



**CITY OF BEVERLY HILLS
CITY COUNCIL REGULAR MEETING
MINUTES
August 16, 2016**

The City Council Regular Meeting was held in the Council Chamber at 7:00 pm.

PLEDGE OF ALLEGIANCE led by Planning Commission Vice Chair Lori Greene Gordon

A. *ROLL CALL*

Present: Councilmember Reims, Councilmember Gold, Councilmember Bosse, Vice Mayor Krasne, and Mayor Mirisch
Absent: None

Mayor Mirisch dedicated the meeting in the memory of Former Mayor, Councilmember and Treasurer Frank Fenton who recently passed away, and held a moment of silence in his honor.

B. *PRESENTATIONS*

1. **RECOGNITION OF RETIRING COMMISSIONER - Traffic and Parking Commission - Andy Licht**

Mayor Mirisch, along with the entire City Council, presented a plaque of recognition and gift to retiring Traffic and Parking Commissioner Andy Licht.

2. **CERTIFICATE OF APPOINTMENT - Planning Commission - Andy Licht**

Mayor Mirisch, along with the entire City Council, presented a certificate of appointment and City pin to newly appointed Planning Commissioner Andy Licht.

3. **TEXT BH – Text messages on any City-related topic may be sent to 310-596-4265. City staff will acknowledge receipt of the text message within one business day, however, resolution of issues may take longer.**

Councilmember Bosse announced that text messages on any City-related topic may be sent to (310) 596-4265.

C. ORAL COMMUNICATIONS

1. TELEPHONE CALL-IN (310.285.1020) (Members of the public are invited to place telephone calls to comment on issues that do not appear on the evening's agenda. The City Council will take up to three telephone calls per meeting. Comments on the evening's agenda must be made in person as the item comes before the City Council.)

None

2. AUDIENCE COMMENTS. Any person wishing to address the City Council on any matter not on the agenda may do so at this time. However, the State open meetings law (Government Code Section 54950 et seq.) prohibits the City Council from providing a detailed response or acting upon any item not contained on the agenda posted 72 hours before a regular meeting and 24 hours before a special meeting. If you wish to address the City Council at this time, please complete a speaker's card and give it to the City Clerk prior to the commencement of the meeting. Please use the microphone provided, clearly stating your name for the official record and courteously limiting your remarks to three (3) minutes so others may have the opportunity to speak as well.

1. Lisa Schwartz, Health and Safety Commission Chair
2. Robert Tanenbaum, Beverly Hills North Homeowners Association
3. Marcy Kelly Brubaker
4. Martin J. Frank
5. Garth Bishop
6. Shelley Cooper
7. Avram Jacobson
8. Marcia Hobbs
9. Steve Mayer

3. REPORT FROM THE CITY MANAGER

None

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Mayor Mirisch reported that he was on a diplomatic mission recently with other Mayor involving the U.S.-Sino Friendship Association to China headed by State Treasurer John Chiang, and participated in by various elected officials from other cities.

D. CITY COUNCIL CONSENT CALENDAR

FISCAL IMPACT REPORT

MOVED by Councilmember Gold, seconded by Councilmember Reims to remove Items D-7, D-10, and D-15 for discussion and separate vote, approve the remaining items on the City Council consent calendar and direct that the

appropriate accounts be charged on Items D-5 and D-6. Councilmember Bosse abstained on Item D-3 and Vice Mayor Krasne abstained on Item D-4. City Manager Aluzri recused from Item D-11 and left the dais.

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Study Session of July 19, 2016.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of June 21, 2016.
3. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular meeting of July 5, 2016.
4. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of July 19, 2016.

Demands Paid

5. REVIEW OF BUDGETED DEMANDS PAID, report dated July 9 – August 5, 2016.
6. PAYROLL DISBURSEMENT REPORT, report dated August 16, 2016.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

7. AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING RESTRICTIONS PERTAINING TO FORMER ELECTED OFFICIALS, FORMER PLANNING COMMISSIONERS AND FORMER CITY OFFICIALS. First Reading - For Introduction. Comment: During the July 5, 2016 Study Session, the City Council directed that the revolving door ordinance be amended to increase the prohibition on lobbying to four years after a city official, elected official or planning commissioner leaves office or employment.

City Attorney Laurence Wiener responded to Councilmember Gold's questions regarding the broadness of the prohibition.

MOVED by Councilmember Bosse, seconded by Vice Mayor Krasne, to introduce and read by title only, advance to the meeting of August 30, 2016 for adoption, Ordinance D-7 as follows:

ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING RESTRICTIONS PERTAINING TO FORMER ELECTED OFFICIALS, FORMER PLANNING COMMISSIONERS AND FORMER CITY OFFICIALS

Ayes: Councilmember Reims, Councilmember Gold, Councilmember Bosse, Vice Mayor Krasne, and Mayor Mirisch.

Noes: None.

CARRIED

ITEM D-7: INTRODUCED AND READ BY TITLE ONLY, ADVANCE TO THE MEETING OF AUGUST 30, 2016 FOR ADOPTION

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS:

8. FOR THE ACCEPTANCE OF A GRANT UNDER THE FISCAL YEAR 2015 URBAN AREA SECURITY INITIATIVE (UASI 15) AND APPROPRIATING FUNDS FOR THE FIRE DEPARTMENT'S URBAN SEARCH AND RESCUE (USAR) AND SMART CLASSROOM EQUIPMENT FOR \$98,022, DISASTER PREPAREDNESS, RESPONSE ACTIVITIES TRAINING AND EXERCISE IN THE AMOUNT OF \$157,270, AND THE POLICE DEPARTMENT'S TACTICAL EMERGENCY CASUALTY CARE (TECC) TRAINING IN THE AMOUNT OF \$50,000. Comment: Under the UASI program, the United States Department of Homeland Security provides grant funding to local jurisdictions and assists them in building sustainable capacity to prevent, protect, respond, and recover from acts of terrorism. The UASI grant program for the Los Angeles/Long Beach area is administered by the City of Los Angeles.

ITEM D-8: ADOPTED; RES# 16-R-13095; AG# 350-16

9. FOR ACCEPTANCE OF A GRANT UNDER THE FEDERAL BULLETPROOF VEST PARTNERSHIP; AND APPROPRIATION OF \$3,059.83 TO PURCHASE BALLISTIC VESTS. Comment: Grant funds will be used to assist with the purchase of ballistic vests for sworn Police Department personnel. ORDINANCES AND RESOLUTIONS:

ITEM D-9: ADOPTED; RES# 16-R-13096

ORDINANCES AND RESOLUTIONS:

10. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING THE PERSONNEL PROCEDURES FOR HIRING AND RETENTION OF ASSISTANT CITY MANAGERS, DEPUTY CITY MANAGERS AND DEPARTMENT HEADS. First Reading - For Introduction.

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AMENDING THE CITY OF BEVERLY HILLS EXECUTIVE COMPENSATION PLAN, AND THE CITY COUNCIL POLICY AND OPERATIONS MANUAL TO IMPLEMENT THE ORDINANCE REGARDING THE PERSONNEL PROCEDURES FOR HIRING AND RETENTION OF ASSISTANT CITY MANAGERS, DEPUTY CITY MANAGERS, AND DEPARTMENT HEADS. Comment: This ordinance will give the Council the authority to hire and dismiss Assistant City Managers, Deputy City Managers and Department Heads. The resolution will make conforming changes to the Council policy and operations manual and to the executive compensation plan.

Councilmember Reims stated that she agrees with the "hiring" element but not the "retention" element of the ordinance. She expressed her view that this is the job of the City Manager and expressed concerns that this can affect the morale within the City. Councilmember Gold agreed with Councilmember Reims and requested clarification from City Attorney Laurence Wiener regarding the procedure to be followed when discussing personnel matters during Closed Session. He also expressed concerns regarding the possibility of lawsuits filed against Councilmembers.

MOVED by Councilmember Bosse, seconded by Vice Mayor Krasne to introduce and read by title only, advance to the meeting of August 30, 2016 for adoption, Ordinance D-10 as follows, and adopt Resolution D-10 as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING THE PERSONNEL PROCEDURES FOR HIRING AND RETENTION OF ASSISTANT CITY MANAGERS, DEPUTY CITY MANAGERS AND DEPARTMENT HEADS

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AMENDING THE CITY OF BEVERLY HILLS EXECUTIVE COMPENSATION PLAN, AND THE CITY COUNCIL POLICY AND OPERATIONS MANUAL TO IMPLEMENT THE ORDINANCE REGARDING THE PERSONNEL PROCEDURES FOR HIRING AND RETENTION OF ASSISTANT CITY MANAGERS, DEPUTY CITY MANAGERS, AND DEPARTMENT HEADS

Ayes: Councilmember Bosse, Vice Mayor Krasne, and Mayor Mirisch.
Noes: Councilmember Reims, and Councilmember Gold.

CARRIED

ITEM D-10: ORDINANCE INTRODUCED AND READ BY TITLE ONLY, ADVANCE TO THE MEETING OF AUGUST 30, 2016 FOR ADOPTION; RESOLUTION ADOPTED; RES# 16-R-13097

APPROVAL OF:

11. AN AGREEMENT WITH INTERNATIONAL BUSINESS MACHINES CORPORATION FOR ONGOING MAINTENANCE AND SUPPORT SERVICES FOR THE CITY'S DATA CENTER; AND AUTHORIZE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$154,330.50 FOR THE SERVICES. Comment: This item is the annual IBM Customer Agreement between the City and IBM for maintenance and support services related to the City's server and storage environment located in the IT Data Center, including all IBM hardware, software and equipment, and as needed professional services.

ITEM D-11: APPROVED; AG# 343-16

12. AN AGREEMENT WITH BAUER COMPRESSORS INC. TO FURNISH LABOR AND MATERIALS FOR AN AIR COMPRESSOR AND COMPONENTS FOR THE BEVERLY HILLS FIRE DEPARTMENT; AND AUTHORIZING A PURCHASE ORDER IN AN AMOUNT NOT-TO-EXCEED \$72,284.94. Comment: Staff recommends that the City Council authorize a purchase order in an amount not-to-exceed \$72,284.94 from the available General Fund balance to the Equipment Replacement Fund. The apparatus have reached the end of its useful like. The air compressor is a required piece of equipment designed for Self-Contained Breathing Apparatus (SCBA) cylinders.

ITEM D-12: APPROVED; AG# 344-16

13. AGREEMENT WITH VS2 CONSULTING INC. TO PROVIDE AS-NEEDED PROFESSIONAL ENGINEERING CONSULTING SERVICES; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$100,000 PER FISCAL YEAR AND A TOTAL NOT-TO-EXCEED AMOUNT OF \$300,000 OVER THE TERM OF THE AGREEMENT. Comment: This agreement will augment the Community Development Department's current plan review staff in the review of various off-site civil engineering work, on-site drainage, grading, shoring and excavation type of work for its larger projects. This is a three-year agreement with a total not-to-exceed amount of \$100,000 per year. This cost to fund these services are from Council approved budget for Community Development Department offset by plan check and permit revenues.

ITEM D-13: APPROVED; AG# 345-16

14. APPROVALS RELATED TO 9900 WILSHIRE BOULEVARD PROJECT CONSULTANT AGREEMENTS AND PURCHASE ORDERS DESCRIBED HEREIN:
 - A. AGREEMENT WITH ESA PCR FOR AIR QUALITY (DUST) MONITORING SERVICES FOR THE 9900 WILSHIRE BOULEVARD PROJECT; AND APPROVAL TO OBTAIN A PURCHASE ORDER FOR A NOT TO EXCEED AMOUNT OF \$89,000 FOR FISCAL YEAR 2016-2017.

ITEM D-14A: APPROVED; AG# 346-16

B. AGREEMENT WITH VENEKLASEN ASSOCIATES, INC. FOR CONSULTING SERVICES RELATED TO CONSTRUCTION NOISE AND VIBRATION MONITORING FOR THE 9900 WILSHIRE BOULEVARD PROJECT; AND APPROVAL TO OBTAIN A PURCHASE ORDER FOR A NOT TO EXCEED AMOUNT OF \$96,750 FOR FISCAL YEAR 2016-2017.

ITEM D-14B: APPROVED; AG# 347-16

C. AGREEMENT WITH FEHR & PEERS FOR TRAFFIC MITIGATION AND MONITORING SERVICES FOR THE 9900 WILSHIRE BOULEVARD PROJECT; AND APPROVAL TO OBTAIN A PURCHASE ORDER FOR A NOT TO EXCEED AMOUNT OF \$30,180 FOR FISCAL YEAR 2016-2017. Comment: Staff requests that Council approve agreements and purchase orders for consulting and monitoring services for the 9900 Wilshire Blvd. project construction phase. The associated costs for these agreements will be reimbursed by the developer with no fiscal impact to the City.

ITEM D-14C: APPROVED; AG# 348-16

15. AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, ALL AMERICAN ASPHALT, FOR THE FY15-16 STREET AND ALLEY IMPROVEMENTS WITHIN THE CITY OF BEVERLY HILLS, CALIFORNIA, IN THE AMOUNT OF \$3,025,000; APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFOR; AND

APPROVAL OF ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$3,327,500 TO ALL AMERICAN ASPHALT FOR THE PROJECT. Comment: This is a request to the Council to award the construction contract and approval of a purchase order to All American Asphalt for the street and alley improvements in various locations citywide in the amount of \$3,327,500, which includes contingency funding.

Civil Engineer Tristan Malabanan responded to Vice Mayor Krasne's question regarding the item's coordination with Santa Monica Boulevard, and Councilmember Reims' question about preservation strategies.

MOVED by Vice Mayor Krasne, seconded by Councilmember Bosse to approve Item D-15 as follows:

AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, ALL AMERICAN ASPHALT, FOR THE FY15-16 STREET AND ALLEY IMPROVEMENTS WITHIN THE CITY OF BEVERLY HILLS, CALIFORNIA, IN THE AMOUNT OF \$3,025,000; APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFOR; AND

APPROVAL OF ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$3,327,500 TO ALL AMERICAN ASPHALT FOR THE PROJECT

Ayes: Councilmember Reims, Councilmember Gold, Councilmember Bosse, Vice Mayor Krasne, and Mayor Mirisch.

Noes: None.

CARRIED

ITEM D-15: APPROVED; AG# 349-16

Vote on the City Council Consent Calendar:

Ayes: Councilmember Reims, Councilmember Gold, Councilmember Bosse, Vice Mayor Krasne, and Mayor Mirisch.

Noes: None.

CARRIED

E. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

This being the time and place set, a public hearing was held to consider:

1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM AND ADOPTING THE CONGESTION MANAGEMENT PLAN LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089. Comment: Annual resolution and Local Development Report supporting compliance with the countywide Congestion Management Program requirement.

The notice of the hearing was published as required by law and an affidavit to this effect is on file with the City Clerk.

The report of the Transportation Planner and the record of the Community Development Department in this matter are made a part of the record of this hearing.

Transportation Planner Martha Eros provided a brief oral report noting that compliance with the state-mandated congestion management program is needed to keep the City eligible to receive state and federal funds including gas tax revenues.

There were no members of the public who wished to comment. Mayor Mirisch closed the public hearing.

There were no questions or comments from Councilmembers.

MOVED by Councilmember Bosse, seconded by Vice Mayor Krasne to adopt Resolution E-1 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM AND ADOPTING THE CONGESTION MANAGEMENT PLAN LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089

Ayes: Councilmember Reims, Councilmember Gold, Councilmember Bosse, Vice Mayor Krasne, and Mayor Mirisch.

Noes: None.

CARRIED

ITEM D-15: APPROVED; AG# 349-16

This being the time and place set, a public hearing was held to consider:

2. A. AN ORDINANCE OF THE CITY OF BEVERLY HILLS REGULATING EXPANSIONS OF LEVEL PAD AREAS OF LOTS AND DEVELOPMENT OFF THE LEVEL PAD OF LOTS IN THE HILLSIDE AREA OF THE CITY. First Reading - For Introduction. Comment: On June 30, 2016, the Planning Commission considered the subject regulations at a public hearing and voted unanimously to recommend their adoption to the City Council. In general the ordinance would establish a minimum dimension of 20' x 20' for any area to qualify as "level pad" for the purposes of determining the maximum allowed floor area; and require discretionary review for projects that include more than 1,000 cumulative square feet of development off a property's existing level pad. The City Council will also consider finding the ordinance exempt from the California Environmental Quality Act.

B. AN INTERIM ORDINANCE OF THE CITY OF BEVERLY HILLS REGULATING EXPANSIONS OF LEVEL PAD AREAS OF LOTS AND DEVELOPMENT OFF THE LEVEL PAD OF LOTS IN THE HILLSIDE AREA OF THE CITY AND DECLARING THE URGENCY THEREOF. First Reading - For Introduction. Comment: On June 30, 2016, the Planning Commission considered the subject regulations at a public hearing and voted unanimously to recommend their adoption in the form of a regular ordinance to the City Council. In general the interim ordinance would establish a minimum dimension of 20' x 20' for any area to qualify as "level pad" for the purposes of determining the maximum allowed floor area; and require discretionary review for projects that include more than 1,000 cumulative square feet of development off a property's existing level pad. The interim ordinance would be effective for a 45-day period, unless extended by the City Council. The City Council will also consider finding the interim ordinance exempt from the California Environmental Quality Act.

C. AN ORDINANCE OF THE CITY OF BEVERLY HILLS REGULATING LANDFORM ALTERATIONS OF CERTAIN LOTS IN THE HILLSIDE AREA OF THE CITY. First Reading - For Introduction. Comment: On June 30, 2016, the Planning Commission considered the subject regulations at a public hearing and voted unanimously to recommend their adoption to the City Council. In general the ordinance would require discretionary review for import/export of earth material in excess of 2,000 cubic yards on streets less than 24' in width. The City Council will also consider finding the ordinance exempt from the California Environmental Quality Act.

D. AN INTERIM ORDINANCE OF THE CITY OF BEVERLY HILLS REGULATING LANDFORM ALTERATIONS OF CERTAIN LOTS IN THE HILLSIDE AREA OF THE CITY AND DECLARING THE URGENCY THEREOF. First Reading - For Introduction. Comment: On June 30, 2016, the Planning Commission considered the subject regulations at a public hearing and voted unanimously to recommend their adoption to the City Council in the form of a regular ordinance. In general the interim ordinance would require discretionary review for import/export of earth material in excess of 2,000 cubic yards on streets less than 24' in width. The interim ordinance would be effective for a 45-day period, unless extended by the City Council. The City Council

will also consider finding the interim ordinance exempt from the California Environmental Quality Act.

The notice of the hearing was published as required by law and an affidavit to this effect is on file with the City Clerk.

The report of the Assistant Director of Community Development/City Planner and the record of the Community Development Department in this matter are made a part of the record of this hearing.

Vice Mayor Krasne called up her legal counsel Mr. Bob Weiss who explained why Ms. Krasne does not have a legal obligation to recuse herself. Vice Mayor Krasne stated that she has no economic gain from voting on the item. City Attorney Laurence Wiener explained that state law does not look at what a Councilmember can do with their property but it is material if it might change the development potential of their property. He explained the state law requirements regarding conflict of interest. He noted that they have figured out a way that Vice Mayor Krasne and Councilmember Bosse can participate in one aspect of the ordinance which is excavation that is on streets less than 24 feet.

Councilmember Bosse Lili stated that she does not want to compromise an important decision at hand and will recuse herself if necessary.

Mr. Wiener presented a PowerPoint presentation explaining the City Council recusal process and procedure, and number of votes required to pass the ordinances. Vice Mayor Krasne and Councilmember Bosse recused themselves and left the dais.

Assistant Director of Community Development/City Planner Ryan Gohlich presented a Powerpoint and oral report discussing the hillside development standards ordinance, background on the Commission action on the ordinance, public noticing and hearing, existing provisions and proposed provisions regarding earth material import export, qualifying level pad, development off of level pad, effective date of the ordinance, grandfather provisions and effect on pipeline projects, and the Planning Commission (PC) recommendations. Councilmember Reims asked clarification on the provisions of project approval.

Speaking:

1. Lynn Brody – indicated support on the speaker card
2. Raymond Levy – indicated support on the speaker card
3. Jason Somers, Crest Real Estate
4. Babette & Omberto Savone
5. Bob Etebar
6. Jody Kleinman
7. Doris and Daniel Niku
8. Joseph Tilem
9. Hamid Gabbay
10. Murray D. Fischer
11. Ronald Richards
12. Ben Reznik

13. Patrick Perry representing Loma Linda Trust
14. Lindsay Tabaian representing Loma Linda Trust
15. Steve Mermelstein
16. Yishai Kohen
17. Brian Pinkett, Landry Design Group
18. Todd Riley, Landry Design Group
19. Peter Ostroff
20. Ken Warwick
21. Joan Benny – indicated support on the speaker card
22. Ben Meseles
23. Larry Murphy
24. Dan McGhee
25. Helen Abe
26. Anne Ostroff
27. Tom Levyn
28. Les Bronte
29. Steven Weinglass on behalf of The Municipal League of Beverly Hills
30. Victor Mellon
31. A. Lorimer
32. Karl Hutter
33. Charlotte Darwell
34. Debbie Weiss
35. Larry English
36. Alan Hearty representing Loma Linda Trust
37. Sherman Gardner
38. Paul McClean
39. Justin Kunkle
40. Maggie Cookman
41. Barry Bernstein
42. Rande Gray
43. Herb Reston
44. Ralph Herzig
45. Terre Thomas
46. Parisa Nejad

There were no other members of the public who wished to comment. Mayor Mirisch closed the public hearing.

Council took a break at 10:44pm and resumed at 11:10pm.

Mr. Gohlich, Assistant Director of Community Development/City Building Official Raj Patel, Planning Commissioner Craig Corman, and Mr. Wiener answered Councilmember Gold's questions regarding the R-1 permit process, number of hillside failures associated with construction in the last five years, amount of time for an all-encompassing study to be done and study R-1 process, noticing for Commission and Council meetings, availability of plans for review by the public, stability of development in the hillside, cumulative effects of development on the land, R-1 review on terracing, and the 4/5 vote on the urgency ordinance.

Mr. Corman, Mr. Gohlich, and City Manager Mahdi Aluzri answered Reims' questions regarding the 20' x 20' level pad developable area, the actual goal in a permanent ordinance, perception of urgency, Commission vote, violation of General Plan principles and project approvals, and development in excess of 1000 sq. ft.

Mr. Corman, Mr. Jason Somers, and The Beverly Hills Courier Publisher Marcia Hobbs responded to Mayor Mirisch's questions regarding terracing, base ridgeline ordinance in Los Angeles, grading limit, and how much hillside area in terms of volumetric mass can be removed in Los Angeles.

Councilmember Gold indicated his support of the PC recommendation as it relates to terracing, and amount of dirt that can be moved. He also recommended an R-1 process and move quickly to develop the process, and grandfather whoever already has building plans or established entitlements at the time the ordinance takes effect.

Councilmember Reims commented that by right projects violate the General Plan. She indicated support for a threshold of 1500 cubic yards instead of 2000 cubic yards.

Mayor Mirisch recommended bringing to Council for approval projects that add significant square footage. He indicated support for design review in the hillside and agreed with Councilmember Reims on the 1500 cubic yards threshold. He also supported expediting the projects that are already in the pipeline and credit back the fees that were paid.

MOVED by Councilmember Gold, seconded by Councilmember Reims, to introduce and read by title only, advance to the meeting of August 30, 2016 for adoption as amended, Ordinance E-2A as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS REGULATING EXPANSIONS OF LEVEL PAD AREAS OF LOTS AND DEVELOPMENT OFF THE LEVEL PAD OF LOTS IN THE HILLSIDE AREA OF THE CITY

Ayes: Councilmember Reims, Councilmember Gold, and Mayor Mirisch.
Noes: None.
Recused Councilmember Bosse, Vice Mayor Krasne

CARRIED

ITEM E-2A: INTRODUCED AND READ BY TITLE ONLY, ADVANCE TO THE MEETING OF AUGUST 30, 2016 FOR ADOPTION AS AMENDED

ITEM E-2B: NO ACTION TAKEN

Vice Mayor Krasne and Councilmember Bosse returned to the dais at 12:13am. The City Council discussed the ordinance regulating landform alterations of certain lots in the hillside area.

Mr. Gohlich responded to Councilmember Bosse's questions regarding total number of truck trips, number of streets in the hillside that are wider than 24 ft., number of residential lots that are in the 14 streets that are wider than 24 ft., number of projects in streets that are 24 ft. or less, and number of projects in the pipeline.

Vice Mayor Krasne proposed that a geological survey be done of the terrain, topography and elevation of every property that has requested that dirt be moved.

Mr. Gohlich and Mr. Aluzri responded to Mayor Mirisch's questions regarding Los Angeles' hillside ordinance slope band method, maximum amount that can be graded on a steep lot, and ridgeline protection.

Councilmember Reims agreed with Vice Mayor Krasne's suggestion to do a geologic study. She also recommended the use of smaller trucks, and going back to 1500 cubic yards.

Council supported the 1500 cubic yards threshold and the urgency ordinance.

Mr. Wiener explained the reason behind adopting the urgency ordinance as well as the regular ordinance with a June 1st date. He also addressed former Mayor Levyn's comment that the urgency ordinance cannot be adopted. Assistant City Attorney David Snow read the justifications for the adoption of the urgency ordinance. Mr. Corman recommended that the City Council adopt an urgency ordinance with no grandfather clause and a regular ordinance with no grandfather clause. The City Council agreed to delete the grandfather clause and introduce the regular ordinance as written.

There were no further questions or comments from Councilmembers.

MOVED by Councilmember Bosse, seconded by Vice Mayor Krasne, to introduce and read by title only, advance to the meeting of August 30, 2016 for adoption as amended, Ordinance E-2C as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS REGULATING
LANDFORM ALTERATIONS OF CERTAIN LOTS IN THE HILLSIDE
AREA OF THE CITY

Ayes: Councilmember Reims, Councilmember Gold, Councilmember Bosse,
Vice Mayor Krasne, and Mayor Mirisch.

Noes: None.

CARRIED

ITEM E-2C: INTRODUCED AND READ BY TITLE ONLY, ADVANCE TO THE MEETING OF AUGUST 30, 2016 FOR ADOPTION AS AMENDED

MOVED by Councilmember Bosse, seconded by Vice Mayor Krasne, to waive full reading and adopt as amended, Ordinance E-2D as follows:

AN INTERIM ORDINANCE OF THE CITY OF BEVERLY HILLS
REGULATING LANDFORM ALTERATIONS OF CERTAIN LOTS IN
THE HILLSIDE AREA OF THE CITY AND DECLARING THE URGENCY
THEREOF

Ayes: Councilmember Reims, Councilmember Gold, Councilmember Bosse,
Vice Mayor Krasne, and Mayor Mirisch.
Noes: None.

CARRIED

ITEM E-2D: WAIVED FULL READING AND ADOPTED AS AMENDED; ORD# 16-O-2706

3. A VESTING TENTATIVE TRACT MAP, DEVELOPMENT PLAN REVIEW, AND DENSITY BONUS PERMIT TO ALLOW THE CONSTRUCTION OF A 4-STORY, 8-UNIT RESIDENTIAL BUILDING INCLUSIVE OF A VERY LOW-INCOME AFFORDABLE HOUSING UNIT ON THE PROPERTY LOCATED AT 250 NORTH CRESCENT DRIVE. This item has been continued to the City Council's September 20, 2016 agenda. Comment: The public hearing for this item is being rescheduled to September 20, 2016. No action will be taken by the City Council on August 16, 2016. The City Council will also consider finding the ordinance exempt from CEQA.

ITEM E-3: BY ORDER OF THE CHAIR, ABSENT OBJECTION, ITEM CONTINUED TO THE MEETING OF SEPTEMBER 20, 2016

F. CONTINUED AND NEW BUSINESS

None

G. COMMISSION SYNOPSIS

1. HUMAN RELATIONS COMMISSION - Regular Meeting of June 16, 2016
RECREATION AND PARKS COMMISSION - Special Meeting of June 28, 2016
TRAFFIC AND PARKING COMMISSION - Regular Meeting of July 7, 2016
DESIGN REVIEW COMMISSION - Regular Meeting of July 7, 2016
CULTURAL HERITAGE COMMISSION - Regular Meeting of July 13, 2016
PUBLIC WORKS COMMISSION - Regular Meeting of July 14, 2016
PLANNING COMMISSION - Regular Meeting of July 14, 2016
ARCHITECTURAL COMMISSION - Regular Meeting of July 20, 2016
FINE ART COMMISSION - Regular Meeting of July 21, 2016
PLANNING COMMISSION - Regular Meeting of July 28, 2016

ITEM G-1: NO ACTION TAKEN

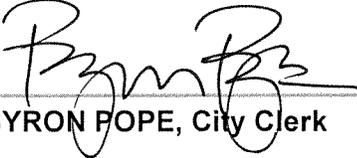
H. OTHER BUSINESS

None

I. ADJOURNMENT

There being no further business, Mayor Mirisch, with the consent of the City Council, adjourned the meeting at 1:12am on August 17, 2016.

PASSED, Approved and Adopted
this 20th day of September, 2016


BYRON POPE, City Clerk

JOHN A. MIRISCH, MAYOR

This meeting was broadcast on live television, on City of Beverly Hills municipal government television access Channel BHTV10 Time Warner Cable.