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Issue 464 • August 21 - August 27, 2008

Is the \$334 Million School Bond a Blank Check?



Proponents, opponents weigh in on the merits of the November election

cover story • pages 8-9



letters & email

“Beverly Vista Implicated in Free Speech Violation Lawsuit” [Issue #463]

Not once in the article with the banner headline “Beverly Vista Implicated in Free Speech Violation Lawsuit” is mention made of the victim’s impaired dignity, except for the last short but poignant sentence, which reads: “The student who was the subject of the video graduated from Beverly Vista but intends to leave the district for private school.” Was her decision to leave made voluntarily, or was she pushed?

Furthermore, not the slightest consideration is given as to how the video affected the victim’s feelings, or for that matter, the general decorum which the BHUSD tries to engender in its students. The statements in the video diminish the esteem in which the victim is held by others. The victim was a student of the BHUSD and is now lost to the BHUSD. The statements were not made privately to the student herself, but in a public forum, with no regard as to who may hear them. The purpose of the statements was to embarrass the student and to besmirch her reputation. This constitutes unlawful and irresponsible behavior by whatever name you may wish to call it. For specialist lawyers and others, not to recognize the statements for what they are, and to classify them as “simply engaging in name calling”, is a sad observation on our social mores, which the BHUSD has attempted to address, and this

should be acknowledged by our courts.

Merle Bauer
Beverly Hills

“The Maple Counseling Center”

The Maple Counseling Center has served the greater Beverly Hills community with distinction for the last 37 years.

Each year the Center honors community philanthropists and volunteers who have made significant contributions in a wide range of areas for the benefit of the citizens of this truly remarkable community.

Throughout the years, The Beverly Hills Hilton Hotel has continually supported the Center’s efforts and has been the home of the Crystal Ball for nearly 20 years. Thus year The Maple Counseling Center has chosen to show its appreciation for those many years of support by proudly honoring the hotel’s owner, Beny Alegem, and the entire Beverly Hills Hilton

Family, for their continued support of the community’s charitable causes.

The Maple Counseling Center chooses its honorees by Committee without prejudice or any political influence.

Tom Korey
Co-Chair 2008 Crystal Ball
Beverly Hills

Correction: “Barcelona in Beverly Hills condos go to auction” [Issue #463] should have said that the reason the complex has nine-units is because it is made up of two lots that are both allowed four units, with one additional lot allowed for a building sharing two lots. Additionally, Marie France-Salaun bought the adjacent property before it was annexed into Beverly Hills.

WHAT’S ON YOUR MIND?

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BY NEIL SIMON
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DIRECTOR HOWARD TEICHMAN

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THE WEST COAST PREMIERE

"INTELLIGENT...STRONGLY ACTED" LA TIMES

"BEST BET" THE GUIDE TIMES CALENDAR LIVE! PEN A PSYCHOLOGICAL DRAMA BY DAVID MARSHALL GRANT

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Photo: Distinctive Assets

“GEN D” PICO BOULEVARD

The Generation Making a Difference Event last week raised over \$62,000 for the American Jewish Joint Distribution Committee’s (JDC) efforts to support of the Jewish Community in Cuba. The event was attended by over 250 guests. Since 1914, the JDC has set up programs worldwide to support Jewish communities internationally. The JDC’s specific efforts in Cuba include JDC to support their specific efforts in Cuba which include meeting the humanitarian, religious and cultural needs of Cuban Jews. Pictured: (l-r) Michael Amall, Adam Winnick, Jackie Flesh, Michelle Flesh, Daniela Essakow, Daniel Flesh.

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CVB will split from Chamber of Commerce

City Council approves separation after seeing audit results

By Jacquelyn Ryan



Barry Brucker



Dan Walsh

The Beverly Hills City Council approved the separation of Convention and Visitors Bureau (CVB) on Tuesday in a 3-2 consensus after a presentation about the results of the Chamber's recent performance audit from KH Consulting. Mayor Barry Brucker, Councilmembers Nancy Krasne and Jimmy Delshad voted to approve the separation; Vice Mayor Frank Fenton and Council member

to split the CVB from the Chamber and to do it methodically and intelligently," said Brucker in a phone interview. "There was a very passionate discussion but the buck stops with the mayor and the City Council."

Vice Mayor Fenton said he wanted more information and a long-range plan for the Chamber before he would feel comfortable deciding to split the CVB. Briskman was concerned that press coverage influenced the decision making process.

"We were disappointed and surprised that the City Council and the president of KH Consulting Gayle Hartsough didn't follow the advice of the first recommendation in the performance audit, which was to create a strategic plan [for the City and the Chamber] before making this decision," said Chamber of Commerce CEO Dan Walsh in a phone interview. "It might be the right decision but we were hoping this would bear out from a strategic plan. All the issues have not been thought through."

At the meeting, Walsh said that the

Chamber's board of directors initial evaluation was the CVB should remain in the Chamber CVB "based on our successes and the work our track record has delivered."

The Ad Hoc committee for the audit, which included Mayor Barry Brucker, Councilmember Linda Briskman, City Manager Rod Wood, Assistant City Manager Katie Lichtig and Alison Maxwell, will now put together a strategic guiding committee to create a blueprint for the CVB's operations as an independent entity and to layout plans for making the transition, according to Brucker.

The Ad Hoc committee intends to seek feedback from current CVB director Kathy Smits and others who may have a stake in the CVB or its services. Putting together the committee should take about six to eight weeks, said Brucker. The Council would have to approve the final committee.

Once in the guiding committee is in place, plans to separate the CVB can move forward.

"We won't take a meat cleaver approach to this. We'll wean the CVB from the Chamber so there will be no financial harm," said Brucker. "It will also give

them time to regroup and redefine" the organization. Brucker has previously said he envisions the separation process taking between 12 and 18 months.

"The Chamber of Commerce is 85 years old. We are the inventors of the CVB. It's been in this institution for more than 30 years," said Walsh. "But we are prepared to cooperate with the city and intend to work collaboratively. We have one goal: to find what's in the best interest of Beverly Hills.

CVB director Kathy Smits was not available for comment.

"We know this will be an exceptional challenge," said Brucker. "We're talking about \$2.2 million running through the Chamber's books. Now with the CVB as an independent entity, it's going to be a very different financial model" for the Chamber.

KH Consulting president Gayle Hartsough estimated it would cost the city \$120,000 to \$150,000 to transition the CVB to an independent entity.

"Ultimately, facts drove the decision," said Brucker, addressing speculations that the decision was based on personal relationships. "The bottom line is that I'm looking out for the taxpayers' dollars."

Linda Briskman dissented.

"We decided it was in the best interest



NOTICE OF COMMISSION VACANCY

NOTICE OF COMMISSION VACANCY: PLANNING COMMISSION

The Beverly Hills City Council is seeking qualified residents to fill one upcoming vacancy on the Planning Commission. The initial term of office for the position is two years. At the discretion of the City Council, the Commissioner may be reappointed to a second term of four years. The appointee will be required to file an initial and an annual "Statement of Economic Interests" financial disclosure.

In order that we may preserve the integrity of the application and interview process, please direct all inquiries to the City Clerk, City Manager or the Director of Community Development. Please DO NOT contact the City Councilmembers or the members of the Planning Commission regarding the vacancy.

Application forms for the Planning Commission, along with a description of the duties of a Commissioner, and filing details are available for pickup in the City Clerk's Office, Room 190, 455 N. Rexford Drive, or call 310.285.2400 to receive an application and information by mail or by email.

The deadline for filing applications for this Commission is Friday, November 14, 2008, at 5:00 p.m.

BYRON POPE, CMC
City Clerk



NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING REGARDING FINANCING FOR THE ACQUISITION AND CONSTRUCTION OF CERTAIN PUBLIC IMPROVE- MENTS, INCLUDING 331 NORTH FOOTHILL ROAD, BEVERLY HILLS, CA 90210

The City Council of Beverly Hills, at its regular meeting to be held on **Tuesday, September 2, 2008, at 7:00 p.m. or as soon thereafter as the matter can be heard**, and in conjunction with the Beverly Hills Public Financing Authority (the "Authority"), will hold a joint meeting in the Council Chambers of the City Hall, 455 N. Rexford Drive, Beverly Hills, CA 90210; at which time it will hear and consider information concerning the approval by the Authority of (i) a lease financing by the City of Beverly Hills Public Financing Authority for certain public capital improvements to be used by the City of Beverly Hills (the "City") and the public benefit of such financing by the Authority in accordance with the criteria specified in Section 6586 of the California Government Code and (ii) the adoption of a resolution by the City Council of the City approving the execution and delivery of a master lease to be entered into with the Authority in connection with such lease financing.

The proposed lease financing will provide funds for the acquisition and construction of an office building and associated expenses located at 331 N. Foothill Road, Beverly Hills, CA 90210. In connection with the lease financing, the City will lease from the Authority certain real property owned by the Authority.

Those wishing to comment on the proposed lease financing may either appear in person at the public hearing or submit written comments which must be received by the City Council prior to the hearing. Written comments should be sent to the City Clerk, City of Beverly Hills, 455 North Rexford Drive, Room 190, Beverly Hills, CA 90210.

BYRON POPE, CMC
City Clerk

briefs

Rivals agree to amend Hilton Referendum ballot statements

Opponents and proponents of the Beverly Hilton expansion plan, or Measure H in the November election, have each agreed to change wording in their respective ballot statements after opponents threatened to counter-sue Hilton supporters at a meeting this week.

The settlement agreement includes changing the word "towers" to "tower" on the opposition's rebuttal argument and includes changing the word "same" to "comparable" in regards to the height of the buildings and hotel in the supporters' statement.

Karim Kano, an employee of Beverly Hilton owner Beny Alagem, filed a writ of mandate last week against opponents of the Hilton calling their rebuttal argument on the November ballot statement "misleading." Kano said he objected to the rebuttal argument's use of the words "18-story towers" to describe the condominium buildings when there is only one 18-story building.

However, opponents including lawyer Larry Larson threatened to counter-sue Hilton supporters to force them to change the word "same" to "comparable" when used to describe the height of the condominium tower in relation to the height of the hotel. The tower is two feet taller than the hotel.

"If they are going to nit-pick about little sentences, then we are going to nit-pick too," said Larry Larson, treasurer for the Citizens Right to Decide Committee, which authored and filed the referendum against the Hilton expansion plan. "They [the Hilton campaign] are so desperate to make it seem like we aren't telling the truth."

Larry added that the use of the word "towers" in the rebuttal argument was used in a general sense and did not definitively suggest multiple towers in the Hilton project.

"We are very happy that the details of the project are being clarified for the public," said Corinne Verdery, senior vice president of Oasis West Realty, in a prepared statement. "We are confident that the Revitalization Plan will be approved by the citizens of Beverly Hills this November."

Blocks celebrate 65 years of marriage



Longtime Crescent Drive residents Jeanette and Harold Block will be celebrating a rare milestone on Friday: their 65th wedding anniversary.

"When you have someone you love, it's



Recent arrival

Sharalee and Joubin Mortazavi (Beverly High '91) announce the arrival of Lilah Grace Mortazavi, who was born on Aug. 14. At birth, she weighed 6 pounds 15.5 ounces, measuring 18.5 inches.

Proud maternal grandparents Gary and Millie Hall reside in Yuma, Ariz. Paternal grandmother Melanie Mortazavi resides in West L.A.

not hard to stay together," said Jeanette. "I guess I was lucky."

Jeanette and Harold met in 1939 when Jeanette was graduating from ninth grade at Mount Vernon middle school. Harold, who was already in high school at Washington High, was in the audience of the graduation ceremony with another girl.

Harold forced his date to introduce him to Jeanette.

That evening, Harold arrived at Jeanette's house with his Washington High School letter and ring and demanded Jeanette "go steady" with him.

It's been happily ever after since then, said Jeanette.

Harold joined the U.S. Air Force in 1942 at 19 years old and proposed to Jeanette after coming back from his first furlough. She was 16.

The couple married in 1943.

For four years, Jeanette moved around the country with Harold as he served in the Air Force.

In 1946, Harold was discharged and the couple moved back to Los Angeles, where their first child Alan was born that year. Their second child, Trudi was born in 1950.

Harold got his General Contractors license in 1948 and remodeled buildings in Beverly Hills for almost 40 years before retiring.

The Blocks' children have grown up but still live nearby. Alan and his wife Jan live in Beverly Hills with their two children Justin and David, who attended El Rodeo and Beverly High. Trudi and her husband Steve live in Tarzana; their daughter Dana lives outside the city.

"I go to sleep smiling every night because I have such a wonderful family and friends," said Jeanette. "I couldn't ask for anything more."

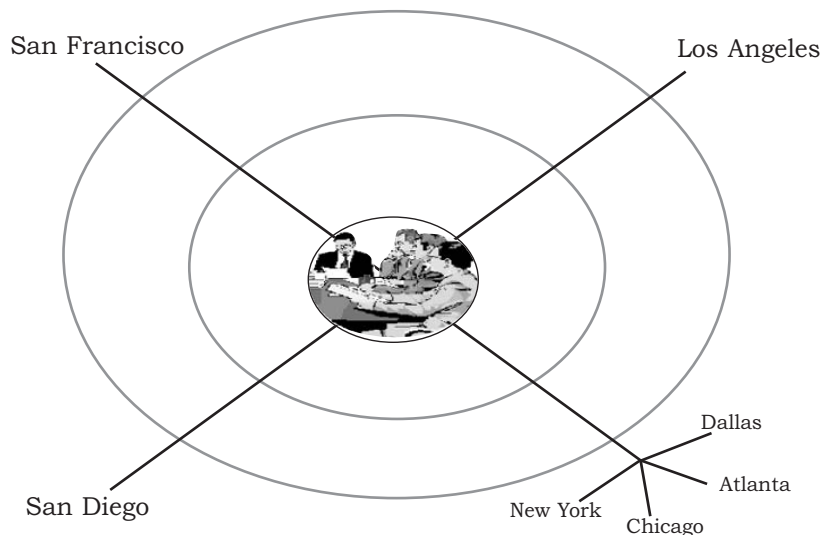
Family and friends will celebrate Jeanette and Harold's 65th wedding anniversary at a luncheon at the El Caballero Country Club on Aug. 24.

briefs cont. on page 7

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For more information go to www.beverlyhills.org/generalplan

from the hills of beverly



Did Developer Miss The Signal?

And bond election debate begins
By Rudy Cole

How is it possible that a highly sophisticated real estate developer could spend almost a decade attempting to win approval of a Beverly Hills project without knowing that there was almost no chance it would win approval?

Hard to even imagine how much money Casden Properties spent on architects, lawyers, consultants, city fees and options, but the amounts are probably staggering.

Tuesday night the city council voted unanimously to deny an appeal from the decision of the planning commission that would have permitted construction of a condominium project on Saks Fifth Avenue owned property on South Peck Drive.

Not all that surprising. Despite the arguments by some anti-council activists, this and recent city councils have denied a large number of development proposals including both commercial and residential. A cancer research/medical plaza in the Industrial Area, a Gelson's Market and, some years back, a major motion picture complex are a few of the development proposals that lost at either the council, planning commission or both.

In fact, many developers claim that

"Beverly Hills is an impossible" place to bring construction concepts. Probably not entirely accurate, but our city does have far more stringent rules on density and height than our neighbors and we are far less likely to grant exceptions or variances to our zoning codes. Yes, there have been significant exceptions, but they are rare.

Who is Casden? The company is based right here in Beverly Hills, they are not new to the community. Privately held, in their nearly 45 years in business they have developed over \$10 billion residential properties, many on the Westside.

Was it simply a case of "let's take our chances?" That may be the case, but it is surprising. It is never easy to propose an increase in density and heights on any property close to the homes in the southwest. Here, developers come face to face with the powerful Southwest Beverly Hills Homeowner Association and their president, **Ken Goldman**, a highly skilled, motivated and effective neighborhood advocate, made even more so by being the leader of a well organized resident group. Part of that effectiveness is their more nuanced and balanced approach to city council relations.

They do not scream out their dislike of our elected officials, but work within the system, unlike some other more volatile HOA's.

Sometimes, development proponents will bring exaggerated hopes to the city, giving themselves some "bargaining" ability. Ask for more height than you expect, but appear to be reasonable when you condense your project.

Through the years, the Casden group apparently made no effort to meet resident objections although they may have attempted to reach out to the proposed project's neighbors.

One Casden opponent, at Tuesday's city council meeting, claimed that Casden had made no effort to reduce the size of the project and that their appeal presented nothing new and no compromises at all.

That's what is so surprising. Aside from Casden's costs, and that includes payments for some, but not all, staff work, countless weeks and hours of work by city professionals and our appointed and elected officials were devoted to a project that simply had little hope of success.

Of course, Casden was entitled to their day in court. They had an absolute right to take their case many times to the Planning Commission and after rejection, appealing to the city council. However, there has to be some way to warn proponents early on in the process of their chances. There are preliminary, informal presentations to the council and maybe this process can be more forthcoming, within legal restraints, on an

early warning system. How about something like, "nice project, but too big and no chance of being approved."

Considering Casden's sophistication and history, they should have been able to read the warning signs. Will they now come back with a revised plan? Probably, the property will be improved, but the next effort needs to be more realistic.

Incidental to the hearing was a plea by one councilmember to assure loading zones for residential developments, the kind more likely to be found in commercial plans.

If you ever try to navigate the alleys south of Wilshire you have encountered a frequent problem: the alley is totally blocked by a delivery truck, most often some parcel service. Recently, traffic on a south of Wilshire street was temporarily diverted because of some street maintenance and detoured through an alley. When I tried the alley, along with some other hapless and in a hurry drivers, what did we find? A driverless UPS truck with no way of getting around. Yes, there was some anger and blasting of horns as we backed up, finally turned around and tried the next street.

Making deliveries is not easy in our city, but both residents and businesses depend on the service. Even trash collection contributes to the problem. Although they try to be sensitive, try moving through east of Beverly apartment loaded streets when garbage trucks are doing their chores? Not simple.

Which brings us to another issue: Permit parking. Fortunately, the Parking and Transportation Commission shot down a request to provide parking on both sides of Reeves in the 200 South Block. Reeves is simply too narrow for two side parking, even with permits.

It is time to examine permit holders more carefully to see if the cars displaying them actually are entitled to their use. Permits are for residents and limited in numbers. But if you look at some permit streets you will find them bumper to bumper.

The city also needs to have a more hands on approach to employee parking – our economy is very dependent on bringing workers to our shops, stores and offices, but we have seldom tried to implement employee parking plans.

Ride sharing, shuttle bus service and incentives for use of mass transit require a working relationship with business and leadership from the city. These are not revolutionary or visionary concepts, they can and do work in other communities.

The school bond debate has begun (see cover story), but there are some serious misunderstandings on the process, some critical to its success.

First, it is absolutely untrue that some school board members are opposing the bonds. Although there was sharp disagreement on when to call the bond election – whether this November's general election or on the ballot with the council election next March, all five board members and school superintendent **Kari Mc Veigh** are supporting the bonds exactly as they were

rudy cont. on next page

ARASH INTERIORS

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rudy cont. from previous page

first proposed.

It is also very inaccurate to claim that this historic bond issue was "rushed" through without adequate preparation and thought. Countless hours of hearings and meetings have been held that helped determine the needs and costs of what the bonds are for, and making our buildings and classrooms

safer and more secure is an absolute obligation of our community.

Are there problems during the implementation phase? Of course, but a school bond construction program probably has more built in safeguards to avoid waste and mismanagement than even those done by sophisticated developers. A competent citizen oversight committee watches every step of improvements and the expending of

every dollar with extreme care for the public interest. The proponents of the bonds also have another strong argument: The bonds will not lead to property tax increases, only extension of existing rates and taxes. However, safer more secure schools and an improved educational system helps maintain our high property values and helps define us as a community.

The city could have benefited from these

state mandated rules when it built the civic center.

Rudy Cole served for eight years as a member and chair of the city's Recreation & Parks Commission. He was also President of the Greystone Foundation and served on three other city committees. Rudy can be reached at: Rudy@bhweekly.com.

briefs cont. on from page 4



Herb Hall

Herb Hall stars in new musical in Burbank

Beverly High drama teacher Herb Hall has stepped out from behind the scenes to perform in a new musical titled "My Old Friends" now playing at Burbank's Victory Theatre.

"It's such a funny and poignant show about a group of people in a retirement 'hotel.' It's about a new guy, a widower, who comes in and gets into a romantic situation with someone there. It's really about how he affects everyone in this community," said Hall. "It's an ensemble piece with a cast of 11 people."

Hall plays the role of Larry, the cranky handyman who provides comic relief, as well as Mr. Gettlinger, a nurse/caretaker who is "the voice of hope" to the residents.

Hall has acted on stage, in television and in film, including in the 1995 blockbuster "Clueless."

To switch from his day job as a director to actor can be tricky sometimes, said Hall.

"I have to remember not to direct myself," said Hall with a laugh. "There were nights when I would come home to wife and say 'This is so hard! I can't believe [my students] do this everyday.'"

The show has been so well attended that it was extended by the theatre for an extra three weeks.

"It's a touching show about lovable people. I think that's why people of all ages like it," said Hall.

The play runs every weekend except Labor Day weekend until Sept. 21. Showtimes are at 8 p.m. on Friday, 4 p.m. and 8 p.m. on Saturday and 4 p.m. on Sunday.



Joseph Held

Held Properties helps employees 'Pay it Forward'

Twenty employees of Beverly Hills family-owned real estate firm Held Properties donated over \$10,000 to various charities in honor of the company's "Pay it Forward, Make a Difference" program.



Robert Held

The company gave each employee a \$500 voucher to donate to any charity of their choice and a camera to document their experience.

"It's remarkable the different charities everyone chose," said Held Properties co-owner Robert Held. "It gave us the ability to put money in places that we would have never looked."

Employees gave vouchers to charities including Generosity Water, Free Arts for Abused Children, People Assisting the Homeless (PATH), Birthing the Future, Good Shepherd Shelter, Save a Life Foundation, Life 4 Paws, TheSmileTrain, The Lustgarten Foundation and Little Tokyo Public Safety Association.

Many of these charities serve a small number of people and work with only nickels and dimes, said Held. Large contributions to these charities are rare and the money can go a long way toward their cause. The company has been receiving heartfelt thank-you letters from the charities, according to Held.

As a family, the Helds consistently donate 20 percent of their time to "worthy causes," said Held. After learning about the "Pay it Forward" program in a State Bank & Trust press release, Held said he just knew it was the type of program he needed to bring to

his company.

"We noticed that there was a whole generation that didn't understand the joys of giving. This [program] enabled people here to understand the benefits of giving. I hope that our employees will take this as 'priming the pump,'" said Held.

The company plans to make the program an annual event. But for Held, the program isn't just about his employees.

"I hope other people take a look at this and take it to another level. I'm sure the world could absorb it," said Held.

Remembering Jerry Lushing

Gerald (Jerry) Lushing died on Aug. 17 after losing his battle with a brain tumor. He was 78.

Lushing had served as president of Beverly Hills Traffic and Parking Commission, Fine Arts Commission and served at Greystone Park. He was also involved with many other local organizations, including the Maple Center, Cedars-Sinai Hospital and others. He was a founding member of MOCA, LACMA, and the Music Center.

"We were very luck to have him serve the city," said Lushing's friend former Mayor

Vicki Reynolds. "He was exceptionally devoted to his community and his family. When he committed to something, he gave it over 100 percent. He was always looking for creative solutions and always followed through."

A native of Los Angeles, Lushing grew up in the San Fernando Valley where he attended North Hollywood High School (1947). He graduated from UCLA with a degree in Civil Engineering in 1951.

After graduating, Lushing joined the U.S. Air Force. At his peak, he ranked as a Corporal.

Lushing was a general contractor and in 1952, co-founded Marlborough Development Corporation, a home developer. Lushing was an active commercial and residential real estate investor.

Lushing is survived by his wife of 47 years, Gloria; children Nancy (Robert Dean), Glenn Freeman (Carin), Linda (Howard Greller) and Michael Lushing; and grandchildren Andrew, Steven and Rachel Dean, Lauren, Brian and Joey Freeman, Jeffrey, Spencer, Stephanie and Garrett Greller, and Margaux and Justin Lushing, according to the Los Angeles Times.

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coverstory

IS THE \$334 MILLION SCHOOL BOND A BLANK CHECK?

Proponents, opponents weigh in on the merits of the November election

By Jacquelyn Ryan

Differing arguments between those who believe that a \$334 million bond is immediately necessary to repair Beverly Hills Unified School District schools and those who think the most expensive school bond in district history will cause too much debt without enough pay-off were sharply articulated on Monday in draft ballot statements for November's election.

Supporters and opponents of Measure E, which would extend property taxes from previous bonds to fund a \$334 million bond for BHUSD, agree that the district's schools need funding to improve the five campuses.

Supporters say the repairs and seismic and security upgrades to the school are urgent and the \$334 million amount is necessary to complete the projects and to match state funds.

Opponents say that district's list of repairs and upgrades is too vague, the budget is poorly planned and residents aren't provided enough accountability for their tax dollars: "That's a blank check we can't afford," their argument reads.

The Measure E bond qualified for Prop 39, which requires 55 percent voter approval in the election as well as a Citizen Oversight Committee (COC) to keep tabs on the money and projects once the bond goes into effect. An independent audit company, Vavrinek, Trine, and Day & Co., will perform at least two audits of the bond work each year for the COC, said BHUSD Assistant Superintendent Cheryl Plotkin.

Critics of the COC feel it has little power over the bond money and projects and often served as a rubber stamp for the contractors.

The Measure E bond is over three times as much as any bond that has come before it, with a broader and more vague scope of projects. [See adjoining graph.]

"A lot of these things have not been defined because we are just looking at all the assessments and analyzing what is the most critical need at each site and if we going to open this wall, what can we do while we're there to save costs. That's why the project list hasn't been defined yet because we have to look and say we have to do this structural component so while we're there we should upgrade this, this and this," said Karen Christiansen, head of Strategic Concepts, the project management company overseeing Measure K and this new bond.

But opponents aren't so sure they want to allocate money for undefined projects.

"They are saying 'Give us the money and then we'll decide what to do with it,'" said John Mirisch, who authored and signed the opposition argument to Measure E. Mirisch edits the blog BlogBeverlyHills.com.

Structural engineering firm MHP, Inc., inspected the school sites for seismic risks, reporting their evaluations and recommendations to the district on Dec. 13, 2007. In its concluding remarks, the report identified the schools as in substan-

being the most safe.

"A lot of the seismic codes since the '90s have gotten a lot more stringent so we are looking to get our buildings up to current code," said Christiansen. "We are [up to code] until we touch [the buildings]. If we touch them, it would cause us to have to bring them up to current day code. If you do anything to modernize or improve the campus, the DSA [Department of the State Architect, the agency that regulates public school build-

existing buildings are if the construction is less than 50 percent of the replacement value of the building than all the construction that they do has to be to current code but if they go over 50 percent than that would trigger that the entire building would have to be retrofitted for current code, otherwise it's only the construction itself that they do that needs to be up to current code," said Dennis Bellet, a principal structural engineer with the Division of the State Architect.

The ballot statement in favor of Measure E says that BHUSD "MUST comply with state building codes."

Currently, the buildings as they stand are "completely legal" as far as Bellet can tell.

Bellet said that the buildings are not held to the current codes and standards of buildings constructed today because the BHUSD buildings were built to the code of their time in the 1920s. The BHUSD schools were all retrofitted since the 1930s and 1970s according to the standards of the year.

"There is no law that requires them [the district] to do another retrofit," said Bellet.

When asked to give an example about what seismic upgrades might be made at El Rodeo School, Christiansen said only this: "I would have to say that just like the other campus we did some shear walls during Measure S [in the mid-1990s] so it's probably going to be a lot of roof bracing systems."

El Rodeo has been allotted a total of \$30 million from the bond for construction, including seismic upgrades.

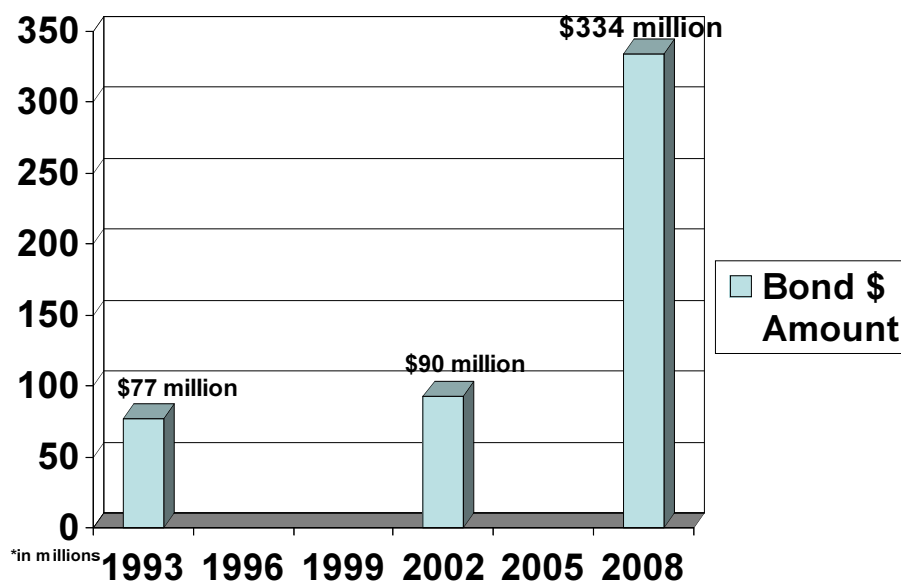
The list of projects identified by the Board only accounts for \$300 million of the \$334 million proposed in the bond.

"We expecting an unprecedented increase in construction costs in the next 12 to 18 months as well because of the Southeast Asia earthquake and cyclone," said Christiansen, who implied that the extra money was a reserve to cover those costs.

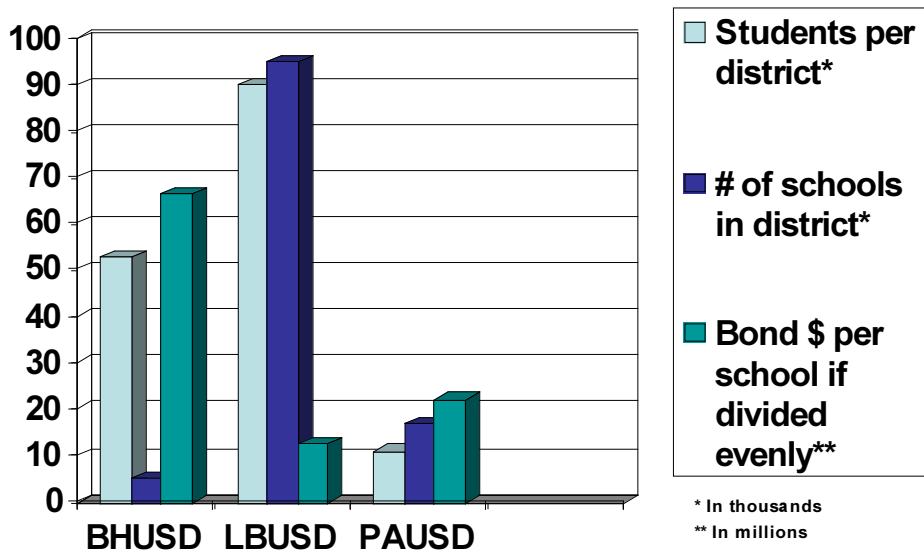
The bond money will be generated by collecting a tax from Beverly Hills homeowners at a rate of \$49.87 per \$100,000 assessed valuations of their home, a rate established by previous bond Measure K in 2002. Measure K promised \$90 million for the district.

Bond supporters have stressed that approving Measure E will not raise their taxes. In fact, the \$334 million dollar bond is the highest amount the Board of Education can request without "increas-

Past Bond Measures for BHUSD



Comparative Districts' Bonds



tial danger of risks in 'Life Safety,' a standard used by the American Society of Civil Engineers to seismically evaluate buildings. They rated the schools a level 1 or 2 on a scale from 1 through 5, with 5

ings] requires that you bring them up to the current codes."

But the DSA in Sacramento doesn't confirm Christiansen's assessment.

"The rules regarding alterations to

ing the tax rate,” according to consultants for the district. Though it won’t raise the tax rate, the new bond will increase how long Beverly Hills homeowners pay the property tax for an extra approximately 30 years.

“To say the tax rate won’t increase is disingenuous at best. It’s misleading to suggest that there’s no new taxes when after the older bonds are paid off, the tax rates would have gone back to what I’ll call ‘normal levels’ but now the [higher rate] is being extended,” said Mirisch. “It makes it sound like a free lunch. This is not a free lunch.”

If the new bond is passed by voters in November, the \$49.87 will be broken up to pay off the remainder of 1993’s Measure S bond, Measure K and this new bond Measure E, according to Lynn Paquin, senior vice president for George K. Baum & Company, the bond consulting and campaigning firm for the district.

“As the outstanding bonds are repaid and the District’s assessed value grows, a larger proportion of the tax rate will be applied to the 2008 bonds,” said Paquin, who added the county is responsible for regulating the tax rate charged to homeowners for the bond. The tax rate may rise or fall depending on the assessed valuation of Beverly Hills homes. Assessed valuations have been increasing over the last several years and allowed the tax rate to decrease, according to Paquin.

The Measure K tax would have ended in approximately 2030. The new bond will extend that tax for almost 30 years, with the tax now ending approximately in 2058. A 30-year-old homeowner would be 80 years old by the time this tax is paid off.

“This isn’t just a case of the grandchildren paying it off; this is a case of the great-grandchildren paying it off,” said Kris Vosburgh of Howard Jarvis Taxpayers’ Association. “[The great-grandchildren will say.] ‘Thanks, granddad. These schools are now dilapidated and you went to school there and had a great time but you left me the bill and if I want to improve the schools I’ve got to pass another bond now.’”

Beverly Hills’ average assessed valuation of a single-family home is approximately \$1.5 million for 2008, according to the Los Angeles County Assessor’s Office. If the tax rate remains steady, the average homeowner in Beverly Hills would spend \$748.05 for this tax per year, totaling \$29,922 over the course of 40 years.

Supporters say that BHUSD is eligible for state funding of up to \$21 million dollars but the district must have matching funds to receive the money.

Opponents argue that if the district needs only matching funds, a \$21 million dollar bond would suffice. With those funds combined, the district would net \$42 million.

Beverly Hills is not the only district going for a bond this year.

Palo Alto Unified School District passed a \$378 million bond in June. PAUSD serves over 10,000 students. The

District has 18 schools: 12 K - 5 elementary schools, three middle schools and two high schools as well as a pre-school.

That breaks down to a little over \$22.2 million per school.

Long Beach Unified School District serves almost 90,000 students in 95 public schools in the cities of Long Beach, Lakewood, Signal Hill, and Avalon on Catalina Island. Their Board of Education recently approved a \$1.2 billion bond for the Nov. 4 ballot.

Should it pass, Long Beach would have just over \$12.6 million per school.

BHUSD serves 53,000 students at five schools in Beverly Hills alone. A \$334 million would break down to \$66.8 million to each school

Opponents to the bond have also raised concerns that none of district’s contracts were put out to bid, instead the district hired the same companies used for Measure K. The district is not legally required to go out to bid for ‘professional services’ contracts.

“It may not be illegal but it is a corrupt system none the less. We’ve been approached in Sacramento by bond brokers [that are not offering initially free consulting services] who have told us that they want this system outlawed because they feel it puts them at a competitive disadvantage to these companies that have decided to specialize in running campaigns for bonds in return for very obvious quid pro quo,” said Kris Vosburgh of the Howard Jarvis Taxpayers Association. “It could be a big difference between what’s legal and what’s right.”

Christiansen, a former employee of BHUSD whose company Strategic Concepts stands to profit from Measure E projects if the bond passes, has largely been the spearhead of the new bond. She coordinated the architects and structural engineers for inspections and put together the presentation for the Board of Education.

Christiansen’s deputy Christine Plotkin, who is the daughter of BHUSD assistant superintendent Cheryl Plotkin, filed the proponents’ ballot statements using her Arcadia home address as the official contact of the campaign.

Cheryl Plotkin said that her daughter is resigning from the company on Oct. 17 to travel through Asia and will not be working with the company by the time the bond would go into effect.

Christiansen’s company Strategic Concepts charges the District between \$45 and \$160 an hour depending on the job. For instance, a clerical worker costs \$45 an hour; project managers cost \$160. At the Board of Education’s July 29 meeting, Christiansen told the Board of Education that she charges them less than her average rate, but suggested that the Board still bill other parties, including the developer, at her average rate.

At a rate of \$160 an hour for a 40-hour work week, one project manager from Strategic Concepts would cost the District \$1.6 million over five years.

“That’s money that’s not going to the kids,” said Mirisch.

The \$334 million bond project promises the following:

Beverly High

Total campus reconfiguration for access control, safety and security

Including:

Seismic upgrades to the existing structures

Demo of a portion of Bldg B and H

New public entry building (+/- 40,000 square feet)

Additional parking

New athletic facilities, tennis courts, softball field and parking

Modernization of existing facilities

“Facelift” to main lobby entrance exterior

Development of new circulation pattern

Eliminate through traffic

Narrow and upgrade Heath Ave.

Separate private/public entries

New separate and contained Maintenance facility

Total: \$180 million

D.O. Annex-Develop Alternative Ed Center

Reconfigure interior and exterior of Annex Building

New Elevator and stair areas

New circulation pattern creating more useable space

New entry for Moreno and Adult Education

Non BHHS students will be off High School campus

Total: \$10 million

Beverly Vista

Refurbish multiuse and locker area

Solve water intrusion issues

Technology upgrades

Security upgrades

Related infrastructure improvements (electrical, plumbing, etc)

Total: \$10 million

El Rodeo

Upgrade science rooms

Upgrade multiuse area (or build new with State and City assistance)

Upgrade cafeteria

Solve water intrusion issues

Seismic upgrades

Technology upgrades

Security upgrades

Related infrastructure improvements (electrical, plumbing, etc)

Total: \$30 million

Hawthorne

Upgrade science rooms

Upgrade multiuse and locker rooms

Seismic upgrades

Technology upgrades

Security upgrades

Related infrastructure improvements (electrical, plumbing, etc)

Total: \$30 million

Horace Mann

Demolish Round classroom structure (create new courtyard area)

(Build new multiuse room and library with assistance from the State and City)

Upgrade science rooms

Seismic upgrades

Technology upgrades

Security upgrades

Related infrastructure improvements (electrical, plumbing, etc)

Total: \$40 million

Left-over: \$34 million not earmarked for any project

Source: “Next Steps” presentation from July 29, 2008, Board of Education meeting. [can be viewed on BHUSD Web site]

Some uncompleted promised Measure K projects:

Beverly High

Construct parking structure to provide additional parking to relieve neighborhood parking congestion and relocate athletic facilities as necessary

Renovate aging restrooms

Beverly Vista

Repair and refurbish student lockers

Renovate aging restrooms

El Rodeo

Repair and refurbish student lockers

Hawthorne

Repair and refurbish student lockers

Playgrounds, paving, and exterior spaces would be replaced and upgraded to meet current safety

and building standards

Renovate aging restrooms

Horace Mann

Repair and refurbish student lockers

[Partial List]

Source: Official Ballot Statement [can be viewed at geraldunn.com]



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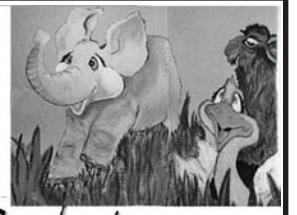
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