

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, NOVEMBER 2, 2015  
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS  
625 N. SAN VICENTE BOULEVARD**

**6:30 P.M. – REGULAR MEETING**

**CALL TO ORDER:** Mayor Horvath called the meeting to order at 6:39 p.m.

**PLEDGE OF ALLEGIANCE:** Cole Ettman led the Pledge of Allegiance.

**ROLL CALL:**

**PRESENT: Councilmember D’Amico, Councilmember Duran,  
Councilmember Heilman, Mayor Pro Tempore Meister, and  
Mayor Horvath.**

**ABSENT: None.**

**ALSO PRESENT: City Manager Arevalo, City Attorney Jenkins, City Clerk  
Quarker, and Assistant City Clerk Crowder.**

**REPORT OF CLOSED SESSION AGENDA:**

City Attorney Jenkins reported that the Closed Session was called to order at 6:00 p.m. He stated that there was no public comment, one item was removed from the Closed Session agenda regarding real property and one item was added to the Agenda regarding pending litigation (Rubenstein v. City of West Hollywood). He stated that Closed Session adjourned with no reportable actions.

**APPROVAL OF AGENDA:**

Mayor Pro Tempore Meister requested that Items 2.G., 2.H., 2.I., 2.K., and 2.P. be moved to Excluded Consent for discussion.

Councilmember Heilman requested that Item 2.N. be moved to Excluded Consent for further discussion. He also requested that Item 6.A. be moved to the Consent Calendar as Item 2.Z.

City Clerk Quarker reported that Council received a revised staff report for Item 2.K. and a revised Attachment A for Item 2.P. She stated that staff will provide further information on the revisions when the Items are heard under Excluded Consent.

**Motion by Councilmember Heilman, seconded by Councilmember Duran, to approve the November 2, 2015 agenda as amended and approved.**

**ADJOURNMENT MOTIONS:**

Mayor Pro Tempore Meister requested that the meeting be adjourned in memory of Tallulah Corset.

Councilmember Heilman requested that the meeting be adjourned in memory of Ed Pierce and the people who lost their lives in the flight bound for St. Petersburg, Russia.

## **PRESENTATIONS:**

Mayor Horvath presented a Proclamation to the Transgender Advisory Board in recognition of Transgender Awareness Month.

### **1. PUBLIC COMMENT:**

TOM DEMILLE, WEST HOLLYWOOD, requested that Council send a letter to Federal lawmakers regarding the lack of a cost of living increase for those who receive Social Security Benefits. He also spoke in opposition to Item 2.K.

LARRY BLOCK, WEST HOLLYWOOD, spoke regarding Items 2.I. and 2.K.

YOLA DORE, WEST HOLLYWOOD, spoke in support of Item 2.K.

DAVID WARREN, WEST HOLLYWOOD, spoke in support of Item 2.J.

KEITH KAPLAN, WEST HOLLYWOOD, spoke in support of Item 2.K.

NIR ZILBERMAN, WEST HOLLYWOOD, spoke regarding the event he hosted for Ivy Bottini.

PAT DIXON, WEST HOLLYWOOD, spoke regarding the Friends of the Library 50% off sale during the month of November. She also spoke in support of Item 2.K. Finally she mentioned the live broadcast of the Halloween Carnival.

TERRI ANNE DRESCHER, WEST HOLLYWOOD, spoke regarding her concern for the recent proposed development in her neighborhood.

DENNIS POWELL, WEST HOLLYWOOD, spoke regarding a Public Records Act request that was filed by Seth Meyer.

DAN BERKOWITZ, WEST HOLLYWOOD, spoke regarding drones in his neighborhood and asked Council to develop some regulations for the City.

COLE ETTMAN, WEST HOLLYWOOD, spoke in opposition to Item 2.K.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding Item 2.K.

**The following individuals did not wish to speak but expressed their support for Item 2.K.:** Michael Dolan and Jay Fuentes.

**The following individual did not wish to speak but expressed his support for Item 2.T.: Andy Harland**

**COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:**

Councilmember D'Amico spoke regarding Item 2.L. and asked the City Manager to put together a process for hiring a new lobbyist so that the City will have someone in place when our current Lobbyist retires. He thanked Councilmember Duran for Item 2.M. and stated that this is a proactive move to ensure the safety of the City should an earthquake occur. He spoke regarding Item 2.S. and indicated that he was concerned that it did not include the tract map. He reported that he spoke with the City Engineer to ensure that provisions surrounding parking for the affordable units were included. He mentioned Item 2.J. and indicated that the budget for outreach should be increased, and that marketing strategies be employed that are similar to those used for the PickUp. He asked the City Manager to return at the next meeting with an item addressing this issue. He thanked the City Manager's office for putting together Item 2.Y. He discussed the West Hollywood Design District's upcoming event "DIEM" and expressed concern with the lack of ethnic diversity on the panel. Finally, he provided his campaign disclosures.

Councilmember Duran thanked City staff for a successful Halloween Carnival, especially Special Events and Public Safety. He reminded everyone about the November 20<sup>th</sup> Transgender Day of Awareness event. He mentioned the Veterans' Day event on November 11<sup>th</sup> at 11:00 a.m. at the Sal Guarriello Veterans' Memorial. He briefly discussed the development moratorium that was mentioned by one of the public speakers and provided clarification on the legalities involved relating to the duration of a moratorium and that it had expired according to law. Finally, he thanked his colleagues for supporting Item 2.M.

Mayor Pro Tempore Meister congratulated the West Hollywood LGBT Center. She thanked Nir Zilberman for hosting the Ivy Bottini event. She thanked everyone who participated in the Disability Advisory Board awards and specifically mentioned Michael Wojtkielewicz's appointment to the Street Media Assessment group and for being an inspiration for Item 2.Y. She thanked staff for a successful Halloween Carnival. She mentioned that Thursday, November 12<sup>th</sup> there will be a Visit WeHo Summit at The London Hotel. She also mentioned the upcoming event on Friday, November 13<sup>th</sup> the screening of, "Chris and Don: A Love Story". She explained that she asked that Items 2.G., 2.H., 2.I. and 2.K. be moved to Excluded Consent so that the public could comment on these Items and so that staff could provide a report to Council about the process. She asked the City Manager to provide an update on the 8150 Sunset development, and how it will affect West Hollywood residents.

Councilmember Heilman thanked staff for a successful Halloween Carnival. He reminded everyone to drive safely tonight due to the rain. He mentioned an upcoming Human Rights Speaker Series focusing on moving the LGBT agenda forward in other parts of the United States, such as the south and mid-west states. The event will take place on Wednesday, November 4<sup>th</sup>. He mentioned Item 2.J. and thanked staff and the

Transportation Commission for their hard work on this item. He followed-up on a few comments made during Public Comment, specifically the lack of a cost of living increase in social security benefits as well as the drone issue, and asked the City Manager to look into both of these issues and report back to Council. Finally, he briefly mentioned the moratorium on development in the City and asked Community Development staff to speak with Ms. Drescher, who expressed concern during public comment.

Mayor Horvath thanked staff for a successful Halloween Carnaval. She mentioned the Chamber of Commerce's Creative City awards. She indicated that she will be attending the National League of Cities Conference in Nashville, Tennessee. She discussed the October 22<sup>nd</sup> meeting that she and the City Manager attended with Beverly Hills staff to discuss water rates and the additional cost for West Hollywood residents. She provided her campaign disclosures. She spoke regarding the upcoming Veterans' Day event on November 11<sup>th</sup> at the Sal Guarriello Veterans' Memorial at 11:00 a.m. She also spoke regarding Item 2.X. initiated by our Lieutenant Governor. Finally, she shared an email that she received from a resident in the 8899 Beverly Boulevard residential area, and spoke briefly regarding decorum and respect between residents as well as Councilmembers.

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

City Manager Arevalo spoke regarding Item 2.J. and stated that staff will conduct additional outreach. He responded to Councilmember Heilman's request regarding the lack of a cost of living increase for social security recipients and indicated that staff will draft a letter on behalf of the Mayor to be sent to Washington. He thanked everyone for a successful Halloween Carnaval, and stated that the event is available on YouTube for those that were unable to attend the event. He indicated that tonight is Assistant City Manager Sam Baxter's last City Council meeting and thanked him for his years of service to the City.

City Attorney Jenkins briefly commented on AB 1461; which is a Bill that establishes the "California Motor Voter program" that allows for automatic voter registration if you apply, reapply, or change your address with the DMV. He reported that this Bill has passed and becomes effective January 1, 2016. He spoke regarding another bill, SB 415; which requires City's with a low voter turnout to move their election date to either June or November of even numbered years. Los Angeles County has given Cities until 2022 to change their election date; and West Hollywood is one of those Cities. The County will be working to upgrade their systems and processes so that it can accommodate all of the municipal elections in the County. He indicated that sometime between now and 2022 the Council will need to make a determination and pass an ordinance changing its election date.

He also commented on public comments surrounding drones, and reported that his office is preparing a draft ordinance to present to Council in the next couple of months in an effort to regulate drone usage.

Finally, he provided clarification to Council on public comment made by a speaker who indicated that records had not been received from a public records act request.

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

City Clerk Quarker stated that the fiscal impact on the Consent Calendar is \$98,250.00 in expenditures, \$0 in potential revenue, and (\$645) in waived fees.

## **2. CONSENT CALENDAR:**

**ACTION: Approve the Consent Calendar, as amended, 2.A.,B.,C.,D.,E.,F.,J.,L.,M.,O.,Q.,R.,S.,T.,U.,V.,W.,X.,Y.,Z. Motion by Councilmember D'Amico, seconded by Councilmember Duran, and approved.**

### **2.A. POSTING OF AGENDA:**

*SUBJECT: The agenda for the meeting of Monday, November 2, 2015 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Tuesday, October 27, 2015.*

**RECOMMENDATION: 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 October 19, 2015. Approved as part of the Consent Calendar.**

### **2.C. DEMAND REGISTER NO. 774, RESOLUTION NO. 15-4761:**

*SUBJECT: The City Council is requested to approve payment of bills due as presented by the Director of Finance.*

**ACTION: Approve Demand Register No. 774 and adopt Resolution No. 15-4761, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 774". Approved as part of the Consent Calendar.**

### **2.D. CLAIMS ADMINISTRATION:**

*SUBJECT: The City Council is asked to deny claims filed against the City as an administrative step in claims processing.*

**ACTION: Deny the claims of Raj Chitnis, Deborah Kahen-Yerushalmi, Brandon Gonzalez-Deceased, William Bentley, and Sofya Shpektor and refer to the City's claims adjuster for action. Approved as part of the Consent Calendar.**

### **2.E. ORDINANCE NO. 15-965 (2ND READING) AMENDING TITLE 19 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO INTRODUCE NEW**

**STANDARDS FOR MECHANICAL PARKING LIFTS AND AUTOMATED PARKING STRUCTURES [Y. QUARKER, M. CROWDER]:**

*SUBJECT: The City Council will waive further reading and adopt Ordinance No. 15-965 amending Title 19 of the West Hollywood Municipal Code to introduce new standards for mechanical parking lifts and automated parking structures.*

**ACTION:** Waive further reading and adopt Ordinance No. 15-965, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 19 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO INTRODUCE NEW STANDARDS FOR MECHANICAL PARKING LIFTS AND AUTOMATED PARKING STRUCTURES". **Approved as part of the Consent Calendar.**

**2.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**

*SUBJECT: The City Council will receive reports from Human Services Commission, Planning Commission, Russian Advisory Board, and the Senior Advisory Board on actions taken at their recent meetings.*

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

**2.G. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE WEST HOLLYWOOD MUNICIPAL EMPLOYEES (WEHOME), AFSCME LOCAL 3339, FOR THE PERIOD OF JULY 1, 2015 THROUGH JUNE 30, 2020 [L. BOCK, S. SCHUMACHER, B. FRIEDEL]:**

*SUBJECT: The City Council will consider approving the Memorandum of Understanding (MOU) with the West Hollywood Municipal Employees (WEHOME), AFSCME Local 3339, for the period of July 1, 2015, through June 30, 2020. The MOU has been ratified by WEHOME. The City Council will also consider approving the ongoing purchase of MTA Transit Passes for all staff.*

**ACTIONS:** This Item was moved to Excluded Consent.

**2.H. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE ASSOCIATION OF CONFIDENTIAL EMPLOYEES (ACE), SUPERVISORY AND NON-SUPERVISORY UNITS, FOR THE PERIOD OF JULY 1, 2015, THROUGH JUNE 30, 2020 [L. BOCK, S. SCHUMACHER, Y. MAURIS]:**

*SUBJECT: The City Council will consider approving the Memorandum of Understanding (MOU) with the Association of Confidential Employees (ACE), Supervisory and Non-Supervisory Units, for the period of July 1, 2015, through June 30, 2020. The MOU has been ratified by the Membership of ACE.*

**ACTIONS:** This Item was moved to Excluded Consent.

**2.I. APPROVAL OF SIDE LETTERS OF AGREEMENT WITH THE WEST HOLLYWOOD MANAGEMENT ASSOCIATION (WHMA) AND SALARY AND BENEFIT CHANGES FOR THE EXECUTIVE TEAM AND TEMPORARY EMPLOYEES [L. BOCK]:**

*SUBJECT: The City Council will consider approving three (3) side letters of agreement with the West Hollywood Management Association (WHMA) and approving salary and benefit changes for the Executive Team commensurate with salary increases and benefits received by the City's bargaining units. Approving salary increases for Temporary Employees commensurate with salary increases received by general employees. The side letters have been approved by the association.*

**ACTIONS: This Item was moved to Excluded Consent.**

**2.J. START-UP OF HOLLYWOOD SHUTTLE SERVICE [E. SAVAGE, D. GIUGNI, P. SLOANE GOODMAN]:**

*SUBJECT: The City Council will receive a report on the proposed pilot shuttle service between West Hollywood and the Hollywood / Highland Metro station.*

**ACTION:** Approve the pilot program recommendation to provide rush hour shuttle service from West Hollywood to the Hollywood / Highland Metro station. **Approved as part of the Consent Calendar.**

**2.K. APPROVAL OF COMPENSATION ADJUSTMENT FOR CITY COUNCIL MEMBERS AND UPDATE TO THE PUBLIC OFFICIALS EXPENSE REIMBURSEMENT POLICY [D. WILSON, C. SAFRIET]:**

*SUBJECT: The City Council will consider increasing monthly compensation paid to Council Members beginning March of 2017 and updating the current amount and distribution of their monthly expense allowance payments.*

**ACTIONS: This Item was moved to Excluded Consent.**

**2.L. 2015 LEGISLATIVE REPORT [P. AREVALO, S. BAXTER, C. SCHROEDER, H. MOLINA]:**

*SUBJECT: The City Council will receive a report comprised of two documents; the State Legislative Report that details the City's legislative activities during the first year of the 2015-16 session of the California State Legislature and the Federal Legislative Report that details the City's Legislative activities during the 114th Congress.*

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

**2.M. SEISMIC RETROFIT PROGRAM FINANCING TOOLS AND COMMUNITY ENGAGEMENT [J. DURAN, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to develop a Request for Proposals for a consultant to evaluate financing tools for a voluntary and/or mandatory seismic retrofitting program and perform community engagement.*

**ACTIONS:** 1) Direct staff to develop a Request for Proposals for a consultant to: a) Evaluate potential financing tools for a voluntary and/or mandatory seismic retrofitting program, and, b) Develop and implement a community engagement plan to involve stakeholders, including tenants, landlords, business owners and managers in development of the financing

tools; and 2) Direct staff to work with the City's lobbyist on applicable State legislation that would provide additional financing tools for seismic retrofits. **Approved as part of the Consent Calendar.**

**2.N. DETERMINE INTEREST IN DEVELOPING A PROGRAM TO PROVIDE TENANTS THE OPPORTUNITY TO PURCHASE [L. MEISTER, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to evaluate the legal implications and public interest in developing a program that would provide tenants the right of first refusal to purchase the building they live in if the owner decides to sell.*

**ACTIONS: This Item was moved to Excluded Consent.**

**2.O. CO-SPONSORSHIP OF THE PROJECT ANGEL FOOD 4-DAY SALE EVENT [L. HORVATH, A. LOVANO, J. GUZON]:**

*SUBJECT: The City Council will consider co-sponsoring the Project Angel Food 4-Day Sale event, which will run from December 3-6, 2015.*

**ACTIONS:** 1) Approve use of the City's name and logo on printed materials advertising and promoting the Project Angel Food 4-Day Sale event; 2) Direct the Communications Division to utilize all appropriate communications tools to promote the event including, but not limited to, the City website and social media tools, and issuing a press release; and 3) Approve the waiver of fees associated with the event. **Approved as part of the Consent Calendar.**

**2.P. AGREEMENT FOR SERVICES WITH MICHAEL BAKER INTERNATIONAL [S. DEWOLFE, J. KEHO, B. SIEGL, C. CORRAO]:**

*SUBJECT: The City Council will consider approval of an agreement with Michael Baker International (formerly known as PMC) to update the City's Transportation Demand Management Ordinance and amend the Zoning Ordinance to implement the Transit Overlay Zone as described in the General Plan and Climate Action Plan.*

**ACTIONS: This Item was moved to Excluded Consent.**

**2.Q. AGREEMENT FOR SERVICES WITH WAVEGUIDE CONSULTING, INC. TO ASSESS THE PRODUCTION SYSTEMS AND INFRASTRUCTURE WITHIN THE CITY'S WEHOTV OPERATIONS [S. BAXTER, L. MARIE BELSANTI, B. WHITE, K. EGENBERGER]:**

*SUBJECT: The City Council will consider approval of an agreement for services with Waveguide Consulting, Inc. to assess the production systems and infrastructure within the City's WeHoTV operations.*

**ACTIONS:** 1) Approve an Agreement for Services with Waveguide Consulting, Inc. in an amount not to exceed \$20,500 to assess the production systems and infrastructure within the City's WeHoTV operations; and 2) Authorize the City Manager or designee to execute documents incident to the agreement. **Approved as part of the Consent Calendar.**



**2.R. AMENDMENT NO. 3 TO THE AGREEMENT FOR SERVICES WITH GEOCON WEST, INC. [O. DELGADO, D. UYENO, S. BAXTER]:**

*SUBJECT: The City Council will consider approving the third amendment to the Agreement for Services with Geocon West, Inc. for general construction inspection, deputy inspection, and materials testing services for the Automated Parking Garage Project at City Hall.*

**ACTIONS:** 1) Approve Amendment No. 3 to the Agreement for Services with Geocon West, Inc. and increase the not-to-exceed amount of the agreement by \$31,000, for a total not-to-exceed amount of \$322,728; and 2) Authorize the City Manager to execute the Amendment to the Agreement. **Approved as part of the Consent Calendar.**

**2.S. APPROVAL OF FINAL TRACT MAP NO. 68962 FOR THE SUBDIVISION OF AIRSPACE LOTS FOR THE MIXED USE DEVELOPMENT PROJECT LOCATED AT 7302 SANTA MONICA BLVD. [S. PERLSTEIN]:**

*SUBJECT: The City Council will consider the approval of Final Tract Map No. 68962, subdivision of 8 airspace lots for the mixed use development located at 7302 Santa Monica Boulevard.*

**ACTIONS:** 1) Make findings for the Final Tract Map as follows: a) That this project will not violate any of the provisions of Sections 66474, 66474.1, and 66474.6 of the Subdivision Map Act, b) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code, and c) That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights of way and/or easements within the subject division of land, pursuant to Section 66436(a)3A(i-viii) of the Subdivision Map Act; 2) Approve Final Tract Map No. 68962; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 68962, the certificate that embodies the approval of said map. **Approved as part of the Consent Calendar.**

**2.T. VETERANS DAY 2015 [L. HORVATH, E. SAVAGE, O. WALKER]:**

*SUBJECT: The City Council will consider programming for Veterans Day 2015 in West Hollywood.*

**ACTIONS:** 1) Approve the City of West Hollywood's sponsorship of Veterans Day 2015 and authorize the use of the City's name and logo on printed materials advertising the event; 2) Direct the Communications Office to utilize all appropriate communication tools to promote the event including, but not limited to, the City's website and social media tools; 3) Authorize the temporary street closure of Holloway Drive at Santa Monica Boulevard for the event; and 4) Authorize the City Manager to sign all

required documents relating to this item. **Approved as part of the Consent Calendar.**

**2.U. OPPOSING THE PROPOSED FEDERAL BUDGET CUTS TO THE TITLE X FAMILY PLANNING PROGRAM [E. SAVAGE, C. SMITH, L. FOOKS]:**

*SUBJECT: The City Council will consider a recommendation from the Women's Advisory Board (WAB) to oppose proposed budget cuts to the Title X Family Planning program.*

**ACTIONS:** 1) Adopt Resolution No. 15-4762, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING PROPOSED FEDERAL BUDGET CUTS TO THE TITLE X FAMILY PLANNING PROGRAM"; and 2) Direct staff to send copies of the signed resolutions to President Barack Obama, United States Senators Dianne Feinstein and Barbara Boxer, United States Representative Adam Schiff and state representatives Assemblyman Richard Bloom and State Senator Ben Allen. **Approved as part of the Consent Calendar.**

**2.V. OPPOSE THE PAIN-CAPABLE UNBORN CHILD PROTECTION ACT, S. 1553, GRAHAM, R-SC) [E. SAVAGE, C. SMITH, L. FOOKS]:**

*SUBJECT: The City Council will consider a recommendation from the Women's Advisory Board (WAB) opposing S. 1553, the Pain-Capable Unborn Child Protection Act.*

**ACTIONS:** 1) Adopt Resolution No. 15-4763, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING THE PAIN-CAPABLE UNBORN CHILD PROTECTION ACT (S. 1553 (GRAHAM, R-SC))"; and 2) Direct staff to send copies of the signed resolutions to President Barack Obama, United States Senators Dianne Feinstein and Barbara Boxer, United States Representative Adam Schiff, and state representatives Assemblyman Richard Bloom and State Senator Benjamin Allen. **Approved as part of the Consent Calendar.**

**2.W. RESOLUTION IN SUPPORT OF INTERNATIONAL DAY OF CITIES FOR LIFE / CITIES AGAINST THE DEATH PENALTY [L. HORVATH, A. LOVANO]:**

*SUBJECT: The City Council will consider adopting a resolution in support of International Day of Cities for Life / Cities Against the Death Penalty.*

**ACTIONS:** 1) Adopt Resolution No. 15-4764, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF INTERNATIONAL DAY OF CITIES FOR LIFE / CITIES AGAINST THE DEATH PENALTY"; 2) Direct staff to send copies of the resolution to the World Coalition Against the Death Penalty, Death Penalty Focus, Amnesty International, President Barack Obama, U.S. Senators Barbara Boxer and Dianne Feinstein, U.S. Representative Adam Schiff, Governor Jerry Brown, California Senator Ben Allen, and California Assemblymember Richard Bloom; 3) Approve the use of special lighting at City Hall on November 30th to commemorate International Day of Cities

for Life / Cities Against the Death Penalty; 4) Direct the Communications Division to utilize all appropriate communications tools to promote the City's participation in this event including, but not limited to, the City's website and social media tools; and 5) Authorize the Director of Finance and Technology Services to allocate \$250 from budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with this item. **Approved as part of the Consent Calendar.**

**2.X. RESOLUTION IN SUPPORT OF THE "SAFETY FOR ALL" INITIATIVE [L. HORVATH, A. LOVANO]:**

*SUBJECT: The City Council will consider adopting a resolution in support of the proposed "Safety for All" ballot initiative, a series of gun reform measures initiated by Lieutenant Governor Gavin Newsom.*

**ACTIONS:** 1) Adopt Resolution No. 15-4765, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE 'SAFETY FOR ALL' INITIATIVE"; and 2) Direct staff to send copies of the resolution to President Barack Obama, U.S. Senators Barbara Boxer and Dianne Feinstein, U.S. Representative Adam Schiff, Governor Jerry Brown, Lieutenant Governor Gavin Newsom, California Senator Ben Allen, and California Assemblymember Richard Bloom. **Approved as part of the Consent Calendar.**

**2.Y. UPDATE ON REPORTING AND TRACKING PROCEDURES FOR OFFICIAL CITY MEETINGS [P. AREVALO, J. JIMENEZ]:**

*SUBJECT: The City Council will receive an update from the City Manager on the procedures to report and track the information from Official City Meetings, including Commission and Advisory Board meetings.*

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

**2.Z. (6.A.) AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 15.52.050 OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO THE REGULATION OF PLUMBING FACILITIES AND CREATING SUBSECTION A AND ADDING SUBSECTION B, REQUIRING THAT BROKEN IRRIGATION SYSTEMS BE REPAIRED IN 5 CALENDAR DAYS [O. DELGADO, J. AUBEL]:**

*SUBJECT: The City Council will consider creating subsection a and adding subsection b to 15.52.050, of Chapter 15.52 of Title 15, Article 3 of the West Hollywood Municipal Code.*

**ACTION:** Staff recommends that the City Council introduce on first reading Ordinance No. 15-966, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 15.52.050 OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO THE REGULATION OF PLUMBING FACILITIES AND CREATING SUBSECTION A AND ADDING SUBSECTION B, REQUIRING THAT BR **Approved as part of the Consent Calendar.**

### **3. PUBLIC HEARINGS:**

#### **3.A. APPEAL OF THE PLANNING COMMISSION'S DECISION TO APPROVE THE DEMOLITION OF A SINGLE-FAMILY DWELLING TO CONSTRUCT A FIVE-UNIT TOWNHOUSE CONDOMINIUM DEVELOPMENT AT 8557 WEST KNOLL DRIVE [S. DEWOLFE, J. KEHO, D. DEGRAZIA, A. CASTILLO]:**

*SUBJECT: The City Council will hold a public hearing to consider an appeal filed by Edward Levin regarding the Planning Commission's approval to demolish a 1,947-square-foot single-family dwelling and construct an approximately 8,400-square-foot, three-story, five-unit townhouse condominium development over one level of parking.*

This item was noticed as required by law.

Associate Planner Antonio Castillo provided background information as outlined in the staff report dated November 2, 2015.

Mayor Horvath disclosed that she met with the Appellant and that he is her direct appointee to the Human Services Commission.

Mayor Pro Tempore Meister disclosed that she visited the site and she met with the Appellant.

Councilmember Heilman indicated that he visited the site and met with the Appellant.

Councilmember Duran indicated that he met with the Appellant.

Mayor Horvath opened the public hearing and the following speakers came forward:

ED LEVIN, APPELLANT, spoke regarding the project and his appeal and his reasons for disagreeing with the Planning Commission's decision. He requested that Council approve his appeal.

KIM SCHNEIDER, WEST HOLLYWOOD, spoke in opposition of staff's recommendation and in support of the Appeal.

KEITH KAPLAN, WEST HOLLYWOOD, spoke in opposition of staff's recommendation and in support of the Appeal.

RICHARD GIESBRET, WEST HOLLYWOOD, spoke in opposition of staff's recommendation and in support of the Appeal.

LYNN RUSSELL, WEST HOLLYWOOD, spoke in opposition of staff's recommendation and in support of the Appeal.

NIR ZILBERMAN, WEST HOLLYWOOD, spoke regarding Council's decisions regarding recent development projects in the City.

JEANNE DOBRINM, WEST HOLLYWOOD, spoke in opposition of staff's recommendation and in support of the Appeal.

**The following individuals did not wish to speak but expressed their opposition to the staff recommendation and in support of the appeal: Stephanie Harker and Cathy Blaivas**

Mr. Levin provided a brief rebuttal.

Mayor Horvath closed the public hearing.

Councilmember Heilman thanked everyone came out to speak. He spoke in support of the appeal.

Mayor Pro Tempore Meister spoke in support of the appeal. She inquired from staff if there is an increase in the in-lieu fee due to the increased size, and staff indicated that there is an increase in the fee.

Councilmember D'Amico commented on the architecture of the building and spoke in support of the project.

Councilmember Duran spoke in support of the appeal.

Mayor Horvath spoke in support of the appeal.

Councilmember Heilman inquired with staff if they will return at the November 16<sup>th</sup> meeting with a new resolution and they indicated that they would.

**ACTION:** Direct staff to return with a revised Resolution granting the appeal and approving the project. **Motion by Councilmember Heilman, seconded by Councilmember Duran, and approved.**

**3.B. REQUEST TO ERECT A TALL WALL SIGN ON THE EAST SIDE OF THE EXISTING BUILDING LOCATED AT 8228 SUNSET BOULEVARD [S. DEWOLFE, J. KEHO, D. DEGRAZIA, J. ALKIRE, A. GALLO]:**

*SUBJECT: The City Council will consider a request to erect a 3,159 square foot tall wall sign on the east side of the existing three-story building located at 8228 Sunset Boulevard.*

Associate Planner Adrian Gallo stated that the applicant has asked that the Item be continued.

Councilmember D'Amico provided comments on designs for billboards on Sunset.

Councilmember Duran indicated that he spoke with the applicant and provided feedback on the design.

Councilmember Heilman commented that this project should be a request for a creative wall sign rather than a tall wall and more creativity in the design.

Mayor Horvath spoke regarding the Item and suggested that clear direction be given with regard to the design and that the applicant employ those that actually design for these types of spaces.

**ACTION:** Continue the Item to a date uncertain. **Motion by Councilmember Duran, seconded by Councilmember D'Amico, and approved.**

4. **UNFINISHED BUSINESS: None.**

5. **NEW BUSINESS:**

**5.A. INTENSIFICATION OF ROOFTOP USES [L. MEISTER, A. LOVANO]:**

*SUBJECT: The City Council will consider directing the Community Development Department to draft a Zone Text Amendment to address new rooftop activity or intensification of rooftop uses in commercial zones.*

Mayor Pro Tempore Meister provided background information as outlined in the staff report dated November 2, 2015.

Councilmember Heilman requested that when staff returns with an Item, that it include examples of where this has been successful.

DAVID WARREN, WEST HOLLYWOOD, spoke in support of the item.

RICHARD GIESBRET, WEST HOLLYWOOD, spoke in support of the item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to rooftop activity.

**The following individuals did not wish to speak but expressed their support for the Item:** Kim Schneider and Stephanie Harker

Councilmember Duran expressed his concern about the item and provided a few examples of rooftop uses, especially with City living. He

indicated that he is open to studying the issue, but is not aware of any problems with rooftop uses currently.

Mayor Pro Tempore Meister provided clarification that this Item is requesting that these types of applications not be approved or denied over the counter by Staff, but through a public hearing process, either by a Community Development Director's Hearing or a Planning Commission hearing.

Councilmember D'Amico spoke in support of the Item and commented that the public should be engaged in the process, especially if it is for permanent changes to existing buildings.

Mayor Horvath spoke in support of the item.

**ACTIONS:** 1) Direct the Community Development Department to draft a Zone Text Amendment to require permit applications for new rooftop activity or the intensification of a rooftop use in commercial zones to be reviewed, approved, modified, or denied through a public hearing process; and 2) Return to City Council with a draft Zone Text Amendment within 180 days. **Motion by Mayor Horvath, seconded by Mayor Pro Tempore Meister, and approved with Councilmember Duran voting No.**

**5.B. EASTSIDE WORKING GROUP APPOINTMENTS AND RE-APPOINTMENTS [Y. QUARKER, M. CROWDER]:**

*SUBJECT: The City Council will consider making at-large appointments to the Eastside Working Group.*

**ACTION:** Council made the following at-large appointments to the Eastside Working Group: 1) Marina Berkman; 2) Justine Block; 3) Chad Blouin; 4) Agassi Topchian; and 5) Brian Holt. **Motion by Mayor Pro Tempore Meister, seconded by Councilmember Heilman, and approved.**

**EXCLUDED CONSENT CALENDAR:**

**2.G. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE WEST HOLLYWOOD MUNICIPAL EMPLOYEES (WEHOME), AFSCME LOCAL 3339, FOR THE PERIOD OF JULY 1, 2015 THROUGH JUNE 30, 2020 [L. BOCK, S. SCHUMACHER, B. FRIEDEL]:**

*SUBJECT: The City Council will consider approving the Memorandum of Understanding (MOU) with the West Hollywood Municipal Employees (WEHOME), AFSCME Local 3339, for the period of July 1, 2015, through June 30, 2020. The MOU has been ratified by WEHOME. The City Council will also consider approving the ongoing purchase of MTA Transit Passes for all staff.*

Director of Administrative Services LuNita Bock reported on Items 2.G, 2.H., and 2.I. and provided background information as outlined in the staff reports dated November 2, 2015.

Mayor Pro Tempore Meister requested clarification regarding Item 2.I. and asked whether temporary employees are included and if they receive benefits as well. Staff stated that temporary employees are included because they are performing the duties of regular employees and should be paid accordingly. She further clarified that temporary employees receive certain benefits under an approved Administrative Regulation and no revisions were made to that regulation.

Councilmember Heilman thanked Ms. Bock for her many years of service as well as her time and effort in negotiating these Memorandums of Understanding. He also thanked the various Unions and Associations.

Councilmember Duran commented that all City employees are top notch and they are compensated appropriately. He thanked all City staff.

Mayor Horvath thanked staff for their hard work.

Mayor Pro Tempore Meister commented on adding an additional classification for entry level positions.

Councilmember D'Amico thanked staff for their work.

**ACTIONS:** 1) Approve the Memorandum of Understanding with West Hollywood Municipal Employees (WEHOME), AFSCME Local 3339, which incorporates the agreements contained in the attached Memorandum of Understanding; 2) Authorize the City Manager to execute the Memorandum of Understanding on behalf of the City; and 3) Approve the ongoing purchase of MTA Transit Passes for all City employees. **Motion by Councilmember Heilman, seconded by Councilmember Duran, and approved.**

**2.H. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE ASSOCIATION OF CONFIDENTIAL EMPLOYEES (ACE), SUPERVISORY AND NON-SUPERVISORY UNITS, FOR THE PERIOD OF JULY 1, 2015, THROUGH JUNE 30, 2020 [L. BOCK, S. SCHUMACHER, Y. MAURIS]:**

*SUBJECT: The City Council will consider approving the Memorandum of Understanding (MOU) with the Association of Confidential Employees (ACE), Supervisory and Non-Supervisory Units, for the period of July 1, 2015, through June 30, 2020. The MOU has been ratified by the Membership of ACE.*

**ACTIONS:** 1) Approve the Memorandum of Understanding with the Association of Confidential Employees, which incorporates the



agreements contained in the attached Memorandum of Understanding; and 2) Authorize the City Manager to execute the Memorandum of Understanding on behalf of the City. **Motion by Councilmember Heilman, seconded by Councilmember Duran, and approved.**

**2.I. APPROVAL OF SIDE LETTERS OF AGREEMENT WITH THE WEST HOLLYWOOD MANAGEMENT ASSOCIATION (WHMA) AND SALARY AND BENEFIT CHANGES FOR THE EXECUTIVE TEAM AND TEMPORARY EMPLOYEES [L. BOCK]:**

*SUBJECT: The City Council will consider approving three (3) side letters of agreement with the West Hollywood Management Association (WHMA) and approving salary and benefit changes for the Executive Team commensurate with salary increases and benefits received by the City's bargaining units. Approving salary increases for Temporary Employees commensurate with salary increases received by general employees. The side letters have been approved by the association.*

**ACTIONS:** 1) Approve the Side Letters of Agreement with the West Hollywood Management Association (WHMA) which modifies their Memorandum of Understanding 2011-2016 providing their members with salary increases and benefits commensurate with salary increases and benefits received by the City's other bargaining units; 2) Approve salary and benefit change for the Executive Team commensurate with salary increases and benefits received by the City's bargaining units; 3) Approve salary increases for Temporary Employees commensurate with salary increases received by general employees; and 4) Authorize the City Manager to execute the Side Letters of Agreement on behalf of the City. **Motion by Councilmember Heilman, seconded by Councilmember Duran, and approved.**

**2.K. APPROVAL OF COMPENSATION ADJUSTMENT FOR CITY COUNCIL MEMBERS AND UPDATE TO THE PUBLIC OFFICIALS EXPENSE REIMBURSEMENT POLICY [D. WILSON, C. SAFRIET]:**

*SUBJECT: The City Council will consider increasing monthly compensation paid to Council Members beginning March of 2017 and updating the current amount and distribution of their monthly expense allowance payments.*

City Manager Arevalo introduced the item. Director of Finance and Technology David Wilson and Senior Management Analyst Christine Safriet provided background information as outlined in the staff report dated November 2, 2015. Senior Management Analyst Christine Safriet provided information on the research used as benchmarks for the report.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in support of the item.

CATHY BLAIVAS, WEST HOLLYWOOD, spoke in support of the item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the item.

Councilmember Heilman thanked staff for their work and commented that the item does not go into effect until after the March 2017 election. He further indicated that the item should be brought back to Council at the same time the City goes through labor negotiations. He also suggested that the salaries for Boards and Commissions be increased. He further commented that the transportation allowance should be removed as it seems to be excessive.

Councilmember D'Amico clarified that the allowance portion will go into effect immediately and spoke briefly regarding expenses incurred by Councilmembers and requested clarification as to whether \$250 is too much and if portions are not used, is it refunded back to the City.

Mr. Wilson responded that Staff determined that amount of the allowance and took into consideration Council is not reimbursed for attending events and other meetings of committees and organizations that Councilmembers are appointed to.

Mayor Pro Tempore Meister commented on the formula used to determine the amount of the increase being based on State law. She also stated that she would be comfortable with \$150 for technology expenses and \$100 for transportation and miscellaneous expenses.

Mayor Horvath noted her abstention on the Item and stated that a request for an increase in compensation should be initiated by the public.

**ACTIONS:** 1) Direct staff to develop an ordinance that amends the West Hollywood Municipal Code to increase Council Member compensation from \$825 to \$1,237 per month per Council Member; 2) Direct staff to update Council Member expense allowance payments by reducing the mobile communications allowance from \$250 to \$150 per month and adding a combined office and transportation allowance of \$100 per month, resulting in no net change to the total allowance value, effective immediately; and 3) Adopt Resolution No. 15-4766, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD UPDATING THE CITY'S PUBLIC OFFICIALS EXPENSE REIMBURSEMENT POLICY. **Motion by Councilmember Duran, seconded by Councilmember Heilman, and approved noting Mayor Horvath's abstention.**

Council also directed Staff to return with an Item for discussion of a possible increase in the meeting stipend for Commission and Advisory Board members. **Motion by Councilmember Duran, seconded by**

**Councilmember Heilman, and approved noting Mayor Horvath's abstention.**

**2.N. DETERMINE INTEREST IN DEVELOPING A PROGRAM TO PROVIDE TENANTS THE OPPORTUNITY TO PURCHASE [L. MEISTER, A. LOVANO]:**

*SUBJECT: The City Council will consider directing staff to evaluate the legal implications and public interest in developing a program that would provide tenants the right of first refusal to purchase the building they live in if the owner decides to sell.*

Councilmember Heilman provided his reasons for requesting that this Item be moved to Excluded Consent for discussion.

LARRY BLOCK, WEST HOLLYWOOD, spoke regarding this item and his concerns regarding removal of rental units.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in support of the item.

Mayor Pro Tempore Meister provided clarification that the Item is to look into the program and whether it is feasible for West Hollywood.

Mayor Horvath thanked Mayor Pro Tempore Meister for bringing this item forward.

**ACTIONS:** 1) Direct the City Attorney to evaluate the legal implications of a program to provide tenants the right of first refusal to purchase the building they live in if the owner decides to sell; 2) Direct staff to conduct a market research study to determine if there is interest among tenants in developing such a program and conduct outreach among residential property owners to investigate potential barriers; and 3) Based on the legal evaluation and expressed public interest, return to Council with recommendations to: a) Develop a program to provide tenants the right of first refusal to purchase the building they live in if the owner decides to sell, and b) Develop a technical assistance and community education component to help property owners and tenants understand the new program. **Motion by Mayor Pro Tempore Meister, seconded by Councilmember D'Amico, and approved with Councilmember Duran's voting No.**

**2.P. AGREEMENT FOR SERVICES WITH MICHAEL BAKER INTERNATIONAL [S. DEWOLFE, J. KEHO, B. SIEGL, C. CORRAO]:**

*SUBJECT: The City Council will consider approval of an agreement with Michael Baker International (formerly known as PMC) to update the City's Transportation Demand Management Ordinance and amend the Zoning*

*Ordinance to implement the Transit Overlay Zone as described in the General Plan and Climate Action Plan.*

Associate Planner Chris Corrao provided background information as outlined in the staff report dated November 2, 2015.

Mayor Pro Tempore Meister expressed her concern that during the General Plan discussions, it was decided that the transit overlay zone would not be implemented until there was a rail system in the City. Mr. Corrao commented that during the discussion it was also decided that high frequency bus transfer points could be used as a benchmark on whether the transit overlay zone would be implemented and that is what was used to determine that it could be. Deputy Director of Community Development John Keho provided further clarification.

Mayor Horvath indicated that she had expressed concern with this during her tenure on the Transportation Commission, and is now glad to see the item moving forward.

**ACTIONS:** 1) Approve an agreement for services with Michael Baker International in the amount not to exceed \$127,994 to update the City's Transportation Demand Management Ordinance and amend the Zoning Ordinance to implement the Transit Overlay Zone; and 2) Authorize the City Manager to execute all necessary documents related to the agreement. **Motion by Mayor Horvath, seconded by Councilmember D'Amico and approved.**

**6. LEGISLATIVE:**

**6.A. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 15.52.050 OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO THE REGULATION OF PLUMBING FACILITIES AND CREATING SUBSECTION A AND ADDING SUBSECTION B, REQUIRING THAT BROKEN IRRIGATION SYSTEMS BE REPAIRED IN 5 CALENDAR DAYS [O. DELGADO, J. AUBEL]:**

*SUBJECT: The City Council will consider creating subsection a and adding subsection b to 15.52.050, of Chapter 15.52 of Title 15, Article 3 of the West Hollywood Municipal Code.*

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

**PUBLIC COMMENT:**

CATHY BLAIVAS, WEST HOLLYWOOD, spoke regarding the Eastside Working Group and expressed her concern with the meetings being held at City Hall instead of on the Eastside.

**COUNCILMEMBER COMMENTS: None.**

**ADJOURNMENT:** The City Council adjourned in memory of Tallulah Corset, Ed Pierce, and those that lost their lives in the plane headed for St. Petersburg, Russia at 9:59 p.m. to its next regular meeting, which will be on Monday, November 16, 2015 at 6:30 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 16<sup>th</sup> day of November, 2015 by the following vote:

AYES:	Councilmember:	D'Amico, Duran, Heilman, Mayor Pro Tempore Meister and Mayor Horvath.
NOES:	Councilmember:	None.
ABSENT:	Councilmember:	None.
ABSTAIN:	Councilmember:	None.

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LINDSEY HORVATH, MAYOR

ATTEST:

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YVONNE QUARKER, CITY CLERK