



AGENDA REPORT

Meeting Date: December 15, 2009
Item Number: E-1
To: Honorable Mayor & City Council
From: Aaron Kunz, Deputy Director of Transportation *ak*
Subject: RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS TO MODIFY PREFERENTIAL PERMIT PARKING ZONE "YY" ON THE 1200, 1300 and 1400 BLOCKS OF PARK WAY
Attachments:

1. Resolution
2. September 15, 2009 Agenda Statement Without Attachments
3. September 15, 2009 Powerpoint Presentation
4. October 6, 2009 City Council Informal Meeting Notes
5. Categorical Exemption
6. Notice of December 15, 2009 meeting

RECOMMENDATION

Staff recommends that the City Council approve a resolution to modify the parking regulation at the 43 meters on the south side of Park Way from "No Parking, 8:00 p.m. to 2:30 a.m., Daily, Except by Permit YY" to "No Parking, 10:00 p.m. to 2:30 a.m., Daily, Except by Permit YY."

INTRODUCTION

Per direction from the City Council at its October 6, 2009 study session, staff is forwarding a resolution to reconsider the September 15, 2009 City Council action establishing a "No Parking Anytime, 8:00 p.m. to 2:30 a.m., Daily, Except by Permit Zone YY" regulation for the south side of Park Way. The recommended modification is to establish the south side of Park Way with "No Parking, 10:00 p.m. to 2:30 a.m., Daily, Except by Permit YY."

DISCUSSION

At the May 7, 2009 Traffic & Parking Commission (TPC) meeting, staff recommended that the meters on the south side of Park Way be established with "No Parking, 10:00 p.m. to 2:30 a.m.," consistent with the parks closing hours. The TPC voted 4-2 to establish the south side of Park Way with "No Parking, 6:00 p.m. to 2:30 a.m."

On May 26, 2009, the Recreation & Parks Commission requested staff to provide an update of the Traffic & Parking Commissions recommendation. The Recreation & Parks Commission unanimously passed a motion to not post "No Parking" at the meters until 10:00 p.m. as they felt a restriction would impede public access to the park.

At its July 21, 2009 formal meeting, the City Council received the staff and TPC recommendations and information regarding the Recreation & Parks motion. The City Council received public comment from 47 individuals, the TPC and Police Lt. Joe Chirillo. Four residents spoke in favor of the TPC's recommendation with the balance (the majority affiliated with the Presbyterian Church) expressing opposition to any changes to the restrictions.

On August 31, 2009, the City Council Traffic & Parking Commission Liaison Committee met with representatives of the Beverly Hills Presbyterian Church and Park Way residents. For the south side of Park Way, the Liaison Committee recommended a parking restriction of "No Parking, 8:00 p.m. to 2:30 a.m., Except by Permit YY."

At the City Council meeting on September 15, 2009, the City Council approved a modification of Permit Zone YY by adding a "No Parking, 8:00 p.m. to 2:30 a.m., Daily, Except by Permit YY" regulation to the 43 metered parking spaces adjacent to the Beverly Gardens Park. Additionally, the City Council approved a "No Parking Anytime, Except by Permit Zone YY" for the north side of the street, granting the Beverly Hills Presbyterian Church permit parking privileges for Park Way, and establishing a vehicle length limit.

At the October 6, 2009 City Council Study Session, the City Council agreed by a 3-2 vote to reconsider starting "No Parking" at the parking meters on the south side of Park Way at 10:00 p.m. instead of 8:00 p.m. No changes were requested to the "No Parking Anytime" regulation on the north side of the block, granting the Beverly Hills Presbyterian Church preferential permit parking privileges, or establishing a vehicle length limit.

On October 27, 2009, the City Council introduced an ordinance to modify the municipal code to allow City Council initiated modifications to approved preferential permit parking zone regulations be considered directly by the City Council. The City Council approved the second reading of the ordinance on November 5, 2009 and it went into effect 31 days later. Previously, the Municipal Code required that after the City Council initially approves a preferential permit parking regulation, any modifications required approval by both the Traffic & Parking Commission and the City Council.

Notices advising of the City Council's consideration of this request at its September 15, 2009 meeting were mailed to the residents of the 1200, 1300 and 1400 blocks of Park Way and the 500 blocks of North Crescent, Canon, Beverly, and Rodeo drives. Additionally, notices were mailed to the three nearby churches, including Beverly Hills Presbyterian Church, All Saints Church and Good Shepherd Church.

FISCAL IMPACT

The cost of modifying parking signs would be nominal and installed by City staff.



David Gustavson
Approved By

ATTACHMENT 1

RESOLUTION NO 09-R-

RESOLUTION OF THE COUNCIL OF THE CITY OF
BEVERLY HILLS TO MODIFY PREFERENTIAL PERMIT
PARKING ZONE "YY" ON THE 1200, 1300 AND 1400
BLOCKS OF PARK WAY

WHEREAS, on May 7, 2009, the Traffic & Parking Commission reviewed a request for a modification to Preferential Permit Parking Zone "YY" on the 1200, 1300 and 1400 blocks of Park Way;

WHEREAS, pursuant to Beverly Hills Municipal Code Section 7-3-206, a qualifying petition to modify the existing regulation for Preferential Permit Parking Zone "YY" on the north side of the 1200, 1300 and 1400 blocks of Park Way was received and filed;

WHEREAS, the petition sought to modify the existing regulation on the north side of Park Way from "1-Hour Parking, 8:00 a.m. to 2:00 a.m., Daily, Except by Permit" to "No Parking Anytime, Except by Permit;"

WHEREAS, during the permit zone proceeding, the residents of Park Way requested additional time limit regulations at the meters located on the south side of Park Way during the permit zone proceedings, which currently provides for "2-Hour Parking, 8:00 a.m. to 6:00 p.m., Except Sunday;"

WHEREAS, on May 7, 2009 the Traffic & Parking Commission made a recommendation to the City Council to modify the existing parking regulation on the north side and the south side of Park Way;

WHEREAS, the City Council reviewed this matter on July 21, 2009 and the matter was additionally reviewed by the City Council/Traffic & Parking Commission Liaison Committee;

WHEREAS, the matter was brought back to the City Council at the September 15, 2009 City Council meeting where the City Council approved modification of Preferential Permit Parking Zone "YY" as follows:

A. On the north side of the 1200, 1300 and 1400 blocks of Park Way, parking shall be as follows: "No Parking Anytime, Except by Permit YY."

B. On the south side of the 1200, 1300 and 1400 blocks of Park Way, a parking restriction was added to the 43 metered parking spaces with: "No Parking, 8:00 p.m. to 2:30 a.m. Daily, Except by Permit YY."

WHEREAS, the City Council directed staff to conduct a City initiated modification of Permit Zone YY on the south side of the 1200, 1300 and 1400 blocks of Park Way at the City Council Study Session of October 6, 2009;

WHEREAS, the Planning Department has reviewed the proposed project and has determined that the project is not subject to the California Environmental Quality Act and has issued a Categorical Exemption;

NOW, THEREFORE, the City Council of the City of Beverly Hills hereby finds, resolves and determines as follows:

Section 1. The City Council considered the public testimony provided at the July 21, 2009 and September 15, 2009 City Council meetings as well as the testimony provided at the

May 7, 2009 Traffic & Parking Commission meeting in addition to the staff reports. Based on the evidence presented at those meetings and the staff reports, the City Council finds:

A. Commuter vehicles are the cause and source of unreasonable noise, traffic hazards and environmental pollution of the residential environment on the 1200, 1300 and 1400 blocks of Park Way. The 1200, 1300 and 1400 blocks have become a location for juveniles and persons to congregate during the day and especially at night due to its unique location which is adjacent to Beverly Gardens Park. Vehicles parked utilize Park Way as a rest area which interferes with the residential quality of the neighborhood. In addition, the drivers and passengers of the parked vehicles loiter on Park Way, litter by depositing their trash on the street and/or resident's lawns and engage in excessive noise by yelling and talking loudly during the evening hours adjacent to the resident's homes. Residents have testified that loud music is played from the parked vehicles and vehicles have been seen driving erratically on Park Way, which is concern to the safety of the residents as well as the children in the area. Similar activity has been observed and/or reported and investigated by the Beverly Hills Police Department and the Public Works & Transportation Parking Enforcement Division. The incidents noted above are caused by the commuter vehicles parked in the area which, as demonstrated herein, interfere with the tranquility and garden quality of the residential neighborhood on Park Way, the peace and welfare of the residents and contribute to the environmental pollution of the street by adding additional vehicle congestion as well as pollution caused by passengers in those vehicles littering. Last, commuter vehicles regularly interfere with the available public street parking adjacent to the residential property as indicated in the parking occupancy surveys.

B. There is no other reasonable alternative which is feasible or practical to reduce the identified issues caused by the parking of vehicles on Park Way to acceptable levels.

By adopting the proposed restrictions, vehicles and their passengers will no longer be able to congregate in front of the residential properties on the north side of Park Way nor will the vehicles and their passengers be able park on the south side of Park Way in the evening hours which will serve to reduce the loitering, noise, littering and other adverse impacts to the neighborhood. The displaced commuter vehicles will not unduly impact surrounding residential areas. The testimony indicates that: (i) vehicles park on this street do so because of the street's unique location adjacent to the park; (ii) those vehicles and their passengers, however, are not visiting the park but rather are loitering, among other things, in the neighborhood which is interfering with the residential environment on Park Way. Once the new restrictions are in place, parking will still be available at the metered spaces on the south side of Park Way.

Section 2. Based on the findings set forth herein, the City Council hereby approves modification of Preferential Permit Parking Zone "YY" as follows:

A. On the south side of the 1200, 1300 and 1400 blocks of Park Way, the following parking restriction shall be added to the 43 metered parking spaces: "No Parking 10:00 p.m. to 2:30 a.m. Daily, Except by Permit YY."

Section 3. This application has been environmentally reviewed pursuant to the California Environmental Quality Act (CEQA), the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq., hereafter the Guidelines) and the City's environmental guidelines. The City has determined that the application qualifies for a Class 1 Categorical Exemption (Existing Facilities) in accordance with the requirements of Section 15301(c) of the Guidelines because the application involves the operation of existing public

streets and there is no expansion of the use of the public streets within the YY Zone beyond that existing at the time of the City's determination.

Section 4. The City Clerk 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 Council of the City.

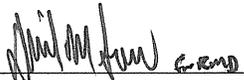
CITY OF BEVERLY HILLS, a municipal corporation

NANCY KRASNE
Mayor of the City of
Beverly Hills, California

ATTEST:

(SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT



DAVID D. GUSTAVSON
Director of Public Works & Transportation



AARON KUNZ
Deputy Director of Transportation

ATTACHMENT 2



AGENDA REPORT

Meeting Date: September 15, 2009

Item Number: E-1

To: Honorable Mayor & City Council

From: Aaron Kunz, Deputy Director of Transportation
Martha Eros, Transportation Planner *ME*

Subject:

- a) RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS TO MODIFY PREFERENTIAL PERMIT PARKING ZONE "YY" ON THE 1200, 1300 and 1400 BLOCKS OF PARK WAY
- b) RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS PROVIDING PREFERENTIAL PARKING PERMITS TO THE BEVERLY HILLS PRESBYTERIAN CHURCH FOR ZONE YY

Attachments:

1. Resolutions
2. City Council Traffic & Parking Liaison Recommendation
3. Categorical Exemption
4. Area Map
5. July 21, 2009 City Council Minutes
6. May 7, 2009 Traffic & Parking Commission Minutes
7. Parking Occupancy Surveys
8. Resident Petition
9. City Council Meeting Notice – September 15, 2009

RECOMMENDATION

Staff recommends that the City Council approve two resolutions to modify the parking regulation on the 1200, 1300 and 1400 blocks of Park Way, and provide parking permits to the Beverly Hills Presbyterian Church as follows:

1. Modify the parking regulation on the north (residential) side of Park Way to "No Parking Anytime, Except by Permit YY"
2. Modify the parking meters on the south side of Park Way by adding a "No Parking, 8:00 p.m. to 2:30 a.m., Daily, Except by Permit YY" regulation to the 43 metered parking spaces adjacent to the Beverly Gardens Park

3. Provide the Beverly Hills Presbyterian Church with up to twenty-five Zone YY daily preferential parking permits for use on both sides of Park Way during permit zone hours.

INTRODUCTION

The Public Works & Transportation Department received a qualifying resident-initiated petition signed by 6 out of 9 (66%) from the households on the 1200, 1300 and 1400 blocks of Park Way. The residents requested modifying Preferential Permit Zone YY on the north (residential) side to "No Parking Anytime, Except by Permit YY." This side of the street is currently "1-Hour Parking, 8:00 a.m. to 2:00 a.m., Daily, Except by Permit YY." Residents also requested additional parking restrictions at the meters on the south side of these blocks, adjacent to Beverly Gardens Park. The intent of the residents' request is to address parking, noise and loitering impacts within and adjacent to the Beverly Gardens Park.

The Traffic & Parking Commission (TPC) reviewed the request on May 7, 2009. The City Council reviewed staff and the Traffic & Parking Commission's recommendations on July 21, 2009. The City Council received 48 individual public comments at the July 21, 2009 meeting and continued the item. The City Council/Traffic & Parking Commission Liaison Committee met on August 31, 2009 with Park Way homeowners and church representatives and formulated the recommendation provided in this agenda report.

DISCUSSION

The north side of Park Way is comprised of nine single-family homes (three per block) between North Crescent and North Rodeo Drives, with a total combined parking capacity of 24 spaces. The existing parking regulation of "1-Hour Parking, 8:00 a.m. to 2:00 a.m., Daily, Except by Permit YY" was established in October, 1994. The north side was originally designated with "2-Hour Parking, 8:00 a.m. to 6:00 p.m., Except Sunday." In 1994, residents petitioned for "No Parking Anytime, Except by Permit." The City Council approved a compromise of the existing "1-hour" regulation to preserve limited short-term parking for the public, while directing park patrons to park at the 2-hour meters on the south side.

The south side of Park Way adjacent to Beverly Gardens Park has a total of 48 parking spaces, which includes 43 meters, one taxi zone and four disabled parking spaces. The meters are designated with a "2-Hour Parking, 8:00 a.m. to 6:00 p.m., Except Sunday regulation. Beverly Gardens Park is open to the public at sunrise and closes at 10:00 p.m.

The Beverly Hills Presbyterian Church is located at the southwest corner at 505 South Rodeo Drive, near the west end of Park Way. All Saints Church and Good Shepherd Catholic Church are located at the corner of North Camden and North Bedford Drives, respectively. Congregants and visitors to the Beverly Hills Presbyterian Church frequently park on Park Way during services, weddings, and evening meetings. Most Church activities end before 10:00 p.m. but at times, Board of Director's meetings end after 10:00 p.m. The Presbyterian Church does not have any off-street parking. A separate resolution is included for City Council consideration to issue twenty-five (25) daily Preferential Parking Permit Zone "YY" permits to the Presbyterian Church for use during restricted permit parking hours.

There are no commercial uses immediately adjacent to Park Way. Patrons and employees from the business triangle regularly use the park as a rest area, and limousines, tow trucks, and delivery vehicles use Park Way as a staging and rest area. The Beverly Gardens Park is also frequented by youths starting after school and into the evening. The combined staging of commercial vehicles and the unruly behavior by the youths frequenting the area, including playing loud music, littering, driving vehicles erratically and other safety and nuisance concerns led to the residents submitting the petition for more restrictive parking.

At the May 21, 2009 TPC Commission meeting, staff recommended that the north (residential) side of Park Way be modified to "1-Hour Parking, 8:00 a.m. to 6:00 p.m. and No Parking Any Other Time, Daily, Except by Permit YY" to maintain a shared-parking practice in the daytime and prevent 'spill-over' parking into adjacent neighborhoods. At the meeting, eleven individuals provided public comment. Nine residents spoke strongly in favor for more stringent parking regulations. One opposed any type of parking or access restriction to the park. An administrator from the Beverly Hills Presbyterian Church requested that parking be maintained to the extent possible for Church activities but did not oppose staff's recommendation.

The TPC voted 5-1 to recommend "No Parking Anytime, Except by Permit Zone YY" as they felt the daytime "1-hour" regulation would not sufficiently address the problems of staging of commercial and employee parking. The TPC also voted 4-2 to post "No Parking" at the meters starting at 6:00 p.m. to address the unruly behavior of youths in the area. Afterwards, the Recreation & Parks Commission unanimously passed a motion to not post "No Parking" at the meters until 10:00 p.m. as they felt a restriction would impede public access to the park. This item was on the Recreation & Parks Commission agenda as an information item and not noticed to residents.

At its July 21, 2009 formal meeting, the City Council received both staff's and the TPC's recommendations. The City Council received public comment from 47 individuals and comments from the TPC and Police Lt. Joe Chirillo. Four residents spoke in favor of the TPC's recommendation with the balance (the majority of which were affiliated with the church) expressing opposition to any changes to the restrictions. One letter was also read into the record supporting the TPC recommendation.

The City Council/Traffic & Parking Commission Liaison Committee met with representatives of the Beverly Hills Presbyterian Church and Park Way residents. Staff presented a proposal for an ordinance that would restrict commercial vehicles based on vehicle length and loading capacity to address the issues of stretch limousines, tow trucks, and delivery vehicles from staging in the area; and to remove the taxi stand on the south side of Park Way. It was the consensus that these two items should be pursued. The ordinance described above is included as a separate item on the September 15, 2009 agenda.

After significant discussion, the Liaison Committee formulated the recommendation outlined in this report with "No Parking Anytime, Except by Permit YY" on the north side of the block and adding "No Parking, 8:00 p.m. to 2:30 a.m., Except by Permit YY" to the meters on the south side of the block. The Liaison Committee also directed staff to provide a mechanism for the Beverly Hills Presbyterian Church to obtain preferential permit parking privileges, preferably with 'one-day' permits. Per the California Vehicle Code, local jurisdictions may issue permits to members of organizations to "park on specified streets if the local authority determines that the use of the permits will not

adversely affect parking conditions for residents and merchants in the area.” Staff recommends that up to twenty-five daily parking permits could be issued to the Beverly Hills Presbyterian Church for members to park on either side of the street during the designated Permit YY zone hours. This would not adversely affect the parking conditions. The Church would “call-in” for these permits. The second resolution (item b) of this report would authorize these permits for the Church.

At times, the City has granted limited permit privileges to the school district based on certain circumstances but has not granted permit parking privileges by resolution to any other organization in the City. Under the City’s preferential permits parking program, all permits are issued to residential households.

The residents were receptive to granting the Church permit parking privileges. Church representatives strongly opposed changes to the parking restrictions, citing the operational difficulties of a parking permit program.

Analysis

A parking occupancy survey was conducted on Tuesday, March 17, 2009, from 10:00 a.m. to 9:00 p.m., on both sides of Park Way. The average occupancy on the north side of Park Way was 45%, with peak occupancy of 75% at 1:00 p.m. and 2:00 p.m. The average occupancy on the south side adjacent to the park was 44%, with peak occupancy of 69% at 4:00 p.m. Staff did not identify any vehicles belonging to residents. Staff conducted a second parking count on Sunday, April 19, 2009, from 11:00 a.m. to 10:00 p.m. The highest Sunday peak hour activity at 11:00 a.m. averaged 74% occupancy. Beverly Hills Police Department and Public Works & Transportation Department staff have both verified that youths “hang-out” within and adjacent to Beverly Gardens Park starting at three to four in the afternoon and into the evening.

It has been City practice to maintain shared parking immediately adjacent to public areas, including parks and churches. In 2002, during the creation of Zone “BB” adjacent to La Cienega Park, “1-hour” parking was maintained on Gregory Way until 9:00 p.m. to accommodate park use while the surrounding areas were established with “No Parking Anytime, Except by Permit.” In 2005, the City Council denied two resident-initiated petitions for more restrictive parking on the 500 blocks of North Bedford and Camden Drives due to the impacts that would be created for the three neighborhood churches.

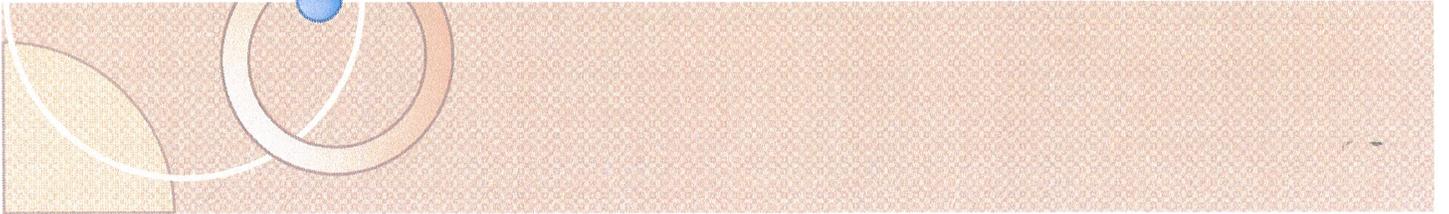
Notices advising of the City Council’s consideration of this request at its September 15, 2009 meeting were mailed to the residents of the 1200, 1300 and 1400 blocks of Park Way and the 500 blocks of North Crescent, Canon, Beverly, and Rodeo drives. Additionally, notices were mailed to the three nearby churches, including Beverly Hills Presbyterian Church, All Saints Church and Good Shepherd Church.

FISCAL IMPACT

The cost of modifying parking signs would be nominal and installed by City staff.

 David Gustavson
Approved By

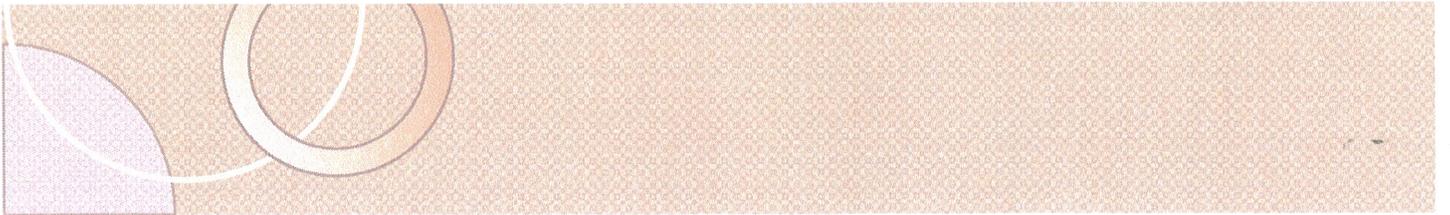
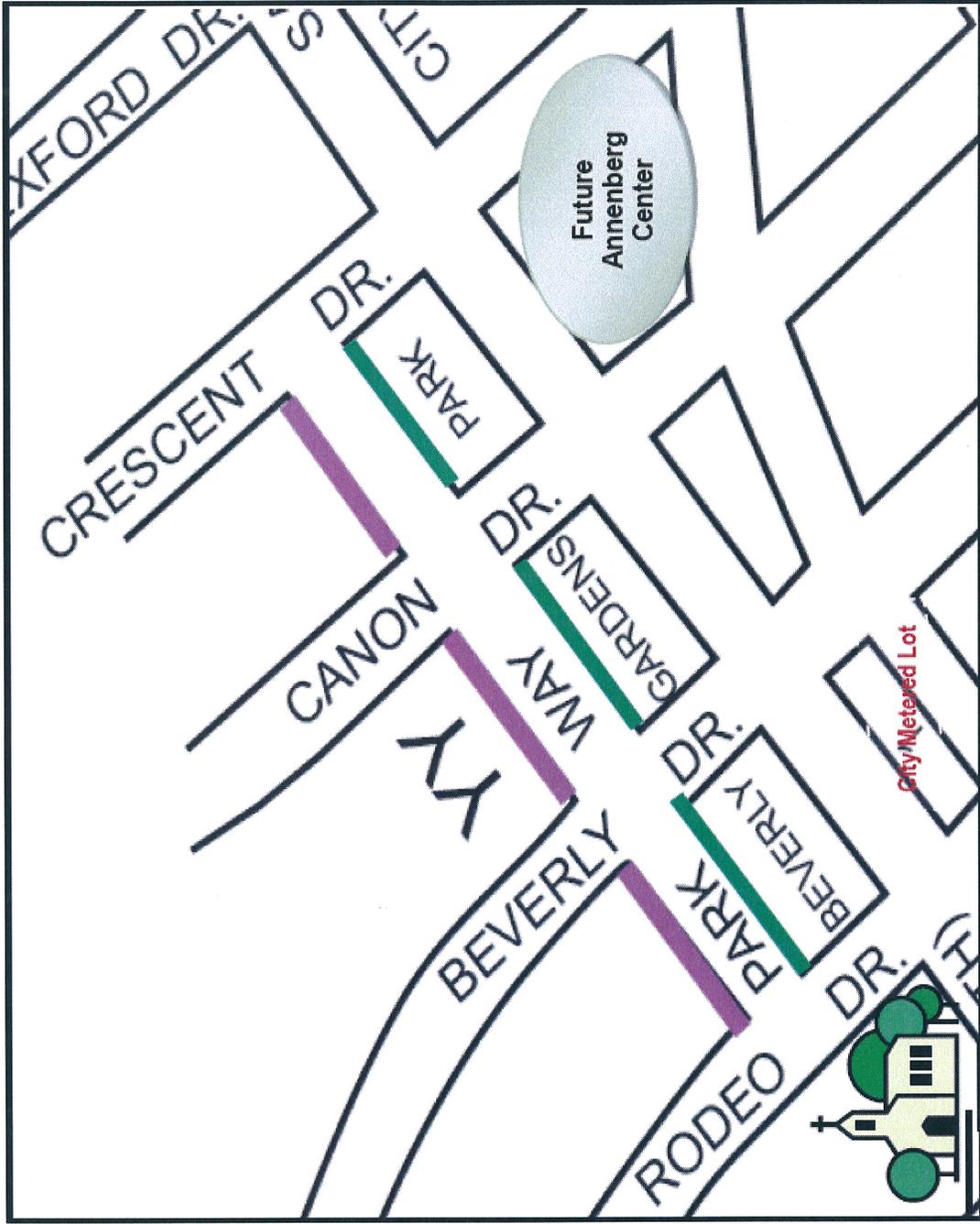
ATTACHMENT 3



September 15, 2009

1200, 1300 and 1400 blocks of Park Way

Area Map



1200, 1300, 1400 Blocks of Park Way

Issues:

- Delivery Trucks, Limousines and Tow Trucks staging in area
- Unruly behavior in park and adjacent sidewalk/street
- Parking needs for residents, park visitors, tourists and adjacent Churches

1200, 1300, 1400 Blocks of Park Way

Current Regulations

North side (residential)

- 1-Hour Parking, 8:00 a.m. to 2:00 a.m.,
Daily, Except by Permit YY

South side (meters)

- 2-Hour parking, 8:00 a.m. to 6:00 p.m.,
Except Sunday

1200, 1300, 1400 Blocks of Park Way

North side (residential)

- Residents petitioned for “No Parking Anytime, Except by Permit”
- Staff recommended: “1-Hour Parking 8:00 a.m. to 6:00 p.m. and No Parking Any Other Time, Daily, Except by Permit YY”
- TPC recommended (5-1 vote): “No Parking Anytime, Except by Permit YY”

1200, 1300, 1400 Blocks of Park Way

South side (metered)

- Staff recommended: Add “No parking 10:00 p.m. to 2:30 a.m., Daily.”
 - With Overnight Parking Prohibition, post signs with “No Parking 10:00 p.m. to 5:00 a.m.”
- TPC recommendation (4-2 vote): Start “No Parking” at 6:00 p.m.
- Recreation and Parks motion: Start “No Parking” at 10:00 p.m.

1200, 1300, 1400 Blocks of Park Way

City Council/Traffic & Parking Commission Liaison Recommendations:

Resolution (item 1A)

- Establish “No Parking Anytime, Except by Permit Zone YY” on north side of street
- Establish “No Parking, 8 pm to 2:30 a.m., Except by Permit YY” on south side of the street

1200, 1300, 1400 Blocks of Park Way

City Council/Traffic & Parking Commission Liaison Recommendations (Cont'd):

- Resolution (item 1B) Provide the Beverly Hills Presbyterian Church with up to 25 “daily” permits for Zone YY
- Ordinance (item 2): Prohibit Parking of Oversize Vehicles in Residential Zones (21-foot vehicle length & $\frac{3}{4}$ loading capacity limit)

ATTACHMENT 4

**CITY OF BEVERLY HILLS
ACTION MINUTES - INFORMAL MEETING
October 6, 2009
Council Chambers
2:30 P.M.**

PRESENT: Mayor Krasne
Councilmembers Delshad , Brucker, Brien, and Mirisch
City Manager Wood
Assistant City Manager Lichtig
City Attorney Wiener
Chief Assistant City Attorney Diaz
Police Chief Snowden
Multimedia Services Manager Geddes
Assistant Director of Community Services/R&P Zoet
Director of Community Development Keene
Director of Economic Development and Marketing Maxwell
Deputy Director of Transportation Kunz

ABSENT:

A - DIRECTION

1. Proclamation Honoring Lawrence I. Shapiro Memorial Award Recipient, Peter Landau
Mr. Landau will be presented with the Lawrence I. Shapiro Memorial Award in recognition of his volunteer service to the Police Department.

Vice Mayor Delshad arrived to the dais at 2:38 p.m.

Mayor Nancy Krasne presented Peter Landau with a certificate of recognition and Lawrence I. Shapiro Memorial Award proclamation. Police Chief David Snowden thanked Mr. Landau for his 14 years of service to the community. Mr. Landau recounted how he started his volunteer work with the City.

2. Request to City to Provide Facility and Staff to Conduct a Community-Sponsored School Board Candidate Forum(s)
This item details a request from the Beverly Hills SouthEast Homeowners' and Residents Association and Southwest Beverly Hills Homeowners Association to conduct a candidate forum using City facilities and cable staff resources.

Assistant City Manager Katie Lichtig presented requests received by the City from the Beverly Hills Southeast Homeowners and Residents Association, and Southwest Beverly Hills Homeowners Association to host a Beverly Hills Unified School District candidate forum in the City's Council Chambers, and from the PTA Council to co-sponsor any of the events.

Councilmember Mirisch suggested splitting up into two forums. Councilmembers Brucker and Brien invited the associations' representatives speak to give their suggestions. Mayor Krasne appointed Vice Mayor Delshad as her co-Ad Hoc Committee member.

Southeast Homeowners and Residents Association President Christopher Biehl spoke about teaming up with Southwest Beverly Hills Homeowners Association President Ken Goldman to hold the forum on October 22. PTA Council President Franny Rennie indicated the PTA's interest to co-sponsor a forum with another organization.

Mayor Krasne requested that all questions for the forum be on index cards and individuals from the host organizations rotate asking questions. Councilmember Brucker requested that the forum duration be less than the three or four hours originally established. In response to Vice Mayor Delshad's question, Chief Assistant City Attorney Diaz and City Manager Wood explained that the City has a legal right to establish the parameters of how the forum will be conducted. Councilmember Mirisch commented that the forum time should not be limited as it is the only opportunity to hear from all the candidates. Multimedia Services Manager Mark Geddes provided information on the pros and cons of having the forum aired live or taped. Ms. Lichtig commented on past practice. Councilmember Mirisch commented on using all available media for maximum exposure.

Council reached consensus to let the Ad Hoc Committee handle forum logistics.

3. Proposed Installation of Historical Bridle Path Signage at Coldwater Park
Consideration of site location and outside funding sources for the proposed installation of replica Bridle Path.

Assistant Director of Community Services/Recreation and Parks Steve Zoet presented a brief background including fiscal impacts, site orientation, and architect's rendering.

Council acknowledged Rotary Club and Beverly Hills Historical Society representatives Mitch Dawson, Jerrie Heslov, and Jill Collins who spoke about their willingness to assist in preserving the past. Council unanimously approved moving forward with the project.

4. Councilmember John Mirisch request to consider direction to staff to propose ordinance to restrict onychectomy (declawing) of cats
Seeks Council concurrence to direct staff and the City Attorney to draft an ordinance that would prohibit cat declawing.

Community Development Director Susan Healy Keene provided a brief background on onychectomy, alternatives to onychectomy, legal background, and staff recommendations.

Marcia Hobbs from the Beverly Hills Pet Care Foundation added a short history on the origin of onychectomy and urged Council to approve the ordinance. Beverly Hills Pet Care Foundation Executive Director Bill Crowe passed an article about declawing, and spoke in favor of passing the ordinance.

Councilmember Brucker asked Chief Assistant City Attorney Diaz to clarify the legal ramifications of Senate Bill 762 that will be effective on January 1, 2010 to the City's proposed ordinance. Councilmember Brien suggested that medical reason exceptions be allowed in the ordinance. Councilmember Brucker asked for clarification on what medical reasons include. Councilmember Mirisch expressed disappointment on the State taking control over local government on the issue. Vice Mayor Delshad recommended that the ordinance include all animals. Council unanimously approved moving forward with the ordinance and extending the regulation to other animals.

5. Review of City/Chamber Shield License Agreement; and, Review of Official Use of City Shield Design and City Seal
This item will review the License Agreement with the Chamber of Commerce that allows the Chamber to use the City Shield Design for certain purposes. This item will also provide the Council Committee for Licensing and Branding an opportunity to discuss with the full Council the City's own use of the City Shield Design the City official seal.

Economic Development and Marketing Director Alison Maxwell reported on the City's licensing agreement with the Chamber of Commerce, and the use of the City shield and seal.

Councilmember Mirisch pointed out that the Chamber of Commerce uses the shield the same way as the City does making it appear like they are an official government department. He suggested that other organizations such as homeowners groups be allowed to use the shield, and using the seal for formal functions for differentiation. Mayor Krasne suggested that elected City officials to use the seal and not the shield. Vice Mayor Delshad suggested letting Beverly Hills Chamber use the shield. Councilmember Mirisch agreed that elected officials should use the seal on stationery and business cards. Councilmember Brien spoke in favor of the Chamber using the shield and officials using the seal. Councilmember Brucker expressed preference in using the shield. Vice Mayor Delshad recommended observing consistency to avoid confusion. Council agreed to use the shield on business cards and the option to use the seal on the stationery.

Thomas White commented that the primary use of the shield is as a community asset and the commercial application is only secondary therefore city associations should be permitted to use the shield upon application. Councilmember Mirisch supported Mr. White's suggestion to let homeowners groups use the shield in an appropriate manner.

6. Request of Mayor Krasne to Reconsider the Resolution of the City Council to Modify Preferential Permit Parking Zone YY on the 1200, 1300, 1400 Blocks of Park Way and the Resolution of the City Council Providing Preferential Parking Permits to the Beverly Hills Presbyterian Church for Zone YY
Mayor Krasne requests that the City Council reconsider the action taken at the September 15, 2009 City Council meeting to approve the following resolutions: (1) Resolution of the Council of the City of Beverly Hills to Modify Preferential Permit Parking Zone YY on the 1200, 1300 and 1400 Blocks of Park Way; and (2) A Resolution of the Council of the City of Beverly Hills Providing Preferential Parking Permit to the Beverly Hills Presbyterian Church for Zone YY.

Deputy Director of Transportation Aaron Kunz provided information on the request to reconsider two preferential parking permit resolutions, and clarified that the motion for reconsideration must be made by one of the Councilmembers who voted to adopt the resolutions. Mayor Krasne explained the reason behind her request. Councilmember Mirisch suggested that Council also consider the financial impact from the reduced on-street parking revenue.

Thomas White questioned the basis for making the change when, according to him, there is no longer a problem.

Councilmember Brien commented that he does not support re-addressing the issue. Vice Mayor Delshad reaffirmed his original decision. Councilmember Brucker explained that people have the opportunity to park in other areas around the park and don't have to cross Route 66. Councilmember Mirisch suggested bringing back the item after the parking meter issue has been addressed. Councilmember Brucker reported that he and co-Council liaison Brien have reached out to the Presbyterian Church pastorate to set up meetings to discuss any challenges.

Robbie Anderson spoke about his experience on parking around the area. Recreation and Parks Commissioners Jill Tavelman Collins and Kathi Rothner spoke about unanimously voting against the issue, and cited the reasons why they are urging Council reconsideration.

Councilmember Mirisch questioned why the RPC was not consulted and their suggestions not included in the staff recommendations. Vice Mayor Delshad made a motion to change the parking time. At the suggestion of City Attorney Wiener, Vice Mayor Delshad requested that the item be put at a future agenda.

7. Request of Mayor Krasne to Immediately Begin Recruitment For a Position on the Recreation and Parks Commission Seeks Council concurrence to direct the City Clerk to begin the recruitment for a Recreation and Parks Commission Position.

This item was discussed at the October 6, 2009 Council Formal meeting.

8. Request of Mayor Krasne to discuss the Relocation of the Erratic Sculpture Seeks Council direction on whether to relocate the sculpture and if so designate preferred locations to be explored.

Robbie Anderson requested Council to relocate the sculpture and place a moratorium on the placement of art pieces on the stretch of parkland running along Wilshire and Santa Monica Boulevards. Fine Art Commissioner Terri Smooke urged Council not to move the *Erratic* from its current place, and also spoke about putting a barrier around the works of art to protect them if necessary.

In response to Mr. Anderson's comments, Vice Mayor Delshad commented that the Council listens to Commissions' suggestions.

This item was continued at the October 6, 2009 Council Formal meeting.

B - INFORMATION

9. The Rodeo Drive Walk of Style Transmits information regarding the Rodeo Drive Walk of Style scheduled for Thursday, October 22, 2009 on the 200 block of North Rodeo Drive.

This item was not discussed.

10. Beverly Hills Education Foundation Apple Harvest Faire Transmits information regarding BHEF's Apple Harvest Faire scheduled for Sunday, October 25, 2009.

This item was not discussed.

11. Energy Options The City explored Community Choice Aggregation several years ago and is sharing that past information with the City Council.

This item was discussed at the October 6, 2009 Council Formal meeting.

12. Regional Projects List - City Council Monthly Update for October 6, 2009 Update on development projects occurring outside of the City.

This item was not discussed.

13. Health and Safety Week Provides the City Council with information on the Health and Safety Week to be held October 26 through November 1, 2009.

This item was not discussed.

14. Notes from the Special Meeting of the City Council Committee for Licensing and Branding of June 4, and June 24 and August 11, 2009 regarding Shield Licensing Matters

This item will provide a summary of the Special Meetings of the City Council Branding and Licensing Committee meetings held June 4, June 24, and August 11, 2009 to discuss Shield Licensing Matters; in

particular this report will provide an overview of a protocol developed by the Committee for reviewing and approving license applications.

This item was not discussed.

The Study Session recessed at 4:47 p.m. and was resumed at the end of the Formal meeting.

City Clerk's Office/lsr

THESE INFORMATIONAL NOTES ARE PREPARED BY THE CITY CLERK'S OFFICE AND ARE NOT APPROVED BY THE CITY COUNCIL.

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

ATTACHMENT 5

CITY OF BEVERLY HILLS

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

Categorical Exemption

NAME OF PROJECT 1200, 1300 and 1400 blocks of Park Way modification

LOCATION North and South sides of the 1200, 1300, & 1400 blocks of Park Way between North Rodeo and North Crescent Drives

TYPE OF BUSINESS (IF COMMERCIAL) N/A - residential

PROJECT DESCRIPTION Modify parking regulation on the north (residential) side to "No Parking Anytime, Except by Permit YY" and add a parking restriction to the 43 metered parking spaces on the south side of "No Parking, 10:00 p.m. to 2:30 a.m., Daily, Except by Permit YY"

APPLICANT'S NAME City of Beverly Hills PHONE 310-285-1000

APPLICANT'S ADDRESS 455 North Rexford Drive

CITY Beverly Hills, CA ZIP 90210

IF DIFFERENT, PROVIDE:

AGENT'S NAME Dept. of Public Works & Transportation PHONE 310-285-2500

AGENT'S ADDRESS 345 Foothill Road

CITY Beverly Hills ZIP 90210

The undersigned, having received this project for processing, has reviewed it for environmental impact and concluded that the project qualifies for a categorical exemption under the procedures adopted by the City of Beverly Hills and no further environmental assessment is necessary.

Applicable Exemption Class 1(c)

COMMENTS Operation of existing public street, no expansion of use.

Parking is available at the meters on the south side of the street to

accommodate a "No Parking Except by Permit" regulation on the north side of the street. The additional parking restriction changes on the south side of the street would occur during non-peak hours when parking is more available in the nearby commercial district.

Reviewed by *Georgina Miller* Date *Dec. 3, 2009*

ATTACHMENT 6



Notice of Public Meeting

Parking on the 1200, 1300, 1400 Blocks of Park Way

Date: Tuesday, December 15, 2009
Time: 7:00 p.m.
Location: Council Chambers, 455 North Rexford Drive, Beverly Hills, CA, 90210

At its regular meeting on Tuesday, December 15, 2009, the Beverly Hills City Council will reconsider the adoption of a parking regulation on the south side of the **1200, 1300 and 1400 blocks of Park Way** adjacent to Beverly Gardens Park.

On September 15, 2009, the City Council adopted a resolution establishing a "No Parking, 8:00 p.m. to 2:30 a.m., Daily, Except by Permit YY" regulation to the 43 meters on the south side of the 1200, 1300 and 1400 blocks of Park Way. At its October 6, 2009 Informal meeting, the City Council directed staff to prepare a resolution to consider changing the regulation to:

"No Parking, **10:00 p.m.** to 2:30 a.m., Daily, Except by Permit YY"

No changes will be considered to the "No Parking Anytime, Except by Permit YY" regulation approved by the City Council on September 15, 2009 for the north side of Park Way. New signage on the north side of Park Way will be posted by the end of the year.

All interested persons are invited to attend and speak on the matter. Written comments may be submitted by mail to: Department of Public Works & Transportation, 345 Foothill Road, Beverly Hills, CA 90210, or sent to the fax number or email address listed above. If there are any questions regarding this notice, please contact the Department of Public Works and Transportation at (310) 285-2452.

Aaron Kunz
Deputy Director of Transportation

December 1, 2009