

**BUSINESS LICENSE COMMISSION
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, AUGUST 4, 2020
REGULAR TELECONFERENCE MEETING**

6:30 P.M. – BUSINESS LICENSE COMMISSION MEETING VIA TELECONFERENCE

1. **CALL TO ORDER** – Chair Lo called the meeting to order at 6:34 p.m.
2. **PLEDGE OF ALLEGIANCE** – Chair Lo led the Pledge of Allegiance.

3. ROLL CALL

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

ABSENT: None.

ALSO PRESENT: Code Compliance Manager, Danny Rivas
Code Compliance Supervisor, Yessica Benitez
Staff Attorney, Jonathan Holub
Commission Secretary, Falyn Kingi
Community and Legislative Affairs Manager, John Leonard

4. APPROVAL OF THE AGENDA

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

ACTION: Approve the agenda of August 4, 2020. Code Compliance Manager Rivas requested that item 10 be moved to item 8. **Motion by Commissioner Saltzman, seconded by Commissioner Kalonian, and approved as amended.**

5. 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 June 29, 2020. **Motion by Commissioner Saltzman, seconded by Vice Chair Zaden, and approved.**

6. PUBLIC COMMENT

None.

7. PUBLIC HEARING

None.

8. ITEMS FROM STAFF

Community and Legislative Affairs Manager Leonard provided an update regarding two cannabis ballot measures pending litigation against the City related to cannabis as well as a settlement agreement that was entered into at the City Council meeting on August 3, 2020. He also outlined the changes of the Cannabis Ordinance as a result of this settlement agreement. Based on the changes he anticipates several applications coming before the Business License Commission over the next six to eighteen months.

Commissioner Anthony inquired about the number of partially consumed products that can be taken from an establishment. Community and Legislative Affairs Manager Leonard explained the limitations on the allowable amounts between an edible lounge and a full lounge.

Commissioner Saltzman inquired whether there were other aspects of the settlement other than the ordinance amendments. Community and Legislative Affairs Manager Leonard responded there were none.

Commissioner Copeland asked for clarification on the business licensing process regarding the transfer of majority stakeholders on the current cannabis business licenses. Community and Legislative Affairs Manager Leonard clarified the requirements.

Commissioner Kalonian inquired about the wait list for cannabis businesses. Community and Legislative Affairs Manager Leonard responded to this inquiry.

Commissioner Shyne inquired about how the agreements will impact the current cannabis businesses regarding their involvement to the West Hollywood community by giving and providing donations to non-profit organizations. Community and Legislative Affairs Manager Leonard responded that they would maintain the same level of operation and all new applicants would be reviewed by the Business License Commission.

9. NEW BUSINESS

A. PROPOSED ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 5.114 (TOBACCO RETAILERS) OF TITLE 5 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO PROHIBIT THE SALE OF FLAVORED TOBACCO PRODUCTS AND THE USE OF TOBACCO COUPONS AND DISCOUNTS

SUBJECT: The West Hollywood Business License Commission will review and make recommendations on an amendment to Chapter 5.114 (Tobacco Retailers) of Title 5 (Business License Ordinance) of the West Hollywood Municipal Code to prohibit the sale of flavored tobacco products and the use of coupons and discounts for the sale of tobacco in West Hollywood.

Code Compliance Manager Rivas provided background information as outlined in the staff report dated August 4, 2020.

Vice Chair Zaden inquired if the information regarding tobacco use statistics was provided from the Center for Disease Control and Prevention. She further inquired about the use of coupons, and discounts. Code Compliance Manager Rivas noted that the information was gathered from various sources and explained the coupon redemption process.

Commissioner Kalonian inquired if there have been any legal concerns with tobacco retailers requesting proposed ordinance include cannabis sales. Code Compliance Manager Rivas responded to this inquiry.

Chair Lo summarized the purpose of this item and asked if staff would provide additional information on what was required from the Commission. Code Compliance Manager Rivas explained the steps that take place when an amendment is made to the Business License ordinance. He also stated that any comments or recommendations made by the Business License commission would be incorporated into the staff report and then brought before City Council to make any final decision.

Commissioner Copeland inquired about the State Senate Bill 793 and spoke about ballot initiatives. Code Compliance Manager Rivas responded to this inquiry.

Commissioner Shyne inquired if surrounding cities have banned the use of coupons on tobacco products. She spoke about smoking addiction, financial impacts on low-income community, and expressed concerns about how other non-West Hollywood businesses would benefit from this ordinance.

Commissioner Anthony inquired if there will be an exception to Pi on Sunset and why an exception would be made. Code Compliance Manager

Rivas provided background information pertaining to Pi on Sunset. Commissioner Anthony also stated that he would like to see consistency across tobacco and cannabis policies.

Commissioner Kalonian agreed with Commissioner Anthony.

MIKE AI, WEST HOLLYWOOD, spoke in support of the item.

CHRIS RECORDS, spoke in support of the item.

MARISA LONDON, spoke in support of the item.

SHANNON KOZLOVICH, spoke in support of the item.

Commissioner Shyne suggested that staff include the research that was provided today from the callers as well as any information on what surrounding cities are doing.

Commissioner Saltzman motioned to recommend to the City Council adoption of the proposed ordinance amendment as submitted and provide additional information in the staff report.

Commissioner Anthony and Chair Lo stated they were opposed to recommending the amendment as it is written, due to inconsistencies.

Code Compliance Manager Rivas informed the commission that the item will move forward before City Council. He explained that the item was not brought before the Business License Commission for approval prior to going to City Council and assured the commission that more information can be provided to the commission later.

The Business License Commission expressed concerns with the item and the majority recommended that the item be presented as written and to incorporate the additional information presented by the public and by the Commissioners.

B. ELECTION OF CHAIR

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

Code Compliance Manager Rivas gave a brief overview of the by-laws as it pertains to voting for a Chair and a Vice Chair for the commission.

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

C. ELECTION OF VICE-CHAIR

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

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

10. SPECIAL ITEMS

None.

11. PUBLIC COMMENT

None.

12. ITEMS FROM COMMISSIONERS

Commissioner Kalonian suggested that the Business License Commission meeting time be changed to 6:00 p.m. instead of 6:30 p.m. due to the current pandemic and the stay at home order.

Commissioner Lo requested that the item be added to the agenda of the next upcoming commission meeting.

Vice-Chair Copeland acknowledged Commissioner Lo and Commissioner Zaden for their hard work serving as Chair and Vice-Chair over this past year. She also thanked and acknowledged staff for their hard work as well.

Commissioner Lo expressed his gratitude for the opportunity to serve as Chair and congratulated Chair Anthony and Vice-Chair Copeland for their new appointment.

13. ADJOURNMENT: The Business License Commission adjourned at 8:02 p.m. to the next required meeting of this body, to be determined by the Code Compliance Manager, and be held via teleconference.

PASSED, APPROVED, AND ADOPTED by the Business License Commission of the City of West Hollywood at a meeting held this 17th day of November, 2020.

DocuSigned by:

Keith Anthony

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KEITH ANTHONY, CHAIRPERSON

ATTEST:

Falyn Kingi

FALYN KINGI, COMMISSION SECRETARY