



## CITY OF BEVERLY HILLS STAFF REPORT

**Meeting Date:** August 23, 2012  
**To:** Honorable Mayor & City Council  
**From:** Byron Pope, CMC  
City Clerk  
**Subject:** Architectural Commission Interview Panel Report  
**Attachment:** Service on Commissions Report  
Letter from Hamid Gabbay dated July 25, 2012

---

### **INTRODUCTION**

The Architectural Commission Interview Panel composed of Mayor William W. Brien, MD, Councilmember Lili Bosse, Architectural Commission Chair Zale Richard Rubins and Architectural Commission Vice Chair James Blakeley III met on Thursday, June 28, 2012. The panel interviewed four licensed architect candidates for one vacancy on the Commission.

### **DISCUSSION**

After discussion and careful review, it was the unanimous decision of the Panel to recommend **Hamid Gabbay** for appointment. The Panel recommended Mr. Gabbay fill the position of Architectural Commissioner Walter Meyer whose term ended on July 11, 2012. Mr. Meyer has agreed to remain on the Commission through the September 2012 Architectural Commission meeting, and Mr. Gabbay must attend all Architectural Commission Meetings in their entirety as an observer prior to his appointment.

The City Council did not reach consensus on the appointment when it was first presented at the July 3, 2012 City Council Study Session. The appointment was postponed to give Mayor Brien an opportunity to communicate the concerns, namely the potential for conflict of interest and frequent recusals, voiced by the City Council to the applicant.

At the July 24, 2012 City Council Formal Meeting, Mayor Brien reported that he had a telephone conversation with Mr. Gabbay wherein Mr. Gabbay said that (1) he would list all the projects he is currently working on that might potentially go before the Commission, share the list with Council, and recuse himself from these projects; (2) somebody else from Mr. Gabbay's company would present the project(s) to the Commission; (3) in the future, his company would continue to accept new projects and he would recuse himself if those projects were presented to the Commission and would not personally present those items before the Commission, and he would not contact or work with the Community Development staff on the projects.

Meeting Date: August 23, 2012

Attached is a copy of the report concerning Mr. Gabbay's previous service on City Commissions showing his recusal record. Also attached is a copy of a letter from Mr. Gabbay dated July 25, 2012 regarding the project that he will potentially bring before the Commission.

**RECOMMENDATION**

The Architectural Commission Interview Panel recommended that the City Council appoint Hamid Gabbay to the Architectural Commission. With the concurrence of the Council, a formal report will be prepared for adoption at the September 11, 2012 Adjourned Regular City Council meeting. Should the City Council not reach consensus on this appointment, direction to staff will be needed to proceed with filling this architect position.

In addition, the Panel requests that the remaining candidates be thanked and advised that they each gave thoughtful and compelling answers to the questions posed by the Panel. The City is fortunate to have an exceptionally strong applicant pool and the applicants are encouraged to re-apply and attend as many future Architectural Commission meetings as possible. In addition, those applicants who are residents of Beverly Hills that have not participated in Team Beverly Hills are urged to do so.

  
\_\_\_\_\_  
for Byron Pope  
Approved By

# **Attachment 1**

Community Development Department  
Hamid Gabbay's Service on Commissions  
Revised by Michele McGrath on 8/1/12 to clarify information

Hamid Gabbay served on the Planning Commission (PC) from April 1992 – September 1998. He resigned from the PC.

Hamid Gabbay served on the Design Review Commission (DRC) from 2004-2010. His recusals (per year) are as follows:

YEAR	Total # of DRC Meetings	Number of DRC case reviews from which Mr. Gabbay recused himself*
2004	5	None
2005	9	None
2006	13	5
2007	13	5
2008	12	9
2009	11	11
2010	14	3

\*Mr. Gabbay attended the balance of these meetings

The recusals above were in connection with 10 different projects for which Mr. Gabbay or his firm, Gabbay Architects, was the applicant. The addresses for these projects are:

- 622 Walden Drive
- 205 North Elm Drive
- 620 Walden Drive
- 264 South Rodeo Drive
- 607 North Canon Drive
- 122 North Oakhurst Drive
- 225 South Crescent Drive
- 216 North Oakhurst Drive
- 610 North Rodeo Drive
- 126 North Maple Drive

# **Attachment 2**

HAMID E. GABBAY  
1261 LEONA DR. • BEVERLY HILLS • CA • 90210

July 25, 2012

The Honorable Dr. William Brien, Mayor of Beverly Hills,  
Vice Mayor John Mirisch, Councilmember Barry Brucker,  
Councilmember Lili Bosse, and Councilmember Dr. Julian Gold  
Beverly Hills City Council, Rm. 400  
455 N. Rexford Drive  
Beverly Hills, CA 90210

Dear Mayor Dr. Brien, Vice Mayor Mirisch and Members of the City Council:

Following your public hearing on Tuesday, July 24<sup>th</sup>, I would like to provide you with the following information:

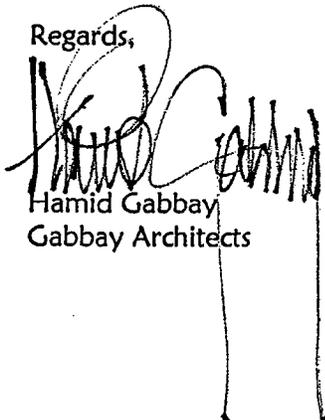
Since 2009, I have had five projects presented to the Architectural Commission as follows:

1. 267 North Canon Drive
2. 257 North Canon Drive
3. The Writers and Artists Building
4. North Oakhurst Condos
5. South Elm Condos

From the aforementioned, the only project that is considered in "pipeline" is 257 North Canon Drive (iPic Theaters), and the others have been approved and have nothing to do with the Architectural Commission anymore.

Therefore, I have only one potential project in pipeline and, on average, I have had only one project per year presented to the Architectural Commission. Furthermore, if you consult with my fellow Commissioners on the Planning Commission and the Design Review Commission, the reality is not only that they haven't done me any favors but, vice versa, my projects have always been looked at under a microscope.

Regards,



Hamid Gabbay  
Gabbay Architects