

**BUSINESS LICENSE COMMISSION
CITY OF WEST HOLLYWOOD
MINUTES**

**TUESDAY, JUNE 6, 2023
WEST HOLLYWOOD PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

6:00 PM – REGULAR MEETING

1. CALL TO ORDER

Chair Vulin called the meeting to order at 6:07 p.m.

2. PLEDGE OF ALLEGIANCE

Chair Vulin led the Pledge of Allegiance.

3. OATH OF OFFICE

Councilmember Chelsea Lee Byers swore in Jordan Cockeram, Danny Hang, and Mark Yusupov to the Business License Commission. Mayor Pro Temp Erickson then swore in Catherine Eng to the Business License Commission.

4. ROLL CALL

PRESENT: Commissioner Cockeram
Commissioner Eng
Commissioner Hang
Commissioner Yusupov
Vice-Chair Eisenberg
Chair Vulin

ABSENT: None

ALSO PRESENT: Director of Community Safety, Danny Rivas
Neighborhood & Business Safety Manager, Vyto Adomaitis
Code Enforcement Supervisor, Yessica Benitez
Commission Secretary, Falyn Kingi
Deputy City Attorney, Grace Yeo
West Hollywood Sheriff's Department, Sgt. Jason Duron

5. APPROVAL OF AGENDA

Approve the Business License Commission agenda of Tuesday, June 6, 2023.

ACTION: Motion by Vice Chair Eisenberg, seconded by Commissioner Yusupov, and approved.

6. APPROVAL OF MINUTES

Approve the Minutes of the previous Business License Commission Meeting of Tuesday, May 7, 2022.

ACTION: Motion by Vice Chair Eisenberg, seconded by Commissioner Yusupov, and approved.

7. PUBLIC COMMENT

None.

8. PUBLIC HEARING

A. AN APPLICATION BY HEART WEHO, LOCATED AT 8911 SANTA MONICA BOULEVARD, FOR AN EXTENDED HOUR BUSINESS LICENSE TO OPERATE UNTIL 4:00 A.M. ON SATURDAYS AND SUNDAYS

SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to reconsider the application for an Extended Hour Business License to operate until 4:00 a.m. on Saturdays and Sundays, for an existing nightclub known as Heart WeHo, located at 8911 Santa Monica Boulevard.

Commission Secretary, Falyn Kingi, informed the Commission that the public hearing was posted as required by law.

Chair Vulin opened the public hearing and asked for the Commission's disclosures.

Commissioner Cockeram informed the Commission that he spoke with the Deputy City Attorney, Grace Yeo, reviewed the last meeting's footage and notes before the Commission meeting and fully understands the request.

Vice Chair Eisenberg informed the Commission that she spoke with the applicant's representative.

Code Enforcement Supervisor, Yessica Benitez, provided background information as reflected in the staff report dated June 6, 2023.

The Commission had questions of City staff and Sgt. Duron regarding the calls for service to the West Hollywood Sherriff's Station for the subject business and how they compared to Micky's. The methods used to track calls for service, how property addresses are documented for reports, and the number of Los Angeles County Sheriff's Deputies on-duty during the weekend nightshifts, the length of time Heart Weho has obtained a Special Event Permit to operate with extended hours and fees associated. Additionally, the Commission continued to inquire about other businesses within the city that have an Extended Hour Business License.

JEFF SEYMOUR, REPRESENTATIVE OF APPLICANT, provided information about the cool-down concept that they seek to implement. He provided a detailed explanation of the purpose and significance of the cool-down, emphasizing its necessity. Furthermore, he addressed the security requirements associated with its implementation.

PAUL NICHOLLS, APPLICANT, recounted his personal experience of residing in the city and expressed his deep enthusiasm for the nightlife. He emphasized that t Heart WeHo has had zero noise complaints, highlighting his unwavering commitment to ensuring the safety of the guests frequenting his establishment and complying with the requests of both the city and the community members. He also mentioned the changes made as a result of the Commission's suggestions at the previous meeting.

The Commission engaged in a discussion with the applicant covering several subjects, such as their proposed operating hours for serving food and alcohol, employee parking arrangements, and measures taken to ensure the safety of their parked cars.

At 6:51 p.m., the Commission temporarily adjourned for a recess, as requested by Deputy City Attorney, Grace Yeo, and returned at 6:57 p.m.

Deputy City Attorney, Grace Yeo, conveyed to the public that the recess was necessary to provide Vice Chair Eisenberg with an update on the item, considering her absence during the previous public hearing.

The Commission proceeded with further deliberations with the applicant, focusing on topics such as their proposed operating hours, the issuance of Special Event Permits, the public comments regarding noise complaints, and the closure of the patio area at 2:00 a.m.

PAUL NICHOLLS, APPLICANT, responded and proceeded to elaborate on the new sound technology investments made by Heart WeHo.

Commissioner Hang and Commissioner Yusupov inquired about the applicant's strategy for ceasing alcohol service after 2:00 a.m., ensuring the proper handling of unfinished beverages, noise complaints, and parking. PAUL NICHOLLS, APPLICANT, responded and further explained their perspective on the benefits of an extended hour business license. He spoke about the difficulties faced by patrons in securing transportation. Lastly, emphasized on their commitment to patron safety and reiterated that Heart WeHo aims to provide a controlled environment for patrons to unwind and cool down inside the club premises.

Commissioner Eng asked about ServeSafe training requirements. Director of Community Safety, Danny Rivas, clarified that all employees serving alcohol throughout the State of California are mandated by the state to undergo the Responsible Beverage Training (RBS) every three (3) years through The Alcoholic Beverage Control Bureau (ABC). Additionally, they are also required to complete the Bystander Intervention Training provided by the City.

Commissioner Eng commented that the City should consider implementing an Active Shooter Training for businesses.

Vice Chair Eisenberg inquired about the number of Extended Hour Business Licenses issued and suggested that a limit be established for entertainment venues. Code Enforcement Supervisor, Yessica Benitez, and Director of Community Safety, Danny Rivas, responded.

BEAU BYRON, WEST HOLLYWOOD, spoke in support of item 8A.

DAVID FORSYTH, WEST HOLLYWOOD, spoke in support of item 8A.

KIP RASMUSSEN, WEST HOLLYWOOD, spoke in support of item 8A.

MICHAEL LAURIA, WEST HOLLYWOOD, spoke in support of item 8A.
ARMANDO RIVERA, WEST HOLLYWOOD, spoke in support of item 8A.

BOBBY TRENDY, WEST HOLLYWOOD, spoke in support of item 8A.

BOONE AGUILAR, WEST HOLLYWOOD, spoke in support of item 8A.

BRIAN SCHULLI, WEST HOLLYWOOD, spoke in support of item 8A.

GENEVIEVE MORRILL, WEST HOLLYWOOD, spoke in support of item 8A.

MILTON GAINES, PASADENA, spoke in support of item 8A.

JAMIE FRANCIS WINDELL, joined via Zoom, spoke in opposition to item 8A.

JEFF SEYMOUR, REPRESENTATIVE OF APPLICANT, provided his rebuttal statement and expressed gratitude to the Commission for taking the matter into account.

PAUL NICHOLLS, APPLICANT, He emphasized his commitment to running a safe business and preserving the essence of queer nightlife where it originated and asked the Commission to consider their request.

The Commission engaged in a thorough discussion and sought clarification from City staff regarding the six-month review condition, business license renewal, and business license revocation process. City staff provided information on the specific components included in the six-month review and outlined the enforcement measures that would be implemented in the event of any violations by the business.

ACTION: Approval of Resolution No. BLC23-0002, "A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING EXTENDED HOUR BUSINESS LICENSE NO. EXT-004735 TO ALLOW HOURS OF OPERATION OF A NIGHTCLUB TO BE EXTENDED UNTIL 4:00 A.M. ON SATURDAYS AND SUNDAYS FOR THE BUSINESS KNOWN AS HEART WEHO LOCATED AT 8911 SANTA MONICA BOULEVARD." **Motion by Commissioner Hang, seconded by Vice Chair Eisenberg, and approved unanimously.**

9. UNFINISHED BUSINESS

- A. **THE BUSINESS LICENSE COMMISSION WILL ADOPT THE RESOLUTION OF DENYING THE EXTENDED HOUR BUSINESS LICENSE NUMBER EXT-004736 FOR DOUGHBRIK'S PIZZA, LOCATED AT 8363 SUNSET BOULEVARD, OR IN THE ALTERNATIVE, DIRECT STAFF TO SCHEDULE ANOTHER PUBLIC HEARING FOR THE FULL COMMISSION TO CONSIDER THE APPLICATION**

SUBJECT: The West Hollywood Business License Commission will review the denial resolution or decide to reconsider the application for an Extended Hour Business License at an existing restaurant known as Doughbrik's Pizza, located at 8363 Sunset Boulevard.

Code Enforcement Supervisor, Yessica Benitez, provided information on the previous meeting conducted on May 5, 2023. She guided the Commission by presenting two alternatives: either adopting the resolution of denial or instructing the staff to organize another public hearing. She then outlined the aspects that would be encompassed if the Commission decides to schedule another public hearing.

Deputy City Attorney, Grace Yeo, reiterated to the Commission that only the four Commissioners who were present during the previous meeting would have the authority to vote on adopting the resolution to deny the extended hour business license. Then, she mentioned that Commissioner Cockeram would need to recuse himself from the vote due to having made a public comment on the item during the previous meeting.

MATTHEW MELLOW, REPRESENTATIVE OF APPLICANT, formally requested for the item to be reintroduced to the Commission's agenda in July, emphasizing the need for a thorough examination and comprehensive evaluation.

ILYA FEDEROVICH, APPLICANT, spoke about the previous meeting and acknowledged their lack of preparedness. He requested another opportunity to present their case to the Commission in July, in hopes of being considered for an extended hours business license.

ACTION: The Commission resolved to direct staff to arrange another public hearing for the full Commission to consider the application. **Motion by Commissioner Hang, seconded by Commissioner Yusupov, and approved.**

10. NEW BUSINESS

None.

11. ITEMS FROM STAFF

Neighborhood and Business Safety Manager, Vyto Adomaitis expressed gratitude to City staff and local enforcement agencies for their valuable assistance during the West Hollywood Pride event. Additionally, he provided an overview of the agenda for the Commission's upcoming meeting in July, the upcoming Study Session, and Commission election for the positions of Chair and Vice Chair.

Director of Community Safety, Danny Rivas, welcomed newly appointed Commissioner Cockeram to the Business License Commission.

12. PUBLIC COMMENT

None.

13. ITEMS FROM COMMISSIONERS

The Commission expressed gratitude to the staff for their dedicated efforts in organizing the City's Pride Event and for the thoroughness of the staff reports presented. Additionally, they warmly welcomed Commissioner Cockeram.

Chair Vulin mentioned his absence at the July meeting and expressed his interest in maintaining his role as the Commission Chair.

Commissioner Eng expressed her positive experience attending the City's Pride event and specifically emphasizing on the safety component.

Commissioner Cockeram expressed gratitude for the warm welcome extended by everyone present and shared his journey of relocating to West Hollywood. In addition, he shared his contact information, inviting the public to reach out to him with any concerns they may have.

14. ADJOURNMENT

The West Hollywood Business License Commission adjourned at 8:28 P.M. to its next regular meeting scheduled for Tuesday, July 11, 2023, at 6:00 P.M. at West Hollywood Public Meeting Room – Council Chambers, 625 N. San Vicente Boulevard, West Hollywood, CA 90069.

PASSED, APPROVED, AND ADOPTED by the Business License Commission of the City of West Hollywood at a meeting held this 11th day of July 2023.

DocuSigned by:

Elyse Eisenberg

ELYSE EISENBERG, CHAIR

ATTEST:

Falyn Kingi

FALYN KINGI, COMMISSION SECRETARY