



**BUSINESS LICENSE COMMISSION
CITY OF WEST HOLLYWOOD
PUBLIC HEARING MINUTES
Tuesday, May 3, 2016**

1. CALL TO ORDER: Chair Zaden called the meeting to order at 7:00 P.M.

- a. **PLEDGE OF ALLEGIANCE:** Commissioner Kay led the Pledge of Allegiance.
- b. **ROLL CALL:**

PRESENT: Chair Zaden
Vice-Chair Charity
Commissioner Bridle
Commissioner Kay
Commissioner Kazakos
Commissioner King
Commissioner Lo

ALSO PRESENT: Acting Code Compliance Manager Dan Mick, Acting Business License Officer Yessica Benitez, Staff Liaison, Anne Van Valkenburgh, Staff Attorney Jonathan Holub, and City Attorney Lauren Langer.

2. APPROVAL OF THE AGENDA:

ACTION: Approve the Business License Commission Agenda of Tuesday, May 3, 2016. **Moved by Commissioner Kay, seconded by Commissioner Kazakos, and approved.**

3. APPROVAL OF MINUTES:

ACTION: Approve the Business License Commission Minutes of Tuesday, October 6, 2015. **Moved by Commissioner Charity, seconded by Commissioner Kazakos, and approved.**

4. PUBLIC COMMENT: None.

5. PUBLIC HEARINGS: None.

6. UNFINISHED BUSINESS:

- A. Update on the October 6, 2015 Public Hearing meeting involving the suspension and modification of Mr. G's Pawnbrokers business license. Dan Mick, Acting Code Compliance manager went over the required reporting and recommended the Commission receive and file the report.

ACTION: The Commission approved to receive and file the report.

7. NEW BUSINESS

A. Tobacco Retailer Business License Ordinance:

Acting Code Compliance Manager Dan Mick provided background information as outlined in the staff report dated May 3, 2016. On February 16, 2016, the City Council directed the City Attorney to draft an ordinance that would create a Tobacco Retailer Licensing program in order to ensure that retailers comply with tobacco control laws and the City's business standards, and to prohibit the sale of tobacco related products to minors.

Mr. Mick also reported on the retailers outreach meeting of April 20th. April 20, 2016, was set aside for impacted West Hollywood Business owners to meet with Code Compliance staff to discuss any concerns with the draft ordinance for the new Tobacco Retailer regulatory business license. He reported there were sixty-three businesses invited to attend and ten businesses participated in the discussion.

LIDIA GUERRA, NORTH HILLS, spoke in favor of staff recommendation.

MICHAEL WAGNER, WEST HOLLYWOOD, spoke in favor of the staff recommendation.

MONTY MESSEX, LOS ANGELES, expressed his concern that the proposed Tobacco Retailer Business License Ordinance didn't go far enough to prevent the sale of tobacco products to minors.

The Commission discussed the item and inquired with staff regarding various elements in the proposed ordinance. Dan Mick confirmed that the proposed ordinance did not go beyond what state law mandates and the age requirement would be the same as California state law. He also confirmed that the proposed ordinance did not go above and beyond what City Council directed. He confirmed it would be a new regulatory business license governed under Title 5 - Business Licenses, Regulations and Permits of the West Hollywood Municipal Code.

ACTION: Recommend the City Council adopt the Tobacco Retailer Business License Ordinance as proposed by staff. **Moved by Commissioner Kazakos, seconded by Commissioner Zaden, and approved.**

ACTION: Staff to report back to the Business License Commission in one year, on the implementation, enforcement, input from the local retailers who have the new Tobacco License and follow up with a report on any new data from Valley Community Healthcare and LA County Tobacco Control and Prevention Program. **Moved by Commissioner Bridle, seconded by Commissioner Lo, and approved.**

B. Amendment to Temporary Business Licenses:

Acting Code Compliance Manager Dan Mick provided background information as outlined in the staff report dated May 3, 2016. The West Hollywood Business License Commission will review and make recommendations regarding a proposed amendment to the Business License Ordinance which would remove valet parking operators and carnivals/concessions from the list of businesses that are eligible for temporary licenses and would specifically prohibit a peddler/solicitor or promoter from obtaining more than two temporary business licenses within a twelve-month period.

The Commission discussed the item and inquired with staff regarding various elements in the proposed ordinance. Oscar Delgado, Director of Department of Public Works addressed the Commissions' questions regarding West Hollywood valet operators. Director Delgado recommended that the Business License Commission meet at the next Business License Commission meeting to have an informational meeting on the City's ordinance governing Valet Businesses; Municipal Code Title 5 Chapter 5.120 Valet Parking.

ACTION: Recommend the City Council adopt the amendment to the Temporary Business License Ordinance as proposed by staff. **Moved by Commissioner Charity, seconded by Commissioner Kazakos, and approved.**

8. ITEMS FROM STAFF: None

9. PUBLIC COMMENT: None

10. ITEMS FROM COMMISSIONERS/BOARD MEMBERS:

Commissioner Kay requested that the Commission meet to discuss valet operations in the City and the provisions of the municipal code that regulate these types of businesses.

Per Director Delgado, a meeting will be convened in no less than three months to brief the Commission on the City's ordinance governing Valet Businesses; Municipal Code Title 5 Chapter 5.120 Valet Parking. Per Acting Manager Mick, the Code Compliance division will provide up to one year of past valet business enforcement actions and statistics for the meeting.

Commissioners King and Bridle inquired and commented on the purview of the Commission in relation to the public safety.

Commissioner Charity gave kudos to Commissioner Kay for bringing the valet issue forward.

Commissioner Zaden inquired if the City Manager had made a decision to meet with the Chairs of all the West Hollywood Commissions and Boards. Staff stated they will look into this. Commissioner Zaden inquired if the Business License Commissioners

were going to ride on the Pride Parade float. Staff stated that the Special Events division will be forthcoming on the Pride Parade float information to all Commissions and Advisory boards.

10. ADJOURNMENT:

The Business License Commission adjourned at 8:37 PM. The Business License Commission will adjourn to the next required meeting of this body, to be determined by the Director, and to be held at West Hollywood City Hall at 7:00 p.m., 8300 Santa Monica, West Hollywood, CA 90069.

APPROVED BY A MOTION OF THE BUSINESS LICENSE COMMISSION ON THIS
6TH DAY OF September 2016.


SIBYL ZADEN, CHAIRPERSON

ATTEST:


YESSICA BENITEZ, BUSINESS LICENSE OFFICER

NOTE: A copy of the audio recording of this meeting can be obtained from the City Clerk's office upon request. (Disclaimer: Staff records the meetings for the sole purpose of composing the official meeting minutes; therefore the recordings are not of commercial quality.)