

**CITY OF BEVERLY HILLS  
MINUTES – STUDY SESSION**

**May 17, 2016**

**2:30 p.m.**

**City Council Chamber**

PRESENT: Mayor Mirisch  
Vice Mayor Krasne  
Councilmember Bosse  
Councilmember Gold  
Mahdi Aluzri, City Manager  
Laurence Wiener, City Attorney  
Ryan Gohlich, Assistant Director of Community Development/City Planner

ABSENT: None

The meeting was called to order at 2:30 p.m.

**ORAL COMMUNICATION**

Speaking:

1. Lionel Ephraim

**A – DIRECTION**

1. **Proclamation Recognizing May as Older Americans Recognition Month and Recognition of Beverly Hills Older American Maria Heilpern**

May is Older Americans Recognition Month and the Los Angeles County Commission for Older Adults invites each community to recognize a deserving adult to be honored at the 51st Annual Older American Recognition Day on Wednesday, May 25th at the Dorothy Chandler Pavilion.

Mayor Mirisch, along with the entire City Council, presented a proclamation to Maria Heilpern as Beverly Hills' Older American of the Year. He noted that Ms. Heilpern was among a handful of citizens who contributed more than 400 hours of volunteer services to the City of Beverly Hills in 2015 and currently serves as Second Vice President of the Beverly Hills Active Adult Club.

2. **Proclamation to New Managing Director Rachel Fine and New Artistic Director Paul Crewes of the Wallis**

This honors The Wallis' new leadership and commemorates the long-standing partnership between the City and The Wallis.

The Wallis Annenberg for the Performing Arts (Wallis) Managing Director Rachel Fine expressed the leadership team's appreciation and honor to collaborate with the City. She

noted that Chairman of the Board David Bohnett was unable to attend the proclamation and introduced Artistic Director Paul Crewes who presented the Wallis's upcoming events and programs.

Mayor Mirisch, along with the entire City Council, presented a proclamation that congratulated and commended Mr. Bohnett, Ms. Fine and Mr. Crewes on providing outstanding leadership and vision and further recognized their generous community spirit.

**3. Request by Mayor Mirisch to Modify the Current Procedures for Selection and Retention of Department Heads, and Assistant/Deputy City Managers**

The Mayor is asking the City Council to consider changing the current procedure for selecting and retaining department heads and assistant/deputy city managers to include consent and approval by the Council prior to hire.

City Manager Mahdi Aluzri provided a brief history on the item. He reported that at the August 6, 2013 Study Session meeting, Council agreed to retain the historical hiring practices and to formalize it through the Council Manual of Policies and Procedures. Mr. Aluzri noted that the formalized policy has not yet been developed. He briefly touched on the survey results of four surrounding California cities that have some form of Council-consent and approval for the hiring and retention of department heads. He noted that the four cities are charter cities. Mr. Aluzri cited the current practice and procedure which was used to select the City's current Police Chief. Mayor Mirisch briefly explained his reason for placing the item on the Study Session agenda.

Speaking:

1. Eliot Finkel
2. Bob McDonald
3. Robert Tannenbaum
4. Thomas White, Municipal League of Beverly Hills
5. Marcia Hobbs

City Attorney Laurence Wiener advised that appointment of senior staff is not a matter of state law but usually addressed by municipal code. Mayor Mirisch spoke on the procedure he envisioned and discussed procedural elements that are lacking in the current process. Mr. Aluzri confirmed that ten staff members would be affected by the proposal and noted that all executive staff are hired through the executive compensation plan and are at-will employees.

Council agreed to move forward with the item and appointed Vice Mayor Krasne and Councilmember Bosse to the Ad-hoc committee.

**4. Interview Process for City Council Appointment**

Staff seeks direction on the process to be used for the appointment of a new City Council member, whether the City Council wishes to hold a special meeting or meetings, and the dates on which those meetings should be scheduled.

Item not discussed; item moved to the May 17, 2016 Formal Meeting.

**5. Request by Vice-Mayor Krasne for City Council Review of the Planning Commission's Decision Conditionally Approving a Conditional Use Permit, Development Plan Review, and Extended Hours Permit for Restaurant, Open Air Dining, and Rooftop Operations at the L'Ermitage Hotel, Located at 9291 Burton Way**

On May 2, 2016 the Planning Commission approved a Conditional Use Permit, Development Plan Review, and Extended Hours Permit for the L'Ermitage Hotel. Vice-Mayor Krasne has requested that the City Council call the matter up for a de novo hearing before the City Council. If a majority of the City Council votes to call the matter up for review, a public hearing will be scheduled for a future meeting.

Vice Mayor Krasne introduced the item then invited Assistant Director of Community Development/City Planner Ryan Gohlich to report. Mr. Gohlich reviewed the additional conditions of the permit, which was unanimously approved by the Planning Commission on May 2, 2016. He asked Council to decide on whether to call the item up for a de novo hearing and noted that if approved, the public hearing will take place at the June 6, 2016 formal Council meeting.

Speaking:

1. Mitch Dawson, L'Ermitage Hotel
2. Jay Weston, L'Ermitage Hotel
3. Kelly Scott, Beverly Hills Chamber of Commerce
4. Mikael Cohen, on behalf of residents of Elm Drive
5. Nicholas Rimedio, Viceroy Hotel Group/L'Ermitage Hotel
6. Maurilio Rivas, Viceroy Hotel Group/L'Ermitage Hotel
7. Bill Walshe, Viceroy Hotel Group/L'Ermitage Hotel
8. Matti Bialer
9. Thomas White, Municipal League of Beverly Hills
10. Steve Mayer
11. Allan Cooper, Attorney for L'Ermitage Hotel

Planning Commissioners Lori Greene Gordon and Craig Corman answered Council questions about the Planning Commission's decision. Mr. Gohlich spoke on compliance enforcement.

City Attorney Laurence Wiener confirmed that according to the Beverly Hills Municipal Code, should the Conditional Use Permit be called up for a de novo hearing, the decision of the Planning Commission is to stay. He advised that Council could agree to add an emergency ordinance to the May 17, 2016 evening agenda to allow the L'Ermitage Hotel to continue operations until the matter is resolved. Mr. Wiener noted that a super majority vote would be required to ratify the emergency ordinance.

Council agreed to call the item for a de novo hearing at the June 6, 2016 Formal Council meeting and agreed to add an emergency ordinance to allow the L'Ermitage Hotel to continue operations to the May 17, 2016 evening agenda.

**6. Request by Mayor Mirisch for City Council Consideration for Storing the Boy Scout House on City Property**

The Boy Scouts of America – Troop 33 of Beverly Hills is requesting the assistance in storing their Boy Scout House for an undetermined amount of time. The land on which the House currently stands is primarily owned by the Los Angeles Country Club, which has terminated

their lease, and the House will need to be relocated immediately. The Mayor has requested that this item be brought forth to the Council, and it is recommended that the Council discuss the potential of temporarily storing the House around the 336 Foothill Road location.

Item not discussed.

**7. National Gun Violence Awareness Day on June 2, 2016**

Request to Commemorate 'National Gun Violence Awareness Day' by Lighting City Hall in Orange on June 2, 2016.

Item not discussed.

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

None

**C – INFORMATION**

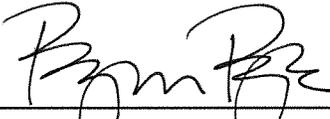
**8. AIDS/LifeCycle Bike Ride Through Beverly Hills**

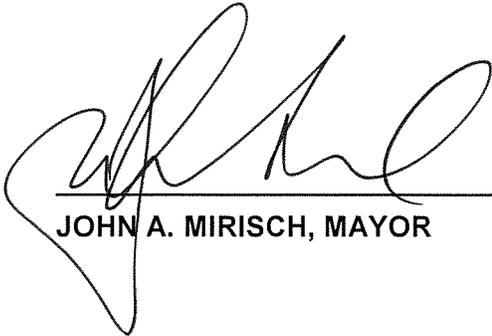
Provides information regarding the AIDS/LifeCycle's Bike Ride through Beverly Hills on Saturday, June 11.

Item not discussed.

The Study Session recessed at 4:56 pm to the Closed Session to discuss items that are identified on the agenda that has been prepared for the meeting.

PASSED, Approved and Adopted  
this 7<sup>th</sup> day of June, 2016

  
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BYRON FOPE, City Clerk

  
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JOHN A. MIRISCH, MAYOR

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