

CALL AND NOTICE OF SPECIAL MEETING

CITY OF HUNTINGTON PARK

CALLED BY MAYOR GRACIELA ORTIZ

NOTICE IS HEREBY GIVEN That a Special Meeting of the City Council of the City of Huntington Park will be held on Tuesday, September 28, 2021, at 6:00 p.m. at City Hall Council Chambers, 6550 Miles Avenue, Huntington Park, CA 90255

Graciela Ortiz
Mayor

Eduardo "Eddie" Martinez
Vice Mayor

Karina Macias
Council Member

Marilyn Sanabria
Council Member

Manuel "Manny" Avila
Council Member



All agenda items and reports are available for review in the City Clerk's Office and www.hoca.gov. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection in the Office of the City Clerk located at 6550 Miles Avenue, Huntington Park, California 90255 during regular business hours, 7:00 a.m. to 5:30 p.m., Monday — Thursday, and at the City Hall Council Chambers during the meeting.

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the City Clerk's Office either in person at 6550 Miles Avenue, Huntington Park, California or by telephone at (323) 584-6230. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

PLEASE SILENCE ALL CELL PHONES AND OTHER ELECTRONIC EQUIPMENT WHILE COUNCIL IS IN SESSION. Thank you.

PLEASE NOTE--The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Mayor or Members of the City Council. Members of the City Council and the public are reminded that they must preserve order and decorum throughout the Meeting. In that regard, Members of the City Council and the public are advised that any delay or disruption in the proceedings or a refusal to obey the orders of the City Council or the presiding officer constitutes a violation of these rules.

- The conduct of City Council meetings is governed by the portion of the California Government Code commonly known as the "Brown Act" and by the Huntington Park City Council Meeting Rules of Procedure.
- The City Council meeting is for conducting the City's business, and members of the audience must obey the rules of decorum set forth by law. This means that each speaker will be permitted to speak for three minutes to address items that are listed on the City Council agenda or topics which are within the jurisdictional authority of the City.
- No profanity, personal attacks, booing, cheering, applauding or other conduct disruptive to the meeting will be permitted. Any person not adhering to the Rules of Procedure or conduct authorized by the Brown Act may be asked to leave the Council Chambers.
- All comments directed to the City Council or to any member of the City Council must be directed to the Mayor (or Chairperson if Mayor is absent).

We ask that you please respect the business nature of this meeting and the order required for the proceedings conducted in the Council Chambers.

Public Comment

Certain provisions of the Brown Act are temporarily waived pursuant to Governor Newsom's Executive Order N-25-20 and N-29-20.

In the interest of Public Health and Safety in order to minimize the spread of the COVID 19 virus, you are strongly encouraged to observe the City Council meetings on the City of Huntington Park's website at www.hPCA.gov.

PUBLIC COMMENT — If you would like to comment on any listed Agenda Items, please email the City Clerk's office at publiccomment@hPCA.gov or by telephone, by calling (323) 584-6230, up until one (1) hour, prior to the start of the meeting. Public Comments will then be read during public comment and made part of the record.

The City of Huntington Park thanks you in advance for your cooperation.

For both open and closed session, each speaker will be limited to three minutes per Huntington Park Municipal Code Section 2-1.207. Time limits may not be shared with other speakers and may not accumulate from one period of public comment to another or from one meeting to another. **This is the only opportunity for public input except for scheduled public hearing items.**

All comments or queries shall be addressed to the Council as a body and not to any specific member thereof. Pursuant to Government Code Section 54954.2(a)(2), the Ralph M. Brown Act, no action or discussion by the City Council shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.

Important Notice

The City of Huntington Park shows replays of City Council Meetings on Local Access Channel 3 and over the Internet at www.hrica.gov. NOTE: Your attendance at this public meeting may result in the recording and broadcast of your image and/or voice.

CALL TO ORDER

ROLL CALL

Mayor Graciela Ortiz
Vice Mayor Eduardo "Eddie" Martinez
Council Member Karina Macias
Council Member Marilyn Sanabria
Council Member Manuel "Manny" Avila

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Pursuant to the Governor's Executive Orders, any emailed public comment will be read into the record at this time.

Pursuant to Government Code Section 54954.3(a) Members of the public will have an opportunity to address the City Council on items listed on this agenda. For items on this agenda each speaker will be limited to three minutes per Huntington Park Municipal Code Section 2-1.207. Time limits may not be shared with other speakers and may not accumulate from one period of public comment to another or from one meeting to another.

STAFF RESPONSE

REGULAR AGENDA

COMMUNITY DEVELOPMENT

- 1. CONSIDERATION AND APPROVAL OF A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DETERMINATION REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA**

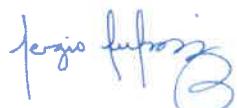
RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Conduct a public hearing;
2. Take public testimony; and
3. Adopt Resolution No. 2021-26, upholding the Planning Commission's determination to revoke Conditional Use Permit (CUP) Case No. 2015-01 and any extensions or other permits in connection with Conditional Use Permit 2015-01, including but not limited to Case No. 2015-01A, which allowed for the on-sale of beer and wine in conjunction with a restaurant located at 3006 E. Florence Ave, Suites 102-103, Huntington Park, California (Pizza Mia).

ADJOURNMENT

The City of Huntington Park City Council will adjourn to a Regular Meeting on Tuesday, October 05, 2021 at 6:00 P.M.

I, Sergio Infanzon, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted at City of Huntington Park City Hall and made available at www.hPCA.gov within 24 hours, prior to the meeting. Dated this 24th day of September 2021.



Sergio Infanzon, Acting City Clerk



CITY OF HUNTINGTON PARK

Community Development
City Council Agenda Report

September 28, 2021

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

CONSIDERATION AND APPROVAL OF A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DETERMINATION REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Conduct a public hearing;
2. Take public testimony; and
3. Adopt Resolution No. 2021-26, upholding the Planning Commission's determination to revoke Conditional Use Permit (CUP) Case No. 2015-01 and any extensions or other permits in connection with Conditional Use Permit 2015-01, including but not limited to Case No. 2015-01A, which allowed for the on-sale of beer and wine in conjunction with a restaurant located at 3006 E. Florence Ave, Suites 102-103, Huntington Park, California (Pizza Mia).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On August 26, 2020, the Planning Commission conducted a public hearing considering the revocation of Conditional Use Permit No. 2015-01 and any extensions or other permits in connection with Conditional Use Permit Case No. 2015-01, including, but not limited to Case No. 2015-01A.

During the August 26, 2020 Planning Commission meeting, the Planning Commission received testimony, hearing evidence and argument from both the City's Planning staff and Police personnel and a representative from the Alcohol Beverage Commission

CONSIDERATION AND APPROVAL OF A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DETERMINATION REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA.

September 28, 2021

Page 2 of 14

(ABC), along with testimony and argument from the Business Owner/Appellant. After conducting the hearing, the Planning Commission discussed several issues of concern, including noncompliance with the Conditional Use Permits conditions of approval, Department of Alcohol Beverage Control (ABC) license, and public safety.

After conducting the public hearing and receiving public testimony, the Planning Commission adopted Resolution No. 2015-01R revoking Conditional Use Permit Case No. 2015-01 and any extensions or other permits in connection with Conditional Use Permit Case No. 2015-01, including, but not limited to Case No. 2015-01A disallowing the use of an on-sale of beer and wine in conjunction with a restaurant on property located at 3006 E. Florence Avenue, Suites 102-103.

On September 10, 2020, the business owner submitted an appeal application. The application was reviewed by planning staff and considered complete.

A Conditional Use Permit may be revoked or modified by the Commission if any one of the findings identified in Huntington Park Municipal Code (HPMC) Section 9-2.1112 can be made.

MUNICIPAL CODE REQUIREMENTS FOR A REVOCATION OF A CONDITIONAL USE PERMIT:

Pursuant to Huntington Park Municipal Code (HPMC), Section 9-2.1112, the Commission may hold a hearing to revoke or modify a Conditional Use Permit granted in compliance with the provisions of Chapter 2 of the HPMC. A Conditional Use Permit may be revoked or modified by the Commission if any one of the following findings can be made:

1. That circumstances been changed by the applicant to a degree that one or more of the findings contained in the original permit can no longer be made in a positive manner and the public health, safety and welfare require the revocation;
2. That the Conditional Use Permit was issued, in whole or in part, on the basis of a misrepresentation or omission of a material statement in the application, or in the applicant's testimony presented during the public hearing, for the entitlement or permit;
3. That the use for which the Conditional Use Permit was granted had ceased or was suspended for six (6) or more months;

CONSIDERATION AND APPROVAL OF A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DETERMINATION REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA.

September 28, 2021

Page 3 of 14

4. That one or more of the conditions of the Conditional Use Permit have not been met;
5. That the use is in violation of any statute, ordinance, law or regulation; or
6. That the use permitted by the Conditional Use Permit is detrimental to the public health, safety or welfare or constitutes a nuisance.

ENVIRONMENTAL REVIEW:

Revocation of CUP 2015-01 and any extensions or permits including, but not limited, to Case No. 2015-01A is exempt from further environmental review pursuant to Article 19, Section 15321, "Enforcement Actions by Regulatory Agencies," of the California Environmental Quality Act (CEQA). An enforcement action under Section 15321 includes actions to revoke a permit, license, certificate, or other entitlements for use issued, adopted, or prescribed by a public agency or enforcement of law, general rule, standard, or objective, administered or adopted by a public regulatory agency.

BACKGROUND:

• ***Business License History***

According to Business License records, Mr. Eric Fambona has owned Pizza Mia since December 2013. Pizza Mia operated as a pizza take-out and delivery business from December 2013 to July 2016. No seating/dining area or sales of alcohol was allowed during this time period. Pizza Mia was approved to operate in Suite 102 within the existing shopping center.

• ***Resolution No. 2015-01 (CUP No. 2015-01)***

On April 15, 2015, the Planning Commission approved CUP Case No. 2015-01 allowing for the expansion of the existing pizza take-out and delivery pizza to include seating/dining area and the sales of beer and wine (Type 41). The CUP also allowed the physical expansion of the business to include suite 102 and 103. The approval was subject to a total of 70 conditions of approval addressing items including, but not limited, business hours of operation, compliance with the City's Noise Ordinance, and compliance with all City, County, State, and Federal laws.

Since obtaining Planning Commission approval, the applicant completed the City's Plan Check Review process and obtained building permits. Construction was initiated, but the applicant was unable to obtain approval within the one (1) year CUP approval deadline provided in Huntington Park Municipal Code (HPMC)

CONSIDERATION AND APPROVAL OF A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DETERMINATION REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA.

September 28, 2021

Page 4 of 14

section 9-2.1109. Further, Mr. Fombona was pending the issuance of the Department of Alcohol Beverage Control (ABC) license. As a result, Mr. Fombona submitted a time extension request on May 2, 2016.

- ***Resolution No. 2015-01A (CUP 2015-01)***

On May 19, 2016, the Planning Commission approved a six- month time extension allowing the applicant additional time to complete the tenant improvements and obtain its ABC License. The time extension approval continued to include the 70 previously required conditions of approval and were included in Resolution No. 2015-01A.

On July 18, 2016, ABC issued a Type 41 Alcohol License which allows for the on-sale of beer and wine for an eating place. According to the ABC website, the license is valid until June 30, 2021.

After reviewing the Building Permit files, the tenant improvement permits for the expansion did not successfully obtain final building inspection. As a result, permits expired on March 3, 2017.

- ***Huntington Park Police Department and Department of Alcohol Beverage Control (ABC) Reports***

The State Department of Alcohol Beverage Control (ABC) and the City of Huntington Park Police Department (HPPD) initiated an investigation of the subject business after receiving anonymous complaint including, but not limited to:

- Live Entertainment – Karaoke, Disc Jockey (DJ), music, and dancing;
- Loud Noise;
- Adult Oriented Entertainment activities;
- Operating hours beyond 11:00 p.m.;
- Selling and Serving alcohol beyond 2:00 a.m.;

After receiving the compliant, HPPD and ABC conducted surveillance on four (4) separate occasions. The dates of the surveillance are as follows:

- February 7, 2020 (HPPD & ABC);
- February 21, 2020 (HPPD & ABC);
- February 28, 2020 (HPPD only); and
- March 7, 2020 (HPPD & ABC).

- ***February 7, 2020 Surveillance***

CONSIDERATION AND APPROVAL OF A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DETERMINATION REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA.

September 28, 2021

Page 5 of 14

At the conclusion of the February 7, 2020 surveillance, HPPD Officers and ABC Agents determined the business was conducting live entertainment and dancing activities without City approvals and/or permits. Specifically, the report identifies patrons dancing in the middle of the tenant space in area designated as a dance floor and music played by a DJ.

HPPD also identified the business to be in violation of the City's Noise Ordinance. Officers were stationed approximately 80-feet and 150-feet from the entrance of the establishment and were able to hear loud music emanating from the bar portion of establishment. Music was determined to be coming from the live DJ located inside of the business. A copy of the HPPD report is attached as Exhibit D.

- ***February 21, 2020 Surveillance***

HPPD Officers and ABC Agents conducted a second surveillance operation and concluded the business continued to allow for live entertainment, including, karaoke, music, and dancing without City approvals and/or permits.

Loud music continued to be audible from approximately 80-feet and 150-feet from the entrance. Music was determined to be emanating from the business.

HPPD also observed the business operation hours exceeding 2:00 a.m. Patrons were observed entering and existing the establishment. The last Officer to leave the location noted a patron was being assisted out of the establishment at approximately 2:47 a.m. The report notes "a patron appeared to be intoxicated to the point of needing help walking." Based on HPPD's observations, the establishment was operating beyond the allowed hours of operation of both the CUP and State Law. A copy of the HPPD report is attached as Exhibit D.

- ***February 28, 2020 Surveillance***

HPPD conducted a third surveillance operation. This operation was performed by HPPD Officers only. HPPD again were able to hear loud music emanating from the establishment. Officers were stationed approximately 80-feet and 150-feet away from the entrance of the establishment and could hear loud music. Officers determined that karaoke activates continued to take place at the establishment without City approval and/or permits. In addition, a DJ was present which also continued to be in violation of City regulations.

HPPD also concluded that the establishment and the business owner allowed adult entertainment activities to take place inside of the business. Specifically, the report notes female dancers dressed in bikini top and bikini bottom style clothes provided lap dances to patrons. Patrons provided monetary tips to the dancers while lap dances were being performed. In addition, the business owner, Eric Fambona-Rios allowed patrons to exchange larger U.S. currency bills for dollar bills in order to provide tips to the dancers.

CONSIDERATION AND APPROVAL OF A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DETERMINATION REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA.

September 28, 2021

Page 6 of 14

The report also identifies that the establishment and the owner were selling and serving alcoholic beverages past 2:00 a.m. The sales and serving of alcoholic beverage beyond 2:00 a.m. is a violation of State Law.

Lastly, HPPD noted an unpermitted Patrol Guard was hired by the business owner. The guard provided security services including, "pat downs" or checking for weapons of subjects entering the bar. The guard did not have City approval and/or permits. As a result, the business owner was also in violation of Sections 3-1.605 and 3-1.167 HPMC. A copy of the HPPD report is attached as Exhibit D.

- ***March 7, 2020 Surveillance***

On March 7, 2020, ABC and HPPD conducted their fourth and final surveillance operation. Again, the establishment was noted to have an unpermitted Patrol Guard, loud music, unpermitted live entertainment (karaoke, DJ), and adult entertainment activities. During this operation, both ABC and HPPD Agents and Officers entered the establishment wearing clearly marked vests with police insignia including police badge and large patches displaying the words "POLICE." HPPD detained the business owners and employees for further questioning.

During the investigation, the business owner, Eric Fambona-Rios admitted to operating outside of the permitted business hours and allowing for adult entertainment and live entertainment to take place in his business. All of which were violations of the Conditional Use Permit, the HPMC and State Law. ABC Agents also found bottles of distilled spirits in the location. Per the ABC license, the establishment is only allowed to sell beer and wine. ABC agents and HPPD noted the violation.

In the ABC report (Exhibit E), agents confirmed the establishment provided live entertainment (DJ, loud music), adult entertainment activities (lap dancers), sales/serving of alcoholic beverages beyond 2:00 a.m. all in violation of State and Local Laws.

- ***Huntington Park Police Department Violations***

After conducting four (4) surveillance operations, HPPD found the business owners in violation of the following misdemeanor complaints:

- Unpermitted Entertainment;
- Unpermitted Public Dance;
- Excessive Noise;
- CUP Violation – Condition No. 23 stop serving alcohol at 10:00 p.m.
- CUP Violation – Condition No. 23 close at 11:00 p.m.

CONSIDERATION AND APPROVAL OF A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DETERMINATION REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON- SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA.

September 28, 2021

Page 7 of 14

- Lack of Business License for Hiring of Guard;
- Hiring of Unlicensed Guard.
- ***Department of Alcohol Beverage Control (ABC) Violations***
After conducting three (3) undercover operations, the Department of ABC found the business owners in violation of the following:
 - Sales after Hours;
 - Permitting consumption after hours;
 - Unlawful possession of alcoholic beverages;
 - Entertainers and conduct;
 - Attire & conduct;
 - Violations of conditions;

DISCUSSION:

A Conditional Use Permit may be revoked or modified by the Commission if any one of the findings identified in Huntington Park Municipal Code (HPMC) section 9-2.1112 can be made.

Pursuant to Huntington Park Municipal Code (HPMC), Section 9-2.1112, the Commission may hold a hearing to revoke or modify a Conditional Use Permit granted in compliance with the provisions of Chapter 2 of the HPMC. A Conditional Use Permit may be revoked or modified by the Commission if any one of the following findings can be made:

1. That circumstances been changed by the applicant to a degree that one or more of the findings contained in the original permit can no longer be made in a positive manner and the public health, safety and welfare require the revocation;
2. That the Conditional Use Permit was issued, in whole or in part, on the basis of a misrepresentation or omission of a material statement in the application, or in the applicant's testimony presented during the public hearing, for the entitlement or permit;

CONSIDERATION AND APPROVAL OF A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DETERMINATION REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA.

September 28, 2021

Page 8 of 14

3. That the use for which the Conditional Use Permit was granted had ceased or was suspended for six (6) or more months;
4. That one or more of the conditions of the Conditional Use Permit have not been met;
5. That the use is in violation of any statute, ordinance, law or regulation; or
6. That the use permitted by the Conditional Use Permit is detrimental to the public health, safety or welfare or constitutes a nuisance.

• **Conditional Use Permit**

On August 26, 2020, the Planning Commission determined that the current operator is out of compliance with the conditions of approval No. 3 and No. 23 of CUP under Resolution No. 2015-01:

ANALYSIS:

• ***Grounds for Revocation***

Based on the facts presented above and further discussed below, the grounds for revocation include, but are not limited to, (1) change in circumstances by the applicant to a degree that the findings contained in the original permit can no longer be made in a positive manner and the public health, safety and welfare require revocation; (2) that one or more of the conditions of the CUP have not been met; and (3) the use permitted under the CUP is detrimental to the public health, safety or welfare and constitutes a nuisance.

• ***Department of Alcohol Beverage Control (ABC)***

During ABC's investigation, ABC Agents clearly identified various violations occurring at the subject business, referenced in the "Department of Alcohol and Beverage Control (ABC) Violations" section of this report located below. Most notably are the continued sales and service of alcoholic beverages to patrons beyond 2:00 a.m. and the unpermitted adult entertainment. Also concerning were the bottles of spirits found by ABC Agents in the subject business. The business owner, Eric Fambona-Rios admitted to selling and serving alcohol past 2:00 a.m. In addition, Mr. Fambona-Rios admitted the bottles of spirits were provided to private parties at the location. At no time does the Department of ABC allow for sales past 2:00 a.m. or for spirits to be at the located at a business that is licensed

CONSIDERATION AND APPROVAL OF A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DETERMINATION REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA.

September 28, 2021

Page 9 of 14

for beer and wine only. Further Resolution No. 15-01 requires the business to stop serving alcohol at 10:00 p.m. and close operations by 11:00 p.m. The operator is in violation of Condition Nos. 3 and 23 of Resolution No. 15-01.

The ABC report also indicates that the dancers were observed performing obscene live acts consisting of "placing a patron on the floor removing his shirt and maneuvering their bodies on top of the patron in various ways simulating both oral sex and sexual intercourse." Again, the existing business was permitted as a restaurant with the sales of alcohol only. Restaurants have a reasonable expectation to operate as a family friendly environment. At no time is a restaurant allowed to have adult entertainment in their premises. It is worth noting that adult entertainment is only permissible in the Special Use Overlay Zone identified in the City's Zoning Map. The subject site is not located within the Special Use Overlay Zone.

ABC Agents issued citations to Mr. Fambona-Rios and will continue their administrative process, which may lead to disciplinary actions against the license.

- ***Huntington Park Police Department***

HPPD conducted four (4) surveillance operations within an approximate one-month period. During their operation, HPPD documented various violations of the HPMC. HPPD issued various misdemeanor violations to the business owner, his wife, the unpermitted security guard, and employees of the restaurant who served alcohol past 2:00 a.m.

HPPD has submitted their reports and misdemeanor violations to the City Prosecutor's Office for further action. A total of 22 misdemeanor counts have been filed with the Los Angeles County Superior Court. All 22 counts stem from violations during HPPD's investigation of Pizza Mia and include violations referenced in the "Huntington Park Police Department Violations" section of this report located below.

HPPD and the City Prosecutor are prepared to file all necessary charges against Mr. Fambona-Rios given the severity of the violations. The business owner has admitted to selling and serving of alcohol beyond permitted State Law hours, stayed open past operating hours stipulated in Resolution No. 2015-01, paid dancers to perform lap dances at the business, and has allowed noise levels to exceed the City's Noise Ordinance. Given the fact that during each surveillance operation violations were observed, HPPD is not confident the owner will operate in a manner that will not be detrimental to the surrounding area and community.

CONSIDERATION AND APPROVAL OF A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DETERMINATION REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA.

September 28, 2021

Page 10 of 14

• ***Conditional Use Permit No. 1530 Compliance***

Based on reports from HPPD and ABC, the existing business, Pizza Mia, is operating out of compliance with conditions of approval stipulated in Resolution No. 2015-01 and 2015-01A. The specific conditions are as follows (numbered as they appear on the CUP):

3. That the proposed use shall comply with all applicable City, County, State and Federal codes, laws, rules, and regulations, including Health, Building and Safety, Fire, Sign, Zoning, and Business License – Based on four (4) surveillance operations performed by HPPD, three (3) investigations performed by ABC, and City records the business operation was found to be out of compliance with the following codes, laws, rules, and regulations:
 - a. State Alcohol Beverage Control – The business operation was selling and serving alcohol past 2:00 a.m. The business owner was in possession of distilled spirits bottles. The business owner allowed for obscene live conduct to take place inside the business. ABC also noted violations related to entertainer attire and conduct. Lastly, the ABC report also identifies that the owner has failed to produce records as requested by ABC. These are violations of State Laws.
 - b. Building Code – The subject tenant space has expired building permits for the expansion of the restaurant from suite 102 to 103. The project never received final inspection from the City's Building and Safety Division. As a result, the expansion area should not be utilized for occupancy. Occupancy of an unpermitted area is a violation of Building Codes.
 - c. Zoning Code – Adult Entertainment is not permissible at the subject location as it is not located within the Special Uses Overlay Zone. Performing or allowing for the performance of adult entertainment, lap dancers, at the subject location is a violation of Zoning Code section 9-4.202. Live Entertainment in the form of a DJ requires an Entertainment Permit from the City. Due to the fact that no Entertainment Permit has been issued, the business is in violation of Zoning Code section 9-2.1304(a). A Dance Permit is also required for dancing to take place within a business establishment in the City of Huntington Park. Due to the fact that no Dance Permit has been issued, the business is in violation of Zoning Code section 9-2.1202.

CONSIDERATION AND APPROVAL OF A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DETERMINATION REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA.

September 28, 2021

Page 11 of 14

- d. Business License Code – The business owner hired an unlicensed patrol guard. The City of Huntington Park requires a permit for patrol guards. The business owner is in violation of Business License Code section 3-1.605 and 3-1.167 of the HPMC.
- 23. That the business shall stop serving alcohol at 10:00 p.m. and close at 11:00 p.m. daily– HPPD and ABC report the business remained open for business past 11:00 p.m. It is also reported that the business sold and served alcoholic beverages past 10:00 p.m. Both actions are in violation of Condition No. 23 of Resolution 2015-01, which stipulates the business shall stop serving alcohol at 10:00 p.m. and close by 11:00 p.m.

- ***Conditional Use Permit Modification/Revocation Findings***

A Conditional Use Permit may be revoked or modified by the Commission if any one of the findings identified in Huntington Park Municipal Code (HPMC) section 9-2.1112 can be made. Based on the information provided, the following findings can be made to support the revocation of Conditional Use Permit Case No. 2015-01:

- That circumstances have been changed by the applicant to a degree that one or more of the findings contained in the original permit can no longer be made in a positive manner and the public health, safety and welfare require the revocation in that finding (D) of Conditional Use Permit 2015-01, which states “that the establishment, maintenance or conducting of the use for which a conditional use permit is sought will not, under the particular case, be detrimental to the persons residing or working in the neighborhood of such use; and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to the property or improvements in the neighborhood” cannot be made due to the fact that the business has not operated consistent with State Alcohol Beverage Control (ABC) Laws and Public Safety Laws of the City of Huntington Park as evident by four (4) surveillance operations performed by HPPD and three (3) investigations performed by ABC, which documented unpermitted adult entertainment activities, selling and serving of alcoholic beverages past 2:00 a.m., unlawful possession of alcoholic beverages, unpermitted Live Entertainment, and loud noise emanating from the business. Based on the State and local violations, the existing restaurant is operating under circumstances that are detrimental to the public welfare of the community.

CONSIDERATION AND APPROVAL OF A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DETERMINATION REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA.

September 28, 2021

Page 12 of 14

- That one or more of the conditions of the Conditional Use Permit have not been met in that the following conditions of approval have been documented to be out of compliance based on surveillance operations performed by HPPD and investigations performed by ABC (numbered as they appear in the CUP):
 3. That the proposed use shall comply with all applicable City, County, State and Federal codes, laws, rules, and regulations, including Health, Building and Safety, Fire, Sign, Zoning, and Business License – Based on four (4) surveillance operations performed by HPPD, three (3) investigations performed by ABC, and City records the business operation was found to be out compliance with the following codes, laws, rules, and regulations:
 - a. State Alcohol Beverage Control – The business operation was selling and serving alcohol past 2:00 a.m. The business owner was in possession of distilled spirits bottles. The business owner allowed for obscene live conduct to take place inside the business. ABC also noted violations related to entertainer attire and conduct. Lastly, the ABC report also identifies that the owner has failed to produce records as requested by ABC. These are violations of State Laws.
 - b. Building Code – The subject tenant space has expired building permits for the expansion of the restaurant from suite 102 to 103. The project never received final inspection from the City's Building and Safety Division. As a result, the expansion area should not be utilized for occupancy. Occupancy of an unpermitted area is a violation of Building Codes.
 - c. Zoning Code – Adult Entertainment is not permissible at the subject location as it is not located within the Special Uses Overlay Zone. Performing or allow for the performance of adult entertainment, lap dancers, at the subject location is a violation of Zoning Code section 9-4.202. Live Entertainment in the form of a DJ requires an Entertainment Permit from the City. Due to the fact that no Entertainment Permit has been issued, the business is in violation of Zoning Code section 9-2.1304(a). A Dance Permit is also required for dancing to take place within a business establishment in the City of Huntington Park. Due to the fact that no Dance Permit has been issued, the business is in violation of Zoning Code section 9-2.1202.

CONSIDERATION AND APPROVAL OF A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DETERMINATION REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA.

September 28, 2021

Page 13 of 14

- d. Business License Code – The business owner hired an unlicensed patrol guard. The City of Huntington Park requires a permit for patrol guards. The business owner is in violation of Business License Code section 3-1.605 and 3-1.167 of the HPMC.
- 23. That the business shall stop serving alcohol at 10:00 p.m. and close at 11:00 p.m. daily—HPPD and ABC report the business remained open for business past 11:00 p.m. It is also reported that the business sold and served alcoholic beverages past 10:00 p.m. Both actions are in violation of Condition No. 23 of Resolution 2015-01, which stipulates the business shall stop serving alcohol at 10:00 p.m. and close by 11:00 p.m.
- That the use permitted by the Conditional Use Permit is detrimental to the public health, safety or welfare or constitutes a nuisance in that the business has not operated consistent with State Alcohol Beverage Control (ABC) Laws and Public Safety Laws of the City of Huntington Park as evident by four (4) surveillance operations performed by HPPD and three (3) investigations performed by ABC, which documented unpermitted adult entertainment activities, selling and serving of alcoholic beverages past 2:00 a.m., unlawful possession of alcoholic beverages, unpermitted Live Entertainment, and loud noise emanating from the business. In addition, the subject site is located immediately adjacent to residentially zoned property, which is subject to the loud noise generated by the unpermitted business activities extending past 2:00 a.m. as documented by HPPD and ABC reports. Based on State and local violations, the existing restaurant is operating under circumstances that are detrimental to the public welfare of the community.

Based on the evidence presented, Planning Staff has determined that the required findings to revoke Conditional Use Permit Case No. 2015-01 and any other permits in connection with conditional Use Permit Case No. 2015-01, including, but not limited to 2015-01A, can be made.

RECOMMENDATION:

After conducting the public hearing and receiving public testimony on August 26, 2020, the Planning Commission adopted Resolution No. 2015-01R revoking Conditional Use Permit Case No. 2015-01 and any extensions or other permits in connection with Conditional Use Permit Case No. 2015-01, including, but not limited to Case No. 2015-01A disallowing the use of an on-sale of beer and wine in conjunction with a restaurant on property located at 3006 E. Florence Avenue, Suites 102-103.

CONSIDERATION AND APPROVAL OF A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DETERMINATION REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA.

September 28, 2021

Page 14 of 14

FISCAL IMPACT/FINANCING:

This action does not have a direct fiscal impact on the General Fund.

CONCLUSION:

Pursuant to Planning Commission direction, the City Council should review the attached resolution and adopt the same which is consistent with the findings approved at the August 26, 2020 Planning Commission.

Respectfully submitted,



RICARDO REYES
City Manager

/s/ Arnold M. Alvarez Glasman

ARNOLD M. ALVAREZ-GLASMAN
City Attorney

EXHIBITS:

- Exhibit A: Planning Commission Packet with Resolution No. 2015-01R
- Exhibit B: Resolution No. 2015-01
- Exhibit C: Resolution No. 2015-01A
- Exhibit D: Huntington Park Police Department Incident Report
- Exhibit E: Alcohol Beverage Control Investigation Report
- Exhibit F: Business License Application
- Exhibit G: Alcohol Beverage Control License
- Exhibit H: Written Notice to Revoke CUP No. 2015-01
- Exhibit I: Second Written Notice to Revoke CUP No. 2015-01
- Exhibit J: Notice of Public Hearing for City Council Public Hearing
- Exhibit K: Resolution No. 2021-26

**PLANNING COMMISSION POCKET WITH
RESOLUTION NO. 2015-01R**

EXHIBIT A

CASE NO. 2015-01R CUP



CITY OF HUNTINGTON PARK

SPECIAL PLANNING COMMISSION AGENDA REPORT

DATE: AUGUST 26, 2020

TO: CHAIRPERSON AND MEMBERS OF THE PLANNING COMMISSION

ATTENTION: SERGIO INFANZON, DIRECTOR OF COMMUNITY DEVELOPMENT

FROM: CARLOS LUIS, PLANNING MANAGER

SUBJECT: PLANNING COMMISSION CASE NO. 2015-01R - CUP
(CONDITIONAL USE PERMIT) REVOCATION

REQUEST: A REQUEST TO CONSIDER THE REVOCATION OF CONDITIONAL USE PERMIT NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT CASE NO. 2015-01, INCLUDING, BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E. FLORENCE AVENUE SUITES 102-103, WITHIN THE COMMERCIAL GENERAL (CG) ZONE

APPLICANT: City of Huntington Park

PROPERTY OWNER: Florence Business Center LLC

SUBJECT LOCATION: 3006 E. Florence Avenue, Suites 102-103

**ASSESSOR'S
PARCEL NUMBER:** 6212-002-053

PRESENT USE: Commercial Shopping Center

**PRESENT USE
SUITES 102-103:** Restaurant (Pizza Mia) with on-sale of beer and wine (Type 41)

LOT SIZE: 18,084 square foot

GENERAL PLAN: General Commercial

SPECIAL PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2015-01R CUP: 3006 E. Florence Avenue, Suites 103-104

August 26, 2020

Page 2 of 16

ZONE: Commercial General (CG)

SURROUNDING LAND USES:
North: Commercial General (CG)
West: Commercial General (CG)
South: Low Density Residential (RL)
East: Commercial General (CG)

MUNICIPAL CODE REQUIREMENTS FOR A REVOCATION OF A CONDITIONAL USE PERMIT:

Pursuant to Huntington Park Municipal Code (HPMC), Section 9-2.1112, the Commission may hold a hearing to revoke or modify a Conditional Use Permit granted in compliance with the provisions of Chapter 2 of the HPMC. A Conditional Use Permit may be revoked or modified by the Commission if any one of the following findings can be made:

1. That circumstances have changed by the applicant to a degree that one or more of the findings contained in the original permit can no longer be made in a positive manner and the public health, safety and welfare require the revocation;
2. That the Conditional Use Permit was issued, in whole or in part, on the basis of a misrepresentation or omission of a material statement in the application, or in the applicant's testimony presented during the public hearing, for the entitlement or permit;
3. That the use for which the Conditional Use Permit was granted had ceased or was suspended for six (6) or more months;
4. That one or more of the conditions of the Conditional Use Permit have not been met;
5. That the use is in violation of any statute, ordinance, law or regulation; or
6. That the use permitted by the Conditional Use Permit is detrimental to the public health, safety or welfare or constitutes a nuisance.

SPECIAL PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2015-01R CUP: 3006 E. Florence Avenue, Suites 103-104

August 26, 2020

Page 3 of 16

ENVIRONMENTAL

REVIEW:

Revocation of CUP 2015-01 and any extensions or permits including, but not limited, to Case No. 2015-01A is exempt from further environmental review pursuant to Article 19, Section 15321, "Enforcement Actions by Regulatory Agencies," of the California Environmental Quality Act (CEQA). An enforcement action under Section 15321 includes actions to revoke a permit, license, certificate, or other entitlements for use issued, adopted, or prescribed by a public agency or enforcement of law, general rule, standard, or objective, administered or adopted by a public regulatory agency.

BACKGROUND:

- ***Business License History***

According to Business License records, Mr. Eric Fombona has owned Pizza Mia since December 2013. Pizza Mia operated as a pizza take-out and delivery business from December 2013 to July 2016. No seating/dining area or sales of alcohol was allowed during this time period. Pizza Mia was approved to operate in Suite 102 within the existing shopping center.

- ***Resolution No. 2015-01 (CUP No. 2015-01)***

On April 15, 2015, the Planning Commission approved CUP Case No. 2015-01 allowing for the expansion of the existing pizza take-out and delivery pizza to include seating/dining area and the sales of beer and wine (Type 41). The CUP also allowed the physical expansion of the business to include suite 102 and 103. The approval was subject to a total of 70 conditions of approval addressing items including, but not limited, business hours of operation, compliance with the City's Noise Ordinance, and compliance with all City, County, State, and Federal laws.

Since obtaining Planning Commission approval, the applicant completed the City's Plan Check Review process and obtained building permits. Construction was initiated, but the applicant was unable to obtain approval within the one (1) year CUP approval deadline provided in Huntington Park Municipal Code (HPMC) section 9-2.1109. Further, Mr. Fombona was pending the issuance of the Department of Alcohol Beverage Control (ABC) license. As a result, Mr.

SPECIAL PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2015-01R CUP: 3006 E. Florence Avenue, Suites 103-104

August 26, 2020

Page 4 of 16

Fombona submitted a time extension request on May 2, 2016.

- ***Resolution No. 2015-01A (CUP 2015-01)***

On May 12, 2016, the Planning Commission approved a six-month time extension allowing the applicant additional time to complete the tenant improvements and obtain its ABC License. The time extension approval continued to include the 70 previously required conditions of approval and were included in Resolution No. 2015-01A.

On July 18, 2016, ABC issued a Type 41 Alcohol License which allows for the on-sale of beer and wine for an eating place. According to the ABC website, the license is valid until June 30, 2021.

After reviewing the Building Permit files, the tenant improvement permits for the expansion did not successfully obtain final building inspection. As a result, permits expired on March 3, 2017.

- ***Huntington Park Police Department and Department of Alcohol Beverage Control (ABC) Reports***

The State Department of Alcohol Beverage Control (ABC) and the City of Huntington Park Police Department (HPPD) initiated an investigation of the subject business after receiving anonymous complaint including, but not limited to:

- Live Entertainment – Karaoke, Disc Jockey (DJ), music, and dancing;
- Loud Noise;
- Adult Oriented Entertainment activities;
- Operating hours beyond 11:00 p.m.;
- Selling and Serving alcohol beyond 2:00 a.m.;

After receiving the compliant, HPPD and ABC conducted surveillance on four (4) separate occasions. The dates of the surveillance are as follows:

- February 7, 2020 (HPPD & ABC);

SPECIAL PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2015-01R CUP: 3006 E. Florence Avenue, Suites 103-104

August 26, 2020

Page 5 of 16

- February 21, 2020 (HPPD & ABC);
- February 28, 2020 (HPPD only); and
- March 7, 2020 (HPPD & ABC).

• ***February 7, 2020 Surveillance***

At the conclusion of the February 7, 2020 surveillance, HPPD Officers and ABC Agents determined the business was conducting live entertainment and dancing activities without City approvals and/or permits. Specifically, the report identifies patrons dancing in the middle of the tenant space in area designated as a dance floor and music played by a DJ.

HPPD also identified the business to be in violation of the City's Noise Ordinance. Officers were stationed approximately 80-feet and 150-feet from the entrance of the establishment and were able to hear loud music emanating from the bar portion of establishment. Music was determined to be coming from the live DJ located inside of the business. A copy of the HPPD report is attached as Exhibit D.

• ***February 21, 2020 Surveillance***

HPPD Officers and ABC Agents conducted a second surveillance operation and concluded the business continued to allow for live entertainment, including, karaoke, music, and dancing without City approvals and/or permits.

Loud music continued to be audible from approximately 80-feet and 150-feet from the entrance. Music was determined to be emanating from the business.

HPPD also observed the business operation hours exceeding 2:00 a.m. Patrons were observed entering and exiting the establishment. The last Officer to leave the location noted a patron was being assisted out of the establishment at approximately 2:47 a.m. The report notes "a patron appeared to be intoxicated to the point of needing help walking." Based on HPPD's observations, the establishment was operating beyond the allowed hours of operation of both the CUP and State Law. A copy of the HPPD report is attached as Exhibit D.

SPECIAL PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2015-01R CUP: 3006 E. Florence Avenue, Suites 103-104

August 26, 2020

Page 6 of 16

• ***February 28, 2020 Surveillance***

HPPD conducted a third surveillance operation. This operation was performed by HPPD Officers only. HPPD again were able to hear loud music emanating from the establishment. Officers were stationed approximately 80-feet and 150-feet away from the entrance of the establishment and could hear loud music. Officers determined that karaoke activates continued to take place at the establishment without City approval and/or permits. In addition, a DJ was present which also continued to be in violation of City regulations.

HPPD also concluded that the establishment and the business owner allowed adult entertainment activities to take place inside of the business. Specifically, the report notes female dancers dressed in bikini top and bikini bottom style clothes provided lap dances to patrons. Patrons provided monetary tips to the dancers while lap dances were being performed. In addition, the business owner, Eric Fambona-Rios allowed patrons to exchange larger U.S. currency bills for dollar bills in order to provide tips to the dancers.

The report also identifies that the establishment and the owner were selling and serving alcoholic beverages past 2:00 a.m. The sales and serving of alcoholic beverage beyond 2:00 a.m. is a violation of State Law.

Lastly, HPPD noted an unpermitted Patrol Guard was hired by the business owner. The guard provided security services including, "pat downs" or checking for weapons of subjects entering the bar. The guard did not have City approval and/or permits. As a result, the business owner was also in violation of Sections 3-1.605 and 3-1.167 HPMC. A copy of the HPPD report is attached as Exhibit D.

• ***March 7, 2020 Surveillance***

On March 7, 2020, ABC and HPPD conducted their fourth and final surveillance operation. Again, the establishment was noted to have an unpermitted Patrol Guard, loud music, unpermitted live entertainment (karaoke, DJ), and adult entertainment activities. During this operation, both ABC and HPPD Agents and Officers entered the establishment

SPECIAL PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2015-01R CUP: 3006 E. Florence Avenue, Suites 103-104

August 26, 2020

Page 7 of 16

wearing clearly marked vests with police insignia including police badge and large patches displaying the words "POLICE." HPPD detained the business owners and employees for further questioning.

During the investigation, the business owner, Eric Fambona-Rios admitted to operating outside of the permitted business hours and allowing for adult entertainment and live entertainment to take place in his business. All of which were violations of the Conditional Use Permit, the HPMC and State Law. ABC Agents also found bottles of distilled spirits in the location. Per the ABC license, the establishment is only allowed to sell beer and wine. ABC agents and HPPD noted the violation.

In the ABC report (Exhibit E), agents confirmed the establishment provided live entertainment (DJ, loud music), adult entertainment activities (lap dancers), sales/serving of alcoholic beverages beyond 2:00 a.m. all in violation of State and Local Laws.

- ***Huntington Park Police Department Violations***

After conducting four (4) surveillance operations, HPPD found the business owners in violation of the following misdemeanor complaints:

- Unpermitted Entertainment;
- Unpermitted Public Dance;
- Excessive Noise;
- CUP Violation – Condition No. 23 stop serving alcohol at 10:00 p.m.
- CUP Violation – Condition No. 23 close at 11:00 p.m.
- Lack of Business License for Hiring of Guard;
- Hiring of Unlicensed Guard.

SPECIAL PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2015-01R CUP: 3006 E. Florence Avenue, Suites 103-104

August 26, 2020

Page 8 of 16

- ***Department of Alcohol Beverage Control (ABC) Violations***

After conducting three (3) undercover operations, the Department of ABC found the business owners in violation of the following:

- Sales after Hours;
- Permitting consumption after hours;
- Unlawful possession of alcoholic beverages;
- Entertainers and conduct;
- Attire & conduct;
- Violations of conditions;
- Failing to Produce Records

DISCUSSION:

- ***Conditional Use Permit (CUP)***

The Planning Commission may hold a hearing to revoke or modify a Conditional Use Permit granted in compliance with the provisions of HPMC Section 9-2.1112, "Revocation." A Conditional Use Permit may be revoked or modified by the Commission if any one of the following findings can be made:

1. That circumstances been changed by the applicant to a degree that one or more of the findings contained in the original permit can no longer be made in a positive manner and the public health, safety and welfare require the revocation;
2. That the Conditional Use Permit was issued, in whole or in part, on the basis of a misrepresentation or omission of a material statement in the application, or in the applicant's testimony presented during the public hearing, for the entitlement or permit;

SPECIAL PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2015-01R CUP: 3006 E. Florence Avenue, Suites 103-104

August 26, 2020

Page 9 of 16

3. That the use for which the Conditional Use Permit was granted had ceased or was suspended for six (6) or more months;
4. That one or more of the conditions of the Conditional Use Permit have not been met;
5. That the use is in violation of any statute, ordinance, law or regulation; or
6. That the use permitted by the Conditional Use Permit is detrimental to the public health, safety or welfare or constitutes a nuisance.

ANALYSIS:

• ***Grounds for Revocation***

Based on the facts presented above and further discussed below, the grounds for revocation include, but are not limited to, (1) change in circumstances by the applicant to a degree that the findings contained in the original permit can no longer be made in a positive manner and the public health, safety and welfare require renovation; (2) that one or more of the conditions of the CUP have not been met; and (3) the use permitted under the CUP is detrimental to the public health, safety or welfare and constitutes a nuisance.

• ***Department of Alcohol Beverage Control (ABC) Suspensions***

During ABC's three (3) night investigation, ABC Agents clearly identified various violations occurring at the subject business. Most notably are the continued sales and service of alcoholic beverages to patrons beyond 2:00 a.m. and the unpermitted adult entertainment. Also concerning were the bottles of spirits found by ABC Agents in the subject business. The business owner, Eric Fambona-Rios admitted to selling and serving alcohol past 2:00 a.m. In addition, Mr. Fambona-Rios admitted the bottles of spirits were provided to private parties at the location. At no time does the Department of ABC allow for sales past 2:00 a.m. or for spirits to be at the located at a business that is licensed for beer and wine only. Further Resolution No. 15-01 requires the business to stop serving alcohol at 10:00 p.m.

SPECIAL PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2015-01R CUP: 3006 E. Florence Avenue, Suites 103-104

August 26, 2020

Page 10 of 16

and close operations by 11:00 p.m. The operator is in violation of Condition Nos. 3 and 22 of Resolution No. 15-01.

The ABC report also indicates that the dancers were observed performing obscene live acts consisting of "placing a patron on the floor removing his shirt and maneuvering their bodies on top of the patron in various ways simulating both oral sex and sexual intercourse." Again, the existing business was permitted as a restaurant with the sales of alcohol only. Restaurants have a reasonable expectation to operate as a family friendly environment. At no time is a restaurant allowed to have adult entertainment in their premises. It is worth noting that adult entertainment is only permissible in the Special Use Overlay Zone identified in the City's Zoning Map. The subject site is not located within the Special Use Overlay Zone.

ABC Agents issued citations to Mr. Famboa-Rios and will continue their administrative process, which may lead to disciplinary actions against the license.

- ***Huntington Park Police Department***

HPPD conducted four (4) surveillance operations within an approximate one-month period. During their operation, HPPD documented various violations of the HPMC. HPPD issued various misdemeanor violations to the business owner, his wife, the unpermitted security guard, and employees of the restaurant who served alcohol past 2:00 a.m.

HPPD has submitted their reports and misdemeanor violations to the City Prosecutor's Office for further action. A total of 22 misdemeanor counts have been filed with the Los Angeles County Superior Court. All 22 counts stem from violations during HPPD's investigation of Pizza Mia and include violations referenced in the "Huntington Park Police Department Violations" section of this report located above.

HPPD and the City Prosecutor are prepared to file all necessary charges against Mr. Famboa-Rios given the severity of the violations. The business owner has admitted to selling and serving of alcohol beyond permitted State Law hours, stayed open past operating hours stipulated in Resolution No. 2015-01, paid dancers to perform lap dances at the business, and has allowed noise levels to exceed the

SPECIAL PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2015-01R CUP: 3006 E. Florence Avenue, Suites 103-104

August 26, 2020

Page 11 of 16

City's Noise Ordinance. Given the fact that during each surveillance operation violations were observed, HPPD is not confident the owner will operate in a manner that will not be detrimental to the surrounding area and community.

• ***Conditional Use Permit No. 1530 Compliance***

Based on reports from HPPD and ABC, the existing business, Pizza Mia, is operating out of compliance with conditions of approval stipulated in Resolution No. 2015-01 and 2015-01A. The specific conditions are as follows (numbered as they appear on the CUP):

3. That the proposed use shall comply with all applicable City, County, State and Federal codes, laws, rules, and regulations, including Health, Building and Safety, Fire, Sign, Zoning, and Business License –
Based on four (4) surveillance operations performed by HPPD, three (3) investigations performed by ABC, and City records the business operation was found to be out compliance with the following codes, laws, rules, and regulations:
 - a. *State Alcohol Beverage Control – The business operation was selling and serving alcohol past 2:00 a.m. The business owner was in possession of distilled spirits bottles. The business owner allowed for obscene live conduct to take place inside the business. ABC also noted violations related to entertainer attire and conduct. Lastly, the ABC report also identifies that the owner has failed to produce records as requested by ABC. These are violations of State Laws.*
 - b. *Building Code – The subject tenant space has expired building permits for the expansion of the restaurant from suite 102 to 103. The project never received final inspection from the City's Building and Safety Division. As a result, the expansion area should not be utilized for occupancy. Occupancy of*

SPECIAL PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2015-01R CUP: 3006 E. Florence Avenue, Suites 103-104
August 26, 2020
Page 12 of 16

an unpermitted area is a violation of Building Codes.

- c. Zoning Code – Adult Entertainment is not permissible at the subject location as it is not located within the Special Uses Overlay Zone. Performing or allow for the performance of adult entertainment, lap dancers, at the subject location is a violation of Zoning Code section 9-4.202. Live Entertainment in the form of a DJ requires an Entertainment Permit from the City. Due to the fact that no Entertainment Permit has been issued, the business is in violation of Zoning Code section 9-2.1304(a). A Dance Permit is also required for dancing to take place within a business establishment in the City of Huntington Park. Due to the fact that no Dance Permit has been issued, the business is in violation of Zoning Code section 9-2.1202.*
- d. Business License Code – The business owner hired an unlicensed patrol guard. The City of Huntington Park requires a permit for patrol guards. The business owner is in violation of Business License Code section 3-1.605 and 3-1.167 of the HPMC.*

23. That the business shall stop serving alcohol at 10:00 p.m. and close at 11:00 p.m. daily—*HPPD and ABC report the business remained open for business past 11:00 p.m. It is also reported that the business sold and served alcoholic beverages past 10:00 p.m. Both actions are in violation of Condition No. 23 of Resolution 2015-01, which stipulates the business shall stop serving alcohol at 10:00 p.m. and close by 11:00 p.m.*

SPECIAL PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2015-01R CUP: 3006 E. Florence Avenue, Suites 103-104

August 26, 2020

Page 13 of 16

- ***Conditional Use Permit Modification/Revocation Findings***

A Conditional Use Permit may be revoked or modified by the Commission if any one of the findings identified in Huntington Park Municipal Code (HPMC) section 9-2.1112 can be made. Based on the information provided by the following findings can be made to support the revocation of Conditional Use Permit Case No. 2015-01:

- That circumstances have been changed by the applicant to a degree that one or more of the findings contained in the original permit can no longer be made in a positive manner and the public health, safety and welfare require the revocation *in that finding (D) of Conditional Use Permit 2015-01, which states "that the establishment, maintenance or conducting of the use for which a conditional use permit is sought will not, under the particular case, be detrimental to the persons residing or working in the neighborhood of such use; and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to the property or improvements in the neighborhood" cannot be made due to the fact that the business has not operated consistent with State Alcohol Beverage Control (ABC) Laws and Public Safety Laws of the City of Huntington Park as evident by four (4) surveillance operations performed by HPPD and three (3) investigations performed by ABC, which documented unpermitted adult entertainment activities, selling and serving of alcoholic beverages past 2:00 a.m., unlawful possession of alcoholic beverages, unpermitted Live Entertainment, and loud noise emanating from the business. Based on the State and local violations, the existing restaurant is operating under circumstances that are detrimental to the public welfare of the community.*
- That one or more of the conditions of the Conditional Use Permit have not been met *in that the following conditions of approval have been documented to be out of compliance based on surveillance operations performed by HPPD and investigations performed by ABC (numbered as they appear in the CUP):*

SPECIAL PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2015-01R CUP: 3006 E. Florence Avenue, Suites 103-104
August 26, 2020
Page 14 of 16

3. That the proposed use shall comply with all applicable City, County, State and Federal codes, laws, rules, and regulations, including Health, Building and Safety, Fire, Sign, Zoning, and Business License – *Based on four (4) surveillance operations performed by HPPD, three (3) investigations performed by ABC, and City records the business operation was found to be out compliance with the following codes, laws, rules, and regulations:*

- a. *State Alcohol Beverage Control – The business operation was selling and serving alcohol past 2:00 a.m. The business owner was in possession of distilled spirits bottles. The business owner allowed for obscene live conduct to take place inside the business. ABC also noted violations related to entertainer attire and conduct. Lastly, the ABC report also identifies that the owner has failed to produce records as requested by ABC. These are violations of State Laws.*
- b. *Building Code – The subject tenant space has expired building permits for the expansion of the restaurant from suite 102 to 103. The project never received final inspection from the City's Building and Safety Division. As a result, the expansion area should not be utilized for occupancy. Occupancy of an unpermitted area is a violation of Building Codes.*
- c. *Zoning Code – Adult Entertainment is not permissible at the subject location as it is not located within the Special Uses Overlay Zone. Performing or allow for the performance of adult entertainment, lap dancers, at the subject location is a violation of Zoning Code section 9-4.202. Live Entertainment in the form of a DJ requires an Entertainment Permit from*

SPECIAL PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2015-01R CUP: 3006 E. Florence Avenue, Suites 103-104

August 26, 2020

Page 15 of 16

the City. Due to the fact that no Entertainment Permit has been issued, the business is in violation of Zoning Code section 9-2.1304(a). A Dance Permit is also required for dancing to take place within a business establishment in the City of Huntington Park. Due to the fact that no Dance Permit has been issued, the business is in violation of Zoning Code section 9-2.1202.

d. Business License Code – The business owner hired an unlicensed patrol guard. The City of Huntington Park requires a permit for patrol guards. The business owner is in violation of Business License Code section 3-1.605 and 3-1.167 of the HPMC.

23. That the business shall stop serving alcohol at 10:00 p.m. and close at 11:00 p.m. daily—*HPPD and ABC report the business remained open for business past 11:00 p.m. It is also reported that the business sold and served alcoholic beverages past 10:00 p.m. Both actions are in violation of Condition No. 23 of Resolution 2015-01, which stipulates the business shall stop serving alcohol at 10:00 p.m. and close by 11:00 p.m.*

➤ That the use permitted by the Conditional Use Permit is detrimental to the public health, safety or welfare or constitutes a nuisance *in that the business has not operated consistent with State Alcohol Beverage Control (ABC) Laws and Public Safety Laws of the City of Huntington Park as evident by four (4) surveillance operations performed by HPPD and three (3) investigations performed by ABC, which documented unpermitted adult entertainment activities, selling and serving of alcoholic beverages past 2:00 a.m., unlawful possession of alcoholic beverages, unpermitted Live Entertainment, and loud noise emanating from the business. In addition, the subject site is located immediately adjacent to residentially zoned*

SPECIAL PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2015-01R CUP: 3006 E. Florence Avenue, Suites 103-104

August 26, 2020

Page 16 of 16

property, which is subject to the loud noise generated by the unpermitted business activities extending past 2:00 a.m. as documented by HPPD and ABC reports. Based on State and local violations, the existing restaurant is operating under circumstances that are detrimental to the public welfare of the community.

Based on the evidence presented, Planning Staff has determined that the required findings to revoke Conditional Use Permit Case No. 2015-01 and any other permits in connection with conditional Use Permit Case No. 2015-01, including, but not limited to 2015-01A, can be made.

RECOMMENDATION:

After conducting a public hearing and receiving public testimony, that the Planning Commission adopt Resolution No. 2015-01R revoking Conditional Use Permit Case No. 2015-01 and any extensions or other permits in connection with Conditional Use Permit Case No. 2015-01, including, but not limited to Case No. 2015-01A disallowing the use of a the on-sale of beer and wine in conjunction with a restaurant on property located at 3006 E. Florence Avenue, Suites 102-103.

CONCLUSION:

Alternatively, the Planning Commission has the following options:

1. Overturn the Planning Division's recommendation and request that this item be brought back as a Conditional Use Permit Modification; or
2. Continue the item and request additional information.

EXHIBITS:

Exhibit A: Resolution No. 2015-01R
Exhibit B: Resolution No. 2015-01
Exhibit C: Resolution No. 2015-01A
Exhibit D: Huntington Park Police Department Incident Report
Exhibit E: Alcohol Beverage Control Investigation Report
Exhibit F: Business License Application
Exhibit G: Alcohol Beverage Control License
Exhibit H: Written Notice to Revoke CUP No. 2015-01
Exhibit I: Second Written Notice to Revoke CUP No. 2015-01

1 **FOLLOWS:**

2 **SECTION 1:** The revocation of Conditional Use Permit No. 2015-01 and any
3 extensions or other permits in connection with Conditional Use Permit Case No. 2015-01,
4 including, but not limited to Case No. 2015-01A has been reviewed for compliance with the
5 California Environmental Quality Act (CEQA) and is found to be exempt from CEQA under
6 Section of 15321 for Enforcement Actions by Regulatory Agencies, which exempts
7 enforcement actions taken by a permitting agency, including revoking a use permit due to
8 violations of the operational conditions of said permit by an applicant.

9 **SECTION 2:** The Planning Commission finds that in accordance with Section
10 9-2.1112 of the Huntington Park Municipal Code, a Conditional Use Permit may be revoked
11 or modified by the Commission if any one of the following findings can be made:

- 12 1. That circumstances been changed by the applicant to a degree that one or
13 more of the findings contained in the original permit can no longer be made in
14 a positive manner and the public health, safety and welfare require the
15 revocation;
- 16 2. That the Conditional Use Permit was issued, in whole or in part, on the basis
17 of a misrepresentation or omission of a material statement in the application,
18 or in the applicant's testimony presented during the public hearing, for the
19 entitlement or permit;
- 20 3. That the use for which the Conditional Use Permit was granted had ceased or
21 was suspended for six (6) or more months;
- 22 4. That one or more of the conditions of the Conditional Use Permit have not
23 been met;
- 24 5. That the use is in violation of any statute, ordinance, law or regulation; or
- 25 6. That the use permitted by the Conditional Use Permit is detrimental to the
26 public health, safety or welfare or constitutes a nuisance.

27 **SECTION 3:** The Planning Commission finds that pursuant to Section 9-2.1112 (1)
28 of the Huntington Park Municipal Code, "That circumstances been changed by the applicant

to a degree that one or more of the findings contained in the original permit can no longer be made in a positive manner and the public health, safety and welfare require the revocation."

In that finding (D) of Conditional Use Permit 2015-01, which states "that the establishment, maintenance or conducting of the use for which a conditional use permit is sought will not, under the particular case, be detrimental to the persons residing or working in the neighborhood of such use; and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to the property or improvements in the neighborhood" cannot be made due to the fact that the business has not operated consistent with State Alcohol Beverage Control (ABC) Laws and Public Safety Laws of the City of Huntington Park as evident by four (4) surveillance operations performed by HPPD and three (3) investigations performed by ABC, which documented unpermitted adult entertainment activities, selling and serving of alcoholic beverages past 2:00 a.m., unlawful possession of alcoholic beverages, unpermitted Live Entertainment, and loud noise emanating from the business. Based on the State and local violations, the existing restaurant is operating under circumstances that are detrimental to the public welfare of the community.

SECTON 4: The Planning Commission finds that pursuant to Section 9-2.1112 (4) of the Huntington Park Municipal Code, "That one or more of the conditions of the Conditional Use Permit have not been met."

In that the following conditions of approval have been documented to be out of compliance based on surveillance operations performed by HPPD and investigations performed by ABC (numbered as they appear in the CUP):

3. That the proposed use shall comply with all applicable City, County, State and Federal codes, laws, rules, and regulations, including Health, Building and Safety, Fire, Sign, Zoning, and Business License – Based on four (4) surveillance operations performed by HPPD, three (3) investigations performed by ABC, and City

1 records the business operation was found to be out compliance with the following
2 codes, laws, rules, and regulations:

3 a. State Alcohol Beverage Control – The business operation was selling
4 and serving alcohol past 2:00 a.m. The business owner was in possession of distilled
5 spirits bottles. The business owner allowed for obscene live conduct to take place
6 inside the business. ABC also noted violations related to entertainer attire and
7 conduct. Lastly, the ABC report also identifies that the owner has failed to produce
8 records as requested by ABC. These are violations of State Laws.

9 b. Building Code – The subject tenant space has expired building permits
10 for the expansion of the restaurant from suite 102 to 103. The project never received
11 final inspection from the City's Building and Safety Division. As a result, the
12 expansion area should not be utilized for occupancy. Occupancy of an unpermitted
13 area is a violation of Building Codes.

14 c. Zoning Code – Adult Entertainment is not permissible at the subject
15 location as it is not located within the Special Uses Overlay Zone. Performing or
16 allow for the performance of adult entertainment, lap dancers, at the subject location
17 is a violation of Zoning Code section 9-4.202. Live Entertainment in the form of a DJ
18 requires an Entertainment Permit from the City. Due to the fact that no Entertainment
19 Permit has been issued, the business is in violation of Zoning Code section 9-
20 2.1304(a). A Dance Permit is also required for dancing to take place within an
21 business establishment in the City of Huntington Park. Due to the fact that no Dance
22 Permit has been issued, the business is in violation of Zoning Code section 9-2.1202.

23 d. Business License Code – The business owner hired an unlicensed patrol
24 guard. The City of Huntington Park requires a permit for patrol guards. The business
25 owner is in violation of Business License Code section 3-1.605 and
26 3-1.167 of the HPMC.

27 23. That the business shall stop serving alcohol at 10:00 p.m. and close at
28 11:00 p.m. daily. HPPD and ABC report the business remained open for business

1 *past 11:00 p.m. It is also reported that the business sold and served alcoholic*
2 *beverages past 10:00 p.m. Both actions are in violation of Condition No. 23 of*
3 *Resolution 2015-01, which stipulates the business shall stop serving alcohol at 10:00*
4 *p.m. and close by 11:00 p.m.*

5 **SECTION 5:** The Planning Commission finds that pursuant to Section 9-2.1112(6) of
6 the Huntington Park Municipal Code, "the use permitted by the Conditional Use Permit is
7 detrimental to the public health, safety or welfare or constitutes a nuisance."

8 *In that the business has not operated consistent with State Alcohol Beverage*
9 *Control (ABC) Laws and Public Safety Laws of the City of Huntington Park as evident*
10 *by four (4) surveillance operations performed by HPPD and three (3) investigations*
11 *performed by ABC, which documented unpermitted adult entertainment activities,*
12 *selling and serving of alcoholic beverages past 2:00 a.m., unlawful possession of*
13 *alcoholic beverages, unpermitted Live Entertainment, and loud noise emanating from*
14 *the business. In addition, the subject site is located immediately adjacent to*
15 *residentially zoned property, which is subject to the loud noise generated by the*
16 *unpermitted business activities extending past 2:00 a.m. as documented by HPPD*
17 *and ABC reports. Based on State and local violations, the existing cocktail lounge is*
18 *operating under circumstances that are detrimental to the public welfare of the*
19 *community.*

20 **SECTION 6:** Based on the findings set forth in Sections 2 through 5 of this
21 Resolution and the evidence in the record, the Planning Commission hereby revokes
22 Conditional Use Permit No. 2015-01 for the on-sale of beer and wine in conjunction with a
23 restaurant on property located at 3006 E. Florence Avenue Suites 102-103, Huntington
24 Park, California.

25 **SECTION 7:** This resolution shall not become effective until 15 days after the date of
26 decision rendered by the Planning Commission, unless within that period of time it is
27 appealed to the City Council. The decision of the Planning Commission shall be stayed until
28 final determination of the appeal has been effected by the City Council.

SECTION 8: The Secretary of the Planning Commission shall certify to the adoption of this resolution and a copy thereof shall be filed with the City Clerk.

PASSED, APPROVED, AND ADOPTED this 26th day of August, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ABSENT:

HUNTINGTON PARK PLANNING COMMISSION

Jonathan Sanabria, Chairperson

ATTEST:

Carlos Luis, Secretary

RESOLUTION NO. 2015-01

EXHIBIT B

CASE NO. 2015-01R CUP

RESOLUTION NO. 2015-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUNTINGTON PARK, STATE OF CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT IN CONNECTION WITH REAL PROPERTY LOCATED AT 3006 FLORENCE AVENUE, HUNTINGTON PARK, CALIFORNIA.

WHEREAS, a public hearing was held in the City Hall, 6550 Miles Avenue, Huntington Park, California on Wednesday, April 15, 2015 at 6:30 p.m. pursuant to the notice published and posted as required by law in accordance with the provisions of the Huntington Park Municipal Code (HPMC), upon an application from Eric Fombona, requesting Planning Commission approval of a Conditional Use Permit to expand an existing restaurant with alcohol sales at 3006 Florence Avenue, in the Commercial General (CG) Zone at the property described below:

Assessor's Parcel No. 6212-002-053 City of Huntington Park, County of Los Angeles; and

WHEREAS, the Planning Division has reviewed the request and has found that all of the required findings for approval of a Conditional Use Permit can be made as required by the Municipal Code; and

WHEREAS, the Planning Commission has considered the environmental impact information relative to the proposed request; and

WHEREAS, all persons appearing for or against the approval of the Conditional Use Permit were given the opportunity to be heard in connection with said matter; and

WHEREAS, all written comments received prior to the hearing, and responses to such comments, were reviewed by the Planning Commission; and

WHEREAS, the Planning Commission is required to announce its findings and recommendations.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF HUNTINGTON PARK DOES FIND, DETERMINE, RECOMMEND AND RESOLVES AS FOLLOWS:

SECTION 1: Based on the evidence in the Environmental Assessment

1 Questionnaire, the Planning Commission adopts the findings in said Questionnaire and
2 determines that the project, as proposed, will have no significant adverse effect on the
3 environment and adopts an Environmental Categorical Exemption (CEQA Guidelines,
4 Section 15301, Existing Facilities, and Section 15303, Conversion of Small Structures).

5 **SECTION 2:** The Planning Commission hereby finds that all of the following required
6 findings can be made for a Conditional Use Permit in connection with Case No. 2015-01
7 CUP:

- 8 **1. The proposed use is conditionally permitted within, and would not impair the
9 integrity and character of, the subject zoning district and complies with all of
10 the applicable provisions of this Code.**

11 **Finding:** The proposed restaurant expansion is conditionally permitted within the
12 subject zoning district. The subject zoning district, CG, is intended to provide for
13 restaurants, general retail, professional office, and service-oriented business
14 activities serving a community-wide need under design standards that ensure
15 compatibility and harmony with adjoining land uses. The property was developed in
16 2011 and had approval from all applicable agencies. The proposed development
17 complies with all HPMC development standards including; zoning, parking, and
18 compatibility.

- 19 **2. The proposed use is consistent with the General Plan.**

20 **Finding:** The proposed restaurant expansion is consistent with the General Plan
21 and meets all the zoning and development standards for the expansion of the
22 existing restaurant with on-site alcohol sales, including lot size and parking. The
23 land uses for the General Plan and Zoning map have the same CG designation and
24 thus consistent. This proposed development also fulfills the goals and objectives of
25 the General Plan, which include providing a mix of land uses which meets the
26 diverse needs of the City.

- 27 **3. The proposed use is consistent with the General Plan.**

28 **Finding:** The proposed restaurant expansion is Categorically Exempt pursuant to

1 Article 19, Section 15301 (Existing Facilities) and Section 15303 (Conversion of
2 Small Structures) of the California Environmental Quality Act (CEQA) Guidelines.

3 **4. The design, location, size and operating characteristics of the proposed use**
4 **are compatible with the existing and planned future land uses within the**
5 **general area in which the proposed use is to be located and will not create**
6 **significant noise, traffic or other conditions or situations that may be**
7 **objectionable or detrimental to other permitted uses operating nearby or**
8 **adverse to the public interest, health, safety, convenience or welfare of the**
9 **City.**

10 **Finding:** The subject restaurant has been in business since 2012 and has created
11 no nuisances to the City or surrounding properties. The design, location, size, and
12 operating characteristics of the proposed restaurant expansion with alcohol sales is
13 not expected to be detrimental to the public health, safety and welfare of the City.
14 The proposed expansion is harmonious and compatible with the existing retail and
15 service uses presently located within the vicinity and zoning district. Additionally,
16 the site has adequate vehicle circulation and suitable access along Florence
17 Avenue.

18 **5. The subject site is physically suitable for the type and density/intensity of use**
19 **being proposed.**

20 **Finding:** The subject site is physically suitable for the proposed restaurant
21 expansion with on-site alcohol sales. The lot size of the site is over 18,000 square
22 feet and provides sufficient parking and vehicle circulation. The site is accessible
23 by Florence Avenue.

24 **6. There are adequate provisions for public access, water, sanitation and public**
25 **utilities and services to ensure that the proposed use would not be**
26 **detrimental to public health, safety and general welfare.**

27 **Finding:** Vehicular and pedestrian access to the site would be provided through
28 Florence Avenue. The proposed restaurant expansion will not significantly intensify

public access, water, sanitation, and public utilities and services. The project proposes to connect with existing infrastructure and will not require changes to existing public utilities. Given that the surrounding area is already completely developed with public access, water, sanitation, and other public utilities, the proposed project would not affect these infrastructures or require any types of modifications. In addition, the proposed project would not impede the accessibility to public access, water, sanitation, or other public utilities and services. The proposed restaurant expansion will not be detrimental to public health, safety and general welfare. Therefore, this finding can be made.

SECTION 3: The Planning Commission hereby approves Case No. 2015-01 CUP, a request for approval of a Conditional Use Permit to expand an existing restaurant with alcohol sales at 3006 Florence Avenue, in the Commercial General (CG) Zone, subject to the execution and fulfillment of the following conditions:

PLANNING

1. That the property owner and applicant shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, its officers, employees and agents from all claims, actions, or proceedings against the City to attack, set aside, void, annul, or seek damages arising out of an approval of the City, or any agency or commission thereof, concerning this project. City shall promptly notify both the property owner and applicant of any claim, action, or proceeding to which this condition is applicable. The City shall cooperate in the defense of the action, while reserving its right to act as it deems to be in the best interest of the City and the public. The property owner and applicant shall defend, indemnify and hold harmless the City for all costs and fees incurred in additional investigation or study, or for supplementing or revising any document, including, without limitation, environmental documents. If the City's legal counsel is required to enforce any condition of approval, the applicant shall pay for all costs of enforcement, including legal fees.
2. Except as set forth in subsequent conditions, all-inclusive, and subject to department corrections and conditions, the property shall be developed substantially in accordance with the applications, environmental assessment, and plans submitted.
3. That the proposed use shall comply with all applicable City, County, State and Federal codes, laws, rules, and regulations, including Health, Building and Safety, Fire, Sign, Zoning, and Business License.

1 4. That the use be conducted, and the property be maintained, in a clean, neat, quiet, and
2 orderly manner at all times and comply with the property maintenance standards as set
3 forth in Section 9-3.103.18 and Title 8, Chapter 9 of the Huntington Park Municipal Code.

4 5. That the business be operated in compliance with the City of Huntington Park Noise
5 Ordinance.

6 6. That all graffiti be removed from all exterior walls and/or surfaces prior to the
7 commencement of alcohol sales.

7 7. That any existing and/or future graffiti, as defined by Huntington Park Municipal Code
8 Section 5-27.02(d), shall be diligently removed within a reasonable time period.

8 8. That the operator shall obtain/amend its City of Huntington Park Business License prior
9 to commencing business operations.

10 9. That the applicant obtain and maintain a valid alcohol beverage license for the on-site
11 sale of beer and wine from the State Department of Alcoholic Beverage Control (ABC)
12 and comply with all requirements, and should at any time the required license or permits,
13 issued by the ABC, be surrendered, revoked or suspended, this Conditional Use Permit
14 shall automatically become null and void.

15 10. That if the business ceases to operate as a bona fide public eating establishment
16 (restaurant) as defined under the Huntington Park Municipal Code Section 9-
17 4.203(2)(A)(1); then the entitlement shall be null and void.

18 11. That business operation be limited to a restaurant only and that beer and wine only be
19 served in conjunction with meals during regular business hours.

20 12. That alcohol shall only be served and/or consumed within the designated dining area as
21 shown on the floor plan.

22 13. That if any signs are proposed, such signs shall be installed in compliance with the City's
23 sign regulations and that approval be obtained through a Sign Design Review prior to
24 installation and that any existing non-permitted signs either apply for proper permits or
25 be removed.

26 14. That all existing and/or proposed mechanical equipment and appurtenances, including
27 satellite dishes, gutters etc., whether located on the rooftop, ground level or anywhere on
28 the property shall be completely shielded/enclosed so as not to be visible from any public
 street and/or adjacent properties. Such shielding/enclosure of facilities shall be of
 compatible design related to the building structure for which such facilities are intended
 to serve and shall be installed prior to the commencement of alcohol sales.

 15. That any proposed on-site utilities, including electrical and telephone, be installed
 underground and be completely concealed from public view as required by the Planning
 Division prior to the commencement of alcohol sales.

1 16. That the existing trash enclosure with a gate and overhead trellis be maintained in
2 compliance with HPMC Section 9-3.103(24).

3 17. That the applicant comply with all of the provisions of Title 7, Chapter 9 of the Huntington
4 Park Municipal Code relating to Storm Water Management. The applicant shall also
5 comply with all requirements of the National Pollutant Discharge Elimination System
6 (NPDES), Model Programs, developed by the County of Los Angeles Regional Water
7 Quality Board. This includes compliance with the City's Low Impact Development (LID)
8 requirements.

9 18. That this entitlement shall be subject to review for compliance with conditions of the
10 issuance at such intervals as the City Planning Commission shall deem appropriate.

11 19. That the violation of any of the conditions of this entitlement may result in a citation(s)
12 and/or the revocation of the entitlement.

13 20. That this entitlement may be subject to additional conditions after its original issuance.
14 Such conditions shall be imposed by the City Planning Commission as deemed
15 appropriate to address problems of land use compatibility, operations, aesthetics,
16 security, noise, safety, crime control, or to promote the general welfare of the City.

17 21. That the applicant be required to apply for a new entitlement if any alteration,
18 modification, or expansion would increase the existing floor area of the establishment.

19 22. That the property owner restrict all on-site loading, if any is necessary, to be performed
20 only between the hours of 6:00am to 10:00am.

21 23. That the business shall stop serving alcohol at 10:00pm and close at 11:00pm, daily.

22 24. That this entitlement shall expire in the event it is not exercised within one (1) year from
23 the date of approval, unless an extension has been granted by the Planning
24 Commission.

25 25. That if the use ceases to operate for a period of six (6) months the entitlement shall be
26 null and void.

27 26. That should the operation of this establishment be granted, deemed, conveyed,
28 transferred, or should a change in management or proprietorship occur at any time, this
Conditional Use Permit shall be reviewed.

28 27. The Director of Community Development is authorized to make minor modifications to
the approved preliminary plans or any of the conditions if such modifications shall
achieve substantially the same results, as would strict compliance with said plans and
conditions.

28 28. That the business owner (applicant) and property owner agree in writing to the above
conditions.

1 ENGINEERING

- 2 1. Prior to issuance of grading, building or other permits as appropriate, the applicant shall
3 pay all necessary fees to the City.
- 4 2. If a new sewer line/connection is installed, a fee will be required in addition to the fees
5 paid to the County of Los Angeles Sanitation District, and shall be paid prior to building
5 permit issuance.
- 6 3. A separate public works permit and payment of fee is required for all work in the public
7 right of way.
- 8 4. Remove and replace broken and off grade sidewalk and construct new concrete
9 sidewalk along the length of the property frontage in accordance with SPPWC standard
9 plan 113-2, and as directed by the City Engineer or his/her designee.
- 10 5. Remove and replace broken and off grade curb and gutter and construct new curb and
11 gutter along the length of the property frontage in accordance with SPPWC Standard
11 Plan 120-2, and as directed by the City Engineer or his/her designee.
- 12 6. Underground all services to the property.
- 13 7. Protect existing tree(s).
- 14 8. Install two new 48" box street trees. Match existing tree type.
- 15 9. All improvements are to be designed, installed and completed at the sole expense of the
16 applicant/developer/property owner.
- 17 10. The applicant/developer/property owner shall design and construct the improvements to
18 the satisfaction and approval of the City Engineer or his/her designee.
- 19 11. All work shall be done in accordance with Standard Plans for Public Works Construction
20 (SPPWC), and/or as directed by the City Engineer or his/her designee.
- 21 12. Project shall meet all requirements of the National Pollutant Discharge Elimination
22 System (NPDES) related to pollutants; runoff or non-stormwater discharges.
- 23 13. All existing damaged or off-grade curb, gutter and sidewalk shall be removed and
24 replaced as directed by the City Engineer or his/her designee.
- 25 14. Any existing improvements damaged or made off grade during construction, shall be
26 removed and replaced in accordance with appropriate standards, and as directed by the
26 City Engineer or his/her designee.
- 27 15. Bench Marks, Center Line Ties, and any other Survey Monumentation, shall be
28 established and/or replaced accordingly at the completion of the project.

- 1 16. New trees shall be one of the approved types by the City for trees in public right-of-way, or as directed by the City Engineer or his/her designee. Trees shall be installed in the parkway with a low drip irrigation system. Root barriers shall be installed. A 48"x48" street tree cover shall be installed where required by the City Engineer or his/her designee.
- 4 17. All existing noncomplying driveway aprons shall be constructed in accordance with applicable SPPWC standards.
- 6 18. Top of driveway apron X shall be 5 feet minimum from any trees, power poles, traffic signal controllers, electric services or similar improvements in the public right of way.
- 8 19. All existing and proposed utilities shall be conveyed to the site underground.

BUILDING AND SAFETY

- 10 1. The initial plan check fee will cover the initial plan check and one recheck **only**. Additional review required beyond the first recheck shall be paid for on an hourly basis in accordance with the current fee schedule.
- 12 2. Separate plans, applications and fees are required prior to plan review of electrical, plumbing, mechanical, or grading plans. Review of these plans must be specifically requested; **Review is not automatic**. If you have any questions concerning whether plan review is required, contact the Building Division.
- 15 3. Approval is required from the Los Angeles County Health Department for restaurants.
- 16 4. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
- 18 5. South Coast Air Quality Management District must be contacted prior to any demolition or renovation. Call (909) 396-2000 for further information. Failure to comply with the provisions of Rule 1403 may result in a penalty of up to \$25,000 per day.
- 20 6. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
- 22 7. Electrical plan check is required.
- 23 8. Mechanical plan check is required.
- 24 9. Plumbing plan check is required.
- 25 10. Energy calculations are required for new lighting or mechanical equipment.
- 26 11. Assembly uses intended for food and/or drink consumption shall be classified as Group A-2 Occupancy.
- 28 Exceptions:

- 1 1. A room or space used for assembly purposes with an occupant load of less
2 than 50 persons and accessory to another occupancy shall be classified as a
3 Group B occupancy or as part of that occupancy.
- 4 2. A room or space used for assembly purposes that is less than 750 square feet
5 (70 m²) in area and accessory to another occupancy shall be classified as a
6 Group B occupancy or as part of that occupancy.
- 7 12. Except as provided by Section 3401.4 or this section, alterations to any building or
8 structure shall comply with the requirements of the code for new construction.
- 9 13. The proposed conversion of existing use from a retail shop of mercantile occupancy
10 group to a restaurant with dining of assembly occupancy group is considered as
11 Change of Occupancy. Note that per Section 3408.1 of CBC, no change shall be made
12 in the use or occupancy of any building that would place the building in a different
13 division of the same group of occupancies or in a different group of occupancies, unless
14 such building is made to comply with the requirements of this code for such division or
15 group of occupancies.
- 16 14. The building height and area affected by the proposed change of occupancy shall not
17 exceed the limits specified in Table 503 based on the type of construction as determined
18 by Section 602 and the occupancies as determined by Section 302 except as modified
19 hereafter.
- 20 15. The proposed Group A occupancy shall be separated from adjacent Group M or B
21 occupancy in the same floor in accordance with Table 508.4.
- 22 16. Common path of egress travel for assembly occupancy shall comply with Section
23 1028.8.
- 24 17. Egress shall not pass through kitchens, storage rooms, closets or spaces used for
25 similar purposes unless the conditions under Exception No. 2 of Item No.4 of Section
26 1014.2 are met.
- 27 18. Doors serving rooms or spaces with an occupant load of 50 or more in a Group A
28 occupancy shall not be provided with a latch or lock unless it is panic hardware or fire
29 exit hardware per Section 1008.1.10 or meeting the exception Item 2 under Section
30 1008.1.9.3.
- 31 19. All State of California disability access regulations for accessibility to commercial
32 buildings per Chapter 11B shall be complied with.
- 33 20. The number of required wheelchair seating spaces in Group A Occupancy shall be
34 determined using Table 11B-221.2.1.1.
- 35 21. Toilet facility shall conform to the provisions of Section 11B-213.
- 36 22. Urinals and drinking fountains are required for restaurants per Los Angeles County
37 Plumbing Code Section 415.2 and Table 422.1.

1
23. Plumbing fixtures shall comply with Los Angeles County Plumbing Code Table
2
422.1.
3

4 **SECTION 4:** This resolution shall not become effective until 15 days after the date
5 of decision rendered by the Planning Commission, unless within that period of time it is
6 appealed to the City Council. The decision of the Planning Commission shall be stayed
7 until final determination of the appeal has been effected by the City Council.
8

9 **SECTION 5:** The Secretary of the Planning Commission shall certify to the adoption
10 of this resolution and a copy thereof shall be filed with the City Clerk.
11

12 **PASSED, APPROVED, AND ADOPTED** this 15th day of April, 2015, by the following
13 vote:
14

15 **ROLL CALL:**
16

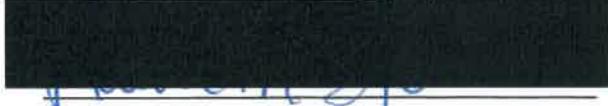
17 AYES Commissioner(s): Vice Chair Carvajal and Chair Herrera
18

19 NOES Commissioner(s): None
20

21 ABSENT Commissioner(s): None
22

23 ABSTAINED Commissioner(s): Benitez
24

25 **HUNTINGTON PARK PLANNING COMMISSION**
26

27 
Chair
28

29 **ATTEST:**
30

31 
Secretary
32

RESOLUTION NO. 2015-01A

EXHIBIT C

CASE NO. 2015-01R CUP

RESOLUTION NO. 2015-01A

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUNTINGTON PARK, STATE OF CALIFORNIA, GRANTING A SIX MONTH EXTENSION TO A CONDITIONAL USE PERMIT IN CONNECTION WITH REAL PROPERTY LOCATED AT 3006 FLORENCE AVENUE, HUNTINGTON PARK, CALIFORNIA.

WHEREAS, a public hearing was held in the City Hall, 6550 Miles Avenue, Huntington Park, California at 6:30 p.m. on May 19, 2016, pursuant to the notice published and posted as required by law in accordance with the provisions of the Huntington Park Municipal Code, upon an application from Eric Fombona requesting approval of an extension to a Conditional Use Permit to expand an existing restaurant with the on-site sales of alcoholic beverages at 3006 Florence Avenue, in the Commercial General (CG) Zone at the property described below:

Assessor's Parcel No. 6212-002-053; City of Huntington Park, County of Los Angeles; and

WHEREAS, the Planning Division has reviewed the request and has found that all of the development standards for approval of a Conditional Use Permit are made as required by the Huntington Park Municipal Code; and

WHEREAS, the Planning Commission has considered the environmental impact information relative to the proposed entitlement; and

WHEREAS, all persons appearing for or against the approval of the proposed project were given the opportunity to be heard in connection with said matter; and

WHEREAS, all written comments received prior to the hearing, and responses to such comments, were reviewed by the Planning Commission; and

WHEREAS, the Planning Commission is required to announce its findings and recommendations.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF HUNTINGTON PARK DOES FIND, DETERMINE, RECOMMEND AND RESOLVES AS FOLLOWS:

1 **SECTION 1:** Based on the evidence in the Environmental Assessment
2 Questionnaire, the Planning Commission adopts the findings in said Questionnaire and
3 determines that the project, as proposed, will have no significant adverse effect on the
4 environment and adopts an Environmental Categorical Exemption (CEQA Guidelines,
5 Section 15301, Existing Facilities).

6 **SECTION 2:** The Planning Commission hereby makes the following findings in
7 connection with Conditional Use Permit No. 2015-01:

- 8 1. The proposed use is conditionally permitted within, and would not impair the
9 integrity and character of, the subject zoning district and complies with all of the
10 applicable provisions of this Code;
- 11 2. The proposed use is consistent with the General Plan;
- 12 3. The approval of the Conditional Use Permit for the proposed use is in
13 compliance with the requirements of the California Environmental Quality Act
14 (CEQA) and the City's Guidelines;
- 15 4. The design, location, size, and operating characteristics of the proposed use are
16 compatible with the existing and planned future land uses within the general
17 area in which the proposed use is to be located and will not create significant
18 noise, traffic, or other conditions or situations that may be objectionable or
19 detrimental to other permitted uses operating nearby or adverse to the public
20 interest, health, safety, convenience, or welfare of the City;
- 21 5. The subject site is physically suitable for the type and density/intensity of use
22 being proposed; and
- 23 6. There are adequate provisions for public access, water, sanitation, and public
24 utilities and services to ensure that the proposed use would not be detrimental
25 to public health and safety.

26 **SECTION 3:** The Planning Commission hereby approves a six month
27 extension for Case No. 2015-01 CUP, a request for a Conditional Use Permit to expand
28 a restaurant with on-site sales of alcohol located at 3006 Florence Avenue, in the CG

1 Zone, subject to the execution and fulfillment of the following conditions:

- 2 1. That the property owner and applicant shall indemnify, protect, hold harmless and
3 defend the City and any agency or instrumentality thereof, its officers, employees and
4 agents from all claims, actions, or proceedings against the City to attack, set aside, void,
5 annul, or seek damages arising out of an approval of the City, or any agency or
6 commission thereof, concerning this project. City shall promptly notify both the property
7 owner and applicant of any claim, action, or proceeding to which this condition is
8 applicable. The City shall cooperate in the defense of the action, while reserving its right
9 to act as it deems to be in the best interest of the City and the public. The property owner
and applicant shall defend, indemnify and hold harmless the City for all costs and fees
incurred in additional investigation or study, or for supplementing or revising any
document, including, without limitation, environmental documents. If the City's legal
counsel is required to enforce any condition of approval, the applicant shall pay for all
costs of enforcement, including legal fees.
- 10 2. Except as set forth in subsequent conditions, all-inclusive, and subject to department
11 corrections and conditions, the property shall be developed substantially in accordance
with the applications, environmental assessment, and plans submitted.
- 12 3. That the proposed use shall comply with all applicable City, County, State and Federal
13 codes, laws, rules, and regulations, including Health, Building and Safety, Fire, Sign,
Zoning, and Business License.
- 14 4. That the use be conducted, and the property be maintained, in a clean, neat, quiet, and
15 orderly manner at all times and comply with the property maintenance standards as set
forth in Section 9-3.103.18 and Title 8, Chapter 9 of the Huntington Park Municipal Code.
- 16 5. That the business be operated in compliance with the City of Huntington Park Noise
Ordinance.
- 17 6. That all graffiti be removed from all exterior walls and/or surfaces prior to the
19 commencement of alcohol sales.
- 20 7. That any existing and/or future graffiti, as defined by Huntington Park Municipal Code
21 Section 5-27.02(d), shall be diligently removed within a reasonable time period.
- 22 8. That the operator shall obtain/amend its City of Huntington Park Business License prior
23 to commencing business operations.
- 24 9. That the applicant obtain and maintain a valid alcohol beverage license for the on-site
25 sale of beer and wine from the State Department of Alcoholic Beverage Control (ABC)
26 and comply with all requirements, and should at any time the required license or permits,
issued by the ABC, be surrendered, revoked or suspended, this Conditional Use Permit
shall automatically become null and void.

1 10. That if the business ceases to operate as a bona fide public eating establishment
2 (restaurant) as defined under the Huntington Park Municipal Code Section 9-
4.203(2)(A)(1), then the entitlement shall be null and void.

3 11. That business operation be limited to a restaurant only and that beer and wine only be
4 served in conjunction with meals during regular business hours.

5 12. That alcohol shall only be served and/or consumed within the designated dining area as
6 shown on the floor plan.

7 13. That if any signs are proposed, such signs shall be installed in compliance with the City's
8 sign regulations and that approval be obtained through a Sign Design Review prior to
9 installation and that any existing non-permitted signs either apply for proper permits or
be removed.

10 14. That all existing and/or proposed mechanical equipment and appurtenances, including
11 satellite dishes, gutters etc., whether located on the rooftop, ground level or anywhere on
12 the property shall be completely shielded/enclosed so as not to be visible from any public
13 street and/or adjacent properties. Such shielding/enclosure of facilities shall be of
14 compatible design related to the building structure for which such facilities are intended
15 to serve and shall be installed prior to the commencement of alcohol sales.

16 15. That any proposed on-site utilities, including electrical and telephone, be installed
17 underground and be completely concealed from public view as required by the Planning
18 Division prior to the commencement of alcohol sales.

19 16. That the existing trash enclosure with a gate and overhead trellis be maintained in
20 compliance with HPMC Section 9-3.103(24).

21 17. That the applicant comply with all of the provisions of Title 7, Chapter 9 of the Huntington
22 Park Municipal Code relating to Storm Water Management. The applicant shall also
23 comply with all requirements of the National Pollutant Discharge Elimination System
24 (NPDES), Model Programs, developed by the County of Los Angeles Regional Water
25 Quality Board. This includes compliance with the City's Low Impact Development (LID)
26 requirements.

27 18. That this entitlement shall be subject to review for compliance with conditions of the
28 issuance at such intervals as the City Planning Commission shall deem appropriate.

19 19. That the violation of any of the conditions of this entitlement may result in a citation(s)
20 and/or the revocation of the entitlement.

21 20. That this entitlement may be subject to additional conditions after its original issuance.
22 Such conditions shall be imposed by the City Planning Commission as deemed
23 appropriate to address problems of land use compatibility, operations, aesthetics,
24 security, noise, safety, crime control, or to promote the general welfare of the City.

1 21. That the applicant be required to apply for a new entitlement if any alteration,
2 modification, or expansion would increase the existing floor area of the establishment.

3 22. That the property owner restrict all on-site loading, if any is necessary, to be performed
4 only between the hours of 6:00am to 10:00am.

5 23. That the business shall stop serving alcohol at 10:00pm and close at 11:00pm, daily.

6 24. That this entitlement shall expire in the event it is not exercised within one (1) year from
7 the date of approval, unless an extension has been granted by the Planning
8 Commission.

9 25. That if the use ceases to operate for a period of six (6) months the entitlement shall be
10 null and void.

11 26. That should the operation of this establishment be granted, deemed, conveyed,
12 transferred, or should a change in management or proprietorship occur at any time, this
13 Conditional Use Permit shall be reviewed.

14 27. That the extension to this entitlement shall expire in the event it is not exercised within
15 six (6) months from the date of approval.

16 28. The Director of Community Development is authorized to make minor modifications to
17 the approved preliminary plans or any of the conditions if such modifications shall
18 achieve substantially the same results, as would strict compliance with said plans and
19 conditions.

20 29. That the business owner (applicant) and property owner agree in writing to the above
21 conditions.

22 **ENGINEERING**

23 1. Prior to issuance of grading, building or other permits as appropriate, the applicant shall
24 pay all necessary fees to the City.

25 2. If a new sewer line/connection is installed, a fee will be required in addition to the fees
26 paid to the County of Los Angeles Sanitation District, and shall be paid prior to building
27 permit issuance.

28 3. A separate public works permit and payment of fee is required for all work in the public
right of way.

29 4. Remove and replace broken and off grade sidewalk and construct new concrete
30 sidewalk along the length of the property frontage in accordance with SPPWC standard
31 plan 113-2, and as directed by the City Engineer or his/her designee.

32 5. Remove and replace broken and off grade curb and gutter and construct new curb and
33 gutter along the length of the property frontage in accordance with SPPWC Standard

1 Plan 120-2, and as directed by the City Engineer or his/her designee.

2 6. Underground all services to the property.

3 7. Protect existing tree(s).

4 8. Install two new 48" box street trees. Match existing tree type.

5 9. All improvements are to be designed, installed and completed at the sole expense of the

6 applicant/developer/property owner.

7 10. The applicant/developer/property owner shall design and construct the improvements to

8 the satisfaction and approval of the City Engineer or his/her designee.

9 11. All work shall be done in accordance with Standard Plans for Public Works Construction

10 (SPPWC), and/or as directed by the City Engineer or his/her designee.

11 12. Project shall meet all requirements of the National Pollutant Discharge Elimination

12 System (NPDES) related to pollutants; runoff or non-stormwater discharges.

13 13. All existing damaged or off-grade curb, gutter and sidewalk shall be removed and

14 replaced as directed by the City Engineer or his/her designee.

15 14. Any existing improvements damaged or made off grade during construction, shall be

16 removed and replaced in accordance with appropriate standards, and as directed by the

17 City Engineer or his/her designee.

18 15. Bench Marks, Center Line Ties, and any other Survey Monumentation, shall be

19 established and/or replaced accordingly at the completion of the project.

20 16. New trees shall be one of the approved types by the City for trees in public right-of-way,

21 or as directed by the City Engineer or his/her designee. Trees shall be installed in the

22 parkway with a low drip irrigation system. Root barriers shall be installed. A 48"x48"

23 street tree cover shall be installed where required by the City Engineer or his/her

24 designee.

25 17. All existing noncomplying driveway aprons shall be constructed in accordance with

26 applicable SPPWC standards.

27 18. Top of driveway apron X shall be 5 feet minimum from any trees, power poles, traffic

28 signal controllers, electric services or similar improvements in the public right of way.

19. All existing and proposed utilities shall be conveyed to the site underground.

BUILDING AND SAFETY

1. The initial plan check fee will cover the initial plan check and one recheck **only**.
Additional review required beyond the first recheck shall be paid for on an hourly basis in

1 accordance with the current fee schedule.

2 2. Separate plans, applications and fees are required prior to plan review of electrical,
3 plumbing, mechanical, or grading plans. Review of these plans must be specifically
4 requested; **Review is not automatic**. If you have any questions concerning whether
plan review is required, contact the Building Division.

5 3. Approval is required from the Los Angeles County Health Department for restaurants.

6 4. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of
the building permit.

7 5. South Coast Air Quality Management District must be contacted prior to any demolition
8 or renovation. Call (909) 396-2000 for further information. Failure to comply with the
provisions of Rule 1403 may result in a penalty of up to \$25,000 per day.

9 6. In accordance with paragraph 5538(b) of the California Business and Professions Code,
10 plans are to be prepared and stamped by a licensed architect.

11 7. Electrical plan check is required.

12 8. Mechanical plan check is required.

13 9. Plumbing plan check is required.

14 10. Energy calculations are required for new lighting or mechanical equipment.

15 11. Assembly uses intended for food and/or drink consumption shall be classified as Group
A-2 Occupancy.

16 Exceptions:

17 1. A room or space used for assembly purposes with an occupant load of less
18 than 50 persons and accessory to another occupancy shall be classified as a
Group B occupancy or as part of that occupancy.

19 2. A room or space used for assembly purposes that is less than 750 square feet
20 (70 m²) in area and accessory to another occupancy shall be classified as a
Group B occupancy or as part of that occupancy.

21 12. Except as provided by Section 3401.4 or this section, alterations to any building or
22 structure shall comply with the requirements of the code for new construction.

23 13. The proposed conversion of existing use from a retail shop of mercantile occupancy
24 group to a restaurant with dining of assembly occupancy group is considered as
25 Change of Occupancy. Note that per Section 3408.1 of CBC, no change shall be made
26 in the use or occupancy of any building that would place the building in a different
division of the same group of occupancies or in a different group of occupancies, unless
27 such building is made to comply with the requirements of this code for such division or
group of occupancies.

1 14. The building height and area affected by the proposed change of occupancy shall not
2 exceed the limits specified in Table 503 based on the type of construction as determined
3 by Section 602 and the occupancies as determined by Section 302 except as modified
hereafter.

4 15. The proposed Group A occupancy shall be separated from adjacent Group M or B
occupancy in the same floor in accordance with Table 508.4.

5 16. Common path of egress travel for assembly occupancy shall comply with Section
6 1028.8.

7 17. Egress shall not pass through kitchens, storage rooms, closets or spaces used for
8 similar purposes unless the conditions under Exception No. 2 of Item No.4 of Section
1014.2 are met.

9 18. Doors serving rooms or spaces with an occupant load of 50 or more in a Group A
10 occupancy shall not be provided with a latch or lock unless it is panic hardware or fire
11 exit hardware per Section 1008.1.10 or meeting the exception Item 2 under Section
1008.1.9.3.

12 19. All State of California disability access regulations for accessibility to commercial
13 buildings per Chapter 11B shall be complied with.

14 20. The number of required wheelchair seating spaces in Group A Occupancy shall be
15 determined using Table 11B-221.2.1.1.

16 21. Toilet facility shall conform to the provisions of Section 11B-213.

17 22. Urinals and drinking fountains are required for restaurants per Los Angeles County
18 Plumbing Code Section 415.2 and Table 422.1.

19 23. Plumbing fixtures shall comply with Los Angeles County Plumbing Code Table 422.1.

20 **SECTION 4:** The Secretary of the Planning Commission shall certify to the adoption

21 of this resolution and a copy thereof shall be filed with the City Clerk.

22 //

23 //

24 //

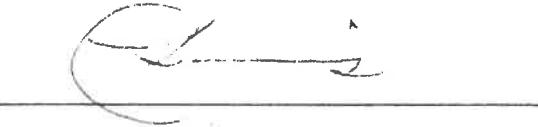
25 //

26 //

27 //

28 //

1 **PASSED, APPROVED, AND ADOPTED** this 19th day of May, 2016, by the following
2 vote:
3 AYES: 4
4 NOES: 0
5 ABSTAIN: 0
6 ABSENT: 0

7 HUNTINGTON PARK PLANNING COMMISSION
8
9
10
11 
12 Chair
13
14 ATTEST:
15
16 
17 Secretary
18
19
20
21
22
23
24
25
26
27
28

HUNTINGTON PARK POLICE DEPARTMENT INCIDENT REPORT

EXHIBIT D

CASE NO. 2015-01R CUP

INCIDENT REPORT

LOCATION/TIME	Agency Name: Huntington Park Police Department			ORI #: CA0193100	Report Date/Time: 03/19/2020 16:11:56	OCA #: 20-01075				
	Incident Start Date/Time: 02/07/2020 22:00:00		DOW: Friday	Report Type: INITIAL	Case Screening: <input type="checkbox"/> Serialized Property <input checked="" type="checkbox"/> Evidence Collected <input type="checkbox"/> PC 293 Sex Crime		<input type="checkbox"/> CHP 180 <input type="checkbox"/> Hate Crime <input type="checkbox"/> Gang Related <input type="checkbox"/> Domestic Viol.			
	Incident End Date/Time: 03/07/2020 04:00:00		Internal Incident Status: CLOSED - DETECTIVE ARREST			Total Loss				
	Incident Location: 3006 E FLORENCE AVE 102 & 103 HUNTINGTON PARK CA				Secondary Location:					
	Case Description: UCR Status: Cleared 25632BP/ALLOW ALCOHOL AFTER HOURS/HPMC				Reporting Area: AREA 4					
					Operation Method:					
	Penal Code: COUNTY CO		UCR Code: 26	F/M: 2	Penal Code Description: 9-2.1304(A)HPCM - NO ENTERTAINMENT PERMIT			Counts: 3	Comp/Att: <input checked="" type="checkbox"/>	
	Structure OCCUPIED			TOD: Night	Bias Motivation: NONE			Offense Location: RESTAURANT		
	Weapon Used:				Situation Code:			Premise: MISCELLANEOUS		
	Penal Code: COUNTY CO		UCR Code: 26	F/M: 2	Penal Code Description: 5-7.01 HPMC-UNLAWFUL LOUD SPEAKER USE			Counts: 4	Comp/Att: <input checked="" type="checkbox"/>	
Structure OCCUPIED			TOD: Night	Bias Motivation: NONE			Offense Location: RESTAURANT			
Weapon Used:				Situation Code:			Premise: MISCELLANEOUS			
<input type="checkbox"/> Person	Name:					Phone:	Cell Phone:			
<input type="checkbox"/> Business										
Address (Street, Apt., City, State, Zip):										
Involvement Type (Person):			Victim Type (Business):		Domestic Violence	LEOKA Activity:		LEOKA Assignment:		
Occupation:	Employer:		Employer Address:					Employer Phone:		
Relationship to Offender (Person):			DOB:	Age:	Sex:	Height:	Weight:	Injury Type: Minor Injuries Internal Injuries Lacerations Other Injuries	Unconscious Teeth Injury Bone Injury None	
Race:	Ethnicity:	SSN:	License (#, Class, State):		Related Offense(s):					
Suspect #1 Name:					Phone:	Cell Phone:		Pager:		
Address (Street, Apt., City, State, Zip):					Occupation:	Employer:				
Suspect Forced Victim:			Primary Action: N/A		Employer Address:			Employer Phone:		
Solicited/Offered: N/A		Suspect Force:	DOB:	Age:	Sex: M	SPK 4A 91455- 508	Weight: 210	Build: MEDIUM	Complexion: DARK	Eye Color: BROWN
Race: Hispanic	Ethnicity: HISPANIC	SSN:	License (#, Class, State):		Related Offense(s): 26 26 26 26 26 78 22 22		Hair Color: BLACK	Hair Length: SHORT	Hair Style: WAVY	
Clothing Description:				NCIC #:	State ID #:		Facial Hair: NONE	Speech: SOFT	Teeth: WHITE	
Body Markings (Type, Location, Description):					Suspect Injured:	Suspect Arrested:	Additional Suspects:	Additional Persons:		
PORRAS, J		5601	03/26/2020 16:33:44		<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Reporting Officer Signature</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Assisting Officer Signature</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Reviewing Officer Signature</div>					
Reporting Officer		ID #	Date							
HENRIQUEZ, R		5308	03/26/2020 16:33:44							
Assisting Officer		ID #	Date							
VALLE, A		5584	03/26/2020 17:11:57							
Reviewing Officer		ID #	Date							

INCIDENT REPORT - ADDITIONAL PERSONS

Agency Name: Huntington Park Police Department			ORI #: CAD193100	Report Date/Time: 03/19/2020 16:11:56			OCA #: 20-01075		
<input checked="" type="checkbox"/> Person	Name: [REDACTED]					Phone: [REDACTED]		Cell Phone: [REDACTED]	
<input type="checkbox"/> Business									
Address (Street, Apt., City, State, Zip): [REDACTED]									
Involvement Type (Person): REGISTERED OWNER		Victim Type (Business): PERSON / INDIVIDUAL (NOT A LAW ENFORCEMENT OFFICER)			Domestic <input checked="" type="checkbox"/> Violence		LEOKA Activity:		LEOKA Assignment:
Occupation:		Employer:		Employer Address: [REDACTED]				Employer Phone: [REDACTED]	
Relationship to Offender: Wife		DOB: [REDACTED]	Age: 40255	Sex: F	Height: 503	Weight: 160	Build: MEDIUM	Complexion: MEDIUM	Eye Color: BROWN
Race: Hispanic	Ethnicity: HISPANIC	SSN: [REDACTED]	License (#, Class, State): [REDACTED]		Related Offense(s): [REDACTED]		Hair Color: BROWN	Hair Length: LONG	Hair Style: WAVY
Clothing Description:				NCIC #:	State ID #: [REDACTED]		Facial Hair: NONE	Speech: SOFT	Teeth: WHITE
Body Markings (Type, Location, Description):					Solicited/Offered: N/A		Injury Type:		
							<input type="checkbox"/> Minor Injuries	<input type="checkbox"/> Unconscious	
							<input type="checkbox"/> Internal Injuries	<input type="checkbox"/> Teeth Injury	
							<input type="checkbox"/> Lacerations	<input type="checkbox"/> Bone Injury	
							<input checked="" type="checkbox"/> Other Injuries	<input checked="" type="checkbox"/> None	
<input checked="" type="checkbox"/> Person	Name: [REDACTED]					Phone: [REDACTED]		Cell Phone: [REDACTED]	
<input type="checkbox"/> Business									
Address (Street, Apt., City, State, Zip): [REDACTED]									
Involvement Type (Person): SUSPECT		Victim Type (Business): PERSON / INDIVIDUAL (NOT A LAW ENFORCEMENT OFFICER)			Domestic <input checked="" type="checkbox"/> Violence		LEOKA Activity:		LEOKA Assignment:
Occupation:		Employer:		Employer Address: [REDACTED]				Employer Phone: [REDACTED]	
Relationship to Offender: Unknown		DOB: [REDACTED]	Age: 40255	Sex: M	Height: 506	Weight: 150	Build: LIGHT	Complexion: LIGHT	Eye Color: BROWN
Race: Hispanic	Ethnicity: HISPANIC	SSN: [REDACTED]	License (#, Class, State): [REDACTED]		Related Offense(s): 26		Hair Color: BLACK	Hair Length: SHORT	Hair Style: STRAIGHT
Clothing Description:				NCIC #:	State ID #: [REDACTED]		Facial Hair: NONE	Speech: SOFT	Teeth: WHITE
Body Markings (Type, Location, Description):					Solicited/Offered: N/A		Injury Type:		
							<input type="checkbox"/> Minor Injuries	<input type="checkbox"/> Unconscious	
							<input type="checkbox"/> Internal Injuries	<input type="checkbox"/> Teeth Injury	
							<input type="checkbox"/> Lacerations	<input type="checkbox"/> Bone Injury	
							<input checked="" type="checkbox"/> Other Injuries	<input checked="" type="checkbox"/> None	
<input checked="" type="checkbox"/> Person	Name: [REDACTED]					Phone: [REDACTED]		Cell Phone: [REDACTED]	
<input type="checkbox"/> Business									
Address (Street, Apt., City, State, Zip): [REDACTED]									
Involvement Type (Person): SUSPECT		Victim Type (Business): PERSON / INDIVIDUAL (NOT A LAW ENFORCEMENT OFFICER)			Domestic <input checked="" type="checkbox"/> Violence		LEOKA Activity:		LEOKA Assignment:
Occupation:		Employer:		Employer Address: [REDACTED]				Employer Phone: [REDACTED]	
Relationship to Offender: Unknown		DOB: [REDACTED]	Age: 40255	Sex: F	Height: 501	Weight: 108	Build: LIGHT	Complexion: LIGHT	Eye Color: BROWN
Race: Hispanic	Ethnicity: HISPANIC	SSN: [REDACTED]	License (#, Class, State): [REDACTED]		Related Offense(s): 22		Hair Color: BROWN	Hair Length: LONG	Hair Style: WAVY
Clothing Description:				NCIC #:	State ID #: [REDACTED]		Facial Hair: NONE	Speech: SOFT	Teeth: WHITE
Body Markings (Type, Location, Description):					Solicited/Offered: N/A		Injury Type:		
							<input type="checkbox"/> Minor Injuries	<input type="checkbox"/> Unconscious	
							<input type="checkbox"/> Internal Injuries	<input type="checkbox"/> Teeth Injury	
							<input type="checkbox"/> Lacerations	<input type="checkbox"/> Bone Injury	
							<input checked="" type="checkbox"/> Other Injuries	<input checked="" type="checkbox"/> None	

ADDITIONAL PERSONS

INCIDENT REPORT - ADDITIONAL PERSONS

Agency Name: Huntington Park Police Department			ORI #: CA0193100	Report Date/Time: 03/19/2020 16:11:56			OCA #: 20-01075			
<input checked="" type="checkbox"/> Person <input type="checkbox"/> Business		Name: XXXXXXXXXX			Phone: XXXXXXXXXX		Cell Phone: XXXXXXXXXX			
Address (Street, Apt., City, State, Zip): XXXXXXXXXX										
Address (Street, Apt., City, State, Zip): XXXXXXXXXX					Pager: XXXXXXXXXX					
Involvement Type (Person): SUSPECT		Victim Type (Business): PERSON / INDIVIDUAL (NOT A LAW ENFORCEMENT OFFICER)			Domestic Violence	LEOKA Activity:	LEOKA Assignment:			
Occupation:		Employer:		Employer Address:			Employer Phone: XXXXXXXXXX			
Relationship to Offender: Unknown		DOB: XXXXXXXXXX	Age: XXXXXXXXXX	Sex: XXXXXXXXXX	Height: XXXXXXXXXX	Weight: XXXXXXXXXX	Build: XXXXXXXXXX	Complexion: XXXXXXXXXX	Eye Color: XXXXXXXXXX	
Race: Hispanic		Ethnicity: HISPANIC		SSN: XXXXXXXXXX	License (#, Class, State): XXXXXXXXXX		Related Offense(s): 22	Hair Color: XXXXXXXXXX	Hair Length: XXXXXXXXXX	Hair Style: XXXXXXXXXX
Clothing Description:					NCIC #:	State ID #:		Facial Hair: XXXXXXXXXX	Speech: XXXXXXXXXX	Teeth: XXXXXXXXXX
Body Markings (Type, Location, Description):					Solicited/Offered: XXXXXXXXXX		Injury Type:			
Suspect Forced Victim: Primary Action: Suspect Force: XXXXXXXXXX					N/A		<input type="checkbox"/> Minor Injuries <input type="checkbox"/> Unconscious <input type="checkbox"/> Internal Injuries <input type="checkbox"/> Teeth Injury <input type="checkbox"/> Lacerations <input type="checkbox"/> Bone Injury <input type="checkbox"/> Other Injuries <input checked="" type="checkbox"/> None			
<input checked="" type="checkbox"/> Person <input type="checkbox"/> Business		Name: XXXXXXXXXX			Phone: XXXXXXXXXX		Cell Phone: XXXXXXXXXX			
Address (Street, Apt., City, State, Zip): XXXXXXXXXX										
Address (Street, Apt., City, State, Zip): XXXXXXXXXX					Pager: XXXXXXXXXX					
Involvement Type (Person):		Victim Type (Business):			Domestic Violence	LEOKA Activity:	LEOKA Assignment:			
Occupation: Employer:		Employer Address:			Employer Phone: XXXXXXXXXX					
Relationship to Offender:		DOB: XXXXXXXXXX	Age: XXXXXXXXXX	Sex: XXXXXXXXXX	Height: XXXXXXXXXX	Weight: XXXXXXXXXX	Build: XXXXXXXXXX	Complexion: XXXXXXXXXX	Eye Color: XXXXXXXXXX	
Race: Ethnicity: SSN: XXXXXXXXXX		License (#, Class, State): XXXXXXXXXX		Related Offense(s): XXXXXXXXXX		Hair Color: XXXXXXXXXX	Hair Length: XXXXXXXXXX	Hair Style: XXXXXXXXXX		
Clothing Description:					NCIC #:	State ID #:		Facial Hair: XXXXXXXXXX	Speech: XXXXXXXXXX	Teeth: XXXXXXXXXX
Body Markings (Type, Location, Description):					Solicited/Offered: XXXXXXXXXX		Injury Type:			
Suspect Forced Victim: Primary Action: Suspect Force: XXXXXXXXXX					N/A		<input type="checkbox"/> Minor Injuries <input type="checkbox"/> Unconscious <input type="checkbox"/> Internal Injuries <input type="checkbox"/> Teeth Injury <input type="checkbox"/> Lacerations <input type="checkbox"/> Bone Injury <input type="checkbox"/> Other Injuries <input checked="" type="checkbox"/> None			
<input checked="" type="checkbox"/> Person <input type="checkbox"/> Business		Name: XXXXXXXXXX			Phone: XXXXXXXXXX		Cell Phone: XXXXXXXXXX			
Address (Street, Apt., City, State, Zip): XXXXXXXXXX										
Address (Street, Apt., City, State, Zip): XXXXXXXXXX					Pager: XXXXXXXXXX					
Involvement Type (Person):		Victim Type (Business):			Domestic Violence	LEOKA Activity:	LEOKA Assignment:			
Occupation: Employer:		Employer Address:			Employer Phone: XXXXXXXXXX					
Relationship to Offender:		DOB: XXXXXXXXXX	Age: XXXXXXXXXX	Sex: XXXXXXXXXX	Height: XXXXXXXXXX	Weight: XXXXXXXXXX	Build: XXXXXXXXXX	Complexion: XXXXXXXXXX	Eye Color: XXXXXXXXXX	
Race: Ethnicity: SSN: XXXXXXXXXX		License (#, Class, State): XXXXXXXXXX		Related Offense(s): XXXXXXXXXX		Hair Color: XXXXXXXXXX	Hair Length: XXXXXXXXXX	Hair Style: XXXXXXXXXX		
Clothing Description:					NCIC #:	State ID #:		Facial Hair: XXXXXXXXXX	Speech: XXXXXXXXXX	Teeth: XXXXXXXXXX
Body Markings (Type, Location, Description):					Solicited/Offered: XXXXXXXXXX		Injury Type:			
Suspect Forced Victim: Primary Action: Suspect Force: XXXXXXXXXX					N/A		<input type="checkbox"/> Minor Injuries <input type="checkbox"/> Unconscious <input type="checkbox"/> Internal Injuries <input type="checkbox"/> Teeth Injury <input type="checkbox"/> Lacerations <input type="checkbox"/> Bone Injury <input type="checkbox"/> Other Injuries <input checked="" type="checkbox"/> None			

ADDITIONAL PERSONS

INCIDENT REPORT - OFFENSES/PROPERTY/VEHICLES/DRUGS

OFFENSES	Agency Name: Huntington Park Police Department				ORI #: CA0193100	Report Date/Time: 03/19/2020 16:11:56	OCA #: 20-01075		
	Penal Code: COUNTY CO		UCR Code: 26	F/M: 2	Penal Code Description: 9-2.1316 HPMC-USE OF ESTABLISHMENT AS PRIVATE CLUB			Counts: 3	Comp/Att: <input checked="" type="checkbox"/> <input type="checkbox"/>
	Structure OCCUPIED			TOD: Night	Bias Motivation: NONE			Offense Location: RESTAURANT	
	Weapon Used:				Situation Code:			Premise: MISCELLANEOUS	
	Penal Code: COUNTY CO		UCR Code: 26	F/M: 2	Penal Code Description: 3-1.1617 HPMC-HIRE PROPRIETARY SECURITY GUARDWITHOUT			Counts: 2	Comp/Att: <input checked="" type="checkbox"/> <input type="checkbox"/>
	Structure OCCUPIED			TOD: Night	Bias Motivation: NONE			Offense Location: RESTAURANT	
	Weapon Used:				Situation Code:			Premise: MISCELLANEOUS	
	Penal Code: COUNTY CO		UCR Code: 26	F/M: 2	Penal Code Description: 3-1.1615 HPMC- REGISTRATION REQUIRED FOR PATROL GUARD			Counts: 1	Comp/Att: <input checked="" type="checkbox"/> <input type="checkbox"/>
	Structure OCCUPIED			TOD: Night	Bias Motivation: NONE			Offense Location: RESTAURANT	
	Weapon Used:				Situation Code:			Premise: MISCELLANEOUS	
Status: EVIDENCE		QTY: 38	Make: VIDEOS	Model:			Color:		
Type: MISC		UCR: 26	Description: VERIPIC VIDEOS			Serial Number:			
Value:		Date Rec:		Rec Value:		Related To:			
Status: EVIDENCE		QTY: 136	Make: DIGITAL IMAGES	Model:			Color:		
Type: MISC		UCR: 26	Description: VERIPIC IMAGES			Serial Number:			
Value:		Date Rec:		Rec Value:		Related To:			
Status: EVIDENCE		QTY: 136	Make: DIGITAL IMAGES	Model:			Color:		
Type: MISC		UCR: 26	Description: VERIPIC IMAGES			Serial Number:			
Value:		Date Rec:		Rec Value:		Related To:			
Total Property Loss:									
Status:		Year:	UCR:	Make:	Model:	Color:	License/State:		
Comments:				VIN:	Value:	Rec Code:	Date Rec:	Rec Value:	
Status:		Year:	UCR:	Make:	Model:	Color:	License/State:		
Comments:				VIN:	Value:	Rec Code:	Date Rec:	Rec Value:	
Status:		Year:	UCR:	Make:	Model:	Color:	License/State:		
Comments:				VIN:	Value:	Rec Code:	Date Rec:	Rec Value:	
Total Vehicle Loss:									
VEHICLES	Code:	Status:	Qty:	Measure:	Susp. Type:	<input type="checkbox"/> Using <input type="checkbox"/> Exploiting Children	<input type="checkbox"/> Buy <input type="checkbox"/> Operating	<input type="checkbox"/> Cultivating <input type="checkbox"/> Possessing	<input type="checkbox"/> Distributing <input type="checkbox"/> Transporting
	Code:	Status:	Qty:	Measure:	Susp. Type:	<input type="checkbox"/> Using <input type="checkbox"/> Exploiting Children	<input type="checkbox"/> Buy <input type="checkbox"/> Operating	<input type="checkbox"/> Cultivating <input type="checkbox"/> Possessing	<input type="checkbox"/> Distributing <input type="checkbox"/> Transporting
	Code:	Status:	Qty:	Measure:	Susp. Type:	<input type="checkbox"/> Using <input type="checkbox"/> Exploiting Children	<input type="checkbox"/> Buy <input type="checkbox"/> Operating	<input type="checkbox"/> Cultivating <input type="checkbox"/> Possessing	<input type="checkbox"/> Distributing <input type="checkbox"/> Transporting
DRUGS	Code:	Status:	Qty:	Measure:	Susp. Type:	<input type="checkbox"/> Using <input type="checkbox"/> Exploiting Children	<input type="checkbox"/> Buy <input type="checkbox"/> Operating	<input type="checkbox"/> Cultivating <input type="checkbox"/> Possessing	<input type="checkbox"/> Distributing <input type="checkbox"/> Transporting
	Code:	Status:	Qty:	Measure:	Susp. Type:	<input type="checkbox"/> Using <input type="checkbox"/> Exploiting Children	<input type="checkbox"/> Buy <input type="checkbox"/> Operating	<input type="checkbox"/> Cultivating <input type="checkbox"/> Possessing	<input type="checkbox"/> Distributing <input type="checkbox"/> Transporting
	Code:	Status:	Qty:	Measure:	Susp. Type:	<input type="checkbox"/> Using <input type="checkbox"/> Exploiting Children	<input type="checkbox"/> Buy <input type="checkbox"/> Operating	<input type="checkbox"/> Cultivating <input type="checkbox"/> Possessing	<input type="checkbox"/> Distributing <input type="checkbox"/> Transporting

INCIDENT REPORT - OFFENSES/PROPERTY/VEHICLES/DRUGS

OFFENSES	Agency Name: Huntington Park Police Department				ORI#: CA0193100	Report Date/Time: 03/19/2020 16:11:56	OCA #: 20-01075				
	Penal Code: COUNTY CO		UCR Code: 26	F/M: 2	Penal Code Description: 5-20.04HPMC-OPERATE ADULT ORIENTED BUSINESS WITHOUT				Counts: 2	Comp/Alt: <input checked="" type="checkbox"/> <input type="checkbox"/>	
	Structure OCCUPIED			TOD: Night	Bias Motivation: NONE			Offense Location: RESTAURANT			
	Weapon Used:				Situation Code:			Premise: MISCELLANEOUS			
	Penal Code: COUNTY CO		UCR Code: 26	F/M: 2	Penal Code Description: 9-2.1201HPCM-ALLOW PUBLIC DANCING WITHOUT PERMIT				Counts: 2	Comp/Alt: <input checked="" type="checkbox"/> <input type="checkbox"/>	
	Structure OCCUPIED			TOD: Night	Bias Motivation: NONE			Offense Location: RESTAURANT			
	Weapon Used:				Situation Code:			Premise: MISCELLANEOUS			
	Penal Code: 25631 BP		UCR Code: 22	F/M: 2	Penal Code Description: SELL/PURCHASE ALCOHOL AFTER HOURS				Counts: 1	Comp/Alt: <input checked="" type="checkbox"/> <input type="checkbox"/>	
	Structure OCCUPIED			TOD: Night	Bias Motivation: NONE			Offense Location: RESTAURANT			
Weapon Used:				Situation Code:			Premise: MISCELLANEOUS				
Status:	QTY:	Make:			Model:			Color:			
Type:	UCR:	Description:					Serial Number:				
Value:		Date Rec:		Rec Value:		Related To:					
Status:	QTY:	Make:			Model:			Color:			
Type:	UCR:	Description:					Serial Number:				
Value:		Date Rec:		Rec Value:		Related To:					
Status:	QTY:	Make:			Model:			Color:			
Type:	UCR:	Description:					Serial Number:				
Value:		Date Rec:		Rec Value:		Related To:					
Total Property Loss:											
Status:		Year:	UCR:	Make:		Model:		Color:		License/State:	
Comments:				VIN:		Value:		Rec Code:		Date Rec:	Rec Value:
Status:		Year:	UCR:	Make:		Model:		Color:		License/State:	
Comments:				VIN:		Value:		Rec Code:		Date Rec:	Rec Value:
Status:		Year:	UCR:	Make:		Model:		Color:		License/State:	
Comments:				VIN:		Value:		Rec Code:		Date Rec:	Rec Value:
Total Vehicle Loss:											
VEHICLES	Code:	Status:	Qty:	Measure:	Susp. Type:		<input type="checkbox"/> Using	<input type="checkbox"/> Buy	<input type="checkbox"/> Cultivating	<input type="checkbox"/> Distributing	
							<input type="checkbox"/> Exploiting Children	<input type="checkbox"/> Operating	<input type="checkbox"/> Possessing	<input type="checkbox"/> Transporting	
							<input type="checkbox"/> Using	<input type="checkbox"/> Buy	<input type="checkbox"/> Cultivating	<input type="checkbox"/> Distributing	
DRUGS	Code:	Status:	Qty:	Measure:	Susp. Type:		<input type="checkbox"/> Exploiting Children	<input type="checkbox"/> Operating	<input type="checkbox"/> Possessing	<input type="checkbox"/> Transporting	
							<input type="checkbox"/> Using	<input type="checkbox"/> Buy	<input type="checkbox"/> Cultivating	<input type="checkbox"/> Distributing	

INCIDENT REPORT - OFFENSES/PROPERTY/VEHICLES/DRUGS

OFFENSES	Agency Name: Huntington Park Police Department				ORI #: CA0193100	Report Date/Time: 03/19/2020 16:11:56	OCA #: 20-01075																																																														
	Penal Code: 25632 BP		UCR Code: 22	F/M: 2	Penal Code Description: PERMIT ALCOHOL CONSUMPTION AFTER HOURS			Counts: 4	Comp/Alt: <input checked="" type="checkbox"/> <input type="checkbox"/>																																																												
	Structure OCCUPIED			TOD: Night	Bias Motivation: NONE			Offense Location: RESTAURANT																																																													
	Weapon Used:				Situation Code:			Premise: MISCELLANEOUS																																																													
	Penal Code:		UCR Code:	F/M:	Penal Code Description:				Counts:	Comp/Alt: <input type="checkbox"/> <input checked="" type="checkbox"/>																																																											
	Structure			TOD:	Bias Motivation:				Offense Location:																																																												
	Weapon Used:				Situation Code:			Premise:																																																													
	Penal Code:		UCR Code:	F/M:	Penal Code Description:				Counts:	Comp/Alt: <input checked="" type="checkbox"/> <input type="checkbox"/>																																																											
	Structure			TOD:	Bias Motivation:				Offense Location:																																																												
	Weapon Used:				Situation Code:			Premise:																																																													
Status:	QTY:	Make:		Model:			Color:																																																														
Type:	UCR:	Description:					Serial Number:																																																														
Value:		Date Rec:			Rec Value:	Related To:																																																															
Status:	QTY:	Make:		Model:			Color:																																																														
Type:	UCR:	Description:					Serial Number:																																																														
Value:		Date Rec:			Rec Value:	Related To:																																																															
Status:	QTY:	Make:		Model:			Color:																																																														
Type:	UCR:	Description:					Serial Number:																																																														
Value:		Date Rec:			Rec Value:	Related To:																																																															
Total Property Loss:																																																																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Status:</td> <td>Year:</td> <td>UCR:</td> <td>Make:</td> <td colspan="2">Model:</td> <td colspan="2">Color:</td> <td colspan="2">License/State:</td> </tr> <tr> <td colspan="3">Comments:</td> <td colspan="2">VIN:</td> <td>Value:</td> <td>Rec Code:</td> <td colspan="2">Date Rec:</td> <td>Rec Value:</td> </tr> <tr> <td>Status:</td> <td>Year:</td> <td>UCR:</td> <td>Make:</td> <td colspan="2">Model:</td> <td colspan="2">Color:</td> <td colspan="2">License/State:</td> </tr> <tr> <td colspan="3">Comments:</td> <td colspan="2">VIN:</td> <td>Value:</td> <td>Rec Code:</td> <td colspan="2">Date Rec:</td> <td>Rec Value:</td> </tr> <tr> <td>Status:</td> <td>Year:</td> <td>UCR:</td> <td>Make:</td> <td colspan="2">Model:</td> <td colspan="2">Color:</td> <td colspan="2">License/State:</td> </tr> <tr> <td colspan="3">Comments:</td> <td colspan="2">VIN:</td> <td>Value:</td> <td>Rec Code:</td> <td colspan="2">Date Rec:</td> <td>Rec Value:</td> </tr> </table>										Status:	Year:	UCR:	Make:	Model:		Color:		License/State:		Comments:			VIN:		Value:	Rec Code:	Date Rec:		Rec Value:	Status:	Year:	UCR:	Make:	Model:		Color:		License/State:		Comments:			VIN:		Value:	Rec Code:	Date Rec:		Rec Value:	Status:	Year:	UCR:	Make:	Model:		Color:		License/State:		Comments:			VIN:		Value:	Rec Code:	Date Rec:		Rec Value:
Status:	Year:	UCR:	Make:	Model:		Color:		License/State:																																																													
Comments:			VIN:		Value:	Rec Code:	Date Rec:		Rec Value:																																																												
Status:	Year:	UCR:	Make:	Model:		Color:		License/State:																																																													
Comments:			VIN:		Value:	Rec Code:	Date Rec:		Rec Value:																																																												
Status:	Year:	UCR:	Make:	Model:		Color:		License/State:																																																													
Comments:			VIN:		Value:	Rec Code:	Date Rec:		Rec Value:																																																												
Total Vehicle Loss:																																																																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Code:</td> <td>Status:</td> <td>Qty:</td> <td>Measure:</td> <td colspan="2">Susp. Type:</td> <td><input type="checkbox"/> Using <input type="checkbox"/> Exploiting Children</td> <td><input type="checkbox"/> Buy <input type="checkbox"/> Operating</td> <td><input type="checkbox"/> Cultivating <input type="checkbox"/> Possessing</td> <td><input type="checkbox"/> Distributing <input type="checkbox"/> Transporting</td> </tr> <tr> <td>Code:</td> <td>Status:</td> <td>Qty:</td> <td>Measure:</td> <td colspan="2">Susp. Type:</td> <td><input type="checkbox"/> Using <input type="checkbox"/> Exploiting Children</td> <td><input type="checkbox"/> Buy <input type="checkbox"/> Operating</td> <td><input type="checkbox"/> Cultivating <input type="checkbox"/> Possessing</td> <td><input type="checkbox"/> Distributing <input type="checkbox"/> Transporting</td> </tr> <tr> <td>Code:</td> <td>Status:</td> <td>Qty:</td> <td>Measure:</td> <td colspan="2">Susp. Type:</td> <td><input type="checkbox"/> Using <input type="checkbox"/> Exploiting Children</td> <td><input type="checkbox"/> Buy <input type="checkbox"/> Operating</td> <td><input type="checkbox"/> Cultivating <input type="checkbox"/> Possessing</td> <td><input type="checkbox"/> Distributing <input type="checkbox"/> Transporting</td> </tr> </table>										Code:	Status:	Qty:	Measure:	Susp. Type:		<input type="checkbox"/> Using <input type="checkbox"/> Exploiting Children	<input type="checkbox"/> Buy <input type="checkbox"/> Operating	<input type="checkbox"/> Cultivating <input type="checkbox"/> Possessing	<input type="checkbox"/> Distributing <input type="checkbox"/> Transporting	Code:	Status:	Qty:	Measure:	Susp. Type:		<input type="checkbox"/> Using <input type="checkbox"/> Exploiting Children	<input type="checkbox"/> Buy <input type="checkbox"/> Operating	<input type="checkbox"/> Cultivating <input type="checkbox"/> Possessing	<input type="checkbox"/> Distributing <input type="checkbox"/> Transporting	Code:	Status:	Qty:	Measure:	Susp. Type:		<input type="checkbox"/> Using <input type="checkbox"/> Exploiting Children	<input type="checkbox"/> Buy <input type="checkbox"/> Operating	<input type="checkbox"/> Cultivating <input type="checkbox"/> Possessing	<input type="checkbox"/> Distributing <input type="checkbox"/> Transporting																														
Code:	Status:	Qty:	Measure:	Susp. Type:		<input type="checkbox"/> Using <input type="checkbox"/> Exploiting Children	<input type="checkbox"/> Buy <input type="checkbox"/> Operating	<input type="checkbox"/> Cultivating <input type="checkbox"/> Possessing	<input type="checkbox"/> Distributing <input type="checkbox"/> Transporting																																																												
Code:	Status:	Qty:	Measure:	Susp. Type:		<input type="checkbox"/> Using <input type="checkbox"/> Exploiting Children	<input type="checkbox"/> Buy <input type="checkbox"/> Operating	<input type="checkbox"/> Cultivating <input type="checkbox"/> Possessing	<input type="checkbox"/> Distributing <input type="checkbox"/> Transporting																																																												
Code:	Status:	Qty:	Measure:	Susp. Type:		<input type="checkbox"/> Using <input type="checkbox"/> Exploiting Children	<input type="checkbox"/> Buy <input type="checkbox"/> Operating	<input type="checkbox"/> Cultivating <input type="checkbox"/> Possessing	<input type="checkbox"/> Distributing <input type="checkbox"/> Transporting																																																												

PROPERTY

VEHICLES

DRUGS

INCIDENT REPORT - NARRATIVE

Agency Name:	ORI #:	Report Date/Time:	OCA #:
Huntington Park Police Department	CA0193100	03/19/2020 16:11:56	20-01075

NARRATIVE

ON JANUARY 30, 2020, SERGEANT A. VALLE #5584, DETECTIVE R. HENRIQUEZ #5308 AND I WERE ASSIGNED TO THE HUNTINGTON PARK POLICE DEPARTMENT'S CRIME SUPPRESSION UNIT (CSU). ON THAT DAY, WE WERE NOTIFIED BY LIEUTENANT P. KRAUT #5207, THAT PIZZA MIA RESTAURANT AND BAR, WAS VIOLATING THE CITY OF HUNTINGTON PARK'S DANCE AND ENTERTAINMENT ORDINANCES AND THE CONDITIONAL USE PERMIT FOR THAT BUSINESS.

THE INFORMATION THAT WAS RECEIVED WAS FROM A CONCERNED CITIZEN WHO WISHED TO REMAIN ANONYMOUS, HOWEVER, WAS WILLING TO PROVIDE CSU DETECTIVES INFORMATION ON POTENTIAL ILLEGAL ACTIVITY AT THE "PIZZA MIA" RESTAURANT AND BAR. PIZZA MIA IS LOCATED AT 3006 E. FLORENCE AVENUE #102 AND #103, HUNTINGTON PARK, CALIFORNIA. SERGEANT VALLE SPOKE WITH THAT ANONYMOUS CITIZEN AND HE/SHE REPORTED THE FOLLOWING.

FOR SEVERAL MONTHS, PIZZA MIA WAS HOSTING KARAOKE, D.J. MUSIC AND DANCING ENTERTAINMENT ON FRIDAY AND SATURDAY NIGHTS. THE DANCING ENTERTAINMENT WAS FOR THE PURE ENJOYMENT OF THE PATRONS. OFTEN, IT INCLUDED FAMILIES WITH CHILDREN PRESENT AS LATE AS 2300 HOURS. IN OCTOBER OF 2019, THE OWNER OF PIZZA MIA [REDACTED] HIRED STRIPPERS TO PERFORM IN THE BAR PORTION OF THE PIZZA RESTAURANT. ADDITIONALLY, THE ANONYMOUS CITIZEN TOLD SERGEANT VALLE THE BUSINESS, ON OCCASION, WOULD OPERATE PAST 0200 HOURS ON FRIDAYS AND SATURDAYS. THE ANONYMOUS CITIZEN STATED THE BUSINESS WAS BEGINNING TO GAIN NOTORIETY BECAUSE THE CROWDS WERE GETTING LARGER EACH WEEKEND AND ON CERTAIN DAYS IT WAS "STANDING ROOM" ONLY. THE ANONYMOUS CITIZEN ADMITTED THAT HE/SHE WAS A REGULAR PATRON BUT DECIDED TO REPORT THE LEWD ACTIVITY BECAUSE HE/SHE HAD WITNESSED THE FEMALE DANCERS WHEN CHILDREN WERE PRESENT.

THE ANONYMOUS CITIZEN PROVIDED VIDEO RECORDINGS TO SERGEANT VALLE. I VIEWED THESE VIDEOS AND MADE THE FOLLOWING, BUT NOT LIMITED TO, OBSERVATIONS: I NOTICED MULTIPLE FEMALE DANCERS WERE DRESSED IN BIKINI STYLE TOPS AND BIKINI BOTTOMS. THE DANCERS PERFORMED ONE-ON-ONE "LAP DANCES" FOR MALE BAR PATRONS. I SAW THE FEMALE DANCERS HOLDING U.S. CURRENCY IN THEIR HANDS ALONG WITH THE MALE PATRONS PUTTING U.S. CURRENCY BETWEEN THE FEMALES' BODY AND BIKINI BOTTOMS AND LOOSELY DROPPING THE CURRENCY OVER THE DANCERS. THE MALE PATRONS FONDLED AND RUBBED THE FEMALE DANCERS' BUTTOCKS, LEGS AND ABDOMINAL AREAS AND THE DANCERS RUBBED THEIR BUTTOCKS AND VAGINAL AREAS ON THE MALE PATRONS' FACES AND PELVIC AREAS AS THEY DANCED. IT DID NOT APPEAR THE DANCERS EVER FULLY EXPOSED THEIR BREAST, BUTTOCKS OR VAGINAS. THESE LAP DANCES APPEARED TO BE SENSUAL IN NATURE AND APPEARED TO BE PERFORMED FOR THE EXCHANGE OF U.S. CURRENCY.

BASED ON THIS INFORMATION, DETECTIVE HENRIQUEZ AND I INITIATED AN INVESTIGATION INTO ANY POTENTIAL ILLEGAL ACTIVITY AND VIOLATIONS UNDER THEIR CONDITIONAL USE PERMIT WITH THE CITY OF HUNTINGTON PARK. OUR INITIAL INQUIRY REVEALED THAT PIZZA MIA HAD A CITY OF HUNTINGTON PARK BUSINESS LICENSE FOR

INCIDENT REPORT - NARRATIVE

Agency Name:	ORI#:	Report Date/Time:	OCA #:
Huntington Park Police Department	CA0193100	03/19/2020 16:11:56	20-01075

NARRATIVE

THE OPERATION OF A PIZZA RESTAURANT AND BAR. I CONDUCTED A LICENSE INQUIRY WITH THE CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC) AND DISCOVERED THAT [REDACTED] AND [REDACTED] WERE LICENSED FOR BEER AND WINE SALES AT THE PIZZA MIA, OR, HAD A "TYPE 41 – ON-SALE BEER AND WINE – EATING PLACE" (ABC LICENSE #. [REDACTED]). [REDACTED] AND [REDACTED] RECEIVED THIS LICENSE ON JULY 19, 2016 AND DID NOT APPEAR TO HAVE ANY DISCIPLINARY ACTIONS IN THEIR LICENSE HISTORY.

A FURTHER LOOK INTO THEIR LICENSING WITH THE CITY OF HUNTINGTON PARK REVEALED THAT THEY DID NOT HAVE A "DANCE AND ENTERTAINMENT PERMIT" AS REQUIRED BY THE CITY OF HUNTINGTON PARK MUNICIPAL CODE SECTIONS 9-2.1304(A) AND 9-2.1202. FURTHERMORE, I LOOKED AT THE CONDITIONAL USE PERMIT THAT WAS GRANTED TO ERIC. I IDENTIFIED SEVERAL VIOLATIONS OF THE CONDITIONAL USE PERMIT. SOME OF THOSE VIOLATIONS INCLUDED, BUT ARE NOT LIMITED TO, COMPLYING WITH ALL CITY, COUNTY, STATE AND FEDERAL CODES, LAWS AND REGULATIONS; THAT THE BUSINESS BE OPERATED IN COMPLIANCE WITH THE CITY HUNTINGTON PARK NOISE ORDINANCE; AND THAT THE BUSINESS STOP SERVING ALCOHOL AT 10:00PM AND CLOSE AT 11:00PM.

DETECTIVE HENRIQUEZ RESEARCHED PIZZA MIA ON SOCIAL MEDIA WEBSITES FACEBOOK AND INSTAGRAM. HE LOCATED POSTS THAT PROMOTED KARAOKE, DJ AND "LADIES" NIGHTS ON FRIDAYS AND SATURDAYS. SOME OF THOSE POSTS INCLUDED VIDEOS IN WHICH I SAW PEOPLE PARTICIPATING IN KARAOKE AND DANCING TO MUSIC. I TOOK NOTICE OF A COUPLE POSTS THAT PROMOTED THE BUSINESS HOURS THE KARAOKE, DJ AND "LADIES" NIGHTS WERE HELD. THE OPERATING HOURS LISTED ON THE POSTS WERE FROM 7PM TO 2AM. I TOOK NOTICE OF THAT BECAUSE PIZZA MIA WAS SUPPOSED TO BE CLOSED BY 2300 HOURS. THE POSTS ALSO RESEMBLED THAT OF A PROMOTIONAL CLUB FLYER. COPIES OF THOSE POSTS AND VIDEOS WERE BOOKED INTO THE VERIPIC EVIDENCE SYSTEM AT THE HUNTINGTON PARK POLICE DEPARTMENT.

ON FEBRUARY 7, 2020 AT APPROXIMATELY 2200 HOURS, SERGEANT VALLE, DETECTIVE HENRIQUEZ AND I, IN CONJUNCTION WITH ABC AGENTS E. REYNOSO #1106, W. PINNEY #1238, V. ROCK #1200, E. VEGA #1161, AND J. HERNANDEZ #1241 CONDUCTED A SURVEILLANCE OPERATION AT PIZZA MIA. ABC AGENTS HERNANDEZ AND VEGA WERE UNDERCOVER AND WALKED INTO THE PIZZA MIA BAR APPROXIMATELY 2355 HOURS. DURING THIS OPERATION, WE OBSERVED [REDACTED] ARRIVE IN A BLACK CHEVROLET SILVERADO AT APPROXIMATELY PRIOR TO THE UNDERCOVER AGENTS ENTERING THE BUSINESS. DETECTIVE HENRIQUEZ AND I SAW [REDACTED] ALREADY WORKING INSIDE THE KITCHEN SIDE OF THE BUSINESS BUT DID NOT SEE HER WALK IN OR OUT OF THE BAR SIDE. THROUGHOUT THIS NIGHT, WE SAW [REDACTED] ENTER THE KITCHEN AND BAR SIDE OF THE BUSINESS. SEVERAL CARS CAME IN AND OUT OF THE PARKING LOT, CUSTOMERS ENTERED AND EXITED THE BAR SIDE OF PIZZA MIA, AND ONLY ONE CUSTOMER ENTERED THE KITCHEN SIDE OF PIZZA MIA AND WALKED OUT WITH PIZZA.

DURING THIS SURVEILLANCE OPERATION, DETECTIVE HENRIQUEZ AND I WERE PARKED APPROXIMATELY 80 FEET FROM THE ENTRANCE TO THE BAR OF PIZZA MIA. WE WERE

INCIDENT REPORT - NARRATIVE

Agency Name:	ORI#:	Report Date/Time:	OCA #:
Huntington Park Police Department	CA0193100	03/19/2020 16:11:56	20-01075

NARRATIVE

PARKED IN THE PARKING LOT OF PIZZA MIA, IN DETECTIVE HENRIQUEZ' UNMARKED DETECTIVE UNIT. BOTH LIEUTENANT KRAUT AND SERGEANT VALLE WERE PARKED IN THEIR UNMARKED DETECTIVE UNITS, ACROSS THE STREET AT A DISTANCE GREATER THAN 150 FEET, EACH. EACH ONE OF US WERE ABLE TO HEAR THE MUSIC EMITTING FROM THE BAR PORTION OF PIZZA MIA. DETECTIVE HENRIQUEZ AND I WERE ALSO ABLE TO NOTICE WHEN THE D.J. WOULD PLAY REGULAR MUSIC OR WHEN THE BAR PATRONS WERE SINGING KARAOKE. BASED ON THE FACT [REDACTED] ALLOWED KARAOKE AT HIS BAR, COUPLED WITH THE FACT HE DID NOT HAVE A DANCE AND ENTERTAINMENT PERMIT, [REDACTED] WAS IN VIOLATION OF HUNTINGTON PARK MUNICIPAL CODE SECTION 9-2.1304(A) (NO ENTERTAINMENT PERMIT). BASED ON THE FACT THE MUSIC COULD BE HEARD PAST THE ENTRANCE OF THE BUSINESS AND IT CARRIED ONTO THE PUBLIC RIGHT OF WAY, AND COULD BE HEARD ACROSS THE STREET, COUPLED WITH THE FACT [REDACTED] ALLOWED THIS FOR ENTERTAINMENT PURPOSES, [REDACTED] WAS IN VIOLATION OF HUNTINGTON PARK MUNICIPAL CODE SECTION 5-7.01(UNLAWFUL LOUD SPEAKER USE).

THE UNDERCOVER ABC AGENTS WALKED OUT OF THE BAR ON FEBRUARY 8, 2020 AT APPROXIMATELY 0130 HOURS. ASIDE FROM THE AFOREMENTIONED VIOLATIONS, THE ABC AGENTS DID NOT OBSERVE ANY ALCOHOL RELATED VIOLATIONS NOR DID THEY SEE ANY FEMALE DANCERS. WE CONCLUDED OUR SURVEILLANCE SHORTLY THEREAFTER.

AFTER SPEAKING WITH AGENTS, WE ESTABLISHED THE FOLLOWING: DURING THE OPERATION, AGENTS ATTEMPTED TO PURCHASE DISTILLED SPIRITS FROM THE BUSINESS, HOWEVER THEY WERE DENIED. AGENTS ALSO ASKED THE OWNER ([REDACTED]) ABOUT WHEN THE ENTERTAINERS (LEWD DANCERS) WOULD ARRIVE. [REDACTED] TOLD AGENT HERNANDEZ AND VEGA THE DANCERS ONLY SHOW UP FOR SPECIAL OCCASIONS AND BIRTHDAYS. THE ABC AGENTS DID OBSERVE BAR PATRONS DANCING IN THE MIDDLE OF THE ROOM THAT APPEARED TO BE A DESIGNATED DANCE AREA. BASED ON THE FACT [REDACTED] ALLOWED PUBLIC DANCING WITHOUT A PERMIT, HE WAS IN VIOLATION OF HUNTINGTON PARK MUNICIPAL CODE SECTION 9-2.1202.

ON FEBRUARY 21, 2020, AT 2225 HOURS, WE CONDUCTED OUR SECOND SURVEILLANCE OPERATION IN CONJUNCTION WITH ABC AGENTS E. REYNOSO #1106, W. PINNEY #1238, V. ROCK #1200, E. VEGA #1161, AND J. HERNANDEZ #1241. DETECTIVE HENRIQUEZ AND I WERE IN HIS UNMARKED DETECTIVE UNIT PARKED IN THE SAME LOCATION AS THE PREVIOUS SURVEILLANCE OPERATION. LATER THAT NIGHT, ON FEBRUARY 22, 2020, AT APPROXIMATELY 0051 HOURS, UNDERCOVER ABC AGENTS HERNANDEZ AND VEGA ENTERED THE BAR SIDE OF PIZZA MIA.

DURING THIS OPERATION WE OBSERVED SIMILAR ACTIVITY WE SAW DURING OUR FIRST OPERATION ON FEBRUARY 7, 2020. WE WERE POSITIONED APPROXIMATELY 80 FEET AWAY FROM THE FRONT DOORS AND COULD HEAR THE MUSIC FROM INSIDE, WHICH INCLUDED KARAOKE SINGING. DURING OUR SURVEILLANCE WE OBSERVED SEVERAL PATRONS STANDING OUTSIDE OF THE BUSINESS. AT ONE POINT WE COUNTED 11 PATRONS LOITERING TO THE FRONT OF THE BUSINESS. WE SAW [REDACTED] STANDING OUTSIDE WHILE IN THE PRESENCE OF A PATRON WHO APPEARED TO BE DRINKING OUT OF A BEER BOTTLE OUTSIDE OF THE BUSINESS. THE OWNER DID NOT APPEAR TO GIVE

INCIDENT REPORT - NARRATIVE

Agency Name:	ORI #:	Report Date/Time:	OCA #:
Huntington Park Police Department	CA0193100	03/19/2020 16:11:56	20-01075

NARRATIVE

ANY ATTENTION TO THE FACT THAT PATRON WAS CONSUMING ALCOHOL OUTSIDE OF HIS RESTAURANT AND BAR.

WE OBSERVED AN ORANGE LAND ROVER RANGE ROVER ARRIVE AND PARK INSIDE THE PARKING LOT, IN FRONT OF THE SOUTH WALL. THE OCCUPANTS OF THIS VEHICLE STAYED IN AND AROUND THE VEHICLE FOR OVER AN HOUR. AT ONE POINT, THEY WENT TO THE NEARBY LIQUOR STORE AND RETURNED WITH A WEIGHTED PLASTIC BAG, AND ENTERED THE VEHICLE AGAIN. LATER, THOSE OCCUPANTS EXITED THE VEHICLE, OPENED THE VEHICLE DOORS AND REAR LIFT GATE, AND BEGAN PLAYING LOUD MUSIC FROM THE VEHICLE'S STEREO. THE OWNER EXITED THE BUSINESS WHILE THE VEHICLE HAD LOUD MUSIC PLAYING, HOWEVER IT DID NOT APPEAR THAT HE ADDRESSED THE ISSUE. THE PARKING LOT WAS FULL DURING OUR SURVEILLANCE, TO THE POINT VEHICLES WERE PARKING IN THE AISLE AND BLOCKING OTHER PARKED CARS FROM LEAVING.

THAT NIGHT WE ESTABLISHED, ONCE MORE, THAT [REDACTED] ALLOWED KARAOKE FOR ENTERTAINMENT BECAUSE WE COULD HEAR BAR PATRONS SINGING FROM A MICROPHONE, AND DID SO WITHOUT A CITY PERMIT, IN VIOLATION OF HUNTINGTON PARK MUNICIPAL CODE SECTION 9-2.1304(A) (NO ENTERTAINMENT PERMIT).

THE MUSIC AT THE BAR WAS LOUD TO THE POINT THAT WE COULD HEAR THE CHANGE IN MUSIC FROM D.J. TO KARAOKE AND BACK, FROM OUR DISTANCE. [REDACTED] ALLOWED THIS MUSIC AT HIS BAR AND ALLOWED MUSIC TO TRAVEL PAST THE ENTRANCE OF THE BUSINESS AND IT CARRIED ONTO THE PUBLIC RIGHT OF WAY, AND COULD BE HEARD ACROSS THE STREET BY SERGEANT VALLE, COUPLED WITH THE FACT [REDACTED] ALLOWED THIS FOR ENTERTAINMENT PURPOSES AND DID NOT HAVE A PERMIT FROM THE CITY, [REDACTED] WAS IN VIOLATION OF HUNTINGTON PARK MUNICIPAL CODE SECTIONS 5-7.01 (UNLAWFUL LOUD SPEAKER USE).

WE LATER SPOKE WITH THE UNDERCOVER ABC AGENTS AND ESTABLISHED THAT PATRONS WERE DANCING INSIDE THE BAR, AND AGAIN, [REDACTED] ALLOWED TO BE CONDUCTED WITHOUT A DANCE PERMIT IN VIOLATION OF HUNTINGTON PARK MUNICIPAL CODE SECTION 9-2.1202 (ALLOW PUBLIC DANCING WITHOUT A PERMIT).

THE UNDERCOVER ABC AGENTS EXITED THE BAR AT 0138 HOURS AND DID NOT OBSERVE ANY OTHER VIOLATIONS. AT APPROXIMATELY 0200 HOURS, NEON SIGNS INSIDE THE BAR WERE SHUT OFF, HOWEVER THE MUSIC CONTINUED PLAYING AND THERE WAS NO INDICATION OF THE BUSINESS CLOSING. WE COMPLETED OUR SURVEILLANCE AT 0245 HOURS, HOWEVER, BAR PATRONS WERE ENTERING AND EXITING THE BAR AND COULD STILL BE SEEN DRINKING OUT OF BEER BOTTLES IN THE PARKING LOT. THE PARKING LOT WAS FULL OF PARKED VEHICLES AND THE MUSIC CONTINUED TO PLAY INSIDE THE BAR. SERGEANT VALLE WAS LAST TO LEAVE, AND ADVISED THAT AT APPROXIMATELY 0247 HOURS SHE OBSERVED A PATRON BEING CARRIED OUT OF THE BUSINESS. THE BAR PATRON APPEARED INTOXICATED TO THE POINT OF NEEDING HELP WALKING. BASED ON THE FACT [REDACTED] ALLOWED THE BUSINESS TO STAY OPEN PAST 0200 HOURS COUPLED WITH THE FACT PATRONS WERE PRESENT AND VISIBLY DRINKING OUTSIDE, AND THE FACT THE MUSIC WAS PLAYING [REDACTED] WAS IN VIOLATION OF HUNTINGTON PARK

INCIDENT REPORT - NARRATIVE

Agency Name: Huntington Park Police Department	ORI#: CA0193100	Report Date/Time: 03/19/2020 16:11:56	OCA#: 20-01075
---	--------------------	--	-------------------

NARRATIVE

MUNICIPAL CODE SECTION 9-2.1316 (USE OF ESTABLISHMENT AS A PRIVATE CLUB BETWEEN 0200 AND 0600 HOURS). BASED ON THE FACT ERIC ALLOWED DRINKING OF ALCOHOL AFTER 0200 HOURS, [REDACTED] WAS IN VIOLATION OF CALIFORNIA BUSINESS AND PROFESSIONS CODE SECTION 25632.

ON FEBRUARY, 28, 2020, AT APPROXIMATELY 2220 HOURS, LIEUTENANT KRAUT AND I MET WITH A [REDACTED] (C.I.). WE INFORMED HIM/HER ON THE OBJECTIVES WITH IDENTIFYING VIOLATIONS AT THE PIZZA MIA BAR. THOSE OBJECTIVES WERE TO ESTABLISH SALES OF DISTILLED SPIRITS, LEWD DANCING, DANCING BY PATRONS, MUSIC BY D.J., AND AFTER-HOURS ALCOHOL SALES AND DRINKING. WE SHOWED THE C.I. A PICTURE OF [REDACTED] AND [REDACTED] DRIVER'S LICENSE PHOTOGRAPHS AND ASKED THE C.I. TO LET US KNOW IF THE OWNERS WERE INSIDE THE BUSINESS. THE C.I. WAS PROVIDED WITH \$150 IN CSU FUNDS FOR THE PURCHASE OF ALCOHOL AND LAP DANCES BY THE FEMALE DANCERS. ADDITIONALLY, I PROVIDED THE C.I. A RECORDING DEVICE THAT HE/SHE COULD USE TO CAPTURE ANY VIOLATIONS.

ON FEBRUARY 28, 2020, AT APPROXIMATELY 2230 HOURS, WE CONDUCTED A THIRD SURVEILLANCE OPERATION, HOWEVER, ABC AGENTS WERE NOT PRESENT FOR THIS OPERATION. LIEUTENANT KRAUT, DETECTIVE M. MENDOZA #5636, DETECTIVE HENRIQUEZ AND I WERE PART OF THIS SURVEILLANCE OPERATION.

DETECTIVE HENRIQUEZ AND DETECTIVE MENDOZA WERE IN DETECTIVE HENRIQUEZ' UNMARKED DETECTIVE UNIT. THEY PARKED IN THE PARKING LOT OF PIZZA MIA, IN THE SAME PARKING STALL DETECTIVE HENRIQUEZ PARKED IN THE PREVIOUS TWO SURVEILLANCE OPERATIONS. LIEUTENANT KRAUT AND I PARKED ACROSS THE STREET AND WE WERE IN MY UNMARKED DETECTIVE UNIT. WE NOTICED THE PARKING LOT WAS NOT FULL OF PARKED VEHICLES BUT HAD SEVERAL CARS PARKED INSIDE OF IT. AT APPROXIMATELY 2300 HOURS, DETECTIVE HENRIQUEZ RELAYED THAT A MALE HISPANIC, IN HIS 60'S WEARING ALL BLACK, STOOD AT THE FRONT DOORS OF THE BAR SIDE OF PIZZA MIA. DETECTIVE HENRIQUEZ STATED THE SUBJECT APPEARED TO BE A SECURITY GUARD AND WAS CONDUCTING "PAT DOWNS," OR CHECKING FOR WEAPONS, OF SUBJECTS ENTERING THE BAR.

AT APPROXIMATELY 2330 HOURS, THE C.I. ARRIVED AND PARKED INSIDE THE PARKING LOT. AT THIS TIME, THE PARKING LOT WAS NEARLY FULL TO CAPACITY. I COULD HEAR THE MUSIC EMITTING FROM THE BAR OF PIZZA MIA TO MY LOCATION WHICH WAS ACROSS THE STREET. DETECTIVE HENRIQUEZ, WHO WAS PARKED APPROXIMATELY 80 FEET FROM THE ENTRANCE OF THE BAR, COULD ALSO HEAR THE MUSIC. HE ALSO REPORTED HEARING KARAOKE SINGING PRIOR TO THE C.I.'S ARRIVAL. BASED ON THE FACT [REDACTED] WAS ALLOWING KARAOKE TO BE PLAYED FOR ENTERTAINMENT, [REDACTED] WAS AGAIN IN VIOLATION OF HUNTINGTON PARK MUNICIPAL CODE SECTIONS 9-2.1304(A). BASED ON THE FACT [REDACTED] ALLOWED THE MUSIC FROM THE LOUD SPEAKERS TO TRAVEL PAST THE SIDEWALK (PUBLIC RIGHT AWAY) AND COULD BE HEARD ACROSS THE STREET, [REDACTED] WAS AGAIN, IN VIOLATION OF HUNTINGTON PARK MUNICIPAL CODE SECTION 5-7.01.

LATER THAT NIGHT, FEBRUARY 29, 2020, AT APPROXIMATELY 0030 HOURS, DETECTIVE

INCIDENT REPORT - NARRATIVE

Agency Name:	ORI #:	Report Date/Time:	OCA #:
Huntington Park Police Department	CA0193100	03/19/2020 16:11:56	20-01075

NARRATIVE

HENRIQUEZ REPORTED THAT HE NOTICED TWO FEMALE SUBJECTS ENTER THE KITCHEN SIDE OF PIZZA MIA. HE TOOK NOTICE OF THESE FEMALES BECAUSE THEY WALKED THROUGH THE FRONT DOORS OF THE BUSINESS (KITCHEN SIDE), WALKED PAST THE CUSTOMER COUNTER AND WALKED STRAIGHT TO THE BACK OF THE KITCHEN AREA THAT IS CLOSED TO THE PUBLIC. AT APPROXIMATELY 0133 HOURS, DETECTIVE HENRIQUEZ SAW THOSE SAME FEMALES WALK OUT OF THE BUSINESS FROM THE KITCHEN SIDE OF PIZZA MIA.

AT APPROXIMATELY 0221 HOURS, THE C.I. EXITED THE BAR AND MET WITH LIEUTENANT KRAUT AND I AT A PREDETERMINED LOCATION. I ASKED THE C.I. ABOUT HIS/HER OBSERVATIONS AND HE/SHE REPORTED THE FOLLOWING: THE C.I. ARRIVED AT THE LOCATION AND WAS GREETED BY A SECURITY GUARD WHO CHECKED FOR WEAPONS. THE C.I. ENTERED THE BAR AND NOTICED THE MUSIC WAS PLAYING FROM A D.J. BUT DID NOT SEE ANY BAR PATRONS DANCING. THE C.I. STATED THERE WERE APPROXIMATELY 17 PEOPLE INSIDE THE BAR. AT APPROXIMATELY 0044 HOURS, THE C.I. OBSERVED TWO HISPANIC FEMALES DRESSED IN BIKINI TOP AND BIKINI BOTTOM (TWO PIECE) STYLE CLOTHES, ENTER THE BAR. THE C.I. STATED HE/SHE TOOK NOTICE BECAUSE THE TWO FEMALES APPEARED FROM A DOOR BEHIND THE BAR. BASED ON MY PERSONAL KNOWLEDGE OF THIS BUSINESS, I IDENTIFIED THIS DOOR AS THE DOOR THAT CONNECTS THE KITCHEN AREA TO THE BAR. THE C.I. STATED THE FEMALE DANCERS WERE NOT CHARGING BAR PATRONS FOR THE LAP DANCES, HOWEVER MONETARY TIPS WERE BEING GIVEN BY ALL BAR PATRONS GETTING LAP DANCES. THE C.I. STATED HE/SHE SAW [REDACTED] GIVING BAR PATRONS CHANGE IN ONE-DOLLAR BILLS (U.S. CURRENCY) WHICH IN TURN WERE USED TO TIP THE DANCERS FOR THE LAP DANCES. THE C.I. RECEIVED A LAP DANCE AND WAS NOT CHARGED BUT DID PROVIDE MONETARY TIPS IN THE FORM OF ONE-DOLLAR BILLS.

ADDITIONALLY, THE C.I. STATED HE/SHE WAS ABLE TO ORDER AND DRINK BEER THROUGHOUT HIS/HER TIME INSIDE THE BAR. SPECIFICALLY, THE C.I. STATED HE/SHE WITNESSED OTHER BAR PATRONS ORDER BEER (AND WERE SERVED), AT APPROXIMATELY 0210 HOURS. THE C.I. STATED HE/SHE ORDERED BEER AND WAS SERVED BEER AT APPROXIMATELY 0215 HOURS. I TOOK THE RECORDING DEVICE FROM THE C.I. AT WHICH POINT HE/SHE LEFT.

I LATER CONFIRMED THROUGH THE RECORDING THAT A FEMALE BAR TENDER (LATER IDENTIFIED AS [REDACTED]) WAS SERVING BEER AT APPROXIMATELY 0215 HOURS. THIS WAS CONFIRMED BY THE C.I. SHOWING HIS/HER WRIST WATCH IN THE VIDEO AS THE BARTENDER SERVED THE ALCOHOL (BEER).

BASED ON THE AFOREMENTIONED OBSERVATIONS BY BOTH THE C.I. AND DETECTIVE HENRIQUEZ, I DETERMINED [REDACTED] WAS ALLOWING AN ADULT-ORIENTED BUSINESS TO BE CONDUCTED BY ALLOWING THE FEMALE DANCERS TO PROVIDE LEWD LAP DANCES WHILE SEMI-NUDE IN BIKINI STYLE TOP AND BOTTOM CLOTHES (2 PIECES). I ALSO HAD KNOWLEDGE THAT [REDACTED] DID NOT HAVE A PERMIT FOR SUCH BUSINESS. BASED ON THE FACT [REDACTED] OPERATED THIS ADULT-ORIENTED BUSINESS WITHOUT A PERMIT, [REDACTED] WAS IN VIOLATION OF HUNTINGTON PARK MUNICIPAL CODE 5-20.04 AND 5-20.14(A) (ADULT

INCIDENT REPORT - NARRATIVE

Agency Name:	ORI#:	Report Date/Time:	OCA #:
Huntington Park Police Department	CA0193100	03/19/2020 16:11:56	20-01075

NARRATIVE

ORIENTED BUSINESS WITHOUT A PERMIT). BASED ON THE FACT THE C.I. WAS ABLE TO STAY PAST 0200 HOURS AND DRINK ALCOHOL ALONG WITH OTHER BAR PATRONS AND THERE WAS MUSIC PLAYING, I FORMED THE OPINION [REDACTED] WAS OPERATING A PRIVATE CLUB BETWEEN 0200 AND 0600 HOURS, IN VIOLATION OF HUNTINGTON PARK MUNICIPAL CODE SECTION 9-2.1316 (USE OF ESTABLISHMENT AS A PRIVATE CLUB BETWEEN 0200 AND 0600 HOURS).

BASED ON THE FACT THE C.I. WAS ALLOWED TO ORDER, AND WAS SOLD, ALCOHOL PAST 0200 HOURS, [REDACTED] WAS IN VIOLATION OF CALIFORNIA BUSINESS AND PROFESSIONS CODE SECTION 25631 (SALE OF ALCOHOL AFTER 0200 HOURS). BASED ON THE FACT THE C.I. AND OTHER BAR PATRONS WERE SERVED ALCOHOL PAST 0200 HOURS AND WERE ALLOWED TO CONSUME THAT ALCOHOL, [REDACTED] WAS IN VIOLATION OF CALIFORNIA BUSINESS AND PROFESSIONS CODE SECTION 25632 (ALLOW SERVICE AND CONSUMPTION OF ALCOHOL AFTER 0200 HOURS). LASTLY, DUE THE FACT [REDACTED] HIRED A PROPRIETARY PATROL GUARD, AND DID NOT HAVE A PERMIT BY THE CITY OF HUNTINGTON PARK TO DO SO, [REDACTED] WAS IN VIOLATION OF HUNTINGTON PARK MUNICIPAL CODE 3-1.1617 (HIRING PROPRIETARY PATROL GUARD WITHOUT A PERMIT).

WE PLANNED ONE LAST OPERATION ON MARCH 6, 2020 WHICH CONCLUDED THE MORNING OF MARCH 7, 2020. THIS OPERATION INCLUDED, LIEUTENANT KRAUT, SERGEANT VALLE, DETECTIVE S. DURAN #5281, DETECTIVE H. ANDRADE #5307, DETECTIVE HENRIQUEZ AND I. IN ADDITION TO HUNTINGTON PARK POLICE DETECTIVES, ABC AGENTS E. REYNOSO #1106, W. PINNEY #1238, V. ROCK #1200, E. VEGA #1161, AND J. HERNANDEZ #1241 WERE A PART OF THIS OPERATION.

AT 2350 HOURS, SERGEANT VALLE AND I MET WITH THE C.I. AT A PREDETERMINED LOCATION. THE SAME INSTRUCTIONS WERE GIVEN TO THE C.I. I HANDED THE C.I. \$100 IN U.S. CURRENCY FROM THE CSU FUNDS AND THE SAME RECORDING DEVICE. I ADVISE THE C.I. TO START THE RECORDING DEVICE AT APPROXIMATELY 0030 HOURS. I INSTRUCTED THE C.I. TO EXIT THE BUSINESS AT 0130 HOURS AND MEET BACK AT OUR PREDETERMINED LOCATION.

THE C.I. WALKED INTO THE BUSINESS ON MARCH 6, 2020 AT APPROXIMATELY 2355 HOURS. THE TWO UNDERCOVER ABC AGENTS (HERNANDEZ AND VEGA) ENTERED THE LOCATION AT 0050 HOURS. DURING THEIR TIME INSIDE THE BAR, DETECTIVE HENRIQUEZ WAS PARKED IN THE SAME LOCATION AS THE PREVIOUS SURVEILLANCE OPERATIONS (APPROXIMATELY 80 FEET FROM THE BAR'S FRONT DOORS). ONCE AGAIN, THE MUSIC COULD BE HEARD FROM THAT DISTANCE AND IT COULD BE HEARD BY LIEUTENANT KRAUT WHO WAS PARKED ACROSS THE STREET. BASED ON THOSE OBSERVATIONS, [REDACTED] WAS ONCE AGAIN IN VIOLATION OF HUNTINGTON PARK MUNICIPAL CODE SECTION 5-7.01.

ON MARCH 7, 2020 AT APPROXIMATELY 0128 HOURS, THE C.I. EXITED THE BUSINESS AND MET WITH SERGEANT VALLE AND I AT OUR PREDETERMINED LOCATION. ONCE THERE THE C.I. INFORMED US OF HIS/HER OBSERVATIONS; HE/SHE STATED THE FOLLOWING:

THE C.I. WALKED UP TO THE BUSINESS AND WAS ONCE AGAIN GREETED BY A SECURITY

INCIDENT REPORT - NARRATIVE

Agency Name:	ORI #:	Report Date/Time:	OCA #:
Huntington Park Police Department	CA0193100	03/19/2020 16:11:56	20-01075

NARRATIVE

GUARD WHO WAS CHECKING FOR WEAPONS. THE C.I. WALKED INTO THE BAR AND NOTICED APPROXIMATELY 19 PEOPLE INSIDE. THE C.I. NOTICED THE D.J. WAS PLAYING BUT DID NOT SEE ANYONE DANCING. THE C.I. OBSERVED [REDACTED] CHANGING CURRENCY FOR OTHER BAR PATRONS FOR ONE-DOLLAR BILLS. AT APPROXIMATELY 0100 HOURS, THE C.I. SAW THREE FEMALES WALK OUT FROM THE SAME DOOR BEHIND THE BAR. THESE HISPANIC FEMALES WERE SEMI-NUDE, DRESSED IN BIKINI STYLE TOP AND BOTTOM (2 PIECES). THEY PERFORMED LAP DANCES FOR BAR PATRONS AND DID NOT APPEAR TO CHARGE FOR THE DANCES, HOWEVER, THEY COLLECTED TIPS. THE THREE FEMALE DANCERS LEFT THE BUSINESS BY 0153 HOURS.

AT APPROXIMATELY 0230 HOURS, HUNTINGTON PARK POLICE DETECTIVES ALONG WITH ABC AGENTS E. REYNOSO #1106, W. PINNEY #1238, AND V. ROCK #1200, ENTERED THE PIZZA MIA THROUGH THE BAR AND KITCHEN SIDE. WE WERE DRESSED IN CIVILIAN CLOTHES; HOWEVER, WE HAD OUR LOAD BEARING POLICE VESTS ON WITH POLICE INSIGNIA TO INCLUDE POLICE BADGES AND LARGE PATCHES DISPLAYING THE WORDS, "POLICE."

JUST SECONDS PRIOR TO ENTERING, WE WERE MET BY THE SECURITY GUARD WHO WAS DETAINED. PRIOR TO OPENING THE DOORS, I HEARD THE MUSIC STOP PLAYING. AS WE WALKED IN, I SAW [REDACTED] WALKING TOWARD THE DOORS WE ENTERED. BAR PATRONS WERE ASKED TO LEAVE AND THE EMPLOYEES WERE ASKED TO STAY. THE BAR PATRONS WERE ALLOWED TO LEAVE WITHOUT INCIDENT AND THE EMPLOYEES, ALONG WITH [REDACTED] AND [REDACTED] WERE DETAINED PENDING FURTHER INVESTIGATION.

DETECTIVE HENRIQUEZ SAT DOWN WITH [REDACTED] AND SPOKE TO HIM REGARDING OUR INVESTIGATION. DETECTIVE HENRIQUEZ ASKED [REDACTED] WHAT TIME HIS BUSINESS WAS SUPPOSED TO CLOSE BASED ON HIS CONDITIONAL USE PERMIT WITH THE CITY. [REDACTED] RESPONDED BY STATING "ELEVEN." WHEN DETECTIVE HENRIQUEZ ASKED [REDACTED] WHAT TIME THE BUSINESS WAS SUPPOSED TO STOP SERVING ALCOHOL, [REDACTED] RESPONDED BY REPEATING, "ELEVEN." DETECTIVE HENRIQUEZ CORRECTED [REDACTED] BY TELLING HIM HIS CONDITIONAL USE PERMIT WITH THE CITY STATED THE BUSINESS WAS SUPPOSED TO STOP SERVING ALCOHOL AT TEN P.M. AND CLOSE BY ELEVEN P.M. WHEN DETECTIVE HENRIQUEZ QUESTIONED [REDACTED] REGARDING HOW LATE HE HAS KEPT THE BUSINESS OPEN, [REDACTED] RESPONDED BY SAYING HE HAS KEPT THE BUSINESS OPEN UNTIL "FOUR (IN THE MORNING)." [REDACTED] FURTHER EXPLAINED THAT HE CLOSES HIS BUSINESS TO THE GENERAL PUBLIC AT TWO A.M. AND ONLY ALLOWS FRIENDS INSIDE.

DETECTIVE HENRIQUEZ QUESTIONED [REDACTED] ABOUT THE DANCE ENTERTAINERS. [REDACTED] RELATED THAT A FRIEND HAD PROVIDED DANCERS FOR HIS ([REDACTED]) BIRTHDAY BACK IN MAY (2019). [REDACTED] SUBSEQUENTLY RECEIVED THE DANCER'S CONTACT INFORMATION FROM THAT FRIEND AND BEGAN PROVIDING DANCERS FOR OCCASIONS SUCH AS BIRTHDAYS. [REDACTED] EXPLAINED HE PAYS TWO DANCERS \$40 FOR 30 MINUTES, AND THE DANCERS KEEP WHATEVER TIPS THEY RECEIVE FROM PATRONS. THIS COINCIDED WITH STATEMENTS MADE BY THE C.I.

WHEN DETECTIVE HENRIQUEZ QUESTIONED [REDACTED] REGARDING THE SECURITY GUARD,

INCIDENT REPORT - NARRATIVE

Agency Name:	ORI #:	Report Date/Time:	OCA #:
Huntington Park Police Department	CAD193100	03/19/2020 16:11:56	20-01075

NARRATIVE

██████████ RESPONDED BY SAYING THE GUARD WAS INITIALLY A PATRON WHO OFFERED TO WORK FOR HIM AS A SECURITY GUARD. █████ STATED HE PAYS THE GUARD \$100 FOR FIVE HOURS OF SERVICE.

DETECTIVE HENRIQUEZ ISSUED █████ A CITATION (CITE NUMBER █████) FOR THE NUMEROUS VIOLATIONS THAT WERE OBSERVED FROM OUR FIRST OPERATION TO TONIGHT'S OPERATION. FOR MORE INFORMATION REGARDING THE CITATION, A COPY OF THE CITATION WAS ATTACHED TO THIS REPORT.

DETECTIVE HENRIQUEZ CONTACTED █████ WHO CONFIRMED █████ EMPLOYED HIM AS A SECURITY GUARD. █████ EXPLAINED HE HAS ONLY WORKED FOR █████ ONE OTHER DAY, WHICH WAS ON FEBRUARY 28, 2020. █████ PROVIDED A VALID BUREAU OF SECURITY AND INVESTIGATIVE SERVICES GUARD REGISTRATION CARD (CARD REGISTRATION # █████), THAT EXPIRES ON APRIL 30, 2021. █████ ALSO PROVIDED A VALID BATON PERMIT, ALLOWING HIM TO CARRY ALL EXPANDABLE, SIDE HANDLE AND STRAIGHT BATONS.

WHEN DETECTIVE HENRIQUEZ QUESTIONED █████ REGARDING HIS REGISTRATION AS A SECURITY GUARD WITH THE CITY OF HUNTINGTON PARK, █████ RELATED HE DID NOT REGISTER WITH THE CITY BECAUSE HE DID NOT KNOW HE HAD TO. IT SHOULD BE NOTED HUNTINGTON PARK MUNICIPAL CODE SECTION 3-1.1615(A) STATES THAT "IT SHALL BE UNLAWFUL FOR ANY PERSON TO PERFORM THE DUTIES OF A PROPRIETARY PATROL GUARD IN THE CITY WITHOUT FIRST REGISTERING WITH THE CITY." DETECTIVE ANDRADE USED A DIGITAL CAMERA TO TAKE SIX PHOTOGRAPHS OF █████ AND HIS UNIFORM. █████ UNIFORM DID NOT CONFORM TO HUNTINGTON PARK MUNICIPAL CODE SECTION 3-1.1609, WHICH OUTLINES THE REQUIREMENTS FOR SECURITY GUARD UNIFORMS. BASED ON THE FACT █████ DID NOT REGISTER AS A PROPRIETARY SECURITY GUARD WITH THE CITY OF HUNTINGTON PARK, HE WAS IN VIOLATION OF HUNTINGTON PARK MUNICIPAL CODE SECTION 3-1.1615. █████ WAS ISSUED A CITATION FOR THE AFOREMENTIONED VIOLATION (CITE NUMBER █████). A COPY OF THAT CITATION WAS ATTACHED TO THIS REPORT.

I SPOKE WITH █████ IN THE KITCHEN AND ASKED HER WHY IT WAS SHE ALLOWED THE FEMALE DANCERS TO PERFORM IN HER RESTAURANT AND BAR. █████ BEGAN TO DENY THAT SHE KNEW ABOUT THE DANCERS BY SAYING, IN SPANISH, "I DIDN'T KNOW." I STOPPED █████ DENIAL AND TOLD HER THAT WE HAD BEEN INVESTIGATING THEM FOR OVER A MONTH. I TOLD HER SHE HAD BEEN SEEN THERE WHILE THE DANCERS WALKED IN AND OUT OF THE KITCHEN AREA ON MULTIPLE OCCASIONS. I ASKED █████ IF SHE KNEW WHAT TIME THEY WERE SUPPOSE TO CLOSE AND STOP SERVING ALCOHOL. █████ STATED TWO A.M. I TOLD █████ THAT HER CONDITIONAL USE PERMIT WITH THE CITY OF HUNTINGTON PARK STATED THAT THEY HAD TO STOP SERVING ALCOHOL AT 10 P.M. AND THEY HAD TO BE CLOSED BY 11 P.M. I ALSO TOLD █████ THAT STATE LAW REQUIRES THEY STOP SERVING ALCOHOL BY TWO A.M. I ASKED █████ WHY IT WAS THEY WERE STAYING OPEN PAST TWO A.M. AND WHY THEY WERE HAVING FEMALE DANCERS. █████ STATED THAT THEY WERE HAVING FINANCIAL DIFFICULTIES AND THEN REMAINED QUIET. WHEN ASKED TO ELABORATE ON HER ANSWER, █████ SHOOK HER

INCIDENT REPORT - NARRATIVE

Agency Name:	ORI#:	Report Date/Time:	OCA #:
Huntington Park Police Department	CA0193100	03/19/2020 16:11:56	20-01075

NARRATIVE

HEAD AND DID NOT SAY ANYTHING; [REDACTED] WAS VISIBLY UPSET OVER THE SITUATION.

AFTER I SPOKE WITH [REDACTED], I SPOKE WITH [REDACTED] AND [REDACTED] WHO WERE IDENTIFIED AS EMPLOYEES BY THE UNDERCOVER ABC AGENTS. THEY WERE ALSO IDENTIFIED AS EMPLOYEES SERVING ALCOHOL PAST 0200 HOURS. BASED ON THE FACT ABC AGENTS HERNANDEZ AND VEGA SAW [REDACTED] AND [REDACTED] SERVE ALCOHOL AFTER 2 A.M., THEY WERE IN VIOLATION OF CALIFORNIA BUSINESS AND PROFESSIONS CODE SECTION 25632. I ISSUED [REDACTED] A CITATION FOR THE AFOREMENTIONED VIOLATION AND ATTACHED A COPY TO THIS REPORT (CITATION NUMBER [REDACTED]). I ISSUED [REDACTED] A CITATION FOR THE AFOREMENTIONED VIOLATION AND ATTACHED A COPY TO THIS REPORT (CITATION NUMBER [REDACTED]).

DURING OUR INVESTIGATION, ABC AGENT REYNOSO AND AGENT ROCK LOCATED SEVEN BOTTLES OF DISTILLED SPIRITS IN THE KITCHEN. THE BOTTLES FOUND INCLUDED TEQUILA, WHISKEY, AND RUM. BASED ON THE FACT [REDACTED] WAS IN POSSESSION OF THOSE DISTILLED SPIRITS, COUPLED WITH THE FACT HE WAS NOT LICENSED TO DO SO, AND THE FACT THEIR LICENSE ONLY ALLOWED THEM TO SELL/SERVE BEER AND WINE, [REDACTED] WAS IN VIOLATION OF CALIFORNIA BUSINESS AND PROFESSIONS CODE SECTION 25607(A). THE DISTILLED SPIRITS WERE TAKEN BY ABC AGENTS. ABC AGENTS ALSO CONTACTED [REDACTED] AND [REDACTED]. BASED ON CONDITIONS SET FORTH BY THEIR STATE OF CALIFORNIA ABC LICENSE, THEY REQUESTED THAT [REDACTED] AND [REDACTED] GRANT THEM ACCESS TO THEIR VIDEO SURVEILLANCE FOR THE BUSINESS. ABC AGENT HERNANDEZ WAS THE INVESTIGATING AGENT FOR ABC AND CONDUCTED A SEPARATE INVESTIGATION ON PIZZA MIA. FOR INTERVIEWS ABC AGENTS CONDUCTED AND ABC INVESTIGATIVE DETAILS, AND A LIST OF VIOLATIONS ABC AGENTS IDENTIFIED, REFER TO ABC AGENT HERNANDEZ' REPORT FILED UNDER CASE NUMBER 20-02028.

State of California
Department of Alcoholic Beverage Control

Traffic Nontraffic

MISDEMEANOR

Date of Violation **0310720 0215** Time **0215** Day of Week **S** ABC Report No. **20-02-028**

AM PM

Name (First, Middle, Last) **[Redacted]**

Address (Mailing Address) **[Redacted]**

City	State	Zip Code	Telephone Number
[Redacted]	[Redacted]	[Redacted]	[Redacted]

Sex	Hair	Eyes	Height	Weight	Race	Other Description
F	BLK	BLK	5'4"	100	+	BLK PERSON / BLUE JEANS

Vehicle License No. or VIN **[Redacted]** State **[Redacted]** Reg. MOYR **[Redacted]**

Yr. of Veh. **[Redacted]** Make **[Redacted]** Model **[Redacted]** Body Style **[Redacted]** Color **[Redacted]**

COMMERCIAL VEHICLE (Veh. Code, § 15210(b))

HAZARDOUS MATERIAL (Veh. Code, § 353)

Evidence of Financial Responsibility **[Redacted]**

Registered Owner or Lessee (First, Middle, Last) **[Redacted]** Same as Driver

Address (Mailing Address) **[Redacted]** Same as Driver

City **[Redacted]** State **[Redacted]** Zip **[Redacted]**

Corretable Violation (Veh. Code, § 40610) Booking Required (See Reverse) Misdemeanor or Infraction (Circle)
Yes No Code and Section Description

25631 B1 - SALES OF ALCOHOL AFTER 20:00

25632 B1 - PERMITTING SALES OF ALCOHOL AFTER 20:00

25633 B1 - UNLAWFUL POSSESSION OF DISTILLED SPIRITS

M

Speed Approx. **[Redacted]** P.F./Max Spd. **[Redacted]** Veh. Lmt. **[Redacted]** Comments (Weather, Road & Traffic Conditions) **[Redacted]**

Location of Violation(s) **[Redacted]** City/County of Occurrence **300 E FLORENCE AVE, HUNTINGTON PK, LA**

Violations not committed in my presence, declared on information and belief.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.
31720 **V. ROCK** **1200** **M**

Date **[Redacted]** Arresting or Citing Officer **[Redacted]** Badge No. **[Redacted]** Days off **[Redacted]**

Name of Arresting Officer, if different from Citing Officer **[Redacted]** Badge No. **[Redacted]** Days off **[Redacted]**

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.

X Signature **[Redacted]**

WHEN: **ON OR BEFORE THIS DATE 0310720 Time: 0215 AM/PM**

WHAT TO DO: **FOLLOW THE INSTRUCTIONS ON THE REVERSE.**

WHERE: **Court/Department CRIMINAL COURTS BUILDING**
Street Address: **210 W. TEMPLE ST.**
City: **LOS ANGELES** Phone Number: **213-974-5279**

You may arrange with the clerk to appear at a night session of the court.

TO BE NOTIFIED (with date and location to appear)

Callion No. **[Redacted]**

Judicial Council of California Form
Rev. 10-22-10 • Vehicle Code, § 40500(b), 40513(b), 40522, 40600; Pen. Code, § 853.9.
SEE REVERSE
TR-130

State of California
Department of Alcoholic Beverage Control

Traffic Nontraffic

MISDEMEANOR

Date of Violation **310720 0215** Time **0215** Day of Week **S** ABC Report No. **20-02-028**

AM PM

Name (First, Middle, Last) **[Redacted]**

Address (Mailing Address) **[Redacted]**

City	State	Zip Code	Telephone Number
[Redacted]	[Redacted]	[Redacted]	[Redacted]

Sex	Hair	Eyes	Height	Weight	Race	Other Description
M	BLK	BLK	5'4"	100	+	[Redacted]

Vehicle License No. or VIN **[Redacted]** State **[Redacted]** Reg. MOYR **[Redacted]**

Yr. of Veh. **[Redacted]** Make **[Redacted]** Model **[Redacted]** Body Style **[Redacted]** Color **[Redacted]**

COMMERCIAL VEHICLE (Veh. Code, § 15210(b))

HAZARDOUS MATERIAL (Veh. Code, § 353)

Evidence of Financial Responsibility **[Redacted]**

Registered Owner or Lessee (First, Middle, Last) **[Redacted]** Same as Driver

Address (Mailing Address) **[Redacted]** Same as Driver

City **[Redacted]** State **[Redacted]** Zip **[Redacted]**

Corretable Violation (Veh. Code, § 40610) Booking Required (See Reverse) Misdemeanor or Infraction (Circle)
Yes No Code and Section Description

25631 B1 - SALES OF ALCOHOL AFTER 20:00

25632 B1 - PERMITTING SALES OF ALCOHOL AFTER 20:00

25633 B1 - UNLAWFUL POSSESSION OF DISTILLED SPIRITS

M

Speed Approx. **[Redacted]** P.F./Max Spd. **[Redacted]** Veh. Lmt. **[Redacted]** Comments (Weather, Road & Traffic Conditions) **[Redacted]**

Location of Violation(s) **[Redacted]** City/County of Occurrence **300 E FLORENCE AVE, HUNTINGTON PK, LA**

Violations not committed in my presence, declared on information and belief.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.
31720 **V. ROCK** **1200** **M**

Date **[Redacted]** Arresting or Citing Officer **[Redacted]** Badge No. **[Redacted]** Days off **[Redacted]**

Name of Arresting Officer, if different from Citing Officer **[Redacted]** Badge No. **[Redacted]** Days off **[Redacted]**

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.

X Signature **[Redacted]**

WHEN: **ON OR BEFORE THIS DATE 0310720 Time: 0215 AM/PM**

WHAT TO DO: **FOLLOW THE INSTRUCTIONS ON THE REVERSE.**

WHERE: **Court/Department CRIMINAL COURTS BUILDING**
Street Address: **210 W. TEMPLE ST.**
City: **LOS ANGELES** Phone Number: **213-974-5279**

You may arrange with the clerk to appear at a night session of the court.

TO BE NOTIFIED (with date and location to appear)

Callion No. **[Redacted]**

Judicial Council of California Form
Rev. 10-22-10 • Vehicle Code, § 40500(b), 40513(b), 40522, 40600; Pen. Code, § 853.9.
SEE REVERSE
TR-130

Huntington Park Police Department MISDEMEANOR
NOTICE TO APPEAR Traffic Nontraffic **HP**

Date of Violation **3 / 7 / 2020** Time **0230** AM PM Day of Week **S M T W T F S** Case No. **20-01075**

Name (First, Middle, Last) **[REDACTED]** Owner's Responsibility (Veh. Code 40001)

Address **[REDACTED]**

City	State	Zip Code	E-mail address
Driver's Lic. No.	State	Class	Commercial <input type="checkbox"/> Age <input checked="" type="checkbox"/> Birth Date
Sex M	Hair BLK	Eyes BRN	Height 508 Weight 210 Race HISPANIC
Veh. Lic. No. or VIN	State	Reg/MCAV:	<input type="checkbox"/> COMMERCIAL VEHICLE (Veh. Code, § 15210(b)) <input type="checkbox"/> HAZARDOUS MATERIAL (Veh. Code, § 353)
Yr. of Veh.	Make	Model	Body S. <input type="checkbox"/> Color <input type="checkbox"/> Same as Driver
Evidence of Financial Responsibility <input type="checkbox"/> Same as Driver			
Registered Owner or Lessee <input type="checkbox"/> Same as Driver			
Address [REDACTED]	City	State	Zip Code
Correctable Violation (Veh. Code, 40610)		<input type="checkbox"/> Booking Required	Misdemeanor or Infraction (Circle)
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Code and Section 9-2-1304(A) HPMC (NO ENTERTAINMENT)	M <input type="checkbox"/>	<input type="checkbox"/> Description
<input type="checkbox"/>	PERMIT	<input type="checkbox"/>	<input type="checkbox"/> Continuation
<input type="checkbox"/>	9-2-1304(A) HPMC (NO ENTERTAINMENT)	<input type="checkbox"/>	<input type="checkbox"/> I am licensed
<input type="checkbox"/>	PERMIT	<input type="checkbox"/>	<input type="checkbox"/> M
Speed At 1st <input type="checkbox"/>	Excessive Speed <input type="checkbox"/>	Vel. Lmt. <input type="checkbox"/>	Safe <input type="checkbox"/> Radar <input type="checkbox"/> Continuation
Location of Violation (s) 3006 E FLORENCE AVE City of Occurrence HUNTINGTON PARK			
All: <input type="checkbox"/>	Comments (Weather, Road & Traffic Conditions) <input type="checkbox"/> Accident		

Violations not committed in my presence, I declare on information and belief.
 I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

Date **3 / 7 / 2020** **R. HENRIQUEZ** **5308** To _____
 Arresting or Calling Officer **Serial No.** **5601** **To** _____
 Dates off _____

Date **3 / 7 / 2020** **J. PORRAS** **5601** **To** _____
 Name of Arresting Officer, if different from Calling Officer **Serial No.** **5601** **To** _____
 Dates off _____

WITHOUT ADMITTING GUILT I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED
 BELOW.
 X Signature **[REDACTED]**

WHEN: ON OR BEFORE THIS DATE **5 / 7 / 2020** Time: **0830** AM PM

WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.

WHERE: Downey Courthouse
 7500 E. Imperial Hwy., Downey, CA 90242 (562) 803-7050
 Los Angeles Metro Court, Clerk's Office
 1045 S. Hill St., Los Angeles, CA 90007 (213) 742-1884
 Los Padres Juvenile Court
 7001 East 9th Dr., Downey, CA 90242 (562) 849-8654

Or Court Address _____
 BAIL OFFICE, OPEN DAILY EXCEPT SATURDAY, SUNDAY, AND HOLIDAYS
 COURT APPEARANCE MONDAY THROUGH FRIDAY 8:00 A.M. TO 4:00 P.M.

Notice to Appear form approved by the Judicial Council of California. **HP**
 Rev. 06-26-15 (Veh. Code, §§ 40500(b), 40513(b), 40522, 40560; Pen. Code § 853.9)
COURT

20-01075-A.

HUNTINGTON PARK POLICE DEPARTMENT

CONTINUATION OF MISDEMEANOR
NOTICE TO APPEAR Traffic Nontraffic

HP 176176

Date 3 / 7 / 2020 Time 02:30 AM Day of Week SMTWTFS Case No. 20-01075

Name (First, Middle, Last)

Veh. Lic. No. or Vin. PEDESTRIAN

Correctable Violation Veh. (Code, 40810)

Yes	No	Code and Section	Description	M	I
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9-2.1304(b) HPMC (NO ENTERTAINMENT PERMIT)	(M)		
<input type="checkbox"/>	<input type="checkbox"/>	5-7.01 HPMC (UNLAWFUL LOUD SPEAKER USE)	(M)		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5-7.01 HPMC (UNLAWFUL LOUD SPEAKER USE)	(M)		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5-7.01 HPMC (UNLAWFUL LOUD SPEAKER USE)	(M)		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	25632 B&P (ALLOW ALCOHOL CONSUMPTION AFTER HOURS)	(M)		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	25632 B&P (ALLOW ALCOHOL CONSUMPTION AFTER HOURS)	(M)		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	25631 B&P (SALES OF ALCOHOL AFTER HOURS)	(M)		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9-2.1316 HPMC (USE OF ESTABLISHMENT AS PRIVATE CLUB BETWEEN 2AM & 6AM)	(M)		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9-2.1316 HPMC (USE OF ESTABLISHMENT AS PRIVATE CLUB BETWEEN 2AM & 6AM)	(M)		

Violations not committed in my presence, declared on information and belief.
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct, and a continuation of the enforcement document noted.

R. HENRIQUEZ 5302
Arresting or Citing Officer Serial No.
3/7/2020 J. PORRAS 5601
Date Name of Arresting Officer, if different from Citing Officer Serial No.

WITHOUT ADMITTING GUILT, I AGREE TO APPEAR AT THE TIME AND PLACE INDICATED.
X Signature

Notice to Appear form approved by the Judicial Council of California.
Rev. 05-00 (Veh. Code, §§ 40500(b), 40255(b), 40522, 40600; Pen. Code § 853.9)
COURT

HUNTINGTON PARK POLICE DEPARTMENT

CONTINUATION OF

§ 87(2)(b) MISDEMEANOR

■ Nontraffic

100

HP 176176

NOTICE TO APPELLEE

Time
187

Day of
S M T W T

Case No.
20-

Case No.
20-01075

Name (first, Middle, Last)

PERFECT PIZZA

1970 EDITION (12-14-1970)

Violations not committed in my presence, declared on information and belief.
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct, and a continuation of the enforcement document noted.

R. HENRIONNET

Arresting or Chasing Officer

3/7/2020 E. PEREAS

Date Name of Arresting Officer, if different from Citing Officer

5308

Serial No.

5601

Serial No

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE
INDICATED:

Notice to Appear form approved by the Judicial Council of California.
Rev. 06-05-00 (Veh. Code, §§ 40500(b), 40255(b), 40522, 40600; Pen. Code § 853.9)

COURT

Huntington Park Police Department MISDEMEANOR Traffic Nontraffic HP

Date of Violation 3/7/2020 Time 0230 AM Day of Week S M T W T F S Case No. 20-01075

Name (First, Middle, Last) [Redacted] Owner Responsibility (Veh. Code, § 40501)

Address [Redacted]

City [Redacted] State [Redacted] Zip Code [Redacted] E-mail address [Redacted]

Driver's No. [Redacted] State [Redacted] Class [Redacted] Commercial Yes No Age [Redacted] Birth Date [Redacted]

Sex M Hair BLK Eyes BRN Height 5'06 Weight 150 Race HISP

Veh. Lic. No. or VIN [Redacted] State [Redacted] Reg/MC/VA [Redacted] COMMERCIAL VEHICLE (Veh. Code, § 15210(b))

Yr. of Veh. [Redacted] Make [Redacted] Model [Redacted] Body Style [Redacted] Color [Redacted] HAZARDOUS MATERIAL (Veh. Code, § 353)

Evidence of Financial Responsibility [Redacted] Same as Driver

Registered Owner or Lessee [Redacted] Same as Driver

Address [Redacted] Same as Driver

City [Redacted] State [Redacted] Zip Code [Redacted]

Correctable Violation (Veh. Code, 40510) Booking Required Misdemeanor or Infraction (Circle)

Code and Section 3-1.1615 HPMC (REGISTRATION)

Yes No REQ. FOR PROPRIETARY PLATE GUARD GUARD

Sold Approx. [Redacted] P.F./Max Spd. [Redacted] Veh. Lmt. [Redacted] Safe [Redacted] Radar [Redacted] Continuation Form issued

Location of Violation (s) At 3006 E Florence AV City of Occurrence HP

Comments (Weather, Road & Traffic Conditions) Accident

Violations not committed in my presence, declared on information and belief
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

Date 3/7/2020 P. HERTZBERG 530P To [Redacted]
Arresting or Citing Officer Serial No. Dates off

Date 3/7/2020 J. PERRAS 5601 To [Redacted]
Name of Arresting Officer, if different from Citing Officer Serial No. Dates off

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.
X Signature [Redacted]

WHEN: ON OR BEFORE THIS DATE 5/7/2020 Time 0830 AM PM
WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.

WHERE: Downey Courthouse
 Los Angeles Metro Court, Clerk's Office
 1845 S Hill St, Los Angeles, CA 90007 (213) 742-1884
 Los Pedregales Juvenile Court
7281 East Owl Dr, Downey, CA 90242 (562) 940-8851

Or Court Address [Redacted]

BAIL OFFICE OPEN DAILY EXCEPT SATURDAY, SUNDAY, AND HOLIDAYS
COURT APPEARANCE MONDAY THROUGH FRIDAY 8:00 A.M. TO 4:00 P.M.

Notice to Appear form approved by the Judicial Council of California. HP
Rev. 06-26-15 (Veh. Code, §§ 40500(b), 40513(b), 40522, 40600; Pen. Code, § 853.9)
COURT

20-01075-B
A-106320

Huntington Park Police Department: MISDEMEANOR Traffic Nontraffic HP

NOTICE TO APPEAR Date of Violation 3/7/2020 Time: 2:52 AM Day of Week: SMTWTF Case No. 20-01075

Name (First, Middle, Last) [REDACTED] Owners Responsibility (Veh. Code 40001) [REDACTED]

Address [REDACTED]

City [REDACTED] State [REDACTED] Zip Code [REDACTED] E-mail address [REDACTED]

Driver Lmt. [REDACTED] State [REDACTED] Class [REDACTED] Commercial [REDACTED] Age [REDACTED] Birth Date [REDACTED]

Sex [REDACTED] Hair [REDACTED] Eyes [REDACTED] Height [REDACTED] Weight [REDACTED] Race [REDACTED]

Veh. Lic. No. or VIN [REDACTED] State [REDACTED] Reg/MC/YR [REDACTED] COMMERCIAL VEHICLE (Veh. Code, § 15210(d))

Yr. of Veh. [REDACTED] Make [REDACTED] Model [REDACTED] Body S. [REDACTED] Color [REDACTED] HAZARDOUS MATERIAL (Veh. Code, § 553)

Evidence of Financial Responsibility Same as Driver

Registered Owner or Lessee Same as Driver

Address [REDACTED] Same as Driver

City [REDACTED] State [REDACTED] Zip Code [REDACTED]

Offense Violation (Veh. Code, 40510) Booking Required Misdemeanor or Felony (Circle) Violation (Circle)

Yes No 25032 BP - ALLOW M

SERVE ALCOHOL AFTER M

HOURS M

Speed Approx. [REDACTED] P.F. Max. Spd. [REDACTED] Veh. Lmt. [REDACTED] State [REDACTED] Radar [REDACTED] Continuation Form Issued [REDACTED]

Location of Violation At: 3000 E. FLORENCE Av. City of Offense [REDACTED] Accident

Comments (Weather, Road, Traffic Conditions) [REDACTED]

Violations of committed in my presence, I declare on information and belief. I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

Date 5/7/2020 Serial No. 5601 To Dates off

Date / / Name of Arresting Officer, if different from Citing Officer Serial No. To Dates off

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED
BELOW
X Signature [REDACTED]

WHEN: ON OR BEFORE THIS DATE 5/7/2020 Time: 2:52 AM PM
WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.

WHERE: Downey Courthouse
7500 E. Imperial Hwy., Downey, CA 90242 (562) 803-7050
 Los Angeles Metro Court, Clerk's Office
1946 S. Hill St., Los Angeles, CA 90007 (213) 742-1884
 Los Padrinos Juvenile Court
7281 East Quill Dr., Downey, CA 90242 (562) 940-8651

Or Court Address _____
BAIL OFFICE OPEN DAILY EXCEPT SATURDAY, SUNDAY, AND HOLIDAYS
COURT APPEARANCE MONDAY THROUGH FRIDAY 8:00 A.M. TO 4:00 P.M.

Notice to Appear form approved by the Judicial Council of California. HP
Rev. 06-28-15 (Veh. Code, §§ 40500(b), 40513(b), 40522, 40600; Pen. Code § 853.9)
COURT

20-01075-C
OTF DOB- [REDACTED]

Huntington Park Police Department MISDEMEANOR Traffic Nontraffic HP [REDACTED]

NOTICE TO APPEAR

Date of Violation 3/07/2020 Time 2:59 AM PM Day of Week S Case No. 20-01075

Name (Last, First, Middle Initial) Adriana Lopez Owner's Responsibility (Veh. Code 40001) 0

Address 12500 E. Florence Ave. State CA Zip Code 90242 E-mail Address [REDACTED]

City Downey State CA Zip Code 90242

Driver's Lic. No. 6241111111111111 Sex M Class C Commercial Age 31 Birth Date 01/01/1988

Yes No Weight 150 Race H

Veh. Lic. No. or VIN BRO Hair BRO Eyes BRO Height 5-3 Weight 150

Yr. of Veh. 2010 Make BMW Model 528i Body Sedan Color White

COMMERCIAL VEHICLE (Veh. Code, § 15210(b))
 HAZARDOUS MATERIAL (Veh. Code, § 353)

Evidence of Financial Responsibility

Registered Owner or Lessee Same as Driver

Address Same as Driver

City 12500 E. Florence Ave. State CA Zip Code 90242

Corretable Violation (Veh. Code, 40510) Booking Required Misdemeanor or Infraction (Circle)

Code and Section 25632 BP - ALLOW SERVE ALCOHOL AFTER HOURS

Yes NO 25632 BP - ALLOW SERVE ALCOHOL AFTER HOURS

Speed Approx. 55 P.F./Max. Spd. 65 Veh. Lmt. 65 Sals 1 Radar 1 Continuation Form Issued

Location of Violation 3000 E. FLORENCE AV. City of Occurrence Downey

At 3000 E. FLORENCE AV. Accident

Comments (Weather, Road & Traffic Conditions) Cloudy

Violations not committed in my presence, I declare on information and belief, that under the laws of the State of California the foregoing is true and correct.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

Date 3/07/2020 PORRAS, J. To _____

Arresting or Citing Officer PORRAS, J. Serial No. _____ Dates off _____

Date 3/07/2020 Name of Arresting Officer, if different from Citing Officer PORRAS, J. To _____

Serial No. _____ Dates off _____

WITHOUT ADMITTING GUILT PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.

X Signature PORRAS, J.

WHEN: ON OR BEFORE THIS DATE 3/07/2020 Time: 8:30 AM PM

WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.

WHERE: Downey Courthouse
 7500 E. Imperial Hwy, Downey, CA 90242 (562) 803-7050
 Los Angeles Metro Court, Clerk's Office
1945 B. Hill St., Los Angeles, CA 90007 (213) 742-1884
 Los Pedrinos Juvenile Court
7281 East Gulf Dr., Downey, CA 90242 (562) 940-8651

Or Court Address _____
BAIL OFFICE OPEN DAILY EXCEPT SATURDAY, SUNDAY, AND HOLIDAYS
COURT APPEARANCE MONDAY THROUGH FRIDAY 8:00 A.M. TO 4:00 P.M.

Notice to Appear form approved by the Judicial Council of California. HP
Rev. 06-26-15 (Veh. Code, §§ 40500(b), 40513(b), 40522, 40560; Pen. Code § 853.9)
COURT

20-01075-D

ALCOHOL BEVERAGE CONTROL INVESTIGATION REPORT

EXHIBIT E

CASE NO. 2015-01R CUP

State of California
INVESTIGATION REPORT


Department of Alcoholic Beverage Control

1 REPORT NUMBER 20-02-028	2. ASSIGNMENT NUMBER MON-10101259	3 PAGE 1 of 9
------------------------------	--------------------------------------	------------------

4. CODE SECTIONS INVESTIGATED (Section number and title)
 25631 B&P- Sales After-Hours 23804 B&P- Violation of Conditions
 25632 B&P- Permit Consumption After-Hours 311.6 PC- Permitting Obscene Live Conduct
 25607(a) B&P- Unlawful Possession of Alcoholic Beverages 25753 B&P- Failing to Produce Records
 CCR 143.2 (3)- Attire & Conduct, 143.3(1)(a) and (b)- Entertainers and Conduct

5. DAY/DATE/TIME OF INCIDENT
 Multiple dates/ times 6. LOCATION OF INCIDENT
 "Pizza Mia"
 3006 E. Florence Ave. #103, Huntington Park CA

CODE: L - Licensee; E - Employee; V - Victim; W - Witness; S - Suspect; O - Other

7. CODE S1	8. NAME (Last, first, middle)	9. TELEPHONE NUMBER
---------------	-------------------------------	---------------------

10. HOME ADDRESS	11. OTHER ADDRESS
------------------	-------------------

12. RACE H	13. SEX M	14. BIRTHDATE	15. AGE	16. APPARENTAGE	17. HAIR Blk	18. EYES Brn	19. HEIGHT 5-8	20. WEIGHT 220
---------------	--------------	---------------	---------	-----------------	-----------------	-----------------	-------------------	-------------------

21. OPERATOR'S LICENSE NUMBER	22. CLOTHING DESCRIPTION Black polo shirt
-------------------------------	--

23. MISCELLANEOUS INFORMATION
 Licensee at Pizza Mia

VEHICLE	24. LICENSE	25. STATE	26. YEAR	27. MAKE	28. MODEL	29. COLOR
	30. REGISTERED OWNER			31. ADDRESS		

32. SUMMARY OF REPORT

On March 7, 2020, CA Alcoholic Beverage Control Agents along with Huntington Park Police Department were working in the city of Huntington Park, county of Los Angeles pursuant to a complaint.

Undercover Agents were inside the above listed premises and were allowed to purchase and consume alcoholic beverages after 0200 hours. Female dancers/ entertainers were observed conducting obscene live acts inside the premises.

ABC Agents also discovered unlawful possession of alcoholic beverages inside the licensed premises.

Additionally, Licensees were in violation of their Petition for a Conditional License and failed to produce records formally requested.

ABC USE ONLY			
LICENSEE NAME	DBA PIZZA MIA		
PREMISES ADDRESS 3006 E FLORENCE AVE #103 HUNTINGTON PARK, CA 90255	LICENSE NUMBER	BUSINESS PHONE NUMBER	
INVESTIGATOR ID J. Hernandez #1241	SUPERVISOR ID E. Reynoso #1106	DATE	
SIGNATURE	ROUTING		
Criminal/ Administrative			

INVESTIGATION REPORT



1. REPORT NUMBER	2. ASSIGNMENT NUMBER	3 PAGE
20-02-028	MON-10101259	2 of 9

CODE: L – Licensee; E – Employee; V – Victim; W – Witness; S – Suspect; O – Other

7. CODE S2	8. NAME (Last, first, middle)		9. TELEPHONE NUMBER					
10. HOME ADDRESS			11. OTHER ADDRESS					
12. RACE H	13. SEX F	14. BIRTHDATE	15. AGE	16. APPARENTAGE	17. HAIR	18. EYES	19. HEIGHT	20. WEIGHT
					Brn	Brn	5-3	160
21. OPERATOR'S LICENSE NUMBER			22. CLOTHING DESCRIPTION Black polo shirt, blue jeans					
23. MISCELLANEOUS INFORMATION Licensee at Pizza Mia								

CODE: L – Licensee; E – Employee; V – Victim; W – Witness; S – Suspect; O – Other

7. CODE E	8. NAME (Last, first, middle) "Wendy"		9. TELEPHONE NUMBER N/A					
10. HOME ADDRESS N/A			11. OTHER ADDRESS N/A					
12. RACE H	13. SEX F	14. BIRTHDATE N/A	15. AGE N/A	16. APPARENTAGE 25-30	17. HAIR Blk	18. EYES Brn	19. HEIGHT 5-7	20. WEIGHT 125
21. OPERATOR'S LICENSE NUMBER N/A			22. CLOTHING DESCRIPTION Purple bikini with orange outline, thong bottom and top					
23. MISCELLANEOUS INFORMATION Dancer/ entertainer at premises on 3/7/20								

CODE: L – Licensee; E – Employee; V – Victim; W – Witness; S – Suspect; O – Other

7. CODE E	8. NAME (Last, first, middle) "Sonya"		9. TELEPHONE NUMBER N/A					
10. HOME ADDRESS N/A			11. OTHER ADDRESS N/A					
12. RACE H	13. SEX F	14. BIRTHDATE N/A	15. AGE N/A	16. APPARENTAGE 25-30	17. HAIR Blk	18. EYES Brn	19. HEIGHT 5-6	20. WEIGHT 130
21. OPERATOR'S LICENSE NUMBER N/A			22. CLOTHING DESCRIPTION Black thong, lace lingerie, top and bottom					
23. MISCELLANEOUS INFORMATION Dancer/ entertainer at premises on 3/7/20								

INVESTIGATION REPORT

1. REPORT NUMBER	2. ASSIGNMENT NUMBER	3 PAGE
20-02-028	MON-10101259	3 of 9

CODE: L – Licensee; E – Employee; V – Victim; W – Witness; S – Suspect; O – Other

7. CODE E	8. NAME (Last, first, middle) [REDACTED]		9. TELEPHONE NUMBER	
--------------	---	--	---------------------	--

10. HOME ADDRESS [REDACTED]	11. OTHER ADDRESS [REDACTED]	
--------------------------------	---------------------------------	--

12. RACE H	13. SEX F	14. BIRTHDATE [REDACTED]	15. AGE [REDACTED]	16. APPARENTAGE 37	17. HAIR Bro	18. EYES Bro	19. HEIGHT 5-3	20. WEIGHT 150
---------------	--------------	-----------------------------	-----------------------	-----------------------	-----------------	-----------------	-------------------	-------------------

21. OPERATOR'S LICENSE NUMBER [REDACTED]	22. CLOTHING DESCRIPTION [REDACTED]	
---	--	--

23. MISCELLANEOUS INFORMATION Waitress cited by HPPD		
---	--	--

CODE: L – Licensee; E – Employee; V – Victim; W – Witness; S – Suspect; O – Other

7. CODE O	8. NAME (Last, first, middle) Lt. P. Kraut #5207 Sgt. A. Valle #5584 Det. J. Porras #5601 Det. R. Henriquez #5308		9. TELEPHONE NUMBER 323-584-6254	
--------------	---	--	-------------------------------------	--

10. HOME ADDRESS [REDACTED]	11. OTHER ADDRESS [REDACTED]	
--------------------------------	---------------------------------	--

12. RACE	13. SEX	14. BIRTHDATE	15. AGE	16. APPARENTAGE	17. HAIR	18. EYES	19. HEIGHT	20. WEIGHT
----------	---------	---------------	---------	-----------------	----------	----------	------------	------------

21. OPERATOR'S LICENSE NUMBER [REDACTED]	22. CLOTHING DESCRIPTION [REDACTED]	
---	--	--

23. MISCELLANEOUS INFORMATION Officers, Huntington Park Police Department, Crime Suppression Unit		
--	--	--

CODE: L – Licensee; E – Employee; V – Victim; W – Witness; S – Suspect; O – Other

7. CODE O	8. NAME (Last, first, middle) SA E. Reynoso #1106 Agent J. Hernandez #1241 Agent E. Vega #1161 Agent W. Pinney #1238 Agent V. Rock #1200		9. TELEPHONE NUMBER 626-256-3241	
--------------	---	--	-------------------------------------	--

10. HOME ADDRESS [REDACTED]	11. OTHER ADDRESS [REDACTED]	
--------------------------------	---------------------------------	--

12. RACE	13. SEX	14. BIRTHDATE	15. AGE	16. APPARENTAGE	17. HAIR	18. EYES	19. HEIGHT	20. WEIGHT
----------	---------	---------------	---------	-----------------	----------	----------	------------	------------

21. OPERATOR'S LICENSE NUMBER [REDACTED]	22. CLOTHING DESCRIPTION [REDACTED]	
---	--	--

23. MISCELLANEOUS INFORMATION ABC Agents, Monrovia District Office		
---	--	--



1. REPORT NUMBER	2. ASSIGNMENT NUMBER	3. PAGE
20-02-028	MON-10101259	4 of 9

ATTACHMENTS/EXHIBITS:

1. Certified copy of ABC-172 (Petition for Conditional License) 2 pages, dated 6/28/16.
2. Certified copy of ABC-257 (Licensed Premises Diagram) 2 pages, dated 4/28/16.
3. Certified copy of ABC 203 (Acknowledgement of ABC Laws, Rules, and/or Regulations) 1 page, dated 5/11/16.
4. Notice to Produce Records (Video Surveillance), 1 page, dated 3/6/20.
5. Copy of Huntington Park Police Department Report #20-01075, 16 pages, dated 3/19/20.
6. ABC Supplemental report 20-02-028, 2 pages, dated 3/7/20.
7. Digital photograph of [REDACTED] taken by Agent Pinney on 3/7/20.
8. Digital photograph of [REDACTED] taken by SA Reynoso on 3/7/20.
9. Digital photograph of "WENDY" and "SONYA" with [REDACTED], taken by Agent Hernandez on 3/7/20.
10. Digital photograph of "WENDY", taken by Agent Hernandez on 3/7/20.
11. Digital photograph of "SONYA", taken by Agent Hernandez on 3/7/20.
12. Digital photographs of inside premises, taken by Agent Rock on 3/7/20.
13. Digital photographs of receipts, taken by Agent Rock on 3/7/20.
14. Digital photographs of distilled spirits, taken by SA Reynoso on 3/7/20.
15. Copy of ABC-320 (Evidence/Property Receipt/Report) 3 pages, dated 3/7/20.

*Note: Original ABC-333 with original attachments on file at Monrovia District Office, under DR #20-02-028.

HISTORY/ BACKGROUND

On July 18, 2016, the Department issued a Type 41- On Sale Beer and Wine License at the premises, DBA- Pizza Mia, located at 3006 E. Florence Ave., Suite 102-103, in the city of Huntington Park.

On February 6, 2020, a complaint was submitted by Huntington Park Police Department (HPPD) for Pizza Mia. The nature of complaint was related to lewd conduct (Dancers performing obscene live acts) and the unlawful possession of alcoholic beverages, specifically distilled spirits.

Licensee, [REDACTED] was provided an ABC-172 (see exhibit #1) acknowledging a Petition for Conditional License signed on June 28, 2016.

CIRCUMSTANCES/INVESTIGATIONS:

On Friday , March 6 and concluding on Saturday March 7, 2020, Department of Alcoholic Beverage Control (ABC) Agents, W. Pinney #1238, E. Reynoso #1106, V. Rock #1200, E. Vega #1161, and I (Agent J. Hernandez #1241), were working in the city of Huntington Park, in the County of Los Angeles at the above-named premises pursuant to a complaint. We were working with HPPD Officers. Agents Rock, Pinney, and Reynoso were working in a high-profile capacity, with the word "POLICE" clearly displayed both in the front and rear of their tactical vests.

INVESTIGATION REPORT



1. REPORT NUMBER	2. ASSIGNMENT NUMBER	3 PAGE
20-02-028	MON-10101259	5 of 9

At approximately 0050 hours, Agent Vega and I arrived at Pizza Mia. We were working in an undercover capacity. We were informed by Sergeant Valle with HPPD, there would be dancers/entertainers arriving to the above-named premises soon.

As we approached the premises, I could hear, loud audible music from approximately 100 feet from the licensed portion of the premises. It should be noted, loud audible music was also present during previous visits conducted on February 7 and February 21, 2020. As a result, Pizza Mia was in violation of their Petition of Conditional License, specifically condition #4 (see exhibit #1), which states:

Entertainment provided shall not be audible beyond the area under the control of the licensee(s) as defined on the ABC-257 dated 4/28/16 AND ABC-253 dated 4/28/16.

Prior to entering, a Hispanic male security guard conducted a pat down search of us prior to allowing us to enter the premises.

Once inside, I observed approximately 20 patrons, the majority being male. I observed approximately five employees to include, Licensee(s) [REDACTED] (see exhibit #7) and his spouse, [REDACTED] (see exhibit #8). The location was slightly illuminated. I could see the interior of the premises and peoples' faces and features. I recognized some of the employees from previous visits. The employees were wearing all black clothing with some having the words, "Pizza Mia" on their shirts, making them distinguishable from patrons. The premises had one fixed bar located in the middle of the premises.

We were greeted by [REDACTED], who was standing behind the fixed bar and handling transactions at the cash register. Agent Vega and I sat down at a table on the south side of the premises where we had a clear view of all patrons and their actions at the premises. Moments later, we were greeted by a Hispanic female waitress, who was later identified by HPPD as [REDACTED] (for further details refer to exhibit #5). I greeted her and ordered two Bud Light beers. A few minutes later we were served the beers and I paid for them.

While inside, I observed a Disc Jockey (DJ) playing, loud audible music along with flashing lights. I observed [REDACTED] walking throughout the premises greeting patrons.

At approximately 0100 hours, the DJ announced the dancers would be performing soon. During this time, I was able to observe two Hispanic female dancers at the doorway of the kitchen behind the fixed bar. They were standing next to [REDACTED] and talking to [REDACTED] in a familiar manner (see exhibit #9).

Moments later, the lights were dimmed, and DJ lights continued flashing. The music continued playing in the background. Three adult, Hispanic female dancers entered the main dining area where Agent Vega and I were seated. All three dancers were wearing bikini bottom and tops with high heels. During this time, I observed [REDACTED] holding a stack of U.S. currency in his hands and walking around the premises exchanging money from patrons in the form \$1.00 bills. I got [REDACTED] attention and asked for change. I provided him with a \$10.00 bill, and he provided me with (10), \$1.00 bills in exchange.



1. REPORT NUMBER	2. ASSIGNMENT NUMBER	3 PAGE
20-02-028	MON-10101259	6 of 9

Based on my training and experience, I surmised these \$1.00 bills were being exchanged by [REDACTED] to allow patrons to provide them as tips to the female dancers.

As the dancers made their way around to multiple patrons and performed obscene live conduct with multiple patrons, one of the dancers approached me, wearing a purple G-string with matching top and black high heel boots (see exhibit #10). She greeted me and asked if I wanted a dance. I said yes. She turned her back toward me and began moving her hips from side to side and shaking her buttocks in my face. She then lowered her hips and spread her legs while simultaneously slightly touching my genital area with her buttocks and moving in an up and down motion simulating sexual intercourse. I tipped her two \$1.00 bills by placing them into her waistband. She continued moving her buttocks against my genital area for approximately 10 seconds and then raised her hips and stood in an upright position continuing to move her hips from side to side. She then placed her left boot on the table next to me and spread her legs and began dancing with her buttocks against my face. I tipped her again with three \$1.00 bills by placing them into her waistband. As she continued to perform for me, I asked for her name. She introduced herself to me as "WENDY". "WENDY" remained unidentified throughout the course of the investigation. "WENDY" finished her performance with me and moved on to another patron.

A few minutes later, I was approached by another dancer who was wearing a black lace lingerie with silver colored high heel boots (see exhibit #11). She greeted me and asked if I wanted a performance. I said yes and she began moving her hips from side to side while looking at me. She then lowered her hips and spread her legs to straddle me. Simultaneously slightly touching my genital area with her vaginal and buttock area and moving in an up and down motion simulating sexual intercourse. I tipped her two \$1.00 bills by placing them into her waistband. She continued moving her buttocks against my genital area for approximately 10 seconds and then raised her hips and stood in an upright position continuing to move her hips from side to side. She turned her back to me and straddled me once again while slightly touching my genital area through my pants. She was moving her hips side to side and up and down simulating sexual intercourse. Throughout the performance, touching and caressing was happening. I tipped her again with three \$1.00 bills by placing them into her waistband. As she continued to perform for me, I asked for her name. She introduced herself to me as "SONYA". "SONYA" remained unidentified throughout the course of the investigation. "SONYA" finished her performance with me and moved on to another patron.

Throughout the performances being conducted by the dancers, [REDACTED] was observing everything occurring and appeared to be in constant contact with the females as they made their way around the premises to multiple patrons to perform for them.

At approximately 0125 hours, I observed "WENDY" and another unidentified dancer who was wearing an orange colored bikini with black colored high heel boots perform a final dance for an adult Hispanic male patron. I observed the patron have his shirt removed by the dancers and placed the male on the floor of the main dining area. While the male was laying on the floor, both dancers performed obscene live acts. I observed both females maneuvering their bodies on top of the patron in various ways simulating both oral sex and sexual intercourse. I recorded my observations utilizing my department issued cell phone and can be referred to for further details.

INVESTIGATION REPORT



1. REPORT NUMBER	2. ASSIGNMENT NUMBER	3 PAGE
20-02-028	MON-10101259	7 of 9

At approximately 0130 hours, the performance by the dancers concluded and they departed from the dining area. I continued making observations after the dancers departed. Patrons continued ordering alcoholic beverages from waitresses.

At approximately 0145, I ordered two additional Bud Light beers from [REDACTED]. Based on my training and experience, this service should have been denied or I should have been informed I only had until 0200 hours to consume the alcoholic beverage. Minutes later, she arrived with the Bud Light beers and I paid her. It should be noted, both [REDACTED] and [REDACTED] were continuing to interact with patrons with no sign of stopping any sales of alcohol at 0200 hours.

At approximately 0215 hours I checked my department issued cell phone verifying the time. I observed a few patrons arrive and sit a table in the middle of the dining area. These patrons appeared to make an order from the [REDACTED] and minutes later she provided the patrons a bucket of beer (a total of 5 beers in a metal bucket filled with ice).

Moments later, Agent Vega approached the fixed bar and ordered two additional beers from [REDACTED] who was continuing to work at the cash register. Agent Vega ordered two Bud Light beers and provided a \$10.00 bill to [REDACTED]. She completed the sales transaction and provided Agent Vega the beers.

At approximately 0230 hours, I contacted Agent Pinney to advise him of the violations and our observations inside the premises.

Minutes later, ABC Agents along with officers from HPPD entered the premises.

Agent Pinney later provided me the following information with regards to his conversation and observations while inside the premises:

At approximately 0230 hours we arrived at Pizza Mia along with HPPD. We walked to the premises and I entered the northern door to the kitchen side of the premises with SA Reynoso. I contacted several female staff and asked them to move to the other side of the premises where all the patrons were and to sit down. While walking through the kitchen, I observed a shelf with several bottles of distilled spirits. SA Reynoso later photographed the bottles. The premises was secured, and all patrons not involved in the investigation were asked to leave. A Huntington Park PD officer detained [REDACTED] outside of the premises. I contacted [REDACTED] and advised him of the numerous violations including after hour sales of alcoholic beverages and possession of distilled spirits. [REDACTED] stated the premises does last call at approximately 0130 hours. I advised him I know they sold after hours tonight and have been doing so for several months. [REDACTED] stated the distilled spirits were from a private party he recently had at the premises and they were not for sale. I advised him as a licensee, he should know that these types of alcoholic beverages are not permitted on the premises regardless if they were for sale or not. I escorted [REDACTED] inside to go over the citation I was going to issue him. I took a photograph of him and I issued him citation # [REDACTED]. I obtained his thumb print on the citation as he did not have any form of identification with him. [REDACTED] signed the citation and he was provided a copy. I provided [REDACTED] with a "Notice to Produce Records" for the video



1. REPORT NUMBER	2. ASSIGNMENT NUMBER	3 PAGE
20-02-028	MON-10101259	8 of 9

surveillance and had him sign a copy. I advised him he had 5 days to produce the requested items. I asked him to show me the surveillance camera system. [REDACTED] stated the system erases after one week so any video from the previous weekend was already erased. I had [REDACTED] play me the recording from one of the cameras from inside the premises showing the dancers performing for the patrons. I recorded a portion of the recording for approximately 1.5 minutes on my department issued cellular telephone. I later transferred the video to a department database for Agent Hernandez. We concluded our investigation and left the premises at approximately 0315 hours.

Agent Rock later provided me the following information with regards to his conversation and observations while inside the premises:

At approximately 0230 hours we arrived at Pizza Mia along with HPPD. We entered the premises and cleared out the patrons. I took photographs of the alcoholic beverages which were being consumed within the premises. I further took pictures of the receipts within the premises which depicted alcoholic beverage purchases after 0200 hours on March 7 and previous dates.

Following this, I went in the kitchen where SA Reynoso already had an assortment of unlawful alcoholic beverages which were distilled spirits out on a counter.

I then proceeded to a table in the premises where HPPD was already speaking with [REDACTED]. The HPPD Detective asked how much the security is paid. The licensee stated that he paid the security guard 100 dollars per night for 5 hours of work. I asked how long the girls have been coming to the premises to perform, and he replied that they have been coming since May of 2019. I asked if the girls work for him. He replied that he pays for the girls to come to the premises. He further stated that he is only charged for two girls and he paid 40 dollars per girl for a half hour. He went on to say that the girls only come occasionally, and it started with them just coming to the premises for a birthday party. I asked how late the premises stays open for alcoholic beverage sales and he replied that they stay open sometimes past 4 am. We concluded our investigation and left the premises at approximately 0315 hours.

During the investigation, [REDACTED] was issued citation No. [REDACTED] for the following violations:

- 25631 B&P- Sales After Hours
- 25632 B&P- Permitting consumption after hours
- 25607(a) B&P- Unlawful possession of alcoholic beverages
- 311.6 PC- Permitting obscene live conduct

[REDACTED] was issued citation No. [REDACTED] for the following violations:

- 25631 B&P- Sales After Hours
- 25632 B&P- Permitting consumption after hours
- 25607(a) B&P- Unlawful possession of alcoholic beverages

INVESTIGATION REPORT

1. REPORT NUMBER	2. ASSIGNMENT NUMBER	3 PAGE
20-02-028	MON-10101259	9 of 9

In addition, the following administrative violations were committed:

- CCR 143.3(1)(a) and (b)- Entertainers and Conduct
- CCR 143.2 (3)- Attire & Conduct
- 23804 B&P- Violation of Conditions
- 25753 B&P- Failing to Produce Records

It should be noted, HPPD also investigated criminal violations by Pizza Mia employees and other city codes, refer to HPPD report for further details.

I returned to the Monrovia District office and subsequently booked the evidence under DR #20-02-028.

On March 12, 2020, I contacted [REDACTED] via telephone and informed him the requested records were due. He informed me he had the video on a memory stick and would be dropping it off to the Monrovia District Office on March 12 or 13. I informed [REDACTED] he had the option to mail the memory stick and he insisted he could just drop it off. I acknowledged his response and informed him I would be expecting it.

On March 16, 2020, I again contacted [REDACTED] via telephone and informed him the requested item was not received. He informed me he was sick the week prior and he would be dropping off today. I acknowledged his response and informed him I would be expecting it.

To date, the request has not been fulfilled. As a result, an additional administrative violation of 25753 B&P- Failing to Produce Records, is being requested to be added.

BUSINESS LICENSE APPLICATION

EXHIBIT F

CASE NO. 2015-01R CUP

**CITY OF HUNTINGTON PARK**

Finance Department | License Division
6550 Miles Avenue, #127 Huntington Park, CA 90255
Tel: (323) 584-6232 | Fax: (323) 588-2657
license@huntingtonpark.org

**BUSINESS LICENSE
APPLICATION**

Account No. _____

*The Huntington Park Municipal Code requires that all businesses operating in the City obtain a license.
It is the responsibility of the applicant to maintain an active business license by renewing each year.*

Type of Application:	<input type="checkbox"/> New Business	<input type="checkbox"/> Change of Ownership
<input type="checkbox"/> Change of Address	<input type="checkbox"/> Change of Business Name	<input checked="" type="checkbox"/> Change of Business Description
Type of License:	<input checked="" type="checkbox"/> Commercial/Industrial	<input type="checkbox"/> Non-Profit Organization
<input type="checkbox"/> Contractor	<input type="checkbox"/> Home Occupation	<input type="checkbox"/> Property Rental
Type of Ownership:	<input checked="" type="checkbox"/> Sole	<input type="checkbox"/> Partnership
<input type="checkbox"/> LLC	<input type="checkbox"/> Corporation	<input type="checkbox"/> Trust

Business Information	Business Name / DBA <u>Pizza Mia</u>	E.F. <u>5-103-103</u>
Business Address	<u>3006 E Florence Ave</u>	<u>Huntington Park CA 90255</u>
Mailing Address	<u>3006 E Florence Ave</u>	<u>Huntington Park CA 90255</u>
Business Phone	<u>(323) 585-6666</u>	Email <u>[REDACTED]</u>
Federal ID No.	<u>[REDACTED]</u>	State Tax No. <u>[REDACTED]</u>
State Class & License No.	<u>[REDACTED]</u>	Board of Equalization No. <u>[REDACTED]</u>
Estimated Gross Receipts for First Year of Business		

Owner's Name/ Corporate Officer	<u>[REDACTED]</u>	Date of Birth <u>[REDACTED]</u>
Owner's Address	<u>[REDACTED]</u>	City, State, Zip <u>[REDACTED]</u>
Owner's Phone	<u>[REDACTED]</u>	Email <u>[REDACTED]</u>
Driver's License No.	<u>[REDACTED]</u>	SSN <u>[REDACTED]</u>
2 nd Owner's Name	<u>[REDACTED]</u>	Date of Birth <u>[REDACTED]</u>
Owner's Address	<u>[REDACTED]</u>	City, State, Zip <u>[REDACTED]</u>
Owner's Phone	<u>[REDACTED]</u>	Email <u>[REDACTED]</u>
Driver's License No.	<u>[REDACTED]</u>	SSN <u>[REDACTED]</u>

Business Description	Business operation statement. Include products/services offered or produced as well as any parts of the business that are incidental to the primary use.	
<u>Pizza, Take out & delivery with alcohol sales (beer & wine) And sealing wine</u>		
Number of Employees	<u>3</u>	Hours of Operation <u>10:00 A.M. to 12:00 P.M.</u>
Making Tenant Improvements	<input type="checkbox"/> Yes <input type="checkbox"/> No	Any existing business signs <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Sharing Tenant Space	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, business name <u>Pizza Mia</u>
Status of Business	<input type="checkbox"/> Vacant <input checked="" type="checkbox"/> Occupied	Current Business



CITY OF HUNTINGTON PARK
BUSINESS LICENSE APPLICATION
Page 2

Will the business include any of the following? (Check all that apply)							
Supplemental	Adult-oriented items or activities	Cyber cafe		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Pawn brokering		Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Dance	Yes <input type="checkbox"/> No <input type="checkbox"/>	Precious metals purchase	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Alcohol sales	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Entertainment	Yes <input type="checkbox"/> No <input type="checkbox"/>	Restaurant with seating	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Alcohol/drug counseling	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Firearm/weapons sales	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Short-term/payday loans	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Auto title loans	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Fortune telling	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Tobacco sales	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Banquet facility	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Gaming	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Used merchandise	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Check cashing	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Medical marijuana	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Vending machines	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Currency exchange	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Money transfer	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Video machines	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

I hereby certify under penalty of perjury that the information provided herein is to the best of my knowledge and belief, a true and complete statement. I understand that this application is not a license and that no business activity may commence until a business license is issued.	
Signature	Date 07/26/16
Printed Name and Title	

If processing by mail please include the following:

- Completed Application Form
- All applicable schedules
- Check payable to City of Huntington Park
- Mail to the attention of:

*City of Huntington Park Business License Division
6550 Miles Avenue, #127
Huntington Park, CA 90255*

PLANNING / OFFICE USE ONLY							
General Plan:	COMMERCIAL	Zone:	1	SIC Code:	1321	1322	1323
Previous Use/Business:	CPI PLASTIC & VINYL EXPANSION INTO ADJACENT SPACE						
Note:	B2 STAND ALONE IN EXISTING BUILDING						
<input type="checkbox"/> Permitted	<input checked="" type="checkbox"/> Permitted with Enclosure (CUP/DP#)	150	<input type="checkbox"/> Pending	<input type="checkbox"/> Prohibited			
Planning Approval:	Date: 7-26-16						

BUILDING / FIRE (OFFICE USE ONLY)							
Building Approval:	Date:	Fire Approval:	Date:	Building Approval:	Date:	Fire Approval:	Date:

FINANCE (OFFICE USE ONLY)							
Business License Fee:	Occupancy Fee:	Misc. Fee:	Application Fee:	Change of Location Fee:	Penalty Fee:	Total:	\$ 0

ALCOHOL BEVERAGE CONTROL LICENSE

EXHIBIT G

CASE NO. 2015-01R CUP

STATE OF CALIFORNIA
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
ALCOHOLIC BEVERAGE LICENSE
ON-SALE BEER AND WINE - EATING PLACE

VALID FROM

Jul 18, 2016

EXPIRES

Jun 30, 2017

TYPE NUMBER DUP

41

AREA CODE

1925 04

ORI

BUSINESS ADDRESS (IF DIFFERENT) DBA: PIZZA MIA
3006 E FLORENCE AVE
#103
HUNTINGTON PARK, CA 90255

CONDITIONS

OWNERS:

7



IMPORTANT INFORMATION

EFFECTIVE PERIOD: This license is effective only for the operating period shown above. A new license will be sent 4 to 6 weeks after the expiration date on your license if payment is timely. Your license status will remain in good standing for 60 days after the expiration date if the renewal payment was received timely. To check the status of your license, visit <http://www.abc.ca.gov/datport/LQSMenu.html>.

RENEWAL NOTICES: Renewal notices are sent to premises address unless a specific mailing address is requested. If a notice is not received 30 days before expiration date shown above, contact the nearest ABC office. To assure receipt of notices, advise your local ABC office of any change in address.

RENEWAL DATES: It is the licensee's responsibility to pay the required renewal fee by the expiration date shown above.
A Penalty is charged for late renewal and the license can be automatically revoked for failure to pay.

RENEWAL PAYMENTS: Renewal payments can be made in person by visiting your local office or sent by mail to ABC Headquarters, 3927 Lennane Drive, Suite 100, Sacramento, CA 95834. If you do not have your renewal notice, your license number and the reason for payment (ex. "renewal") must be clearly indicated on the check. You can contact your local ABC office for your renewal fee amount.

SEASONAL LICENSES: It is the licensee's responsibility to pay the required renewal fee prior to the next operating period.

POSTING: Cover this license with glass or other transparent material and post it on premises in a conspicuous place.

CONDITIONS: A copy of all applicable conditions must be kept on premises.

LICENSEE NAME: Only 10 names will be printed on each license. If there are more names associated with the license, they will be indicated by "AND XX OTHERS". All names are on file and available upon request from your local ABC office.

DBA: If you change your business name please notify your local ABC office.

If you have any questions regarding this license, contact your local ABC office. You can find the contact information for each district office at <http://www.abc.ca.gov/distmap.html>.

NOTE: CONTACT YOUR LOCAL ABC OFFICE IF YOUR LICENSED PREMISES WILL BE TEMPORARILY CLOSED FOR MORE THAN 15 DAYS OR WILL BE PERMANENTLY CLOSED.

Page 1

License Serial#

OPERATING RESTRICTIONS:

*Operating Restrictions exist. For more information, please see our Guidelines for Access to Records.

DISCIPLINARY ACTION:

No Active Disciplinary Action found

DISCIPLINARY HISTORY: No Disciplinary History found.

HOLDS:

No Active Holds found

ESCROWS:

No Escrow found

LICENSE INFORMATION

License Number: [REDACTED] Primary Owner: [REDACTED]

Office of Application:02 - MONROVIA

BUSINESS NAME

PIZZA MIA

BUSINESS ADDRESS

3006 E FLORENCE AVE #103, HUNTINGTON PARK, CA, 90255

County: LOS ANGELES Census Tract: 5331.07

LICENSEE INFORMATION

Licensee: [REDACTED] Licensee: [REDACTED]

LICENSE TYPES

41 - ON-SALE BEER AND WINE - EATING PLACE

License Type Status: ACTIVE Status Date: 19-JUL-2016 Term: 12 Month(s)

Original Issue Date: 18-JUL-2016 Expiration Date: 30-JUN-2020 Master: Y

Duplicate: 0 Fee Code: P40 Transfers:

WRITTEN NOTICE TO REVOKE CUP NO.
2015-01

EXHIBIT H

CASE NO. 2015-01R CUP



CITY OF HUNTINGTON PARK

NOTICE OF REVOCATION HEARING

August 6, 2020

VIA U.S. MAIL

Florence Business Center LLC
Attn: Mr. Behnam Kerendian
[REDACTED]

Pizza Mia
Attn: Mr. Eric Fombona-Rios & Mrs. Yojana Karolina Fombona
[REDACTED]

RE: Notice of Revocation Hearing –
Conditional Use Permit Case No. 2015-01
3006 E. Florence Avenue, Suites 102-103, Huntington Park, CA 90255

Dear Mr. & Mrs. Fombona/Mr. Kerendian:

The City of Huntington Park ("City") has obtained evidence and information that support revocation of Conditional Use Permit with Case No. 2015-01 for the property located at 3006 E. Florence Avenue, Suites 102-103 pursuant to Huntington Park Municipal Code ("HPMC") section 9-2.1112. The City's Planning Commission will conduct a Revocation Hearing related to the above-referenced Conditional Use Permit at the date, time and location provided below.

This correspondence will serve as your notice of the Revocation Hearing pursuant to HPMC section 9-2.1112 regarding the revocation of the above-referenced Conditional Use Permit for property located at 3006 E. Florence Avenue, Suites 102-103.

PLACE: Huntington Park Civic Center
City Council Chambers on 2nd Floor
6550 Miles Avenue
Huntington Park, CA 90255

DATE & TIME: Wednesday, August 26, 2020 at 6:30 p.m.

APPLICANT: City of Huntington Park

REQUEST: **CASE NO. 2015-01R CUP – CONDITIONAL USE PERMIT – A REQUEST TO CONSIDER THE REVOCATION OF CONDITIONAL USE PERMIT NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT CASE NO. 2015-01, INCLUDING, BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E. FLORENCE AVENUE SUITES 102-103, WITHIN**

THE COMMERCIAL GENERAL (CG) ZONE

PROPERTY INVOLVED:	3006 E. Florence Avenue Suites 102-103, Huntington Park, CA 90255
REVIEW OF THE FILE:	If you have concerns, questions, or wish to review or comment on the foregoing items, contact the City's Planning Division at (323) 584-6210 or visit the office located at 6550 Miles Avenue, during the hours of 7:00 a.m. to 5:30 p.m., Monday through Thursday.
COVID-19 SPECIAL NOTICE:	<p>On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of COVID-19 and subsequently on March 12, 2020, issued Executive Order N-25-20, which allows Planning Commission Members to attend Planning Commission meetings telephonically. Please be advised that some, or all, of the City of Huntington Park Planning Commission Members and staff may attend this meeting telephonically.</p> <p>Given the health risks associated with COVID-19, the City is encouraging members of the public to submit their comments and questions in writing, for Planning Commission considerations, by sending them to the Secretary of the Planning Commission at planning@h pca.gov. All comments and questions will be read during the meeting.</p>

If you wish to attend the Planning Commission meeting in person, the City's Conference Room on the 2nd floor of City Hall will be open and available for the public to offer public comment telephonically. We ask that members of the public in attendance use social distancing practices. Please contact the Secretary of the Planning Commission at (562) 584-6210, for any questions.

Should you challenge the revocation of the above-referenced Conditional Use Permit in a court of law, you may be limited to raising only those issues raised as part of the Revocation Hearing, including written correspondence delivered to the Community Development Department at or prior to the Revocation Hearing.

Additionally, be advised that the Revocation hearing may be continued, adjourned or cancelled and rescheduled to a stated time and place without further notice.

Should you have any questions, please feel free to contact me at (323) 584-6250 or via email at cluis@h pca.gov.

Sincerely,

CITY OF HUNTINGTON PARK

Carlos Luis
Planning Manager

cc: Director of Community Development

**SECOND WRITTEN NOTICE TO REVOKE CUP
NO. 2015-01**

EXHIBIT I

CASE NO. 2015-01R CUP



CITY OF HUNTINGTON PARK

NOTICE OF REVOCATION HEARING

August 18, 2020

VIA U.S. MAIL

Florence Business Center LLC
Attn: Mr. Behnam Kerendian
[REDACTED]

**RE: 2nd Notice of Revocation Hearing –
Conditional Use Permit Case No. 2015-01
3006 E. Florence Avenue, Suites 102-103, Huntington Park, CA 90255**

Dear Mr. Kerendian:

The City of Huntington Park ("City") has obtained evidence and information that support revocation of Conditional Use Permit with Case No. 2015-01 for the property located at 3006 E. Florence Avenue, Suites 102-103 pursuant to Huntington Park Municipal Code ("HPMC") section 9-2.1112. The City's Planning Commission will conduct a Revocation Hearing related to the above-referenced Conditional Use Permit at the date, time and location provided below.

This correspondence will serve as your second notice regarding the revocation of the above-referenced Conditional Use Permit for property located at 3006 E. Florence Avenue, Suites 102-103.

PLACE: Huntington Park Civic Center
City Council Chambers on 2nd Floor
6550 Miles Avenue
Huntington Park, CA 90255

DATE & TIME: Wednesday, August 26, 2020 at 6:30 p.m.

APPLICANT: City of Huntington Park

REQUEST: CASE NO. 2015-01R CUP – CONDITIONAL USE PERMIT – A REQUEST TO CONSIDER THE REVOCATION OF CONDITIONAL USE PERMIT NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT CASE NO. 2015-01, INCLUDING, BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E. FLORENCE AVENUE SUITES 102-103, WITHIN GENERAL (CG) ZONE

**PROPERTY
INVOLVED:**

3006 E. Florence Avenue Suites 102-103, Huntington Park, CA 90255

**REVIEW OF
THE FILE:**

If you have concerns, questions, or wish to review or comment on the foregoing items, contact the City's Planning Division at (323) 584-6210 or visit the office located at 6550 Miles Avenue, during the hours of 7:00 a.m. to 5:30 p.m., Monday through Thursday.

**THE
COMMERCIAL
COVID-19
SPECIAL
NOTICE:**

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of COVID-19 and subsequently on March 12, 2020, issued Executive Order N-25-20, which allows Planning Commission Members to attend Planning Commission meetings telephonically. Please be advised that some, or all, of the City of Huntington Park Planning Commission Members and staff may attend this meeting telephonically.

Given the health risks associated with COVID-19, the City is encouraging members of the public to submit their comments and questions in writing, for Planning Commission considerations, by sending them to the Secretary of the Planning Commission at planning@h pca.gov. All comments and questions will be read during the meeting.

If you wish to attend the Planning Commission meeting in person, the City's Conference Room on the 2nd floor of City Hall will be open and available for the public to offer public comment telephonically. We ask that members of the public in attendance use social distancing practices. Please contact the Secretary of the Planning Commission at (562) 584-6210, for any questions.

Should you challenge the revocation of the above-referenced Conditional Use Permit in a court of law, you may be limited to raising only those issues raised as part of the Revocation Hearing, including written correspondence delivered to the Community Development Department at or prior to the Revocation Hearing.

Additionally, be advised that the Revocation hearing may be continued, adjourned or cancelled and rescheduled to a stated time and place without further notice.

Please also confirm receipt of this notice by contacting me via email at cluis@h pca.gov.

Sincerely,

CITY OF HUNTINGTON PARK

Carles Luis
Planning Manager

cc: Director of Community Development

NOTICE OF PUBLIC HEARING FOR CITY COUNCIL MEETING

EXHIBIT J

CASE NO. 2015-01R CUP



CITY OF HUNTINGTON PARK

NOTICE OF PUBLIC HEARING

The City Council of the City of Huntington Park will hold a Special Meeting to consider a public hearing.

PLACE: Huntington Park Civic Center
City Council Chambers on 2nd Floor
6550 Miles Avenue
Huntington Park, CA 90255

DATE & TIME: **Tuesday, September 28, 2021 at 6 p.m.**

APPLICANT: Mr. Eric Fombona-Rios & Mrs. Yojana Karolina Fombona dba Pizza Mia Restaurant

REQUEST: **APPEAL CASE NO. 2021-01R – AN APPEAL TO THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK OF A DETERMINATION BY THE PLANNING COMMISSION ADOPTING RESOLUTION 2015-01R REVOKING CONDITIONAL USE PERMIT CASE NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT 2015-01, INCLUDING BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER & WINE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 3006 E. FLORENCE AVENUE SUITES 102-103, WITHIN THE COMMERCIAL GENERAL (CG) ZONE**

PROPERTY INVOLVED: **3006 E. Florence Avenue, Suites 102-103, Huntington Park, CA 90255**

Given the health risks associated with COVID-19, the City is restricting public attendance at City Council meetings. The City is encouraging members of the public to submit their comments and questions in writing, for City Council considerations, by sending them to the Office of the City Clerk at publiccomment@h pca.gov up until one (1) hour prior to the start of the meeting. All comments and questions will be read during the meeting prior to final action. The City Council will consider staff's recommendations, the assessment, and public input at the meeting, prior to taking action.

Anyone having concerns, questions, or wishing to review or comment on the project on the foregoing items may contact the City's Community Development Department at (323) 584-6210 or visit the office located at 6550 Miles Avenue, during the hours of 7:00 a.m. to 5:30 p.m., Monday through Thursday.

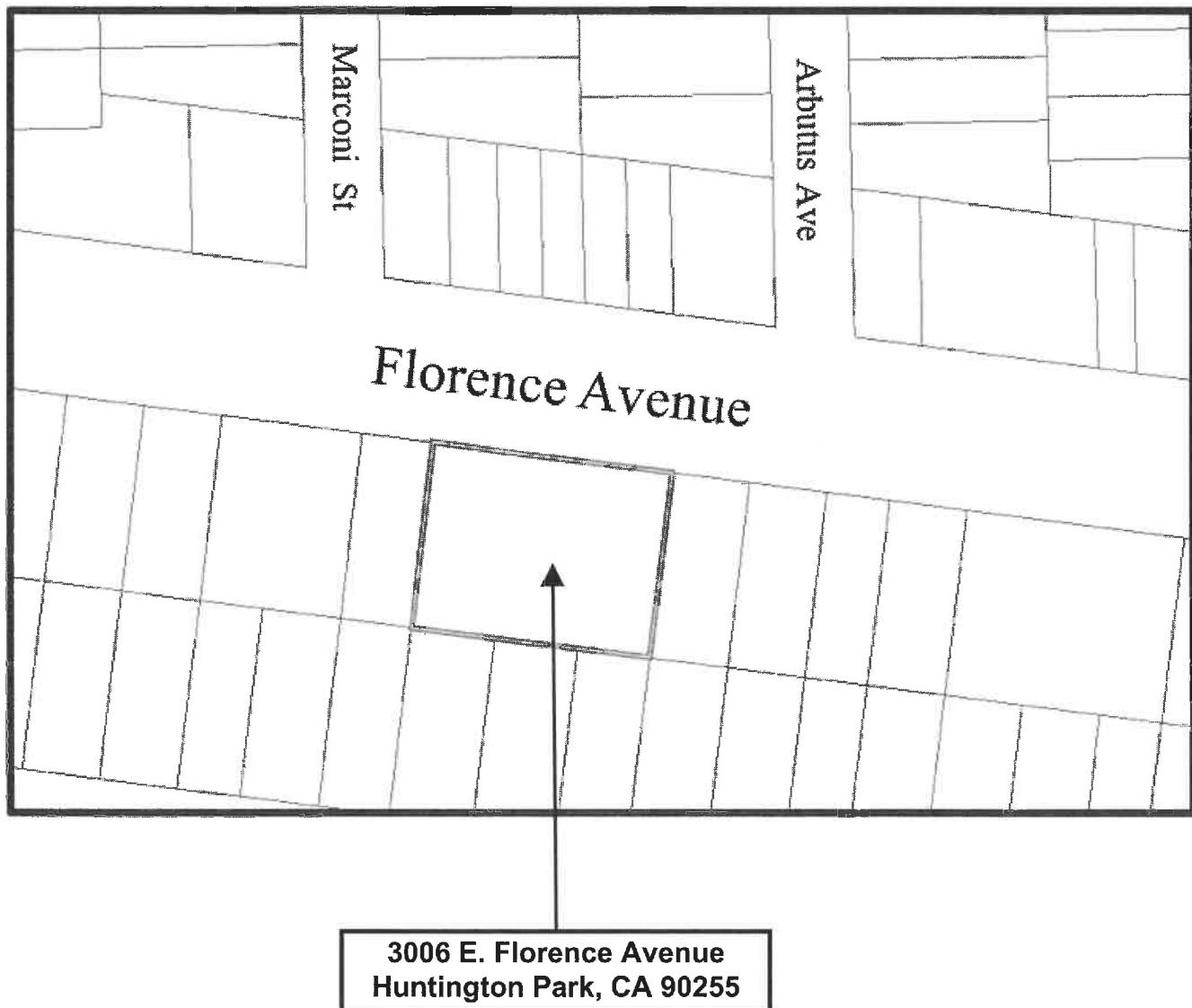
Also, anyone objecting to or in favor of the above may submit their comments in writing to the City prior to said meeting. Written comments should be addressed to the City Clerk, City of Huntington Park, 6550 Miles Avenue, Huntington Park, CA 90255.

PLEASE NOTE: If you challenge any of the foregoing actions in court, you may be limited to raising only those issues you or someone else raised at the public hearing for final action described in this notice, or in a written correspondence delivered to the City Clerk prior to or at the public hearing.

ESPAÑOL: Si desea obtener información acerca de esta junta en español, favor de llamar al (323) 584-6210.

HUNTINGTON PARK CITY COUNCIL
Sergio Infanzon, Acting City Clerk

VICINITY MAP



RESOLUTION NO. 2021-26

EXHIBIT K

CASE NO. 2015-01R CUP

RESOLUTION NO. 2021-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, STATE OF CALIFORNIA, UPHOLDING THE PLANNING COMMISSION'S DETERMINATION TO REVOKE CONDITIONAL USE PERMIT NO. 2015-01 AND ANY EXTENSIONS OR OTHER PERMITS IN CONNECTION WITH CONDITIONAL USE PERMIT CASE NO. 2015-01, INCLUDING, BUT NOT LIMITED TO CASE NO. 2015-01A, WHICH ALLOWED FOR THE ON-SALE OF BEER AND WINE IN CONJUNCTION WITH A RESTAURANT ON PROPERTY LOCATED AT 3006 E. FLORENCE AVENUE SUITES 102-103, HUNTINGTON PARK, CALIFORNIA

WHEREAS, On April 15, 2015, the Planning Commission approved Resolution No. 2015-01 granting Mr. Eric Fambona-Rios a Conditional Use Permit for on-sale of beer and wine in conjunction with a restaurant located at 3006 E. Florence Avenue, in the Commercial General (CG) Zone on the following described property: Assessor's Parcel No. 6212-002-053; City of Huntington Park, County of Los Angeles; and

WHEREAS, On May 19, 2016, the Planning Commission approved Resolution No. 2015-01A granting a 6-month time extension to CUP No. 2015-01; and

WHEREAS, On August 26, 2020, the Planning Commission approved Resolution No. 2015-01R revoking Conditional Use Permit Case No. 2015-01 and any extensions or other permits in connection with Conditional Use Permit Case No. 2015-01, including, but not limited to Case No. 2015-01A disallowing the use of a on-sale beer and wine; and

WHEREAS, Condition No. 3 of Resolution No. 2015-01 states, "That the proposed use shall comply with all applicable City, County, State and Federal codes, laws, rules, and regulations, including Health, Building and Safety, Fire, Sign, Zoning, and Business License."; and

WHEREAS, Condition No. 23 of Resolution No. 2015-01 states, "That the business shall stop serving alcohol at 10:00 p.m. and close at 11:00 p.m. daily"; and

WHEREAS, on August 6, 2020, the business owner was duly noticed of the Planning Commission hearing on August 26, 2020, to consider the revocation of Conditional Use Permit No. 2015-01; and

WHEREAS, the City Council is required to announce its findings and

1 recommendations.

2 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK**
3 **DOES FIND, DETERMINE, RECOMMEND AND RESOLVES AS FOLLOWS:**

4 **SECTION 1:** The revocation of Conditional Use Permit No. 2015-01 and any
5 extensions or other permits in connection with Conditional Use Permit Case No. 2015-01,
6 including, but not limited to Case No. 2015-01A has been reviewed for compliance with the
7 California Environmental Quality Act (CEQA) and is found to be exempt from CEQA under
8 Section of 15321 for Enforcement Actions by Regulatory Agencies, which exempts
9 enforcement actions taken by a permitting agency, including revoking a use permit due to
10 violations of the operational conditions of said permit by an applicant.

11 **SECTION 2:** The City Council finds that in accordance with Section
12 9-2.1112 of the Huntington Park Municipal Code, a Conditional Use Permit may be revoked
13 or modified by the Commission if any one of the following findings can be made:

- 14 1. That circumstances been changed by the applicant to a degree that one or
15 more of the findings contained in the original permit can no longer be made in
16 a positive manner and the public health, safety and welfare require the
17 revocation;
- 18 2. That the Conditional Use Permit was issued, in whole or in part, on the basis
19 of a misrepresentation or omission of a material statement in the application,
20 or in the applicant's testimony presented during the public hearing, for the
21 entitlement or permit;
- 22 3. That the use for which the Conditional Use Permit was granted had ceased or
23 was suspended for six (6) or more months;
- 24 4. That one or more of the conditions of the Conditional Use Permit have not
25 been met;
- 26 5. That the use is in violation of any statute, ordinance, law or regulation; or
- 27 6. That the use permitted by the Conditional Use Permit is detrimental to the
28 public health, safety or welfare or constitutes a nuisance.

1 **SECTION 3:** The City Council finds that pursuant to Section 9-2.1112 (1) of the
2 Huntington Park Municipal Code, "That circumstances been changed by the applicant to a
3 degree that one or more of the findings contained in the original permit can no longer be
4 made in a positive manner and the public health, safety and welfare require the revocation."
5

6 *In that finding (D) of Conditional Use Permit 2015-01, which states "that the
7 establishment, maintenance or conducting of the use for which a conditional use
8 permit is sought will not, under the particular case, be detrimental to the persons
9 residing or working in the neighborhood of such use; and will not, under the
10 circumstances of the particular case, be detrimental to the public welfare or injurious
11 to the property or improvements in the neighborhood" cannot be made due to the
12 fact that the business has not operated consistent with State Alcohol Beverage
13 Control (ABC) Laws and Public Safety Laws of the City of Huntington Park as evident
14 by four (4) surveillance operations performed by HPPD and three (3) investigations
15 performed by ABC, which documented unpermitted adult entertainment activities,
16 selling and serving of alcoholic beverages past 2:00 a.m., unlawful possession of
17 alcoholic beverages, unpermitted Live Entertainment, and loud noise emanating from
18 the business. Based on the State and local violations, the existing restaurant is
19 operating under circumstances that are detrimental to the public welfare of the
20 community.*

21 **SECTION 4:** The City Council finds that pursuant to Section 9-2.1112 (4) of the
22 Huntington Park Municipal Code, "That one or more of the conditions of the Conditional Use
23 Permit have not been met."

24 *In that the following conditions of approval have been documented to be out of
25 compliance based on surveillance operations performed by HPPD and investigations
26 performed by ABC (numbered as they appear in the CUP):*

27 **3. That the proposed use shall comply with all applicable City, County, State
28 and Federal codes, laws, rules, and regulations, including Health, Building and**

1 **Safety, Fire, Sign, Zoning, and Business License – Based on four (4) surveillance**
2 **operations performed by HPPD, three (3) investigations performed by ABC, and City**
3 **records the business operation was found to be out compliance with the following**
4 **codes, laws, rules, and regulations:**

5 a. **State Alcohol Beverage Control – The business operation was selling**
6 **and serving alcohol past 2:00 a.m. The business owner was in possession of distilled**
7 **spirits bottles. The business owner allowed for obscene live conduct to take place**
8 **inside the business. ABC also noted violations related to entertainer attire and**
9 **conduct. Lastly, the ABC report also identifies that the owner has failed to produce**
10 **records as requested by ABC. These are violations of State Laws.**

11 b. **Building Code – The subject tenant space has expired building permits**
12 **for the expansion of the restaurant from suite 102 to 103. The project never received**
13 **final inspection from the City's Building and Safety Division. As a result, the**
14 **expansion area should not be utilized for occupancy. Occupancy of an unpermitted**
15 **area is a violation of Building Codes.**

16 c. **Zoning Code – Adult Entertainment is not permissible at the subject**
17 **location as it is not located within the Special Uses Overlay Zone. Performing or**
18 **allow for the performance of adult entertainment, lap dancers, at the subject location**
19 **is a violation of Zoning Code section 9-4.202. Live Entertainment in the form of a DJ**
20 **requires an Entertainment Permit from the City. Due to the fact that no Entertainment**
21 **Permit has been issued, the business is in violation of Zoning Code section 9-**
22 **2.1304(a). A Dance Permit is also required for dancing to take place within a business**
23 **establishment in the City of Huntington Park. Due to the fact that no Dance Permit**
24 **has been issued, the business is in violation of Zoning Code section 9-2.1202.**

25 d. **Business License Code – The business owner hired an unlicensed patrol**
26 **guard. The City of Huntington Park requires a permit for patrol guards. The business**
27 **owner is in violation of Business License Code section 3-1.605 and**
28 **3-1.167 of the HPMC.**

1 **23. That the business shall stop serving alcohol at 10:00 p.m. and close at**
2 **11:00 p.m. daily. HPPD and ABC report the business remained open for business**
3 **past 11:00 p.m. It is also reported that the business sold and served alcoholic**
4 **beverages past 10:00 p.m. Both actions are in violation of Condition No. 23 of**
5 **Resolution 2015-01, which stipulates the business shall stop serving alcohol at 10:00**
6 **p.m. and close by 11:00 p.m.**

7 **SECTION 5:** The City Council finds that pursuant to Section 9-2.1112(6) of the
8 Huntington Park Municipal Code, "the use permitted by the Conditional Use Permit is
9 detrimental to the public health, safety or welfare or constitutes a nuisance."

10 ***In that the business has not operated consistent with State Alcohol Beverage***
11 ***Control (ABC) Laws and Public Safety Laws of the City of Huntington Park as evident***
12 ***by four (4) surveillance operations performed by HPPD and three (3) investigations***
13 ***performed by ABC, which documented unpermitted adult entertainment activities,***
14 ***selling and serving of alcoholic beverages past 2:00 a.m., unlawful possession of***
15 ***alcoholic beverages, unpermitted Live Entertainment, and loud noise emanating from***
16 ***the business. In addition, the subject site is located immediately adjacent to***
17 ***residentially zoned property, which is subject to the loud noise generated by the***
18 ***unpermitted business activities extending past 2:00 a.m. as documented by HPPD***
19 ***and ABC reports. Based on State and local violations, the existing cocktail lounge is***
20 ***operating under circumstances that are detrimental to the public welfare of the***
21 ***community.***

22 **SECTION 6:** Based on the findings set forth in Sections 2 through 5 of this
23 Resolution and the evidence in the record, the City Council hereby revokes Conditional Use
24 Permit No. 2015-01 and any extension or other permits in connection with Conditional Use
25 Permit Case No. 2015-01, including, but not limited to case No. 2015-01A for the on-sale of
26 beer and wine in conjunction with a restaurant on property located at 3006 E. Florence
27 Avenue Suites 102-103, Huntington Park, California.

1 **SECTION 7:** The City Clerk shall certify to the adoption of this resolution and a copy
2 thereof shall be filed with the City Clerk.

4 **PASSED, APPROVED, AND ADOPTED** this 28th day of September, 2021 by the
5 following vote:

7 AYES:

8 NOES:

9 ABSTAIN:

10 ABSENT:

14 Graciela Ortiz, Mayor

15 ATTEST:

19 Sergio Infanzon, Acting City Clerk