

**CITY OF BEVERLY HILLS  
MINUTES – STUDY SESSION  
November 3, 2015  
2:30 p.m.  
City Council Chamber**

PRESENT: Mayor Gold  
 Vice Mayor Mirisch  
 Councilmember Brien  
 Councilmember Bosse  
 Councilmember Krasne  
 Mahdi Aluzri, City Manager  
 David Snow, Interim City Attorney  
 Byron Pope, City Clerk  
 Susan Healy Keene, Director of Community Development  
 Ryan Gohlich, Assistant Director of Community Development/City Planner  
 Cheryl Friedling, Deputy City Manager for Public Affairs  
 Trish Rhay, Assistant Director of Public Works Services/Infrastructure and Field Operations  
 Colonel James Burnley, Solid Waste Manager

ABSENT: None

The City Council Study Session was held in the Council Chamber at 2:30 p.m.

**A – DIRECTION**

**1. Architectural Commission Interview Panel Report**

Transmits the interview panel's appointment recommendation for the Architectural Commission.

City Clerk Byron Pope presented a staff report on the recommendation of the Architectural Commission (AC) Interview Panel composed of Councilmember William W. Brien, MD, Councilmember Nancy Krasne, AC Chair Andrea Gardner Apatow and AC Vice Chair Gidas Peteris to appoint candidate Sheri Hirschfeld.

AC Interview Panelists Councilmembers Krasne and Brien both noted the difficulty in making the decision and encouraged interviewees to continue to reapply.

Council approved the recommendation of the Panel. The item will be placed on the November 17, 2015 City Council Formal meeting for adoption.

**2. Commission Reappointments (Architectural, Fine Art, Health and Safety, and Public Works)**

The terms of Architectural Commissioner Michelle Kaye, Fine Art Commissioner Alan Kaye, Health and Safety Commissioners Daniel Nazarian, DMD, Myra Demeter, PhD, and Gary B. Ross, and Public Works Commissioners Sandra Aronberg, MD and Jeff Wolfe are all ending on December 31, 2015. They are all eligible for reappointment to a second term of four years each and have submitted letters of interest to be reappointed.

City Clerk Byron Pope presented a staff report on the recommendation of the City Council Liaisons (Architectural Commission: Councilmembers William W. Brien, M.D. and Nancy Krasne; Fine Art Commission: Councilmembers Lili Bosse and Nancy Krasne; Health and Safety Commission: Mayor Julian A. Gold, M.D. and Councilmember Lili Bosse; and Public Works Commission: Vice Mayor John A. Mirisch and Councilmember William W. Brien, M.D) to reappoint Commissioners Michelle Kaye, Alan Kaye, Daniel Nazarian, DMD, Myra Demeter, PhD, Gary B. Ross, Sandra Aronberg, MD and Jeff Wolfe to a second term.

Council approved the recommendation. The item will be placed on the November 17, 2015 City Council Formal meeting for adoption.

**3. Request by Mayor Gold to Discuss Process for Filling City Council Vacancies**

This report provides information regarding the City's process for filling City Council vacancies.

Interim City Attorney David Snow reviewed the Municipal Code related to the item and reviewed the options under the Government Code for Council consideration.

City Manager Mahdi Aluzri clarified that a modification to the ordinance will be required in order to allow Council to appoint someone to fill the vacancy. Mr. Snow answered Council questions about the state law's default rule and provisions, processes related to an appointment, and the election process. City Clerk Byron Pope clarified the Fair Political Practices Commission (FPPC) regulations, confirmed that special election rules are administered the same way as regular elections but held and funded separately, and read the candidate qualification rules. Mr. Snow provided the general definition of "resident" and answered Council questions about residency.

Council expressed sadness in Councilmember Brien's decision to relinquish his City Council seat. Councilmember Brien stated that he did not know the timeframe of when he would be resigning and did not offer further comment on the item. Councilmember Bosse indicated that the position should be filled by a person appointed by the public. Vice Mayor Mirisch stated that the ordinance should be updated to be in conformance with state law to allow for flexibility.

It was Council's consensus to repeal the ordinance to default to the general provisions contained in the California Government Code and to bring the item to the November 17, 2015 City Council Formal Meeting for adoption.

**4. Request by Vice-Mayor Mirisch to Review Municipal Code Provisions Pertaining to Expansion of Level Pads in the Hillside Area of the City**

*Item First Agendized October 20, 2015*

This is a request by Vice-Mayor Mirisch to discuss whether changes are needed to Municipal Code provisions pertaining to the by-right standards for expansion of level pads in the Hillside Area.

Assistant Director of Community Development/City Planner Ryan Gohlich introduced the item, noting that Council discussed hillside priority standards last year and that it is currently a B priority therefore work has not been performed. He briefly reviewed the current development standards then turned the discussion over to Vice-Mayor Mirisch. Vice-Mayor Mirisch noted the urgency of the item and discussed his reasons for requesting the report. Mr. Gohlich confirmed that the Planning Commission set it as an A level priority although in doing so does

not automatically move it up in priority for Council. He also noted that the current A priorities have not yet been completed. Director of Community Development Susan Healy Keane spoke on the administration and budget should Council shift priorities.

Council agreed that the request is important but that it should not be moved to an A priority at this time. They asked staff to present it as a priority item at the upcoming City Council Priority Setting Session on December 15, 2015.

#### **5. Zero Waste Plan Update**

This report provides an overview of the process of developing the City's Zero Waste Plan and an update on the schedule.

Assistant Director of Public Works Services/Infrastructure and Field Operations Trish Rhay introduced the item and noted that it is also on the agenda for consideration at the November 3<sup>rd</sup> formal meeting. She then introduced HF&H Consultants, LLC Manager Debbie Morris who presented the report.

Ms. Morris clarified that zero waste does not mean 100% recycling but rather a paradigm shift in changing people's behavior and mindset. She also noted that the Zero Waste Plan (Plan) should have definite check-in periods and the flexibility to expand as new regulations are adopted. Councilmember Brien asked about the strategy to get residents and businesses to follow through with the program and suggested to provide incentives to encourage participation. He inquired about the total budget to implement the program and asked for an outline on the financial impacts. Ms. Rhay confirmed that it will be part of the evaluation for Council consideration. Vice Mayor Mirisch expressed that the best method of achieving 100% diversion would be through the end provider which the City could then hold accountable for assisting with reaching the City's goals. He also noted that while changing behavior is ideal, it needs to be enforced at a higher regulatory level. City Manager Mahdi Aluzri stated that a Plan needs to be established first in order to set parameters and programs that can be used in negotiations with the end provider. He also noted that the Plan will have a relevant relationship to the rate that will be charged. Mayor Gold expressed concern that if it is too costly, it will not be well received by businesses and residents. He asked that the Plan not significantly increase the cost of doing business. Mr. Aluzri stated that a Request for Qualification (RFQ) process can be done before a Request for Proposal (RFP).

#### **6. Minimum Wage Requirement in the City**

This item continues the City Council review regarding an increase in the minimum wage.

Deputy City Manager for Public Affairs Cheryl Friedling presented a follow up report to the item which was first brought to Council at the September 1, 2015 Study Session meeting. Ms. Friedling reviewed statewide initiatives, what the neighboring cities of West Hollywood, Santa Monica and Culver City are doing, and discussed the research studies conducted by the City of Los Angeles, County of Los Angeles and Los Angeles Chamber of Commerce. She briefly touched on the evaluation of an increase to the wage of City employees and reviewed the Beverly Hills Chamber of Commerce's (BHCC) efforts to study the request. Ms. Friedling concluded her report by presenting options for Council consideration. Mayor Gold invited BHCC Director of Economic Development & Government Affairs Andy Sywak and Executive Director Todd Johnson to speak on the item. Mr. Sywak highlighted discussions from the BHCC's October 15, 2015 roundtable.

Speaking:

1. Beth Sieroty Meltzer
2. Vivian Rothstein
3. Gabriella Rosco, CLUE
4. Imelda Padilla, Raise the Wage Campaign
5. Carol Potter
6. Jeremy Blasi, Unite Here Local 11
7. Aaron Pearl, AFSCME Council 36/Raise the Wage

City Legislative Liaison Committee member Councilmember Brien read a letter from City of Santa Monica Mayor Kevin McKeown into the record. Interim City Attorney David Snow responded to the Council's inquiry and stated that he did not think that tipped employees can be exempted from the state law but that he will do more research. Vice Mayor Mirisch asked that total compensation should be reviewed and stated that there needs to be exemptions for small businesses and non-profit organizations. Council expressed disapproval of wage theft and stated that an increase in the minimum wage should be a regulation mandated by the State.

Council requested that staff bring more information including the impacts of increasing the minimum wage to a future Study Session and asked the BHCC to assist the City by conducting another survey targeting small businesses, restaurants, hotels and tipped employees. They also asked that preventing wage theft be prioritized.

**B – ADDITIONAL ITEMS TO CONSIDER (TIME PERMITTING)**

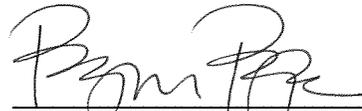
None

**C – INFORMATION**

None

The Study Session adjourned at 5:28 pm to the Joint Council Closed Session and Special Parking Authority Closed Session to discuss items that are identified on the agenda that have been prepared for the meeting.

PASSED, Approved and Adopted  
this 1<sup>st</sup> day of December, 2015



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**BYRON POPE, City Clerk**

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**JULIAN A. GOLD, M.D., MAYOR**

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