



## AGENDA REPORT

**Meeting Date:** October 18, 2010  
**Item Number:** G-6  
**To:** Honorable Mayor & City Council  
**From:** Chad Lynn, Director of Parking Operations  
**Subject:** AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING SECTION 7-3-111 OF THE BEVERLY HILLS MUNICIPAL CODE REGARDING THE ISSUANCE OF CLASS 1 PERMITS

**Attachments:** 1. Ordinance

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### **RECOMMENDATION**

Staff recommends that the City Council move to waive the full reading of the ordinance and that the ordinance entitled "An Ordinance of the City of Beverly Hills Amending Section 7-3-111 of the Beverly Hills Municipal Code Regarding the Issuance of Class 1 Permits" be introduced and read by title only. If introduced, the proposed ordinance allows the current City Treasurer to provide one Deputy City Treasurer with one Class 1 parking permit, updates the list of City Commissions that are eligible for use of Class 1 permits and makes clear that once a commissioner or other listed employee ceases to be a commissioner or employee, that the Class 1 permit is void and no longer valid.

### **INTRODUCTION**

Section 7-3-111 (B) of the Beverly Hills Municipal Code (BHMC) provides for the issuance and usage of Class 1 Permits. These permits provide specific parking privileges to members of the City Council, City Commissions, City Treasurer and members of the City's executive staff while conducting City business.

At a study session related to the City's current ordinance, the City Council directed staff to provide language to amend the BHMC to enable the current City Treasurer to request that a single Class 1 Permit be provided to one Deputy City Treasurer in recognition of the work performed on behalf of the City of Beverly Hills.

### **DISCUSSION**

Pursuant to the direction of the City Council, the attached ordinance will amend the BHMC to reflect the following:

- Provides that the current City Treasurer may request that a single Class 1 Permit be issued a Deputy City Treasurer as designated by the City Treasurer. Once the City Treasurer designates the Deputy City Treasurer who is to receive the Class 1 permit, the City Treasurer may not request the issuance of any additional permits to the same Deputy City Treasurer or any other Deputy City Treasurer. This language follows the direction of the City Council provided to staff at the Study Session. The Class 1 Permit is only to be used when engaged in City business.
- Updates the list of City Commission eligible to obtain and use Class 1 permits when engaged in City business.
- Adds new language to make clear that when a person holding a Class 1 permit is no longer eligible to hold that permit (i.e. no longer a Commissioner or a designated City employee), the permit is deemed void and is invalid for use.

The City Treasurer appoints and manages the work of the Deputy City Treasurer. The language proposed provides that only the City Treasurer in office as of October 18, 2010 may request that a Class 1 permit be provided to one Deputy City Treasurer for use when conducting business on behalf of the City. Once this permit is granted, the City Treasurer has no further authority to request the issuance of a Class 1 permit to the same Deputy Treasurer or any other Deputy Treasurer. If the person designated to receive the Class 1 permit ceases to be Deputy Treasurer, the Class 1 Permit is deemed void and is invalid for use. This action adds one additional Class 1 Permit to the current inventory.

If the City Treasurer desires that Class 1 permits be provided to additional Deputy City Treasurers, this requires that the matter be returned to the City Council for direction. Any future City Treasurer will not have the authority to request that a Class 1 permit be provided to their Deputy City Treasurers.

The proposed ordinance also makes the two other revisions listed in the bullet points above. The revision ensures that the ordinance reflects the City's current inventory of permits to commissioners.

#### **FISCAL IMPACT**

There is no significant fiscal impact related to this ordinance.

 David Gustavson  
Approved By

ORDINANCE NO. 10-O-

AN ORDINANCE OF THE CITY OF BEVERLY HILLS  
AMENDING SECTION 7-3-111 OF THE BEVERLY  
HILLS MUNICIPAL CODE REGARDING THE  
ISSUANCE OF CLASS 1 PERMITS

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS HEREBY  
ORDAINS AS FOLLOWS:

Section 1. Paragraph B of Section 7-3-111 of Article 1 of Chapter 3 of Title 7  
of the Beverly Hills Municipal Code is hereby amended to read as follows:

“B. A Class 1 permit shall be issued by the Director of Public Works and  
Transportation only as follows:

1. One permit for each vehicle legally registered to each current and  
former member of the city council and each current and former city treasurer.

2. One permit for each vehicle legally registered to each current  
member of the planning, architectural, design review, traffic and parking, human  
relations, public works, recreation and parks, fine arts, health and safety and charitable  
solicitations commissions. When a commissioner ceases to be on a commission, the  
permit issued to the holder under this paragraph is deemed void and is invalid for the uses  
set forth in this Section 7-3-111. The permit holder shall return the permit(s) to the  
Director.

3. One permit to the current city manager, current city attorney,  
current city clerk, and each current executive management employee designated in the  
city's executive compensation plan. When such persons cease to be an employee of the  
City or are no longer in the position of city manager, city attorney or city clerk, the  
permit issued to the holder under this paragraph is deemed void and is invalid for the uses  
set forth in this Section 7-3-111. The permit holder shall return the permit(s) to the  
Director.

4. Notwithstanding any other provision in this paragraph B, no more  
than two (2) permits shall be issued per household. For the purposes of this section,  
"household" shall be defined as all persons who dwell within the same dwelling unit.”

Section 2. Paragraph C of Section 7-3-111 of Article 1 of Chapter 3 of Title 7  
of the Beverly Hills Municipal Code is hereby amended to read as follows:

“C. The City Treasurer who is in office as of October 18, 2010 may request that the Director of Public Works and Transportation issue a single Class 1 permit to a Deputy City Treasurer designated by the City Treasurer to receive such permit. Once the City Treasurer makes such designation, the City Treasurer has no further authority to request the issuance of additional Class 1 permits to the same or any other Deputy City Treasurer(s). When the designated Deputy City Treasurer ceases to be a Deputy City Treasurer, the permit issued under this paragraph is deemed void and is invalid for the uses set forth in this Section 7-3-111. The permit holder shall return the permit to the Director.”

Section 3. A new paragraph D is hereby added to Section 7-3-111 of Article 1 of Chapter 3 of Title 7 of the Beverly Hills Municipal Code to read as follows:

“D. Class 1 permits shall be displayed in the lower left corner of the front windshield of the vehicle.”

Section 4. Publication. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage, in accordance with Section 36933 of the Government Code; shall attest and certify to the adoption of this Ordinance and shall cause this Ordinance and the City Clerk’s certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this City.

Section 5. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

Adopted:  
Effective:

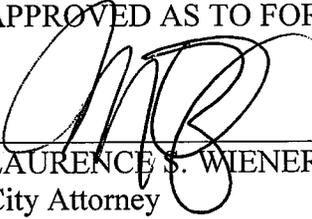
PASSED, APPROVED and ADOPTED this \_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
JIMMY DELSHAD  
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:

\_\_\_\_\_  
JEFFREY KOLIN  
City Manager

  
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DAVID D. GUSTAVSON  
Director of Public Works &  
Transportation