



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, July 26, 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.

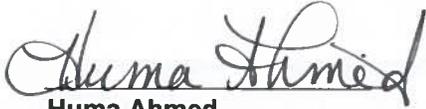
AGENDA

- 1) Public Comment
 - a) Members of the public will be given the opportunity to directly address the Committee on any item not listed on the agenda.
- 2) Approval of June 28, 2021 Highlights – Attachment 1
- 3) Staff Updates
- 4) Future Agenda Items
- 5) Means and Methods Plan Educational Materials – Attachment 2
- 6) R-1 Applications – Nearby Resident Expert Report Costs – Attachment 3
- 7) Establishing Subcommittee for City Website Periodic Review – Attachment 4
- 8) As Time Allows
 - a) Restricting “Continuances” – Attachment 5
 - b) Interested Party – Email Sign Up – Attachment 6
 - c) Time Limits for Resolution of Complaints
 - d) Limit on Contacts by Legislative Advocates
 - e) Allow Public to Observe On-Site Visits with Developers

9) Adjournment

Links to Attachments Not Associated With Any Item:

- Building Permit Report - June
- Current Development Activity Projects List
- Mayor's Cabinet Meeting Highlights – July 12, 2021



Huma Ahmed
City Clerk

Posted: July 23, 2021

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



Pursuant to the Americans with Disabilities Act, the City of Beverly Hills will make reasonable efforts to accommodate persons with disabilities. If you require special assistance, please call (310) 285-1014 (voice) or (310) 285-6881 (TTY). Providing at least forty-eight (48) hours advance notice will help to ensure availability of services.



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

Sunshine Task Force Committee

SPECIAL MEETING HIGHLIGHTS

June 28, 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: June 28, 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, Bianca Heyward, 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, Director of Public Works Shana Epstein, 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.

Mark Elliot commented on the previous City Council meeting discussions regarding the City Auditor. Steve Mayer commented on his conversations with the City Auditor. Debbie Weiss made suggestions on the Public Comment language. Thomas White expressed his support for Mr. Elliot's comment.

2) Approval of May 24, 2021 Highlights

Moved by Thomas White

Seconded by Chuck Aronberg, MD

Committee approved the May 24, 2021 Highlights

3) Staff Updates

a) Ordinance Related to Access to Building Plans

City Attorney Larry Wiener reported that the ordinance has been drafted and suggested that this item be agendaized for the next meeting.

b) "Save the Date" Notices

Assistant City Manager Nancy Hunt Coffey reported that staff has started sending "Save the Date" notices for City public meetings prior to sending the agenda.

c) Legislative Advocate Ordinance and Revocation Ordinance Subcommittee Report

Assistant City Manager Nancy Hunt-Coffey reported that the Subcommittee meeting has been set up and in preparation, she had a meeting with Thomas White and Tom Levyn to discuss the goals and topics for the meeting. Mr. White summarized what was discussed at the meeting. He spoke about the proposed onsite workshop at the City Clerk's Office to walk through the process of reviewing legislative advocate registrations to be scheduled around September. Ms. Hunt-Coffey stated that the workshop will be held at the Municipal Gallery.

Mr. White also clarified that the revocation ordinance is a land use matter and suggested that it be reviewed by the legislative advocates Subcommittee before being amended. Steve Mayer suggested that the revocation ordinance be sent back to the original Subcommittee for further review. City Attorney Larry Wiener suggested that the Sunshine Task Force Committee members also join the Subcommittee meeting to provide their comments so that revisions from both groups can be made prior to presentation to City Council.

d) Latest on Hybrid Public Meetings

Assistant City Manager Nancy Hunt-Coffey reported that the July 15, 2021 City Council meeting will be a hybrid in-person and remote meeting. Unvaccinated people will be required to wear masks but people will not be required to show proof of vaccination. She also reported that staff will be polling Commissioners on their willingness to return to in-person Commission meetings. City Attorney Larry Wiener confirmed that the Governor's Executive Order allowing City Council meetings to be held remotely is set to expire on September 30, 2021.

4) Means and Methods Plan Educational Materials

Director of Community Development Ryan Gohlich reported that the materials will be ready for dissemination to tenants next week. Mark Elliot recommended that there should be both tenant education and process improvement. Thomas White suggested that the Community Development Department gather and streamline available information into one page detailing important project information such as status of conditional use permits, contact information to report violations, and other data. Assistant City Manager Nancy Hunt-Coffey provided an update on the recruitment for two members on the Rent Stabilization Commission (RSC), which was hoped to provide guidance on the issues. Mr. Gohlich stated that he can make a presentation of the materials at the next Sunshine Task Force Committee meeting. Mayor Wunderlich asked Mr. Gohlich to make the presentation at the next meeting so that the Committee can provide input.

5) Removing "Reconsideration" Option from Commissions

Assistant City Manager Nancy Hunt-Coffey recapped what was discussed and agreed upon at the last meeting. Steve Mayer stated that he and other Committee members have submitted suggested language changes on the Municipal Code and offered to work with City Attorney Larry Wiener on it.

6) Future Agenda Items

Debbie Weiss suggested adding language in the Municipal Code providing residents a reimbursement for their expenses by the applicant in cases wherein the applicant is seeking R-1 accommodations. Councilmember Mirisch suggested for a third party ("neutral") be hired to do the reports to be paid for by the applicant. Mark Elliot suggested creating a Subcommittee to make recommendations on how to improve and fix the City's website's broken links, broken document search tool, be more navigable and other issues.

- 7) As Time Allows
 - a) Restricting “Continuances”
 - b) Interested Party – Email Sign Up
 - c) Time Limits for Resolution of Complaints
 - d) Limit on Contacts by Legislative Advocates
 - e) Allow Public to Observe On-Site Visits with Developers

This item was not discussed

- 8) Adjournment
Date/Time: June 28, 2021 / 6:00 p.m.

MEANS AND METHOD PLAN FOR TENANT PROTECTION DURING CONSTRUCTION

Beverly Hills Municipal Code § 9-1-108 (L)

When applying for a permit to alter, repair, or rehabilitate any structure that contains one or more dwelling units, the applicant shall indicate on a form furnished by the city building official whether the property is occupied by tenants.

If the property is tenant occupied and, as determined by the building official, the construction work could impact the habitability of any unit on the property, prior to obtaining a permit, the applicant shall submit a construction means and method plan to the city building official which contains the information required by this section. The construction could impact unit habitability if any of the following conditions may exist at the property for a period exceeding one working day:

- Inadequate sanitation including, but not limited to, the following:
 1. Lack of, or improper water closet, lavatory, or bathtub or shower,
 2. Lack of, or improper kitchen sink,
 3. Lack of hot and cold running water to plumbing fixtures,
 4. Lack of adequate heating,
 5. Lack of, or improper operation of required ventilating equipment,
 6. Lack of minimum amounts of natural light and ventilation required by the building code of the city of Beverly Hills,
 7. Lack of required electrical lighting,
 8. Dampness of habitable rooms,
 9. Lack of connection to required sewage disposal system.
- Structural hazards including, but not limited to, the following:
 1. Deteriorated or inadequate foundations
 2. Defective or deteriorated flooring or floor supports,
 3. Any of the following structural features that are of insufficient size to carry imposed loads with safety: flooring or floor supports, members of walls, partitions, or other vertical supports, members of ceiling, roofs, ceiling and roof supports, or other horizontal members.
- Wiring, plumbing, or electrical equipment that will no longer conform with all applicable laws in effect at the time of installation.
- Faulty weather protection, including, but not limited to, the following: ineffective waterproofing of exterior walls, roof, foundations, or floors, including broken windows or doors.
- The building, premises, or portion thereof, device, apparatus, equipment, combustible waste, or vegetation is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.
- The building or portion thereof is an unsafe building as defined by the building code of the city of Beverly Hills.
- The building, premises or portions thereof is not provided with adequate exit facilities as required by the building code and fire code of the city of Beverly Hills.
- The building or portions thereof is not provided with the fire resistive construction or fire extinguishing systems or equipment required by the building code of the city of Beverly Hills

and the fire code of the city of Beverly Hills.

No permit shall be issued until a satisfactory means and method plan is approved by the city building official, if required.

If a construction means and method plan was not required prior to permit issuance, the city building official shall require a construction means and method plan be submitted after work commences if the city building official determines that the work could impact the habitability of any unit on the property given the manner in which the construction is being undertaken. If the city building official requires a construction means and method plan, the requirements of this section shall also apply. The city building official may stop construction until all applicable requirements of this chapter have been met.

Tenant Noticing Requirement

BHMC 9-1-108 (O)

Before a permit can be issued for the alteration/repair/rehabilitation of a building which required an applicant to prepare a construction means and method plan pursuant to this code, the applicant must certify that **all tenants of the property will receive the information required, in a form approved by the city, within ten (10) days following the issuance of the permit and that no work will commence under the permit until ten days after all tenants are notified.** This notice shall either be hand delivered to each tenant of the property or sent by certified mail, return receipt requested. **This form must be returned to the RSO Office with the Declaration of Proof of Service at least 24 hours from the date of service.** The notice required of this section shall contain the following information:

- A. A detailed description of the nature and type of construction activity that will be undertaken.
- B. Information regarding the scheduling of construction and the periods in which services such as laundry, parking, elevators, water, and power, will be unavailable.
- C. A statement that the construction being undertaken at the property will not terminate the tenant's tenancy.
- D. A statement informing the tenants of their right to seek mitigation from the property owner for nuisance conditions at the property, including, but not limited to, noise, dust, vibrations, utility shutoffs and other construction impacts. Mitigation measures may include, but are not limited to, temporary rent reductions, quiet office space for tenants working at home and temporary accommodations.
- E. A statement informing tenants of their right to review and receive free copies of the owner's construction means and method plan.
- F. A statement informing tenants of their right to review and receive free copies of the owner's relocation plan if such plan was required.
- G. Information explaining how to contact the project applicant, including the designation of a project manager responsible for responding to tenant inquiries, complaints, and requests for mitigation of nuisance conditions.
- H. A statement informing tenants that they should immediately contact the city's building and safety division regarding any conditions at the property which they consider to be unsafe, in violation of the city's technical codes, or in violation of the applicant's construction means and method plan.
- I. For construction projects that exceed thirty (30) days in duration as measured from the date that construction commences, the applicant shall also inform the tenants that the applicant will provide twice monthly notices to the tenants regarding the progress of construction and will schedule monthly meetings to address the construction progress and obtain tenant input and feedback regarding the construction.
- J. Any other information that the city building official determines is necessary due to the unique circumstances of the construction work.

In addition to the information required of this section, the tenant notification shall provide the following information if the project will require the temporary relocation of tenants:

- K. A statement that the construction activity may require displacement, but that to the greatest extent practicable, no tenant lawfully occupying the property will be required to move without at least thirty (30) days' written notice from the owner.

Notice to Tenant of Means and Method Plan

Contents as required by BHMC 9-1-108 (O)

Before a permit can be issued for the alteration/repair/rehabilitation of a building which required an applicant to prepare a construction means and method plan pursuant to this code, the applicant must certify that **all tenants of the property will receive the information required, in a form approved by the city, within ten (10) days following the issuance of the permit** and that **no work will commence under the permit until ten (10) days after all tenants are notified.** This notice shall either be hand delivered to each tenant of the property or sent by certified mail, return receipt requested. **This form must be returned to the RSO office with the Declaration of Proof of Service at least 24 hours from the date of service.**

Date of Notice: _____

A detailed description of the nature and type of construction activity that will be undertaken:

Estimated duration of work: Start Date: _____ End Date: _____

Date and time periods in which services such as laundry, parking, elevators, water, and power will be unavailable:

Please contact the following project manager or property owner for tenant inquiries, complaints, and requests for mitigation of nuisance conditions:

Any other information that the City Building Official determines is necessary due to the unique circumstances of the construction work:

Please be informed of the following:

- The construction being undertaken at the property will not terminate the tenant's tenancy.
- You have the right to seek mitigation from the property owner for nuisance conditions at the property, including, but not limited to noise, dust, vibrations, utility shut offs, and other construction impacts. Mitigation measures may include, but are not limited to, temporary rent reductions, quiet office space for tenants working at home, and temporary accommodations.
- You have the right to review and receive free copies of the owner's construction means and method plan.
- If relocation is required, you have the right to review and receive free copies of the owner's relocation plan.
- The tenant notification must include a statement that the construction activity may require displacement, but that to the greatest extent practicable, no tenant lawfully occupying the property will be required to move without at least thirty (30) days' written notice from the owner.
- If you consider conditions at the property to be unsafe, in violation of the City's Technical Codes, or in violation of the applicant's construction means and method plan, please contact Building and Safety at (310) 285-1141.
- If the construction project exceeds thirty days in duration, as measured from the date that construction commences, the applicant will provide twice-monthly notices to the tenants regarding the progress of construction and will schedule monthly meetings to address the construction progress and obtain tenant input and feedback regarding the construction.
- The construction activity may require displacement, but that to the greatest extent practicable, no tenant lawfully occupying the property will be required to move without at least thirty (30) days written notice from the owner.
- **Emergency Repairs:** Where equipment replacement and repairs must be performed in an emergency, a complete permit application shall be submitted within the next working business day to the building official.
- **Security.** Before receiving a permit for a project which requires an applicant to prepare a construction means and method plan, the applicant shall furnish security to the City sufficient to ensure the timely and faithful performance of all work included within the scope of the permit and the payment of all relocation assistance necessitated by the temporary displacement of the tenants, if any. The City Building Official may exempt a project from the security requirements if the City Building Official determines such security is unnecessary based on an analysis of the following factors: size of project, duration of project, potential for impact on tenant safety, and invasiveness of project. If required, a Cash Bonds are acceptable forms of security. (BHMC 9-1-108 Section (P))
- **General.** No person shall erect, construct, enlarge, alter, repair, move, improve, remove, sandblast, or convert the use of any building, structure or building service equipment regulated by this code without complying with all conditions of any required construction means and methods plan. (BHMC 9-1-108 Section (Q)(a))
- **Owner's Responsibility.** The property owner shall remain responsible for any violation of the construction means and method plan regardless of the responsibility of any other person for the violation or any contract or agreement the owner entered into with a third party concerning the owner's property or the construction that necessitated the preparation of the means and method plan. (BHMC 9-1-108 Section (Q)(b))

DECLARATION OF SERVICE

I, have properly served to all affected tenants at the property _____
copy of the **1) Notice to Tenant of Means and Method Plan (Notice), 2) the Means and Method Plan and 3) the Relocation Plan**, if temporary relocation is required, either by hand delivery to each tenant of the property or sent by certified mail, return receipt requested (check one method and complete):

Personal Service

Date Served	Time Served
Name of Process Server	Location

Substitute Service

Date Served	Time Served
Name of Process Server	Location
Name of Person Served	

Posted On

Date Served	Time Served
Name of Process Server	Location
Mailed Date	Person Who Mailed Notice

I am (select one): **Owner** **Authorized Agent for the Owner of the Above Property**

I certify this service is at least 10 days prior to the commencement of any proposed construction work. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Print Name

Signature

Date



Rent Stabilization Division
 455 N. Rexford Dr., Room 200
 Beverly Hills, CA 90210
 Tel: (310) 285-1031
 Email: bhrent@beverlyhills.org

Means and Method Plan

BHMC 9-1-108 (M) requires the following information. If you need more space than what is provided you may include attachments.

Basic Information

Who is filling out this form? <input type="checkbox"/> Owner <input type="checkbox"/> Manager <input type="checkbox"/> Contractor <input type="checkbox"/> Other:			
Unit is a condominium: <input type="checkbox"/> Yes <input type="checkbox"/> No			
<input type="checkbox"/> Initial Plan <input type="checkbox"/> Revised Plan		Submittal Date:	If a revised plan, date of original plan:
Property Address:		Unit(s) Impacted:	
APN #:	Year Built:	# Total Units:	# Occupied Units:
Owner:		Phone:	
Responsible Person:		Phone:	
Contractor:		Phone:	
Contractor License #:		Hazardous Abatement Required:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Hazardous Abatement Contractor:		Phone:	
Work will occur in (check all that apply): <input type="checkbox"/> Occupied unit(s) <input type="checkbox"/> Vacant Unit(s) <input type="checkbox"/> Common Area			
Estimated Duration of Work:		Start Date:	End Date:

Describe the construction process in detail, organized sequentially:

Seismic Supplement

Are you doing seismic retrofit work? Yes No

If "Yes", please describe the seismic work to be done:

Estimated Cost of Seismic Retrofit Work: \$ _____

Impact on Tenants

Will the work affect occupied units? Yes No

If "Yes", please check all that apply and describe mitigation.

Hazards

	Units Affected	Date/Time Start/End	Mitigation
<input type="checkbox"/> Dust			<input type="checkbox"/> Close windows/doors <input type="checkbox"/> Vacuum <input type="checkbox"/> Sweeping Compound <input type="checkbox"/> Air Scrubbers <input type="checkbox"/> Air Scrubbers down areas <input type="checkbox"/> Water <input type="checkbox"/> Cover HVAC registers with filters <input type="checkbox"/> Install plastic <input type="checkbox"/> Other (Describe):
<input type="checkbox"/> Noise			<input type="checkbox"/> Further restrict hours of use <input type="checkbox"/> Inform tenants of excessive noise <input type="checkbox"/> Close windows/doors <input type="checkbox"/> Other (Describe):
<input type="checkbox"/> Hazardous Material			
<input type="checkbox"/> Other			

Basic Services

	Units Affected	Date/Time Start/End	Mitigation
<input type="checkbox"/> Electricity Shut Off			
<input type="checkbox"/> Water Shut Off			
<input type="checkbox"/> Gas Shut Off			
<input type="checkbox"/> Inoperable Toilet			
<input type="checkbox"/> Inoperable tub/shower			
<input type="checkbox"/> Inoperable kitchen sink			
<input type="checkbox"/> Lack of hot or cold water			
<input type="checkbox"/> Inoperable heater			
<input type="checkbox"/> Disruption to sewage disposal system			
<input type="checkbox"/> Blocked or temporary removal of windows			
<input type="checkbox"/> Impact on ventilation			

	Units Affected	Date/Time Start/End	Mitigation
<input type="checkbox"/> Work in common areas			
<input type="checkbox"/> Egress			
<input type="checkbox"/> Privacy			
<input type="checkbox"/> Storing construction materials on site			
<input type="checkbox"/> Use of crane			
<input type="checkbox"/> Sandblasting interior or exterior walls			
<input type="checkbox"/> Loss of reduction of elevator service			
<input type="checkbox"/> Loss of security (gates, doors, fencing)			
<input type="checkbox"/> Fire Safety Interruption			
<input type="checkbox"/> Other:			

Loss of Amenities

	Units Affected	Date/Time Start/End	Mitigation
<input type="checkbox"/> Parking			
<input type="checkbox"/> Laundry			
<input type="checkbox"/> On-Site Storage			
<input type="checkbox"/> Removing tenants possessions from common areas			
<input type="checkbox"/> Pool, Playground, etc.			
<input type="checkbox"/> Pet Accommodation			
<input type="checkbox"/> Other			

I declare under penalty of perjury under the laws of State of California that the foregoing is true and correct.

Print Name

Signature

Date



Rent Stabilization Division
 455 N. Rexford Dr., Room 200
 Beverly Hills, CA 90210
 Tel: (310) 285-1031
 Email: bhrent@beverlyhills.org

Relocation Plan

Required by BHMC 9-1-108 (N)

If the construction means and method plan demonstrates, as determined by the building official, that the work being performed on the property may require that tenants be **temporarily relocated**, the applicant shall also prepare and submit a relocation plan for city approval prior to issuance of a permit. The relocation plan must show fair and reasonable relocation benefits provided to all displaced tenants. Notice of the relocation assistance and benefits to be provided and timing of displacement will be provided to all tenants who will be displaced. Tenant notification must include a statement that the construction activity may require displacement, but that to the greatest extent practicable, no tenant lawfully occupying the property will be required to move without at least thirty (30) days' written notice from the owner.

No Relocation Required (check one):

- | | | |
|---|---|---|
| <input type="checkbox"/> Work will not create untenable conditions and tenant will remain in place. | <input type="checkbox"/> Unit will be returned to habitable condition outside of 8 A.M. – 5 P.M. and tenants will not be exposed to hazardous material at any time. | <input type="checkbox"/> Work will not create untenable conditions and tenant will remain in place. |
|---|---|---|

Lost Amenity	Compensation
<input type="checkbox"/> No amenities lost	n/a
<input type="checkbox"/> Parking	
<input type="checkbox"/> Laundry	
<input type="checkbox"/> On-site storage	
<input type="checkbox"/> Removing possessions from common area	
<input type="checkbox"/> Egress	
<input type="checkbox"/> Cooking Facilities	
<input type="checkbox"/> Pet Accommodation	
<input type="checkbox"/> Pool/Playground	

See next page if relocation is required.

Relocation Required:

Check one:

- Tenants will be relocated to a comparable unit for less than 30 days.
- Tenants will be relocated from 2 to 30 days.

Check one:

- Same Building Another Building Hotel/Motel Per Diem Other: _____

Check one:

- I am attaching a mutual agreement between the landlord and tenant.
- I am including a reasonable relocation plan (please fill out below):

Start of relocation: _____ End of relocation _____ Distance (mi.): _____

Relocation facilities in Beverly Hills:

Please describe moving costs covered by the landlord:

\$ _____

\$ _____

\$ _____

Personal Property

- Work areas must be cleared of furnishings or other property. If checked, please describe:

- Tenant furnishings and other property will be exposed to theft, elements, or other hazards. If checked, please describe mitigation measures:

- Other impacts to personal property. Please describe:

Certification (check all even if tenant remains in place):

- I certify storage facilities required to temporarily store tenant's personal belongings during the period of construction will be provided by landlord. For the security of personal belongings, storage shall be independent from other relocated tenant's property.
- In the event a tenant is relocated, I certify the above facilities provide accommodations equal to the tenant's regular housing. This includes but is not limited to, laundry facilities, exercise facilities, balconies, kitchens, pet housing/care, and parking.
- I certify the construction being undertaken at the property will not terminate the tenant's tenancy.
- I certify that notice of relocation assistance and benefits and the timing of the displacement will be provided to all tenants who will be displaced.
- I declare under penalty of perjury under the laws of State of California that the foregoing is true and correct.

Print Name

Signature

Date

R-1 applications- Nearby Resident Expert Report Costs

Dear Sunshine Task Force,

I suggested this item as I am struck by how unfair it is that when an Applicant is applying for an R-1 permit, i.e. to receive "extra" than they are allowed by code, residents often have to hire experts at their own great personal expense to try to understand the impacts of the proposed project upon them.

The goal of the Applicant team is to get the project approved as is, and it is not in their best interests to bring to the Planning Commission's attention any impacts that would be brought upon the neighbors. And as Staff rarely visits the neighboring projects, they often only have the Applicant Team's representations to rely upon. Many of these are not even verified by Staff- Staff have told me that they often "rely on the applicant's word for it" and as we have seen, this can result in a downplaying, or omission of, the impacts on the neighbors in the Staff Reports and hearing presentations.

Thus, the burden falls squarely on the shoulders of the nearby residents to locate and hire experts who can help them assess the impacts upon their homes. The cost of hiring these experts is usually thousands of dollars, and can sometimes be hundreds of thousands. Residents often need to hire architects, lawyers, geologists, arborists, etc. And what about the people who cannot afford these costs? They are at a great disadvantage, which will likely result in the Applicant team prevailing.

My suggestion is that perhaps the Applicant team can finance the hiring of experts for the affected neighbors (up to a certain amount and only for certain permits) as this burden has 100% occurred because the Applicant is looking to receive more than they are allowed for by code. Council Member Mirisch had suggested something in the way of independent experts being used, and that should be included in the discussion as well please.

ATTACHMENT 4

To: Sunshine Task Force
From: Mark Elliot
Re: STF subcommittees to review & prioritize improvements to communications platforms & tools

I propose that the Sunshine Task Force create a communications subcommittee to review existing means of communication between city hall and the public.

A subcommittee may be the appropriate vehicle to identify issues that need attention, coordinate with staff on implementation, and then bring the plan to STF for discussion and concurrence. The imperative is to establish a map for improvement going forward while economizing where it comes to staff resources.

I propose to prioritize platforms and features with the broadest public reach and then narrow the review focus to special- purpose tools or other resources. For example:

City website (exclusive of design): improve discoverability & navigability, attach metadata (description, shareable image) to primary & secondary level pages, and make all pages accessible for sight-impaired users.

City e-notice: standardize emails where possible for consistency and information value, evaluate e-notice sign-up function, and make 'My Beverly Hills' accounts tools user-friendly.

Granicus: work-up a bug report for both desktop and mobile platforms; - Comcate: optimize the client side of this citizen engagement platform to the extent possible.

City Records Search: make it Boolean-operator friendly and fix sorting & associated problems.

City Smart: add sort/search capability, available permits.

However STF chooses to prioritize the issues, an implementation program and timeline should be agreed so that initiative can come back to STF monthly for a brief progress update (~1-3 mins).

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.

Sunshine Task Force Committee
Restricting Continuances
June 24, 2021
Page 4.

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.