



## AGENDA REPORT

**Meeting Date:** January 13, 2015  
**Item Number:** D-2  
**To:** Honorable Mayor & City Council  
**From:** Mahdi Aluzri, Assistant City Manager  
Michelle Tse, Senior Management Analyst *M&T*  
**Subject:** AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING COMMISSIONS.

**Attachments:** 1. Ordinance – Legislative Digest  
2. 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 THE BEVERLY HILLS MUNICIPAL CODE REGARDING COMMISSIONS” be introduced and read by title only.

### **INTRODUCTION**

The City Council appointed Councilmember Krasne and Vice Mayor Gold to serve on an Ad Hoc Committee to work with staff and develop a framework for the commission structure. The Ad Hoc Committee recommended an initial framework to the City Council during the June 24, 2014 Study Session. Subsequently, an additional discussion was held by the City Council during the November 18, 2014 Study Session and most recently, the January 13, 2015 Study Session to finalize the commission framework. Staff was directed to return to City Council with an ordinance amending relevant sections within the Beverly Hills Municipal Code (BHMC) to correspond with the City Council approved commission structure.

### **DISCUSSION**

Based on City Council discussions, the following is a summary of approved changes as it relates to Commissions:

- Standardize meeting protocol, agenda, reports, and promote transparency.
- Commissioner training workshops shall be held bi-annually for appointees.

- Appointment of Commissioners shall be based on a bi-annual schedule (January and July).
- Commission size shall be maintained at five members and the Health & Safety Commission reduced to five members by way of term-limit attrition. *(Included in attached Ordinance)*
- A Commissioner's term shall remain as six-year terms, with the first term being two years and the second term being four years. *(Included in attached Ordinance)*
- A Commissioner shall complete his/her existing term before applying to serve on a different Commission.
- A Commissioner must wait one year before applying to another Commission other than the Planning Commission. *(Included in attached Ordinance)*
- Rotation of the Commission chair position shall be based on seniority. *(Included in Ordinance)*
- Rotation of the Commission chair position shall be consistent amongst all Commissions (i.e. January or July).
- Commissioner terms will be staggered as needed.
- Revisions to the Commission meeting attendance policy *(Included in attached Ordinance)*

Some of the items outlined in the commission framework require amending the Municipal Code, which are highlighted in this report. The attached ordinance also includes revisions to the various Commission charges and/or Commission organization listed as follows:

- **Charitable Solicitations Commission:** expand charge to evaluate the fiscal health of non-profit organizations and recommend eligible organizations for Community Assistance Grant funding *(Included in attached Ordinance)*
- **Human Relations Commission:** expand charge to address tenant-landlord relations *(Included in attached Ordinance)*
- **Architectural Review Commission:** focus their charge on the review of conceptual design while maintaining the required review criteria *(Included in attached Ordinance)*
- **Design Review Commission:** focus their charge on the review of conceptual design while maintaining the required review criteria *(Included in attached Ordinance)*
- **Groundwater Technical Committee:** Reduce from five members to two members by attrition; shall serve in an advisory role to Public Works Commission on related matters; Committee members to no longer receive stipend *(Already consistent with the Groundwater Management Plan document)*

The Groundwater Technical Committee was established under the Groundwater Management Plan for the Hollywood Groundwater Basin (Article III) adopted by Ordinance Number 99-O-2327 on May 4, 1999 to be advisory regarding the groundwater management plan. The City

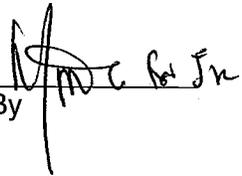
Council directed that the members be reduced to two, and residency is not a prerequisite, no stipend be paid and that the Committee is advisory to the Public Works Commission. The Groundwater Management Plan already is in line with Council direction, which provides for a maximum of 3 members (Council could choose only two) and does not require residency as a prerequisite. In addition, currently there is no stipend required under the Groundwater Management Plan. The role of the Technical Committee is to perform the duties and functions established under the Plan and to operate pursuant to the rules, regulations and procedures which may be established by the City Council.

Once the ordinance goes into effect, staff will notify and inform all Commissioners regarding the new Commission structure by providing updated copies of the Commissioner handbook and the initial citywide Commissioner training. Incoming Commissioners will receive training prior to serving. Staff will also receive training to promote consistency with meeting protocol and meeting agenda packets.

**FISCAL IMPACT**

There is minimal fiscal impact resulting from the commission structure changes. The City Attorney's office will provide some training in various subject areas during the Commissioner training sessions to be held twice a year.

Jeff Kolin  
Approved By



# **Attachment 1**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF BEVERLY  
HILLS AMENDING THE BEVERLY HILLS  
MUNICIPAL CODE REGARDING COMMISSIONS**

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS DOES HEREBY  
ORDAIN AS FOLLOWS:

Section 1. The city council hereby amends and restates Sections 2-2-105, 2-2-106 and 2-2-107 of Article 1 (“General Provisions”) of Chapter 2 (“COMMISSIONS AND COMMITTEES”) of Title 2 (“ADMINISTRATION, PERSONNEL, AND PROCEDURES”) of the Beverly Hills Municipal Code to read as follows:

2-2-105: TERM OF OFFICE:

A. Appointments to a commission shall be for an initial term of two (2) years. At the discretion of the city council, commissioners may be reappointed to a second term. Appointments to a second term may be for up to four (4) years. The city council may appoint any commission member or members to terms shorter or longer than those set forth in this subsection if the city council determines that a shorter or longer term or terms is in the best interest of the commission or is appropriate to stagger the terms of appointees so that the terms of all or a majority of members do not expire concurrently or inappropriately close in time.

B. Appointees who have served two (2) successive terms shall not be eligible for reappointment to the same commission.

C. A member may serve beyond expiration of that member’s term until such time as a successor is appointed.

D. A Commissioner must wait one year after the end of the Commissioner’s term before applying to another Commission other than the Planning Commission.

E. Committee members shall be appointed at the time of creation of the committee. Where the committee continues in existence for three (3) years or more, original appointments shall expire on the third anniversary of the committee where the committee consists of three (3) members, and shall expire on the fourth anniversary of the committee where the committee consists of four (4) or more members. Any committee which continues in existence beyond a period of three (3) years shall be governed by the appointment provisions of subsections A, B and C of this section.

2-2-106: TERMINATION OF MEMBERSHIP:

Membership on a commission or committee shall terminate under the following conditions, unless otherwise specifically provided in this code:

A. Membership shall terminate automatically upon resignation or death of a member.

B. If a commission or committee regularly meets once per month, ~~membership shall terminate automatically if~~ and a member is absent from ~~four~~ three (43) regular meetings within a twelve (12) month period ~~unless the city council determines, such commissioner shall meet with an ad hoc committee appointed by the Mayor to discuss the reasons for such absence. The city council, in its sole discretion, may consider the following actions: (i) if the Council finds that the absences were due to health reasons or for other unusual hardship that justifies the absence. Additionally, the city council may consider removing any member who is absent from three (3) meetings within a twelve (12) month period,~~ the Council may excuse the absences and if necessary, appoint a temporary commissioner to fill the role until such time as the commissioner is able to serve; or (ii) remove such commissioner and if necessary, appoint a temporary commissioner until such time as a new commissioner is appointed.

C. If a commission or committee regularly meets at least twice per month, ~~membership shall terminate automatically if~~ and a member is absent from ~~eight~~ six (86) regular meetings within a twelve (12) month period ~~unless the city council determines, such commissioner shall meet with an ad hoc committee appointed by the Mayor to discuss the reasons for such absence. The city council, in its sole discretion, may consider the following actions: (i) if the Council finds that the absences were due to health reasons or for other unusual hardship that justifies the absence. Additionally, the city council may consider removing any member who is absent from six (6) meetings within a twelve (12) month period,~~ the Council may excuse the absences and if necessary, appoint a temporary commissioner to fill the role until such time as the commissioner is able to serve; or (ii) remove such commissioner and if necessary, appoint a previous commissioner until such time as a new commissioner is appointed.

D. Membership shall terminate automatically if a member ceases to reside in the city, unless residence is not required for membership or unless a member has temporarily ceased to reside in the city because of unusual circumstance or hardship, has not purchased a home outside the city in which the member is residing, intends to move back into the city, and has not previously ceased to reside in the city at any time while serving on the commission. For the purposes of this subsection “temporarily” means a period not exceeding six (6) months starting from the date a member ceased residence in the city.

E. Membership shall terminate automatically if a member’s office would be vacated under the provisions for disqualification from office set forth in section 1770 of the California Government Code. Provided, however, that the provisions of this section governing absences shall supersede the provisions of section 1770 regarding absences.

~~In addition, the~~ F. The city council may remove any member from a commission or committee for any reason. Such removal may be accomplished by resolution or minute order of the city council.

G. In the event of a commissioner vacancy due to resignation or termination, the City Council liaisons to the affected Commission shall recommend either a former commissioner or new applicant to fill such vacancy, subject to City Council approval.

2-2-107: OPERATIONAL PROCEDURES:

Unless otherwise provided in the ordinance or resolution creating a commission or committee the following provisions shall apply in the conduct of business of such commission or committee:

A. Each commission or committee shall adopt rules of conduct and procedure which shall be consistent with the provisions of this chapter.

B. Each commission shall have regularly scheduled meetings at least once each month, and may call special meetings as provided in section 54956 of the state Government Code.

C. Committees are not required to have regularly scheduled meetings, and meetings may be called by the chairperson or by a majority of the membership.

D. A majority of the designated membership shall constitute a quorum, and any action shall require a majority of the quorum for either affirmative or negative action.

E. A chairperson and a vice chairperson shall ~~be elected by the members from the membership. A member shall not serve as chairperson in excess of two (2) years. (The foregoing sentence shall no longer be effective and shall be repealed in its entirety on October 1, 2014, and replaced with the following sentence: A member shall not serve as chairperson in excess of 2 years; provided, however, that a member shall not serve as chair for 2 consecutive years.)~~ serve for one year. A rotation progression of the chair and the vice-chair position among Commissioners shall be established by the City Clerk based upon seniority of appointment to the Commission. If a Commissioner declines to serve as chairperson, such Commissioner shall wait until the other Commissioners currently serving at such time are eligible for chairperson before assuming the chair, regardless of seniority of appointment. A Commissioner shall not serve as chairperson or vice chairperson during his or her first year as a Commissioner. A Commissioner shall not serve as chairperson if such Commissioner's term will end before such Commissioner is able to serve one complete year as chairperson.

F. An official record of all considerations and decisions shall be made and filed with the city clerk; and a report shall be made to council.

G. The city manager shall designate such staff as necessary to provide administrative support, unless otherwise designated by council.

Section 2. The city council hereby amends and restates Section 2-2-602 of Article 6 ("Charitable Solicitation Commission") of Chapter 2 ("COMMISSIONS AND COMMITTEES") of Title 2 ("ADMINISTRATION, PERSONNEL, AND PROCEDURES") of the Beverly Hills Municipal Code to read as follows:

#### Article 6. Charitable Solicitations Commission

##### 2-2-602: JURISDICTION AND FUNCTIONS:

The charitable solicitations commission shall perform the following functions:

A. Review applications for solicitation permits for charitable or religious solicitation purposes, and make recommendations thereon as provided in title 4, chapter 3, article 8 of this code.

B. ~~To perform~~ Evaluate the fiscal health of non-profit organizations and recommend eligible organizations for Community Assistance Grant Funds, as well as funding allocations to organizations based on service needs in the City.

C. Perform such other functions and duties as designated by city council.

Section 3. The city council hereby amends and restates Sections 2-2-1402, 2-2-1403 and 2-2-1404 of Article 14 (“Human Relations Commission”) of Chapter 2 (“COMMISSIONS AND COMMITTEES”) of Title 2 (“ADMINISTRATION, PERSONNEL, AND PROCEDURES”) of the Beverly Hills Municipal Code to read as follows:

Article 14. Human Relations Commission

2-2-1402: MISSION STATEMENT AND RESPONSIBILITIES:

The human relations commission shall advise, recommend, assist and encourage activities and programs to be undertaken to promote positive human relations in all aspects of community life in Beverly Hills. The commission shall actively promote a just and equitable multicultural society; and will endeavor to reduce conflict and tension, as well as discrimination, prejudice and stereotyping based on race, religion, gender, sexual orientation, national origin, age, disability, or any other arbitrary factor.

The purposes and responsibilities of the commission shall include:

- A. Promoting the concepts of diversity, tolerance, and acceptance in the community;
- B. Conducting such studies and to hear such issues in any field of human relations in the community as will aid in effectuating the commission’s general purpose;
- C. Inquiring into incidents of tension or conflict among or between various racial, religious or nationality groups, and encouraging action by means of conciliation, conference, and/or persuasion to alleviate such tensions and conflict;
- D. Conducting and/or recommending such educational programs as will increase good will throughout the community;
- E. Defining, identifying and tracking existing and emerging issues that may benefit from intervention or conflict resolution;
- F. Facilitating better communication and interpersonal relations within the city and between the city and members of the community and hearing and receiving oral and written communications, in an appropriate time and manner, from members of the public concerning any topic that relates to the relationships between members of the community or between the city or its staff and members of the community;
- G. Receiving citizen complaints, in an appropriate time and manner, concerning the interactions of city employees with the public. The commission shall serve as one alternative to directing complaints to the city department involved in the complaint.

1. The commission or its staff may communicate with complainants and city departments with regard to complaints received by the commission and may also arrange and facilitate communications directly between city departments and complainants;

2. The commission or its staff may inquire about the status of a complaint received by the commission and the progress of the review of a complaint.

#### H. Landlord-Tenant Issues:

1. The commission shall hear landlord-tenant disputes in order to provide a public forum where tenants and landlords can address issues and resolve differences prior to pursuing mediation, requesting a formal hearing with the City, if applicable, or filing a civil suit.

2. The commission shall educate tenants in the City regarding tenant rights.

#### 2-2-1403: MEMBERSHIP:

The human relations commission shall consist of five (5) members who shall be residents of the city, except that one member may be a nonresident who is active in religious, educational, or social service agencies serving the Beverly Hills community.

The commission shall request that the Beverly Hills unified school district and the police chief appoint a representative to attend meetings when the commission deems it appropriate.

#### 2-2-1404: ~~CHAIR OF THE COMMISSION:~~ [Reserved]

~~The first chair of the commission shall be appointed by majority vote of the city council. Annually thereafter members of the human relations commission shall select its chair who may serve no more than two (2) consecutive one year terms.~~

Section 4. The city council hereby amends and restates Sections 2-2-1603 and 2-2-1604 of Article 16 (“Health and Safety Commission”) of Chapter 2 (“COMMISSIONS AND COMMITTEES”) of Title 2 (“ADMINISTRATION, PERSONNEL, AND PROCEDURES”) of the Beverly Hills Municipal Code to read as follows:

#### Article 16. Health And Safety Commission

2-2-1603: MEMBERSHIP: ~~A.~~ The health and safety commission shall consist of ~~seven~~five (7~~5~~) members who shall be residents of the city.

~~B. The provisions of article 1 of this chapter, which sets forth the general regulations applicable to commissions, shall govern the appointment, term, and removal of health and safety commission members except as otherwise provided in this section. Upon expiration of the initial two (2) year term of the first seven (7) commissioners, the city council may reappoint those seven (7) commissioners for terms ranging from two (2) to six (6) years in order to establish staggered terms for future commissioners.~~

2-2-1604: ~~CHAIR OF THE COMMISSION:~~[Reserved]

~~The first chair of the commission shall be appointed by majority vote of the city council for a term of one year. Annually thereafter members of the health and safety commission shall select its chair who may serve no more than two (2) consecutive one year terms.~~

Section 5. The city council hereby amends and restates Sections 10-3-3002 and 10-3-3003 of Article 30 (“Architectural Commission, Architectural Review, And Procedure”) of Chapter 3 (“ZONING”) of Title 10 (“PLANNING AND ZONING”) of the Beverly Hills Municipal Code to read as follows:

Article 30. Architectural Commission, Architectural Review, And Procedure

10-3-3002: ARCHITECTURAL COMMISSION:

An architectural commission is hereby established which shall consist of five (5) members who shall be ~~appointed by residents of the council. At least one of the members shall be appointed from each City. At least one member shall be a licensed architect in the State of California. At least one member shall have experience in any~~ of the following disciplines: building construction, ~~architecture~~, landscape architecture, ~~and or~~ visual and graphic design, ~~and at least three (3) members shall be laypersons.~~ In the event no person ~~is~~ eligible for appointment ~~in the from a~~ designated field ~~who~~ is a resident of the city, the council may waive the residency requirement.

~~10-3-3002.1: ELIGIBILITY: All; provided, however, there shall be no more than two nonresident members of the architectural commission shall be residents of the city except as expressly waived by the provisions of section 10-3-3002 of this chapter.~~

10-3-3003: ~~APPOINTMENT AND TERM OF OFFICE:~~DUTIES

~~The members~~Unless otherwise specified herein, the duties of the architectural commission shall be ~~appointed by the council. Appointments shall be made so as to stagger the terms of the appointees so that two (2) terms become vacant on each of three (3) successive years and one term on the fourth year. The term of office of each member appointed to a full term shall be for four (4) years. as follows:~~

1. Exercise the authority set forth in this article and as otherwise provided in this code;

2. In carrying out its duties pursuant to this Code:

(A) Review and authorize the overall conceptual design of a proposed structure, landscaping, and signs, recognizing that minor design details will change when construction drawings are prepared and during field construction;

(B) Focus greater attention to overall design themes and less to ornamental design features, hardware, balcony railings, and other secondary features; and

(C) Balance the desire for efficient application processing with the desire to ensure high quality architectural and landscape designs;

3. Develop educational material that aide project applicants in achieving high quality design standards and provide guidance to applicants;

4. Recommend and amend policies as it may deem necessary to implement the purposes of this article;

5. Participate in, promote, and conduct informational and educational programs pertaining to urban design in commercial and multi-family zones;

6. Develop a program to celebrate exemplary commercial and multi-family architecture, and landscape designs;

7. Perform any other functions that may be designated by resolution or motion of the City Council.

Section 6. The city council hereby amends and restates Sections 10-3-4402, 10-3-4403 and 10-3-4404 of Article 44 (“R-1 Design Review”) of Chapter 3 (“ZONING”) of Title 10 (“PLANNING AND ZONING”) of the Beverly Hills Municipal Code to read as follows:

#### Article 44. R-1 Design Review

##### 10-3-4402: DESIGN REVIEW COMMISSION:

A design review commission is hereby established which shall consist of five (5) members who shall be ~~appointed by~~residents of the councilcity. At least one of the members shall be a licensed residential architect. If one qualified residential architect cannot be found, the council may appoint a landscape architect to fill the professional position on the design review commission. In the event no person who is a resident of the city is eligible for appointment in the designated field, the council may waive the residency requirement.

##### 10-3-4403: ~~ELIGIBILITY:~~

~~All members of the design review commission shall be residents of the city except as expressly waived by the provisions of section 10-3-4402 of this article.~~ 10-3-4404: APPOINTMENT AND TERM OF OFFICE:

The members of the design review commission shall be appointed by the council as provided in section 2-2-105 of this code.

##### 10-3-4404: DUTIES

Unless otherwise specified herein, the duties of the Design Review Commission shall be as follows:

1) Exercise the authority set forth in this article and as otherwise provided in this code;

2) In carrying out its duties pursuant to this Code:

(A) Review and authorize the overall conceptual design of proposed single family residences in the Central Area of the City, recognizing that some minor design details will change when construction drawings are prepared and during field construction;

(B) Balance the desire for efficient application processing with the desire to ensure high quality architectural and landscape designs;

(C) Assist applicants in achieving their design objectives, recognize individual homeowner interests and allow for a diversity of designs, while ensuring overall compatibility to the neighborhood; and

(D) Focus greater attention to overall design themes and less to ornamental design features, hardware, balcony railings, and other secondary features;

3) Develop educational material that aide project applicants in achieving high quality design standards and provide guidance to applicants and homeowners;

4) Recommend and amend policies as it may deem necessary to implement the purposes of this article;

5) Participate in, promote, and conduct public informational and educational programs pertaining to single family urban design;

6) Develop a program to celebrate exemplary single family residences; and

7) Perform any other functions that may be designated by resolution or motion of the City Council.

Section 7. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 8. 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 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 9. 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:

LILI BOSSE  
Mayor

ATTEST:

\_\_\_\_\_  
BYRON POPE  
City Clerk

(SEAL)

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

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

Document comparison by Workshare Professional on Friday, January 09, 2015  
11:12:18 AM

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Description	#1754083v4<RWGIMAN1> - Ordinance Amending Commission Structure
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Legend:	
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Moved to	
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Padding cell	

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# **Attachment 2**

ORDINANCE NO. \_\_\_\_\_

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HILLS AMENDING THE BEVERLY HILLS  
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THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS DOES HEREBY  
ORDAIN AS FOLLOWS:

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**2-2-105: TERM OF OFFICE:**

A. Appointments to a commission shall be for an initial term of two (2) years. At the discretion of the city council, commissioners may be reappointed to a second term. Appointments to a second term may be for up to four (4) years. The city council may appoint any commission member or members to terms shorter or longer than those set forth in this subsection if the city council determines that a shorter or longer term or terms is in the best interest of the commission or is appropriate to stagger the terms of appointees so that the terms of all or a majority of members do not expire concurrently or inappropriately close in time.

B. Appointees who have served two (2) successive terms shall not be eligible for reappointment to the same commission.

C. A member may serve beyond expiration of that member’s term until such time as a successor is appointed.

D. A Commissioner must wait one year after the end of the Commissioner’s term before applying to another Commission other than the Planning Commission.

E. Committee members shall be appointed at the time of creation of the committee. Where the committee continues in existence for three (3) years or more, original appointments shall expire on the third anniversary of the committee where the committee consists of three (3) members, and shall expire on the fourth anniversary of the committee where the committee consists of four (4) or more members. Any committee which continues in existence beyond a period of three (3) years shall be governed by the appointment provisions of subsections A, B and C of this section.

**2-2-106: TERMINATION OF MEMBERSHIP:**

Membership on a commission or committee shall terminate under the following conditions, unless otherwise specifically provided in this code:

A. Membership shall terminate automatically upon resignation or death of a member.

B. If a commission or committee regularly meets once per month, and a member is absent from three (3) regular meetings within a twelve (12) month period, such commissioner shall meet with an ad hoc committee appointed by the Mayor to discuss the reasons for such absence. The city council, in its sole discretion, may consider the following actions: (i) if the Council finds that the absences were due to health reasons or for other unusual hardship that justifies the absence, the Council may excuse the absences and if necessary, appoint a temporary commissioner to fill the role until such time as the commissioner is able to serve; or (ii) remove such commissioner and if necessary, appoint a temporary commissioner until such time as a new commissioner is appointed.

C. If a commission or committee regularly meets at least twice per month, and a member is absent from six (6) regular meetings within a twelve (12) month period, such commissioner shall meet with an ad hoc committee appointed by the Mayor to discuss the reasons for such absence. The city council, in its sole discretion, may consider the following actions: (i) if the Council finds that the absences were due to health reasons or for other unusual hardship that justifies the absence, the Council may excuse the absences and if necessary, appoint a temporary commissioner to fill the role until such time as the commissioner is able to serve; or (ii) remove such commissioner and if necessary, appoint a previous commissioner until such time as a new commissioner is appointed.

D. Membership shall terminate automatically if a member ceases to reside in the city, unless residence is not required for membership or unless a member has temporarily ceased to reside in the city because of unusual circumstance or hardship, has not purchased a home outside the city in which the member is residing, intends to move back into the city, and has not previously ceased to reside in the city at any time while serving on the commission. For the purposes of this subsection "temporarily" means a period not exceeding six (6) months starting from the date a member ceased residence in the city.

E. Membership shall terminate automatically if a member's office would be vacated under the provisions for disqualification from office set forth in section 1770 of the California Government Code. Provided, however, that the provisions of this section governing absences shall supersede the provisions of section 1770 regarding absences.

F. The city council may remove any member from a commission or committee for any reason. Such removal may be accomplished by resolution or minute order of the city council.

G. In the event of a commissioner vacancy due to resignation or termination, the City Council liaisons to the affected Commission shall recommend either a former commissioner or new applicant to fill such vacancy, subject to City Council approval.

#### 2-2-107: OPERATIONAL PROCEDURES:

Unless otherwise provided in the ordinance or resolution creating a commission or committee the following provisions shall apply in the conduct of business of such commission or committee:

A. Each commission or committee shall adopt rules of conduct and procedure which shall be consistent with the provisions of this chapter.

B. Each commission shall have regularly scheduled meetings at least once each month, and may call special meetings as provided in section 54956 of the state Government Code.

C. Committees are not required to have regularly scheduled meetings, and meetings may be called by the chairperson or by a majority of the membership.

D. A majority of the designated membership shall constitute a quorum, and any action shall require a majority of the quorum for either affirmative or negative action.

E. A chairperson and a vice chairperson shall serve for one year. A rotation progression of the chair and the vice-chair position among Commissioners shall be established by the City Clerk based upon seniority of appointment to the Commission. If a Commissioner declines to serve as chairperson, such Commissioner shall wait until the other Commissioners currently serving at such time are eligible for chairperson before assuming the chair, regardless of seniority of appointment. A Commissioner shall not serve as chairperson or vice chairperson during his or her first year as a Commissioner. A Commissioner shall not serve as chairperson if such Commissioner's term will end before such Commissioner is able to serve one complete year as chairperson.

F. An official record of all considerations and decisions shall be made and filed with the city clerk; and a report shall be made to council.

G. The city manager shall designate such staff as necessary to provide administrative support, unless otherwise designated by council.

Section 2. The city council hereby amends and restates Section 2-2-602 of Article 6 ("Charitable Solicitation Commission") of Chapter 2 ("COMMISSIONS AND COMMITTEES") of Title 2 ("ADMINISTRATION, PERSONNEL, AND PROCEDURES") of the Beverly Hills Municipal Code to read as follows:

Article 6. Charitable Solicitations Commission

2-2-602: JURISDICTION AND FUNCTIONS:

The charitable solicitations commission shall perform the following functions:

A. Review applications for solicitation permits for charitable or religious solicitation purposes, and make recommendations thereon as provided in title 4, chapter 3, article 8 of this code.

B. Evaluate the fiscal health of non-profit organizations and recommend eligible organizations for Community Assistance Grant Funds, as well as funding allocations to organizations based on service needs in the City.

C. Perform such other functions and duties as designated by city council.

Section 3. The city council hereby amends and restates Sections 2-2-1402, 2-2-1403 and 2-2-1404 of Article 14 ("Human Relations Commission") of Chapter 2 ("COMMISSIONS AND

COMMITTEES”) of Title 2 (“ADMINISTRATION, PERSONNEL, AND PROCEDURES”) of the Beverly Hills Municipal Code to read as follows:

Article 14. Human Relations Commission

2-2-1402: MISSION STATEMENT AND RESPONSIBILITIES:

The human relations commission shall advise, recommend, assist and encourage activities and programs to be undertaken to promote positive human relations in all aspects of community life in Beverly Hills. The commission shall actively promote a just and equitable multicultural society; and will endeavor to reduce conflict and tension, as well as discrimination, prejudice and stereotyping based on race, religion, gender, sexual orientation, national origin, age, disability, or any other arbitrary factor.

The purposes and responsibilities of the commission shall include:

- A. Promoting the concepts of diversity, tolerance, and acceptance in the community;
- B. Conducting such studies and to hear such issues in any field of human relations in the community as will aid in effectuating the commission’s general purpose;
- C. Inquiring into incidents of tension or conflict among or between various racial, religious or nationality groups, and encouraging action by means of conciliation, conference, and/or persuasion to alleviate such tensions and conflict;
- D. Conducting and/or recommending such educational programs as will increase good will throughout the community;
- E. Defining, identifying and tracking existing and emerging issues that may benefit from intervention or conflict resolution;
- F. Facilitating better communication and interpersonal relations within the city and between the city and members of the community and hearing and receiving oral and written communications, in an appropriate time and manner, from members of the public concerning any topic that relates to the relationships between members of the community or between the city or its staff and members of the community;
- G. Receiving citizen complaints, in an appropriate time and manner, concerning the interactions of city employees with the public. The commission shall serve as one alternative to directing complaints to the city department involved in the complaint.
  1. The commission or its staff may communicate with complainants and city departments with regard to complaints received by the commission and may also arrange and facilitate communications directly between city departments and complainants;
  2. The commission or its staff may inquire about the status of a complaint received by the commission and the progress of the review of a complaint.

H. Landlord-Tenant Issues:

1. The commission shall hear landlord-tenant disputes in order to provide a public forum where tenants and landlords can address issues and resolve differences prior to pursuing mediation, requesting a formal hearing with the City, if applicable, or filing a civil suit.

2. The commission shall educate tenants in the City regarding tenant rights.

2-2-1403: MEMBERSHIP:

The human relations commission shall consist of five (5) members who shall be residents of the city, except that one member may be a nonresident who is active in religious, educational, or social service agencies serving the Beverly Hills community.

The commission shall request that the Beverly Hills unified school district and the police chief appoint a representative to attend meetings when the commission deems it appropriate.

2-2-1404: [Reserved]

Section 4. The city council hereby amends and restates Sections 2-2-1603 and 2-2-1604 of Article 16 (“Health and Safety Commission”) of Chapter 2 (“COMMISSIONS AND COMMITTEES”) of Title 2 (“ADMINISTRATION, PERSONNEL, AND PROCEDURES”) of the Beverly Hills Municipal Code to read as follows:

Article 16. Health And Safety Commission

2-2-1603: MEMBERSHIP: The health and safety commission shall consist of five (5) members who shall be residents of the city.

2-2-1604: [Reserved]

Section 5. The city council hereby amends and restates Sections 10-3-3002 and 10-3-3003 of Article 30 (“Architectural Commission, Architectural Review, And Procedure”) of Chapter 3 (“ZONING”) of Title 10 (“PLANNING AND ZONING”) of the Beverly Hills Municipal Code to read as follows:

Article 30. Architectural Commission, Architectural Review, And Procedure

10-3-3002: ARCHITECTURAL COMMISSION:

An architectural commission is hereby established which shall consist of five (5) members who shall be residents of the City. At least one member shall be a licensed architect in the State of California. At least one member shall have experience in any of the following disciplines: building construction, landscape architecture, or visual and graphic design. In the event no person eligible for appointment from a designated field is a resident of the city, the council may waive the residency requirement; provided, however, there shall be no more than two nonresident members of the architectural commission.

## 10-3-3003: DUTIES

Unless otherwise specified herein, the duties of the architectural commission shall be as follows:

1. Exercise the authority set forth in this article and as otherwise provided in this code;
2. In carrying out its duties pursuant to this Code:
  - (A) Review and authorize the overall conceptual design of a proposed structure, landscaping, and signs, recognizing that minor design details will change when construction drawings are prepared and during field construction;
  - (B) Focus greater attention to overall design themes and less to ornamental design features, hardware, balcony railings, and other secondary features; and
  - (C) Balance the desire for efficient application processing with the desire to ensure high quality architectural and landscape designs;
3. Develop educational material that aide project applicants in achieving high quality design standards and provide guidance to applicants;
4. Recommend and amend policies as it may deem necessary to implement the purposes of this article;
5. Participate in, promote, and conduct informational and educational programs pertaining to urban design in commercial and multi-family zones;
6. Develop a program to celebrate exemplary commercial and multi-family architecture, and landscape designs;
7. Perform any other functions that may be designated by resolution or motion of the City Council.

Section 6. The city council hereby amends and restates Sections 10-3-4402, 10-3-4403 and 10-3-4404 of Article 44 (“R-1 Design Review”) of Chapter 3 (“ZONING”) of Title 10 (“PLANNING AND ZONING”) of the Beverly Hills Municipal Code to read as follows:

### Article 44. R-1 Design Review

#### 10-3-4402: DESIGN REVIEW COMMISSION:

A design review commission is hereby established which shall consist of five (5) members who shall be residents of the city. At least one of the members shall be a licensed residential architect. If one qualified residential architect cannot be found, the council may appoint a landscape architect to fill the professional position on the design review commission. In the event no person who is a resident of the city is eligible for appointment in the designated field, the council may waive the residency requirement.

10-3-4403: APPOINTMENT AND TERM OF OFFICE:

The members of the design review commission shall be appointed by the council as provided in section 2-2-105 of this code.

10-3-4404: DUTIES

Unless otherwise specified herein, the duties of the Design Review Commission shall be as follows:

- 1) Exercise the authority set forth in this article and as otherwise provided in this code;
- 2) In carrying out its duties pursuant to this Code:
  - (A) Review and authorize the overall conceptual design of proposed single family residences in the Central Area of the City, recognizing that some minor design details will change when construction drawings are prepared and during field construction;
  - (B) Balance the desire for efficient application processing with the desire to ensure high quality architectural and landscape designs;
  - (C) Assist applicants in achieving their design objectives, recognize individual homeowner interests and allow for a diversity of designs, while ensuring overall compatibility to the neighborhood; and
  - (D) Focus greater attention to overall design themes and less to ornamental design features, hardware, balcony railings, and other secondary features;
- 3) Develop educational material that aide project applicants in achieving high quality design standards and provide guidance to applicants and homeowners;
- 4) Recommend and amend policies as it may deem necessary to implement the purposes of this article;
- 5) Participate in, promote, and conduct public informational and educational programs pertaining to single family urban design;
- 6) Develop a program to celebrate exemplary single family residences; and
- 7) Perform any other functions that may be designated by resolution or motion of the City Council.

Section 7. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 8. 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 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 9. 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.

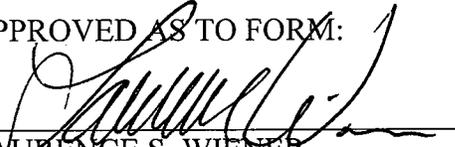
Adopted:  
Effective:

\_\_\_\_\_  
LILI BOSSE  
Mayor

ATTEST:

\_\_\_\_\_  
(SEAL)  
BYRON POPE  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

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