

ATTACHMENT 5

RESOLUTION NO. CHC 29

A RESOLUTION OF THE CULTURAL HERITAGE
COMMISSION OF THE CITY OF BEVERLY HILLS
RECOMMENDING THAT THE CITY COUNCIL APPROVE A
MILLS ACT CONTRACT FOR THE LANDMARK PROPERTY,
BEVERLY HILLS POST OFFICE – WALLIS ANNENBERG
CENTER FOR THE PERFORMING ARTS AT 469 NORTH
CRESCENT DRIVE, BEVERLY HILLS.

Section 1. On October 18, 2011 the City Council adopted Ordinance No. 11-R-12838 establishing a Mills Act Pilot Program for a two year period, with a capped maximum annual revenue loss to the City of \$50,000.00. The Pilot Mills Act Program was made available to “qualified historic property” within the City of Beverly Hills.

Section 2. A “qualified historic property” for the purposes of the Beverly Hills Mills Act Pilot Program is defined as:

- a. A single-family residential property, or commercial property constructed as a public theater as a primary use;
- b. Located entirely within the City of Beverly Hills;
- c. Privately owned;
- d. Not exempt from property taxation; and
- e. Individually listed in the City of Beverly Hills’ official landmark register based on the property satisfying at least two landmark criteria, including architectural significance.

Section 3. On August 30, 2013, a Mills Act Contract Application was submitted to the City by Ms. Tania Camargo, General Manager of the Wallis Annenberg Center for the Performing Arts, 9911 W. Pico Blvd., Los Angeles. In this case the City’s Pilot Mills Act

Program is available for this property, which is listed as a local Landmark on the City's Register of Historic Properties. On October 9, 2013, the Cultural Heritage Commission considered the Mills Act application for the Beverly Hills Post Office – Wallis Annenberg Center for the Performing Arts at 469 North Crescent Drive, Beverly Hills, and moved to recommend to City Council approval of a Mills Act Contract. The Cultural Heritage Commission predicated the Commission's approval upon an acceptable offer of public benefit being extended from the Wallis Annenberg Center for the Performing Arts to the Beverly Hills Unified School District (BHUSD) to sufficiently compensate the BHUSD for ongoing lost revenue from reduced property tax funds to BHUSD resulting from any Mills Act Contract awarded to the Wallis Annenberg Center for the Performing Arts.

The Commission further based its final action on careful consideration of the maintenance plan submitted as part of the Mills Act application for incorporation into the Mills Act contract. The Rehabilitation and Maintenance Plan provides a list of expenses to be incurred in the maintenance and upkeep of the Landmark Post Office portion of the Wallis Annenberg Center for the Performing Arts during the initial ten year contract term. In addition, the application provides an estimate of the property owner's tax savings as well as an estimate of the City's annual costs due to the property tax reduction. Since this estimate is based on financial data submitted by the applicant, the City will work with County Assessor to verify all calculations prior to final tax assessments. By executing the contract, the City does not corroborate the applicant's submitted financial statement, but authorizes tax abatement for the property. The current annual property taxes for this property are estimated to be approximately \$204,930.00. Under the Mills Act, the estimated annual property taxes would be reduced during the contract period. The actual revenue loss per annum to the City is subject to annual review and determined

by the City and County Tax Assessor once the contract has been executed and recorded with the County. The Applicant's Rehabilitation and Maintenance Plan projects a total cost for all rehabilitation and maintenance works scheduled over the ten year contract period to be \$1,003,000.00.

Section 4. PUBLIC NOTICE. Ms. Tania Camargo, General Manager of the Wallis Annenberg Center for the Performing Arts, 9911 W. Pico Blvd., Los Angeles was notified in writing on September 30, 2013 that the Cultural Heritage Commission would consider recommending a Mills Act Contract for Beverly Hills Post Office – Wallis Annenberg Center for the Performing Arts at 469 North Crescent Drive, Beverly Hills on October 9, 2013. As of the writing of this report, no public comments have been received.

Section 5. ENVIRONMENTAL ANALYSIS. Approval of a Mills Act Contract for Beverly Hills Post Office – Wallis Annenberg Center for the Performing Arts at 469 North Crescent Drive, Beverly Hills was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. It has been determined that the inclusion of Beverly Hills Post Office – Wallis Annenberg Center for the Performing Arts into the City's Pilot Mills Act Program would not have a significant environmental impact and thus is exempt from CEQA pursuant to Sections 15308 and 15331 of Title 14 of the California Code of Regulations because the inclusion of Beverly Hills Post Office – Wallis Annenberg Center for the Performing Arts into the City's Pilot Mills Act Program is an action of the City to protect and preserve an historic resource.

Section 6. GENERAL PLAN CONSISTENCY. Inclusion of Beverly Hills Post Office – Wallis Annenberg Center for the Performing Arts into the City’s Pilot Mills Act Program is consistent with the objectives, principles, and standards of the General Plan. General Plan Policy “HP 1.3 – Promote National, State, and Local Designation of Historic Resources” encourages the establishment of programs encouraging the nomination of landmarks.

Section 7. The Cultural Heritage Commission hereby recommends that the City Council include Beverly Hills Post Office – Wallis Annenberg Center for the Performing Arts into the City’s Pilot Mills Act Program.

Section 8. The record of proceedings for the inclusion of Beverly Hills Post Office – Wallis Annenberg Center for the Performing Arts into the City’s Pilot Mills Act Program is maintained by the City as part of the official records of the Community Development Department at 455 North Rexford Drive, Beverly Hills, California, 90210.

Section 9. The Secretary shall certify to the adoption of the Resolution and shall cause the Resolution and his certification to be entered in the Book of Resolutions of the Cultural Heritage Commission of the City.

Dated: October 9, 2013

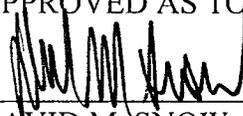


RICHARD WALDOW
Chairperson of the Cultural Heritage
Commission of the City of Beverly Hills,
California



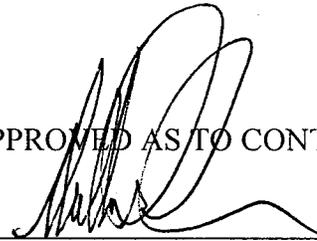
WILLIAM R. CROUCH
Secretary

APPROVED AS TO FORM:



DAVID M. SNOW
Assistant City Attorney

APPROVED AS TO CONTENT:



WILLIAM R. CROUCH
Urban Designer

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF BEVERLY HILLS)

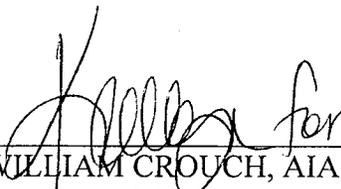
I, WILLIAM CROUCH, Secretary of the Cultural Heritage Commission and Urban Designer of the City of Beverly Hills, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. CHC 29 duly passed, approved and adopted by the Cultural Heritage Commission of said City at a meeting of said Commission on October 9, 2013, and thereafter duly signed by the Secretary of the Cultural Heritage Commission, as indicated; and that the Cultural Heritage Commission of the City consists of five (5) members and said Resolution was passed by the following vote of said Commission, to wit:

AYES: Commissioners Greer, Pynoos, Furie, Vice Chair Beck, Chair Waldow.

NOES: None.

ABSTAIN: None.

ABSENT: None.



WILLIAM CROUCH, AIA, AICP
Secretary of the Cultural Heritage
Commission / Urban Designer
City of Beverly Hills, California