

**BUSINESS LICENSE COMMISSION
CITY OF WEST HOLLYWOOD
MINUTES
Tuesday, August 19, 2014**

1. **CALL TO ORDER:** Chair Kay called the meeting to order at 7:00 pm.

PLEDGE OF ALLEGIANCE: Commissioner Jones led the Pledge of Allegiance.

ROLL CALL:

PRESENT: Vice Chair Kay
Commissioner Charity
Commissioner Cromer
Commissioner Jones
Commissioner Kazakos
Commissioner Zaden

ABSENT: Commissioner Lo

ALSO PRESENT: Christi Hogin, Assistant City Attorney, Jonathan Holub, Staff Attorney, Code Compliance Manager Jeffery Aibel, Code Compliance Officer Jeff Strong, and Staff Liaison, Anne Van Valkenburgh.

2. **APPROVAL OF THE AGENDA:**

Motioned by Commissioner Zaden, seconded by Commissioner Kazakos to approve the August 19, 2014, agenda. The agenda was unanimously approved.

3. **APPROVAL OF MINUTES:**

Motioned by Commissioner Jones, seconded by Commissioner Zaden to approve the minutes for July 8, 2014. The minutes were unanimously approved.

4. **PUBLIC COMMENT:** David Eichmann, Chair of Transportation Commission informed and invited the Business License Commission to the regularly scheduled Transportation Commission meetings that are held on the third Wednesday of the month at 7pm in Plummer Park.

5. **CONSENT CALENDAR:** None.

6. **PUBLIC HEARINGS**

- A. The Business License Commission shall conduct a public hearing to consider modifying, suspending, or revoking Medical Marijuana Collective License #004153 and Public Eating License #004161 for the business known as Zen Healing Collective, located at 8464 Santa Monica Blvd., West Hollywood, CA 90069.

Assistant City Attorney Hogin gave instructions on the procedures for the public hearing and administered the oath to the public speakers and anyone who wished to testify on the matter.

Jeffery Aubel, Code Compliance Manager, provided background information as outlined in the Staff Report dated August 19, 2014. He read the staff recommendation to adopt Resolution No. BL 14-001.

Resolution No. BL 14-001

A resolution of the Business License Commission of the City of West Hollywood suspending for 14 days, placing operating conditions and imposing a one year probationary period on the medical marijuana license #004153 and public eating license #004161 for the business known as Zen Healing Collective, 8464 Santa Monica Blvd, West Hollywood, CA.

Chair Kay asked if any of the Commissioners had questions for Staff.

Commissioner Kazakos asked how the 14 day suspension was decided. Aubel stated this was discussed with the Director of Public Works and both felt this was sufficient to address the violations that had occurred.

Chair Kay asked about the information the Commission had requested from Zen Healing. Chair Kay wanted to know why there were missing deposits and wanted to know why the information on the documents was redacted.

Assistant City Hogin stated redacting the information is typical as it is a way to provide the needed information while protecting the proprietary information.

Commissioner Zaden asked staff for the hours of operation. Aubel stated 10am to 8pm.

Chair Kay asked Commissioners if there were any disclosures to be made at this time. There were none.

Chair Kay opened the public hearing and the following speakers came forward:

Arthur Hodge, legal counsel for the licensee representing Zen Healing Collective Corporation was given ten (10) minutes to speak.

Hodge introduced the Board members of Zen Healing who were present at the meeting with the exception of Eric Kinney, a Board member and current manager of Zen Healing. Hodge explained the basis for redactions in the documents submitted to the Commission and announced that on behalf of Zen Healing they would humbly accept the staff recommendations presented in Resolution No. BL 14-001. Hodge asked the City to provide a meeting space for the quarterly meetings that would be required. He also asked for time to notify patients before the 14 day suspension would be enforced.

Chair Kay asked if any of the Commissioners had questions for Mr. Hodge.

Commissioner Charity asked about the requested financial material that was turned in, particularly about the bank ledgers: why the business makes big cash withdrawals and why didn't the withdrawals have written memos identifying what these were for.

Hodge stated he didn't know exactly what they were for but would guess they were to pay vendors.

Chair Kay had questions about the bank deposits. He wanted to know why there were no deposits made during a specific time frame.

Hodge stated he didn't know specifically why there no bank deposits were made during that time, but one would need to correlate the money made to the records of payments made to the vendors.

Chair Kay continued the public hearing and asked for the first public speaker to address the Commission.

Marvin Auerbach, West Hollywood resident expressed concern with the proposed Staff Recommendation.

Stanley Kimmel, Los Angeles resident, and attorney representing the Mogul family expressed concern with the proposed Staff Recommendation.

Aaron Lachant, Los Angeles resident expressed concern with the proposed Staff Recommendation.

Arthur Hodge, legal counsel for Zen Healing Collective made a closing rebuttal concerning the last public speaker.

Commissioner Charity asked Mr. Hodge for clarification on whether the business buys a lot of their product in cash.

Hodge stated yes.

Commissioner Charity stated it was odd that there were a number of withdrawals that did not have written memos such as buying product next to the amounts.

Hodge stated the records were redacted to protect proprietary information.

Chair Kay closed the public comment section and brought the matter back to the Commissioners for discussion.

Chair Kay asked if there were any comments or questions for staff.

Commissioner Zaden thanked staff for the good work.

Commissioner Charity had a question for staff. He asked Mr. Aibel how he saw the required Zen Healing quarterly meeting to play out.

Aibel stated the meetings are instrumental in developing cohesiveness with the neighbors. Zen Healing will be able to address concerns and issues the neighbors may have. Aibel stated that these types of meeting have worked for other businesses and neighborhoods.

Commissioner Jones motioned for adoption of the Resolution BL 14-001. Vice Chair Zaden seconded the motion. The motion was carried unanimously.

7. NEW BUSINESS: None.

8. UNFINISHED BUSINESS: None.

9. EXCLUDED CONSENT CALENDAR: None.

10. ITEMS FROM STAFF

Aibel announced the City Clerk's office will be holding The Annual Congress in October.


11. PUBLIC COMMENT: None.

12. ITEMS FROM COMMISSIONERS/SUBCOMMITTEE REPORTS: None.

13. ADJOURNMENT

Motioned by Chair Kay to adjourn meeting. Seconded by Vice-Chair Zaden. Meeting adjourned at 7:45 PM until the next meeting of the Business License Commission.

APPROVED BY A MOTION OF THE BUSINESS LICENSE COMMISSION ON THIS
1st DAY OF SEPTEMBER, 2015.


_____, CHAIRPERSON

ATTEST:



JEFF STRONG, BUSINESS LICENSE OFFICER