



AGENDA REPORT

Meeting Date: November 15, 2011
Item Number: E-3
To: Honorable Mayor & City Council
From: Steve Zoet, Director of Community Services
Subject: **APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND ROBERT S. ANDERSON FOR THE DONATION OF STOCK (PHASE I OF GREYSTONE STABLES MAPPING PROJECT); AND**
APPROVAL OF A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS TO APPROPRIATE FUNDS IN THE AMOUNT OF \$7,563.98 FOR PHASE I OF THE GREYSTONE STABLES MAPPING PROJECT

Attachments: 1) Agreement
2) Resolution

RECOMMENDATION

It is recommended that the City Council approve the Agreement between the City of Beverly Hills and Robert S. Anderson for his donation of stock, and that the City Council move to appropriate the funds of \$7,563.98 for Phase I of the Greystone Stables Mapping Project.

	<u>FROM</u>		<u>TO</u>
\$7,563.98	1606710-49302 Recreation & Parks Admin Donations	\$7,563.98	35160442-85040 Greystone CIP#0442

INTRODUCTION

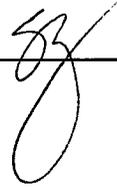
Mr. Robert Anderson has offered the City a donation of proceeds from the sale of stock (valued at \$7,563.98) for a site mapping project at Greystone Estate, located at 905 Loma Vista Drive. The Phase I Mapping Project would be for the Stables and garage area at the south end of Greystone Estate and would include the preparation of working drawings and floor plans.

Honorable Mayor and City Council
November 15, 2011

FISCAL IMPACT

Mr. Anderson is graciously providing a contribution to the City to cover anticipated costs associated with the mapping and identification of current structures that comprise the lower stables and garage area of the estate. The City is not in possession of this information which is desired and needed in preparation for future improvements to these areas. Mr. Anderson's donation of \$7,563.98 is anticipated to cover all costs associated with the project, which is currently estimated at \$6,670, and includes a fifteen percent (15%) contingency. Any remaining monies would be applied to future restoration efforts associated with this project.

Steve Zoet
Approved By

A handwritten signature in black ink, appearing to read 'SZ', is written over a horizontal line. The signature is stylized and cursive.

Attachment 1

AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS
AND ROBERT S. ANDERSON FOR THE DONATION OF
STOCK (PHASE I OF GREYSTONE STABLES MAPPING
PROJECT)

This Agreement is made and entered into between the City of Beverly Hills ("City") and Robert S. Anderson ("Donor").

RECITALS

A. Donor owns shares of General Electric stock ("Stock") and desires to donate such stock to the City.

B. Pursuant to Government Code Sections 37354, the City may accept such gift under the terms and conditions prescribed in this Agreement.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants and conditions contained herein, the parties to this Agreement hereby mutually agree as follows:

1. Donor shall donate shares of Stock in an amount that equals approximately \$7,563.98 based on the price of the shares of Stock at the time of transfer. Donor hereby irrevocably and unconditionally donates, transfers and assigns to the City, free of charge, all right, title and interest of such Stock to the City.

2. Pursuant to Government Code Section 37354, City hereby accepts the donation of Stock upon its delivery to the City.

3. The Stock shall be converted to cash by the City and deposited into the City's general fund ("Stock Proceeds"). The Stock Proceeds, less any brokerage fees or other fees for the sale of the Stock by the City, shall be used to fund Phase I of the Greystone Stables Mapping Project (the "Project"). The Project consists of preparation of working drawings with floor plans (including walls, windows, doors, stairs/shafts, exposed vertical columns and plumbing fixtures and dimensions; residential buildings also include built-in cabinets/counters, ceiling heights and room labels); and as-built site plans (including building footprints and other detached structures, physical lot boundaries, walls/fences, hardscape, major trees and visible utilities, and parking striping); including spot elevations (elevation points taken at key locations throughout property). The Project is expected to cost approximately \$6,670 which includes a fifteen percent (15%) contingency.

4. If the cost of the Project does not exceed the amount of the stock proceeds, any remaining amount shall be applied to future restoration efforts associated with this Project.

5. Any notice required by this Agreement shall be deemed received on: (a) the day of delivery if delivered by hand or overnight courier service during regular business hours; or (b) on the second business day following deposit in the United States mail, postage prepaid, to the addresses set forth as follows: If to City: Director of Community Services, 455 N. Redford Drive, Beverly Hills, California 90210; If to Donor: Robert S. Anderson, 604 North Arden Drive, Beverly Hills, California 90210, or such other addresses as the parties may, from time to time, designate in writing:

AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS
AND ROBERT S. ANDERSON FOR THE DONATION OF
STOCK (PHASE I OF GREYSTONE MANSION STABLES
MAPPING PROJECT)

This Agreement is made and entered into between the City of Beverly Hills ("City") and Robert S. Anderson ("Donor").

RECITALS

A. Donor owns shares of General Electric stock ("Stock") and desires to donate such stock to the City.

B. Pursuant to Government Code Sections 37354, the City may accept such gift under the terms and conditions prescribed in this Agreement.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants and conditions contained herein, the parties to this Agreement hereby mutually agree as follows:

1. Donor shall donate shares of Stock in an amount that equals approximately \$7,563.98 based on the price of the shares of Stock at the time of transfer. Donor hereby irrevocably and unconditionally donates, transfers and assigns to the City, free of charge, all right, title and interest of such Stock to the City.

2. Pursuant to Government Code Section 37354, City hereby accepts the donation of Stock upon its delivery to the City.

3. The Stock shall be converted to cash by the City and deposited into the City's general fund ("Stock Proceeds"). The Stock Proceeds, less any brokerage fees or other fees for the sale of the Stock by the City, shall be used to fund Phase I of the Greystone Mansion Stables Mapping Project (the "Project"). The Project consists of preparation of working drawings with floor plans (including walls, windows, doors, stairs/shafts, exposed vertical columns and plumbing fixtures and dimensions; residential buildings also include built-in cabinets/counters, ceiling heights and room labels); and as-built site plans (including building footprints and other detached structures, physical lot boundaries, walls/fences, hardscape, major trees and visible utilities, and parking striping); including spot elevations (elevation points taken at key locations throughout property). The Project is expected to cost approximately \$6,670 which includes a fifteen percent (15%) contingency.

4. If the cost of the Project does not exceed the amount of the stock proceeds, any remaining amount shall be applied to future restoration efforts associated with this Project.

5. Any notice required by this Agreement shall be deemed received on: (a) the day of delivery if delivered by hand or overnight courier service during regular business hours; or (b) on the second business day following deposit in the United States mail, postage prepaid, to the addresses set forth as follows: If to City: Director of Community Services, 455 N. Redford Drive, Beverly Hills, California 90210; If to Donor: Robert S. Anderson, 604 North Arden Drive, Beverly Hills, California 90210, or such other addresses as the parties may, from time to time, designate in writing:

6. The parties agree that they shall cooperate in good faith and execute any further instruments and documents required to transfer all right, title and interest in the stock to the City.

7. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective devisee, legatee, heirs, legal representative, successors and permitted assigns.

8. This Agreement represents the entire integrated agreement between City and Donor, and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by a written instrument signed by both City and Donor.

9. Invalidation of any provision contained herein or the application thereof to any person or entity by judgment or court order shall in no way affect any of the other covenants, conditions, restrictions, or provisions hereof, or the application thereof to any other person or entity, and the same shall remain in full force and effect.

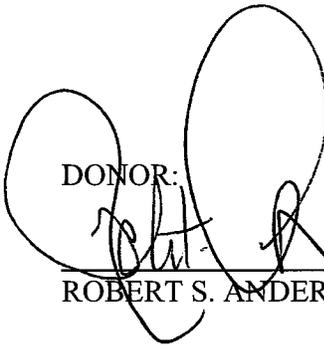
10. The interpretation and implementation of this Agreement shall be governed by the domestic law of the State of California.

Adopted:

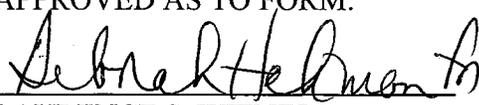
BARRY BRUCKER
Mayor of the City of Beverly Hills,
California

ATTEST:

(SEAL)
BYRON POPE
City Clerk

DONOR:


ROBERT S. ANDERSON

APPROVED AS TO FORM:

LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

JEFFREY KOLIN
City Manager



STEVE ZOET
Director of Community Services

[Signatures continue]



SCOTT G. MILLER
Director of Administrative Services/Chief
Financial Officer

Attachment 2

RESOLUTION NO. 11-R-

RESOLUTION OF THE COUNCIL OF THE CITY OF
BEVERLY HILLS TO APPROPRIATE FUNDS IN THE
AMOUNT OF \$7,563.98 FOR PHASE I OF THE GREYSTONE
STABLES MAPPING PROJECT

The City Council of the City of Beverly Hills does resolve as follows:

Section 1. Appropriation of funds in the amount of \$7,563.98 is authorized as follows:

<u>FROM</u>		<u>TO</u>	
\$7,563.98	1606710-49302 Recreation & Parks Administration Donations	\$7,563.98	35160442-85040 Greystone CIP#0442

Purpose: Appropriate funds for the preparation of working drawings and floor plans for Phase I of Greystone Stables Mapping project (the "Project")

Section 2. The City hereby appoints the City Manager or his designee as agent of the City to accept the donated funding and to execute and submit all documents including, but not limited to, purchase orders and payment requests, which may be necessary for the Project.

Section 3. The City Clerk shall certify to the adoption of the Resolution and shall cause the Resolution and his certification to be entered in the Book of Resolutions of the Council of the City.

Adopted:

BARRY BRUCKER
Mayor of the City of Beverly Hills,
California

[Signatures continue]

ATTEST:

(SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:



STEVE ZOET
Director of Community Services



SCOTT G. MILLER
Director of Administrative Services/Chief
Financial Officer