

**BUSINESS LICENSE COMMISSION
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, AUGUST 13, 2019
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

7:00 P.M. – SPECIAL MEETING

1. CALL TO ORDER – Chair Lo called the meeting to order at 7:12 p.m.

A. PLEDGE OF ALLEGIANCE – Commissioner Copeland led the Pledge of Allegiance.

B. OATH OF OFFICE- Mayor Pro Tem Horvath administered the Oath of Office to the newly appointed Commissioner Sepi Shyne.

C. ROLL CALL

PRESENT: Commissioner Anthony
Commissioner Copeland
Commissioner Shyne
Commissioner Zaden
Chair Lo

ABSENT: Commissioner Saltzman

ALSO PRESENT: Code Compliance Manager, Danny Rivas
Code Compliance Supervisor, Yessica Benitez
Code Compliance Supervisor, Dan Mick
Assistant City Attorney, Lauren Langer
Commission Secretary, Falyn Kingi
Community and Legislative Affairs Manager, John Leonard

D. APPROVAL OF THE AGENDA

SUBJECT: The Business License Commission is requested to approve the agenda.

ACTION: Approve the Business License Commission Agenda of August 13, 2019. **Motion by Commissioner Zaden to approve the August 13, 2019, agenda, seconded by Commissioner Copeland and approved.**

E. APPROVAL OF MINUTES

SUBJECT: The Business License Commission is requested to approve the minutes of prior Business License Commission meetings.

ACTION: Approve the minutes of July 16, 2019. **Motion by Commissioner Zaden to approve the July 16, 2019, minutes, seconded by Commissioner Copeland and approved.**

2. PUBLIC COMMENT

RICHARD MAGGIO, WEST HOLLYWOOD, spoke regarding the newly sworn in Commissioner Shyne and the Rent Stabilization Commission.

GENEVIEVE MORRILL, WEST HOLLYWOOD, spoke regarding the newly sworn in Commissioner Shyne.

NAZANIN LAHIJANI, LOS ANGELES, spoke regarding business licenses for CALMA and Artist Tree.

3. PUBLIC HEARINGS:

A. APPLICATION BY THE ARTIST TREE, LLC FOR CANNABIS BUSINESS LICENSES FOR ADULT-USE RETAIL, MEDICAL-USE DISPENSARY, AND DELIVERY SERVICE FOR THE BUSINESS KNOWN AS THE ARTIST TREE, TO BE LOCATED AT 8625 SANTA MONICA BLVD.

SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider the application by The Artist Tree, LLC for cannabis business licenses in the following categories: Adult-Use Retail; Medical-Use Dispensary; and Delivery Service, for the business known as The Artist Tree, to be located at 8625 Santa Monica Blvd.

Business License Commission Secretary Kingi stated that the item was noticed as required by law.

Commissioner Anthony joined the commission meeting at 7:22 p.m.

Code Compliance Supervisor Mick, and Community and Legislative Affairs Manager Leonard, provided background information as provided in the staff report dated August 13, 2019.

Commissioner Shyne expressed concern with delivery safety precautions and parking.

Commissioner Anthony expressed concern with the hours of operation and inquired if there would be a circumstance when Code Compliance would recommend a 6 a.m. start time.

Code Compliance Supervisor Mick explained that Code Compliance would like to remain consistent across the board with the recommended start time of 8 a.m. for retail and delivery of cannabis.

Community and Legislative Affairs Manager Leonard explained the reasoning for being restrictive with start times as a new business and suggested revisiting the start times upon renewal of the business license.

Chair Lo asked for clarification on the types of licenses that are being applied for.

Community and Legislative Affairs Manager Leonard explained that the applicant will apply for the two (2) consumption lounge licenses at a later date, once State level laws are finalized.

Commissioner Anthony requested clarification regarding the general impact on the early morning community with a start time of 6 a.m.

Code Compliance Supervisor Mick and Community and Legislative Affairs Manager Leonard explained that their recommendation is just based on the close proximity to residents and noise.

Commissioner Shyne inquired about start times for other businesses in the area that open earlier than 8 a.m. within a two block radius and parking for the business.

Code Compliance Supervisor Mick gave a brief list of businesses that open prior to 8 a.m. and stated that there is parking across the street in the lot.

AVI KAHAN and LAUREN FONTEIN, APPLICANTS, spoke as the business owners and gave an overview of the presentation being presented by the Chief Operating Officer.

AVIV HALIMI, CHIEF OPERATING OFFICER, provided information on the proposed business as it pertains to parking, floorplan layout, connecting with local artist, the cannabis learning center, the cultivation cube. He also discussed the five (5) other locations that are owned and explained the delivery regulations and process.

Commissioner Zaden inquired about parking.

Commissioner Anthony inquired about the partnership with the Food Forward organization and the 6 a.m. start time.

Commissioner Shyne inquired about security training.

Commissioner Anthony inquired about the odor control system.

Chair Lo asked for clarification about the check-in process at the front desk.

SOL YAMINI, LOS ANGELES, spoke in support of 3A.

ERRON SILVERSTEIN, WEST HOLLYWOOD, spoke in support of 3A.

SCOTT SCHMIDT, WEST HOLLYWOOD, spoke in support of 3A.

GENEVIEVE MORRILL, WEST HOLLYWOOD, spoke in support of 3A.

MICHAEL KING, WEST HOLLYWOOD, spoke against 3A.

BRIAN ROBINSON, LOS ANGELES, spoke in support of 3A.

PATRICK FOGARTY, SHERMAN OAKS, spoke in support of 3A.

JEFF DANZER, LOS ANGELES, spoke in support of 3A.

The following individual submitted an email against the item: Dina LaPolt

The following individuals submitted an email in support of the item: Scott Schmidt, Jennifer McGrath, and Armen Yemenidjian.

Commissioner Shyne inquired about the security phone number being provided to the residents within the two (2) block radius.

The Commission discussed the hours of operation with a 6 a.m. start time, traffic concerns, and involvement of art to be displayed onsite.

ACTION: Adopt Resolution No. BLC19-0007, "A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING CANNABIS ADULT-USE RETAIL BUSINESS LICENSE #CAU-000005, CANNABIS MEDICAL-USE DISPENSARY BUSINESS LICENSE #CMU-000002 with a start time of 6:00 a.m., and CANNABIS DELIVERY SERVICE BUSINESS LICENSE #CDW-000003 FOR THE BUSINESS KNOWN AS THE ARTIST TREE, TO BE LOCATED AT 8625 SANTA MONICA BLVD" (Attachment A).

Motion by Commissioner Anthony, seconded by Commissioner Shyne and approved.

B. APPLICATION BY CALMA WEHO, LLC FOR CANNABIS BUSINESS LICENSES FOR ADULT-USE RETAIL AND DELIVERY SERVICE FOR

THE BUSINESS KNOWN AS CALMA, TO BE LOCATED AT 1155-1157 LA BREA AVE.

SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider the application by CALMA, LLC for cannabis business licenses in the following categories: Adult-Use Retail and Delivery Service, for the business known as CALMA to be located at 1155-1157 La Brea Ave.

Business License Secretary Kingi stated that the item was noticed as required by law.

Code Compliance Supervisor Mick and Community and Legislative Affairs Manager Leonard provided background information as provided in the staff report dated August 13, 2019.

JAKE STEVENS, APPLICANT, provided information a brief description on the business name and proceeded to explain the proposed business plan as it pertains to the proposed exterior rendering, floorplan lay out, interior renderings, proactive community engagement, support from other organizations and security concerns.

Commissioner Shyne inquired about security operations.

JAKE STEVENS, APPLICANT, explained the security plan and stated requirements.

Commissioner Anthony inquired about the online ordering process.

JAKE STEVENS, APPLICANT, explained how the app Eaze platform is used.

SOL YAMINI, LOS ANGELES, spoke in support of item 3B.

ERREON SILVERSTEIN, WEST HOLLYWOOD, spoke in support of item 3B.

SCOTT SCHMIDT, WEST HOLLYWOOD, spoke in support of item 3B.

BRIAN NARNES, WEST HOLLYWOOD, spoke in support of item 3B.

LAUREN FONTEIN, LOS ANGELES, spoke in support of item 3B.

JACOB CHERRY, LOS ANGELES, spoke in support of item 3B.

KEVIN BRADY, WEST HOLLYWOOD, spoke in support of item 3B.

GENEVIEVE MORRILL, LOS ANGELES, spoke in support of item 3B.

MICHAEL SAROUDI, LOS ANGELES, spoke in support of item 3B.

BRIAN ROBINSON, LOS ANGELES, spoke in support of item 3B.

JON LOCARNI, SHERMAN OAKS, spoke in support of item 3B.

JEFF DANZER, LOS ANGELES, spoke in support of item 3B.

JAKE STEVENS, APPLICANT, provided words of gratitude.

The following individuals submitted an email in support of the item: Scott Schmidt, Jennifer McGrath, Armen Yemenidjian, and Jesse Slansky

Commissioner Shyne commended CALMA for their involvement with the Black AIDS Institute and Artist Tree for paying employees a living wage and providing benefits.

Commissioner Anthony stated he was impressed with the restorative justice program and expressed his support for the business.

Commissioner Copeland expressed appreciation for the plan of community engagement and support of non-profits.

ACTION: Adopt Resolution No. BLC19-0006, "A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING CANNABIS ADULT-USE RETAIL BUSINESS LICENSE #CAU-000004 and CANNABIS DELIVERY SERVICE BUSINESS LICENSE #CDW-000002 FOR THE BUSINESS KNOWN AS CALMA, TO BE LOCATED AT 1155-1157 LA BREA AVE." (Attachment A). **Motion by Commissioner Shyne, seconded by Commissioner Anthony and approved.**

4. NEW BUSINESS

A. COMMISSION ELECTIONS

SUBJECT: The Commission will elect a Vice Chair to head the Business License Commission.

ACTION: The Business License Commission tabled this item to the next meeting.

C. CITY OF WEST HOLLYWOOD CENŞUS 2020 COMPLETE COUNT COMMITTEE (CCC)

SUBJECT: The Business License Commission will consider electing one member to serve on the CCC; which will develop strategies to ensure that every resident is counted for the 2020 Census.

ACTION: The Business License Commission tabled this item to the next meeting.

5. UNFINISHED BUSINESS

A. AN UPDATE REGARDING THE SECURITY GUARD REQUIREMENTS FOR THE EXTENDED HOUR BUSINESS LICENSES #EXT-002434, #EXT-002863 AND #EXT-004723

SUBJECT: The purpose of this meeting is to present the Business License Commission a six (6) month progress report regarding the shared security guard for the three (3) convenience stores, known as 7-Eleven, located in West Hollywood.

Code Compliance Supervisor Benitez provided background information as provided in the staff report dated August 13, 2019.

Commissioner Anthony inquired about the recent assault.

Chair Lo questioned the location of the security guard at the time of the incident.

BRUCE EVANS, APPLICANT, spoke about past issues with the previous security guard and company that have currently improved. He addressed the incident from August 6, 2019, and stated that the news articles were misleading and explained what actually took place.

Commissioner Anthony questioned the protocol for contacting security.

BRUCE EVANS, APPLICANT, explained how the store clerks are trained to contact the security company (SOS) and that number will go directly to the security guard who is working that shift. He also explained that the Sherriff's were called directly by the store clerk in the mentioned recent incident.

Commissioner Copeland inquired about the removal of the trash receptacle in front of the 7950 Santa Monica Blvd.

BRUCE EVANS, APPLICANT, explained that the trash receptacles were removed to deter loitering in front of the store.

Commissioner Anthony inquired if all three (3) franchises shared the same security company in the past.

BRUCE EVANS, APPLICANT, explained that prior to SOS there was a single security company and they have continued to use a single security company.

DENNIS FRANCIS, SOUTH PASADENA, spoke regarding the model of 7-Eleven, field consultants, and discussed how resources are deployed to 7-Eleven stores in need. He also discussed how 7-Eleven is now working with the security company SOS.

Commissioner Shyne inquired if having three (3) stores sharing a roving guard is a model that is typical used for other 7-Eleven stores.

DENNIS FRANCIS, SOUTH PASADENA, explained that this is the first City to implement an ordinance to require their store to have a security guard between the hours of 2 a.m. and 6 a.m.

MICHAEL ROBERTS, SANTA MONICA, spoke on behalf of SOS and gave an overview of the company. He gave a detailed description of the daily duties of the security guard.

Commissioner Anthony briefed newly appointed Commissioner Shyne on the past hearings and stated he would like to continue to monitor the businesses.

Commissioner Copeland requested that the trash cans be returned.

BRUCE EVANS, APPLICANT, agreed to return the trash cans.

ACTION: 1.) Receive and file an update on the 7-Eleven stores regarding the approval of a shared security guard as approved at the last Business License Commission Hearing. 2.) Take no further action at this time and allow staff to continue to monitor the progress of this business and report back to the Commission in three months. **Motion by Commissioner Anthony, seconded by Commissioner Shyne and approved.**

6. ITEMS FROM STAFF

None

7. PUBLIC COMMENT:

None

8. ITEMS FROM COMMISSIONERS:

Commissioner Zaden mentioned the Annual Congress meeting on September 11, 2019.

Commissioner Anthony welcomed newly appointed Commissioner Shyne, apologized for his tardiness and suggested that Commissioners have reserved

parking for the commission meetings held in the Council Chambers.

Chair Lo asked for Commissioners to arrive on time.

Commissioner Shyne showed gratitude for the opportunity to serve on the Business License Commission.

Commissioner Zaden inquired about the next commission meeting.

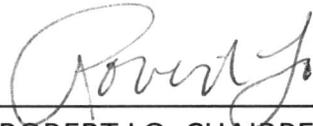
Code Compliance Supervisor Mick stated that the next meeting is tentatively scheduled for September 25, 2019.

Commissioner Shyne stated that the Lesbian and Gay Advisory Board will have their 30th Anniversary Celebration on September 25, 2019, and requested another date for the next commission meeting.

Code Compliance Supervisor Mick agreed to look into other possible dates.

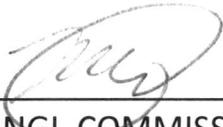
9. **ADJOURNMENT:** The Business License Commission adjourned at 9:35 p.m. to the next required meeting of this body, to be determined by the Code Compliance Manager, and be held at West Hollywood Park Public Meeting Room - Council Chambers, 625 N. San Vicente Boulevard, West Hollywood, CA 90069.

PASSED, APPROVED, AND ADOPTED by the Business License Commission of the City of West Hollywood at a special meeting held this 25th day of September, 2019.



ROBERT LO, CHAIRPERSON

ATTEST:



FALYN KING, COMMISSION SECRETARY