



CITY OF BEVERLY HILLS STAFF REPORT

Meeting Date: August 20, 2013
To: Honorable Mayor & City Council
From: Steven Zoet, Director of Community Services
Subject: Direction Regarding Proposed Donor Recognition Options for the Beverly Gardens Restoration Effort
Attachments: 1. Proposed Concepts
2. Pledge Agreement

INTRODUCTION

On July 2, 2013 staff brought forward various design concepts for the recognition of large donors to the Beverly Gardens restoration project. These concepts originated and were graphically depicted by the project's architectural team of Mia Lehrer and Associates. The options provided were designed to integrate with the park and its surroundings.

After review, Council gave direction to staff and requested that the item be brought back for further discussion once revised options were developed.

DISCUSSION

City Council direction provided to staff generally supported the concept of an informational pedestal that would document the story of this citizen-initiated renovation effort and would also serve as a means to recognize a major donor to the project should one come forward. As initially proposed, two waist-high pedestals were placed within the decomposed granite (DG) pathways that parallel Santa Monica Boulevard in the Beverly-to-Canon block of the park. The Council did not support placing such items within pedestrian pathways and asked that if such an item were ultimately approved that it be placed in an area that does not impede pedestrian flow or detract from the park's green space. It was further stated that the bronze plaques could potentially be mounted onto a boulder or other element that is more natural to a park setting.

Other items presented and discussed included the concept of constructing a retaining wall around portions of the Cactus Garden if and when that block is revitalized at a future date and to utilize a portion of the wall to name a benefactor who donates a large sum of funds to that block's restorative effort. That concept was not supported and is not being considered further. Additionally, staff presented the concept of utilizing the temporary construction fencing that would reference project donors but City Council likewise did not support that concept and it too is not being presented for further consideration.

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Staff is, along with the full consensus and support of the Recreation and Parks Commission, respectfully asking City Council to reconsider use of the back wall behind the Electric Fountain at the intersection of Wilshire and Santa Monica Boulevards. At present, there is a plaque affixed to the wall that recognizes residents who supported and contributed to the original creation and development of the park. Staff and the Commission feel that precedence in recognizing citizen contributions was established by the placement of this plaque and see this as the appropriate location to consolidate donor recognition efforts and commemorate those who made this restoration project possible as a result of their gifts.

City Council did not voice concern regarding the placement of relatively small plaques affixed to the lily pond that would recognize those who made a sizeable donation specific to the restoration of the pond. Staff would like to confirm that understanding of the Council as a whole and ask for your authorization to accept a \$100,000 donation received by the Community Charitable Foundation that was conditioned on the donor's family foundation receiving recognition on one of these plaques. Descriptive verbiage would be discussed and mutually agreed to. This benefactor has also pledged, via a signed agreement, to make a similar gift of \$100,000 on or before July 31, 2015 in consideration of this request.

Staff and Recreation and Parks Commission Chair Robert Anderson met with Mayor Mirisch and Council member Krasne, who serve on the Beverly Gardens ad hoc committee, on August 7 to review the options that have been developed by the project's architectural team and discuss other project related items. The ad hoc committee did not favor a pedestal or related feature to be installed within the park but did support the concept of consolidating recognition efforts and further supported that occurring on the wall behind the Electric Fountain. Chairperson Anderson shared concepts with the committee members and staff that he devised and felt were reflective of the Recreation and Parks Commission's expressed wishes. This proposal was supported by Mayor Mirisch and Councilmember Krasne.

Additionally, the committee supported the concept of up to two plaques being mounted to the lily pond that would recognize two donors who have contributed substantial funds to the pond's restoration. As originally proposed, these plaques were depicted on the front of the structure facing Santa Monica Boulevard. Chairperson Anderson favored plaques mounted on top of the pond's southernmost structure where it was felt they would actually be more accessible to and more easily read by the viewing public. This proposed placement was supported by the committee.

FISCAL IMPACT

Funding for any form of donor recognition would come from proceeds that are being generated through privately coordinated fundraising efforts. Public funds would not be utilized for this purpose or cause.

RECOMMENDATION

The Beverly Gardens ad hoc committee, Recreation and Parks Commission and staff recommend that all project donor recognition be consolidated and placed on the wall space that currently exists behind the Electric Fountain. The exception to this approach is the allowance for the two separate plaques affixed to the lily pond structure that would recognize two donors who made sizeable donations to the restoration of the pond. All of the aforementioned felt that was a reasonable accommodation since their contributions

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allowed for the first phase of the project and the restoration of the lily pond to occur as a result.

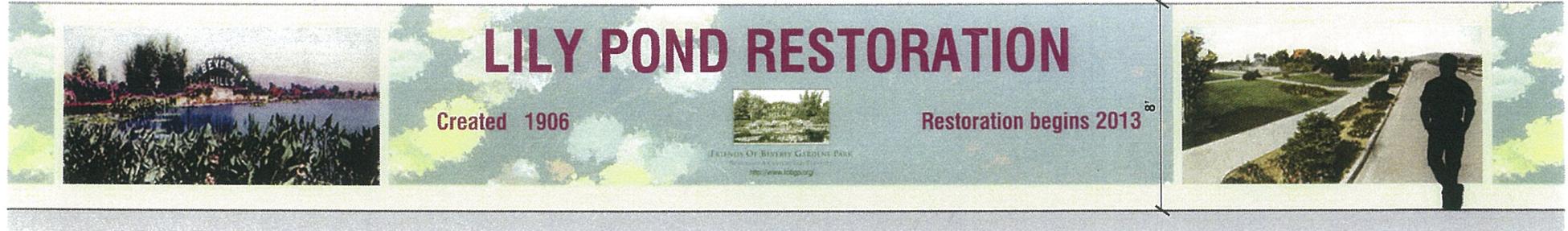
Lastly, staff recommends that a donor who has remitted \$100,000 towards the project and pledged, via a signed agreement, an additional \$100,000 to be received on or before July 31, 2015, be allowed to have their family foundation recognized as a benefactor on one of the bronze plaques affixed to the lily pond. The original \$100,000 donation was submitted along with the donor's understanding of this recognition and therefore the check has not yet been deposited, pending City Council direction. An additional benefactor previously contributed a like amount and, as a result, it is anticipated that a second complementary plaque would also be affixed in a similar manner to recognize their generous gift as well. The proposed pledge agreement is attached for City Council's review. The City Attorney's office has reviewed the attached and is comfortable with its content. The names of the benefactor have been redacted as it is unknown if they wish for their identity to be revealed at this time.

Staff seeks direction from the full City Council regarding this matter and the aforementioned recommendations.

Handwritten signature in blue ink that reads "Nancy Hunt-Coffey for Steve Zoet". To the right of the signature are the initials "SZ".

Steve Zoet
Approved By

BEVERLY HILLS



"LILY POND RESTORATION" : SIZE 20" HIGH
 "Created 1911" and "Restoraltion begins 2013" : SIZE 10" HIGH



BEVERLY HILLS



CONSTRUCTION FENCING FACING SANTA MONICA BOULEVARD



Construction Fence

BEVERLY GARDENS PARK Beverly Hills, CA

Canon Beverly Garden: #14

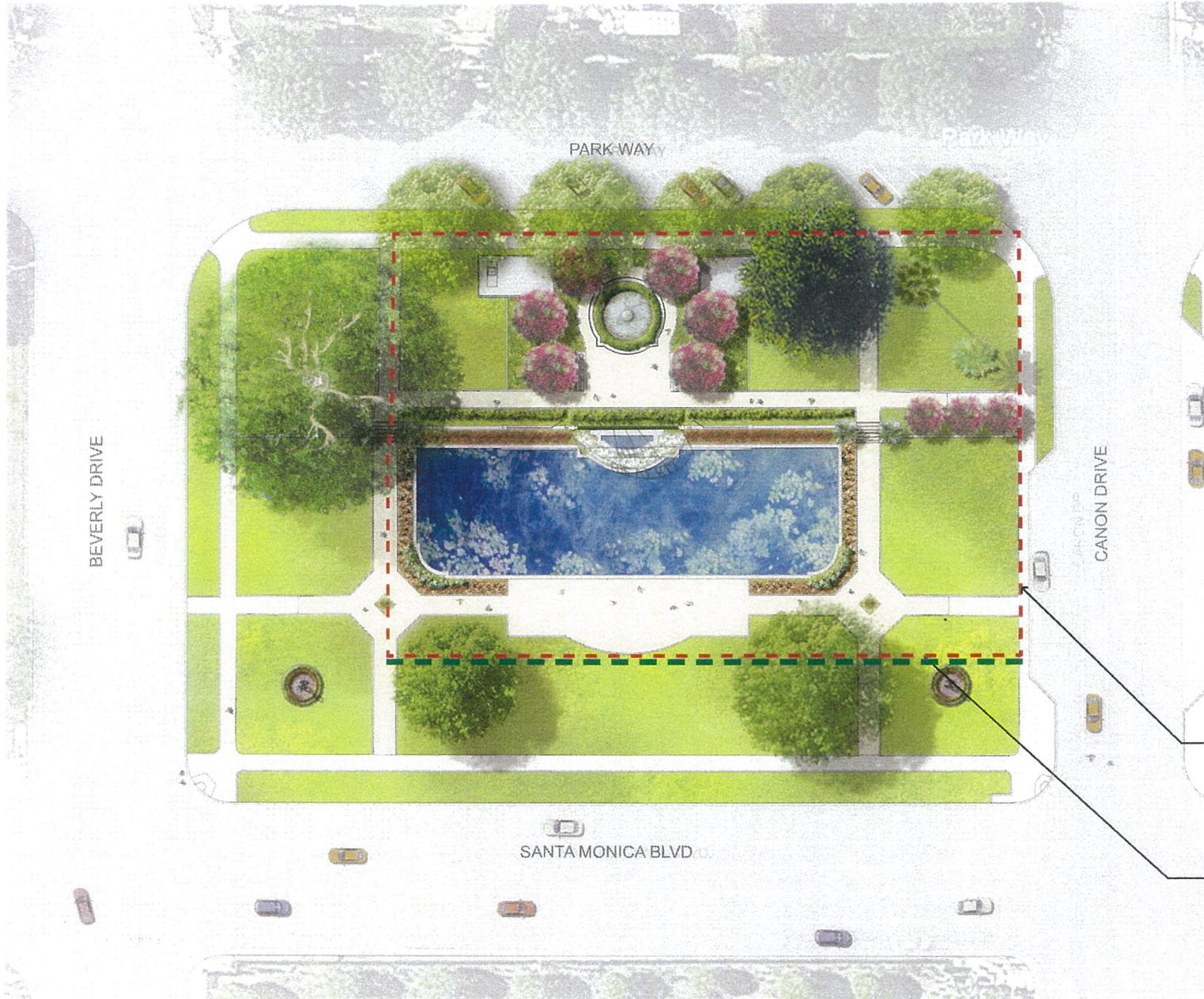
MIA LEHRER+ASSOCIATES URBAN DESIGN LANDSCAPE ARCHITECTURE

BARBARA L. HALL, P.E., INC.
 GOTAMA BUILDING ENGINEERS
 HOLDENWATER WATER ARCHITECTURE AND ENGINEERING

HORTON LEES BROGDEN LIGHTING DESIGN
 SILVERLAKE CONSERVATION, LLC
 MATT CONSTRUCTION



JULY 22, 2013



CONSTRUCTION FENCE LOCATION

CONSTRUCTION FENCE WITH GRAPHIC

NOTE: ACCESS GATE LOCATION TBD

Construction Fence

BEVERLY GARDENS PARK Beverly Hills, CA

Canon Beverly Garden: #14

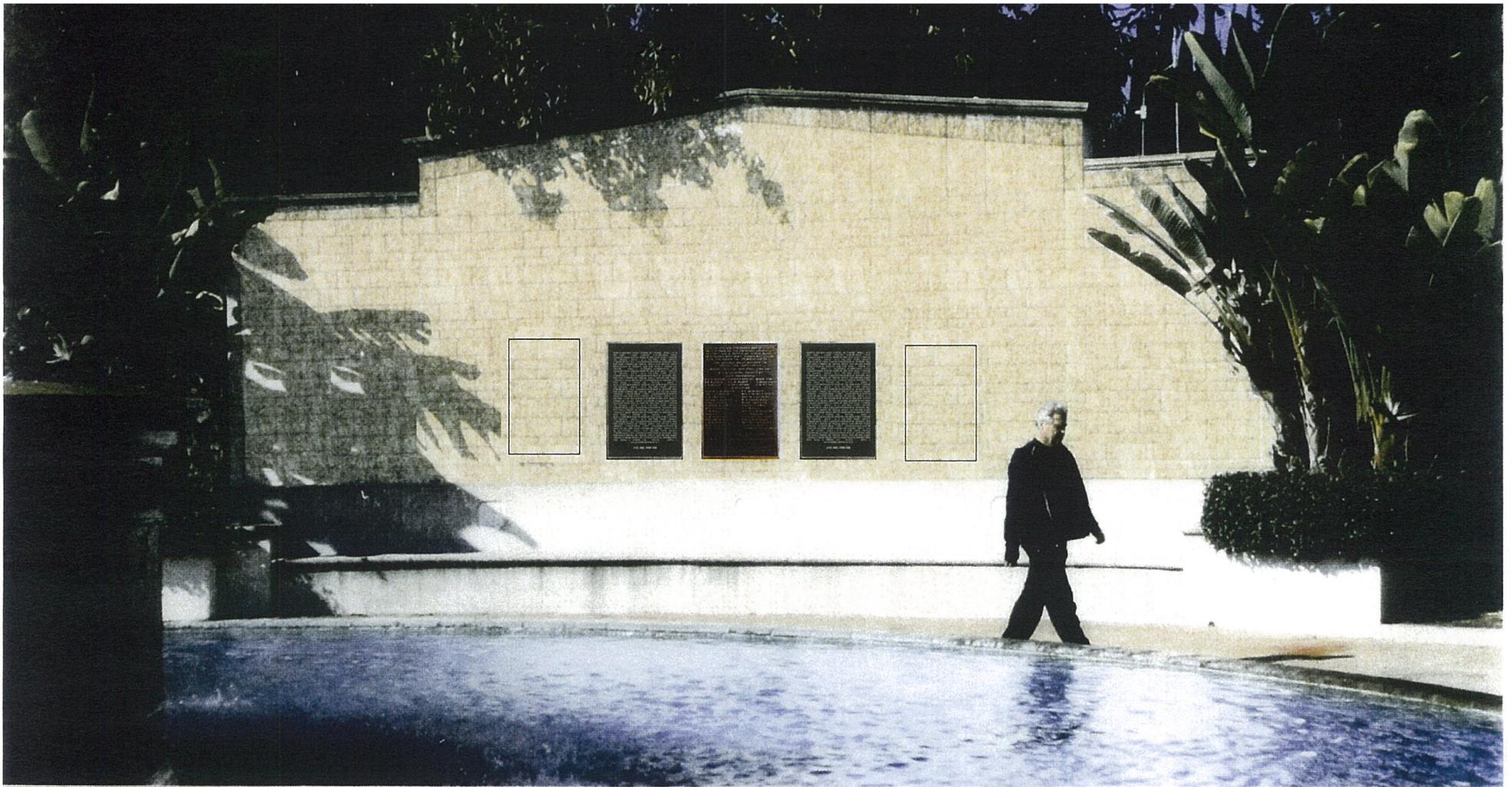
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JULY 22, 2013



EXISTING BACK WALL



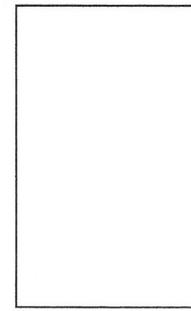
NEW DONOR PLAQUE (LEFT)



NEW DONOR PLAQUE (CENTER)



NEW DONOR PLAQUE (RIGHT)

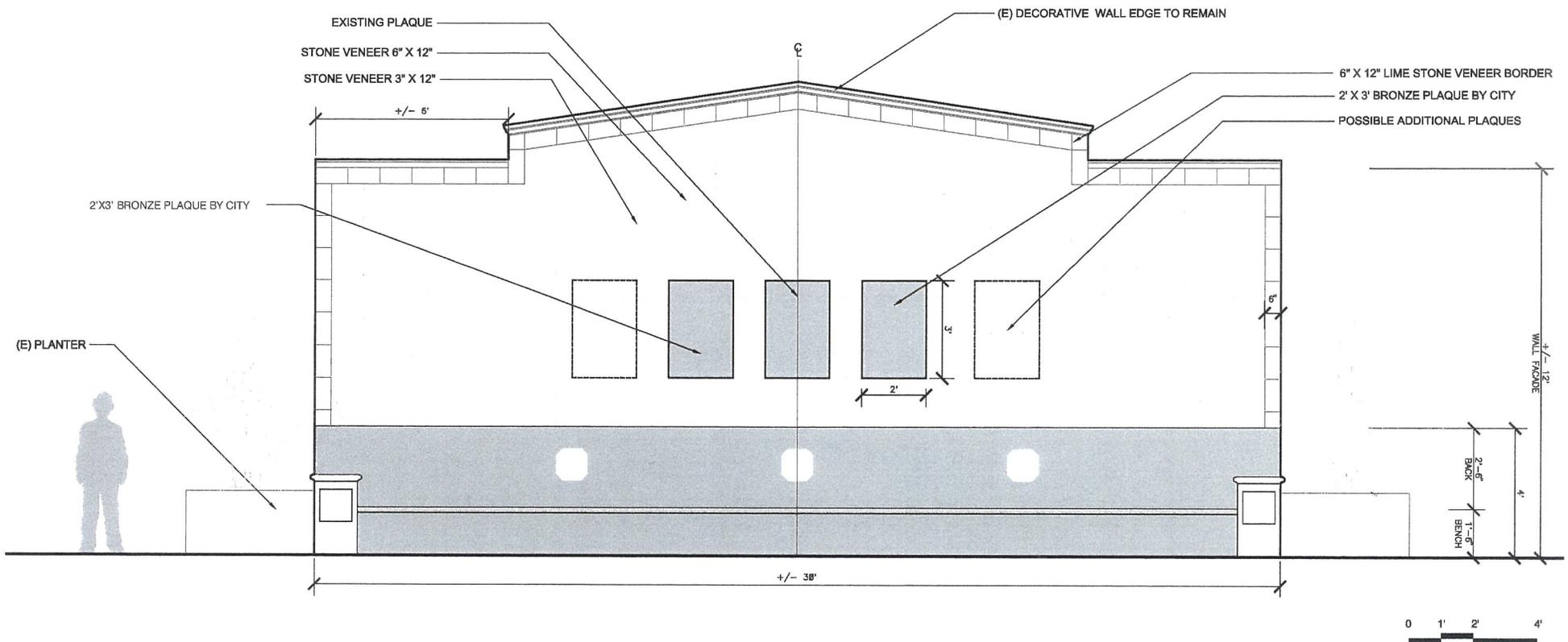


POSSIBLE ADDITIONAL PLAQUES

PROPOSED WALL IMPROVEMENT
Stone Veneer with New Donor Plaques

MIA LEHRER+ASSOCIATES URBAN DESIGN LANDSCAPE ARCHITECTURE





Electric Fountain Wall | ELEVATION - OPTION B

BEVERLY GARDENS PARK Beverly Hills, CA

Walden Carmelita Garden: #21

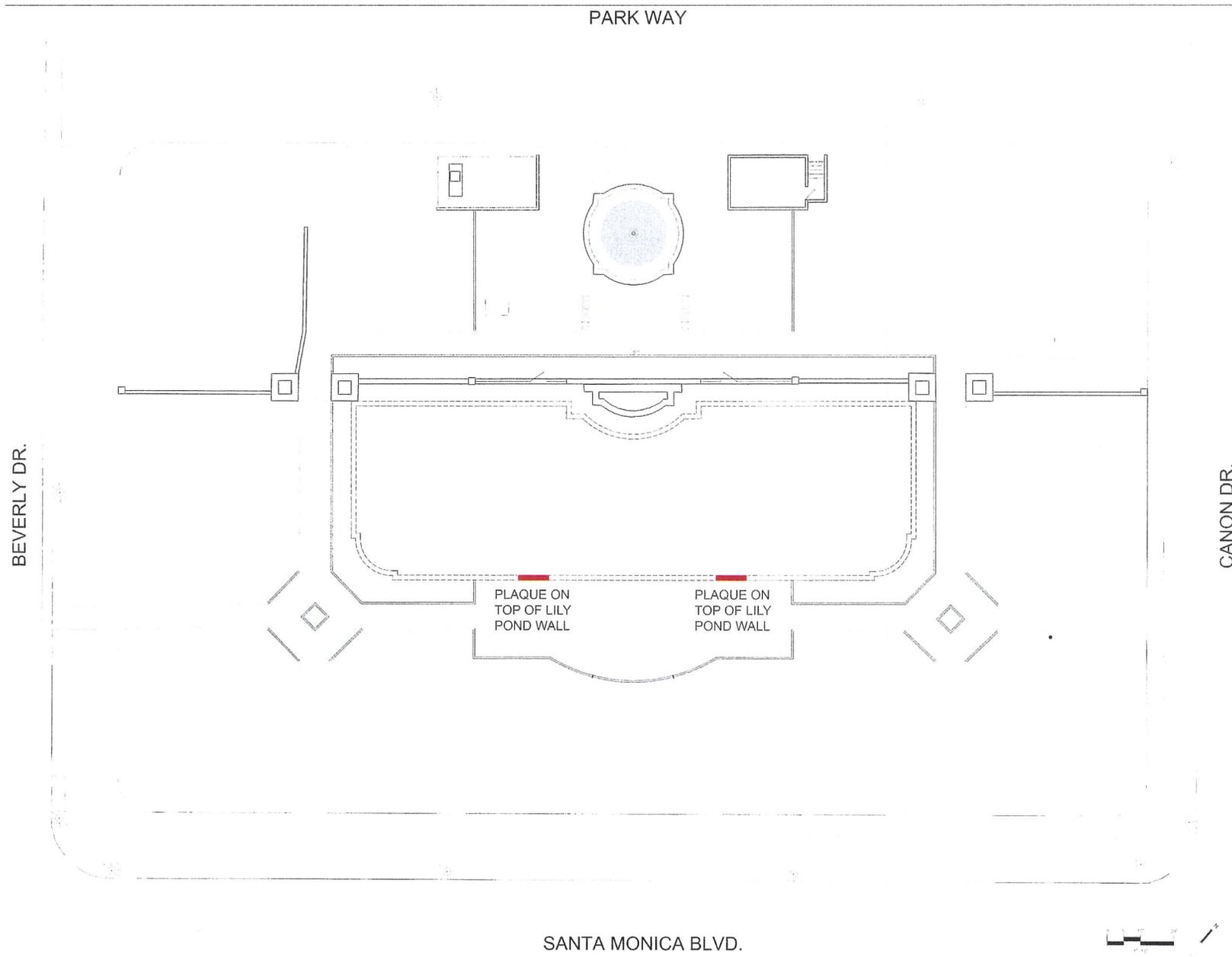
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 SILVERLAKE CONSERVATION, LLC
 MATT CONSTRUCTION

AUGUST 6, 2013





Donor Recognition AT LILY POND | Location Plan

BEVERLY GARDENS PARK Beverly Hills, CA

Canon Beverly Garden: #14

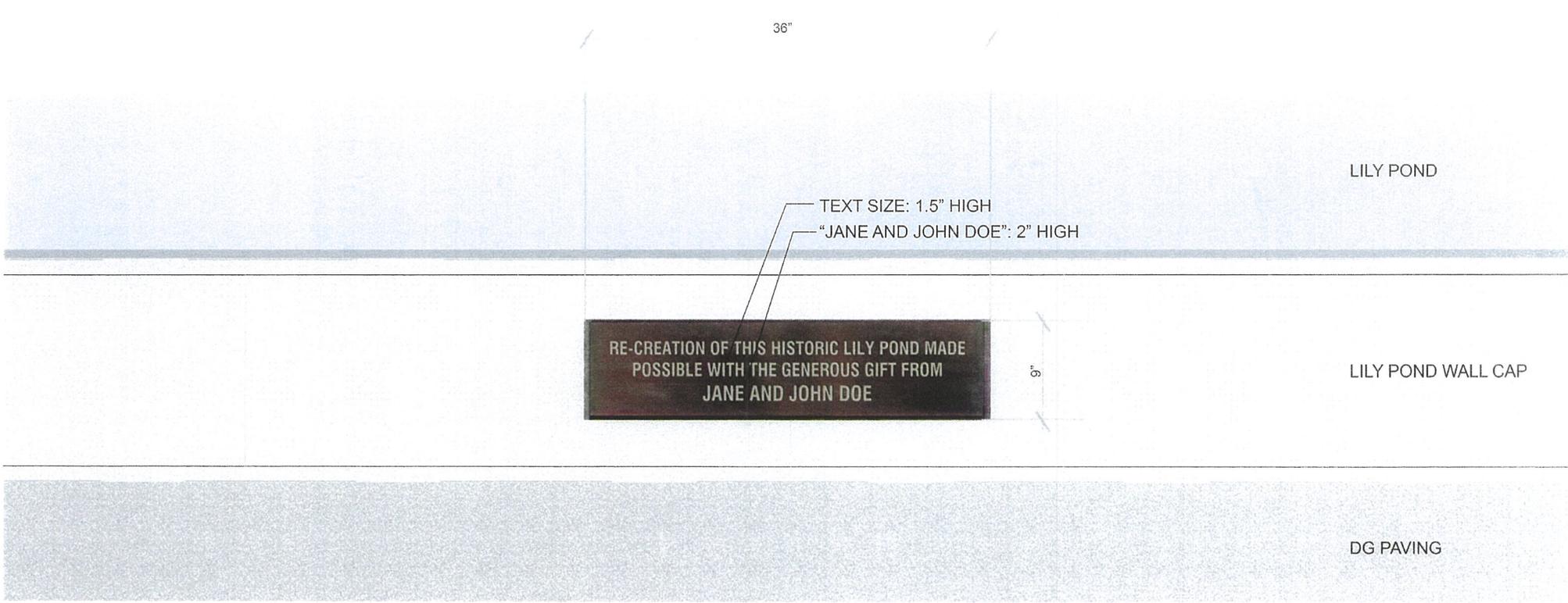
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JULY 22, 2013



LILY POND

LILY POND WALL CAP

DG PAVING



Donor Recognition AT LILY POND | PLAN

BEVERLY GARDENS PARK Beverly Hills, CA

Canon Beverly Garden: #14

MIA LEHRER+ASSOCIATES URBAN DESIGN LANDSCAPE ARCHITECTURE

BARBARA L. HALL, P.E., INC.
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SILVERLAKE CONSERVATION, LLC
MATT CONSTRUCTION



JULY 22, 2011

PLEDGE AGREEMENT

This Agreement (the "Agreement") entered into this ____ day of _____, 2013 by and between the [REDACTED], a California nonprofit public benefit corporation (the "[REDACTED]") and THE CITY OF BEVERLY HILLS COMMUNITY CHARITABLE FOUNDATION, a California nonprofit public benefit corporation ("BHCCF").

1. **GRANT.** The [REDACTED] agrees to make a grant to BHCCF in the amount of Two Hundred Thousand Dollars (\$200,000) (the "Grant"), subject to the following terms.
2. **PAYMENT OF THE GRANT.** The [REDACTED] shall pay the Grant in two installments of One Hundred Thousand Dollars each, with the first installment payable on or before September 31, 2013 and the second installment payment on or before July 31, 2015.
3. **PURPOSE.** The Grant will be used for restoration of Beverly Gardens Park (the "Park").
4. **DONOR RECOGNITION.** The Grant is contingent upon the City Council of the City of Beverly Hills agreeing to recognize the [REDACTED] donation by installing a bronze plaque affixed to the top of the lily pond in the Park. The City of Beverly Hills and the [REDACTED] will mutually agree as to the description on the bronze plaque.
5. **IRREVOCABLE AGREEMENT.** If the City Council of the City of Beverly Hills agrees to install the bronze plaque in front of the lily pond, this Agreement shall be irrevocable and binding upon the parties, their successors, heirs, personal representatives, and assigns. Notwithstanding the foregoing, the [REDACTED] and BHCCF reserve the power to jointly rescind or amend this Agreement by written agreement signed by each of them to such effect.
6. **GOVERNING LAW.** This Agreement shall be governed by California law.

[REDACTED]

CITY OF BEVERLY HILLS COMMUNITY
CHARITABLE FOUNDATION

By: _____
[REDACTED], President

By: _____
Name:
Title: