

From: michael sribney

Sent: Monday, November 13, 2023 2:41 AM

To: Carrie Tai <CTai@hermosabeach.gov>; Daniel Hortert <dhortert@hermosabeach.gov>; Community-Development <CommunityDevelopment@hermosabeach.gov>

Subject: Supplemental material for Pedones Pizza agenda for today's Planning Commission Nov 13/'23

Hi Daniel/Carrie.

Please include my 2 page supplemental for the Pedones Pizza agenda item for today's Planning Commission meeting Nov. 13/'23. Please email me back that it was received and my supplemental 2 page will be forwarded to the Planning Commission so that they have today to review it before the meeting.

Thanks Mike Sribney
Pedones Pizza

To: Hermosa Beach Planning Commission, Community Development & Police Chief LeBaron
11/11/'23

As I stated to the Planning Commission in our prior meeting on 9/19/'23, that my 1st knowlege that a 38 yr old CUP existed for the Pedones Pizza address, was when I met w Police Chief Lebaron & Carrie Tai on a meeting on 9/13/'23. Thus, I had been following the operating hours of my predecessor who owned Pedones Pizza for 8 years, prior to me owning Pedones since July 2004. Not aware of this prior CUP is what landed me here today.

Based on the city staff recommendation to the Planning Commission to adopt resolution 23-08 to modify the pre-existing BZA resolution #154-591, I agree to adhere to the new added conditions to the CUP. I also agree to accept the 7 day suspension of alcohol sales effective the day after the Nov 13th Planning Commission public hearing.

2 weeks ago on Monday Oct 23/'23, I met w Police Chief LeBaron, Carrie Tai, & Daniel Hortert at my restaurant Pedones Pizza in which they came up w a list of things for Pedones Pizza to follow moving forward, some of which are the added conditions to the new CUP. I completed that list within a few days after our meeting & emailed them back photos of the items completed. During this meeting at Pedones we also discussed the option to do online food delivery orders til 2 am w the restaurant closed & locked to the public which is condition 18 in the new CUP. I showed them the small sliding window near the front entrance of Pedones, in which the food would be passed off to the delivery drivers after closing hours to the public. No driver is allowed to enter inside the premise after closing hours to the public and no food orders would be taken at the sliding glass window...only online food delivery

orders would be allowed after closing hours to the public. My staff & I know when a delivery driver is about to arrive to Pedones to pick up a food order because of a unique i-pad for these online food ordering companies. Thus, the food is passed over to the delivery driver thru the sliding glass window & driver is gone in 2 seconds...not minutes. This is the same procedure that I followed during Covid when restaurants were only allowed delivery & pick up w no dine in allowed. My business has forever changed due to Covid with 40-50% of my sales now coming from 3rd party food delivery companies such as Doordash, UberEats, Postmates, Grubhub, Slice, Eatstreet etc. My business from pre-Covid to post Covid has changed dramatically w higher wages, insurance, rent, utilities, food costs, & drygoods costs (since 40-50% of my business is to go orders using recycleable to go containers which is 2-3 times the price as non-recycleable to go containers). It is virtually impossible for me to survive w the hours of operation to this CUP w/o being able to do online food orders til 2:30am. There is a high volume of online food sales after 12am til 2:30am that will make the difference of being able to pay the bills. It is hard for most restaurants to survive in Hermosa. This is why we see a high revolving door of new restaurants or change of ownership over the years. Non Pier Promenade restaurants are struggling where we have seen Dia de Campo close, the Ice Cream shop next to Chase Bank close & recently weeks ago Rok Sushi closing its doors. There are numerous restaurants that are currently for sale in Hermosa, and I am sure that it's not because they are thriving.

I would even accept a longer 10 or 12 day suspension of alcohol sales, just to be able to provide online food orders til 2:30am opposed to 2am everyday. This is how important that this is, to the survival of my business, by accepting longer than a 7 day suspension of alcohol sales.

This is why I am asking the Planning Commission to work w me so that Pedones Pizza can generate enough sales to stay in business. I wanted to mention that Dominos Pizza on PCH & 2nd st. in Hermosa also has a 2 tier operating hours and stays open late for online orders after their dining room is closed. This is now a common practice for pizza shops to have a 2 tier operating hours due to the high volume of online food deliveries late night.

I ask that if you adopt longer than 7 day suspension of alcohol sales, that the suspension begin on Monday Nov 27 after Thanksgiving because I have a pre-booked fundraiser on Wed Nov 22. If you impose a 7 day suspension, then I can start serving it tommorrow Tues Nov 14th.

Sincerely Michael Sribney

To: Hermosa Beach Planning Commission,
9/18/'23

Community Development &
Police Chief Paul LeBaron

I have owned Pedones Pizza for just over 19 yrs. since July 2004 and I am a resident of Hermosa for 20 yrs. The name Pedones Pizza has been in business for over 50 yrs in Hermosa. I am a very active owner of Pedones, working an average of 65-70 hrs/wk. I received an email last week on Monday 9/11 from Carrie Tai's office to meet in person on Wed 9/13 w her and Police Chief LeBaron . Upon receiving this email, knowing that this is serious, I checked the Pedones mailbox for mail since I had NOT gotten my mail in over 3 weeks, being busy helping plan a wedding and my birthday, while still working my normal 65-70 hrs/wk at Pedones. In the mail, I came to find to 2 code enforcement citations dated 8/27/'23 for an ABC violation on 8/20/'23 & a citation dated 9/7/'23 for a CUP violation on 9/4/'23. Well I was in total shock! In my meeting w Carrie Tai & Chief LeBaron, Carrie gave me a copy of a CUP dated 5/6/'85 (which is dated from over 38 yrs ago) for a restaurant on property legally described at Lots 10, 11, & 12 Block 34 First Addition to Hermosa Beach tract...in which Carrie said is where Pedones is located. I explained that I was not aware of of such a CUP and asked "Why I was not informed about this CUP or why a code enforcer didn't come by Pedones to notify me of this"? Code Enforcer Mia Stafford or Doug Krause would periodically stop by Pedones over the yrs as they would w other Hermosa businesses, to make sure that Pedones was in compliance. I developed a good & open relationship w Stafford & Krause in which they would email, text me and/or call me. I come to find out that Mia Stafford & Doug Krause have moved on to different positions/departments & informed that there are different code enforcers. At no time, was I out of compliance or issued a citation for the 19 yrs of running Pedones until weeks ago. I had asked Carrie "Why of something so important that I was NOT notified of a pre-existing old CUP before issuing a citation for a CUP violation"? Carrie told me that her office mailed out city wide, a copy of everyone's CUP, in which I never received. There are multiple businesses within

the main building where Pedones is located at 1332 Hermosa Ave & what separates some of the other businesses is by suite #. Many times my mail from Pedones ends up at Underground Pub, Decadence or the small office businesses in the same building like Beach City Capital & vice versa I have received some of their mail at Pedones. Just yesterday, the owner Skylar from Decadence sent me a text asking if I had received any of her mail & a package. I included this text in my package on page 4 to the Planning Commission. Last week Darren, the owner of Fox & Farrow came into Pedones asking me if I had received any of his mail because he was missing mail. A month ago, I had Pedones mail that went to Underground Pub. This mail issue has been an ongoing problem for years.

I know that if I had known of this prior CUP for Pedones in April /'23, we would not be meeting here today. Also, if I would have checked my mail and seen the 1st citation, or received the 1st citation in person, that a 2nd citation would have been avoided because I would have went to the City, and subsequently would have found out about the CUP hours for Pedones & thus would have been closed at 12 midnight on Sept 4th, which is the date of the 2nd citation incident. I want to emphasis that in no way was I trying to be deceitful by staying open later. I simply did not know of this old CUP. I would normally stay open til 11pm Sun thru Thurs & 2:30am Fri/Sat w pulling all alcohol off by 2 am. These were the hours operated by the previous owner that I purchased Pedones from. As I told Carrie Tai & Chief LeBaron in our meeting, I will tell the same to this Planning Commission, "If the hours of operation for the Pedones location are Sun-Thurs 8am-11pm & 8am-12 midnight on Fri/Sat, then I will adhere to them & the conditions of this CUP" & I have been since that meeting.

With regards to the alcohol violations, its embarrassing & not acceptable. The server Kelsey, that was working on 8/20/'23 when ABC came into Pedones, was 3 shifts on the job and working afternoons, but was asked to cover a night shift for a server that had her mother pass away. I had an in person conversation w Kelsey on how to work the night shift & even sent her a text message that night saying "You can not pour any more drinks, & drinks need to be pulled off by 1:55am". I enclosed this text in my package on pg 5 to the Planning Commission. Regardless, I understand as the owner & licensee, I am responsible for my staff. I

need to do a better job in training my staff & their understanding of the ABC laws. As a result, I had my serving staff including myself, complete the ABC California Responsible Alcohol Service Training Program over the last week. I also included them in last pgs of my package. With ongoing staff training & guidelines, I am confident that there will be no future ABC violations, especially since Pedones is now closing at 12am Fri & Sat, and 11pm Sun thru Thurs.

I let myself down & my community of Hermosa that I live in by having to be here tonight. For that I am deeply sorry that I am wasting your time & embarrassed. Yesterday I reached out to ABC & spoke to investigator Connolly who wrote the ABC report in the staff package. I understand that I may face possible suspension &/or fine from ABC and will be meeting w. him in person in the next weeks.

I can't change the 2 weeks from 8/20/'23 - 9/4/'23, but can & will change the future of how Pedones operates. I will work w Carrie Tai to ensure compliance w the conditions to Pedones CUP, and work w Chief LeBaron to ensure public safety. I ask that the Planning Commission give me that opportunity and vote option 1 in the Staff Report and not option 2 to bring this matter to a public hearing.

Sincerely Michael Sribney



Decadence Skylar >

Today 7:33 PM

Hey Mike. It's Skylar from Decadence. Do you happen to receive a package for me? I am expecting it but nowhere to be found. Please let me know if you see it. Also let me know if you've gotten some of my mail as well. Thanks.



Text Message



7:58

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S



Server Kelsey Vachon >

Thanks

Sat, Aug 19 at 1:52 AM

The key to lockup the front door is in the drawer. You cannot pour any more drinks, or drinks need to be pulled off by 1:55 AM.

Ok cool! Just took my (thinking) last pizza customer - got a huge rush



iMessage



Certificate of Completion

This certificate recognizes that

Kelsey Ida Vachon

has successfully completed and passed the

California Responsible Alcohol Service Training Program

Issue Date: 09/01/23
Expiration Date: 08/31/25

Verification Code: 2023-TTFXTZ
Confirmation # 8265963

www.123PremierFoodSafety.com

IMPORTANT: This certificate may only be used as proof of meeting the training requirement towards obtaining the CA RBS Certification.

The official certification will be issued by the California Department of Alcoholic Beverage Control upon passing the final exam administered via the RBS portal.

California Responsible Alcohol Service Training

Kelsey Ida Vachon

Issue Date: 09/01/23
Expiration Date: 08/31/25

Verification Code: 2023-TTFXTZ
Confirmation # 8265963

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Certificate of Completion

This certificate recognizes that

Michael Dennis Sribney

has successfully completed and passed the

California Responsible Alcohol Service Training Program



Issue Date: 09/17/23
Expiration Date: 09/16/25

Verification Code: 2023-VIKIIH
Confirmation # 8285791

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IMPORTANT: This certificate may only be used as proof of meeting the training requirement towards obtaining the CA RBS Certification.

The official certification will be issued by the California Department of Alcoholic Beverage Control upon passing the final exam administered via the RBS portal.

Certificate of Completion

This certificate recognizes that

Carolina Jimenez

has successfully completed and passed the

California Responsible Alcohol Service Training Program



Issue Date: 09/17/23
Expiration Date: 09/16/25

Verification Code: 2023-SHCTBT
Confirmation # 8285988

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IMPORTANT: This certificate may only be used as proof of meeting the training requirement towards obtaining the CA RBS Certification.

The official certification will be issued by the California Department of Alcoholic Beverage Control upon passing the final exam administered via the RBS portal.

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Protecting people's lives for over 35 years

California Responsible Alcohol Service Training

Carolina Jimenez

Issue Date: 09/17/23
Expiration Date: 09/16/25

Verification Code: 2023-SHCTBT
Confirmation # 8285988

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Certificate of Completion

This certificate recognizes that

Dmytro Klymenko

has successfully completed and passed the

California Responsible Alcohol Service Training Program

Issue Date: 09/17/23
Expiration Date: 09/16/25

Verification Code: 2023-ODXRLQ
Confirmation # 8286026

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IMPORTANT: This certificate may only be used as proof of meeting the training requirement towards obtaining the CA RBS Certification.

The official certification will be issued by the California Department of Alcoholic Beverage Control upon passing the final exam administered via the RBS portal.

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Dmytro Klymenko

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Expiration Date: 09/16/25

Verification Code: 2023-ODXRLQ
Confirmation # 8286026

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