

# BUSINESS LICENSE COMMISSION

## *Minutes*

*Tuesday, May 3<sup>rd</sup>, 2005  
City of West Hollywood*

### I. CALL TO ORDER

Vice-Chair Murchison called the meeting to order at 6:30P.M.

A. *ROLL CALL:  
PRESENT:*

Commissioners: Anne Marie Isleib, Pat Rogers, Sibyl Zaden, And Vice-Chair Neill Murchison.

Chair Kazakos and Commissioner Reichard were both excused.

*STAFF PRESENT:*

Tom Benedetti, Code Compliance Manager; Lisa Chilton, Business License Officer, Bruce Robertson, Administrative Staff Assistant.

*OTHERS PRESENT:*

Mayor Abbe Land

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

C. *Newly appointed Commissioner, Erik E. Barker took the oath of office which was administered by Mayor Abbe Land.*

Mayor Land spoke briefly thanking the members of the Commission for the work they do for the City.

### II. APPROVAL OF AGENDA

A. *Approval of the Agenda.*

**A motion, to approve the agenda, was made by Commissioner Zaden. This motion was seconded by Commissioner Rogers and carried unanimously.**

**III. CONSENT CALENDAR**

A. *Approval of the August 10, 2004 minutes.*

**Commissioner Rogers moved the approval of the Consent Calendar. This motion was seconded by Commissioner Zaden and carried unanimously.**

**IV. PUBLIC COMMENT**

**V. PUBLIC HEARINGS**

**VI. NEW BUSINESS**

A. *The Business License Commission will consider recommending, to the City Council, amending section 5.08.130(e) and 5.08.210(b) of the West Hollywood Municipal Code authorizing the Director of Community Development to place condition(s) on business licenses at the time of renewal.*

***Recommendation:*** *Staff recommends that the Commission adopt the Staff proposal, and recommend to the City Council, of the City of West Hollywood, adoption of these amendments to the West Hollywood Municipal Code.*

Tom Benedetti presented the Staff Report. In his report, Mr. Benedetti, briefed the Commission, on this item, stating that Staff routinely places conditions on licenses, at the time of renewal, especially when business activity impacts the surrounding neighborhood.

He explained that this recommendation, if approved by the City Council, would simply codify the City's ability to impose conditions when warranted in order to protect or mitigate a businesses impact on the surrounding area.

Mr. Benedetti also explained that imposed conditions could be appealed to this Body should a business feel that a condition unfairly or unreasonably effects the business.

Commission Discussion

Commissioner Rogers expressed reservation regarding fairness in conditioning a business' license and what financial impact, if any, a condition might have on the business.

Staff assured the Commission that the intent of this ordinance change is to work with a business prior to placing conditions on their business license, and that only after all discussion between the business and the City have failed would conditions be imposed.

Commissioner Rogers again expressed his concern with this proposal.

Commissioner Isleib asked if there were limits to the conditions imposed by the Director of Community Development.

**Vice-Chair Murchison made a motion that the Business License Commission appoint a sub-committee of members to discuss this matter further and to return to the full commission, at the June meeting with a recommendation. The motion was seconded by Commissioner Rogers and carried unanimously.**

Commissioners Rogers, Barker, and Zaden were appointed as sub-committee members.

Commissioner Isleib made a recommendation, to the sub-committee, asking that public safety, and the City's ability to ensure this be a primary concern, when discussing this matter.

Commissioner Barker expressed comfort with this ordinance as proposed; emphasizing that due process would be available to license holders through the appeals process.

#### Public Testimony

- a. Mindy Bradish, Executive Director, West Hollywood Chamber of Commerce asked that verbiage be added to the proposed ordinance ensuring that, prior to conditions being imposed, that comprehensive communication between the City and licensee be held. Ms. Bradish also asked that conditions not be arbitrarily imposed, but rather only as a result of negative impacts, to the community, by the business.
- B. *The Business License Commission will consider recommending, to the City Council, amending section 5.104 of the West Hollywood Municipal Code – Public Eating Places and Food Establishments.*

***Recommendation:*** Staff recommends that the Commission adopt the Staff proposal, and recommend to the City Council, of the City of West

*Hollywood, adoption of these amendments to the Municipal Code.*

Tom Benedetti presented a brief staff report. In his report, Mr. Benedetti explained that this proposed amendment to the Ordinance would require restaurants wanting to serve alcohol and which are also licensed for entertainment, or are considered bars or nightclubs would be required to provide a security plan, to the City, prior receiving permits/approvals to operate.

Mr. Benedetti reminded the Commission of incidences back east in which public safety was compromised due to businesses not having adequate plans for evacuation or other public safety procedures in place, and noted these unfortunate occurrences as the City's impetus for this proposed amendment to the Code.

Commissioner Rogers suggested that businesses be required to educate employees as to their roles in enhancing the safety of their customers, in the business and environments in which they work.

Commissioner Barker suggested that licensed Managers be educated on important public safety matters, through education provided by the City or other agency.

Vice-Chair Murchison concurred with the other commissioners noting his experience in law enforcement has shown that improper security and/or training can result in costly litigation fees to the business. Consequently, Commissioner Murchison supports the staff recommendation requiring that these types of businesses have a security plan in place, both for the benefit of the business and its patrons.

It was the consensus of the Commission that this item too should be discussed further, by the sub-committee already appointed, and that a recommendation be brought to the whole commission at the June meeting.

VI. UNFINISHED BUSINESS
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VIII. ITEMS FROM STAFF
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- A. Staff updated the Commission on the recently adopted Pet Grooming Ordinance stating that it is being implemented by the City's regulatory licensing division and that all effected businesses have been contacted and have already or are in the process of submitting the required license applications.

- B. Staff also informed the Commission that Council recently directed the Commercial Code Compliance division to begin enforcement of outdoor displays and A Frame signs.

Staff assured the Commission that the City would be working closely with businesses, The Chamber, Sunset BID representatives and representatives from the Avenues of Art and Design to ensure that proper notice and education is available to businesses prior to any punitive action being imposed.

Staff estimated that even non-punitive enforcement would not likely begin until late July or August of 2005.

**IX. PUBLIC COMMENTS /ITEMS FROM CITIZENS**

**X. COMMISSION CHAIRS REPORT/ITEMS FROM COMMISSIONERS**

**Commissioner Zaden** welcomed newly installed commission Barker to the Commission.

The Commissioner also noted that there are trees throughout the City which are blocking critical traffic signs and recommended that the City set-up a hotline for residents to call to inform the City of these locations throughout the City.

**XI. ADJOURNMENT**

**A motion was made to adjourn to the next scheduled meeting of the Business License Commission, to be scheduled as necessary upon the direction of the Director of Public Safety, from 6:30 PM until completion at West Hollywood Park Auditorium, 647 No. San Vicente Blvd., West Hollywood. Motion carried.**

**Meeting adjourned.**

**PASSED, APPROVED AND ADOPTED THIS DAY OF**

**CHAIRPERSON:** \_\_\_\_\_

**ATTEST:**

**BUSINESS LICENSE OFFICER:** \_\_\_\_\_

