

**BUSINESS LICENSE COMMISSION
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, JANUARY 27, 2020
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

6:30 P.M. – SPECIAL MEETING

1. CALL TO ORDER – Chair Lo called the meeting to order at 6:38 p.m.

A. PLEDGE OF ALLEGIANCE – Vice Chair Zaden led the Pledge of Allegiance.

B. ROLL CALL

PRESENT: Commissioner Copeland
Commissioner Saltzman
Commissioner Shyne
Vice Chair Zaden
Chair Lo

ABSENT: Commissioner Anthony
Commissioner Kalonian

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

C. APPROVAL OF THE AGENDA

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

ACTION: Approve the January 27, 2020, agenda. Code Compliance Manager Rivas requested that a Council update on Cannabis be added to item 6 and be moved to item 4. **Motion by Commissioner Saltzman to approve the agenda as amended, seconded by Vice Chair Zaden, and approved.**

D. 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 October 22, 2019. **Motion by Commissioner Saltzman, seconded by Commissioner Shyne, and approved.**

2. PUBLIC COMMENT

MARV AUERBACH, WEST HOLLYWOOD, expressed concern regarding 8462-8470 Santa Monica Blvd.

3. PUBLIC HEARING

A. APPLICATION BY ZEN HEALING COLLECTIVE CORPORATION FOR A CANNABIS BUSINESS LICENSE FOR MEDICAL-USE RETAIL AND CANNABIS DELIVERY SERVICE FOR THE BUSINESS KNOWN AS ZEN HEALING, LOCATED AT 8464 SANTA MONICA BLVD.

SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider the applications by Zen Healing Collective Corporation for a Cannabis Business License for Medical-Use Retail and Delivery Service for the business known as Zen Healing, located at 8464 Santa Monica Blvd.

Commission 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 outlined in the staff report dated January 27, 2020.

The Commission inquired about the complaints listed in the staff report regarding the need for three security guards and whether the layout of the property is causing the complaints. Code Compliance Supervisor Mick and Community and Legislative Affairs Manager Leonard responded to these inquiries.

Commissioner Shyne clarified that the proposed delivery hours would be 9:00 a.m. to 10:00 p.m.

Chair Lo inquired about the disposal of cannabis waste. Code Compliance Supervisor Mick advised that the applicant would be able to discuss this process.

Commissioner Copeland inquired about the review process after the cannabis license has expired. Community and Legislative Affairs Manager Leonard noted that staff would perform a thorough review in the first year to ensure compliance with the numerous conditions placed on the license.

ARTHUR HODGE, ATTORNEY, spoke on behalf of Zen Healing. He provided background on how the dispensary was founded. He addressed the questions and complaints brought forward during the meeting. He explained the State cannabis waste disposal requirements and confirmed that their waste is not placed in the regular dumpsters. He gave full disclosure on how and why the business severed ties with the original owner, and the issues concerning the Franchise Tax Board. He explained their point of sale plan and why they changed their online ordering system. He added that the internal filtration system, to control the odor, will be added during the renovation phase.

Commissioner Shyne inquired about the Franchise Tax Board issues and asked for clarification on the application that was submitted as it pertained to the owners. She inquired about the relationship with the adjacent establishments. AMANDA PAGEL, OPERATIONS MANAGER, stated that most of the noise comes from the adjacent businesses.

Commissioner Copeland inquired about the changes of the business entity. Mr. Hodge responded and provided information as to why it was changed.

Chair Lo inquired about the legal issues, the timeline of transition between the entities and the procedure with recalled products. Mr. Hodge responded to the inquiry.

Mr. Hodge clarified that the delivery business license application was for the Adult-Use and the dispensary license application was for medicinal use.

MARV AUERBACH, WEST HOLLYWOOD, spoke about his concerns with this item.

JASON BECK, WEST HOLLYWOOD, spoke in support of the item.

HOWARD CHOPNICK, LOS ANGELES, spoke in support of the item.

Commissioner Shyne confirmed that the recommendation is for three security guards. Community and Legislative Affairs Manager Leonard confirmed and referenced condition no #11 of the Resolution.

ACTION: Adopt Resolution No. BLC20-0001, "A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING CANNABIS MEDICAL-USE RETAIL BUSINESS LICENSE # CMU-000004 AND CANNABIS DELIVERY SERVICE BUSINESS LICENSE # CDW-000004 FOR THE BUSINESS KNOWN AS ZEN HEALING LOCATED AT 8464 SANTA MONICA BLVD",

Motion by Vice Chair Zaden, seconded by Commissioner Copeland and approved.

4. ITEMS FROM STAFF

A. CITY COUNCIL CANNABIS UPDATE

Community and Legislative Affairs Manager Leonard gave an update to the Commission regarding the actions that have been recently taken by City Council regarding cannabis items. He informed the commission that at least one item will be coming back to the commission.

The amendments to the ordinance include:

- The ability to allow staff to issue temporary adult use permits to the existing 4 medical dispensaries.
- Council directed staff to extend the one-year deadline to two years, by which applicants for consumption lounges must come before the Business License Commission for their hearing. If the consumption lounge was granted the ability to seek any other license the timeline applied to those licenses as well.
- Council amended the cannabis ordinance to allow certain unfinished items to be taken away from consumption lounges (standalone lounges only).
- Council also directed staff to look at alternatives to the assignment of licenses regarding the flexibility in cannabis ownership changes.

5. UNFINISHED BUSINESS

A. UPDATE REGARDING THE SECURITY GUARD REQUIREMENTS FOR THE EXTENDED HOUR BUSINESS LICENSE No. EXT-002434, EXT-002863, AND EXT-004723.

SUBJECT: The purpose of this item is to present the Business License Commission with a progress report regarding the shared security guard for the three convenience stores, known as 7-Eleven, located in West Hollywood.

Code Compliance Supervisor Benitez provided background information as provided in the staff report dated January 27, 2020.

Commissioner Saltzman stated that he was concerned with the comment from the Los Angeles County Sheriff's Department that there were no concerns with the three locations since the last review. He expressed concerns with an incident that took place inside one of the locations. He also stated that he would like one security guard at each of the locations. He inquired when the item would be brought back to the Commission to reconsider if three guards would be appropriate. Code Compliance

Manager Rivas and Assistant City Attorney Langer responded to his inquiry.

Commissioner Shyne inquired about the Block by Block incident reports. Code Compliance Manager Rivas explained that the reports are provided to the Public Safety Commission and do not track any detailed information, but it can be requested.

Commissioner Shyne requested to receive those reports.

Commissioner Copeland spoke on an incident she witnessed and expressed concern with it not being reported. She requested to receive reports on calls placed to Block by Block and the Los Angeles County Sherriff Department.

Chair Lo clarified the motions that were on the table. He also stated that the Commission would like to address the number of security guards.

Assistant City Attorney Langer suggested the Commission hear from the applicant and anyone from the public before making a motion.

BRUCE EVANS, ATTORNEY, presented background information and history on their extended hours business license. He requested that the commission defer later and give the applicants at least a six-month time frame to have a broader window and a fair evaluation. He also reminded the commission that the licenses are renewed every year and can be reviewed at that time.

Chair Lo asked if the applicant was aware of the last incident and the time that it happened.

BRUCE EVANS, ATTORNEY, stated that the incident happened around 3:00 p.m. outside of the extended hours period and explained what took place.

Commissioner Saltzman clarified that he understood the incident took place outside of the extended hours period and requested to receive a more detailed incident report.

BRUCE EVANS, ATTORNEY, stated that the 7-Eleven stores have provided a call log in the past. He also stated that the three-month review should no longer be necessary.

Commissioner Saltzman explained that he would like more information provided to the Commission as to what is happening at each of the location.

BRUCE EVANS, APPLICANT, stated that the mentioned incident happened at one store and he felt that it would be unfair to penalize the other two stores and require them to come back for a review hearing.

Code Compliance Manager Rivas recommended that the item be tabled to the next scheduled meeting in order to provide staff enough time to provide the requested documentation.

Commissioner Copeland thanked the applicant and staff for addressing the trash issue at 7950 Santa Monica Blvd. She inquired about the stores protocol on contacting the Los Angeles County Sherriff's Department vs. Block by Block.

BRUCE EVANS, ATTORNEY, responded and explained that it is based on the situation.

DONNY CASEY, OWNER, explained that they usually contact Block by Block and they determined if the Los Angeles County Sheriff's Department needs to be contacted.

ACTION: Item 5.A. tabled to the next meeting. **Motion by Chair Lo, seconded by Vice Chair Zaden, and approved.**

6. SPECIAL ITEMS

None.

7. PUBLIC COMMENT

None.

8. ITEMS FROM COMMISSIONERS

Chair Lo presented information on the Census 2020 in Commissioner Kalonian's absence.

Vice Chair Zaden and Commissioner Shyne requested that the meeting be adjourned in memory of Kobe and Giana Bryant, along with the seven others who perished.

- 4. ADJOURNMENT:** The Business License Commission adjourned at 8:29 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 29th day of June, 2020.

DocuSigned by:

544E803D17B8471...

ROBERT LO, CHAIRPERSON

ATTEST:

DocuSigned by:

48DCEAE32011474...

FALYN KINGI, COMMISSION SECRETARY