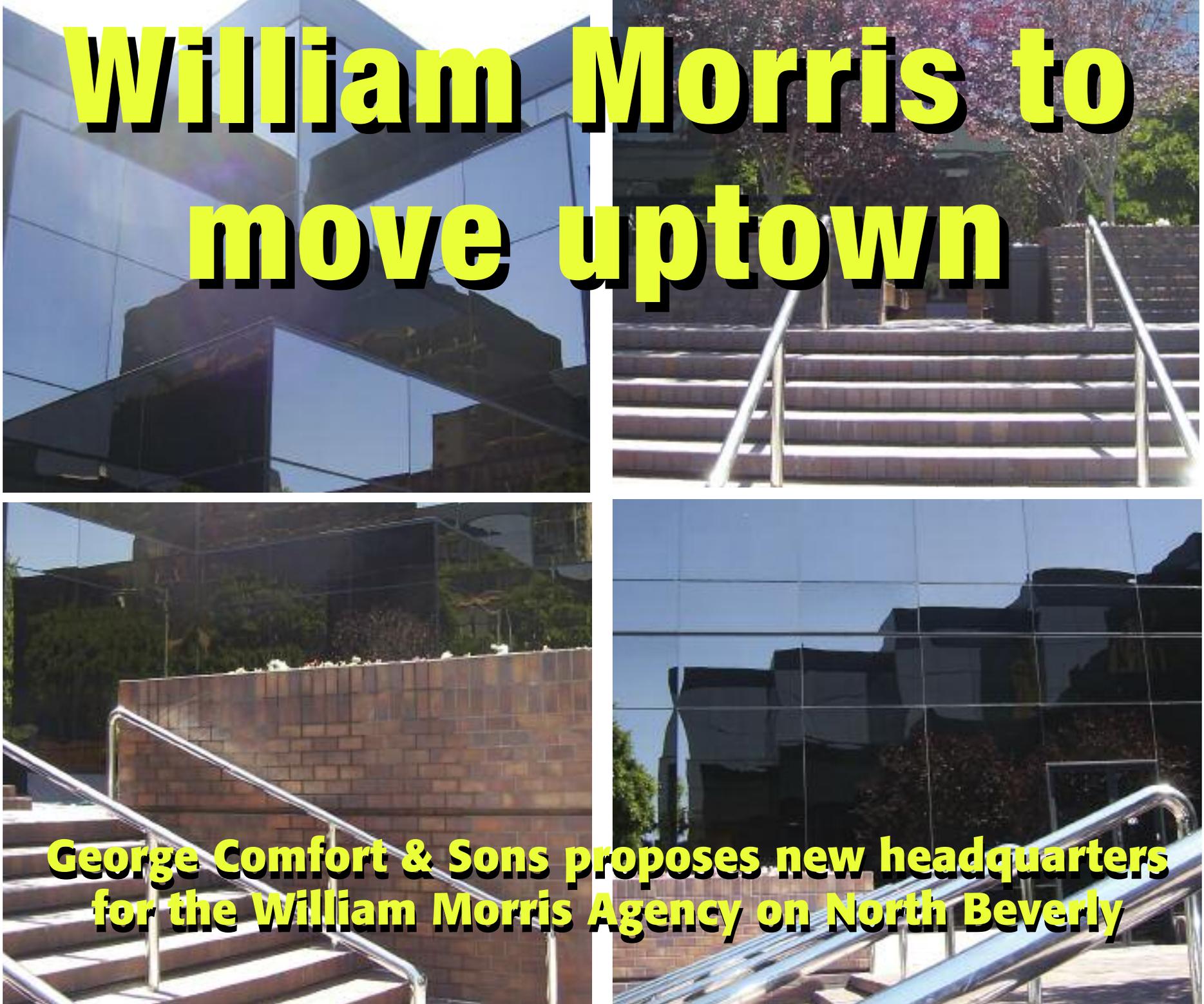


Beverly Hills Weekly

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Issue 407 • July 19 - July 25, 2007



William Morris to move uptown

**George Comfort & Sons proposes new headquarters
for the William Morris Agency on North Beverly**



WHAT'S ON YOUR MIND?

You can write us at:
140 South Beverly Drive #201
Beverly Hills, CA 90212

You can fax us at:
310.887.0789

email us at:
editor@bhweekly.com



SNAPSHOT

letters & email

Olympic Parking Restrictions

The proposal to extend the "No Parking" restriction from 7-9 a.m. on the north side of Olympic Blvd to 7-10 a.m. is flawed and should not be passed by the City Council.

It will not speed traffic through the city, it will just increase the number of cars on Olympic Blvd. during rush hour. Like water, traffic seeks its own level and cars that now use Pico from the freeway or Century City will now just use Olympic instead.

It will not decrease cut-through traffic in the residential streets, particularly, as much of the neighborhood traffic is generated by residents; their destinations are often times within the city, such as schools and local businesses.

Accidents on Olympic will still occur because cars dart in and out of the parking lane at all times of the day, just to get there "a little bit faster." Increased traffic will cause only increased acci-

letters cont. on page 7



NOTICE OF OPPORTUNITY TO COMMENT ON GRANT APPLICATION

POLICE DEPARTMENT
DAVID L. SNOWDEN
CHIEF OF POLICE

464 NORTH REXFORD DRIVE
BEVERLY HILLS, CA 90210-4817
(310) 285-2100 FAX: (310) 246-9854

NOTICE OF OPPORTUNITY TO COMMENT ON GRANT APPLICATION

The City Council of Beverly Hills, at its meeting to be held on **Tuesday, July 24, 2007, at 7:30 p.m.**, in the Council Chambers of the City Hall, 455 N. Rexford Drive, Beverly Hills, CA 90210, will consider:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING THE SUBMITTAL OF THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

In order to accept \$14,509 in funding from the FY 2007 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, the grant application must be made public and an opportunity to comment must be provided to citizens and to neighborhood or community organizations.

All interested persons are invited to attend and speak on this matter. Written comments are also invited and should be addressed to the Beverly Hills Police Department, Attention: Grant Coordinator, 464 N. Rexford Drive, Beverly Hills, CA 90210, and should be received prior to the meeting. Additionally, you may send comments via email to the Police Department Webmaster by accessing the Police Department's webpage on www.beverlyhills.org.

If you challenge the Council's action in court, you may be limited to raising only those issues you or someone else raised at the hearing before the City Council or in written correspondence delivered to the City, either at or prior to the hearing.

DAVID L. SNOWDEN
Chief of Police



TURTLE FEVER MATURA BEACH, TRINIDAD

Beverly Hills resident and member of the Earthwatch Institute research team, Rosana Chulia, traveled to Matura Beach, Trinidad Island for an 11 day trip to enhance the monitoring of marine turtles by increasing human resources and conducting conservation and research activities on Leatherback Sea Turtles.

Beverly Hills Weekly

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“Sisyphus” smashed

Art piece on Burton Way undergoes investigation for repairs

By Abbey Hood

In 27 years working for the city Recreation Services Manager Brad Meyerowitz said he has never seen anything like it.

On Burton Way a bright red painted steel art sculpture in the middle of the grass has sat surrounded by caution tape since May. The tape is not a part of this contemporary sculpture dedi-

cated to former Mayor Vicki Reynolds Pepper. It is the tape left over from a scene of an accident. And the investigation similar to a “CSI” series is not about who did it, but about how to fix it.

On the early morning of May 25, Edgar Zaragosa, came speeding down Burton Way when he lost control of his vehicle, said Lt.

Mitch McCann. The car sped out and slammed into the late Alexander’s Liberman’s “Sisyphus” sculpture on the center grass divider.

“Sisyphus,” a Greek word for a cruel condemned king of Corinth, was completed by Liberman in 1988. Two to three days of packing and securing the art work, “Sisyphus” arrived from the East Coast to Beverly Hills in 2001 for installation.

The city could not touch the \$165,000 piece, paid for by the city’s public art fund and Murray Pepper, until now. Usually, when a

piece of art is damaged the artist will assess the damage and take the steps needed to fix it. Because Liberman passed away in 1999, a conservationist and the curator from Liberman’s estate were brought out Tuesday to determine if the piece is repairable.

The curator and the conservationist stated the piece is repairable. The next steps will be to remove the piece as safely as possible by a professional art handler in Los Angeles. After de-installment and being placed on a flat bed, the piece will be taken to the conservationist’s studio, said Meyerowitz. The conservationist will assemble the piece as best accordingly to the original intentions of the artists that will be translated through the curator of the estate.

Cost of the damage is yet to be determined, as the repairs are in the preliminary stages. Zaragosa’s insurance will be fully responsible to cover the costs for the repairs. The issue will come up as to whether or not he will have enough coverage under his current auto policy to pay for the amount of damage. The city is insured for the sculpture.

“It [the sculpture] is a real sensitive subject,” said Meyerowitz.



NOTICE OF PUBLIC HEARING

CITY CLERK
BYRON POPE, CMC
455 NORTH REXFORD DRIVE
BEVERLY HILLS, CA 90210-4817

(310) 285-2400
FAX: (310) 385-0862

NOTICE OF PUBLIC HEARING

DATE: Tuesday, July 24, 2007
TIME: At 7:30 p.m., or as soon thereafter as the matter may be heard
LOCATION: City Council Chambers
Beverly Hills City Hall
455 North Rexford Drive
Beverly Hills, California 90210

Project Description

The Applicant, Wilshire Colonial Partners, LLC, has proposed to develop a five-story, maximum 61-foot high (including rooftop uses), mixed-use project on the vacant lot at **8600 Wilshire Boulevard**. The project would include a maximum of 25 residential condominium units; 6,383 square feet of ground-floor commercial space; and, up to 97 parking spaces located in a multi-level subterranean garage. Access to Project parking would be from Stanley Drive. The Project’s loading facilities would be located on the site off of, and accessed from Stanley Drive. Approval of the project would be dependent on approval of a general plan amendment and an overlay zone for this location because the current C-3 zoning does not allow residential use; the current R-1 portion of the site would not allow multiple dwelling units; and the Project would exceed the existing three-story/45-foot height limit and FAR (Floor Area Ratio) allowed in the C-3 and/or R-1 Zone. In addition, approval of the project requires City Council approval of a planned development permit, a vesting tentative tract map, and a development agreement for this mixed use project.

Background Information

At the City Council meeting of September 19, 2006, the City Council of the City of Beverly Hills considered an appeal of the Planning Commission’s denial of a general plan amendment to allow a mixed use development project on the vacant lot at 8600 Wilshire Boulevard at the southwest corner of Wilshire Boulevard and Stanley Drive and extending southerly to Charleville Boulevard (the “Project Site”). The City Council approved in concept a mixed use development for the Project Site, and remanded the matter to the Planning Commission for additional input on the specifics of the project. The City Council further considered this matter at its meeting on Tuesday, June 19, 2007, and directed the applicant to return to the City Council with revised plans depicting options for the proposed townhomes on the parcel that is currently zoned R-1 and which fronts on Charleville Boulevard. The City Council continued the hearing on the project to July 25, 2007. Subsequently, the City Council changed its meeting date from Wednesday, July 25, 2007 to Tuesday, July 24, 2007. This notice is provided to inform the public of the changed meeting date.

A Draft Environmental Impact Report (“DEIR”) was prepared for the project and the DEIR was released on April 17, 2006 for a 45-day public review and comment period pursuant to the California Environmental Quality Act. A public hearing on the DEIR was held on April 27, 2006. A final Environmental Impact Report has been prepared and the Council will consider certification of the final EIR.

Overlay Zone Ordinance and General Plan Amendment

The proposed overlay zone was requested by the project applicant. The proposed overlay zone would allow mixed use commercial/residential development on this segment of Wilshire Boulevard and apply it to the Project site. A General Plan amendment is also required and would allow additional height and density for this mixed use development. The General Plan amendment may be discussed in conjunction with a similar General Plan Amendment proposed for a development project at 9200 Wilshire Boulevard.

The July 24, 2007 Hearing

The City Council of Beverly Hills, at its meeting to be held on **Tuesday, July 24, 2007 at 7:30 p.m.**, or as soon thereafter as the matter may be heard, will hold a public hearing to consider the following issues for a **proposed mixed use project located at 8600 Wilshire Boulevard**:

CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT FOR THE MIXED-USE PROJECT GENERALLY LOCATED AT 8600 WILSHIRE BOULEVARD AND CONSIDER ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

AN APPLICATION FOR A PLANNED DEVELOPMENT APPROVAL AND VESTING TENTATIVE TRACT MAP FOR A MIXED USE PROJECT AT 8600 WILSHIRE BOULEVARD

A GENERAL PLAN AMENDMENT TO ACCOMMODATE MIXED USE DEVELOPMENT AT THE HEIGHT AND DENSITY PROPOSED FOR THIS PROJECT

AN ORDINANCE ESTABLISHING A MIXED-USE PLANNED DEVELOPMENT OVERLAY ZONE AND REGULATIONS PERTAINING THERETO

AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND THE PROJECT APPLICANT FOR DEVELOPMENT OF A MIXED-USE PROJECT

Public Participation

All interested persons are invited to attend and speak on this matter. Written comments may also be submitted and should be addressed to the City Council, c/o City Clerk, 455 N. Rexford Drive, Beverly Hills, CA 90210 and should be received prior to the public hearing.

If you challenge the Council’s action in court, you may be limited to raising only those issues you or someone else raised at the hearing before the City Council or in written correspondence delivered to the City, either at or prior to the hearing.

If there are any questions regarding this notice, please contact the Community Development Department, Planning Division, at 310.285.1123. Copies of all relevant materials including the plans and applications are available for review or purchase in the offices of the Community Development Department of the City of Beverly Hills, Room G-40, 455 N. Rexford Drive, Beverly Hills, California.

BYRON POPE, CMC
City Clerk



NOTICE OF COMMISSION VACANCIES

CITY CLERK
BYRON POPE, CMC
455 NORTH REXFORD DRIVE
BEVERLY HILLS, CA 90210-4817

(310) 285-2400
FAX: (310) 385-0862

NOTICE OF COMMISSION VACANCIES: ARCHITECTURAL COMMISSION

The Beverly Hills City Council is seeking qualified residents to fill two upcoming vacancies on the Architectural Commission. The initial term of office for both positions is two years. At the discretion of the City Council, the Commissioner may be reappointed to a second term of four years. The appointees 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 Architectural Commission regarding the vacancies.

Application forms for the Architectural 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, September 28, 2007 at 5:00 p.m.

BYRON POPE
City Clerk

briefs

The Board of Education approves contract with AT&T 4 to 1; Meshkaty opposes but won't explain why

After months of discussion, the Board of Education approved a contract in a 4 to 1 vote with AT&T Global Services for the Lan/Wan equipment and installation services at the district office and new science and technology center for \$350,000 at the board meeting July 10.

The installation services will support the LANs and wireless in the district office and science and technology center. It will also support the Voice Over IP in the new center. District technology consultant Daryl Vidal, from Network Solutions, reviewed five proposals for the technology and found AT&T to offer the best proposal.

Board Member Nooshin Meshkaty voted against the proposal. Meshkaty returned the Weekly's call, but would not elaborate on the reasons for her vote.

Former Board of Education member AJ Willmer spoke at the meeting on behalf of the city, proposing the board enter a joint city-district venture for technology. Because of the timeline to get the technology installed before September this was not feasible, according to the Board.

"The district is in the process of negotiating the shared services agreement right now," said Willmer. "The major issue is that the city has a municipal area network, a fiber ring that will be in place in about one year. The intent is to connect the school district onto the fiber ring and as much as possible to purchase internet services and support from the city, rather than outside services."

Planning will begin immediately to complete the installation before the 2007-08 school year.

Board of Education filing period begins with three applicants filed

The filing period for candidates to file their declaration for candidacy for the three available seats on the November 6 Board of Education election started Monday, July 16.

Board president John Millan, Board member Alissa Roston and Steven Fenton have filed papers.

Anyone registered to vote in Beverly Hills and 18 years or older is eligible to run.

Call (562) 462-2748 for filing information.

May sale prices for single family residences and condominiums in 90210 increase

For May, sale prices for single-family residences in the 90210 zip code increased by 30.8 percent for the 35 homes sold. The average median in the 90210 zip code of a single-family residence is \$2,370,000. In the 90211 area, sale prices for single-family homes increased by .4 percent for the



Board of Education President John Millan (left) and Steven Fenton (right) file their declaration to run for the three available seats on the November 6 Board of Education Election, at the Los Angeles County Clerk's office in Norwalk.

eight homes sold. The average median of a single-family residence in the 90211 zip code is \$1,405,000, according to a report released by Data Quick Real Estate News, www.dqnews.com.

In the 90212 zip code the sale price of a single-family residence decreased by 17.6 percent for the six homes sold. The average price of a single family residence in the 90212 zip code is \$2,100,000.

Condominium sale prices in the 90210 zip code increased by 67.7 percent for the seven condominiums sold. The average price of a condominium in the area code is \$1,115,000. Condominium prices in the 90211 zip code decreased by 4.4 percent for the three condominiums sold. The average price of a condominium in 90211 is \$700,000. In the 90212 zip code, condominium prices increased 11.3 percent for the two condominiums sold. The average price of a condominium in 90212 is \$1,530,000.

In Los Angeles County during the month of May the sale prices for a single-family residence increased by 9 percent for the 5,049 homes sold. The average price of a single-family residence in Los Angeles County is \$589,000. The sale price for a condominium in Los Angeles County increased by 3.1 percent for the 1,441 condominiums sold. The average price of a condominium in Los Angeles County is \$432,000.

Beverly Hills undergoes driest summer season in 100 years

As the city of Beverly Hills is undergoing the driest summer season in more than 100 years, the city and Metropolitan Water District have joined forces in an effort to ask residents and businesses to voluntarily cut their water consumption by at least 10 percent.

The city has recommended various options for water conservation. Residents can save water by turning off the faucet while brushing teeth, or adjusting sprinklers so they do not hit sidewalks.

Beverly Hills has installed "Smart" irrigation controllers in the parks to regulate the amount of watering needed for landscaping by using climate sensors. In addition, the city is implementing a new water leak detection and repair program.

Greystone begins "Jazz in the House" summer jazz series

"Jazz in the House" will begin their summer jazz series July 26 at the Greystone Mansion.

The premier of the series will combine the vocals of Jackie Ryan, pianist Mike Garson, bass player Rob Thorsen, drummer Dean Koba and saxophonist Rickey Woodward.

The event will be held at the Greystone Mansion at 7 p.m., parking is available on site. Tickets for the event are \$25 to include wine and appetizers. Admission is by advance tickets only. To purchase tickets call (310) 550-4753. For more information on the event call (310) 550-4796.

Celebrate summer with the last high tea of the season at the Greystone Mansion

The Greystone Mansion will be hosting

their last high tea of the season on Aug. 11.

This will be the third tea of the season for Greystone Mansion. Last Saturday, the high tea was catered by Marmalade Café, and had 67 attendees for the afternoon event. The last tea on Aug. 11 will be catered by the Urth Caffé, and feature a brief tour of the first floor of the infamous Greystone mansion, usually closed to the public.

The tea is scheduled for 4 p.m., tickets are available for \$35 for Beverly Hills residents and \$43 for non residents. To register for the high tea please call (310) 550-4753.

Theatre 40 opens "The Mystery Plays" for the month of August

"The Mystery Plays" will open at Theatre 40 on August 4, playing in repertory with "Modern Orthodox" at the Reuben Cordova Theatre at Beverly High.



NOTICE OF COMMISSION VACANCIES

CITY CLERK
BYRON POPE, CMC
455 NORTH REXFORD DRIVE
BEVERLY HILLS, CA 90210-4817

(310) 285-2400
FAX: (310) 385-0862

NOTICE OF COMMISSION VACANCIES: HUMAN RELATIONS COMMISSION

The Beverly Hills City Council is seeking qualified residents to fill three upcoming vacancies on the Human Relations Commission. The initial term of office for each position is two years. At the discretion of the City Council, the Commissioner may be reappointed to a second term of four years. The appointees 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 Human Services. Please DO NOT contact the City Councilmembers or the members of the Human Relations Commission regarding the vacancies.

Application forms for the Human Relations 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 has been extended to Monday, September 10, 2007 at 5:30p.m.

BYRON POPE, CMC
City Clerk

“The Mystery Plays” by Roberto Aguirre-Sacasa are two interrelated one-acts centralizing around death, afterlife, faith, redemption and forgiveness: ‘The Filmmaker’s Mystery’ and ‘Ghost Children.’ Cast for the show includes: Silverio Avellino, Meredith Bishop, Eric Boles, Matt Clifford, Adrian Pereira and Darcy Shean.

The show opens August 4 and runs until September 2. Show times are Monday through Saturday at 8 p.m. Weekend matinees are at 2 p.m. Weekday tickets are available for \$20, weekend tickets are \$22. For reservations call (310) 364-0535.

Double Feature at Film Academy Friday

“Persona” and “Being John Malkovich” will be shown Friday at the Academy of Motion Picture Arts and Sciences’ Samuel

Goldwyn Theater at 8949 Wilshire Blvd. in conjunction with the ongoing exhibition “Movies on the Mind: Psychology and Film Since Sigmund Freud” in the Fourth Floor Gallery.

The double feature begins at 7 p.m. with “Persona,” a 1966 drama directed by Ingmar Bergman, stars Bibi Andersson as a nurse who cares for an actress (Liv Ullmann) who despite being healthy, has withdrawn to the point of being mute. The nurse soon discovers that her mute patient’s mind and personality are subsuming her own.

At 8:30 p.m., the 1999 film “Being John Malkovich,” will be shown. It stars John Cusack as a puppeteer who is working at a dull office job in Manhattan, who joins with a co-worker (Catherine Keener) to sell 15-minute trips into Malkovich’s brain, until their moneymaking scheme is

discovered.

Tickets are \$5 for the general public and \$3 for Academy members. A single ticket will admit individuals to both features. Tickets may be purchased online at www.oscars.org/events until noon Friday.

Doors open at 6 p.m. Seats are unre-served Free parking is provided in the garages located at 8920 and 9025 Wilshire Blvd. Additional information is available by calling (310) 247-3600.

‘Dangerous Liaisons’ to be shown Monday at Academy Headquarters

“Dangerous Liaisons” will be shown Monday as the Academy of Motion Picture Arts and Sciences’ “Great To Be Nominated” series continues at its Samuel Goldwyn Theater at 8949 Wilshire Blvd.

Cast member Swoosie Kurtz and producer Hank Moonjean are scheduled to

participate in a panel discussion following the screening, an academy official said.

The 1988 drama of love, seduction and betrayal among the aristocracy in 18th century France received seven Academy Award nominations, including best picture, winning three – best adapted screenplay (Christopher Hampton); art direction (Stuart Craig and Gerard James) and costume design (James Acheson). “Rain Man” was the year’s best picture winner.

Doors open at 6:30 p.m., with pre-show elements beginning at 7 p.m. and the feature at 7:30 p.m.

Tickets are \$5 for the general public, \$3 for academy members and students with valid identification. They can be purchased at the door, by mail, at the Academy headquarters during regular business hours, or online at www.oscars.org/events until noon on the day of the screening.



NOTICE PUBLIC HEARING

COMMUNITY DEVELOPMENT
455 N. Rexford Drive
Beverly Hills, CA 90210-4817

Beverly Hills, CA 90210-4817
(310) 285-1123
FAX: (310) 858-5966

NOTICE OF PUBLIC HEARING

DATE: Thursday, July 26, 2007

TIME: At or after 2:30 p.m., or as soon thereafter as the matter may be heard

LOCATION: Commission Meeting Room A
Beverly Hills City Hall
455 North Rexford Drive
Beverly Hills, California 90210



The Planning Commission of the City of Beverly Hills, at its regular meeting on Thursday, July 26, 2007, will hold a public hearing beginning at 2:30 p.m., or as soon thereafter as the matter may be heard, to consider:

A one-year time extension request for a Tentative Parcel Map (No. 27089) to subdivide an existing 10-story office building into three parcels. The subdivision is located at **8484 Wilshire Boulevard** (Flynt Building), and the Tentative Parcel Map was initially approved on July 23, 2003. The subdivision was for the purposes of a change of ownership, and no other changes to the property are contemplated. The request for extension of the rights granted for the subdivision, was filed in a timely manner, and is the final extension that can be granted pursuant to local ordinances and State law. If the extension request is granted, the Tentative Parcel Map would remain valid through July 23, 2008.

This project was previously assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City, and a Mitigated Negative Declaration was adopted. There have been no substantial changes to the project or to the environment that would cause the project to significantly impact the environment. Therefore, there is no substantial evidence that the approval of the requested extension may have any significant environmental impact. The original Mitigated Negative Declaration and the mitigation measures imposed continue to represent the independent judgment of the City, and no additional environmental review is required under CEQA.

Any interested person may attend the meeting and be heard or present written comments to the Commission. Comments on the time extension request may be submitted in writing to the Planning Department and written or oral comments will be accepted by the Planning Commission prior to the close of the public hearing noted above.

If you challenge the Commission's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City, either at or prior to the public hearing.

If there are any questions regarding this notice, please contact the Planning Department at 310.285.1123. The file can be reviewed in the Planning Department by any interested person at 455 North Rexford Drive, Room G-40, Beverly Hills, CA. 90210.

For updates regarding the meeting, an information line provides a recorded message at 310.285.1165.

Mailed & Published: July 13, 2007
Rita Naziri
Senior Planner



NOTICE OF PUBLIC HEARING

CITY CLERK
BYRON POPE, CMC
455 NORTH REXFORD DRIVE
BEVERLY HILLS, CA 90210-4817

(310) 285-2400
FAX: (310) 385-0862

NOTICE OF PUBLIC HEARING

DATE: Tuesday, July 24, 2007

TIME: At 7:30 p.m., or as soon thereafter as the matter may be heard

LOCATION: City Council Chambers
Beverly Hills City Hall
455 North Rexford Drive
Beverly Hills, California 90210

Project Description
The Applicant, Legacy Partners, has proposed to develop a six-story, approximately 70-foot high (including rooftop uses), mixed-use project on the vacant lot at **9200 Wilshire Boulevard** between South Maple Drive and South Palm Drive. The project would include 54 residential condominium units; approximately 14,000 square feet of ground-floor commercial space; and, up to 283 parking spaces located in a multi-level subterranean garage. Access to Project parking would be split between Maple Drive (resident parking) and Palm Drive (visitor and commercial parking). The Project’s loading facilities would be located on Palm Drive. Approval of the project would be dependent on approval of an overlay zone for this location as the current C-3 zoning does not allow residential use and the Project would exceed the existing three-story/45-foot height limit and 2:1 FAR (Floor Area Ratio) allowed in the C-3 Zone. In addition, approval of the project requires City Council approval of a planned development and a vesting tentative tract map for this mixed use project. Collectively, these actions constitute the “Project.”

Background Information
At the City Council meeting of September 5, 2006 and October 9, 2006, the City Council of the City of Beverly Hills discussed and approved in concept a mixed use development project on the vacant lot at 9200 Wilshire Boulevard between South Maple Drive and South Palm Drive. At its meeting of April 26, 2007, the City Council held a public hearing, considered the Project and certified the final Environmental Impact Report.

The July 24, 2007 Hearing
At its meeting of **Tuesday, July 24, 2007**, the City Council will hold a public hearing beginning at **7:30 p.m.**, or as soon thereafter as the matter may be heard, to consider the actions set forth below related to the proposed Project:

A GENERAL PLAN AMENDMENT TO ACCOMMODATE MIXED USE DEVELOPMENT AT THE HEIGHT AND DENSITY PROPOSED FOR THIS PROJECT

AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND LEGACY PARTNERS SSR 9200 WILSHIRE, LLC FOR DEVELOPMENT OF A MIXED-USE PROJECT

The City Council will also review Project revisions it recommended at its April 26, 2007 meeting. Further, the General Plan Amendment may be discussed in conjunction with a similar General Plan Amendment proposed for a development project at 8600 Wilshire Boulevard.

Other items related to this Project will be considered at a future meeting.

Public Participation
All interested persons are invited to attend and speak on this matter. Written comments may also be submitted and should be addressed to the City Council, c/o City Clerk, 455 N. Rexford Drive, Beverly Hills, CA 90210 and should be received prior to the public hearing.

If you challenge the Council's action in court, you may be limited to raising only those issues you or someone else raised at the hearing before the City Council or in written correspondence delivered to the City, either at or prior to the hearing.

If there are any questions regarding this notice, please contact the Community Development Department, Planning Division, at 310.285.1123. Copies of all relevant materials, plans and applications are available for review or purchase in the offices of the Community Development Department of the City of Beverly Hills, Room G-40, 455 N. Rexford Drive, Beverly Hills, California.

BYRON POPE, CMC
City Clerk

from the hills of beverly



Kasikci leaves Peninsula

Reportedly will go to Montage

By Rudy Cole

Last Friday word spread quickly: The very popular and highly regarded managing director of The Peninsula Hotel, **Ali Kasikci**, had resigned. We have it on reasonably good authority that Kasikci will soon, or already has, signed an agreement to become general manager of the Montage Hotel and Gardens.

Considering the often bitter and costly effort by the Peninsula owners to fight approval of the Montage, primarily because of their feelings that the Montage was receiving “entitlements” denied the Peninsula – which meant fewer hotel rooms and banquet facilities than they had wanted, the loss of Kasikci was very, very interesting.

Ali was not just an interested by-stander in the battle. His loyalty to the Peninsula owners and his involvement in the effort to prevent approval of the Montage, including the ballot measure, was very public.

However, neither the Montage owners, the Zarnegin family, or Kasikci suffered any permanent damage in the community.

Most people seemed to understand their reasons and acknowledged their importance as a resource of the city, although some remain unforgiving.

Ali is the ultimate, responsible community leader. He has been a major supporter of a wide range of civic endeavors and, along with wife **Donanne**, took leadership roles in civic groups such as the Maple Counseling Center. All of this with the support and blessings of the Zarnegin’s.

No question, The Peninsula, under the Zarnegin’s and Kasikci’s direction, has become one of the most prestigious in the world – and that has been an important

asset for our city.

If and when Ali does move to the Montage, it will be a very different experience. The Montage will have far larger public assembly (banquet) facilities and more dining areas, including a “fine” dining room with 55 “covers” and a three meal room with 170. The Peninsula’s Belvedere, has 70 seats, 50 seat cocktail lounge and 40 on the roof.

The room counts are fairly close – 201 for the Montage and the Peninsula, around 240 – that the Peninsula has more is interesting, and probably due to the vocal anti-Montage campaign. (Both are under numbers of rooms and banquet facilities of The Beverly Wilshire (now a Four Seasons managed operation, the Beverly Hills Hotel and the Beverly Hilton – the leader in both rooms and banquet facilities.)

For the record, my sources for the management changes did not come from the Peninsula or Kasicki – who only said he was looking forward to new challenges or from the Montage or the Athens group’s **Jay Newman** – all refused comment. But my information is reliable. Another hint that the story is true is the simultaneous resignation of veteran hotelier **John Rucci**, the Peninsula’s resident manager, who will probably join Kasikci at the Montage which is scheduled to open in the fall of 2008.

It is always interesting to compare our hotels with neighboring cities, including some we lost and others that never happened. Beverly Hills will, along with other communities in West Los Angeles, face a major competitive challenge when the new hotel, entertainment complex opens in downtown Los Angeles around

2010.

There has been a change of “flags” in Century City that is worth noting. Earlier this year, and very quietly, the Hyatt became an Inter-Continental. The Hyatt groups still manages the venerable Century Plaza, the areas largest with the most banquet rooms.

The Inter-Continentials have always been a personal favorite and even though the Paris IC is now operating as a Westin, it was one of the French cities finest.

You can tell the difference the moment you enter the IC in Century City. A highly professional staff, a vastly improved restaurant and spacious rooms and suites, make this a new gem for the area. The hotel will soon undergo a “soft” renovation with beautification of rooms without interruption of services. The hotel also has a first rate spa and fitness center.

When you dine at the Park Grill – with a French influence, and if you are from Chicago, you will enjoy talking with hostess Leticia Garcia, the room’s host who left the Windy City for the IC and who can bring you up to date on everything Chicago, including the loss of Marshall Field’s.

Yes, we lose bed tax revenues to every hotel that opens around us, but we do benefit from the shoppers they send to

Beverly Hills and their concierge desk was very familiar with our city.

Why write about the Inter-Continental? It too has a big Beverly Hills connection. Before the Four Seasons had made their abortive effort to build at Rodeo and Wilshire, the property was owned by Savings and Loan legend, **Mark Taper**. **Bill Marriott** very much wanted to build in Beverly Hills and one day had lunch with Taper. The often very direct Taper quickly informed the hotel scion that “the Marriott was not the kind of hotel I envisioned for my property.”

That was probably somewhat offensive to Marriott who then explored other possibilities, including G & L owned properties on North Bedford – also a site once eyed by the Ritz Carlton.

In any case, Bill Marriott decided to take his money and build the most expensive hotel in his collection in Century City, now the Inter Continental. Eventually, they sold the hotel and the new owners chose the Hyatt to be the operators. The design of the hotel, somewhat wedding cake in appearance, was due to the height limits then Los Angeles City Councilman **Zev Yaroslavsky** demanded.

Do we have enough hotel rooms? I asked the Athens Group’s chief operating officer Jay Newman that question at a recent Chamber Economic committee luncheon at which he was a featured speaker. Interestingly, he thought we needed more and said he was looking forward to the likely arrival of the Waldorf Astoria on the Beverly Hilton property. In



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fact, Newman said that he expected to work with the Waldorf, the Hilton and all the other hotels in our city in a continuing effort to market Beverly Hills. No matter who manages or operates our hotels and even though they are competitive, promoting tourism for Beverly Hills will be a mutual effort.

We know of the recent major and expensive renovations of the Hilton and many of our other hotels, but there is another change taking place in our hotel inventory.

One of our oldest, which has been everything from a Holiday Inn to a Best Western at Wilshire and Crescent, is undergoing a major, total renovation and is expected to open this fall as part of the Pomeranc Group, known for "upscale and hip" hotels, will be called the Thompson Beverly Hills. There will also be a first rate restaurant, something predecessors never delivered, called the "Bond Street."

Of course, one of our other excellent European style hotels is the Luxe on Rodeo owned by the Harkham family and managed by **Seth Horwitz** who has quickly become a civic leader.

Finally, a word about terminology. When the story broke that the Hilton had been "sold," there was some concern that **Beny Alagem**, who has invested heavily in upgrading the Hilton, was leaving. The Hilton company, our largest employer, is based here, but the Beverly Hilton is operated, not owned, by the company. The different categories of name use are "owned and operated" or "operated" and owned by

others, or simply a hotel that uses the franchise name with no management services – a franchise that benefits from promotion and guest referrals. The name a hotel uses is called a "flag" but could be any of the three alternatives. The ever genial Beny is still with us.

LOCAL HERO: And this too has a hotel connection. When **Bahador Mahboubi** lost a bid to create a luxury hotel at Wilshire and Linden, he did not go quietly into the night and give up his support of city charities. On the contrary, Bahador is one of the first to buy tables at every event from the Beverly Hills Education Foundation's recent dinner to the Firefighter's annual ball. He still gives back and continues to share in the tradition of his family's community leadership. Bahador, is this week's Local Hero.

FINAL THOUGHT: Just maybe I brought the Peninsula and the Montage together, but not good for one of my favorite battles. Ali and Jay both supported **Barry Brucker's** campaign to ban outdoor dining smoking. Sorry they used my pipe to make peace.

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.

letters cont. from page 2

dents. It has been proven that the best way to decrease accidents is to slow traffic.

Ideally the traffic flow westward can be improved more by Los Angeles than Beverly Hills. Direct the traffic to Pico Blvd. by not allowing turns into or out of Century City from Olympic during peak traffic hours, increase parking restrictions during peak hours on Pico Blvd, and making the northbound 405 access only available from Pico Blvd during rush hours.

The City of Beverly Hills has the obligation to help our residents and small businesses on Olympic. Many of these businesses are vulnerable if their customer parking (9-10 a.m.) is taken away. The City should help support these businesses, not make it harder for them to survive.

I urge the City Council to not adopt this idea.

*Stefan Dahlerbruch
Beverly Hills*

"A tale of two projects"

This is an Update regarding the 8600 Wilshire Mixed -Use Project which wants to rezone an R-1 lot next to my home... benefiting a private developer and devaluing mine and my neighbors' homes. Please refer to last week's issue for in-depth details

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(A mixed use project has been proposed that requires changes in height limits, density and an unprecedented loss of R - 1 property. This project is totally out of scale with our neighborhood and is not appropriate for a area so close to an elementary school, near restaurants, medical offices, movie theater and service station that impact street parking all hours of the day.)

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coverstory

WILLIAM MORRIS TO MOVE UPTOWN

George Comfort & Sons proposes new headquarters for the William Morris Agency on North Beverly

By Abbey Hood

The portion of El Camino named William Morris Plaza in 1998 by the city of Beverly Hills may not house the William Morris

we had a meeting with William Morris to retain them as a corporate citizen. They have been here over half a century; they are an



The William Morris Agency building at its current location on El Camino.

Agency any longer as the company pursues new headquarters in a city that's losing their entertainment companies.

Entertainment companies International Creative Management and Creative Artists Agency decided when more office space was needed Beverly Hills just couldn't accommodate their growth. So they left town. Three years ago the William Morris Agency began to go through the same dilemma.

Unlike the others, the agency's need for larger headquarters was met when building owner George Comfort & Sons offered 210,000 square feet on 231-265 North Beverly Drive, next to the Bank of America. Now, the application for the building project is in the beginning planning stages. The draft environmental impact report will be presented to the planning commission in a public hearing July 25.

"William Morris very much wants to stay in Beverly Hills," said Mark Egerman, former Beverly Hills mayor and the attorney representing the building owner George Comfort & Sons. "When I was on the council [in 2004],

excellent corporate citizen. They contribute highly to the community and they are very valuable."

The application for the project was filed by George Comfort & Sons last April. The Beverly Drive building's owners retained Gensler Architects, a firm based out of Santa Monica to design the building to the specification of the William Morris Agency, said Egerman.

Such specifications for the project include: a proposed site of 208,100 square feet, 177,225 gross square feet of office space. A proposed maximum height building of 91.5 feet, Egerman said the approximate height of the proposed building is 89.5 feet.

A four and one-half subterranean parking structure with 665 spaces, of the total 262 spaces will be replacement parking spaces for the Bank of America building. During construction, parking tenants of the B of A building will be removed. Tenants will have to park at other local facilities near the building.

The proposed new headquarters of the William Morris Agency, if approved, would

have to implement a new overlay zone. The new zone, "Creative Office Planned Development" or C-O-PD would apply new development standards for the site, although where is not specified. The new overlay zone would affect the whole block from Wilshire to Dayton.

"The new overlay zone is to encourage the type of zoning that would encourage entertainment companies to remain in the city of Beverly Hills," said Egerman.

Keeping and encouraging entertainment companies to stay in the city is important to Beverly Hills.

"One of the primary reasons William Morris and other talent agencies are important to Beverly Hills is that they are a cornerstone in the city's economic sustainability," said Mayor Jimmy Delshad. "Firms such as William Morris produce a significant amount of tax revenue which helps the city maintain high levels of service for its residents and

businesses. Employees and clients of talent agencies patronize nearby businesses, which also strengthens the city's economic base. Beverly Hills has a long-established history as the home of the "creative talent" end of the business—making the "Beverly Hills" brand mutually beneficial to the city and the entertainment industry."

Planner assigned to the project for the city agrees the new overlay zone would help keep entertainment companies in the city.

"They [William Morris] want larger space and the city does not have that kind of development available," said Rita Naziri, planner from the city assigned to the project. "It would be a Class A office, so the larger space would help accommodate the needs of entertainment companies. It appears that's why others left; they could not find any development available."

Others have already left.

CAA signed a lease in 2004 for 180,000 square feet at the 2000 Avenue of the Stars building in Century City. In 2006, ICM left the city of Beverly Hills and subleased a building from Metro -Goldwyn-Mayer in Century City. In 2004, William Morris almost signed a lease to move their headquarters to Westwood, said Egerman. Now, they don't have to.

People have said they want to keep William Morris in Beverly Hills, said Egerman. The general feedback from the public has been positive, he said.

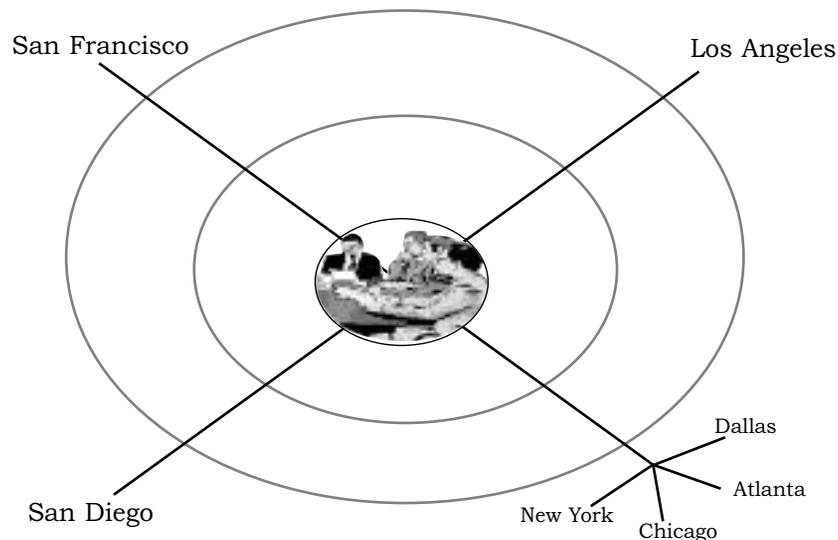
"There are so many good reasons [to keep William Morris in Beverly Hills] it is hard to know where to start," said CEO of the Beverly

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Architect's rendition of the proposed William Morris Agency headquarters on North Beverly Drive.

Hills Chamber of Commerce Dan Walsh. "The firm is a world class industry; the revenues that are derived from their business license in the city is significant. Their clientele and employees are significant revenue generators to the city. It adds to the cache of our city. It is a fit of the highest order. It is ter-

rific we are working at a way to retain them and have them grow at the same time."

Attorney and North Roxbury Drive resident Larry Larson said the main issues to look into going into the draft EIR report will be traffic and parking.

"Do they have adequate parking to service

the William Morris building and the Bank of America parking?" said Larson. "I think other issues to look at are the ingress and egress which will come off the side street." Larson voiced further concern about the traffic that could be generated by The Montage project being constructed across the street on North Beverly Drive.

Another issue Larson said is important to consider is the lease term that will be later addressed in reports outside of the draft EIR report.

"It is important to find out how long the lease would be," said Larson. "They [William Morris] are in the real estate business. We don't know if they are going to be a tenant or a joint venture partner with the developer, but it is important to find out. If they are going to make a zoning exception for William Morris it is important that they will remain in the city. It would seem a long term lease would be mandatory. There is nothing indicated in public record if William Morris could get out of the lease, is there a termination right at some point?"

"The lease has already been signed; a binding lease currently is in existence," said Egerman. "The lease is a 20 year lease with multiple options with no option to break the lease. The lease would begin when the building is granted a certificate of occupancy."

The proposed project is anticipated to be a one phase project, with an estimated completion date of 2009.

Last month, the Architectural Commission previewed the proposed North Beverly Drive

project.

"I can only comment on what was presented to the Architectural Commission in June 2007," said Architectural Commission chairperson Paul Langh. "It is my understanding the commission was pleased to review the William Morris project. It was felt the project needed further refinement in regard to the color of the exterior, the materials and style of the first floor retail and it's mass relative to adjacent structures. The applicant was asked to perform a color study of neighboring buildings and also to provide a model of the proposed building in relationship to neighboring buildings."

If the project is improved and completed, the increase of square footage does not necessarily mean an increase in employees. Currently, the William Morris Agency has crowded personnel into their existing space. One of the primary purposes of shifting to the new office space is so they can better accommodate the people currently employed at the agency, said Egerman.

The trademark building on El Camino, owned by the William Morris Agency, will most likely be leased out if the agency moves headquarters, said Egerman.

And what will happen to the street named William Morris Plaza if the William Morris Agency is on Beverly Drive?

Maybe that trademark will stay the same.

"At the present time I do not know of any plans to change that [William Morris Plaza]," said Egerman.

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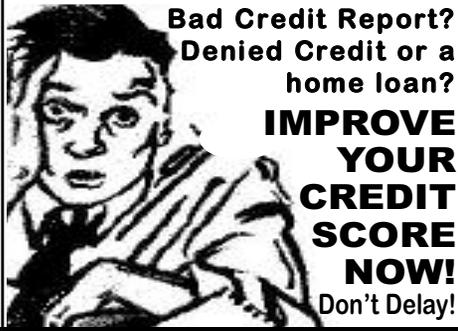
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additions to the California Building Code is hereby amended as follows:

*Sec. 1503 Roofing Requirement.

Except as otherwise provided in this Section and in Section 1514 of the Appendices to the California Building Code as adopted and amended by the City, roof coverings or roof assemblies on any structure regulated by this Code shall be a fire-retardant roof covering or roof assembly that is listed as a Class A roof under UBC Standard 15-2. No wood shall be used as a roof covering material. Noncombustible roof covering as defined in Section 1504.2 may be applied in accordance with the manufacturer's requirements in lieu of a fire-retardant roofing assembly.

EXCEPTION:

(1) Roof repairs of less than 10 percent of the total roof area on existing structures in any one year period may be repaired with a roof covering that meets the same fire retardant standard as the existing roof.

Section 2. Section 1503.1, 1503.2, 1503.3 of the California Building Code as set forth in Section 9-1-202 of Article 2 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code regarding amendments and additions to the California Building Code are hereby deleted.

Section 3. Section 1504.1 of the California Building Code as set forth in Section 9-1-202 of Article 2 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code regarding amendments and additions to the California Building Code is hereby amended as follows:

Sec. 1504.1 Fire-Retardant Roofing. Fire-retardant roofs are roofing assemblies complying with UBC Standard 15-2 and listed as Class A roofs. No wood shall be used as a roof covering material."

Section 4. Health and Safety Code Findings. Pursuant to Health & Safety Code Section 17958.5, the City may make modifications to the California Building Code that are reasonably necessary because of local climatic, geological and topographical conditions. In particular, the modifications to the Building Code as set forth herein are reasonably necessary because of the local climate which is characterized by hot dry summers, followed by strong Santa Ana winds which make structures particularly vulnerable to rapidly spreading, wind-driven fires. Geographically, the City is located in Southern California in Los Angeles County. Much of the City is located among steeply sloping, hilly areas, which can create hazardous building and fire conditions. Furthermore, the City is located near and over historic and active earthquake faults, which require that special safety provisions be taken to prevent movement and resulting fire hazards. Finally, the city's zoning ordinances promote the preservation of natural canyon shrubbery in addition to a great deal of landscaping. Canyon fires and other brush fires are a frequent and natural part of the Southern California ecosystem. Thus structures located in the City require additional protection against ignition from flying embers.

These local climatic, geological and topographical conditions affect the acceleration, intensity and size of fires in the community. Times of little or no rainfall, of low humidity, and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires, and configurations of roofs that spread throughout the community and ignited the roofs of three large homes in the City of Beverly Hills near Beverly Drive and Hillcrest Drive causing extensive damage to two of them and moderate damage to the other. Although none of the burned homes were threatened directly by the fire that began in Franklin Canyon, the three homes were clad with wood shake roofs allowing the wind driven embers to embed and ignite the homes causing extensive damage. The fire ultimately expanded to 15 acres and the cause of the fire was determined to be wires downed in the wind that ignited the brush. As stated above, the local climatic, geological and topographical conditions exacerbate this fire danger. Therefore, because the City Council wishes to reduce the potential threat of fire damage within the City, the City Council finds that it is reasonably necessary to change and modify the Uniform Building Code as amended by the California Building Code in order to mitigate the effects of the above conditions.

The fire danger of wood shake and shingle roofs has been well documented. Specifically, on April 12, 2007, a two-acre brush fire began in neighboring City of Los Angeles in the Franklin Canyon area. High wind, in excess of 50 miles per hour, drove the fire through the dry brush with lightning speed. The wind driven embers spread throughout the community and ignited the roofs of three large homes in the City of Beverly Hills near Beverly Drive and Hillcrest Drive causing extensive damage to two of them and moderate damage to the other. Although none of the burned homes were threatened directly by the fire that began in Franklin Canyon, the three homes were clad with wood shake roofs allowing the wind driven embers to embed and ignite the homes causing extensive damage. The fire ultimately expanded to 15 acres and the cause of the fire was determined to be wires downed in the wind that ignited the brush. As stated above, the local climatic, geological and topographical conditions exacerbate this fire danger. Therefore, because the City Council wishes to reduce the potential threat of fire damage within the City, the City Council finds that it is reasonably necessary to change and modify the Uniform Building Code as amended by the California Building Code in order to mitigate the effects of the above conditions.

Section 5. CEQA Findings. The City Council hereby finds that it can be seen with certainty that there is no possibility that the adoption and implementation of this Ordinance may have a significant effect on the environment. The Ordinance does not authorize construction and, in fact, imposes greater restrictions on certain development in order to protect the public health, safety and general welfare. The Ordinance is therefore exempt from the environmental review requirements of the California Environmental Quality Act pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

Section 6. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 7. Publication. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage, in accordance with Section 36933 of the Government Code, shall certify to the adoption of this Ordinance and shall cause this Ordinance and its certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this City.

Section 8. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.
Adopted: July 10, 2007
Effective: August 10, 2007

JIMMY DELSHAD
Mayor of the City of Beverly Hills, California

ATTEST:

(SEAL)

BYRON POPE
City Clerk

VOTE:

AYES: Councilmember Krasne, Fenton, Briskman, Brucker and Mayor Delshad

NOES: None

ABSENT: None

CARRIED

ORDINANCE NO. 07-0-2521
AN ORDINANCE OF THE CITY OF BEVERLY HILLS REGARDING THE CITY'S EMERGENCY ORGANIZATION AND DISASTER COUNCIL.
THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS DOES ORDAIN AS FOLLOWS:
Section 1. Pursuant to Section 8610 of the California Government Code, municipalities are authorized to enact local legislation to create a disaster council and provide for the organization, powers and duties, divisions, services and staff of the city's emergency organization. Further, pursuant to Section 8630 of the California Government Code, a city by ordinance may designate an official empowered to proclaim a local emergency.
Section 2. Section 2-1-21 of Chapter 1 of Title 2 of the Beverly Hills Municipal Code is hereby repealed and replaced as follows:
"2-1-21 Council Vacancies.

Within thirty (30) days after the commencement of a vacancy on the council, the council shall call a special election to fill the vacancy for the unexpired term of the former incumbent. Such election shall be held on the day immediately preceding the expiration date not less than one hundred and fourteen (114) days from the call of the special election.

Notwithstanding the foregoing or any other provision in this Code to the contrary, in the event of a state of war, emergency, or declaration of a state of emergency, or local emergency, City Council vacancies may be filled and the City Council may be reconstituted using the methods provided in Article 15 of Division 1 of Title 2 of the California Government Code (§§ 8635 et seq.) as amended from time to time and any replacement for that Article if that Article is recodified or renumbered. In the event that the Mayor is unavailable, the person replacing the Mayor shall not assume the title and duties of Mayor; instead, the Vice Mayor shall assume the title and duties of Mayor and the Mayor and the Vice Mayor are both unavailable, the persons replacing the Mayor and Vice Mayor shall not assume the title and duties of Mayor and Vice Mayor; instead, the next most senior available members of the City Council shall assume the title and duties of Mayor and Vice Mayor. In the event that no council members are available, then the persons replacing the Mayor and Vice Mayor shall assume the titles and duties of those offices.

Section 3. Chapter 4 of Title II of the Beverly Hills Municipal Code is hereby repealed and a new Chapter 4 is hereby added to Title II of the Beverly Hills Municipal Code to read as follows: "CHAPTER 4

DISASTERS AND EMERGENCIES

ARTICLE 1

DISASTER COUNCIL AND EMERGENCY SERVICES ORGANIZATION

"2-4-101. Purpose.

The purpose of this Article is to provide for the preparation and execution of plans for the protection of persons, property, and the environment within the City in the event of an emergency and to provide for the coordination of the emergency services disaster functions of this City with all other public agencies and affected private persons, corporations, and organizations. Expenditures made in connection with emergency services activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants of this City.

"2-4-102. Definitions.

In this chapter unless the context otherwise requires:

A. "Emergency" shall mean the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the City caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat.

B. "Local Emergency" shall have the meaning given it in Section 8558 of the California Government Code, or its successor provision.

C. "State of Emergency" shall have the meaning given it in Section 8558 of the California Government Code, or its successor provision.

D. "State of War Emergency" shall have the meaning given it in Section 8558 of the California Government Code, or its successor provision.

E. "Successor provision" shall mean the specified section of state law as amended from time to time and any replacement for that section if that section is recodified or renumbered.

"2-4-103. Disaster Council Membership.

A. The City of Beverly Hills Disaster Council shall consist of the members of the City Council. The Mayor shall serve as Chairperson, and the Vice Mayor shall serve as Vice Chairperson.

"2-4-104. Disaster Council Powers and Duties.

A. It shall be the duty of the Disaster Council, and it is hereby empowered:

(1) To develop and recommend for adoption by the City Council, emergency and mutual aid plans and such ordinances, resolutions and rules and regulations as are necessary to implement such plans and agreements.

(2) To forward a copy of any emergency plan developed and adopted by the City to the State of California Office of Emergency Services, including without limitation, the City of Beverly Hills Emergency Plan provided for in Section 2-4-108.

B. The Disaster Council is hereby empowered:

(1) To register disaster service workers; provided, however, that the Disaster Council may delegate the act of registering disaster service workers to others through the City of

Beverly Hills Emergency Plan.

(2) To designate the individual responsible for keeping the registration of disaster service workers current and for the accuracy and safety of the official registration records; provided, however, that the documented proof that the disaster service worker has taken the oath of office shall be filed in the office of the City Clerk.

(3) To direct the activities of disaster service workers within the City through its role in the adoption of the City of Beverly Hills Emergency Plan. The Emergency Plan shall delegate to City staff the duties set forth in Article 10 of California Government Code, and the Emergency, State of Emergency, or State of War Emergency.

C. The Disaster Council shall meet upon call of the Chairperson or, in such person's absence from the City or inability to call such meeting, upon call of the Vice Chairperson.

D. The Disaster Council shall have such other powers, duties, and responsibilities of a local disaster council pursuant to Article 10 of California Government Code, and the Emergency Services Act (beginning with California Government Code Section 8610), as amended from time to time and any replacement for that Article if that Article is recodified or renumbered.

"2-4-105. Director and Assistant Director of Emergency Services.

A. There is hereby created the Office of Emergency Services and the office of Director of Emergency Services is hereby created. The Director of Emergency Services is the director of the City's emergency organization. The City Manager shall be the Director of Emergency Services.

B. There is hereby created the office of Assistant Director of Emergency Services. The Assistant City Manager shall be the Assistant Director of Emergency Services.

"2-4-106. Succession.

1. Director of Emergency Services

A. Should the City Manager as Director of Emergency Services be absent or unable to perform his or her duties, the individuals who hold permanent appointments to the positions named for this purpose in a letter signed by the City Manager and delivered to the City Clerk, shall automatically serve as Acting Director of Emergency Services, in the order specified in the letter, and shall serve until the City Manager, or an individual holding the permanent appointment to a position above the Acting Director of Emergency Services, in the order specified in the letter, is present and able to serve. The letter may, without limitation, include lists of successors for emergency and non-emergency situations, delineate the circumstances that trigger when a particular list controls the designation of the Acting Director of Emergency Services, and provide the parameters for determining when the City Manager or other successors are absent or unable to perform the duties of the Director of Emergency Services. Such persons who serve as Acting Director of Emergency Services must be employees or officers of the City.

2. An individual serving as Acting Director of Emergency Services shall have the authority and powers of the Director of Emergency Services.

3. The City's emergency plan may provide additional guidelines to assist City personnel in determining when the City Manager, or his or her successor, is absent or unable to perform his or her duties, and when such individuals are available to serve, but in the event of a conflict between the letter provided to the City Clerk pursuant to Section 2-4-106(A)(1), and the provisions in the City's emergency plan, the letter shall prevail.

B. In the event of a State of War Emergency, or declaration of a State of Emergency or Local Emergency, the City Council may be reconstituted and vacancies filled pursuant to Section 2-1-21 of this Code.

C. In the event of a State of War Emergency, or declaration of a State of Emergency or Local Emergency, the City Treasurer is unavailable, the Deputy City Treasurer who also serves as the Chief Financial Officer shall exercise the powers of City Treasurer. The term "unavailable" as used in this paragraph shall have the same meaning as that contained in Section 8636 of the California Government Code, or its successor provision.

"2-4-107. Powers and Duties of the Director and Assistant Director of Emergency Services.

A. The Director of Emergency Services is hereby empowered to:

(1) Monitor and evaluate potentially dangerous emergency situations, and when appropriate, request the City Council to proclaim the existence or threatened existence of a Local Emergency of the City Council is in session, or to issue such proclamation if the City Council is not in session. Whenever a Local Emergency is proclaimed by the Director of Emergency Services, the City Council shall take action to ratify or otherwise act upon such proclamation within 7 days thereafter. The Local Emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the City Council. If the City Council does not ratify the Local Emergency, such inaction shall not affect the validity of the Local Emergency during the period of time that it was in effect.

(2) Request the Governor to proclaim a State of Emergency when, in the opinion of the Director of Emergency Services, the locally available resources are inadequate to cope with the emergency and the City Council is in session, or to issue such proclamation if the City Council is not in session.

(3) Control and direct the effort of the emergency organization of the City for the accomplishment of the purposes of this Article.

(4) Direct cooperation between and coordination of services and staff of the emergency organization of the City, and resolve questions of authority and responsibility that may arise between them.

(5) Coordinate and carry out the policies and direction of the City Council and the Disaster Council, and perform such other duties and responsibilities as delegated by the Disaster Council or by the City Council.

(6) Represent the City in all dealings with public or private agencies on matters pertaining to emergencies as defined herein.

(7) Adopt rules and regulations consistent with the provisions of this Article for operation of the Office of Emergency Services

(8) In the event of the proclamation of a Local Emergency as herein provided, the proclamation of a State of Emergency, or the proclamation of the State Office of Emergency Services, or the existence of a State of War Emergency, the Director of Emergency Services, is hereby empowered:

(a) To implement and carry out the City of Beverly Hills Emergency Plan adopted pursuant to Section 2-4-105;

(b) To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency, including but not limited to orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety; provided, however, such rules and regulations must be confined at the earliest practicable time to the City Council by any other lawful authority.

(c) To obtain from other sources such vital supplies, equipment, and other properties found lacking and needed for the protection of life and property, and to bind the City for the fair value thereof as provided in the emergency provisions of the City's purchasing regulations and, if required immediately, to commandeer the same for public use;

(d) To authorize the use of any assets of equipment, temporary loan of equipment, supplies, goods or other in-kind donations, as necessary to provide for the protection of life and property, regardless of whether the donation comes from public or private sources. The order authorizing the use of any gifts shall be in writing. Any such donations used by the City shall be deemed to be accepted by the City Council in accordance with Section 37264 of the California Government Code, or its successor provision. A report of all such gifts used shall be made to the City Council at its next regular meeting for review;

(e) To require emergency services of any city officer or employee, to command the aid of as many citizens of this community as he or she deems necessary in the execution of his or her duties, and to call upon the City's employees, and registered volunteers the authority to command the aid of citizens of this community as they deem necessary in the execution of their duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers;

(f) To requisition necessary personnel or material of any City department or agency;

(g) To request state aid, including without limitation, financial aid, equipment, personnel, supplies or anything else that the state or federal government can provide to assist the City in coping with, responding to, or recovering from the emergency situation;

(h) To perform such other functions as necessary or appropriate to cope with the emergency situation; and

(i) To execute all of his or her ordinary powers as City Manager, all of the special powers conferred upon him or her by this Article or by resolution or emergency plan pursuant hereto adopted by the City Council, and all powers conferred upon him or her by any statute, by any agreement approved by the City Council, or by any other lawful authority.

(9) In the event of a situation in which a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety, the Director of Emergency Services may issue a declaration of a shelter crisis pursuant to Section 8698.2 of the California Government Code, or its successor provision.

B. The Director of Emergency Services, or his or her designee, shall, with the assistance of emergency service chiefs, manage the emergency programs of the City.

C. The Assistant Director of Emergency Services, under the supervision of the Director of Emergency Services, shall have such powers and duties as may be assigned by the Director of Emergency Services.

"2-4-108. Emergency Organization.

All officers and employees of the City, together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations, and persons who may by agreement or operation of law, including persons impressed into service under the provisions of Section 2-4-107(A)(8)(e) of this Article shall be charged with duties incident to the protection of life, property, and the environment in the City during such emergency, shall constitute the emergency organization of the City of Beverly Hills.

"2-4-109. Emergency Plan.

The City of Beverly Hills City Council shall be responsible for the development of the City of Beverly Hills Emergency Plan, which plan shall provide for the effective mobilization of all of the resources of the City, both public and private, to meet any condition constituting a Local Emergency, State of Emergency, or State of War Emergency and shall provide for the organization, powers and duties, services, and staff of the emergency organization. Such plan shall take effect upon adoption and approval by the City Council.

"2-4-110. Expenditures.

A. Any expenditures made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City of Beverly Hills.

B. Section 3-2-101 of this Code requires a second signature on any check, draft, or warrant which exceeds an amount established by resolution of the council. The City Council may adopt by resolution an alternate threshold amount, and in the event a Local Emergency or a State of Emergency is duly proclaimed, or a State of War Emergency exists, a second signature shall only be required on any check, draft, or warrant if it exceeds that alternate threshold amount.

"2-4-111. Punishment of Violations.

It shall be a misdemeanor, punishable pursuant to title 1, chapter 3 of this Code, for any person, during an emergency, to:

A. Willfully obstruct, hinder, or delay any member of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this Article, or in the performance of any duty imposed upon him or her by virtue of this Article.

B. Do any act forbidden by any lawful rule or regulation issued pursuant to this Article.

C. Willfully fail to obey a curfew regulation after being given due notice, either orally or written, of the curfew regulation.

D. Wear, carry, or display, without authority, any means of identification specified by the Director of Emergency Services."

Section 4. Section 10-3-4513 of Article 45 of Chapter 3 of Title X of the Beverly Hills Municipal Code is hereby repealed and replaced as follows:

"10-3-4513. Local Emergency Or Disaster Situations; Temporary Installations.

The City Manager, as the Director of Emergency Services designated in Section 2-4-105 of this Code, is authorized in the event of a local emergency or disaster to accommodate all providers of wireless services whose antenna facilities can be deployed immediately within the City for the purpose of implementing the City of Beverly Hills Emergency Plan, coordinating the emergency and disaster functions of the City, and protecting life and property. The temporary deployment of such wireless antenna facilities shall be authorized for the duration of such period of time, as will afford maximum protection for the public health, welfare, and safety."

Section 5. It is the intent of the City Council in enacting this Ordinance that it shall be considered a revision and continuation of the Municipal Code sections repealed by this Ordinance, and that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, or invalid, or ineffective.

Section 7. Publication. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage, in accordance with Section 36933 of the

Government Code; shall attest and certify to the adoption of this Ordinance and shall cause this Ordinance and the City Clerk's certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this City.

Section 8. Certified Copy. The City Clerk is hereby instructed to send a certified copy hereof to the Emergency Council.

Section 9. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

Adopted: July 10, 2007

Effective: August 10, 2007

JIMMY DELSHAD
Mayor of the City of Beverly Hills, California

ATTEST:

BYRON POPE
City Clerk

VOTE:

AYES: Councilmember Krasne, Fenton, Briskman, Brucker and Mayor Delshad

NOES: None

ABSENT: None

CARRIED

ORDINANCE NO. 07-0-2522
AN ORDINANCE OF THE CITY OF BEVERLY HILLS ESTABLISHING RESTRICTIONS ON EXCESSIVE AND UNJUSTIFIED INCREASES IN CONSUMER PRICES DURING A DECLARED EMERGENCY

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS HEREBY ORDAINS AS FOLLOWS:

Section 1. Pursuant to California Penal Code Section 396(f), municipalities are authorized to enact local legislation prohibiting excessive and unjustified increases in the prices of essential consumer goods and services when a declared state of emergency results in abnormal disruptions of the market. This Ordinance does not apply where prohibited or preempted by state or federal law.

Section 2. A new article 2 is hereby added to Chapter 4 of Title II of the Beverly Hills Municipal Code to read as follows:

"ARTICLE 2

RESTRICTIONS PERTAINING TO EXCESSIVE AND UNJUSTIFIED INCREASES IN CONSUMER PRICES DURING A DECLARED EMERGENCY (also known as the "Anti-Price Gouging Ordinance")

2-4-201. Findings and Intent.

The City Council hereby finds that during emergencies and major disasters elsewhere, including, but not limited to, earthquakes, fires, floods, or civil disturbances, some merchants have taken unfair advantage of consumers by greatly increasing prices for essential consumer goods and services. While the pricing of consumer goods and services is generally best left to the marketplace under ordinary conditions, when a declared state of emergency results in abnormal disruptions of the market, the public interest requires that excessive and unjustified increases in the prices of essential consumer goods and services be prohibited. It is the intent of the City Council in enacting this ordinance to protect citizens from excessive and unjustified increases in the prices charged during or shortly after an emergency for goods and services that are vital and necessary for the health, safety, and welfare of consumers. Further it is the intent of the City Council that this Article be liberally construed so that its beneficial purposes may be served.

2-4-202. Definitions.

For the purposes of this Article, the following terms shall have the following meanings:

A. "Building materials" means lumber, construction tools, windows, and anything else used in the building or rebuilding of property.

B. "Consumer food item" means any article that is used or intended for use for food, drink, confection, or condiment by a person or animal.

C. "Declared Emergency" means a Local Emergency or State of Emergency as defined in Section 2-4-102.

D. "Emergency supplies" includes, but is not limited to, water, flashlights, radios, batteries, candles, blankets, soaps, diapers, temporary shelters, tape, toiletries, plywood, nails, and hammers.

E. "Gasoline" means any fuel used to power any motor vehicle or power tool.

F. "Goods" has the same meaning as defined in subdivision (c) of Section 1689.5 of the California Civil Code.

G. "Housing" means any rental housing leased on a month-to-month term.

H. "Medical supplies" includes, but is not limited to, prescription and nonprescription medications, bandages, gauze, isopropyl alcohol, and antibacterial products.

I. "Repair or reconstruction services" means services performed by any person who is required to be licensed under the California Contractors' State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the California Business and Professions Code), for repairs to residential or commercial property of any type that is damaged as a result of an event that led to a Declared Emergency or State of War Emergency.

J. "Transportation, freight, and storage services" means any service that is performed by any company that contracts to move, store, or transport personal or business property or rents equipment for those purposes.

2-4-203. Prohibition Against Excessive And Unjustified Increases In Consumer Prices During A Declared Emergency.

A. Consumer Goods and Services

1. Upon the proclamation of a Declared Emergency or an event triggering a State of War Emergency, and for a period of 30 days following the proclamation of a Declared Emergency or the event that triggered a State of War Emergency, it is unlawful for a person, contractor, business, or other entity to sell or offer to sell any consumer food items or goods, goods or services used for emergency cleanup, emergency supplies, medical supplies, home heating oil, building materials, housing, transportation, freight, and storage services, or gasoline or other motor fuels for a price of more than 10 percent above the price charged by that seller or those goods or services immediately prior to the proclamation of a Declared Emergency or the event that triggered a State of War Emergency.

2. A person may increase prices in excess of the amount permitted in subsection A.1. if the seller or vendor can demonstrate that the increase in price is directly attributable to additional costs imposed on that person by the supplier of the goods, or directly attributable to additional costs for labor or materials used to provide the services, provided that in those situations where the increase in price is attributable to additional costs imposed by the contractor's supplier or additional costs of providing the service during the Declared Emergency or State of War Emergency, the price represents no more than 10 percent above the total of the cost to the seller plus the markup customarily applied by the seller for that good or service in the usual course of business immediately prior to the proclamation of a Declared Emergency or the event that triggered a State of War Emergency.

3. A business offering an item for sale at a reduced price immediately prior to the proclamation of a Declared Emergency or the event triggering a State of War Emergency may use the price at which it usually sells the item to calculate the price increase permitted pursuant to this subdivision.

B. Construction, Repair, and Clean-up Services

1. Upon the proclamation of a Declared Emergency or an event triggering a State of War Emergency, and for a period of 180 days following the proclamation of a Declared Emergency or the event that triggered a State of War Emergency, it is unlawful for a contractor to sell or offer to sell any repair or reconstruction services or any services used in emergency cleanup for a price of more than 10 percent above the price charged by that person for those services immediately prior to the proclamation of a Declared Emergency or the event that triggered a State of War Emergency.

2. A person may increase prices in excess of the amount permitted in subsection B.1. if the seller or vendor can demonstrate that the increase in price is directly attributable to additional costs imposed on that person by the supplier of the goods, or directly attributable to additional costs for labor or materials used to provide the services, provided that in those situations where the increase in price is attributable to additional costs imposed by the contractor's supplier or additional costs of providing the service during the Declared Emergency or State of War Emergency, the price represents no more than 10 percent above the total of the cost to the contractor plus the markup customarily applied by the contractor for that good or service in the usual course of business immediately prior to the proclamation of a Declared Emergency or the event that triggered a State of War Emergency.

3. A business offering an item for sale at a reduced price immediately prior to the proclamation of a Declared Emergency or the event triggering a State of War Emergency may use the price at which it usually sells the item to calculate the price increase permitted pursuant to this subdivision.

C. Hotel and Motel Rates

1. Upon the proclamation of a Declared Emergency or an event triggering a State of War Emergency, and for a period of 30 days following the proclamation of a Declared Emergency or the event that triggered a State of War Emergency, it is unlawful for an owner or operator of a hotel or motel to increase the hotel or motel's regular rates, as advertised immediately prior to the proclamation of a Declared Emergency or the event that triggered a State of War Emergency, by more than 10 percent.

2. A hotel owner or operator may increase prices in excess of the amount permitted by subsection C.1. if the owner or operator can prove that the increase in price is directly attributable to additional costs imposed on it for goods or labor used in its business, to seasonal adjustments in rates that are regularly scheduled, or to previously contracted rates.

2-4-204. Extension of Time Period During Which Prohibition is in Effect.

The provisions of this Article may be extended for additional 30-day periods by the Director of Emergency Services or the City Council, if deemed appropriate to protect public health, safety, or welfare."

Section 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of

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242-Garage Doors
244-Handyman
246-Hauling
248-Internet Services
250-Iron Work
252-Janitorial
254-Landscaping
255-Legal Services
256-Locksmith
258-Moving/Storage

LEGEND

260-Music Instruction

262-Painting
264-Pet Sitting
265-Photography
266-Plumbing
267-Piano Tuning
268-Roofing
270-Sandblasting
272-Security Services
274-Stained Glass
276-Tile
278-Tree Service
280-Tutoring
282-TV/VCR/DVD Repair
284-Video Systems
286-Windows
288-Word Processing
289-Lessons
290-Trainer

300-399 Rentals

300-House Furnished
302-House Unfurnished
304-Apartments Furnished

306-For Rent

308-Condominiums
309-Recreational For Rent
310-Rooms
312-Rentals to Share
314-Hotels/Motels
316-Garages Storage
318-Office Space
320-Commercial
322-Resort Property
325-For Lease

400-499 Real Estate

400-Homes For Sale
401-Real Estate
402-Condominiums
404-Commercial/Industrial
406-Mobile Homes
408-Income Property
410-Lots For Sale
412-Farms/Ranches
414-Resort Property
416-Lakeshore Property
418-Oceanfront Property

420-Out-of-State Property

422-Real Estate Exchange
424-Real Estate Wanted

500-599 Employment

500-Employment Opportunities
501-Help Wanted
505-Work at Home
510-Employment Agencies
515-Business Services
516-Business Opportunities
520-Jobs Wanted
521-Personal Shopper
522-Drivers

600-799 Merchandise

600-Garage Sales
610-For Sale
615-Business For Sale
700-Antiques
705-Appliances
710-Medical Supplies
715-Coins & Stamps
720-Computers
725-Furniture
726-Miscellaneous
730-Musical Instruments

735-Office Furniture

740-Television/Radio

800-899 Financial

800-Real Estate Loans
801-Financial Services
802-Money to Loan
804-Money Wanted
806-Mortgage & Trust
808-Escrows

900-999 Transportation

900-Autos For Sale
905-Trucks & Vans
910-Motorhomes/Campers
915-Motorcycles
920-Trailers
925-Classics
930-Auto Leasing
935-Aircraft
940-Boats
945-Personal Watercraft
950-Marine Supplies
955-Autos Wanted

100-ANNOUNCEMENTS

Megan's Big Cat Foundation is a non-profit organization searching for compassionate and powerful individuals interested in funding the development and construction of a state-of-the-art large cat sanctuary. This sanctuary will be a haven for exotic cats victimized by the illegal pet trade, circuses and the shameful business of "canning", where exotic cats are imprisoned, then released in enclosed grounds and hunted by persons who pay for their skins. Megan's Big Cat Sanctuary offers an end to this suffering through loving rehabilitation, long term care and housing, and education of the population to shape a future where all living beings are valued and protected. Please contact us at 310-927-3077 for more information on sponsoring this worthy cause.

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