

**BUSINESS LICENSE COMMISSION
CITY OF WEST HOLLYWOOD
MINUTES
WEDNESDAY, SEPTEMBER 25, 2019
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD

6:00 P.M. – SPECIAL MEETING**

1. **CALL TO ORDER** – Chair Lo called the meeting to order at 6:05 p.m.

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

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

C. ROLL CALL

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

ABSENT: None

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 September 25, 2019. **Motion by Commissioner Zaden to approve the September 25, 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 August 13, 2019. **Motion by Commissioner Anthony to approve the August 13, 2019, minutes, seconded by Commissioner Copeland and approved.**

2. PUBLIC COMMENT

None

3. PUBLIC HEARINGS:

A. APPLICATION BY J&P CONSULTING FOR CANNABIS BUSINESS LICENSES FOR ADULT-USE RETAIL AND CONSUMPTION AREA (EDIBLES ONLY) FOR THE BUSINESS KNOWN AS BUDBERRY, TO BE LOCATED AT 8271 SANTA MONICA BLVD.

SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider the application by J&P Consulting for cannabis business licenses in the Adult-Use Retail and Cannabis Consumption Area categories for the business known as Budberry, to be located at 8271 Santa Monica Blvd.

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

Chair Lo disclosed that he attended the open house event on August 12, 2019.

Code Compliance Supervisor Mick and Community and Legislative Affairs Manager Leonard provided background information as provided in the staff report dated September 25, 2019.

Commissioner Copeland inquired about designated parking for the location.

Community and Legislative Affairs Manager Leonard explained that parking is available in the City Hall Automated Parking Structure, Kings Road Parking Structure, and customers will also have access to the City Municipal Valet Service in front of the business.

Commissioner Shyne inquired if there would be music and if there are any conditions set in place regarding noise in the consumption area of the business.

Code Compliance Supervisor Mick suggested that the applicant would be able to provide information regarding their plans with music and explained that the Noise Ordinance will be enforced and action will be taken quickly.

Commissioner Anthony inquired if the waterfall will be operating and if so what time is it shut off.

Community and Legislative Affairs Manager Leonard explained that the waterfall is currently operating and suggested that the applicant would be able to explain their plans with the waterfall. He also explained that the waterfall acts as a sound buffer as well.

JON LOCARNI, PATRICK FOGARTY and JEFF DANZLER, APPLICANTS, spoke and introduced themselves.

PATRICK FOGARTY, PRESIDENT, provided an overview of Budberry's operation, floor plan, entry, the tunnel to the Café Lounge, The Café, the open-air lounge, music, adult-use dispensary, parking/rides-hare, noise control in lounge.

JON LOCARNI, CEO, discussed the noise control in the lounge and local artist and designers they are working with.

JEFF DANZLER, EXECUTIVE CHEF, provided information regarding the kitchen and how cannabis items will be prepared and provided to customers. He also spoke regarding the neighborhood gathering Budberry hosted.

Commissioner Zaden and Commissioner Shyne inquired about the beverages being sold.

PATRICK FOGARTY, and JON LOCARNI, explained what Budberry would be offering.

Commissioner Shyne questioned the method of controlling how patrons would be monitored from entering different areas in the establishment with different opening hours for the lounge and consumption area.

PATRICK FOGARTY explained the floor plan layout.

Commissioner Shyne inquired about the noise, providing Wi-Fi, and if the current birds will be staying on the property.

Commissioner Kalonian inquired about the food component of the business, food delivery services, and partnering menus from nearby restaurants.

PATRICK FOGARTY and JON LOCARNI explained their plans to provide limited menus and working with the adjacent restaurants. Commissioner

Saltzman inquired about the staff's recommendation on the operating times.

Community and Legislative Affairs Manager Leonard explained that it was their intent to lessen any potential impacts to the neighboring residents and businesses.

Commissioner Anthony inquired about the method of controlling customers from taking product out of the consumption lounge and distinguishing products from retail space versus consumption space.

PATRICK FOGARTY provided information as to how they will regulate their products inside their business as well as monitor ordering from customers entering the retail and consumption areas.

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

TED GREEN, WEST HOLLYWOOD, spoke in support of 3A.

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

VEENA PAREK, PASADENA, spoke in support of 3A.

MARA STRUSSER, WEST HOLLYWOOD, spoke in support of 3A.

GENEVIEVE MORRIL, MARINA DEL REY, spoke in support of 3A.

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

MARK DIMITROV, WEST HOLLYWOOD, spoke in support of 3A but also expressed his concern with noise.

NINA KHORSANDI, LOS ANGELES, spoke in support of 3A.

Commissioner Shyne inquired about Norah's patio and business license.

Community and Legislative Affairs Manager Leonard explained that there was not a hearing for Norah's to issue a license and also stated that their patio has no sound buffer.

PATRICK FOGARTY addressed the issues of noise and provided information on sound barriers they have researched.

Commissioner Anthony addressed the previous Business License Commission public hearing and explained their hours of operation that were granted. Commissioner Shyne agreed to a 6:00 am start time for the

retail portion of the business and an 8:00 a.m. start time for the consumption lounge.

Commissioner Anthony agreed with the 6:00 a.m. start time for the retail and an 8:00 a.m. start time for consumption.

Commissioner Copeland and Shyne confirmed the 7:00 am opening hours of the neighboring business, The Conservatory, and discussed the opening hours of other businesses in the area.

Commissioner Anthony expressed concerns with food delivery into the consumption lounge.

Commissioner Shyne and Chair Lo addressed parking issues that may arise.

ACTION: Adopt Resolution No. BLC19-0008, "A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING CANNABIS ADULT-USE RETAIL BUSINESS LICENSE #CAU-000006 WITH A 6:00 A.M START TIME AND CANNABIS CONSUMPTION AREA (EDIBLES ONLY) BUSINESS LICENSE #CCA-000003 WITH AN 8:00 A.M. START TIME FOR THE BUSINESS KNOWN AS BUDBERRY, TO BE LOCATED AT 8271 SANTA MONICA BLVD" (Attachment A). **Motion by Commissioner Anthony, seconded by Commissioner Zaden and approved.**

4. NEW BUSINESS

A. CONSIDERATION OF AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING WEST HOLLYWOOD MUNICIPAL CODE TITLE 5 (BUSINESS LICENSES, REGULATIONS AND PERMITS) TO STANDARDIZE LANGUAGE REGARDING CRIMINAL BACKGROUND CHECKS IN SUBSECTIONS 5.18.020, 5.56.030, 5.72.020, 5.88.020, 5.92.030; AMENDING SUBSECTION 5.08.010 TO INCLUDE A FOOTNOTE REGARDING A PUBLIC HEARING REQUIREMENT; AND AMENDING SUBSECTION 5.120.030 TO CORRECT AN ERROR IN NUMBERING.

SUBJECT: The West Hollywood Business License Commission will review and make recommendations on an amendment to the Business License Ordinance standardizing language regarding criminal background checks and other minor clean-up items.

Code Compliance Supervisor Mick provided background information in the staff report dated September 25, 2019.

Commissioner Saltzman recommended that the City Council approves the draft ordinance.

ACTION: The Business License Commission recommended that the draft ordinance be brought to City Council. **Motion by Commissioner Saltzman, seconded by Commissioner Kalonian and approved.**

5. UNFINISHED BUSINESS

A. COMMISSION ELECTIONS

SUBJECT: The West Hollywood Business License Commission will elect a Vice Chair.

ACTION: The Business License Commission elected Commissioner Zaden as the Vice Chair by a roll call vote.

B. CITY OF WEST HOLLYWOOD CENSUS 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 elected Commissioner Kalonian to serve on the CC. **Motion by Commissioner Kalonian, seconded by Commissioner Shyne and approved.**

6. ITEMS FROM STAFF

A. METRO RAIL UPDATE

SUBJECT: The West Hollywood Business License Commission will receive a presentation on the Northern Extension of the Metro Crenshaw/LAX Line, including ways local residents and businesses can help shape the future of rail service to West Hollywood.

Associate Planner (Capital and Special Projects) Fenn provided background information as provided in the staff report dated September 25, 2019. He explained the plans to expand the northern extension of the Crenshaw/Lax line which is part of Metro's Measure M program and the City of West Hollywood's desire to accelerate this light rail project to 2028 from 2047.

Chair Lo stated that he would like to advocate for this initiative. He also shared his experience and enjoyment at the site visits he has attended.

Commissioner Shyne spoke in support of the item and expressed how impressed she was with Metro's commitment to the community.

Chair Lo inquired if the Commissions' presence was needed when presenting to City Council.

Associate Planner (Capital and Special Projects) Fenn stated the item would be going to City Council on October 7, 2019.

Principal Planner (Capital and Special Projects) Hankamer encouraged the Commission to attend the meeting if it was something they were interested in following, as it is always good for the City Council to see their support.

Commissioner Copeland thanked staff for the presentation and questioned funding requirements.

Associate Planner (Capital and Special Projects) Fenn explained that under Measure M, all cities must contribute a minimum of 3% to the project and the City of West Hollywood is looking to contribute up to 25% of the capital cost. He also discussed possible projects with the raised funding.

Principal Planner (Capital and Special Projects) Hankamer explained that the City Council has not committed to raising the funds. She stated that on October 7, 2019, they will be presenting a funding study to Council to show the amount of money the City could contribute to the project.

Commissioner Copeland questioned if the City would have any input on the route or if it would be up to Metro.

Principal Planner (Capital and Special Projects) Hankamer emphasized that we all have an input and stressed the importance of attending the community meetings.

Chair Lo discussed the Metro stops that would be implemented within the City and in nearby areas and expressed his support.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in support of 6A.

ACTION: Received update.

B. HUMAN TRAFFICKING EDUCATION FORUM

SUBJECT: The West Hollywood Business License Commission is being informed about a Human Trafficking Education Forum that the City is hosting which is open to all community members on Tuesday, October 8, 2019, from 10:00 a.m. – 11:30 a.m., in the Council Chambers.

Code Compliance Manager Rivas announced the Human Trafficking event and invited the public to attend.

ACTION: Received and filed.

C. Business License Commission Meeting Time

SUBJECT: The West Hollywood Business License Commission will consider establishing 6 p.m. as the set time for all regular scheduled Business License Commission meetings.

Code Compliance Manager Rivas explained the current Commission By-Law meeting time and dates, and expressed his recommendation to begin each Commission meeting at 6:00 p.m.

Commissioner Anthony expressed that he'd prefer the meeting to begin at 6:30 p.m. in hopes that the public would have time to attend and staff would have the opportunity to get home earlier.

Commissioner Shyne agreed to a 6:30 p.m. meeting time.

Commissioner Copeland agreed to a 6:30 p.m. meeting time.

Vice Chair Zaden agreed to a 6:30 p.m. meeting time.

Chair Lo questioned the meeting time for Council and agreed to a 6:30 p.m. meeting time.

Commissioner Kalonian agreed to a 6:30 p.m. meeting time as there is consistency with the City Council meetings.

ACTION: Establish 6:30 p.m. as the set time for all regular scheduled West Hollywood Business License Commission meetings. **Motion by Commissioner Shyne, seconded by Vice Chair Zaden and approved.**


7. **PUBLIC COMMENT:**
STEPHNIE HARKER, WEST HOLLYWOOD, spoke regarding the LA County new voting process.

8. **ITEMS FROM COMMISSIONERS:**
Vice Chair Zaden stated that she would like to give commendations to businesses that have been in the City for a long time. She mentioned Laurel Pet Hospital and believes they should be honored. She would like to make a recommendation to Council. Code Compliance Manager Rivas agreed to look into it and report back.

Chair Lo reported that he attended the Census 2020 Complete Count Committee Meeting on September 18, 2019.

9. **ADJOURNMENT:** The Business License Commission adjourned at 8:11 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 22nd day of October, 2019.



ROBERT LO, CHAIRPERSON

ATTEST:



FALYN KINGI, COMMISSION SECRETARY