

**BUSINESS LICENSE COMMISSION
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, JUNE 1, 2021
SPECIAL TELECONFERENCE MEETING**

1. **CALL TO ORDER**– Chair Saltzman called the meeting to order at 6:08 p.m.

2. **PLEDGE OF ALLEGIANCE**– Chair Saltzman led the Pledge of Allegiance.

3. **ROLL CALL**

PRESENT: Commissioner Alden
Commissioner Eisenberg
Commissioner Lo
Commissioner Vulin
Commissioner Yusupov
Vice Chair Matos
Chair Saltzman

ABSENT: None

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

4. **APPROVAL OF AGENDA**

SUBJECT: The West Hollywood Business License Commission is requested to approve the Agenda.

ACTION: Approve the agenda for Tuesday, June 1, 2021. **Motion by Commissioner Eisenberg, seconded by Commissioner Lo and approved.**

5. **APPROVAL OF MINUTES**

SUBJECT: The West Hollywood Business License Commission is requested to approve the Minutes of the previous Business License Commission Meeting on Tuesday, May 4, 2021.

ACTION: Approve the minutes of Tuesday, May 4, 2021. **Motion by Commissioner Yusupov, seconded by Commissioner Lo and approved.**

6. **PUBLIC COMMENT**

None.

7. PUBLIC HEARING

A. APPLICATION BY FARMACY COLLECTIVE FOR A LEGACY MEDICAL CANNABIS BUSINESS LICENSE FOR THE BUSINESS KNOWN AS MEDMEN WEHO, LOCATED AT 8208 SANTA MONICA BOULEVARD.

SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider the application by the Farmacy Collective for a Legacy Medical Cannabis Business License, for the business known as MedMen WeHo, located at 8208 Santa Monica Boulevard.

Chair Saltzman reminded the Commission of the purpose and importance of Commissioner disclosures and Commissioner comments. No disclosures were made.

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

Code Compliance Supervisor, Yessica Benitez, provided background information as provided in the staff report dated June 1, 2021.

BRITTA NORWICK, APPLICANT, thanked the Commission and staff for their efforts in processing their application.

Commissioner Vulin inquired about the security guard patrolling the two-block radius. A lengthy discussion ensued regarding the security and their functions. CHRIS RODRIGUEZ, APPLICANT, responded to all questions.

Commissioner Yusupov requested confirmation that the legacy license would allow MedMen to operate as they have been since 2018 with the temporary license. Community and Legislative Affairs Manager, John Leonard, and Code Compliance Supervisor, Yessica Benitez, corroborated.

Vice Chair Matos requested confirmation that the license would be renewed on an annual basis and suggested an annual inspection should be performed. Community and Legislative Affairs Manager, John Leonard, and Code Compliance Supervisor, Yessica Benitez, confirmed. Also, Code Compliance Manager, Danny Rivas, spoke about the code enforcement inspection process pertaining to business establishments.

Chair Saltzman mentioned a typo on page twenty-one (21) in reference to the public hearing date. Code Compliance Supervisor, Yessica Benitez, explained that the resolution was edited prior to the meeting to reflect the public hearing date of June 1st, and the revised version was distributed to the Commission and uploaded on the website.

JAKE STEVENS, spoke in support of item 7A.

SHERRI FRANKLIN, spoke in support of item 7A.

ACTION: Adopt Resolution No. BLC21-0007, “A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING LEGACY MEDICAL CANNABIS BUSINESS LICENSE #CLM-000001 FOR THE BUSINESS KNOWN AS MEDMEN WEHO LOCATED AT 8208 SANTA MONICA BOULEVARD” (Attachment A) **Motion by Commissioner Yusupov, seconded by Commissioner Alden, and approved.**

B. APPLICATION BY ZEN HEALING COLLECTIVE CORPORATION FOR A LEGACY MEDICAL CANNABIS BUSINESS LICENSE FOR THE BUSINESS KNOWN AS ZEN WEHO, LOCATED AT 8464 SANTA MONICA BOULEVARD.

SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider the application by Zen Healing Collective Corporation for a Legacy Medical Cannabis Business License, for the business known as Zen WeHo, located at 8464 Santa Monica Boulevard.

Chair Saltzman reminded the Commission of the purpose and importance of Commissioner disclosures and Commissioner comments and their significance. No disclosures were made.

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

Code Compliance Supervisor, Yessica Benitez, provided background information as provided in the staff report dated June 1, 2021.

ARTHUR HODGE, APPLICANT ATTORNEY, shared Zen Healing’s business history and addressed the complaints that were mentioned in the staff report. He asked the Commission to consider allowing the business to only be required to have two security guards instead of the requirement of three security guards in order to elevate the financial burden on the small business.

Commissioner Alden expressed concern regarding the thirty-eight (38) complaints received regarding the subject business. This opened a detailed discussion between the APPLICANT’S ATTORNEY, City Staff, and the Commission.

Commissioner Vulin requested to know where security guards are stationed. ARTHUR HODGE, ATTORNEY of the APPLICANT, responded.

Chair Saltzman expressed concern regarding the number of complaints in comparison to the number of cases. Code Compliance Supervisor, Yessica Benitez, explained enforcement procedures. Additionally, Code Compliance Manager, Danny Rivas, provided further clarification on the code enforcement process. Vice Chair Matos suggested that future staff reports elaborate on enforcement procedures and actions.

Vice Chair Matos requested clarification regarding staff’s recommendation regarding the number of security guards. Code Compliance Supervisor, Yessica Benitez, and Community and Legislative Affairs Manager, John Leonard, stated

the recommendation is there to be a total of three security guards during all hours of operation in alignment with the previous resolution.

Commissioner Vulin inquired about the percentage of delivery in comparison to the in-store sales. AMANDA PAGEL, STORE MANAGER, responded.

Commissioner Isenberg asked about the delivery business license and requested to hear from the public. ARTHUR HODGE, ATTORNEY of the APPLICANT, explained the delivery service process.

PAUL, expressed concerns with item 7B.

MARV AUERBACK, WeHo resident, expressed concerns regarding the noise created by the business' patrons and spoke in opposition to item 7B.

LAUREN RICHER, spoke regarding item 7C.

SHERRI FRANKLIN, spoke in support of item 7B.

DANI SHAKER, asked for clarity on the issues that were presented to the Commission regarding item 7B.

MITZI MOGUL, spoke in support of item 7B.

ARTHUR HODGE, ATTORNEY of the APPLICANT, reiterated that he would like to find a constructive way to deal with any issue with noise and thanked the Commission for their suggestions.

Commissioner Vulin stated that he felt the business missed the opportunity to correct or rise above the issues presented and he shared his observations and believes there is some credibility to the 38 complaints that were made. He stated that if this is approved by the Commission, they should be required to always have a security guard in the front and back of the business as well as the roving security guard. Lastly, he stated he did not feel comfortable with the business moving forward with a Medial Legacy Cannabis Business License.

Vice Chair Matos suggested adding a condition to require the business to post additional signs asking patrons to turn their music down. Commissioner Yusupov agreed.

Commissioner Yusupov recommended the application be approved with a condition that it be reviewed by the Business License Commission again in a year. Community and Legislative Affairs Manager, John Leonard, stated that the condition could be added.

Commissioner Eisenberg agreed with both Vice-Chair Matos and Commissioner Yusupov's suggestions. Commissioner Lo commented that he agreed.

Commissioner Vulin motioned to approve the license with a condition that this license be reviewed by the Business License Commission on the first annual business license renewal.

Vice Chair Matos thanked Arthur Hodge for the business's good faith efforts and encouraged them to continue their efforts.

ACTION: Adopt Resolution No. BLC21-0008, "A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING LEGACY MEDICAL CANNABIS BUSINESS LICENSE #CLM-000002 FOR THE BUSINESS KNOWN AS ZEN WEHO LOCATED AT 8464 SANTA MONICA BOULEVARD" (Attachment A) **Motion by Commissioner Vulin, seconded by Commissioner Alden, and approved as amended.**

C. APPLICATION BY WHERE EAGLES FLY, LLC FOR A CANNABIS BUSINESS LICENSE FOR CONSUMPTION AREA (EDIBLES) FOR THE BUSINESS KNOWN AS FANTOM FLOWER, LOCATED AT 8811 SANTA MONICA BOULEVARD.

SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider the application by Where Eagles Fly, LLC for a Cannabis Consumption Area (Edibles) Business License, for the business known as Fantom Flower, located at 8811 Santa Monica Boulevard.

RECOMMENDATION: Continuance of this item to June 29, 2021.

8. SPECIAL ITEMS

None.

9. NEW BUSINESS

None.

10. UNFINISHED BUSINESS

A. ENHANCING COMPLIANCE DURING COVID-19 LOS ANGELES COUNTY PUBLIC HEALTH ORDERS AND CITY CODE ENFORCEMENT EFFORTS

SUBJECT: The West Hollywood Business License Commission will receive an update regarding COVID-19 Los Angeles County Public Health Orders to keep businesses, workers, and members of the public informed of relevant public health orders and local enforcement measures that will provide opportunities for workers and other members of the public to give public comment at Business License Commission meetings if there are concerns regarding businesses' compliance with public health orders.

Code Compliance Manager, Danny Rivas, provided background information as provided in the staff report dated June 1, 2021.

Commissioner Eisenberg inquired about the City of West Hollywood's death and vaccination rates. Code Compliance Manager, Danny Rivas, confirmed that according to the Los Angeles County Health Department as of May 23rd, there were thirty-eight deaths, and 68% have received at least one COVID-19 vaccine dose.

Commissioner Eisenberg inquired about National Night Out and the mask mandates after June 15th. Code Compliance Manager, Danny Rivas, stated that he was unsure if the event would be held in person or virtually and would pass on any information that he receives. Mr. Rivas spoke about the uncertainty of future mask mandates and it would be up to each business to determine how they would move forward along with Cal/ OSHA's requirements.

ACTION: Receive and file.

11. ITEMS FROM STAFF

Code Compliance Manager, Danny Rivas, informed the Commission that all complaints will be categorized in the staff reports to provide more details moving forward and reiterated that he was open to all suggestions. He informed the Business License Commission (Commission) that the next meeting will be held on June 29th to allow all cannabis applicants to go before the Commission before the July 1st deadline. The Commission was also informed that a study session will be held in July to provide an overview and update on cannabis licenses, Code Compliance operations, and processes. Lastly, the City approved zoom backgrounds were mentioned, and he stated that all backgrounds will be sent via email.

Commissioner Eisenberg inquired if public meetings will be held in person at City Hall once the COVID-19 mandates are lifted. Code Compliance Manager, Danny Rivas, stated that City Council plans to meet in person on July 19th, it will not be open to the public, and it will be evaluated if the Commission meeting would be held in person. He assured the Commission that any information received would be shared with the Commission.

12. PUBLIC COMMENT

SHERRI FRANKLIN, informed the Commission and community members of a survey that will be sent by the West Hollywood Chamber of Commerce to define the needs of small businesses.

13. ITEMS FROM COMMISSIONERS

None.

14. ADJOURNMENT: The West Hollywood Business License Commission adjourned at 8:45 p.m. to its next special meeting, which will be held on Tuesday, June 29, 2021, at 6:00 p.m., and will be held via teleconference.

PASSED, APPROVED, AND ADOPTED by the Business License Commission of the City of West Hollywood at a meeting held this 28th day of June, 2021.

DocuSigned by:

ROBERT SALTZMAN, CHAIRPERSON

ATTEST:


FALYN KINGI, COMMISSION SECRETARY