

BUSINESS LICENSE COMMISSION MEETING

Tuesday, February 5, 2002

City of West Hollywood

I. CALL TO ORDER

Chair Sonnenburg called the meeting to order at 6:00 P.M.

A. *ROLL CALL:
PRESENT:*

Commissioners – Maxine Sonnenburg, Stanley Stalford, Eric Thompson, James Kazakos, Terry Morgan, Alexander Ponder and Sibyl Zaden.

STAFF PRESENT:

Wade Davenport, Code Compliance Manager;
Bruce Robertson, Administrative Staff Assistant.

B. *THE PLEDGE OF ALLEGIANCE:* Commissioner Stalford led the pledge.

C. *APPROVAL OF AGENDA:*

Action: To amend the agenda to reflect the minutes to be approved under the Consent Calendar to be December 11, 2001 and the adjournment date to be March 12, 2002, and to approve the agenda as amended.

Motion: Morgan
Votes: All Ayes

Second: Zaden
Motion carried.

II. CONSENT CALENDAR

A. *Approval of Minutes for December 11, 2001.*

Action: To add a response to Commissioner Sonnenburg's question under item 7B reflecting an affirmative answer and to approve the Minutes as amended.

Motion: Zaden
Votes: All Ayes

Second: Ponder
Motion carried.

III. ITEMS FROM CITIZENS - None

IV. PUBLIC HEARING - None

V. COMMISSION CHAIR'S REPORT

Chair Sonnenburg reported that the meeting of the Sunset Task Force was cancelled due to a lack of noticing.

VI. ITEMS FROM COMMISSIONERS

Commissioner Kazakos commented on watching city meetings from home on channel 10, (Planning Commission and City Council meetings) and not being able to hear what is being said because those speaking do not speak directly into the mics. Commissioner Kazakos asked staff to forward this information to council and commission members whose meetings are televised and ask them to be aware that some of the people watching their proceedings from home might experience hearing difficulties.

Commissioner Thompson asked that the meeting be dedicated in memory of former commission chair Scott Forbes.

Commissioner Stalford asked staff about the status of the former Spago's restaurant?

Mr. Davenport responded that the site is now owned by the current owners of Miyagi's and Saddle Ranch who would like to open a New England style restaurant at this location called Lobster Bay. He added that the same owners are also proposing an Italian style restaurant to be opened in the 9000 building on Sunset as well as a Chinese restaurant elsewhere on the Strip.

Commissioner Stalford also asked about the status of the former Le Colonial restaurant?

Mr. Davenport answered that a new restaurant recently opened at this location called Five Feet. He continued that they are in the process of obtaining their Public Eating license and stated that this application should be complete within the next week.

Commissioner Stalford continued asking if the new owners of Five Feet have any affiliation with the former owners of Le Colonial?

Mr. Davenport stated that there is no relationship, to his knowledge, and that Le Colonial's business office was located out of New York but that the office of Five Feet comes out of Southern California.

Commissioner Sonnenburg asked staff to look into Mirabelle's that recently added on to the rear of their restaurant. It was Commissioner Sonnenburg's understanding that, when given permits by the City this space was to be used as office space but suggested that they are instead using it as dining area for the restaurant.

Mr. Davenport stated that the Mirabelle's site is currently under investigation by the City.

Commissioner Zaden reminded the Commission of the upcoming Code of Conduct training sessions to be held at Plummer Park and to be given by city attorney, Mike Jenkins.

VII. ITEMS FROM STAFF

A. *Review of December's 2001 Business License Activity Report.*

Commissioner Sonnenburg asked about a possible correlation between the number of new licenses processed in November (11) and the new licenses processed in December (27) and asked whether this was related to a possible recovery in the economy?

Mr. Davenport responded that new licenses are issued for a number of reasons including a business's change in ownership. Mr. Davenport continued that the City tracts the opening of new licenses over a longer time period than just month to month when determining the cause of increases or decreases in the number of licenses opened.

Commissioner Zaden, referring to the Activity Report, asked about business related citations that are issued. Commissioner Zaden felt that this information would be helpful to the Commission as a part of this monthly report.

VIII. NEW BUSINESS

A. *Enforcement of A-Frame outdoor display signage update.*

Mr. Davenport gave the Commission an overview of recent enforcement of A-frame signs on Santa Monica Blvd. In his overview he stated that Code Compliance notified businesses on the Boulevard that with a change in the new Zoning Code that these signs would no longer be permitted on the Boulevard. He continued that a mailing was completed to all businesses on Santa Monica Blvd., currently holding a BLT with the City. Shortly after this was done Code

Compliance did a sweep of the Boulevard giving warnings to those businesses still having signs out. In a later sweep, officers issued citations to business that continued to maintain A-frame signs on the sidewalk, in violation of the new Zoning Ordinance.

Angry business owners notified the City Council of these actions by Code Compliance and the City Council then issued a moratorium on enforcement of this ordinance until January 15th, 2002. The Council revisited this matter in January and decided to further suspend enforcement of this provision until a decision could be made regarding this matter.

B. Workplan for 2002 – 2004

Mr. Davenport began his report by informing the Commission that the City is now in the process of developing a workplan for the 2002 – 2004 fiscal cycle. He then asked the Commission for input on this matter including anything that they would like to have included in the budget development for the upcoming fiscal years.

Mr. Davenport started by giving the Commission an overview of those areas that staff would be concentrating on as a part of their proposed workplan which would include valet parking issues, regular inspections of the City's tax certificates in ensuring that all businesses have current BLT's issued by the City. He continued that staff would also look into formalizing the community meeting provisions that are included in many CUP's. He informed the Commission that currently community meetings are held only when they are complaint driven by residents or if staff feels that a meeting of this nature is necessary for any reason.

Commissioner Morgan suggested that when businesses are brought before the Commission that commissioners should visit the site before the scheduled meeting as a means of becoming more familiar with the issues.

Commissioner Ponder notified staff and the other commissioners that municipalities now have access, as the result of recent legislation passed at the state level, to State Tax Franchise Board licenses and suggested that the City might match business taxes paid to the state with those reported and paid to the City. Commissioner Ponder suggested that this might be a useful resource to be used by Code Compliance in their efforts to enforce compliance with the City's BLT records.

Commissioner Ponder asked if some businesses on Sunset are required to provide employee parking so that their employees do not park on residential streets.

Mr. Davenport responded in the affirmative stating that this is sometimes a condition of a business's Land Use Permit noting that this would be outside of this Commission's purview. He continued that this could also be a cross

jurisdictional issue in that the violation of ones CUP is a violation of their Land Use Permit but that the violation of one of the City's laws is a violation of the their business license which comes under the purview of the Business License Commission.

Commissioner Thompson asked is the proposed workplan would include sweeps other than just the valet sweeps.

Mr. Davenport explained that there would be other enforcement sweeps such as promoters, peddlers, and even possibly noise violation sweeps.

IX. UNFINISHED BUSINESS

- A. *Update on status of Club 7969's appeal to the City Council on January 22, 2002, Resolution 2001-04.*

Mr. Davenport updated the Commission on the decision made on January 22nd. by the City Council, at the appeal of the Business License Commission's decision to revoke all of their regulatory licenses for a period of one year, of Club 7969.

He began by saying that the Council generally felt that the Club's hiring of a management team, to improve conditions at the Club, was a credible action but that the violations of the past several years required that some penalty be imposed. Mr. Davenport continued that the Council also felt that a 12 month revocation was too severe so they compromised on a six (6) month suspension which included conditions to be enforced before the Club would be allowed to reopen.

Mr. Davenport also stated that staff came back to the Council, at the February 5th City Council meeting, with a resolution memorializing the Council's decision to suspend all licenses of Club 7969 for a period of six (6) months. The resolution was approved on Consent. He continued that the Club now has two days to comply with the Council's direction and to surrender their business licenses to the City.

XI. ADJOURNMENT

Action: To adjourn, in memory of Scott Forbes, to the next regularly scheduled meeting of the Business License Commission to be held on Tuesday, March 12, 2002, from 6:00 p.m. until completion at West Hollywood Park Auditorium, 647 North San Vicente Boulevard, West Hollywood.

Motion: Thompson

Second: Zaden

Votes: All Ayes

Motion carried.

Business License Commission
February 5, 2002

PASSED, APPROVED AND ADOPTED THIS DAY OF _____.

CHAIRPERSON: _____

ATTEST:
BUSINESS LICENSE OFFICER: _____