

**Outdoor Smoking Ordinance Task Force
Summary Notes
May 18, 2010
2:00 p.m. – 5:00 p.m.**

Plummer Park Community Rooms 5 & 6

Present: Steven Gallegos, Health Advocate; Oscar for Trip Wilmont, East-West Lounge; Todd Steadman, Sunset Strip Business Association; Rodney Scott, Christopher Street West/L.A. Pride; Jan Henningson, The Standard; Sandy Hutchens, Consultant; Rich Grossi, Eleven; Pat Rogers, Here Lounge; Boe Trumbull, SBE/The Abbey; Mark Rosenthal, Raleigh Enterprises; Josh Kurpies, Rent Stabilization Commissioner; John Altschul, Planning Commissioner; David Codell, Law Offices of David Codell; Mito Aviles, Resident; Genevieve Morrill, West Hollywood Chamber of Commerce; Joan Hennehan, West Hollywood Chamber of Commerce; **City Staff:** Paul Arevalo, City Manager; Anne McIntosh, Community Development Director; Jeffrey Huffer, Economic Development Manager; Jeffrey Aubel, Code Compliance Manager; Dan Mick, Code Compliance Supervisor; Maribel Louie, Economic Development Analyst; Guest Speaker – Lauren Feldman, Jenkins & Hogan.

City Manager Paul Arevalo called the meeting to order at 2:00 p.m.

The City Manager welcomed the Task Force members and asked for a motion to approve the summary notes of the previous meeting held April 16, 2010. John Altschul moved to approve the summary notes; it was seconded and approved by consensus.

City Manager, Paul Arevalo noted a slight change to the agenda for the meeting. The Public Comment period will take place after the presentation by Lauren Feldman, from the City Attorney's office. We will then follow with discussion of the Task Force members.

Ms. Feldman provided an overview of the provisions being considered as part of the outdoor smoking ordinance. The presentation included proposed areas where smoking would be prohibited, proposed exceptions and additional topics for consideration.

Public Comment:

- Jeanne Dobrin spoke in favor of an outdoor smoking ordinance.
- Steve Levin spoke in favor of an outdoor smoking ordinance indicating that he would frequent non-smoking establishments more often.

The Task Force provided comments on the proposed provisions of an outdoor smoking ordinance presented by Ms. Feldman.

- Under the definition of Restaurant, add "service or consumption".

- Under Additional Considerations it was generally favored that the City offer incentives for voluntarily maintaining non-smoking patio/outdoor areas. Ideas for incentives included:
 - Reducing the encroachment permit fee for those businesses that voluntarily become non-smoking and raising the fee for those that want to allow smoking.
 - Allow businesses that are non-smoking to increase their outdoor patio/dining area by an additional 500 sq. ft without requiring the additional parking requirements.
 - Offer additional special event permits for venues that host non-smoking events.
- It was generally felt that pool areas of hotels would be fine to exempt, but that exempting restaurants in hotels would create a competitive advantage.
- Grandfathering businesses would complicate enforcement and it was generally agreed that no businesses should be grandfathered.
- Exempting private clubs, bars and nightclubs was generally favored by the Task Force.
- Consider exempting businesses that have the ability to create distinctly separate outdoor dining areas where smoke will not reach the non-smoking section.
- There was general consensus that separating businesses by ABC License types (e.g. 47 of 48) would not work well.
- Outstanding considerations that need further study:
 - How will we treat Type 47 businesses that serve food and allow minors?
 - It may be important to consider conducting an economic impact study as part of this ordinance. It will be important for businesses to know whether the economic impact was positive or negative.
 - Also need to discuss where people can go and smoke.
 - Need to further explore the potential impact on small businesses
 - How will the outdoor smoking ordinance impact citywide special events?

Next Steps:

Staff will further explore some of the feedback options presented by the Task Force and provide an updated outline at the next meeting.

Meeting adjourned: 3:57 p.m.