and attend the October 21st City Council meeting to provide feedback.

Mayor Erickson reported his attendance at various City events. He offered his condolences to those affected by the Hamas attack on October 7, 2023. He commented that Mr. Russnow's public comment regarding left turn signals at two intersections in West Hollywood are valid and encouraged staff to install them. He concluded his comments by wishing those that celebrate Yom Kippur a good fast.

ADJOURNMENT: The City Council adjourned in memory of Maggie Smith and Rita Imogene "Gene" Prang as well as the people who were lost last year in the Hamas attacks at 11:09 p.m. to its next regular meeting, which will be on Monday, October 21, 2024, at 6:00 P.M. at West Hollywood Park Public Meeting Room - Council Chambers.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 21st day of October 2024 by the following vote:

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

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JOHN ERICKSON
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JOHN M. ERICKSON, MAYOR

ATTEST:

Signed by:
Melissa Crowder
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MELISSA CROWDER, CITY CLERK