



Beverly Hills City Council Liaison / Sunshine Task Force Committee
will conduct a Special Meeting, at the following time and place, and will address the agenda listed below:

CITY OF BEVERLY HILLS
455 N. Rexford Drive
Beverly Hills, CA 90210

TELEPHONIC VIDEO CONFERENCE MEETING

Beverly Hills Liaison Committee Meeting
<https://beverlyhills-org.zoom.us/my/committee>

Meeting ID: 516 191 2424

Passcode: 90210

You can also dial in by phone:

+1 669 900 9128 US

+1 833 548 0282 (Toll-Free)

One tap mobile

+16699009128,,5161912424# US

+18335480282,,5161912424# US (Toll-Free)

Monday, June 28, 2021

5:00 PM

Pursuant to Executive Order N-25-20, members of the Beverly Hills City Council and staff may participate in this meeting via a teleconference. In the interest of maintaining appropriate social distancing, members of the public can view this meeting through live webcast at www.beverlyhills.org/live and on BH Channel 10 or Channel 35 on Spectrum Cable, and can participate in the teleconference/video conference by using the link above. Written comments may be emailed to mayorandcitycouncil@beverlyhills.org.

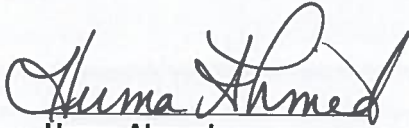
AGENDA

- 1) Public Comment
 - a) Members of the public will be given the opportunity to directly address the Committee on any item listed on the agenda.
- 2) Approval of May 24, 2021 Highlights – Attachment 1
- 3) Staff Updates
 - a) Ordinance Related to Access to Building Plans
 - b) "Save the Date" Notices
 - c) Legislative Advocate Ordinance and Revocation Ordinance Subcommittee Report
 - d) Latest on Hybrid Public Meetings
- 4) Means and Methods Plan Educational Materials
- 5) Removing "Reconsideration" Option from Commissions
- 6) Future Agenda Items
- 7) As Time Allows
 - a) Restricting "Continuances" – Attachment 2
 - b) Interested Party – Email Sign Up – Attachment 3
 - c) Time Limits for Resolution of Complaints
 - d) Limit on Contacts by Legislative Advocates
 - e) Allow Public to Observe On-Site Visits with Developers

8) Adjournment

Links to Attachments Not Associated With Any Item:

- Building Permit Report - May
- Current Development Activity Projects List
- IT Memo Regarding Improvements Generated by STF



Huma Ahmed
City Clerk

Posted: June 25, 2021

**A DETAILED LIAISON AGENDA PACKET IS AVAILABLE FOR REVIEW AT
WWW.BEVERLYHILLS.ORG**



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CITY OF BEVERLY HILLS
455 N. Rexford Drive
Beverly Hills, CA 90210
Telephonic/Video Conference

Sunshine Task Force Committee

SPECIAL MEETING HIGHLIGHTS

May 24, 2021

Pursuant to Executive Order N-25-20, members of the Beverly Hills City Council and staff may participate in this meeting via a teleconference. In the interest of maintaining appropriate social distancing, members of the public can view this meeting through live webcast at www.beverlyhills.org/live and on BH Channel 10 or Channel 35 on Spectrum Cable, and can participate in the teleconference/video conference by using the link above. Written comments may be emailed to mayorandcitycouncil@beverlyhills.org.

Date / Time: May 24, 2021 / 5:02 p.m.
Meeting called to order by Mayor Wunderlich at 5:02 p.m.

In Attendance: Mayor Robert Wunderlich, Councilmember John A. Mirisch, Chuck Aronberg, MD, Mark Elliot, Steve Mayer, Debbie Weiss, and Thomas White

City Staff: City Attorney Larry Wiener, Assistant City Manager Nancy Hunt-Coffey, Director of Community Development Ryan Gohlich, Chief Information Officer David Schirmer, and Assistant City Clerk Lourdes Sy-Rodriguez

- 1) Public Comment
Members of the public will be given the opportunity to directly address the Committee on any item listed on the agenda.

None

- 2) Approval of April 26, 2021 Highlights

*Moved by Thomas White
Seconded by Chuck Aronberg, MD
Committee approved the April 26, 2021 Highlights*

- 3) Draft Legislative Advocate Ordinance – Selecting Members to Represent the Sunshine Task Force and Legislative Advocates

Assistant City Manager Nancy Hunt-Coffey spoke about the proposed plan to have the two Subcommittees each with three members: Sunshine Task Force Subcommittee led by Thomas White and Legislative Advocate Subcommittee led by Murray Fischer, meet and talk about the proposed changes to the ordinance.

Thomas White suggested that the Sunshine Task Force Subcommittee members include himself, Fred Fenster, and Ron Richards, while the Legislative Advocate Subcommittee be represented by Murray Fischer, Thomas Levyn and Spencer Kallick. Debbie Weiss requested that the Sunshine Task Force Subcommittee members talk to her about concerns and changes that she originally raised which was the reason the issues were brought up regarding both the legislative advocate ordinance and revocation ordinance.

Moved by Thomas White

Seconded by Steve Mayer

Committee approved the following members to the Subcommittees: Sunshine Task Force – Thomas White, Fred Fenster, and Ron Richards; Legislative Advocates – Murray Fischer, Thomas Levyn and Spencer Kallick

4) Staff Updates

Assistant City Manager Nancy Hunt-Coffey provided updates on: 1) adding future agenda items to the upcoming liaison and Ad Hoc agendas as suggested by Mayor Wunderlich, and 2) save-the-date notices for future meetings beginning next week.

5) Future Agenda Items

Mark Elliot suggested the Means and Methods plan as an item for discussion, specifically notification to all tenants of the requirements and improvements to make the process better.

6) Removing “Reconsideration” Option from Commissions

Steve Mayer provided background information on the item and proposed changes based on the City of Mt. Shasta’s procedures, to Section 12d of the Rules of Procedure for the City’s Commissions. Director of Community Development Ryan Gohlich announced that there will be a Planning Commission Council liaison meeting with Vice Mayor Bosse and Councilmember Friedman scheduled Wednesday this week at 5:00 p.m. where the project reconsideration will be on the agenda for discussion. He clarified that when the Planning Commission reviewed the project, the proper rules of procedure were followed based on Robert’s Rules of Procedure which allowed for reconsideration at the same meeting. He further explained that the Commission voted to continue the item to the next meeting with a new notice. City Attorney Larry Wiener spoke about the State requirement of five hearings for multi-family projects. Thomas White suggested having proper public noticing/disclosure and all communications being on the record. Mayor Wunderlich suggested giving City Attorney Wiener more time to think about the unintended consequences and try to finalize this item at the next Sunshine Task Force Committee meeting.

7) Restricting “Continuances”

This item was not discussed.

8) As Time Allows

- a) Interested Party – Email Sign Up
- b) Time Limits for Resolution of Complaints
- c) Limit on Contacts by Legislative Advocates
- d) Allowing Public to Observe On-Site Visits with Developers

This item was not discussed

9) Adjournment

Date/Time: May 24, 2021 / 6:07 p.m.

TO: **SUNSHINE TASK FORCE COMMITTEE MEMBERS**
FROM: **STEVE MAYER**
DATE: **JUNE 24, 2021**
RE: **RESTRICTING CONTINUANCES**

Proposal

Introduce wording to the “Rules of Procedure For The City’s Commissions” to govern when a “continuance” can be granted.

Background

On March 11th, a Planning Commission public hearing was held on whether to approve or deny a proposed project at 331 North Oakhurst.

The Planning Commission unanimously voted to deny a project.

Twenty-one minutes later, after a recess, ***after the public had left***, the Planning Commission reversed its vote, at the request of the Developer.

Then, it separately ***voted to continue the public hearing*** to a “date uncertain” to allow the Developer to submit yet another revised design, ***for a 7th time (and an 8th public hearing)***.

Usually, there is no fee charged to the Developer, for a continuance. If there is any cost, it is comparatively minor.

Proposed Additions

It is proposed adding to the “Rules Of Procedure For The City’s Commissions” (and/or the BHMC) definitions as well as conditions as to when “Continuances” can be granted.

The types of continuances would be defined as:

- ▶ “Administrative Continuance”
- ▶ “Minor Design Change Continuance”
- ▶ “Major Design Change Continuance”

In addition, there would be a section **defining additional costs to an Developer asking for a “Major Design Change Continuance.”**

What Is A “Continuance”?

A “Continuance” is not defined within the “*Resolution of the Council of the City of Beverly Hills Establishing Rules of Procedure For The City’s Commissions.*”

Such “Rules” were adopted on January 9, 2020, as part of a change to Beverly Hills Municipal Code 2-2-107A.

In practice, there are three types of “Continuances”:

Administrative Continuance

At the Planning Commission level, a public hearing may be “continued” to allow Staff to prepare a Resolution which reflects the Commission direction.

Such a continuance could be defined as an “Administrative Continuance.”

Minor Design Change Continuance

At the Planning, Architectural, and Design Review Commissions it is not uncommon for the Commissioners to ask for comparatively minor changes.

In such cases, the Developer returns with the revised plans, and the Commission renders its final decision.

An example of a “Minor Design Change” for the Planning Commission would be when an Applicant changed the way dirt was reallocated on the property, so as to reduce external hauling.

“Major Design Change Continuance”

What is not uncommon at the Planning Commission, during a Public Hearing on a specific project, for a Developer to request a continuance to submit a completely changed design (if the Developer believes the project will be rejected).

The Planning Commissioners then vote to continue the public hearing on the *original* application until a date uncertain.

It typically takes six to twelve months for the “continued” hearing to take place, and the new design to be presented.

Often, another hearing is required for the Developer to provide even further “refinements”

What Is The Cost A “Major Design Change Continuance”?

The City

In the case of the March 11th hearing Applicant, who had submitted 6 previous designs (and had 7 public hearings), the cost to the City was in the range of \$250,000 to \$300,000 in unbilled costs.

Who Is Hurt By A “Major Design Change Continuance”?

The Neighborhood

It is not uncommon for a group of neighborhood residents to spend 100 to 200 hours preparing for the first public hearing.

The preparation time for a “continued public hearing” for a major redesign can actually involve more time.

In addition, it is not uncommon for the neighborhood residents to pay professionals to gain a greater understanding about the revised Application.

It is unfair to the residents to have to return again and again to preserve their neighborhoods and quality of life.

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What Is The Way To Curb A “Major Design Change Continuance”?

There should be an incentive to a Developer to “get it right the first time.”

If the Developer asks for a “Major Design Change Continuance,” it is proposed that the Developer pay a special “continuance” fee. That fee should be substantially more than the original application fee.

TO: **SUNSHINE TASK FORCE COMMITTEE MEMBERS**
FROM: **STEVE MAYER**
DATE: **JUNE 24, 2021**
RE: **INTERESTED PARTY - EMAIL SIGN UP**

Proposal

Allow property owners to sign-up to receive email notices of the filing of permits and/or applications within a specific radius of their property.

The origin of this suggestion is from Lionel Ephraim who proposed the concept to the Sunshine Task Force several years ago, but there is no record of implementation.

Background

Currently, within the Planning Division, “**Interested Parties**” are notified by email of public hearings

Separately, the City’s “**Online Business Center**” allows contractors and property owners to receive notices of permit filings and inspections under “My Permits.”

Last, within the City’s **Open Data**, there is the technological capability of generating a map of all permits / applications with a defined geographic area around the property owner’s Assessor Parcel Number (APN).

Technically, the City has the ability to “push” new filings of permits and/or applications to anyone who requests such information by email.