



**CITY OF BEVERLY HILLS
CITY COUNCIL
SPECIAL MEETING
November 07, 2007**

The Special Meeting of the City Council of Beverly Hills was held in the Council Chambers at 7:00 p.m.

PLEDGE OF ALLEGIANCE

A. ROLL CALL

Present: Councilmember Krasne, Councilmember Fenton,
Councilmember Briskman, Vice Mayor Brucker, and Mayor
Delshad
Absent: None

B. PRESENTATIONS

1. REPORT OF THE 2007 NEW YORK SALES MISSION - This report provides Council with summary information on the New York Trade Mission undertaken October 23 - 25, 2007.

Director of Economic Development and Marketing Alison Maxwell provided an outline of the New York Sales Mission that was recently completed by the Chamber of Commerce, Conference and Visitors Bureau and the City. Following the presentation of the DVD providing footage of the various businesses that was shown to the CEOs in New York, Dan Walsh, Chief Executive Officer of the Chamber of Commerce, spoke about the objectives of the trip, program costs, the approach taken, results achieved and new outreach for 2007.

2. CITY COUNCILMEMBER AND COMMITTEE REPORTS * New York Sales Mission

Councilmember Briskman reported on her experience with the Sales Mission and noted her areas of focus were retention, relationships with senior leadership and recruiting efforts. Mayor Delshad spoke about the 3-1-1 center visit, meeting with New York City Mayor Bloomberg and other meetings that were held. The Mayor acknowledged the Beverly Hills businesses for their support and loyalty to the City.

In response to Mayor Delshad's request for clarification, City Attorney

Laurence Wiener noted that the City has an agreement with the Chamber, and the Chamber is in charge of the New York Sales Mission trip. He further noted that until a few years ago, the Mayor and City Council were not included in the trip.

Mayor Delshad requested to bring this item up at a future City Council meeting to discuss who should be in charge of this trip and a performance assessment of all the programs that are funded.

Did you know:

Councilmember Briskman assured the community that the government leaders are working on their behalf to provide Beverly Hills with outstanding services and to retain its world class status. Mrs. Briskman mentioned Deputy City Manager of Public Affairs Cheryl Friedling will be working to keep the community better informed on what is being done on their behalf.

Councilmember Briskman addressed the recent rumors in the community. City Attorney Wiener shared details of the rumor about the Mayor and indicated the material is available for review through the City Attorney's office.

C. ORAL COMMUNICATIONS

1. TELEPHONE CALL-IN (310.285.1020) (Members of the public are invited to place telephone calls to comment on issues that do not appear on the evening's agenda. The City Council will take up to three telephone calls per meeting. Comments on the evening's agenda must be made in person as the item comes before the City Council.)

None

2. AUDIENCE COMMENTS. Any person wishing to address the City Council on any matter not on the agenda may do so at this time. However, the State open meetings law (Government Code Section 54950 et seq.) prohibits the City Council from providing a detailed response or acting upon any item not contained on the agenda posted 72 hours before a regular meeting and 24 hours before a special meeting. If you wish to address the City Council at this time, please complete a speaker's card and give it to the City Clerk prior to the commencement of the meeting. Please use the microphone provided, clearly stating your name for the official record and courteously limiting your remarks to three (3) minutes so others may have the opportunity to speak as well.

1. Alan Kaye, Chairman of the Solicitations Commission, speaking on behalf of the other Commission Chairs, requested that Council respect and support the decisions and the recommendations of the various City Commissions.

2. Darian Bojeaux, responded to Mr. Kaye's comments and mentioned residents are being contacted by phone regarding a survey on development projects.

Mayor Delshad and City Manager Roderick Wood responded that the City is not conducting such a survey.

D. PUBLIC HEARING

TO SET:

Appeals of the Planning Commission's Actions:

1. **CONDITIONALLY APPROVING A PLANNED DEVELOPMENT AND LOT LINE ADJUSTMENT TO ALLOW CONSTRUCTION OF A RETAIL, COMMERCIAL AND ENTERTAINMENT TALENT AGENCY OFFICE PROJECT FOR PROPERTY LOCATED AT 231-265 NORTH BEVERLY DRIVE (WILLIAM MORRIS AGENCY PROJECT) AND CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT, MAKING ENVIRONMENTAL FINDINGS AND ADOPTION OF A STATEMENT OF OVERRIDING CONSIDERATION AND A MITIGATION MONITORING AND REPORTING PROGRAM.** Comment: Two appeals were filed by Mark Egerman on behalf of BWO, LP, who is seeking City Council review and reconsideration of the conditions of approval imposed on the project by the Planning Commission and the Commission's action on the Final Environmental Impact Report, as further described in the appeal petitions filed with the City Clerk. Staff recommends that these appeals, and any other timely appeals that may be filed, be set for hearing on Tuesday, November 20, 2007 at 7:30 p.m.

ITEM D-1: BY ORDER OF THE CHAIR, HEARING IS SET FOR TUESDAY, NOVEMBER 20, 2007 AT 7:30 P.M.

TO CONSIDER:

This being the time and place set, a public hearing was held to consider:

2. **CONSIDERATION OF A GENERAL PLAN AMENDMENT, ZONE CHANGE/ZONING CODE AMENDMENT, DEVELOPMENT AGREEMENT, AND FINAL ENVIRONMENTAL IMPACT REPORT, TO ALLOW CONSTRUCTION OF AN ENTERTAINMENT TALENT AGENCY/COMMERCIAL PROJECT WITH 177,225 SQUARE FEET OF OFFICE SPACE AND 30,875 SQUARE FEET OF RETAIL/RESTAURANT/COMMERCIAL SPACE FOR PROPERTY LOCATED AT 231-265 BEVERLY DRIVE (BEVERLY WILSHIRE OWNERS).** Comment: Consideration of a General Plan Amendment, Zone Change/overlay zone and Development Agreement and Final Environmental

Impact Report for an office building with ground floor retail and subterranean parking for property located at 231-265 N. Beverly Drive. The City Council may discuss the Planned Development permit and Lot Line Adjustment aspects of the Project that have been approved by the Planning Commission in the context of the Council's consideration of the foregoing applications. However, a separate hearing on any such appeals of the Planning Commission action may be held pursuant to the Appeal provisions of the Municipal Code.

The notice of this hearing was published as required by law and an affidavit to this effect is on file with the City Clerk.

The report of the Director of Community Development and the record of the Community Development Department in this matter are made a part of the record of this hearing.

City Attorney Wiener explained the Council will be asked to make legislative decisions (whether to amend the General Plan and the zoning ordinance to allow this project to go forward and the Development Agreement) and quasi-judicial decisions (details of the project: site plan review, look of the project, etc.). Mr. Wiener further explained the applicant has appealed some of the conditions of approval by the Planning Commission, but due to noticing requirements the appeal will not be able to be heard until November 20. The discussion on the legislative decisions can be heard this evening and it will be continued to be held in conjunction with the appeal on November 20.

Director of Community Development Vince Bertoni provided the meeting format for the evening and reviewed the project location, project summary, the Williams Morris Project Site Plan, elevations and project entitlements, the Planning Commission actions, the appeal, actions required by the City Council, key issues presented during the Planning Commission process. Mr. Bertoni introduced key staff members and the City's consultant, and noted staff's recommendation is for the Council to discuss the proposed project and the Draft Environmental Impact Report (EIR) and Final EIR this evening and to continue the public hearing to November 20, 2007 to consider the appeal of the Planning Commission's decision and to give staff direction regarding the various entitlements of the proposed project including the General Plan Amendment, Overlay Zone Development Agreement and the other project entitlements specifics.

Colette Morris, RBF, presented the Final EIR and stated it was in compliance with the California Environmental Quality Act. Ms. Morris described the process that took place culminating in this report.

Speaking:

1. Peter Duncan, applicant and President of George Comfort & Sons, speaking on behalf of George Comfort and Morgan Stanley, thanked the staff and the Planning Commission for their hard work and introduced the members of his team that will make presentations this evening. Mr. Duncan

stated, although they feel what has been proposed does meet the parking demands of the building, in the spirit of compromise they have decided to build the additional 33 spaces to make it compliant with the City code.

2. Irv Weintraub, Chief Operations Officer of the William Morris Agency, discussed the Agency's 80 year history in the City and the fact that it has a need for more space. Mr. Weintraub expressed the Agency's desire to have this building developed to be able to remain in Beverly Hills.

3. Rob Jernigan, architect with Gensler, presented other projects the firm has designed, and presented the design for the proposed William Morris project.

4. Mark Egerman, representing the applicant, reviewed the project history and the critical components of the proposed project.

5. Planning Commission Chair Noah Furie, with Commissioners Kathy Reims, Lili Bosse and Nanette Cole joining him at the podium, made a presentation on behalf of the Commission. Mr. Furie stated the Commission has conditionally approved a planned development subject to 37 conditions of approval and he addressed 7 of these conditions.

6. Planning Commission Vice Chair Reims spoke about minimum code parking and expressed the need for all concerned to assist in making this project work.

7. Commissioner Bosse commented on the items agreed to by the Planning Commission, and noted the reasonable conditions recommended.

8. Commissioner Cole also made comments regarding the parking issue and the intent to have a project that is used for its intended purpose.

9. Robbie Anderson commended William Morris for providing the additional parking spaces, and asked questions regarding signage and the overlay zone vs. the spot variance question raised by Councilmember Krasne earlier this evening.

10. Dan Walsh, CEO of the Beverly Hills Chamber of Commerce, endorsed and supported this project on behalf of the business community and the Chamber. Mr. Walsh spoke about the value of keeping William Morris in the City, and mentioned the affect losing the other entertainment businesses, ICM and CMA, had on the City.

11. David Gordon, speaking on behalf of the Southwest Homeowners Association, urged the Council to support the William Morris project, with the conditions placed on the project by the Planning Commission.

12. Rose Norton stated that Charleville has not been adequately addressed in the traffic proposal because there is no left turn on Wilshire and Beverly Drive driving east and asked why William Morris was not a partner in this project.

13. Larry Larson, speaking on behalf of the BH North Homeowners Association, supported the Planning Commission's conditions for the project and also wants William Morris to be a partner in the project.

14. Eliot Finkel spoke about the financials of the project, the positive impact of taxes (business, rental property, property tax, sales tax) to the City and the potential impact of loss of the entertainment industry revenue if William Morris leaves the City.

15. Darian Bojeaux spoke about the notice for this evening's meeting regarding the appeal, and spoke in opposition to the project.

16. Tom Korey commented the City cannot afford to lose this tenant, and strongly urged the Council to do everything that it can to keep William Morris.

17. Ruth Kraft congratulated the Planning Commission on their recommendations, and read a letter into the record from Joy and Milt Shefter.

18. Allan Alexander stated, consistent with the Chamber of Commerce's position, he supports the project subject to those conditions indicated. Mr. Alexander referred to a letter he had submitted suggesting that the dedication of an easement to provide for a subway portal be included as a condition of approval.

19. Ed Brown commended the Planning Commissioners and asked questions about the details of the project.

20. Brian Dunne, commercial real estate broker, spoke about the importance of state of the art facilities to the City and urged the Council to approve this project.

21. AJ Wilmer spoke about partnering with businesses, and supported the project.

City Attorney Wiener addressed the question raised about the notice for this meeting and explained how it was in compliance with the law.

The meeting recessed at 10:40 p.m. and reconvened at 10:50 p.m. with all Councilmembers present.

The Council raised questions and comments for staff to address at the next meeting.

Council directed that the City Council Ad Hoc Committee meet with the applicant, William Morris representatives and staff before the November 20 to address issues that were raised this evening.

The public hearing was continued to November 20, 2007.

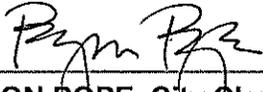
E. OTHER BUSINESS

None

F. ADJOURNMENT

There being no further business, Mayor Delshad, with the consent of Council, adjourned the meeting at 11:35 p.m.

PASSED, Approved and Adopted
this 18th day of December, 2007.



BYRON ROPE, City Clerk

JIMMY DELSHAD, MAYOR

This meeting was broadcast on live television, on City of Beverly Hills municipal government television access Channel BHN/10 Time Warner Cable.