



**BUSINESS LICENSE COMMISSION  
CITY OF WEST HOLLYWOOD  
MINUTES**

**Special Meeting  
Tuesday, February 5, 2019  
7:00 PM**

**West Hollywood City Hall Community Conference Room  
8300 Santa Monica Boulevard**

**1. CALL TO ORDER**

Chair King called the meeting of the Business License Commission to order at 7:00 p.m.

A. **PLEDGE OF ALLEGIANCE:** Commissioner Kazakos led the Pledge of Allegiance.

B. **ROLL CALL:**

Commissioners Present: Commissioner Anthony, Commissioner Kazakos, Commissioner Zaden, Vice-Chair Lo, and Chair King.

Commissioners Absent: Commissioner Bridle and Commissioner Kay.

Staff Present: Acting Code Compliance Manager Benitez, Code Compliance Supervisor Mick, Business License Officer Hernandez, Staff Attorney Holub, and Commission Secretary Kingi.

**2. APPROVAL OF AGENDA**

**Action:** Approve the Business License Commission Agenda of February 5, 2019.  
**Motion by Commissioner Zaden, seconded by Commissioner Kazakos and approved.**

**3. APPROVAL OF MINUTES**

**Action:** Approve the minutes of Tuesday, November 27, 2018. **Motion by Commissioner Anthony, seconded by Commissioner Kazakos and unanimously approved the minutes as amended to reflect the correct names and titles of the Commissioners.**

**4. PUBLIC COMMENT**

JAKE STEVENS, LOS ANGELES, spoke on behalf of CALMA, one of the top ranking cannabis applicants, and expressed appreciation for the Business License Commission.

**5. PUBLIC HEARINGS:**

A. **AN APPEAL TO MODIFY THE SECURITY GUARD REQUIREMENTS FOR AN EXTENDED HOUR BUSINESS, BUSINESS LICENSE #EXT-004723**

*SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider an appeal to modify the existing security guard requirements during the extended hours of operation (between 2AM to 6AM) for 7-Eleven located at 1100 La Cienega Blvd.*

Chair King asked how the matter was publicly noticed. Commission Secretary Kingi stated that the item was noticed as required by law.

Chair King opened the public hearing.

Acting Code Compliance Manager Benitez, provided background information as provided in the staff report dated February, 5, 2019

Vice-Chair Lo inquired if this case will set precedence for other businesses. Acting Code Compliance Manager Benitez indicated that there hasn't been any appeals submitted and that all businesses operating between 2am to 6am are within the guidelines. She also referenced the Crime Prevention Chapter in the West Hollywood Municipal Code. Code Compliance Supervisor Mick stated that in the past they have allowed two businesses within close proximity to share security guards.

Commissioner Kazakos expressed concern with the security guards means of transportation. Acting Code Compliance Manager Benitez confirmed that the security guard would be patrolling the locations by vehicle.

Chair King inquired how many businesses have extended hour licenses within the City of West Hollywood. Acting Code Compliance Manager Benitez confirmed that there are roughly thirty-three (33) businesses that have extended hour business license.

Vice-Chair Lo questioned if any reports have been received from the Sheriff's Department. Acting Code Compliance Manager Benitez confirmed that the service calls had been received and there were not any calls concerning the business and she also asked for a recommendation which is attached to the staff report.

Commissioner Kazakos expressed concerned with the staffing of the business. Acting Code Compliance Manager Benitez informed the commissioner that the appellant would be able to answer any operational questions.

BRUCE EVANS, APPELLANT (Representative), explained that all stores are within 1.2 miles of each other, which the security guard can be quickly summoned by the store employees. He answered questions regarding the security company operation and shared that typically two (2) employees are on duty at one time. Mr. Evans thanked the Code Compliance Division for having an open mind and recommending the approval. He also confirmed that he met with Sergeant Klaus twice to review the calls for service and to get his feedback. It was also stated that the business has been established in West Hollywood for over 24 years. Although the code only requires security between the hours of 2am and 6am, 7-Eleven will implement the guard service between the hours of 10pm and 6am. It allows 7-Eleven to be more economical with its security dollar as well as a security presence at 10pm which is much busier than 2am.

Vice-Chair Lo asked for a detailed review of what a guard would be doing. BRUCE EVANS explained that the security guard will spend about thirty (30) minutes at each location, canvas the parking lot, assist employees if cleaning needs to be done, spend time with the employees at the location and proceed to the next location.

Commissioner Kazakos suggested that the Security Guards route should not be repeated every day for safety reasons.

KEVIN RITTER, WEST HOLLYWOOD, spoke in support of 2A.

Commissioner Anthony expressed concern with safety and suggested adopting Alternative A.

Vice-Chair Lo suggested moving forward with the Staff Recommendation with a review at three (3) months instead of six (6) months.

Chair King inquired information regarding their current security plan. Acting Code Compliance Manager Benitez confirmed that there is currently one guard on duty for all three (3) locations and this has been in effect since November. BRUCE EVANS confirmed that the security guard has been in place since September.

Chair King asked for comparison on statistics when there wasn't a guard versus when the guard was in place. Acting Code Compliance Manager Benitez confirmed there were no reports before a guard was in place and therefore there was no comparison.

Vice-Chair Lo questioned the approval dates back in October 2018 for the Extended Hour Permits. Acting Code Compliance Manager Benitez informed the commission that the business license for 1100 La Cienega Blvd was renewed back in June 6, 2018, 7950 Santa Monica was renewed back in July 23, 2018, 7609 Santa Monica was renewed June 6, 2018 and the appeal was received October 23, 2018.

Commissioner Zaden spoke in support of the three (3) month review and agreed that the guard should change up the route schedule.

Chair King confirmed with staff if a three (3) month review period would be sufficient enough for staff to collect data.

Code Compliance Supervisor Mick confirmed that staff would be able to return back to the commission at the three (3) month and twelve (12) month mark to present any findings.

Commissioner Anthony mentioned Code compliance visiting the La Cienega store but not the other two (2) locations.

Acting Code Compliance Supervisor Yessica Benitez explained that (Nighttime) Code Compliance Officer Jason Cosylian conducted a proactive inspection at the 1100 La Cienega location and at that point a notice was issued. At that point 7-

Eleven began communication regarding the security requirement which lead to an appeal.

Commissioner Anthony asked for clarification on the current allowance for one (1) security guard.

Code Compliance Supervisor Dan Mick explained that the previous Code Compliance Manager Jeff Aubel made a determination to allow the one (1) guard to patrol until the item was brought to the Business License Commission.

Commissioner Anthony expressed concern for the safety of the community and fairness for all businesses. He suggested that it would be very important to have someone at the location to offer help immediately.

Chair King suggested that those that are inebriated are not originating at 7-Eleven; they are originating elsewhere in the city. He also expressed concern with the burden that is placed on 7-Eleven with serving those that come to their locations inebriated, as the burden should fall on the business selling alcohol. He then explained the purpose of the Sherriff's department.

Commissioner Anthony stated that this isn't burdening a particular business this is holding all businesses to the same standard.

Commissioner Lo and Anthony discussed the letter of law versus the spirit of law. Commissioner Anthony expressed that safety was his concern and that the alternative given in the staff report would be a good alternative.

Commissioner Lo suggested that the commission move forward with the staff's recommendation, review after three (3) months and then decide if the alternative should be put in place.

Chair King clarified the difference between the staff's recommendation and the alternative. He also noted that the appellant offered to give additional coverage.

Vice-Chair Lo asked of a report could be given after three (3) months. Acting Code Compliance Manager Benitez confirmed that a report can be provided if the commission decided to have a review after 3 months.

Vice-Chair Lo and Commissioner Anthony discussed if a three (3) month review would be beneficial. Commissioner Anthony explained that his concern was not between a review at three (3) months or six (6) months but rather what could happen in the future and how much security is required at the business with extended hours licenses because it is something that the commission has placed in the code.

Chair King expressed concern for crime and asked for crime reports in the areas of the 7-Eleven locations during the hours of 2am-6am. Acting Code Compliance Manager Benitez reported that there are no reports for these statistics.

Chair King suggested that there is more foot traffic between 10pm and midnight when the bars are open and he would like to see a guard on site during those hours.

Chair King suggested moving forward with the staff's recommendation.

Commissioner Anthony and Chair King reviewed the staff's recommendation and alternative.

Vice Chair Lo and Chair King discussed Chair King's experience working with the Sherriff's department in regards to crime between 2am – 6am. Chair King explained that he did not have enough personal information to draw a conclusion.

Code Compliance Supervisor Mick offered to have a member from the Sherriff's department present at the next meeting if needed to provide background information.

Chair King confirmed that more insight in needed to agree upon a motion. He also agreed to move forward with the staff recommendation with a review in three (3) months.

Vice Chair Lo asked for a crime analysis. Code Compliance Supervisor Dan Mick stated that an analysis that dates back a full year can be provided to capture six (6) months before the guard was in place and six to nine (6 - 9) months after the guard was in place.

Chair King opened the floor for a motion.

**ACTIONS:** Adopt Resolution No. BLC19-0001, " A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING AN APPEAL TO ALLOW ONE LICENSED ROVING UNIFORMED SECURITY GUARD TO MONITOR THREE 7-ELEVEN STORES WITHIN CITY LIMITS" with the following conditions:

1. One licensed roving uniformed security guard between the hours of 10:00 p.m. to 6:00 a.m. to monitor, 7950 Santa Monica, 7609 Santa Monica Blvd., and 1100 La Cienega Blvd.
2. This license shall be reviewed by staff three (3) months and six (6) months after approval and an update shall be provided to the Business License Commission at those times. **Motion by Chair King, seconded by Vice-Chair Lo, and approved.**

**B. AN APPEAL TO MODIFY THE SECURITY GUARD REQUIREMENTS FOR AN EXTENDED HOUR BUSINESS, BUSINESS LICENSE #EXT-002863**

*SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider an appeal to modify the existing security guard requirements during the extended hours of operation (between 2AM to 6AM) for 7-Eleven located at 7950 Santa Monica Blvd.*

BRUCE EVANS, APPELLANT (Representative), stated he had no presentation but would be happy to answer any questions.

Chair King opened the floor for a motion.

Vice Chair Lo motioned to make the same recommendation for item 2A.

Staff Attorney Jonathan Holub advised Chair King to state "Move to adopt the same provisions as Resolution No. BLC19-0001 will be repeated in Resolution No. BLC19-0002

**ACTION:** Adopt Resolution No. BLC19-0002, " A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING AN APPEAL TO ALLOW ONE LICENSED ROVING UNIFORMED SECURITY GUARD TO MONITOR THREE 7-ELEVEN STORES WITHIN CITY LIMITS" with the following conditions:

1. One licensed roving uniformed security guard between the hours of 10:00 p.m. to 6:00 a.m. to monitor, 7950 Santa Monica, 7609 Santa Monica Blvd., and 1100 La Cienega Blvd.
2. This license shall be reviewed by staff three (3) months and six (6) months after approval and an update shall be provided to the Business License Commission at those times. **Motion by Vice Chair Lo, seconded by Commissioner Zaden, and approved.**

**C. AN APPEAL TO MODIFY THE SECURITY GUARD REQUIREMENTS FOR AN EXTENDED HOUR BUSINESS, BUSINESS LICENSE #EXT-002434**

*SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider an appeal to modify the existing security guard requirements during the extended hours of operation (between 2AM to 6AM) for 7-Eleven located at 7609 Santa Monica Blvd.*

BRUCE EVANS, APPELLANT (Representative), stated he had no comment.

FRED ZULO, WEST HOLLYWOOD, on 01/28/19 called the office in support of 2C.

Chair King opened the floor for a motion.

**ACTION:** Adopt Resolution No. BLC19-0003, " A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING AN APPEAL TO ALLOW ONE LICENSED ROVING UNIFORMED SECURITY GUARD TO MONITOR THREE 7-ELEVEN STORES WITHIN CITY LIMITS" with the following conditions:

1. One licensed roving uniformed security guard between the hours of 10:00 p.m. to 6:00 a.m. to monitor, 7950 Santa Monica, 7609 Santa Monica Blvd., and 1100 La Cienega Blvd.

2. This license shall be reviewed by staff three (3) months and six (6) months after approval and an update shall be provided to the Business License Commission at those times. **Motion by Vice Chair Lo, seconded by Commissioner Zaden, and approved.**

**6. UNFINISHED BUSINESS**

None

**7. NEW BUSINESS**

None

**8. ITEMS FROM STAFF**

**A. Past Public Hearing Updates**

Acting Code Compliance Manager Benitez provided a 5 year update on past public hearings:

1. Zen Healing – There was a public hearing back in 2014 to potentially revoke their business license as the manager had some criminal activity. The business is currently in good standing since 2014.
2. Mr. G's Pawn Shop – There was a request to modify or suspend their license for potentially buying and selling stolen goods. The business was sold and no longer in operation.
3. Pi on Sunset – On October 2, 2018, the business obtained an Extended Hours business license and are currently in good standing.
4. Hotel Crafters (The Standard), On October 2, 2019, obtained an Extended Hours business license and are currently in good standing.
5. Angelina Sar was issued a massage License after a staff recommendation of denial. A hearing will be scheduled on or after April 2019.

**B. Animal Grooming Ordinance Revision**

Code Compliance Supervisor Mick informed the Commission that the City Council made a revision to the recommendation which had to do with the distance requirements while the animals were being groomed. Now all animal groomers cannot be more than four feet (4ft) away from the animal.

**9. PUBLIC COMMENT**

None

**10. ITEMS FROM COMMISSIONERS**

Vice Chair Lo asked for an update on Cannabis Business License process. Code Compliance Supervisor Mick explained that Thursday at 1pm in the Council Chambers, the scoring committee will hold a public meeting to discuss and certify and finalize the scores. He also stated that state laws have been changed without notice and now the City is revising its Cannabis ordinance. The new state regulations have significantly impacted many of the business models that have been submitted, so now the City is working with the State to make further revisions to the law to give the cities more flexibility to allow some of the concepts.

Vice Chair Lo asked for more clarification. Code Compliance Supervisor Mick advised that because of the changes to state law, it's going to potentially impact what the commission will be doing. The businesses will possibly be taking a business model they did not plan for as their original plans may no longer be legal under the new law. He also informed the Commissioners that they will be well prepared when the cannabis items are brought to the commission and they are looking at a date closer to June.

Chair King expressed concern with an inoperable automated parking lot on private property. Code Compliance Supervisor Mick suggested speaking with the Parking Division.

Chair King expressed concern with a local business that also owns residential property and they are using residential space to store commercial materials. Code Compliance Supervisor Mick suggested speaking to him after the meeting to get more information.

Vice Chair Lo asked for more information on running a home business. Code Compliance Supervisor Mick explained that there are plenty of home occupations that are allowed in the city, some may require a permit or a zone clearance. Acting Code Compliance Manager Benitez advised Vice Chair Lo to contact staff if he had concerns and home businesses would be more of a zoning issue.

**11. ADJOURNMENT**

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



**PASSED, APPROVED, AND ADOPTED** by the Business License Commission of the City of West Hollywood at a special meeting held this 7<sup>th</sup> day of May, 2019.

  
\_\_\_\_\_  
MICHAEL KING, CHAIRPERSON

ATTEST:

  
\_\_\_\_\_  
FALYN KINGI, COMMISSION SECRETARY