



**CITY OF BEVERLY HILLS
CITY COUNCIL
REGULAR COUNCIL MEETING
November 20, 2007**

The Regular Meeting of the City Council of Beverly Hills was held in the Council Chambers at 7:30 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. PROCLAMATION - Sheri Safan
- in honor of being inducted into the National MS Society's Volunteer Hall of Fame

Mayor Delshad, with the assistance of Councilmember Linda Briskman, presented Sheri Safan with a proclamation in honor of induction into the National MS Society's Volunteer Hall of Fame.

Ms. Safan introduced her family and doctor, and thanked the Mayor and City Council for this honor.

2. RECOGNITION OF RETIRING COMMISSIONER - Public Works Commission
- Tom Korey

Mayor Delshad and Councilmember Briskman presented retiring Public Works Commissioner Tom Korey with a gift and plaque for his six years of distinguished service to the City.

Mr. Korey expressed his appreciation.

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.)

1. Larry Larson spoke about Mayor Delshad's attendance at a recent Beverly Hills North Homeowners Association meeting.

Mayor Delshad explained his position on the matters presented by Mr. Larson.

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. Darian Bojeaux spoke about the North Homeowners Town Hall Meeting, and asked the Mayor to make an apology to Mr. Larson.

3. REPORT FROM THE CITY MANAGER
- Demonstration of the City's Closed Circuit Television (CCTV) system

Police Division Commander Theresa Taylor and Tim Conwell, Mainline Informations Systems (the vendor assisting the City with the project), presented a demonstration of the Closed Circuit TV program. Ms. Taylor thanked the Mayor, Vice Mayor and community members for their input and dedication to this project.

City Manager Roderick Wood spoke about the software system component for the video cameras for the CCTV program, and Commander Taylor expounded on Mr. Wood's remarks.

Mayor Delshad spoke about the privacy of the cameras and videos, noted that the general public does not have access to view the cameras or videos (including the City Council) and only trained law enforcement personnel will have access to this system.

Councilmember Briskman requested a DVD of the demonstration for an

upcoming trip to Washington DC in January 2008 for a meeting with Homeland Security.

In response to Vice-Mayor Brucker's inquiry, Commander Taylor spoke about future locations for the CCTV program after this test period.

Mayor Delshad thanked the members of the Technology Committee for their efforts in this regard (AJ Wilmer, Allan Alexander, Vice-Mayor Brucker, etc.), and requested more emphasis be placed on the smart traffic light component of the program.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

- Did you know? :

* Holiday Happenings in the City

Vice Mayor Brucker reported on the official kick-off of the holiday season this past Saturday evening with the annual lighting ceremony on Rodeo Drive. Mr. Brucker announced the many events planned for the upcoming weeks and mentioned for more details about dining, shopping and happenings during the holidays visit lovebeverlyhills.org or call 310.248.1015.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

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

1A. AN APPEAL FROM THE DECISION OF THE PLANNING COMMISSION 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 231-235 NORTH BEVERLY DRIVE, AND CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT FOR THE 231-235 NORTH BEVERLY DRIVE PROJECT.

1B. 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 William Morris Project; continued from November 7, 2007.

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.

Community Development Director Vince Bertoni presented the staff report and noted the actions before the Council this evening for consideration. Mr. Bertoni discussed the appeal by the applicant, provided a summary of the Ad Hoc Committee meeting on November 15, 2007, the meeting on November 19, 2007, appeal recommendations, and entitlement actions. Mr. Bertoni stated staff is recommending the Council continue the hearing to December 5, 2007 and direct staff to: prepare resolutions to certify the EIR, conditionally approve the Development Plan Review and lot line adjustment, amend the General Plan, introduce for first reading the Ordinance to create an overlay zone and introduce for first reading an Ordinance to adopt the Development Agreement.

In response to the Mayor's inquiry regarding the leasing of spaces to the public, City Attorney Laurence Wiener provided his notes of the recommendation from the Ad Hoc Committee.

Mark Egerman, speaking on behalf of the appellant, thanked the Ad Hoc Committee for all of their hard work in reaching their recommendations. Mr. Egerman clarified that free parking will be provided for all tenants and their employees, visitors will have one-hour free parking, two-hour free parking for restaurant parking, with a total of 744 parking spaces with available aisles for extra parking and full valet services, the subway portals (15 feet by 20 feet), the demand study requirement in the future, and the timeline suggested by the Vice Mayor.

In response to Councilmember Nancy Krasne's questions about the intersections of Charleville going eastbound on Wilshire, Mr. Madsen, RBF, explained the level of traffic needed to require mitigation.

Planning Commission Chair Noah Furie acknowledged Commissioners Bosse and Cole in attendance, and presented proposed modifications to the Ad Hoc Committee's recommendation. Chair Furie asked that the authority on the items by the Director of Community Director be replaced with the Planning Commission or City Council.

Speaking:

1. Mitch Waldow discussed the current height restrictions in the General Plan, and noted he would like to see code compliant buildings approved.

2. Darian Bojeaux spoke in opposition to the project and about issues with the project and voiced concern about the noticing of this project.

Vice Mayor Brucker spoke to Ms. Bojeaux's comments.

3. Steve Weinglass read a letter on behalf of Larry Larson about the project.

4. Lee Pasternack mentioned his neighbors that are opposed to the project and spoke about aspects of the project that he is not in favor of.

5. Ruth Kraft spoke about the "gift" the City is giving to William Morris agency.

6. Allen Alexander expressed his support of the subway portal easement and is willing to have a dialogue with the Ad Hoc Committee regarding his recommendations.

7. J.A. Mirisch spoke about the William Morris project, and noted many alternate recommendations to ensure the public trust.

City Manager Wood commented that he has not attended any charettes during his four year term with the City.

Mr. Egerman made additional comments in response to the comments made by the Planning Commission and various speakers.

There were no other members of the audience who wished to comment. Mayor Delshad closed the public hearing.

The Mayor entertained a motion with regard to the appeal of the conditions on the Planned Development Permit.

MOVED by Councilmember Briskman, seconded by Councilmember Fenton that the City Attorney be directed to prepare a resolution and findings denying in part and granting in part the appeal of the Planning Commission's decision conditionally approving a Planned Development Permit and lot line adjustment for the 231-235 North Beverly Drive Project and making CEQA Findings, Certifying the EIR, Adopting a Statement of Overriding Considerations and Adopting a Mitigation Monitoring and Reporting Program consistent with the City Council's discussion.

The Council added the following amendments to the Motion: to include a 5% threshold for the Planning Director to make the determination on the leasing of parking, and anything over that would be referred to the Planning Commission for both Bank of America and William Morris, two demand studies (one by the City, one by the applicant), 20 years on the subway portal, addressing the loss of parking spaces for the portal during

negotiations with MTA when it happens, and removing the condition for a second station in the agreement.

Ayes: Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad
Noes: Councilmember Krasne

CARRIED

The Mayor entertained a motion on the General Plan Amendment, Zoning Code Amendment, and Zone Change.

MOVED by Vice Mayor Brucker, seconded by Councilmember Fenton that the City Attorney be directed to prepare (i) a Resolution approving the proposed General Plan Amendment, and (ii) an Ordinance Creating the Entertainment Office Planned Development Overlay Zone (E-O-PD), Amending the Beverly Hills Municipal Code, and Applying the Entertainment Office Planned Development Overlay Zone to Property Known as 231-265 North Beverly Drive.

Ayes: Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad
Noes: Councilmember Krasne

CARRIED

The Mayor entertained a motion on the Development Agreement.

MOVED by Councilmember Briskman, seconded by Councilmember Fenton that the City Attorney be directed to prepare an Ordinance approving the proposed Development Agreement and authorizing the Mayor to execute the Agreement for the property known as 231-265 North Beverly Drive, as modified in accord with the City Council's direction.

Ayes: Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad
Noes: Councilmember Krasne

CARRIED

Councilmember Briskman requested a view of what the owner of a corner condominium unit (6th and 7th floor) on the Montage project will see of the William Morris Project when looking northwest.

City Attorney Wiener clarified the documents will be drafted and presented to the City Council for a vote at the December 5 formal meeting.

ITEM D-1A AND D-1B: CITY ATTORNEY TO PREPARE THE RESOLUTIONS AND ORDINANCES FOR CONSIDERATION AT THE DECEMBER 5, 2007 MEETING

E. CONTINUED AND NEW BUSINESS

None

F. CONSENT CALENDAR

MOVED by Vice Mayor Brucker, seconded by Councilmember Krasne to approve all items on the consent agenda, and direct that the appropriate accounts be charged on Item F4.

Minutes

1. Consideration of the Minutes of the regular meeting of September 17, 2007.
2. Consideration of the Minutes of the regular meeting of October 2, 2007.
3. Consideration of the Minutes of the regular meeting of October 16, 2007.

Demands Paid

4. REVIEW OF BUDGETED DEMANDS PAID, report dated November 1 - 15, 2007.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

5. RELATED TO THE BEVERLY HILLS PUBLIC LIBRARY AND ESTABLISHING A LIBRARY BOARD. For Adoption. Comment: The proposed ordinance is a technical clean-up that reaffirms that the City Council is to serve as the Library Board of Trustees for the Beverly Hills Public Library.

ITEM F-5: ADOPTED ORD#07-O-2537

6. PROHIBITING CERTAIN CONDUCT ON PUBLIC PROPERTY AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Adoption. Comment: The proposed ordinance is part of the City's CLASP (Changing Lives and Sharing Places) program that establishes standards of conduct on public property.

ITEM F-6: ADOPTED ORD#07-O-2538

7. EXTENDING THE TERM OF A MEMBER OF THE ARCHITECTURAL COMMISSION. For Introduction. Comment: Extends the term of office for Architectural Commissioner Arline Pepp through April 2008.

ITEM F-7: WAIVE FULL READING AND ADVANCE TO DECEMBER 5, 2007 FOR ADOPTION

8. EXTENDING THE TERMS OF THREE MEMBERS OF THE HUMAN RELATIONS COMMISSION. For Introduction. Comment: Extends the term of office for Human Relations Commissioner Julie Auerbach through April 2008 and Human Relations Commissioners Faye Miller and Paul Krentzman through January 2008.

ITEM F-8: WAIVE FULL READING AND ADVANCE TO DECEMBER 5, 2007 FOR ADOPTION

9. ESTABLISHING SPECIAL EVENT PERMITS AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Introduction. Comment: Provides rules and regulations for the issuance of a special events permit for temporary activities and events that impact the community.

ITEM F-9: WAIVE FULL READING AND ADVANCE TO DECEMBER 5, 2007 FOR ADOPTION

RESOLUTIONS APPROVING:

10. VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN:

ITEM A APPROVAL OF AMENDMENT NO. 4 TO AN AGREEMENT WITH THE DAVIS COMPANY FOR THE DESIGN AND IMPLEMENTATION OF EMPLOYEE PERFORMANCE STANDARDS AND MEASURES. Comment: To request approval to amend the contract for the Davis Company for the design and implementation of employee performance standards and measures and to provide funds to the contract for the Fiscal Year 2007-08.

ITEM F-10: APPROVED AG#466-07

ITEM B APPROVAL OF AN AGREEMENT WITH DAVID TAUSSIG & ASSOCIATES, INC. D.B.A. DOLINKA GROUP, INC. FOR FINANCIAL CONSULTING SERVICES IN THE ADMINISTRATION OF COMMUNITY FACILITIES DISTRICT NO. 2002-A (BUSINESS TRIANGLE). Comment: Financial consulting services for determining the special tax rates and facilitate the collection of the special taxes by the City of Los Angeles ("County").

ITEM F-10B: APPROVED AG#467-07

APPROVAL OF:

11. HEALTH AND SAFETY COMMISSION APPOINTMENTS. Comment: Appoints Dr. Sandra Aronberg as Chair, David Seidel as Vice Chair and Dr. Debra Judelson, Peter Landau, Gail Millan, Stacia Kopeikin and Kar'en Setian to a two-year term on the newly formed Commission.

ITEM F-11: APPROVED

12. ARCHITECTURAL COMMISSION APPOINTMENT. Comment: Appoints Zale Rubins to the Architectural Commission for an initial two year term.

ITEM F-12: APPROVED

13. HUMAN RELATIONS COMMISSION APPOINTMENTS. Comment: Appoints Barbara Linder and Dr. Sharona Nazarian to the Human Relations Commission in January 2008 for an initial two year term, and Ilona Sherman to the Human Relations Commission in April 2008 for an initial two year term.

ITEM F-13: APPROVED

Vote on Consent Agenda:

Ayes: Councilmember Krasne, Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad
Noes: None

CARRIED

G. COMMISSION SYNOPSIS

None

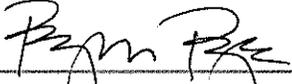
H. OTHER BUSINESS

None

I. ADJOURNMENT

There being no further business, Mayor Delshad, with the consent of Council, adjourned the meeting at 10:40 p.m. Mayor Delshad wished the community a Happy Thanksgiving.

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.