

**BUSINESS LICENSE COMMISSION
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, JULY 11, 2023
WEST HOLLYWOOD PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD
6:00 PM – ADJOURNED MEETING**

1. CALL TO ORDER

Vice Chair Eisenberg called the meeting to order at 6:05 p.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Hang led the Pledge of Allegiance.

3. ROLL CALL

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

ABSENT: Chair Vulin

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

4. APPROVAL OF AGENDA

Approve the Business License Commission agenda. Item 9A and 9B were exchanged with Item 7A.

ACTION: Approve the agenda of Tuesday, July 11, 2023, as amended.

Motion by Commissioner Eng, seconded by Commissioner Hang, and approved as amended.

5. APPROVAL OF MINUTES

Approve the Minutes of the previous Business License Commission Meeting of Tuesday, June 6, 2022.

Commissioner Eng requested a revision of her statement in the minutes, emphasizing that the active shooter training requirement should pertain specifically to businesses rather than being a general remark.

ACTION: Approve the minutes of Tuesday, June 6, 2023.

Motion by Commissioner Hang, seconded by Commissioner Yusupov, and approved as amended.

6. PUBLIC COMMENT

None.

7. NEW BUSINESS

A. ELECTION OF CHAIR

SUBJECT: The West Hollywood Business License Commission will elect a Chair.

City Clerk, Melissa Crowder, reviewed the new requirements and opened the nomination for Chair.

Commissioner Hang nominated Vice Chair Eisenberg, seconded by Commissioner Yusupov.

ACTION: The Business License Commission unanimously elected Commissioner Eisenberg as Chair.

Motion by Commissioner Hang, seconded by Commissioner Yusupov and approved.

B. ELECTION OF VICE CHAIR

SUBJECT: The West Hollywood Business License Commission will elect a Vice Chair.

City Clerk, Melissa Crowder, opened the nomination for Vice Chair.

Commissioner Eng nominated Commissioner Yusupov, seconded by Commissioner Hang.

ACTION: The Business License Commission unanimously elected Commissioner Yusupov as Vice Chair.

Motion by Commissioner Eng, seconded by Commissioner Hang and approved.

8. UNFINISHED BUSINESS

None.

9. PUBLIC HEARING

A. AN APPLICATION BY DOUGHBRIK'S PIZZA SUNSET LLC, LOCATED AT 8363 SUNSET BOULEVARD, FOR AN EXTENDED HOUR BUSINESS LICENSE TO OPERATE UNTIL 3:00 A.M. ON FRIDAYS, 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 at an existing restaurant known as Doughbrik's Pizza, located at 8363 Sunset Boulevard.

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

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

Commissioner Cockeram recused himself from this hearing and discussion due to a public comment he made regarding Doughbrik's Pizza during a previous public meeting.

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

The Commission inquired about the multiple false alarm service calls from the West Hollywood Sherriff's station and the public hearing notice process. Neighborhood & Business Safety Manager, Vyto Adomaitis, Code Enforcement Supervisor, Yessica Benitez, and Commission Secretary, Falyng Kingi responded.

MATTHEW MELLOW, REPRESENTATIVE OF APPLICANT, highlighted the business's success over the past six (6) months and shared details about a community meeting held at Doughbrik's. He mentioned efforts to address concerns related to restroom facilities, trash, and parking. Parking signs have been installed, and discounted parking arrangements have been made for patrons. Additionally, a new manager has been hired for the business. He emphasized that it is not the applicant's intention to cause any disturbances in the neighborhood. He then clarified that Doughbrik's is seeking an extension of their operating hours to 3:00 a.m. on Friday and Saturdays only.

ILYA FEDEROVICH, APPLICANT, stated that they have addressed the concerns raised in the previous meeting. He shared that he had conversations with the residential neighbor regarding the trash situation on Kings Rd. Additionally, he spoke with the owner of Carney's to resolve issues related to garbage and parking. Lastly, he shared that they have new management for the business.

Commissioner Eng inquired about the Community Meeting held at Doughbrik's, the petition that was submitted, in support of the application and asked to clarify the request to change hours. ILYA FEDEROVICH, APPLICANT, clarified that the requested extended hours would be for two days instead of the initial three-day request made by his team. He further explained the high volume of false alarm calls.

Commissioner Hang inquired about the previous concern regarding the armed security guard, and whether the applicant would have two security guards instead of the one required. ILYA FEDEROVICH, APPLICANT, affirmed their plan to begin with two security guards for approximately two months to assess its effectiveness. If it becomes evident that having two security guards is unnecessary, they expressed their willingness to reduce the number to just one.

The Commission and ILYA FEDEROVICH, APPLICANT, further discussed the duties of the security guard, concerns related to trash management, parking arrangements for employees, as well as the lack of communication with residents in addressing their concerns.

Chair Eisenberg expressed her concern with the closure of the patio during the extended hours and raised concerns about parking arrangements.

AARON KAMIN, LOS ANGELES, spoke in opposition.

The Commission directed questions to AARON KAMIN regarding the public comment he had submitted previously via email. Deputy City Attorney, Grace Yeo, made a point of order and reminded the Commission that questions should only seek clarification on the public comment submitted by AARON KAMIN.

JAMIE FRANCIS, WEST HOLLYWOOD, spoke in opposition via Zoom.

The Commission engaged in a long discussion about allowing the patio to remain open during the extended hours to avoid potential loitering in the neighborhood, placement of "No Parking" signs, and the requested application amendments made by the applicant. Also, the Commission inquired about approving a six-month provisional license, and asked about the business license renewal process. Deputy City Attorney, Grace Yeo, responded and clarified the conditions that could potentially be applied during this period. Additionally, she highlighted the responsibilities of both the Commission and City staff regarding the review process. City staff then outlined the enforcement measures that would be put into action if any violations were observed from the business operations.

Chair Eisenberg motioned to postpone the decision of the hearing for another six months. There was no second vote, and the motion failed.

Commissioner Hang motioned to approve the resolution with amendments that include a six-month informational update and to allow the patio to be open during the extended hours of operation. Neighborhood & Business Safety Manager, Vyto Adomaitis, asked for clarification and confirmation from staff regarding the amendments that were proposed as motions. In response, Code Enforcement Supervisor, Yessica Benitez, read into the record the amendments.

ACTION: Adopt Resolution No. BLC23-0004, "A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING EXTENDED HOUR BUSINESS LICENSE NO. EXT-004736 FOR THE BUSINESS KNOWN AS DOUGHBRIK'S PIZZA, LOCATED AT 8363 SUNSET BOULEVARD". **Motion by Commissioner Hang, seconded by Vice Chair Yusupov and approved, noting a "no" vote by Chair Eisenberg and an abstention from Commissioner Cockeram.**

10. ITEMS FROM STAFF

Neighborhood and Business Safety Manager, Vyto Adomaitis shared several updates with the Commission. He informed them about the upcoming National Night Out event on August 1st, the Study Session scheduled for the next Commission meeting, the City's Hazardous Mitigation Plan virtual community meeting on July 13th, and the Annual Congress of Commissions and Boards taking place on August 23rd. Additionally, he mentioned that staff would be providing an update on the City's Cannabis Businesses at the next Commission meeting in August.

11. PUBLIC COMMENT

JAMIE FRANCIS, WEST HOLLYWOOD, Via Zoom, spoke about public comment and his disappointment with the decision on Doughbrik's Extended Hour Business License.

12. ITEMS FROM COMMISSIONERS

Commissioner Eng congratulated Chair Eisenberg and Vice Chair Yusupov on their new appointments.

Commissioner Cockeram expressed his excitement for the opportunity to be involved in the upcoming meetings.

Commissioner Hang congratulated Chair Eisenberg and Vice Chair Yusupov on their new appointments and acknowledged City staff for their expertise.

Vice Chair Yusupov expressed his gratitude to his colleagues for the nomination. He also thanked the staff for their support. Additionally, he suggested that the Commission take a recess to clarify what the Commission can and cannot do during any future public hearings. Neighborhood and Business Safety Manager, Vyto Adomaitis informed the Commission that the upcoming study session would address and cover the concerns.

Commissioner Hang requested that the staff provide insight into West Hollywood Municipal Code Section 5.52.040(7), specifically regarding the authority of the Business License Commission to add conditions as deemed necessary.

Chair Eisenberg requested that an item be included on a future agenda to discuss the Extended Hour Business Licenses and whether there should be a cap on the number of licenses issued and to request input from the City Council.

13. ADJOURNMENT

The West Hollywood Business License Commission adjourned at 7:51 P.M. in memory of Gary Sokol to its next regular meeting scheduled for Tuesday, August 8th, 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 8th day of August 2023.

DocuSigned by:

Elyse Eisenberg

ELYSE EISENBERG, CHAIR

ATTEST:

Falyn Kingi

FALYN KINGI, COMMISSION SECRETARY