



## AGENDA REPORT

**Meeting Date:** January 22, 2009  
**Item Number:** C-1  
**To:** Honorable Mayor & Parking Authority  
**From:** David Lightner, Deputy City Manager  
**Subject:** RESOLUTION OF THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS APPROVING THE AMENDED AND RESTATED LEASE BY AND AMONG THE CITY OF BEVERLY HILLS, THE WALLIS ANNEBERG CENTER FOR THE PERFORMING ARTS, AND THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS.

**Attachments:**

1. Resolution  
(See City Council Agenda Items E 1-A and 1-B for the attachments below)
2. Proposed Lease
3. Letters and materials received from the public since 1-6-09
4. Copy of Public Notice of Availability of Recirculated Draft EIR
5. Final EIR (*bound separately*)
6. Public Parking Garage Plans (*bound separately*)

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### **RECOMMENDATION**

This resolution approves an amended and restated lease of the former Post Office site to the Wallis Annenberg Center for the Performing Arts and incorporates appropriate environmental findings under CEQA. The amended lease will allow for the development of an expanded performing arts center at that site. The Parking Authority is a party to the lease because it is anticipated that the Parking Authority will own and operate the public garage to be constructed in connection with this project. Staff recommends the Parking Authority adopt the resolution approving the amended and restated lease.

Meeting Date: January 22, 2009

For background information on this item please refer to the Agenda Report for Items E. 1-A and E. 1-B on the agenda for the January 22, 2009 Beverly Hills City Council meeting.

David Lightner  
Deputy City Manager

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Approved By

**ATTACHMENT 1**  
**DRAFT RESOLUTION**

RESOLUTION NO. 09-R-\_\_\_\_\_

RESOLUTION OF THE PARKING AUTHORITY OF  
THE CITY OF BEVERLY HILLS APPROVING THE  
AMENDED AND RESTATED LEASE BY AND  
AMONG THE CITY OF BEVERLY HILLS, THE  
WALLIS ANNENBERG CENTER FOR THE  
PERFORMING ARTS, AND THE PARKING  
AUTHORITY OF THE CITY OF BEVERLY HILLS

The Parking Authority of the City of Beverly Hills does hereby find, determine, resolve and order as follows:

Section 1. That certain amended and restated lease, dated \_\_\_\_\_, and identified as Contract No. \_\_\_\_\_, (the "Lease") a copy of which is on file in the office of the City Clerk, by and among the City of Beverly Hills ("City"), the Wallis Annenberg Center for the Performing Arts ("Tenant"), and the Parking Authority of the City of Beverly Hills ("Parking Authority") is hereby approved.

Section 2. The Lease has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, *et seq.* ("CEQA")), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, *et seq.*), and the City's Local CEQA Guidelines. The City prepared an initial study and, based on the information contained in the initial study, concluded that there was substantial evidence that the Lease might have a significant environmental impact on several specifically identified environmental resources. Pursuant to CEQA Guidelines Sections 15064 and 15081, and based upon the information contained in the Initial Study, the City ordered the preparation of an Environmental Impact Report ("EIR") for the Lease to analyze the Lease's potential

impacts on the environment. The City Council, by Resolution No. 09-R-\_\_\_\_\_ adopted on January 22, 2009, (a) made certain CEQA findings and determinations, (b) certified the Final Environmental Impact Report (“FEIR”) (c) adopted a Statement of Overriding Considerations and (d) adopted a Mitigation Monitoring and Reporting Program. Resolution No. 09-R-\_\_\_\_\_ is incorporated herein by reference, and made a part hereof as if fully set forth herein. The Parking Authority adopts the findings set forth in the resolution. The documents and other material that constitute the record on which this decision is based are located in the Department of Community Development and are in the custody of the Director of Community Development. Further, the mitigation measures set forth in the FEIR have been incorporated into the Lease.

Section 3. The Chairman is authorized and directed to execute said Lease on behalf of the Parking Authority, and the Secretary is directed to attest thereto.

Section 4. The Executive Director or his designee shall administer the terms and conditions of the Lease on behalf of the Parking Authority.

Section 5. The Secretary shall certify to the adoption of this resolution and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Parking Authority.

Adopted:

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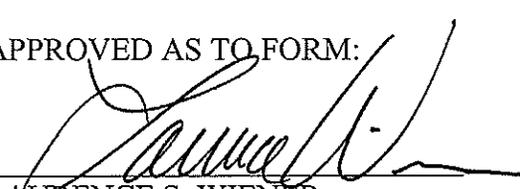
BARRY BRUCKER  
Chairman of the Parking Authority  
of the City of Beverly Hills

ATTEST:

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BYRON POPE  
Secretary

APPROVED AS TO FORM:



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LAURENCE S. WIENER  
General Counsel

APPROVED AS TO CONTENT

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RODERICK J. WOOD, CCM  
Executive Director