



AGENDA REPORT

Meeting Date: August 18, 2015

Item Number: D-5

To: Honorable Mayor & City Council

From: Laurence S. Wiener, City Attorney

Subject: AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING PARKING PERMITS FOR BEVERLY HILLS UNIFIED SCHOOL DISTRICT PERSONNEL

Attachments: 1. Ordinance

RECOMMENDATION

It is recommended that the City Council move to waive the full reading and adopt the ordinance entitled "AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING PARKING PERMITS FOR BEVERLY HILLS UNIFIED SCHOOL DISTRICT PERSONNEL".

INTRODUCTION

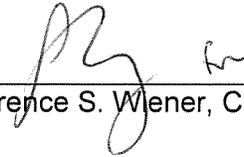
This ordinance amends the Municipal Code to permit Beverly Hills Unified School District personnel to park adjacent to BHUSD properties without permit zone or time restrictions while engaged in BHUSD official business. This amendment is in line with the Council direction regarding establishing a parking program for designated BHUSD personnel.

DISCUSSION

At its meeting of August 18, 2015, the City Council conducted a first reading of this ordinance and introduced it.

FISCAL IMPACT

There is no significant fiscal impact anticipated with the implementation of this parking program at this time.



Laurence S. Wiener, City Attorney

Attachment 1

ORDINANCE 15-O-_____

AN ORDINANCE OF THE CITY OF BEVERLY HILLS
AMENDING THE BEVERLY HILLS MUNICIPAL CODE
REGARDING PARKING PERMITS FOR BEVERLY HILLS
UNIFIED SCHOOL DISTRICT PERSONNEL

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

Section 1. The City Council hereby adds Section 7-3-124 (“SP PARKING PERMITS”) to Article 1 (“General Standing, Stopping, and Parking Provisions”) of Chapter 3 (“STANDING, STOPPING, PARKING”) of Title 7 (“TRAFFIC, PARKING, AND PUBLIC TRANSPORTATION”) of the Beverly Hills Municipal Code to read as follows:

“7-3-124: SP PARKING PERMITS:

- A. For purposes of this section, “street block” is defined as the portion of a street that lies between two (2) immediately intersecting streets, and includes both the side of the street immediately adjacent to a school property and the opposite side of the street.
- B. A vehicle which bears an SP parking permit may park as follows while being used for official Beverly Hills Unified School District business:
 - 1. In a non-metered parking space for a period of time in excess of the posted maximum parking time permitted on a street block adjacent to Beverly Vista School, El Rodeo School, Hawthorne School and Horace Mann School, except as follows:
 - a. During posted peak hour parking restriction periods.
 - b. The SP parking permit may not be used on a street block adjacent to Horace Mann School after construction of the underground parking facility on the Horace Mann School campus is completed.
 - 2. In any preferential parking permit zone on a street block adjacent to Beverly Vista School, El Rodeo School, Hawthorne School and Horace Mann School, except as follows:
 - a. The SP parking permit may not be used on a street block adjacent to Horace Mann School after construction of the underground parking facility on the Horace Mann School campus is completed.
 - 3. In the City-operated parking structure, located at 450 North Rexford Drive, without payment of the required fees and in excess of the maximum permitted time for parking.

C. An SP parking permit shall be issued by the Director of Public Works Services only as follows:

1. One permit to each current member of the Beverly Hills Unified School District Board of Education. When such persons cease to be on the Beverly Hills Unified School District Board of Education, the SP parking permit issued to the holder under this subsection C.1 is deemed void and is invalid for the uses set forth in this section. The permit holder shall return the permit to the Director of Public Works Services.
2. One permit each to the following employees of the Beverly Hills Unified School District: (i) Superintendent of Schools; (ii) Chief Academic Officer; (iii) Director of Student Services and Special Projects; and (iv) Chief Administrative Officer. When such persons cease to be an employee of the Beverly Hills Unified School District or are no longer in the position listed herein, the SP parking permit issued to the holder under this subsection C.2 is deemed void and is invalid for the uses set forth in this section. The permit holder shall return the permit to the Director of Public Works Services.

D. SP parking permits shall be displayed in the lower left corner of the front windshield of a vehicle legally registered to a person issued a permit under this section.”

Section 2. CEQA Findings. The City Council hereby finds that it can be seen with certainty that there is no possibility that the adoption and implementation of this Ordinance may have a significant effect on the environment. The Ordinance establishes the privileges and requirements regarding the use of special parking permits for Beverly Hills Unified School District personnel while conducting official business and will not significantly increase vehicle traffic within the City. The Ordinance is therefore exempt from the environmental review requirements of the California Environmental Quality Act pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

Section 3. 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 4. 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 5. 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.

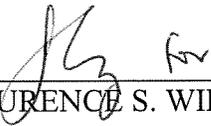
Adopted:
Effective:

JULIAN A. GOLD, M.D.
Mayor of the City of Beverly Hills,
California

ATTEST:

(SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

MAHDI ALUZRI
Interim City Manager