BUSINESS LICENSE COMMISSION

COUNTY OF LOS ANGELES
374 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CA 90012
(213) 974-7691

MEMBERS
STEVEN AFRIAT
PRESIDENT
RENÉE CAMPBELL
VICE-PRESIDENT
DIANA WOOD
SECRETARY
JAMES BARGER
COMMISSIONER
SARA VASQUEZ
COMMISSIONER

August 6, 2008 MEETING

374 HALL OF ADMINISTRATION

MINUTES

Commissioners Present
Steven Afriat, President
Renée Campbell, Vice President
Diana Wood, Secretary
James Barger, Commissioner

County Representatives
Barbara Goul, Principal Deputy County Counsel
Joseph Dangerfield, Treasurer and Tax Collector
Captain Blow, Sheriffs Department
Andrew Sandor, Sheriffs Department
Thomas Arellano, Sheriffs Department
Scott Hennessy, Sheriffs Department
Jolene Ramos Regional Planning

Absent Commissioners
Sara Vasquez, Commissioner

Commission Services Staff
Nyla Jefferson
Rhonda Rangel

Guests
Benjamin Yoons Nankung
Ronald Ikejiri, Attorney
Francisco J. Jimenez
Edward A. Esqueda, Attorney
John Lampasona
Roger Diamond, Attorney

There were over 25 participants. The complete attendance roster is on file in the Commission office.

CALL TO ORDER

President Afriat called the meeting to order at 9:00 a.m.

MINUTES

ACTION TAKEN: **MINUTES of July 9, 2008**

Motion: **President Afriat, seconded by Secretary Wood**

Ayes: **President Afriat, Vice President Campbell and Secretary Wood**

Abstention: **Commissioner Barger**

Vote: **Motion Carried**

PUBLIC HEARING

6 Month Review/Modification Hearing on Food Establishment Business License, ID#131110

Benjamin Yoons Nankung
R.J.'s Liquor
27 East Woodbury Road
Altadena (Fifth District)

Joseph Dangerfield, Treasurer and Tax Collector, reported that no further complaints or comments have been received. Captain Blow, Sheriff's Department, reported that from January 2008 to July 30, 2008, the Sheriff's Department received the following 3 calls for service pertaining to the business above: 1. March 17, 2008, a large man on roof of location, after investigation, determined it was an employee doing his work, 2. May 26, 2008 burglar alarm went off, Officers were dispatched and location was secured, 3. July 19, 2008, complaint received that the location was open beyond 11:00 p.m., the party concerned was advised of the revised business hours.

Captain Blow reported that Mr. Nankung has been cooperative and has provided all that is requested of him. Mr. Nankung has also been voluntarily closing earlier. Ronald Ikejiri, Attorney for Mr. Nankung, thanked the Commission on behalf of his client. In addition, his client will voluntarily provide updates to the Commission on any issues the business may encounter.

ACTION TAKEN: **The Commission approved to refer the item back to the Treasurer and Tax Collectors office.**

Motion: **Commissioner Barger, seconded by Secretary Wood**

Vote: **Unanimously carried**

Continuance of Recommendation to Deny Renewal of Public Eating Business License, ID#127012 (Cont'd from 6/18 & 7/2/08)

Francisco J. Jimenez
La Fortaleza Bar
4031 East Medford Street
Los Angeles (First District)

Edward Esqueda, Attorney for Mr. Jimenez, thanked Deputy Hennessey, Sheriff's Department, for providing the Sheriff's reports quickly. He also stated that his client, Mr. Jimenez, would not be contesting the matter and will be permanently closing his business.

ACTION TAKEN: **The Commission approved to remove the item from the calendar.**

Motion: **Vice President Campbell, seconded by Secretary Wood**

Vote: **Unanimously carried**

(Commissioner Barger recused himself from the meeting at 9:15 a.m.)

Application for Entertainment-General with Dance/Annual Dance Business License, ID#134979

John Lampasona
Frank and Dean's Restaurant Group, Inc.
3768 East Colorado Boulevard
Pasadena (Fifth District)

Joseph Dangerfield, Treasurer and Tax Collector's Department, reported that the applicant has obtained all the necessary approvals from County Departments. Jolene Ramos, Department of Regional Planning, reported that the business license referral was signed off in April and there were no open violations. Ms. Ramos also stated that if the Business changes their floor plan and any modifications to the Conditional Use Permit are made a review by the Department of Regional Planning would be required. Deputy Sandor, Sheriff's Department Temple Station, reported that a complaint was received regarding a stripper pole located in the establishment. The Sheriff's Department has signed off on the business license referral for fingerprinting and background checks.

Roger Diamond, Attorney, representing Frank and Dean's Restaurant Group, Inc., provided a description of the type of entertainment at the business and explained that when the prior corporation owners sold their stock to his clients, the new owners believed that the existing licenses and permits would be transferred to them. Mr. Diamond has filed a lawsuit on behalf of his clients against the County of Los Angeles regarding the existing licenses and permit. Mr. Diamond also presented a letter dated May 14, 2008 from Brandi Moore, Deputy County Counsel, Los Angeles County, which states a public eating business license was issued as of May 1, 2008 and that following receipt of the required documents from Frank and Dean's, the matter will be set for the hearing by the Business License Commission. In the meantime, Frank and Dean's is to continue to follow the rules and regulations in the County Code concerning entertainment and dance. The principal purpose of the business is a dinner show and it is not an adult business. Entertainment includes dancers wearing bikinis. There is no touching, topless or nude dancers. The applicant will not be need a stage or dressing room waiver. Mr. Diamond stated that his clients have provided employment for the area, are involved in charitable activities, have brought in more security and are fully aware of the County Adult Business Zoning Ordinance.

(The Public Hearing recessed at 10:30 a.m. and reconvened at 10:35 a.m.)
Two articles highlighting the business including one from L.A. Weekly magazine and Stiletto Magazine were distributed to the Commission and a copy of each has been place in the Commission file.

Seven members of the public provided testimony for and against the issuance of the license.

ACTION TAKEN: **The Commission approved the above application for Entertainment-General with Dance/Annual Dance Business License, ID#134979 to John Lampasona, Frank and Deans Restaurant Group, Inc. with the following conditions:**

- **All conditions pursuant to the Department of Regional Planning Conditional Use Permit are adhered to.**
- **Hours of operation be limited to the business closing no later than 1:30 a.m. and opening no earlier than 11:30 a.m.**
- **Minimum of one security guard outside to circle the perimeter of the business a minimum of every 20 minutes.**
- **Minimum of one security guard inside the business at all times.**
- **Business maintains its current outside lighting to the satisfaction of the Sheriff's Department.**
- **Business owner will, within 30 days of today's date, provide, to the Regional Planning Commission, evidence that the existing stage complies with the Department of Regional Planning Conditional Use Permit.**
- **Security cameras are maintained in the interior of the business.**
- **Staff report to the Business License Commission at a Public Hearing in 120 days on December 3, 2008 for a status report.**
- **Owner is present during all business hours or a license manager is present during all business hours.**

Motion: **President Afriat, seconded by Secretary Wood**

Vote: **Unanimously carried**

Action Taken: **Reconsider the original motion**

Motion: **President Afriat, seconded by Vice President Campbell**

Vote: **Unanimously carried**

Action Taken:	**Strike John Lampasona from the original motion.**
Motion:	**Friendly amendment by President Afriat, seconded by Secretary Wood**
Vote:	**Unanimously carried**

PUBLIC COMMENT: There was none.

COMMISSIONERS' COMMENTS: The Commission will be dark on August 13, 2008.

MATTERS NOT POSTED ON THE AGENDA TO BE PLACED ON A FUTURE AGENDA: Excuse consecutive absences for Commissioner Vasquez.

ADJOURNMENT: The Commission adjourned at 11:13 a.m.

Steven Afriat, President