

MINUTES

PUBLIC SAFETY COMMITTEE Wednesday, September 20, 2017, 1 p.m. Art Pick Council Chamber

PRESENT: Chair Perry, Vice Chair Melendrez, and Member Adams

ABSENT: None

STAFF PRESENT: Dana Roa, Kristi Smith, Alex Nguyen, Val Graham, Rosemary Koo, Aaron Chandler, and others

ALSO PRESENT: Thomas Chapin, Yong Chun, Jonathan Golden, Ping Guo, and others

Chair Perry called the meeting to order at 1 p.m.

REVOCATION OF MESSAGE ESTABLISHMENT PERMIT - APPEAL - ARLINGTON SPA - 5959 ARLINGTON AVENUE, #C

Following discussion, motion was made by Member Adams and seconded by Vice Chair Melendrez to deny the appeal of Thomas Chapin on behalf of Yong Chun, owner of Arlington Spa based on the evidence presented.

The denial is based on Section 5.52.130 of the Riverside Municipal Code (RMC) and specifically, the denial is based on the following facts: Pursuant to the facts set out in the staff report and presented today, Yong Chun, owner of Arlington Spa and holder of the establishment permit, has allowed conduct prohibited under RMC Section 5.52.080 (C)(2) to occur and has allowed a person to perform massages without a state certificate, in violation of RMC Section 5.52.090(A). Based on these facts the denial is based on the following grounds: The holder of the (a) permit is acting in a manner contrary to the provisions of this code; (b) permit is acting in a manner that constitutes a public nuisance; (c) permit is acting in a manner that is detrimental to the health, safety or welfare of the city and its inhabitants; and (d) establishment permit or their agents, contractors or employees has violated the laws in connection with the operation of this business. Motion carried unanimously.

Chair Perry advised that pursuant to the vote, the Public Safety Committee is hereby denying the appeal of Thomas Chapin on behalf of Yong Chun, owner of Arlington Spa. The decision of the Public Safety Committee is final with no further right of appeal to the City Council. Because there is no provision for reconsideration of the decision, or for a written decision or written findings supporting the decision in any applicable provision of any statute, charter, or rule, this decision is final today. The appellant may seek judicial review of the decision pursuant to California Code of Civil Procedure, Section 1094.5 by filing a petition with the Riverside County Superior Court. The time within which judicial review must be sought is governed by Section 1094.6.

REVOCATION OF MASSAGE ESTABLISHMENT PERMIT - APPEAL - LAVENDER BODY CARE - 9824 MAGNOLIA AVENUE, #31

Following discussion, motion was made by Member Adams and seconded by Vice Chair Melendrez to deny the appeal of Jonathan Golden on behalf of Ping Guo, owner of Lavender Body Care based on the evidence presented.

The denial is based on Section 5.52.130 of the Riverside Municipal Code (RMC) and specifically, the denial is based on the following facts: Pursuant to the facts set out in the staff report and presented today, Ping Guo, owner of Lavender Body Care and holder of the establishment permit, has allowed conduct prohibited under RMC Section 5.52.080 (C)(2) to occur. Based on these facts the denial is based on the following grounds: The holder of the (a) permit is acting in a manner contrary to the provisions of this code; (b) permit is acting in a manner that constitutes a public nuisance; (c) permit is acting in a manner that is detrimental to the health, safety or welfare of the city and its inhabitants; and (d) establishment permit or their agents, contractors or employees has violated the laws in connection with the operation of this business. Motion carried unanimously.

Chair Perry advised that pursuant to the vote, the Public Safety Committee is hereby denying the appeal of Jonathan Golden on behalf of Ping Guo, owner of Lavender Body Care. The decision of the Public Safety Committee is final with no further right of appeal to the City Council. Because there is no provision for reconsideration of the decision, or for a written decision or written findings supporting the decision in any applicable provision of any statute, charter, or rule, this decision is final today. The appellant may seek judicial review of the decision pursuant to California Code of Civil Procedure, Section 1094.5 by filing a petition with the Riverside County Superior Court. The time within which judicial review must be sought is governed by Section 1094.6.

ORAL COMMUNICATIONS FROM THE AUDIENCE

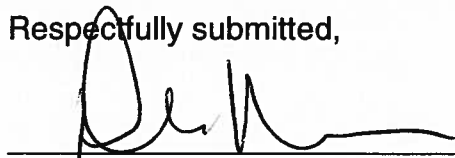
There were no oral communications at this time.

ITEMS FOR FUTURE PUBLIC SAFETY COMMITTEE CONSIDERATION AS REQUESTED BY MEMBERS OF THE COMMITTEE

There were no items requested for future Public Safety Committee meetings.

The meeting adjourned at 1:31 p.m.

Respectfully submitted,



DANA ROA
Deputy City Clerk