

**CITY OF BEVERLY HILLS
MINUTES - STUDY SESSION
October 15, 2013
Council Chambers
2:30 P.M.**

**PRESENT: Mayor Mirisch
Vice Mayor Bosse
Councilmember Brien
Councilmember Gold
Councilmember Krasne
Jeff Kolin, City Manager
Larry Wiener, City Attorney
Aaron Kunz, Deputy Director of Transportation
Michelle Tse, Senior Management Analyst
Nestor Otazu, Community Preservation Manager
Gisele Grable, Community Services Administrator
Megan Roach, Marketing and Economic Sustainability Manager
Byron Pope, City Clerk
Cheryl Friedling, Deputy City Manager
Brad Meyerowitz, Recreation Services Manager**

A - DIRECTION

- 1.** Proposed Local Ordinance Governing Labor Negotiations Item First Agendized on 9/10/13
Per the City Council's direction at the August 20th Study Session, this report outlines proposed provisions of a local ordinance governing labor negotiations based on the discussion at that meeting, compares the proposed provisions to state law, and requests further direction.

City Attorney Larry Wiener reported on the request by Council from its August 20, 2013 Study Session directing him to return with a summary of the direction from Council on the proposed local ordinance and any State laws that may conflict with that direction.

At the request of Vice Mayor Bosse, Mr. Wiener discussed the current practice versus the requirements of the new proposed ordinance. Mr. Wiener cited Government Code section 7507 that currently addresses some of the issues that were discussed at the Study Session of August 20, 2013.

Council directed Mr. Wiener to adopt the most stringent standard as part of the local ordinance and to return the item to a City Council Formal meeting for consideration and adoption.

2. Santa Monica Boulevard Blue Ribbon Committee Formation

This item is for City Council approval of the Committee members, Committee Assignment, and method to appoint the Committee Chair.

Deputy Director of Transportation Aaron Kunz presented the Santa Monica Boulevard Blue Ribbon Committee formation and Council appointees.

Councilmember Krasne indicated that her selection of Antoinette Saleh should be changed to Mark Saleh.

Council directed staff to verify that all committee members are Beverly Hills resident. The Committee will choose the Chair and its first meeting will be November 5, 2013.

3. Request by Councilmember Gold to Consider Regulations on the Sales and Consumption of E-Cigarettes (Item First Agendized on 9/24/13)

Councilmember Gold is asking for discussion by the City Council on the use of e-cigarettes and providing direction to staff on proceeding with formulating regulations on the sales and consumption of e-cigarettes.

Senior Management Analyst Michelle Tse presented this item at the request of Councilmember Gold. Ms. Tse discussed the current ordinances that regulate smoking in the City.

Councilmember Gold provided background information regarding his request that the Council consider banning the sale and consumption of e-cigarettes in the City.

City Attorney Wiener responded to questions regarding the ban of both tobacco and e-cigarettes. He indicated that he needed to review State law.

Council directed the Health and Safety Commission to research a ban on the sale of both tobacco and e-cigarettes in the City. In the interim, a moratorium on the sale and use of e-cigarettes in the City was imposed.

4. Request by Councilmember Krasne for a Discussion Regarding the Regulation of Air Conditioning in Multi-Family Apartment Buildings as it Relates to Tenants' Legal Rights and Habitability and Update on Issues Identified at 350 N. Crescent Drive (Item First Agendized 10/3/13)

Staff will present code sections relevant to tenants' rights and habitability in multi-family apartment buildings, with specific focus on air conditioning systems as an amenity provided by the property owner as a condition of the lease agreement. Staff will also provide an update as to the repairs of air conditioning systems at apartment building located at 350 N Crescent Drive.

Community Preservation Manager Nestor Otazu summarized the request of Councilmember Krasne and the events that led to the issues at the 44 unit apartment building located at 350 North Crescent Drive. He indicated that the

City's attorney, Dapeer Rosenblit Litvak, sent a letter to the property owners which outlined the deficiencies with the dwelling. He noted which repairs had been made to date. In addition, he reviewed the legal requirements of multi-family building owners.

Mr. Otazu responded to questions regarding code enforcement protocol and if the issues occurring at 350 N. Crescent Drive happen often. He also reviewed the differences between Chapters 5 and 6 which outline the parameters for rental increases. Mr. Otazu indicated that staff will explore adding a page to the City's website listing buildings with code enforcement violations.

Managing Member of Beverly Hills Apartments LLC, Michael Seltzer, which owns the building spoke briefly. He was accompanied by Scott Mossler of the property management company that oversees the building as well as Building Manager Hadil Sittu and Mark Schneider with the property management company. Mr. Seltzer and Ms. Sittu responded to Council questions regarding the issues and repairs made to date.

Councilmember Krasne will meet with Mr. Seltzer outside of a Council meeting to review the rent increases and other issues with the buildings owned by Mr. Seltzer.

City Attorney Wiener responded to questions regarding retaliatory evictions and reported that the state laws have provisions which address this issue. He will return at a future Study Session for further Council discussion.

5. Street Closure Request from the Rodeo Drive Committee for a Centennial Birthday Cake Event

Request from the Rodeo Drive Committee (on behalf of the Luxe Hotel Rodeo Drive and Guittard Chocolate Company) for a partial street closure (east side only) on the 300 block of N. Rodeo Drive on March 23, 2014 and for the City to cover related costs, to display a giant cake in celebration of the City's Centennial.

Community Services Administrator Gisele Grable summarized the request from the Luxe Hotel and Guittard Chocolate for a partial street closure on the 300 block of North Rodeo Drive on Sunday, March 23, 2014 for a Centennial Birthday Cake event.

Mr. Marcus Mueller, General Manager of the Luxe Hotel, summarized the proposal for the event. He introduced Donald Wressell, Corporate Pastry Chef of Guittard Chocolate, who presented the illustrations for the Centennial Cake. Efram Harkum, owner of the Luxe Hotel, further described their vision for the proposed event.

Councilmember Krasne requested that the City's Cable division record the building of the cake.

Rodeo Drive Committee President Jim Jahant responded to questions from Mayor Mirisch regarding hosting the Centennial Block Party as part of this event. Rodeo Drive Committee Walk of Style Chairwoman Peri Ellen Berne spoke briefly about the entertainment elements for the event.

Council directed staff to move forward with the Centennial Birthday Cake event and to return with more information regarding the incorporation of the party.

6. Report on the Recommendations of the Public Works Liaison Committee Relative to Title 2, Chapter 2 of the Beverly Hills Municipal Code Involving the Administrative Procedures of Commissions (Item First Agendized on 10/3/13)
Staff to report on the Public Works Liaison Committee recommendation to the City Council: Commission term of office to be extended from 6 years to 8 years; amend the term a commissioner may serve as chair; and, expand the size of the Public Works Commission from 5 to 7 members.

Item not discussed.

7. Public Works Commission Interview Panel Report (Item First Agendized on 10/3/13)
Transmits the interview panel's appointment recommendation for the Public Works Commission.

City Clerk Byron Pope reported on the recommendation of the Public Works Interview Panel consisting of Mayor Mirisch, Councilmember Krasne, Public Works Commission Chair Barry D. Pressman, and Vice Chair Ron Shalowitz to recommend Sandra Aronberg, MD and Jeff Wolfe for appointment to fill two positions.

Councilmember Krasne commented on the Interview Panel's recommendation.

Council agreed with the recommendation and directed the City Clerk to return at the next Formal Council meeting for adoption.

8. 2014 Tournament of Roses Parade Float (Item First Agendized on 9/24/13)
This item provides an update on the 2014 Tournament of Roses parade float. Staff seeks Council direction on the proposed float design.

Deputy City Manager Cheryl Friedling presented the design for the 2014 Centennial Tournament of Roses Parade Float.

Councilmember Gold inquired about the funding for the float. Ms. Friedling responded that the float cost is \$250,000. Further she indicated that an agreement has been entered into between the City and Phoenix Design for the float design and construction in this amount.

Council approved the design and directed staff to inform the float designer, Phoenix Design, to continue construction.

9. Request by Councilmember Gold Regarding the Selection Process for Rider Participants for the 2014 Tournament of Roses Parade Float
This item is a request by Councilmember Gold to discuss the various options for selecting rider participants for the City's float.

Councilmember Gold discussed his request regarding the selection of the eight riders on the Centennial float. He proposed various ideas for the selection process.

Council discussed various selection options. During Council discussion, it was indicated that the riders are required to be over 12-years-old.

Council reached consensus that the Mayor would ride on the float and the other seven seats would be selected by lottery.

10. Request by Councilmember Krasne to Approve an Additional Donor Recognition Plaque on the Lily Pond
City Council approved the installation of two donor recognition plaques on July 2, 2013 that will be mounted on top of the southernmost wall of the lily pond upon its completion. Councilmember Krasne is proposing the addition of a third and final plaque to acknowledge the generosity of the Robert Anderson family for their previous gift of the replica Beverly Hills sign that has been installed at this location.

Item not discussed.

B - ADDITIONAL ITEMS TO CONSIDER (TIME PERMITTING)

11. Chamber of Commerce Request for Usage of the Wallis Annenberg Center for the Performing Arts (Item First Agendized on 9/24/13)
Staff seeks direction on a request from the Beverly Hills Chamber of Commerce for usage of the Wallis Annenberg Center for the Performing Arts to conduct their 2014 Beverly Hills Tomorrow: A Vision for the Future event.

Recreation Services Manager Brad Meyerowitz discussed the Beverly Hills Chamber of Commerce's request for use of the Wallis Annenberg Center for Performing Arts to hold a symposium on Tuesday, April 8, 2014.

Executive Director of the Beverly Hills Chamber of Commerce Alex Stettinski spoke briefly on the symposium and advised that the Chamber will reimburse the City for the direct costs associated with event; however, they are unaware what those costs are.

Mr. Meyerowitz responded to questions regarding the number of evening events that the City receives as part of its agreement with the Wallis Annenberg Center for Performing Arts.

Consensus was reached by Council to approve the Chamber's use of the Wallis Annenberg Center for Performing Arts for its symposium.

12. Proposed Amendment to Farmers' Market Annex Rules (Item First Agendized 10/3/13)
Staff seeks direction for proposed amendments to the existing Farmers' Market Annex rules as they pertain to the maximum number of dates allowed per year that nonprofit health organizations may have a booth at the Market Annex and the assessment of fees as relates to this participation.

Item not discussed.

13. South Beverly Drive Business Improvement District Formation Funding Proposal
This item provides an overview from the Beverly Hills Chamber of Commerce regarding a proposal to form a Business Improvement District on S. Beverly Drive.

Item not discussed.

14. Centennial Arts of Palm Proposal
This item provides an overview on the temporary "Arts of Palm" public art installation to commemorate the Centennial.

Item not discussed.

C - INFORMATION

15. Community Development Department Work Program Priorities
This report transmits the Community Development Work Program for the current fiscal year and provides other related updates.

Item not discussed.

16. Great Shakeout Drill
Provides information on the City's participation in the Great Shakeout to be held on October 17, 2013 at 10:17 a.m.

Item not discussed.

17. 2013 Resident and Business Satisfaction Surveys
Provides information to the City Council on the project schedule and highlights survey topics.

Item not discussed.

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18. Metro Purple Line Section 1 Advisory Group
Provides an update on Metro's public outreach for construction of the La Cienega Boulevard station and the October 29, 2013 Station Advisory Group meeting.

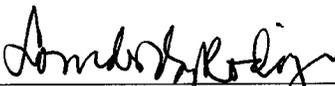
Item not discussed.

19. City Webpage to Facilitate Voter Registration
Provides information to the City Council regarding the development of a webpage on the City's website to encourage and facilitate voter registration.

Item not discussed.

The Study Session recessed at 5:20 p.m. to the Closed Session to discuss items that are identified on the agenda that has been prepared for the meeting. The Closed Session adjourned at 7:00 p.m.

PASSED, Approved and Adopted
this 5th day of November, 2013



BYRON POPE, City Clerk

JOHN A. MIRISCH, MAYOR

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