



**CITY OF BEVERLY HILLS**  
Room 280A  
455 North Rexford Drive  
Beverly Hills, CA 90210

## **HEALTH AND SAFETY COMMISSION SPECIAL MEETING**

### **MINUTES**

Monday, March 25, 2019  
2:00 p.m.

#### **OPEN MEETING**

Date/Time: March 25, 2019 / 2:15 p.m.

#### **PLEDGE OF ALLEGIANCE**

#### **ROLL CALL**

Commissioners Present: Commissioners Baker, Demeter, and Lurie, Vice Chair Nazarian, Chair Ross  
Commissioners Absent: None  
Staff Present: Pamela Mottice-Muller, Logan Phillippo, Michael George, Gabrielle Ressa

#### **COMMUNICATIONS FROM THE AUDIENCE**

None.

#### **APPROVAL OF AGENDA**

With the concurrence of the Commission, the agenda was approved.

#### **CONSENT CALENDAR**

- Consideration of minutes from the Health and Safety Commission Special meeting on February 25, 2019.

Motion: MOVED by Chair Nazarian, SECONDED by Commissioner Baker to approve the minutes (5-0).

AYES: Commissioners Baker, Demeter, and Lurie, Vice Chair Nazarian, Chair Ross

NOES: None

## REPORTS FROM PRIORITY AGENCIES

- Beverly Hills School District - Rachele Marcus, Board Member, reminded the Commission that April is Autism Awareness Month. Chris Hertz, Director of School Safety, commended the school staff, security officers, and Beverly Hills Police Department for a successfully executed school shelter in place on March 15, 2019.

## CONTINUED BUSINESS

### 1. Health and Safety Recognition Program

Commissioner Myra Demeter honored Rabbi Michy Rav-Noy, Executive Director, and Miriam Rav-Noy, Program Director, from Friendship Circle Los Angeles. The Friendship Circle's mission is (1) to provide Jewish children who have special needs with a full range of social, recreational, educational and Judaic experiences; (2) to provide their parents with respite and support; and (3) to enrich, inspire and motivate Jewish teenagers through sharing of themselves with others. An informational video was shown.

### 2. Smoking Update

Michael George, Management Analyst, and Kris Zagyva, Block by Block Operations Manager, (1) informed the Commission on the progress of the Ambassador education, outreach, and enforcement program for the City's no-smoking policies; (2) gave an update on the forthcoming no-smoking signage in the City; and (3) provided details on the possibility of applying for additional grant funding from the State of California Department of Justice to further support the City's no-smoking programs. Staff to bring back grant expenditures/reimbursements per the request of Commissioner Demeter.

## NEW BUSINESS

### 3. Study of Banning the Sale of All Tobacco Products in Beverly Hills

Logan Phillippo, Policy & Management Analyst, spoke to the Commission regarding the possibility of an ordinance to ban the sale of all tobacco products in the City. The updated timeline and dates for discussion at Health and Safety Commission meetings and City Council meetings were reiterated. Staff clarified what constitutes a tobacco product as well as potential recommendations to clarify aspects of the definition. A proposed ordinance will include a hardship exemption that permit holders can apply for under certain conditions. Penalties and enforcement measures for violations of the Municipal Code as it relates to tobacco sales were discussed

38 individuals or organizations made a public comment with the request that cigar lounges be exempt from any possible ban. 9 individuals or organizations made a public comment in support of the ban. 7 individuals or organizations made a public comment in opposition to the ban. 2 individuals or organizations made a public comment neither in support nor against the ban. 9 individuals or organizations filled out comment cards, but left the meeting prior to being called for public comment.

(There was a recess from 5:27 PM – 5:42 PM.)

Following public comment, the Commission discussed and voted on policy details.

Carve Out – Does the Commission support: a “carve out” for all, some or none of the categories of existing businesses?

- Motion to carve out the three cigar lounges in the City of Beverly Hills in existence as of March 25, 2019.

Motion: MOVED by Chair Nazarian, SECONDED by Commissioner Lurie to approve the motion (4-1).

AYES: Commissioners Demeter and Lurie, Vice Chair Nazarian, Chair Ross

NOES: Commissioner Baker

- Motion to carve out existing and future hotels to sell tobacco or nicotine products to hotel guests only.

Motion: MOVED by Commissioner Lurie, SECONDED by Chair Ross to approve the motion (3-2).

AYES: Commissioners Lurie, Vice Chair Nazarian, Chair Ross

NOES: Commissioners Baker and Demeter

- Motion that there will be no carve outs for grocery stores, gas stations, convenience stores, and pharmacies.

Motion: MOVED by Commissioner Baker, SECONDED by Chair Ross to approve the motion (5-0).

AYES: Commissioners Baker, Demeter, and Lurie, Vice Chair Nazarian, Chair Ross

NOES: None

(There was a recess from 7:01 PM – 7:14 PM.)

Phase-in Period – What is the appropriate “phase-in period” for existing retailers?

- Motion to utilize a phase-in period of January 1, 2020 for pharmacies, January 1, 2021 for gas stations and convenience stores (which includes liquor stores, convenience stores, and newsstands), and 1 year after the effective date that this ordinance is adopted for grocery stores and all other retail permit holders that are not specifically mentioned already).

Motion: MOVED by Commissioner Baker, SECONDED by Commissioner Demeter to approve the motion (5-0).

AYES: Commissioners Baker, Demeter, and Lurie, Vice Chair Nazarian, Chair Ross

NOES: None

- Motion to utilize a phase-in period of January 1, 2020 for hotels selling tobacco and nicotine products to non-hotel guests.

Motion: MOVED by Vice Chair Nazarian, SECONDED by Commissioner Baker to approve the motion (5-0).

AYES: Commissioners Baker, Demeter, and Lurie, Vice Chair Nazarian, Chair Ross

NOES: None

Future / New Permits – Does the Commission support: immediately, upon the effective date of the ordinance, no longer accepting applications for new/future tobacco and electronic cigarette retailer permits?

- Motion to enact an immediate moratorium on the submission, acceptance, and subsequent issuance of all tobacco retail permit applications.

Motion: MOVED by Chair Ross, SECONDED by Vice Chair Nazarian to approve the motion (5-0).

AYES: Commissioners Baker, Demeter, and Lurie, Vice Chair Nazarian, Chair Ross

NOES: None

#### 4. Earthquake Awareness Month – April

April is Earthquake Preparedness Month. *ShakeAlertLA* is a mobile application that alerts people to earthquakes in Los Angeles County. Additionally, report an earthquake at [www.beverlyhills.org/reportquake](http://www.beverlyhills.org/reportquake)

#### PROJECT UPDATES

None

#### COMMUNICATIONS FROM THE COMMISSION

- Chair's Report
  - a) Mayor's Cabinet Highlights – February 13, 2019
- Commissioner Items

#### COMMUNICATIONS FROM STAFF

- Director's report – Staff reminded that the item of banning the sale of tobacco products in Beverly Hills will be heard at the City Council meeting on May 7, 2019.
- Upcoming events
- Information only items
  - Commission Calendar
  - Beverly Hills 2019 Editorial Calendar

Health and Safety Commission Special Meeting Minutes  
March 25, 2019

- o County of Los Angeles Public Health – National Report Indicates Low Rate of Premature Death in LA County, But Challenges Remain
- o National Public Radio Article
- o County of Los Angeles Public Health – Public Health Warns of Possible Measles Exposure Locations
- o County of Los Angeles Public Health – TB is an Ongoing Concern for Public Health
- o Earth Day Flyer
- o San Gabriel Valley Mosquito & Vector Control District - Mosquito Awareness Week
- o CERT – Community Emergency Response Team Flyer

**ADJOURNMENT**

Date / Time: March 25, 2019 / 7:53 p.m.

PASSED AND APPROVED THIS 29<sup>TH</sup> DAY of APRIL, 2019



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Gary B. Ross, Chair