

**CITY OF BEVERLY HILLS
MINUTES – STUDY SESSION
September 20, 2016
2:30 p.m.
City Council Chamber**

PRESENT: Mayor Mirisch
Vice Mayor Krasne
Councilmember Bosse
Councilmember Gold
Councilmember Reims
Mahdi Aluzri, City Manager
Laurence Wiener, City Attorney
Aaron Kunz, Deputy Director of Transportation
Ryan Gohlich, Assistant Director of Community Development/City Planner
Kevin Kearney, Senior Management Analyst
Huma Ahmed, Community Outreach Manager

ABSENT: None

The meeting was called to order at 2:30 p.m.

ORAL COMMUNICATION:

Speaking:

1. Phil Savenick

A – DIRECTION

1. Employee Recognition: Charles Ackerman

Associate Project Manager Charles Ackerman will retire from the City on September 22, 2016 with 28 years of service to the City.

Mayor Mirisch highlighted Charles Ackerman's accomplishments during his career. City Council recognized and thanked Mr. Ackerman by presenting him with a plaque and certificate of recognition.

2. Request by Mayor Mirisch for the City Council to Consider Taking a Position on Los Angeles County Ballot Measure M

Measure M is a sales tax ballot measure initiated by the Los Angeles County Metropolitan Transportation Authority that is on the November 8, 2016 ballot.

Deputy Director of Transportation Aaron Kunz noted that information was not included in the report about the seven cities in Los Angeles County that filed a lawsuit claiming that the ballot language and that since the last presentation to Council at the September 6, 2016 study session meeting, the City of West Hollywood has taken a position of support. He provided a brief history and reported that in preparation for the presentation to Council, a press release was issued and information was provided to home owner's groups, the Beverly Hills Unified

School District, the Beverly Hills Chamber of Commerce, the Southeast Area Task Force, and the Next Beverly Hills Committee.

Speaking:

1. Dennis Zane, Campaign to Move LA
2. Lillian Raffel
3. Eric Geier, Community Relations Manager for Metro
4. Steve Webb

Mayor Mirisch clarified his reasons for asking for the item to be added to the agenda. He initiated a motion for the Council to take a position to oppose the measure.

Moved by: Mayor Mirisch

Seconded by: Councilmember Reims

Ayes: Councilmember Reims and Mayor Mirisch.

Noes: Councilmember Gold and Councilmember Bosse

Abstains: Vice Mayor Krasne

The motion did not pass.

3. Request by Theatre 40 for Co-Sponsorship to Include Promotional Activities and Funding for Street Banners

Theatre 40 has requested that the City co-sponsor their theatrical programs. Co-sponsorship would allow for the City to promote Theatre 40 performances through the City's existing print and online media. As part of the co-sponsorship request, Theatre 40 has requested that the City pay for producing and hanging promotional Theatre 40 banners in limited locations for a cost of \$1792.60.

Item not discussed.

4. Request of the Design Review Commission for Review of Single-Family Design Review Processes

The Design Review Commission requests modification to the design review process for single family homes that would change the Track One/Track Two review process. Staff seeks direction from Council on the response and workload associated with the request.

Assistant Director of Community Development/City Planner Ryan Gohlich compared the required finding for Track 1 and Track 2, provided examples of each and reviewed the new draft mass and bulk guidelines. He summarized the Design Review Committee (DRC) recommendations and asked Council for direction. Mr. Gohlich concluded with a review of the changes and impacts should Council approve the DRC's recommendation.

Speaking:

1. Noah Furie read Steve Webb's communication into record.
2. Noah Furie

3. Ilene Nathan, Design Review Commissioner Chair
4. Meralee Beck
5. Ilona Sherman

Mayor Mirisch read a letter into record from Mark Elliot. Design Review Commission Chair Ilene Nathan answered Council questions.

Council agreed to bring the item back to the October 4, 2016 study session meeting.

5. Review of Greenberg Glusker's Consulting Fees for Development Agreement Negotiation Services and Providing Additional Information on Conflict of Interest

It is recommended that the City Council discuss Greenberg Glusker's consulting fees for services related to the negotiations of development agreements, review the Amendment No. 1 to the contract, and direct staff to determine the appropriate amount of the purchase order and appropriation.

Senior Management Analyst Kevin Kearney reported on the requirements to continue development agreement negotiation services with Greenberg Glusker Fields Claman & Matchinger, LLP (Greenberg Glusker). He reviewed the firm's clarification of the conflicts of interest. Mr. Kearney presented the staff recommendation for Council to review the firm's conflicts of interest, the original agreement and the proposed amendment. Mr. Kearney also asked Council to direct a purchase order amount which would require Council approval of an appropriation. He noted that both the amendment and purchase order are scheduled for the September 20, 2016 formal meeting. Mr. Kearney introduced Greenberg Glusker lead attorney Henry Finklestein to answer Council questions.

City Attorney Laurence Wiener corrected Mr. Kearney's presentation and clarified that Greenberg Glusker previously provided services to the Hilton/Oasis West Realty.

Ad Hoc Committee Liaison Councilmember Bosse asked Mr. Finklestein to discuss the \$50,000 that has already been spent and the firm's recent disclosures regarding conflicts of interest. City Attorney Laurence Wiener addressed Council's questions regarding legal conflict, contracts with open ended amounts and timing of development agreements.

Vice Mayor Krasne disclosed that she and her husband have previously hired Greenberg Glusker and asked that the invoices be presented to Council on a regular basis. City Manager Mahdi Aluzri suggested that Council provide an appropriate purchase order amount.

Speaking:

1. Steve Webb
2. Steve Mayer

Council agreed to an additional \$50,000 for a not-to-exceed amount of \$100,000.

B – ADDITIONAL ITEMS TO CONSIDER (TIME PERMITTING)

None.

C – INFORMATION

- 6. Costs and Waiver of Certain Fees for the October 29, 2016 Sing-Along at The Wallis**
This item provides information on costs and waiver of certain fees for the October 29, 2016 Sing-Along at The Wallis.

Item not discussed.

- 7. National Preparedness Month**
National Preparedness Month is a nationwide campaign held each September to encourage Americans to take simple steps to prepare for emergencies in their homes, businesses and schools. With emergency preparedness being a high priority of the City Council, a variety of outreach efforts designed to reach all segments of the community are planned in September.

Item not discussed.

- 8. July 12, 2016 Audit Committee Meeting**
Transmits the Audit Committee Minutes from the July 12, 2016 meeting.

Item not discussed.

- 9. Treasurer's Report for Quarter Ended March 31, 2016**
Reports of the status of the City's Investment Portfolio.

Item not discussed.

- 10. Treasurer's Report for Quarter Ended June 30, 2016**
Reports of the status of the City's Investment Portfolio.

Item not discussed.

- 11. City-Hosted Hilton Initiative Public Education Forum**
This staff report provides an update on a public forum to discuss 'The Hilton Condominium Tower Initiative,' a development project which is on the November 8, 2016 local city ballot.

Community Outreach Manager Huma Ahmed noted that the item was originally scheduled as an informational report but was moved for Council direction. Ms. Ahmed provided a brief history. City Manager Mahdi Aluzri added that an email was received from Mr. Ted Kahn on behalf of the proponents of the Hilton initiative which indicated new conditions in order to participate in the debate. He asked Council to provide direction on how to proceed.

Ad Hoc Committee Liaison Councilmember Gold stated that the Ad Hoc had not been able to review the new conditions to provide a recommendation but agreed to bring it to Council for discussion. Councilmember Gold and Councilmember Bosse each spoke on the terms agreed to by the Ad Hoc Committee regarding the debate. Councilmember Gold read the letter from Mr. Ted Kahn. Ms. Ahmed explained the League of Women Voters stance on the new conditions in relation to their role as the debate moderator. City Attorney Laurence Wiener provided clarification on the use of alternate proponents and on extending the deadline.

Council conceded to extend the deadline to Friday, September 25th, 2016 at 5 p.m.

12. Written Report Describing the Measures Taken to Alleviate the Conditions Which Led to the Adoption of the Urgency Ordinance Concerning Grading in the Hillside Area

This report describes the measures taken since the adoption of the urgency ordinance concerning grading in the Hillside Area.

Item not discussed.

The Study Session recessed at 5:16 pm to the Closed Session to discuss items that are identified on the agenda that has been prepared for the meeting.

PASSED, Approved and Adopted
this 15th day of November, 2016



BYRON POPE, City Clerk

JOHN A. MIRISCH, MAYOR

This meeting was televised on City of Beverly Hills Municipal Government Television Access, BHN/10, Time Warner Cable.