

BUSINESS LICENSE COMMISSION

MINUTES

**THURSDAY, JULY 29, 1999
WEST HOLLYWOOD CITY HALL
COMMUNITY CONFERENCE ROOM**

I. CALL TO ORDER: Vice-chair Maxine Sonnenburg called the meeting to order at 7:00 P.M.

A. ROLL CALL:
PRESENT: Commissioners - Griffin, Mackler, Morgan, and Sonnenburg.
ABSENT: Commissioner - Forbes.
ALSO PRESENT: Brent Mullins, Code Compliance Manager; Lisa Chilton, Business License Officer; Bruce Robertson, Staff Assistant.
OTHERS PRESENT: Investigator Melvin Cunningham, LASD.

B. PLEDGE OF ALLEGIANCE: A pledge of allegiance was led by Commissioner Mackler.

C. APPROVAL OF AGENDA:

The Agenda was presented and approved by consent of all Commissioners present.

II. CONSENT CALENDAR

A. Approval of Minutes, June 21, 1999

Action: To approve Consent Calendar

Motion: Griffin Second: Morgan
Votes: All Ayes Motion carried.

III. ITEMS FROM CITIZENS – None

IV. PUBLIC HEARING

A. Appeal of Massage Technician Business License Denial.

Written request to appeal denial of regulatory massage technician business license based on Sheriff's Department recommendation.

Owner:	Christy L. Nelson
Applicant:	Christy L. Nelson
Location:	Citywide Service

Recommendation: To hear and review applicant's and sheriff's investigator testimony prior to rendering a decision, and to uphold denial if testimony does not substantially alter original reason for denial.

Lisa Chilton presented the staff report.

On December 2, 1988 the applicant submitted an application for a Massage Technician Business License. The applicant was issued an interim license at that time based on a LA City Police permit for massage that was submitted at the time of application.

The application was forwarded to the Sheriff's department for the required background and fingerprint check. The investigative report was received back on June 16th, recommending denial of the application due to falsified information submitted on the application.

The applicant was notified via Certified Mail, regarding the denial, and instructed to cease operating as a massage technician within the City of West Hollywood. The applicant was also given information as to the appeal process at this time.

The applicant requested an appeal of the denial.

Subsequent investigations (by Staff) revealed that the applicant had submitted an invalid police permit and falsified other information of the application. At this time Staff determined that the application should be denied and is recommending denial to this Commission.

Ms. Nelson presented the applicant's report.

Ms. Nelson commented that at the suggestion of her lawyer, she did not include certain information on her application. According to Ms Nelson, her lawyer told her that although her record would indicate that she had been arrested, it would not show that she had been charged. Therefore, in filling out future applications, Ms. Nelson would not have to indicate that she was convicted of anything as the charges were dropped. This is reason that Ms. Nelson answered *No* (to the question on the business license application, *Have you ever been arrested which resulted in a conviction*).

The Commission asked questions of the applicant.

Investigator Melvin Cunningham LASD addressed the Commission.

In his investigation of this case, Investigator Cunningham conducted a review of the file and determined the following:

1. Court case #93H00962, indicated a disqualifying conviction. Investigator Cunningham looked at the application in this case and noticed that the answer to *have you ever been convicted*, was no.
2. Investigator Cunningham also contacted the LA City Police Commissions, Commission Investigation Division, to determine the status of LA City license, which was presented in order to obtain a temporary permit. Investigator Cunningham was informed that the license had been cancelled in January of 1997 for failure to pay fees. This means that the LA license was invalid at the time the West Hollywood application was made.

The Commission posed questions of the applicant.

Action: To adopt Resolution 99-001 upholding the business license denial, as proposed by Staff.

Motion: Griffin

Second: Mackler

Roll call vote:

Griffin Aye

Sonnenburg Aye

Mackler Aye

Morgan Aye

Motion carried.

V. COMMISSION CHAIR'S REPORT – NONE

VI. ITEMS FROM COMMISSIONS – NONE

VII. ITEMS FROM STAFF

- A. A review of the dates and subject matter on upcoming meetings with the Economic Development and Human Services Department staff pursuant to Council direction arising from the City Council's joint session with the Business License Commission on June 21, 1999.

The Commission discussed possible future dates to hold meetings with the Economic Development and Human Services Divisions, as directed by Council. The Commission's date of preference is Tuesday, October 12, 1999. All members of the Commission could attend on this date. If this date is not workable with the other divisions involved, Tuesday, October 6, 1999 would work, although Commissioner Mackler would not be able to attend on this date.

The Commission also discussed convening prior to the October meeting (with the other divisions) in order to prepare for this meeting. Lisa will contact Commissioner Forbes upon his return and will then contact the other commissioners as to a special meeting date.

VIII. Action: To adjourn to the next regularly scheduled meeting of the Business License Commission to be held on August 3, 1999, from 6:00 p.m. until completion at the City of West Hollywood, Community Conference Room, 8300 Santa Monica Boulevard.

Motion: William

Second: Mackler

Votes: All Ayes

Motion carried.

PASSED, APPROVED AND ADOPTED THIS DAY OF _____.

CHAIRPERSON: _____

ATTEST:

BUSINESS LICENSE OFFICER: _____


