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Issue 1082 • June 25 - July 1, 2020





## WHAT'S ON YOUR MIND?

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# letters & email

## “Mixed Use Ordinance Considered By Planning Commission” [Issue #1081]

I am a 42-year resident of Beverly Hills that is committed to the future of our City. I sincerely appreciate the City taking the initiative to rezone certain areas of our City for mixed-use projects. I strongly support the rezoning. It will stimulate new capital investment in Beverly Hills and provide opportunities for another generation to thrive in this beautiful city.

As an owner of several properties within Beverly Hills, I want to see what is best for not just my properties but our entire City. Therefore, I am writing to respectfully make some suggestions to strengthen the draft ordinances.

### A. Include South Lasky Drive Up To Charleville

South Lasky Drive between South Santa Monica and Charleville should be included within the mixed-use overlay zone. Currently, only a few parcels along Lasky made the cut, however this block is the perfect place for a mixed-use project.

South Lasky Drive is walkable. It is near

the Triangle and adjacent to great shops and restaurants. It has a smooth transition to nearby multi-family buildings. Right now, there are a number of underutilized two story-buildings, a small hotel, and a number of underutilized surface parking lots. This area could be reinvigorated with new mixed-use projects in close proximity to the core of our City.

While I own the property at 152-160 South Lasky Drive, I am confident that the other property owners along South Lasky Drive would want to have the ability to bring this block back to life in a way that is in keeping with the surrounding neighborhood and is something that will make our City proud.

Doing so would allow the City to achieve many of its important General Plan goals and objectives. For instance, General Plan Land Use Element Goal 2 encourages:

“A built environment that is distinguished by its high level of site planning, architecture, landscape design, and sensitivity to its natural setting and history.”

Similarly, General Plan Land Use Element Goal 5 seek to provide:

“Neighborhoods that in the aggregate provide a variety of housing types, densities, forms and designs and a mix of uses and services that support the needs of residents.”

There is no better way to do this than to encourage mixed-use projects along South Lasky Drive. Currently, the draft ordinances include a few parcels along

South Lasky Drive. However, I respectfully request that the draft ordinances be amended to include the entire east side of South Lasky Drive.

### B. Pilot A Few Streets Within The Triangle

The Triangle is the heart of our City. The economic effects of the Covid-19 pandemic are visible in the Triangle, where ground floor retail and restaurants have suffered greatly. These unfortunate circumstances were layered onto the already increased levels of retail and restaurant vacancies within the area. Allowing mixed use zoning will assist in maintaining the prominence of the Triangle.

I love this City and do not want to see it all change overnight. I understand there have been some similar concerns raised by others. Therefore, I propose we take an intermediate step. Rezone a small portion of the Triangle, as a pilot. I suggest starting with streets like North Roxbury Drive, North Bedford Drive and North Camden Drive between Wilshire and South Santa Monica.

Rezoning these three streets will not impact any single-family or multi-family residential uses. When housing is eventually built there, those residents who move in, will not be impacted by neighboring commercial uses. Better yet, they will move to these new units exactly because they want to be within our Triangle. These residents would be keen on

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## SNAPSHOT



### FARMERS' MARKET FUN CIVIC CENTER DRIVE

The Beverly Hills Farmers' Market reopened last Sunday, after being closed for several months due to the pandemic. Mayor Lester Friedman, pictured above, was at the market shopping from vendors.



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OUR DATA SPEAKS VOLUMES



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dining and shopping just steps from their home, thus making the streets come alive and contribute to the Triangle's vibrancy. Thus, I encourage you to add North Roxbury Drive, North Bedford Drive and North Camden Drive.

### C. Moderate Height & Density Is The Right Move

We are a City like no other. That is why it make sense to ensure that the future of what we build is in keeping with our existing built environment while allowing for small pockets of moderate density.

Many people view height as something to be feared. Rather, the height of a building allows for world renowned architecture to shine. If Beverly Hills wants iconic architecture from master architects, it should allow additional height up to 8 stories for mixed-use projects.

Allowing this additional height does not guarantee that all buildings will be 8 stories. Typically anything over 5 stories requires a different means of construction which can make it exceptionally more expensive to build. Yet, we should encourage property owners to spend that additional money and build one-of-a-kind structures that will last for generations. This is especially relevant for the properties that do not abut single-family or multi-family residential. As such, I recommend that the draft ordinances be amended to permit up to 8 stories in these areas.

In addition, everyone has a different idea of the right density mix. I would recommend that the draft ordinances allow for a bit more moderate density. The draft ordinances currently allow 1 dwelling unit per 550 square feet of lot area. This number should be reduced to 1 dwelling unit per 400 square feet of lot area.

This tweak will have a very minimal impact on projects. For instance, along South Beverly Drive the average lot is 6,000 square feet. At the ordinances proposed density, this would only permit approximately 11 dwelling units. If amended to 400 square feet, this would permit approximately 15 dwelling units. This is only a difference of 4 units, but it has a very positive outcome. This will allow for a bit of flexibility while also going further to address Beverly Hills' housing needs, especially affordable housing. This change would also put Beverly Hills within the sweet spot of density in comparison to other surrounding cities.

As a deep-rooted member of this community, I am committed to helping Beverly Hills thrive.

The mixed-use overlay zone is a great step forward for this City. To make sure Beverly Hills is putting its best foot forward, I respectfully request that you consider making the changes I've suggested in this letter. I am grateful and sincerely appreciate your service to our City.

**Sam Hakim**  
Beverly Hills

*Editor's Note: The Planning Commission approved recommending the Mixed Use Ordinance draft to the City Council in a special meeting Friday. See the Weekly's article on page 7.*

At its June 19 Planning Commission meeting, the planning commissioners voted to adopt a resolution to recommend to the city council, an ordinance creating a mixed use overlay zone for long stretches of Wilshire and Olympic, and all of Robertson and La Cienega, etc. Their unsupported claimed reasoning for taking this rushed action in the middle of a pandemic, when residents could not attend the meeting, was that if such an ordinance were not immediately passed, the state would take over our city planning.

Ironically, the unnecessary mixed use ordinance they approved actually enables the State Density Bonus Program to supersede our city planning standards, and mandates that cities allow much taller developments with inadequate or no parking, and lower building standards, once commercial property is rezoned to mixed use.

Since the Planning Commission and City Council have always been able to review and approve mixed use projects which have met our city's standards, such an ordinance was not necessary and will only result in the city having to defer to much lower State standards.

This fiasco started with the Planning Commission's notice to residents that on June 19, an ordinance would be considered for mixed use along Wilshire, Olympic, Robertson, La Cienega, etc., which developments would be limited to 45' to 55' in height. The notice also indicated that parking requirements would be discussed at the meeting.

By this notice, residents were lulled into believing that they had nothing to worry about because the mixed use developments would be limited in height.

Unfortunately, the Planning Commission concealed in its notice that once our commercial property is zoned for mixed use or residential use, the State Density Bonus Program (Govt. Code §§ 65915-65918) would come into play; would supersede all of our city's height, building, and parking requirements; and would force the city to approve substandard projects. In fact the State Density Bonus Program would require cities to approve up to 3 additional stories above our height limits as well as inadequate parking and even no parking under certain circumstances, as well as lower building standards.

After some residents were able to determine these true facts, they made an effort to inform as many of their resident friends and neighbors as they could, but of course only a small portion of residents were enlightened, and not well in advance of the June 19 meeting.

A video of the 6 hour meeting can be viewed at the city's website, under the Planning Commission and then Archived Planning Commission meetings. The numbers cited in parentheses below enable a reader to go to that time in the video to confirm the facts set forth here.

### The Planning Commission's Concealment of Facts In Its Notice

During the meeting, instead of apologizing for misleading residents, planning commissioners Block and Ostroff took umbrage over claims that important facts had been concealed from residents, and

they were adamant that there had been no concealment and residents had not been misled (4:08 - 4:14, 4:17- 4:19). Ostroff described claims of concealment as "fake news" (5:54).

To determine whether important facts were concealed, one can ask the following questions. Was it important for residents, in deciding whether to take any action in response to the meeting notice, to know that despite the stated height limits, 45' to 55', that if the ordinance would be passed, up to an additional 3 stories could be added to those heights? Was it important for residents to know that if the ordinance were to pass, inadequate parking or even no parking would be allowed under certain circumstances? And was it important to residents that under such an ordinance, developers would be held to lower building standards? Of course these facts were important.

Was it important for residents to know that the Planning Commission did not just intend to discuss parking requirements for mixed use, but that the Planning Commission quite clearly intended to reduce parking requirements? Again, of course it was.

Fraud is the concealment of material facts. A material fact is a fact that a reasonable person would recognize as germane to a decision to be made. It is a fact, the suppression of which would reasonably result in a different decision.

So Commissioners Block and Ostroff, an attorney, can claim that there was no concealment, but as is apparent, that doesn't make it so.

### Public Comment At The Meeting

Since the Planning Commission insisted upon trying to rush this action through during a pandemic, residents could not attend the meeting and could only send an email or call in. About 75 residents e-mailed or called in their opposition to the ordinance, based upon a myriad of reasons, including that the meeting notice had not disclosed important facts; the State Density Bonus Program would supersede all city requirements once property was rezoned to mixed use, and up to 3 stories in height could be added to our 45' to 55' building heights limits; the parking requirements suggested by the Planning Commission and provided for under the State Density Program were inadequate, and parking was already a problem in the city; the city would be relinquishing its control to the state and developers; the ordinance represented a gift to developers at the expense of residents; complaints of overdevelopment, high density, and traffic; negative effects upon the beauty and quality of life in Beverly Hills; decreased property values; and that it was a mistake to rush through approval of an ordinance

during a pandemic when there had been no public outreach on such a significant change, residents could not attend the meeting, and future housing requirements and views on density were unknown.

There were about 25 messages from developers, commercial property owners, and/or their attorneys who were in favor of the ordinance and/or had various additional requests such as wanting their property included for mix use, greater height, and greater density. So despite the defective notice, about 75% were opposed to the ordinance, and about 25%, who sought to benefit financially from a mixed use overlay zone, were for it.

During the meeting, Commissioner Ostroff was so disinterested in the extensive opposition to the ordinance, that he left the meeting while residents' opinions were being read, for an hour and 20 minutes (1:39 - 3:00). Commissioner Shooshani left for about 25 minutes (2:46 - 3:08). And Chair Block appeared to be on his cellphone at various times instead of listening to residents' concerns (2:28, 2:33, 2:40, 2:49, etc.)

In further attempting to defend the lack of fair notice to residents, Ostroff claimed that the volume of opposition spoke for the fact that residents were able to provide their input (4:17). Of course had the residents been properly noticed and fully informed, the opposition would likely have been at least 5 times greater. Instead, a great many residents remain in the dark.

Instead of acknowledging that the vast majority of residents were opposed to the proposed ordinance, Ostroff claimed that for every one who was against the ordinance, there was someone else who wanted to have areas added and build tall buildings (4:24 - 4:25).

Ostroff also indicated that his ad hoc committee had worked on mixed use for 18 months and that anyone could have come to speak to him about it, as if all of the residents should have known what he was working on and the issues involved (5:52 - 5:54). Ostroff also claimed that since the incumbent city council members were re-elected, and they were in favor of mixed use, that the residents had spoken (4:24). In addition to his unlikely assumptions, he seemed to be unable to separate the concept of mixed use from the unnecessary ordinance which was sure to result in substandard mixed use projects, increased parking problems, and decreased residents' property values.

### Commissioners' Claims That Mixed Use Developments Under The Ordinance Would Only Exceed Height Limits By One Story

Relying on the past when developers did

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**RETIRED COUPLE**  
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not have the right to approval of their mixed use projects, and had not had the temerity to ask for more than one additional story, Ostroff (4:25) and Block (4:57) claimed that they expected mixed use developments to be only one additional story taller than our height limits, as opposed to up to 3 stories taller.

However their claims that developers would forgo the generous benefits of the State Density Bonus Program, which would become enforceable upon pre-approval of mixed use (Govt. Code §65917.2(a)(1)(C)) were unsupportable. Further, if the commissioners actually expected one additional story in height, why was that one additional story not disclosed in the notice to residents which indicated that the height limits for mixed use projects would be 45' to 55'?

Clearly upon the passage of an ordinance creating a mixed use overlay zone, under the State Density Bonus Program, once mixed use zoning is approved, developers are entitled to build up to 3 additional stories, and would be entitled to additional concessions, incentives, and decreased building standards including reduced parking requirements, modulation change, unit size change, set back change. In sum, developers would not be restricted to adding only one story (30 - 32).

### **The Planning Commission's Flawed Rationale For Pushing Through Mixed Use Overlay Zones During The Pandemic**

Commissioners attempted to justify their planned gift to developers upon the basis that they were afraid they would be required to comply with Regional Housing Needs Allocation (RHNA) which would require 3,100 more residential units to be built in Beverly Hills from 2021 to 2029, under a plan which must be approved in a year and four months, by October, 2021. However, the fact is that RHNA requirements have not been finalized (4:08 - 4:14, 4:22); they are very likely to change given the pandemic and reassessment of the advisability of increased density; and there was no justification for rushing this resolution for mixed use through during a pandemic in the absence of any public outreach and without full and fair notice to residents.

Despite the fact that there are no final RHNA requirements, it did not prevent commissioners and other callers on behalf of developers and business property owners from acting like RHNA requirements had been finalized and were in effect (4:28, 4:46).

Even if there should ultimately be RHNA requirements for additional housing, no punishment has been determined for the unlikely event that we would not be able to comply by 2029. Nevertheless, Commissioner Shooshani made unsupportable claims that if we did not comply with (presently nonexistent) RHNA requirements, our city could lose control of development. He was advised that whatever punishment there would be, is speculative at this point (4:02 - 4:04).

Commissioner Ostroff claimed that

builders need incentives or they would not build in B.H. (4:28), however Commissioner Lori Gordon recognized that developers do not need more incentives—they are already lining up and asking that more locations be added for mixed use projects (5:31).

### **Commissioners' Pretense Of Concern For Residents' Interests**

With opposition from about 75 residents on the mixed use resolution which was clearly already a done deal with the commissioners, and so many of the complaints being about reduced parking requirements for mixed use projects, Ostroff suggested that the Planning Commission delete the reduced parking requirements (4:32), which was agreed upon by the remaining commissioners.

Unfortunately, his gesture was an empty one because once mixed use zoning is approved, the State Density Bonus Program requires the city to approve reduced parking requirements and under some circumstances, even no parking requirements (Govt. Code §65915(p)).

Similarly, the planning commissioners' pretense that each project would be subject to their discretionary review and approval, was similarly meaningless in the sense that once mixed use zoning is approved, a developer is entitled to all benefits provided under the State Density Bonus Program, including up to 3 stories in additional height, reduced parking or possibly no parking, reduced building standards, and other concessions and incentives. And if the city will not agree to these benefits, the developer can sue the city to enforce the State Density Bonus Program and can require the city to pay the developer's attorney's fees (Govt. Code §65915(d)(3)).

### **Why The Mixed Use Overlay Zone Is A Poor, Unnecessary Plan**

Once mixed use zoning is approved, the city will have no choice but to comply with all requirements of the State Density Bonus Program, so that such rezoning divests the city of control of developments, and puts that control in the hands of the state and developers. When that happens, residents will suffer increased parking problems, greater density and traffic, and the beauty of our city, our quality of life, and our property values will be negatively affected.

Under the Housing Crisis Act, once property is rezoned to mixed use, the city cannot change back or create any additional restrictions on development (6:00, 6:02).

Once zoning is changed to mixed use, the city will lose its option to require development agreements in exchange for approval of mixed use projects (4.04 - 4.06).

Since the mixed use proposal would result in a significant change to the general plan, one can only wonder why the Planning Commission chose to push the ordinance through quickly, without public outreach, upon defective notice, during a pandemic, unnecessarily.

### **More Reasonable Courses Of Action**

As the most thoughtful planning commissioner, Lori Gordon, indicated, there should have been public outreach and interchange (5:26) to avoid the extreme anx-

ety residents have experienced because they were left out of a process which was done behind closed doors, and the Planning Commission's recommendation of this ordinance should not be presented to the City Counsel in the absence of such outreach.

Additionally, she voiced concern over the attempt to implement a pre-covid plan in an undetermined post-covid world because none of us know what is going to happen (5:29 - 5:31). Nevertheless, she voted in favor of the resolution along with the other commissioners.

There is no reason why developers cannot apply for mixed use projects to be approved by the Planning Commission, as developers have done before. In fact developers are lined up to do so and contrary to some commissioners' claims, developers do not need more incentives (5:31).

The city should encourage business property owners to apply for mixed use projects, starting with conversions of pre-existing buildings with adequate parking. All applications should be considered on a case by case basis with our city, and not our state or developers, in control. All applicants would be required to include in their applications all density bonuses they are seeking, upon which their applications could be approved or rejected.

The Planning Commission has claimed that mixed use building standards are needed in Beverly Hills. If there are any matters which are not already covered in our codes for multi-family and condominium developments, there is no reason why the Planning Commission cannot propose some standard requirements for mixed use developments, either formally or informally, should such projects be approved.

For all of the above reasons, the Planning Commission's current resolution should be shelved, and any future proposed resolution should not be initiated until final RENA requirements are reached, the pandemic has resolved, and there is preliminary outreach and full and proper notice to all affected residents.

### **Darian Bojeaux Beverly Hills**

## **"These Historical Times Are For Progress"**

In the course of human history, mankind (meaning both men and women) has always sought to better itself.

No matter if it was with sticks and stones, walking in space or by using the advances of modern technology, we have always strove to do more and we have. However, in our fantasy world of seeing great things, we have really been blind to the realities of inequality and hopelessness. We have not been our brother's keeper or our sister's friend.

We talk of a United States when in reality, we have been divided. We have sung about being in the land of the free, but who were we really singing about? We never listened to the voices of pain cry out. Did we truly care?

We seldom gave justice to those we left out and judged because of prejudices and it went beyond the color of one's skin. It has also been about women, sexual pref-

erence, religion and more. Have we really been a great nation when we have been divided on so many levels.

Today, we are witnessing historic times. Maybe for the first time, we are all opening our eyes. Yes, mankind has always sought to better itself. Perhaps now, we are finally doing so. We are all the same color and that color is the color of people. Peace and love.

**George Vreeland Hill  
Beverly Hills**

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# briefs

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## **BHUSD Eyes Options for Students in Fall**

The BHUSD has settled on two curriculum delivery options for the fall semester for parents to choose from by July 15 – either having students receive their education fully online or through a blend of online and in-person instruction.

The first option, referred to as the Independent Learning Center, allows students to conduct their education online. Parents who choose this option are required to commit their children to the ILC for at least one semester.

The second option, Hybrid Learning, allows for students to physically return to campus. Students will be divided into cohorts, either the "A" cohort or the "B" cohort. BHUSD schools will alternate which cohorts physically attend classes weekly, meaning that the "A" cohort will attend one week and the "B" cohort will attend the next.

In the week a cohort group is not attending campus, students will engage with classroom instruction online. They will receive live instruction through myViewboard and also use Google Meetings, according to the BHUSD website.

Classes under the Hybrid Learning option will take place Monday to Thursday. Friday will be designated for cleaning campuses.

The Department of Public Health has been mandating guidelines for school districts to follow to minimize the risk of COVID-19 spreading, which the BHUSD must follow. These guidelines include social distancing requirements, face mask requirements and so forth.

Parents are now being asked to make a commitment to one of these instructional options, according to a BHUSD Board of Education study session on June 17. Unless they apply to the ILC option by July 15, students will automatically be placed into the Hybrid Learning option.

Superintendent Michael Bregy said that the BHUSD is in a place where it needs to ask parents what they want for their students, so that it can begin putting together a staffing plan for the upcoming academic year.

"I think we have the right resources and even though it's going to be changing and ongoing – I am absolutely confident that we will meet everything from the public health order," Bregy said. "My worry and my concern is what we need to get moving

**B H U S D**

## Education Options For Fall

**INDEPENDENT  
LEARNING CENTER**

- Students conduct their education online
- Admission closes July 15
- Minimum of one semester commitment required
- More information at [www.ilc.bhusd.org](http://www.ilc.bhusd.org)

OR

**HYBRID  
LEARNING**

- Blend of online and in-person instruction
- Students divided into "A" or "B" cohorts
- Which cohort physically attends campus will alternate weekly
- More information at [www.bhusd.org/hybridlearning](http://www.bhusd.org/hybridlearning)

SOURCE: BHUSD JUNE 17 Study Session &  
[www.bhusd.org/apps/pages/index.jsp?uREC\\_ID=1786523&type=d&pREC\\_ID=1961082](http://www.bhusd.org/apps/pages/index.jsp?uREC_ID=1786523&type=d&pREC_ID=1961082)

on – we have to get a better understanding for what our parents want for our kids.”

School principals and faculty also attended the Board’s meeting last Wednesday. Beverly High Honors English teacher Julie Goler said that as soon as the Board decides what schools will do, teachers will be able to get back to work and do training.

“I just want to emphasize for those of us who are in the classroom, we really want training – we want to deliver the best kind of instruction that we can,” Goler said. “And we know that no matter what it is next year, it’s going to be different than what it was two years ago.”

Goler added that the summer will be a great time for teachers to be trained on virtual learning.

Beverly Vista Principal Kevin Allen said that it’s important parents’ decisions for their children maintain the integrity of classrooms.

“I also think that it’s important that to maintain the integrity of a classroom setting and the continuity of the instructional setting, that parents make a commitment that if they’re going to go virtual that they stay out and they are virtual for a full semester,” Allen said.

### Council Requires City Manager to Reside in Beverly Hills Home

The City Council approved an amendment to City Manager George Chavez’s employment agreement that requires him to live in a City-owned property in Beverly Hills Thursday.

City Attorney Larry Wiener said the purpose of the amendment is to have Chavez nearby in cases of emergency since he is required to be available 24 hours a day

Councilmembers voted 5-0 to approve the employment agreement amendment.

The Beverly Hills home Chavez will reside in is already owned by the City and located on Monte Cielo Court. The City had purchased the home for water improvement purposes, according to a city staff report.

Chavez will not be required to pay rent, due to the fact he is required to live at the residence. The City will maintain the exterior of the property, while Chavez will maintain the interior and pay for utilities.

### Architectural Commission Approves New Facade For North Rodeo Drive Business

The Architectural Commission considered facade modifications, sign modifications and a construction barricade Wednesday, for a Moncler store on North Rodeo Drive.

The store, which is located at 340 North Rodeo Drive, is proposed to have stone cladding, concealed LED facade illumination, tempered glass, and black metal finish, according to a city staff report.

“As an internationally recognized luxury retailer, Moncler’s proposed new retail shop and storefront/facade is befitting of the area and will further enhance Rodeo Drive as a premier retail destination,” Moncler said in its application to the Com-



340 North Rodeo Drive

mission.

The city staff report stated that the store’s facade improvements and signage design will create a contemporary look. It is proposed to use grey conglomerate architectural stone panels, with the glazing framed in metal with a black finish, according to a city staff report.

The applicant’s proposed size for its sign is compliant with Beverly Hills’ municipal code. It is proposed to be 23.45 square feet, and could have been a maximum of 49.8 square feet based on the store’s length.

Moncler also applied for construction barricades, which would be white with a lifestyle graphic or logo.

Moncler is an Italian luxury brand that is known for selling ski wear.

### Community Services Slowly Reopen In Beverly Hills

Several community services programs in Beverly Hills will resume after

COVID-19 closures, including the tennis facilities and Farmers’ Market, according to a Recreation and Parks Commission meeting Tuesday.

The La Cienega Tennis Center and Roxbury Tennis Courts were reopened on June 15. Face coverings are required on tennis courts, but can be removed while playing. Courts are excluded to singles play and online reservations. Tennis balls must also have their owners’ initials on them, according to a city staff presentation.

The tennis courts will test out a pilot program for two weeks, with limited hours of 7 a.m. to 7 p.m. and a limited amount of available courts. It will resume normal operations on June 29.

The Farmers’ Market was reopened on June 21, with several modifications like the addition of multiple handwashing stations. Vendors will be placed 10 feet apart, according to a city staff presentation. Face coverings are required and there will be a period of time specifically for seniors and other people most vulnerable to COVID-19 to shop.

The Beverly Hills Library launched sidewalk and pick-up services June 22, following suit of other Los Angeles County libraries like the Culver City Julian Dixon Library. It will begin with a limited schedule of 9:30 a.m. to 12:30 p.m., according to a city staff presentation.

### Blumenfeld Chairs Human Relations Commission Again

Ori Blumenfeld has taken the reins of the Human Relations Commission once more as its chair, marking the second time he has served in the role.

The Human Relations Commission’s purpose is to promote positive human relations in the community, according to the City of Beverly Hills’ website. It states that its primary objective is to establish Beverly Hills as a model of a “just and equitable society.”

“I find [the Commission] to be the eyes and ears of the City,” Blumenfeld said.

Blumenfeld has served on the Human Relations Commission since 2014. In his multiple years working within local government, he admitted it was not what he initially expected it to be.

“It’s a lot different being on the inside versus the outside looking in and just reading about it. You learn to definitely not take things personally,” Blumenfeld said. “You’re not going to make everyone happy all the time.”

But the joy of accomplishing new programs has kept him looking forward to the next one, Blumenfeld said.

“I find the victories ... to really give me tremendous joy and I think it’s those joys that keep me going onto the next one,” Blumenfeld said.

Blumenfeld’s goals for his second term as chair include potentially having a “Safe



Ori Blumenfeld

Parking L.A.” zone in the city, which would allow people experiencing homelessness to safely sleep in their cars overnight. He also said he wants to work on creating a community partnership,

potentially with the City of Compton, but nothing has been finalized yet.

Blumenfeld said he has enjoyed his time in the Commission and plans to continue his involvement in local politics past the end of his Human Relations Commission term in 2021. He said he is considering the Traffic and Parking or Planning Commissions.

“In light of the coronavirus, the work that the Commission has done is tremendous. We’ve taken over the [COVID-19] Kindness Task Force and worked a great deal on just promoting positivity and kindness as a City,” Blumenfeld said. “Which is something, I think, everyone needs during these turbulent times.”

To read the Weekly’s cover story when Blumenfeld became Chair for his first term, read Issue #801.

### Architectural Commission Reviews Modifications for Law Office on Beverly Drive

The Architectural Commission reviewed proposed renovations and new business signs for a law office on Beverly Drive Wednesday.

Dordick Law Corporation has applied for facade modifications, a sign modification and new landscaping for its new office building. The building was previously a jewelry store but will become the applicant Gary Dordick’s personal law office, according to the project application.

The building is located on 470 South Beverly Drive.

Its proposed modifications include the addition of different succulent plants like Texas Abaony, Aeonium, Purple Parasol Asonium, Wulfen and more. The facade is proposed to have a steel-troweled cement-plaster finish in off-white, aluco-bond panels in grey, frameless glass entry



470 South Beverly Drive

doors and frameless tempered butt-glazing for its storefronts, according to a city staff report.

Dordick has also applied for two Business Identification Signs. They are pro-

*briefs cont. on page 6*

briefs cont. from page 5

posed to be 64 square feet each, which is compliant with Beverly Hills' municipal codes.

"The design approach is to create a simple, contemporary look, in form and material, in order to create an image for the serious use of the space," the project application said.

The building's proposed design is meant to create a contemporary facade that is more friendly to pedestrians, according to a city staff report.

### New Student Board Member Takes The Seat On BHUSD Board of Education's Dias

Beverly High senior Yoni Kashanian will serve as the 2020-2021 student Board member.



Yoni Kashanian

Kashanian said he always knew he wanted to make greater changes in his school.

"I just have much more leverage [as the student Board member] and I can

make much greater change now that I'm part of a bigger organization that controls all four of the schools, instead of just one," Kashanian said.

Kashanian has been involved in several extracurricular activities, including Jteens, the Real Estate Club, DECA and the Development Club. He was also Beverly High's Vice President in his freshman and junior year.

Kashanian has been receiving insight from the outgoing student Board member Thomas Recupero, who he said sent him past Board meeting videos to brush up on how it conducts itself.

He attended his first meeting on June 17, which was a special study session on the district's plans for the next academic year amid the COVID-19 outbreak. Kashanian said it was much more professional than how student government meetings are held.

"I enjoyed it and I got a lot of insight - I learned a lot about how the scheduling system might be for next year even though nothing is finalized," Kashanian said.

On his goals for the upcoming school year, Kashanian said it's a controversial time.

"I just want to make the process of going into school - or not going into school, whatever ends up happening - easier for students and parents," he said.

He said having a student Board member on the Board is important for providing a student perspective.

"I am pleased to be the representative of all students in the BHUSD, and I can't wait to be the voice of all my classmates," Kashanian said, in a separate statement. "I am ready to give my utmost into making sure this year is as beneficial as it possibly can be for all students and parents that are part of BHUSD."

### Canon Drive Business Receives Approval For New Signs

The Architectural Commission considered approving sign modifications for a building on North Canon Drive Wednesday.

192 Canon Property, LLC has applied for multiple signage modifications. Its proposals include a 35.52 square foot sign that has a vinyl acrylic logo and individual channel letters on North Canon Drive, a 35.52 square foot sign that has a vinyl acrylic logo and individual channel letters on Clifton Way, four 2.45 square foot window signs that are vinyl appliques and a 1.83 square foot ATM sign that has laminated print and vinyl.

The latter two sign modifications are proposed to be non-illuminated, while the former two would have face and halo illumination.

City staff stated that the proposed signs are similar to previously approved signs in their report.

### Council Updates Regulations Related To Temporary Commercial Tenant Eviction Moratorium

The City Council has approved an updated Urgency Ordinance related to the temporary moratorium on commercial tenant evictions. On June 19, the council updated the ordinance specific to commercial tenants.

The updated ordinance establishes terms for both small commercial tenants and large commercial tenants regarding the non-payment of rent and the repayment period for deferred rent.

#### •Small Commercial Tenants

Parties are required to meet and make a good faith attempt to develop an agreement. Any agreement worked out between the parties will take precedence over this

ordinance and may extend the period for repayment.

Notification Date (July 10) - The landlord must send a notice to any commercial tenant who has not agreed to a repayment plan for outstanding rent. The notice must be mailed by July 10.

Rent Commencement Date (August 1) - This is the date that regular payment of rent will need to recommence. On and after August 1, unless they work out a payment plan with their landlord, tenants can no longer claim under the ordinance that they cannot pay their rent due to COVID-19.

Amnesty Date (September 1) - Amnesty period for non-payment of rent ends. If all past due rent is paid by this date, no interest or late fees will accrue. If all past due rent is not paid by this date, then the landlord may charge half the amount of either the late fee or the interest that is provided in the lease capped at 5%. No other late fee, interest or other penalty shall be charged by the landlord during the emergency.

Repayment Date (January 1, 2021) - All past due rent and late fees/interest must be paid by this date. Any agreement worked out between the parties will take precedence over this ordinance and may extend the period for repayment. If parties do not meet to develop an agreement this date may be adjusted as provided in the ordinance.

Failure to Meet on Part of the Landlord - If the landlord fails to send the notice or otherwise fails to meet with the commercial tenant, then the repayment date shall be extended to July 1, 2021.

Failure to Meet on Part of the Tenant - If the commercial tenant fails to contact the landlord in response to the notice or otherwise fails to meet with the landlord, then the repayment date shall be shortened to October 1.

#### •Large Commercial Tenants

A large commercial tenant is defined as: a business that, together with its Affiliates, (1) employs more than 100 employees, or (2) has an average annual gross receipts of more than \$15 million over the previous three years, or (3) has business operations, other than sales conducted solely through online channels, in three or more countries, including the United States; or (4) a business whose payment of rent is guaranteed by a business falling within the above list. Any agreement worked out between the parties will take precedence over this ordinance and may extend the period for repayment.

Rent Commencement Date (August 1) - This is the date that regular payment of rent will need to recommence. On and after August 1, unless they work out a payment plan with their landlord, tenants can no longer claim under the ordinance that they cannot pay their rent due to COVID-19.

Amnesty Date (August 1) - Amnesty period for non-payment of rent ends. If all past due rent is paid by this date, no interest or late fees will accrue. If all past due rent is not paid by this date, then the landlord may charge late fees or the interest that is provided in the lease. No other late fee, interest or other penalty shall be charged by the landlord during the emergency.

Repayment Date (September 1) - All past due rent and late fees/interest must be paid by this date. Any agreement worked out between the parties will take precedence over this ordinance and may extend the period for repayment.

#### •Very Large Commercial Tenants

This ordinance does not apply to any commercial tenant that is a publicly traded entity, an entity that is listed on the Fortune 1000, or any entity that employs more than 500 employees or any commercial tenant that is owned by another entity that is publicly traded, listed on the Fortune 1000 or combined with the commercial tenant and other subsidiaries employs more than 500 employees. This exemption shall not apply to a franchisee or similar small business owner who is the responsible tenant on the lease unless such small business owner meets the criteria of this exemption. As such, very large commercial tenants are exempt from the ordinance and must pay rent according to their rent schedule or agreed upon terms.

For questions about the City's eviction moratorium, visit [www.beverlyhills.org/coronavirus](http://www.beverlyhills.org/coronavirus) or contact the Rent Stabilization Division at 310-285-1031.

--Briefs Compiled by Ani Gasparyan

**Do you know anyone who has gone back to school after a long absence or finished a degree during quarantine? If so, tell us about it at [editor@bhweekly.com](mailto:editor@bhweekly.com).**

**Public Notices**  
310-887-0788  
Forms available at [www.onestopdbas.com](http://www.onestopdbas.com)

federal state, or common law (see Section 14411, et seq., B&P) Published: 6/4/20, 6/11/20, 6/18/20, 6/25/20 100  
Jessica Ixtlilco  
518 N Santa Fe Ave #A  
Compton, CA 90221  
Case Number: 20SMCP00058  
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES  
200 Compton Bl  
Compton, CA 90220  
ORDER TO SHOW CAUSE FOR CHANGE OF NAME  
PETITION OF: Jessica Ixtlilco  
TO ALL INTERESTED PERSONS  
Petitioner: Jessica Ixtlilco  
Present name: Jessica Ixtlilco  
Proposed name: Jessica Martinez Arellano  
THE COURT ORDERS that all persons interested in this matter shall appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted.  
NOTICE OF HEARING  
Date: 5/14/20 Time: 830a Dept: A Rm: 904  
A copy of this Order to Show Cause shall be published at least once each week for four successive weeks prior to the date set for hearing on the petition in the following newspaper of general circulation, printed in this county, Beverly Hills/Beverlywood Weekly.  
Date: 3/5/20 Signed: Maurice A. Leiter, Judge of the Superior Court  
Published: 6/4/20, 6/11/20, 6/18/20, 6/25/20 101  
FICTITIOUS BUSINESS NAME STATEMENT: 2020081835. The following person(s) is/are doing business as: EUROPEAN AUTOMOTIVE IMPORTS. 11845 W OLYMPIC BLVD #1245 LOS ANGELES CA 90064. LILIAN LEWIS, TRUSTEE. 11845 W OLYMPIC BLVD #1245 LOS ANGELES CA 90064. DAVID LEWIS, TRUSTEE. 11845 W OLYMPIC BLVD #1245 LOS ANGELES CA 90064. This business is conducted by: A TRUST. Registrant

has begun to transact business under the fictitious business name or names listed here on: 07/2015 Signed: DAVID LEWIS, TRUSTEE. This statement is filed with the County Clerk of Los Angeles County on: 05/14/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P) Published: 06/04/2020, 06/11/2020, 06/18/2020, 06/25/2020 TBS 4,372  
FICTITIOUS BUSINESS NAME STATEMENT: 2020081848. The following person(s) is/are doing business as: 1245 ASSOCIATES. 11845 W OLYMPIC BLVD SUITE 1245 LOS ANGELES CA 90064. DAVID LEWIS, W OLYMPIC BLVD SUITE 1245 LOS ANGELES CA 90064. ALAN POLSKY. 11845 W OLYMPIC BLVD SUITE 1245 LOS ANGELES CA 90064. DOUGLAS CAHAFA. 11845 W OLYMPIC BLVD SUITE 1245 LOS ANGELES CA 90064. This business is conducted by: AN UNINCORPORATED ASSOCIATION OTHER THAN A PARTNERSHIP. Registrant has begun to transact business under the fictitious business name or names listed here on: 11/2010 Signed: DAVID LEWIS, GENERAL PARTNER. This statement is filed with the County Clerk of Los Angeles County on: 05/14/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P) Published: 06/04/2020, 06/11/2020, 06/18/2020, 06/25/2020 TBS 4,373  
FICTITIOUS BUSINESS NAME STATEMENT: 2020077631. The following person(s) is/are doing business as: GOLDEN WATER; USED MAC 21. 665 E LOS ANGELES AVE SIMI VALLEY CA 93065. USENT. 162 DUSTY ROSE CT SIMI VALLEY CA 93065. This business is conducted by: A CORPORATION. Registrant has begun to transact business under the fictitious business name or names listed here on: 01/2015 Signed:

USENT, CEO. This statement is filed with the County Clerk of Los Angeles County on: 05/07/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P) Published: 06/04/2020, 06/11/2020, 06/18/2020, 06/25/2020 TBS 4,374  
FICTITIOUS BUSINESS NAME STATEMENT: 2020085875. The following person(s) is/are doing business as: DTLA FOOD MART & MORE. 111 W 7TH ST STE R1 LOS ANGELES CA 90014. DTLA SMOKE SHOP, INC. 111 W 7TH ST STE R1 LOS ANGELES CA 90014. This business is conducted by: A CORPORATION. Registrant has begun to transact business under the fictitious business name or names listed here on: 06/2018 Signed: NATALI MISHALI, PRESIDENT. This statement is filed with the County Clerk of Los Angeles County on: 05/20/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P) Published: 06/04/2020, 06/11/2020, 06/18/2020, 06/25/2020 TBS 4,375  
FICTITIOUS BUSINESS NAME STATEMENT: 2020075399. The following person(s) is/are doing business as: GLASSAIM; CALMSKIN. 1945 E GARVEY AVE NORTH #73 WEST COVINA CA 91791. INSPIRED HEARTS LLC. 1945 E GARVEY AVE NORTH #73 WEST COVINA CA 91791. This business is conducted by: A LIMITED LIABILITY COMPANY. Registrant has begun to transact business under the fictitious business name or names listed here on: 03/2020 Signed: KATHERINE COLLANTES, MANAGER. This statement is filed with the County Clerk of Los Angeles County on: 05/04/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or

# coverstory

## MIXED USE ORDINANCE RECEIVES MIXED REACTION

### Planning Commission Recommends Controversial Ordinance to Council

By Ani Gasparyan

The Planning Commission approved a mixed use ordinance draft Friday, which will be reviewed by the City Council next to determine if it will be implemented.

Beverly Hills currently has standard multi-family and commercial zoning designations that do not permit land to be used for mixed use development in commercial or multi-family areas, according to a city staff report.

“Mixed use” refers to a building that has a mixture of commercial and residential uses, such as a condominium with office spaces on the ground level.

Mixed use development in the city has been approved on a case-by-case basis in the past. If the ordinance is approved by the council, it would create an overlay zone in certain areas of the City that would allow mixed use development for

commercial and residential use within one structure if certain standards are met and approved.

Commissioners approved the ordinance draft to be recommended to the council.

Vice Chair Peter Ostroff said the City has a conundrum, in that it has to develop new housing but no one currently wants to build it.

“There is very little willingness to develop housing, affordable or market-rate in Beverly Hills. Over the last ten years, we’ve only had 56 new mixed-use housing units,” Ostroff said. “And at the same time, we’re required to meet state mandates for both affordable and market-rate housing to respond to changes in transportation and meet the evolving housing needs of the community.”

Ostroff added that the City has to do

something about this issue.

“We have to do something to attract some housing development or we will fall far short of the requirements and that will enhance the likelihood that we will lose all local control over our land-use because it will be preempted by the state and time is short,” Ostroff said.

There were several public comments shared during the meeting, both in favor and in opposition of the ordinance.

Commissioner Lori Greene Gordon, who recused herself from

the first part of the meeting, said she has concerns with there being a lack of community input into the ordinance and hopes that the City Council will consider holding a public hearing on the issue.

“What I’ve observed from all of this today is that there’s an extreme anxiety among the residents here in the City about what’s about to come down the pipe,” Gordon said. “I think a lot of people have not really felt that they were a part of this process, because in fact this process had



**“There is very little willingness to develop housing, affordable or market-rate in Beverly Hills. Over the last ten years, we’ve only had 56 new mixed use housing units”**

—Planning Commission Vice Chair Peter Ostroff

been going on for a very long time in the Ad-Hoc Committee.”

The council discussed a mixed use ordinance in a 2018 study session, in which it supported researching its development in Beverly Hills. The Planning Commission later held a study session to discuss the ordinance and formed an Ad-Hoc Committee of Chair Alan Block and Ostroff.

Gordon said she understands residents’ concerns over the ordinance draft, which public meetings could help ease.

“Public meetings do give an opportunity for people to air their opinions, sort of like what they’ve done with La Cienega Park,” Gordon said.

“And you cannot substitute three-minute public comments for what will take place in a public meeting, where there is give and take.”

The City Council will likely discuss the mixed-use ordinance draft recommended by the Commission sometime in August or later, according to city staff.

# coverstory

## CITY APPROVES NEW CONTRACT

### Council Ratifies New Contract For Firefighters

By Ani Gasparyan

The City Council approved a new contract with the Beverly Hills Firefighters’ Association and Safety Support Association Thursday, for a total net increase of approximately \$3.8 million.

The Safety Support Association, which represents civilians within the police and fire departments, received a new contract with a net increase of \$889, 819. The Firefighters’ Association’s new contract has a net increase of \$2, 934, 049.

The vote to approve the new Memorandum of Understandings was 4-1, with Councilmember John Mirisch dissenting.

Mirisch said he hasn’t supported many of the City’s MOU’s in the past, because he feels it should be providing better value for money. He said the city should be reallocating its funds and being more efficient

“I do question why we’re doing this right now, when other cities are headed in the opposite direction,” Mirisch said. “It’s not like we’re immune – and even if we were somehow, this is a problem that we

need to be focusing on I believe value for money.”

He added that just because the City can afford something, it doesn’t mean it’s the most responsible or best thing to do. He referenced an interview with recently-resigned Santa Monica City Manager Rick Cole in his comments.

“[Cole] said that if we were to build up a department from scratch, we wouldn’t necessarily do it in the way in which we currently operate,” Mirisch said. “His analogy that he used was that we are basically building a rotary phone, whereas if we build it from scratch we would build an iPhone.”

Mirisch connected Cole’s interview to the Firefighter Association’s new MOU’s.

“If we were to build a fire department from scratch today, we wouldn’t do it in the same way that we do,” Mirisch said. “We could do it more efficiently, we would be building the iPhone of the department as opposed to a rotary phone.”

Vice Mayor Robert Wunderlich said he supports the new contracts and the City’s goal was to achieve certain consistency among its bargaining teams.

“There was extensive negotiations over this MOU, negotiations over months that was ‘give and take’ by both sides,” Wunderlich said. “We’ve been extensively briefed about this, had many discussions over this over many months.”

According to a city staff report, salaries will increase by 2% each year both contracts are in place for cost of living increases. Safety Support Association employees in the bargaining unit will receive a lump sum payment of \$622.19 and Firefighters’ Association employees in the bargaining unit will receive a lump sum payment of \$1,775. These payments are non-pensionable.

The Safety Support Association MOU includes employees receiving 0.5% of their annual base pay to promote wellness,

which includes the purchase of gym memberships, medical exams and so forth.

Its employees are permitted to take 15 minute rest periods during the first half their shifts and another during the second half. Rest periods cannot be within one hour at the start or end of a work shift or lunch period, unless it was pre-approved by a supervisor. They are also required to take a meal period that is at least 30 minutes.

According to the MOU, Safety Support Association employees will receive three hours of straight-time compensation for being on standby upwards of 14 hours a day – an increase from 12 hours. Employees will receive six hours of standby pay if the standby period goes over 14 hours in 24 hours.

The City will increase its medical insurance coverage contribution by \$100 a month for employees enrolled at the em-



**“I do question why we’re doing this right now, when other cities are headed in the opposite direction. It’s not like we’re immune – and even if we were somehow, this is a problem that we need to be focusing on I believe value for money”**

—Councilmember John Mirisch

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cover story cont. from page 7

ployee and family level beginning January 1, 2022 and again the following year, according to the MOU.

Additional aspects of the new Safety Support Association MOU include elimination of rotating shift pay, a maximum of five accrued floating holidays, 15 City-

paid worked days for accepted work-related injuries and so forth.

The Firefighters' Association's new MOU increases City-provided life insurance from \$100,000 to \$150,000 beginning August 1. Employees will record the hours they worked by one-tenth of an hour to have consistent reporting of hours worked, according to the MOU. A "Griev-

ance Procedure" was added to include a 30-day time limit to file a grievance.

Additional aspects of the new MOU include an increased number of employees on duty per shift. There will now be 27 employees instead of 25, and nine will be certified paramedics.

The previous MOU for both associations had expired on September 30, 2019.

The new MOU for the Safety Support Association is for a four-year term and will be in place from October 1, 2019 to October 6, 2023. The new MOU for the Firefighters' Association is for a five-year and eight month term. It will be in place from October 1, 2019 to May 30, 2025.

common law (see Section 14411, et seq., B&P) Published: 06/04/2020, 06/11/2020, 06/18/2020, 06/25/2020 TBS 4,376 FICTITIOUS BUSINESS NAME STATEMENT: 2020081927 The following person(s) is/are doing business as: BJD PUBLISHING, 318 N Maple Dr #504, Beverly Hills, CA 90210. BOBBE JOY DAWSON, 318 N Maple Dr #504, Beverly Hills, CA 90210. This business is conducted by: an individual. Registrant has begun to transact business under the fictitious business name or names listed here on: N/A. Signed: Bobbe Joy Dawson, Owner. This statement is filed with the County Clerk of Los Angeles County on: 5/14/20. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P) Published: 6/11/2020, 6/18/2020, 6/25/2020, 7/2/2020 102 FICTITIOUS BUSINESS NAME STATEMENT: 2020077108. The following person(s) is/are doing business as: A1 PROVIDERS, 3705 W PICO BLVD #736 LOS ANGELES CA 90019. A1 STAFFING ALLIANCE LLC, 3705 W PICO BLVD # 736 LOS ANGELES CA 90019. This business is conducted by: A LIMITED LIABILITY COMPANY. Registrant has begun to transact business under the fictitious business name or names listed here on: 04/2020 Signed: LAURA HENDERSON, MANAGER. This statement is filed with the County Clerk of Los Angeles County on: 05/06/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P) Published: 06/11/2020, 06/18/2020, 06/25/2020, 07/02/2020 TBS 4,377 FICTITIOUS BUSINESS NAME STATEMENT: 2020088714. The following person(s) is/are doing business as: EMERSON ESSENTIALS, 2355 WESTWOOD BLVD SUITE 218 LOS ANGELES CA 90064. EDISON OPERATIONS, INC, 2355 WESTWOOD BLVD SUITE 218 LOS ANGELES CA 90064. This business is conducted by: A CORPORATION. Registrant has begun to transact business under the fictitious business name or names listed here on: N/A Signed: ARYA AFIGHOM, PRESIDENT. This statement is filed with the County Clerk of Los Angeles County on: 05/26/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P) Published: 06/11/2020, 06/18/2020, 06/25/2020, 07/02/2020 TBS 4,378 FICTITIOUS BUSINESS NAME STATEMENT: 2020085469. The following person(s) is/are doing business as: BABE CAVE TRAINING, BABE FIT, 23543 LAMPARA DRIVE VALENCIA CA 91355. NICOLE HERRERA, 23543 LAMPARA DRIVE VALENCIA CA 91355. This business is conducted by: AN INDIVIDUAL. Registrant has begun to transact business under the fictitious business name or names listed here on: N/A Signed: NICOLE HERRERA, OWNER. This statement is filed with the County Clerk of Los Angeles County on: 05/20/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P) Published: 06/11/2020, 06/18/2020, 06/25/2020, 07/02/2020 TBS 4,379 FICTITIOUS BUSINESS NAME STATEMENT: 2020089334. The following person(s) is/are doing business as: SOUP-KUO COLLECTIVE, TOP OR BOTTOM FISHING, 3325 BAGLEY AVENUE #110 LOS ANGELES CA 90034. DANIEL SOUPHANKHAYSY, 3325 BAGLEY AVENUE #110 LOS ANGELES CA 90034. This business is conducted by: AN INDIVIDUAL. Registrant has begun to transact business under the fictitious business name or names listed here on: N/A Signed: DANIEL SOUPHANKHAYSY, OWNER. This statement is filed with the County Clerk of Los Angeles County on: 05/27/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date.

The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P) Published: 06/11/2020, 06/18/2020, 06/25/2020, 07/02/2020 TBS 4,380 FICTITIOUS BUSINESS NAME STATEMENT: 2020089237 The following person(s) is/are doing business as: TGI, 208 S THIRD AVE #B, ARCADIA, CA 91006. FRIEDA SUN HSU, 208 S THIRD AVE #B ARCADIA CA 91006. The business is conducted by an individual. Registrant has not yet begun to transact business under the fictitious business name or names listed here in. Signed: FRIEDA SUN HSU. The registrant(s) declared that all information in the statement is true and correct. This statement is filed with the County Clerk of Los Angeles County on: 5/27/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P Code.) Published: 6/11/2020, 6/18/2020, 6/25/2020, 7/2/2020 NIN 46259 FICTITIOUS BUSINESS NAME STATEMENT: 2020089239 The following person(s) is/are doing business as: UMI BRUSH, 2711 HIGHCLIFF DRIVE, TORRANCE, CA 90505. CHASE WALKER, 2711 HIGHCLIFF DRIVE TORRANCE CA 90505. The business is conducted by an individual. Registrant has not yet begun to transact business under the fictitious business name or names listed here in. Signed: CHASE WALKER. The registrant(s) declared that all information in the statement is true and correct. This statement is filed with the County Clerk of Los Angeles County on: 5/27/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P Code.) Published: 6/11/2020, 6/18/2020, 6/25/2020, 7/2/2020 NIN 46260 FICTITIOUS BUSINESS NAME STATEMENT: 2020090212 The following person(s) is/are doing business as: KT HOME REPAIR, 8317 KLINGERMAN ST, ROSEMEAD, CA 91770. JIANPING ZENG, 8317 KLINGERMAN ST ROSEMEAD CA 91770. The business is conducted by an individual. Registrant has not yet begun to transact business under the fictitious business name or names listed here in. Signed: JIANPING ZENG. The registrant(s) declared that all information in the statement is true and correct. This statement is filed with the County Clerk of Los Angeles County on: 5/29/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P Code.) Published: 6/11/2020, 6/18/2020, 6/25/2020, 7/2/2020 NIN 46272 FICTITIOUS BUSINESS NAME STATEMENT: 2020090256 The following person(s) is/are doing business as: MANDRA LIQUOR & DELI GIANT NY PIZZA, 433 NORTH CAMDEN DR UNIT 600, BEVERLY HILLS, CA 90210. D.P.C. ALLIANCE INC, 433 NORTH CAMDEN DR UNIT 600 BEVERLY HILLS CA 90210. The business is conducted by a Corporation. Registrant has not yet begun to transact business under the fictitious business name or names listed here in. Signed: BENICE N SHAMOON. The registrant(s) declared that all information in the statement is true and correct. This statement is filed with the County Clerk of Los Angeles County on: 5/19/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P Code.) Published: 6/11/2020, 6/18/2020, 6/25/2020, 7/2/2020 NIN 46273 FICTITIOUS BUSINESS NAME STATEMENT: 2020090421 The following person(s) is/are doing business as: A + EMBROIDERY, 1677 E 41ST, LOS ANGELES, CA 90011. LILIANA TORRES, 1677 E 41ST LOS ANGELES CA 90011. The business is conducted by an individual. Registrant has not yet begun to transact

business under the fictitious business name or names listed here in. Signed LILIANA TORRES. The registrant(s) declared that all information in the statement is true and correct. This statement is filed with the County Clerk of Los Angeles County on: 5/29/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P Code.) Published: 6/11/2020, 6/18/2020, 6/25/2020, 7/2/2020 NIN 46268 FICTITIOUS BUSINESS NAME STATEMENT: 2020090439 The following person(s) is/are doing business as: VICTORIOUS PREMIUM WATER COMPANY, 437 VIA MIRAMONTE, MONTEBELLO, CA 90640. ERNIE M GUERRERO, 437 VIA MIRAMONTE MONTEBELLO CA 90640. The business is conducted by an individual. Registrant has not yet begun to transact business under the fictitious business name or names listed here in. Signed ERNIE M GUERRERO. The registrant(s) declared that all information in the statement is true and correct. This statement is filed with the County Clerk of Los Angeles County on: 5/29/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P Code.) Published: 6/11/2020, 6/18/2020, 6/25/2020, 7/2/2020 NIN 46269 FICTITIOUS BUSINESS NAME STATEMENT: 2020090451 The following person(s) is/are doing business as: MJ PAINTING SERVICES, 850 W 78TH ST, LOS ANGELES, CA 90044. MAURICIO MENDOZA, 850 W 78TH ST LOS ANGELES CA 90044. The business is conducted by an individual. Registrant has not yet begun to transact business under the fictitious business name or names listed here in. Signed MAURICIO MENDOZA. The registrant(s) declared that all information in the statement is true and correct. This statement is filed with the County Clerk of Los Angeles County on: 5/29/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P Code.) Published: 6/11/2020, 6/18/2020, 6/25/2020, 7/2/2020 NIN 46270 FICTITIOUS BUSINESS NAME STATEMENT: 2020090458 The following person(s) is/are doing business as: DISABLED VETERAN POST EXCHANGE, 24709 PANAMA AVE, CARSON, CA 90745. DVPX, INC., 24709 PANAMA AVE CARSON CA 90745. The business is conducted by a Corporation. Registrant has not yet begun to transact business under the fictitious business name or names listed here in. Signed RUDY C NAVAL. The registrant(s) declared that all information in the statement is true and correct. This statement is filed with the County Clerk of Los Angeles County on: 5/29/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P Code.) Published: 6/11/2020, 6/18/2020, 6/25/2020, 7/2/2020 NIN 46271 FICTITIOUS BUSINESS NAME STATEMENT: 2020090925 The following person(s) is/are doing business as: TOP LINE FLEET, TOP LINE AUTO-MOTIVE, 11742 EAST IMPERIAL HWY, NORWALK, CA 90650. R & L UNLIMITED, INC., 11742 EAST IMPERIAL HWY NORWALK CA 90650. The business is conducted by a Corporation. Registrant has begun to transact business under the fictitious business name or names listed here in on 06/05. Signed RICEY E LITTLE. The registrant(s) declared that all information in the statement is true and correct. This statement is filed with the County Clerk of Los Angeles County on: 6/2/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious

business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P Code.) Published: 6/11/2020, 6/18/2020, 6/25/2020, 7/2/2020 NIN 46274 FICTITIOUS BUSINESS NAME STATEMENT: 2020090927 The following person(s) is/are doing business as: SAVOR FIELDS, 6844 HOOD AVE, HUNTINGTON PARK, CA 90255. RICARDO LUMBRERAS, 6844 HOOD AVE HUNTINGTON PARK CA 90255. The business is conducted by an individual. Registrant has not yet begun to transact business under the fictitious business name or names listed here in. Signed RICARDO LUMBRERAS. The registrant(s) declared that all information in the statement is true and correct. This statement is filed with the County Clerk of Los Angeles County on: 6/2/2020. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P Code.) Published: 6/11/2020, 6/18/2020, 6/25/2020, 7/2/2020 NIN 46275 FICTITIOUS BUSINESS NAME STATEMENT: 2020068933 The following person(s) is/are doing business as: LA CIENEGA AUTO BODY REPAIR 21781 Ventura Blvd #409, Woodland Hills, CA 91364-1835 OMNI INVESTMENTS, INC, 21781 Ventura Blvd #409, Woodland Hills, CA 91364-1835. This business is conducted by: a Corporation. Registrant has begun to transact business under the fictitious business name or names listed here on: N/A. Signed: Nooshin Marashi, CEO. This statement is filed with the County Clerk of Los Angeles County on: 04/13/20. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P) Published: 6/18/2020, 6/25/2020, 7/2/2020, 7/9/2020 367 FICTITIOUS BUSINESS NAME STATEMENT: 2020068931 The following person(s) is/are doing business as: VIEWLINE REALTY 28451 Hawks Ridge Dr., Canyon Country, CA 91351. NURI MARCH 28451 Hawks Ridge Dr., Canyon Country, CA 91351. This business is conducted by: an individual. Registrant has begun to transact business under the fictitious business name or names listed here on: 02/2020. Signed: Nuri March, Owner. This statement is filed with the County Clerk of Los Angeles County on: 04/13/20. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P) Published: 6/18/2020, 6/25/2020, 7/2/2020, 7/9/2020 368 FICTITIOUS BUSINESS NAME STATEMENT: 2020068929 The following person(s) is/are doing business as: B & R CREATIONS 18375 Ventura Blvd., Suite #92, Tarzana, CA 91356 RACHEL ANGELINE PEARSON 18375 Ventura Blvd., Suite #92, Tarzana, CA 91356. This business is conducted by: an individual. Registrant has begun to transact business under the fictitious business name or names listed here on: N/A. Signed: Rachel Angeline Pearson, Owner. This statement is filed with the County Clerk of Los Angeles County on: 04/13/20. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious business name statement must be filed prior to that date. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal state, or common law (see Section 14411, et seq., B&P) Published: 6/18/2020, 6/25/2020, 7/2/2020, 7/9/2020 369 FICTITIOUS BUSINESS NAME STATEMENT: 2020074883 The following person(s) is/are doing business as: COLLECTABLE PHOTO, NUMBER1.0LOCATIONS 18653 Ventura Blvd. #634, Tarzana, CA 91356 PHOENIX CONCEPTS LLC, 18653 Ventura Blvd. #634, Tarzana, CA 91356. This business is conducted by: a Limited Liability Company. Registrant has begun to transact business under the fictitious business name or names listed here on: N/A. Signed: Sascha B. Koch, Manager. This statement is filed with the County Clerk of Los Angeles County on: 05/01/20. NOTICE - This fictitious name statement expires five years from the date it was filed on, in the office of the county clerk. A new fictitious

Next stop: more subway. PURPLE LINE EXTENSION TRANSIT PROJECT Section 2 – Beverly Hills Thank You Thank you, City of Beverly Hills, for approving an expansion of the work zone during these unprecedented times, allowing the contractor to accomplish this level of construction and reducing the overall impacts to the community. As part of the federal government's Coronavirus Guidance for America, transportation infrastructure is considered an "Essential Critical Infrastructure." Metro is committed to delivering you this project according to schedule. Construction is dynamic and is subject to change. CONTACT US 213.922.6934 purplelineext@metro.net metro.net/purple @purplelineext purplelineext

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change in the facts set forth in the statement pursuant to Section 17913 other than a change in the residence address of the registered owner. A new fictitious business name statement must be filed before either expiration. The filing of this statement does not of itself authorize the use in this state of a Fictitious Business Name in violation of the rights of another under federal, state, or common law (see Section 14411 et seq., Business and Professions Code). LA2524473 BEVERLY HILLS WEEKLY JUNE 11, 18, 25 & 7/2 2020

**NOTICE OF PETITION TO ADMINISTER ESTATE OF LEE PHILLIP BELL aka LORELEY PHILLIP BELL**

Case No. 20STPB04256

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of LEE PHILLIP BELL aka LORELEY PHILLIP BELL

A PETITION FOR PROBATE has been filed by William James Bell in the Superior Court of California, County of LOS ANGELES.

THE PETITION FOR PROBATE requests that William James Bell be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held on Oct. 23, 2020 at 8:30 AM in Dept. No. 99 located at 211 N. Hill St., Los Angeles, CA 90012.

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

**Attorney for petitioner:**  
**RICHARD A LUFTMAN ESQ**  
**SBN 222363**  
**ALPERSTEIN SIMON FARKAS**  
**GILLIN AND SCOTT LLP**  
15760 VENTURA BLVD  
STE 1520  
ENCINO CA 91436  
CN970062 BELL Jun 11, 18, 25, 2020

FILE NO. 2020 090701  
FICTITIOUS BUSINESS NAME STATEMENT  
TYPE OF FILING: ORIGINAL  
THE FOLLOWING PERSON(S) IS (ARE) DOING BUSINESS AS: UNIVERSAL, 12755 E. NINE MILE ROAD WARREN MI 48089 county of: MACOMB.  
AI #ON:  
Registered Owner(s): UNIVERSAL DEDICATED OF ARLINGTON, TX LLC, 12755 E. NINE MILE ROAD WARREN MI 48089 [MI]. This

Business is being conducted by a/an: LIMITED LIABILITY COMPANY. The date registrant commenced to transact business under the fictitious business name or names listed above on: 12/2018.

I declare that all the information in this statement is true and correct. (A registrant who declares true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000). /s/ UNIVERSAL DEDICATED OF ARLINGTON, TX LLC BY CHAD JEREMIASON, MANAGER This statement was filed with the County Clerk of LOS ANGELES County on JUN 02 2020 expires on JUN 02 2025.

Notice- In accordance with Subdivision (a) of Section 17920 a fictitious name statement generally expires at the end of five years from the date it was filed in the office of the county clerk. Except as provided in Subdivision (b) of Section 17920 where it expires 40 days after any change in the facts set forth in the statement pursuant to Section 17913 other than a change in the residence address of the registered owner. A new fictitious business name statement must be filed before either expiration. The filing of this statement does not of itself authorize the use in this state of a Fictitious Business Name in violation of the rights of another under federal, state, or common law (see Section 14411 et seq., Business and Professions Code). LA2524519 BEVERLY HILLS WEEKLY JUNE 11, 18, 25 & 7/2 2020

FILE NO. 2020 095220  
FICTITIOUS BUSINESS NAME STATEMENT  
TYPE OF FILING: ORIGINAL  
THE FOLLOWING PERSON(S) IS (ARE) DOING BUSINESS AS: SAKURA BD INC, 2632 E. CESAR E. CHAVEZ AVENUE LOS ANGELES CA 90033 county of: LA COUNTY.  
Registered Owner(s): SAKURA BD INC, 542 N. NORMANDIE AVE. #203 LOS ANGELES CA 90004 [CA]. This Business is being conducted by a/an: CORPORATION. The date registrant commenced to transact business under the fictitious business name or names listed above on: N/A.

I declare that all the information in this statement is true and correct. (A registrant who declares true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000). /s/ SAKURA BD INC BY: SHIMUL K. BARUA, CEO

This statement was filed with the County Clerk of LOS ANGELES County on JUN 15 2020 expires on JUN 15 2025.

Notice- In accordance with Subdivision (a) of Section 17920 a fictitious name statement generally expires at the end of five years from the date it was filed in the office of the county clerk. Except as provided in Subdivision (b) of Section 17920 where it expires 40 days after any change in the facts set forth in the statement pursuant to Section 17913 other than a change in the residence address of the registered owner. A new fictitious business name statement must be filed before either expiration. The filing of this statement does not of itself authorize the use in this state of a Fictitious Business Name in violation of the rights of another under federal, state, or common law (see Section 14411 et seq., Business and Professions Code). LA2509997 BEVERLY HILLS WEEKLY 6/25 7/2,9,16 2020

ORDINANCE NO. 20-O-2812  
AN ORDINANCE OF THE CITY OF BEVERLY HILLS REGARDING THE CHAIR AND VICE CHAIR OF THE RENT STABILIZATION COMMISSION AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE

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

Section 1. Section 2-2-501 of Article 5 of Chapter 2 of the Beverly Hills Municipal Code is hereby amended by adding new paragraph F there-to to read as follows:

F. Chairperson and Vice Chairperson. A Chairperson and a Vice Chairperson shall serve for one year. Notwithstanding Section 2-2-107 E of the Beverly Hills Municipal Code, the Chairperson shall be one of the two at large members of the Commission. The initial Chairperson shall be appointed by the City Council, and thereafter

the position of Chairperson shall rotate between the two at large members. The Vice Chairperson of the Commission shall be chosen by the Commission and shall rotate between a landlord member and a tenant member.

Section 2. Severability. If any provision of this Ordinance is held invalid by a court of competent jurisdiction, such provision shall be considered a separate, distinct and independent provision and such holding shall not affect the validity and enforceability of the other provisions of this Ordinance.

Section 3. 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 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 4. 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.

Section 5. Certification. The City Clerk shall certify to the adoption of this Ordinance.

Adopted: June 16, 2020

Effective: July 17, 2020

LESTER J. FRIEDMAN  
Mayor of the City of Beverly Hills, California

ATTEST:  
HUMA AHMED (SEAL)  
City Clerk

APPROVED AS TO FORM:  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:  
GEORGE CHAVEZ  
City Manager

AYES: Councilmembers Gold, Bosse, Mirisch, Vice Mayor Wunderlich, and Mayor Friedman  
NOES: None  
CARRIED

ORDINANCE NO. 20-O-2813

AN URGENCY ORDINANCE OF THE CITY OF BEVERLY HILLS RATIFYING THE DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION OF JUNE 13, 2020 AND ADOPTING EMERGENCY REGULATIONS RELATED TO ASSEMBLIES IN RESIDENTIAL AREAS, AND DECLARING THE URGENCY THEREOF

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

WHEREAS, beginning on May 30, 2020, the City of Beverly Hills was subjected to widespread acts of violence and property damage, including looting and rioting, by people who were taking advantage of the protests concerning the tragic death of George Floyd; and

WHEREAS, on May 30, 2020, the City Manager, in his role as the Director of Emergency Services of the City of Beverly Hills, proclaimed the existence of a local emergency due to the extreme threat to the safety of persons and property in the City of Beverly Hills resulting from the aforementioned violence and property damage; and

WHEREAS, on June 5, 2020, the City Council determined that the aforementioned violence and property damage had created conditions that were beyond the control of local resources, and which required and continue to require the combined forces of other political subdivisions to combat. Accordingly, the City Council determined that the City's ongoing ability to mobilize local resources, coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and seek future reimbursement by the state and federal governments was and will be critical to successfully responding to the emergency; and

WHEREAS, on June 5, 2020, the City Council ratified the state of emergency declared on May 30, 2020; and

WHEREAS, on June 12, 2020 a group called "OCCUPY" conducted a large nighttime protest in the residential area of the City which began at approximately 10:00 PM and continued until approximately 1:00 AM; and

WHEREAS, this protest included the use of bullhorns and amplified music and disrupted the tranquility of the residential neighborhood during hours when many people ordinarily would be sleeping; and

WHEREAS, on June 13, 2020 the Director of Emergency Services proclaimed a civil emergency order banning public assemblies in the residential portion of the City between the hours of 9:00 PM and 8:00 AM; and

WHEREAS, under the conditions of the disaster, it is deemed necessary in the interest of public peace, health, and safety to restrict the use of residential areas of the City during nighttime hours in order to enable residents to sleep; and

WHEREAS, in the interest of public peace, health and safety, as affected by the emergency declared on May 30, 2020, it is necessary for the City Council to exercise its authority to issue these regulations on an emergency basis to protect the public peace, health or safety because the City Council must confirm the Director of Emergency Services' proclamation of civil emergency order at the earliest practicable time and there is a continuing threat that other protests will take place in the late night or early morning hours when many people would be ordinarily sleeping.

Section 1. The City Council of the City of Beverly Hills does adopt the above recitals and the following emergency regulation(s) which shall take effect immediately:

1. A temporary ban on assemblies in residential areas is imposed as follows:

a. No more than ten (10) people shall gather in an assembly in a residential area between the hours of 9:00 PM and 8:00 AM.

b. For the purpose of this ordinance, an "assembly" shall be defined to mean any meeting, demonstration, picket line, rally, gathering, or group of ten (10) or more persons, or vehicles, or a combination thereof, having a common purpose, design, or goal, upon any public street, sidewalk, alley, park, or other public place.

c. For the purpose of this ordinance, a "residential area" shall mean any area of the City that is not part of the Business District.

d. For the purpose of this ordinance, the "Business District" shall include the Business Triangle, which is bordered by the alley south of Wilshire Boulevard on the south, the southern border of Beverly Gardens Park on the north, and Crescent Drive on the east; La Cienega Boulevard; Robertson Boulevard; South Beverly Drive; Santa Monica Boulevard (north and south) south of Wilshire; and Wilshire Boulevard east of Crescent Drive and west of Santa Monica.

e. The law enforcement personnel of this City along with other law enforcement authorities cooperating with the City are hereby authorized and charged to the extent provided by law with the responsibility of enforcing this ordinance, and are further authorized to arrest any person who does not obey this ordinance after due notice, oral or written, has been given to said person. This ordinance is in addition to all other laws of the City, including the City's noise ordinance.

f. Exemptions.

i. Any assembly that is silent is exempt from this ordinance, and may proceed in a residential area.

ii. Law enforcement personnel, firefighting personnel, emergency health care providers, civilians engaged in police or emergency work, representatives of the media, and City Public Works personnel are exempt from this ordinance.

iii. Assemblies located on private property are exempt from this ordinance.

Section 2. Violations. Violations of this Ordinance shall be punishable as a misdemeanor, as set forth in Section 2-4-111 and Chapter 3 of Title 1 of the Beverly Hills Municipal Code.

Section 3. The City Council hereby confirms the Director of Emergency Services' proclamation of civil emergency order issued on June 13, 2020

Section 4. Duration. This Ordinance shall remain in effect for the duration of the local emergency unless repealed or amended by the City Council.

**Section 5. Uncodified.** This Ordinance shall not be codified.

**Section 6. Severability.** If any provision of this Ordinance is held invalid by a court of competent jurisdiction, such provision shall be considered a separate, distinct and independent provision and such holding shall not affect the validity and enforceability of the other provisions of this Ordinance.

**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 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. Effective Date.** This Ordinance is adopted as an urgency ordinance for the immediate preservation of the public peace, health and safety within the meaning of Government Code Section 36937(b), and therefore shall be passed immediately upon its introduction and shall become effective at 12:01 a.m., June 17, 2020 upon its adoption by a minimum 4/5 vote of the City Council.

**Section 9. Certification.** The City Clerk shall certify to the adoption of this Ordinance.

Adopted: June 16, 2020  
Effective: June 17, 2020

LESTER J. FRIEDMAN  
Mayor of the City of Beverly Hills, California

ATTEST:  
HUMA AHMED (SEAL)  
City Clerk

APPROVED AS TO FORM:  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:  
GEORGE CHAVEZ  
City Manager

AYES: Councilmembers Gold, Bosse, Vice Mayor Wunderlich, and Mayor Friedman  
NOES: Councilmember Mirisch  
CARRIED

#### ORDINANCE NO. 20-O-2814

AN URGENCY ORDINANCE OF THE CITY OF BEVERLY HILLS ADOPTING EMERGENCY REGULATIONS RELATED TO RESIDENTIAL AND COMMERCIAL TENANT EVICTIONS, AND OTHER MEASURES, REPEALING ORDINANCE NO. 20-O-2809, AND DECLARING THE URGENCY THEREOF

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

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARS-CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, on March 4, 2020, the Los Angeles County Board of Supervisors and Department of Public Health declared a local emergency and local public health emergency to aid the regional healthcare and governmental community in responding to COVID-19; and

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for the broader spread of COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread and addressing the effects of COVID-19; and

WHEREAS, on March 15, 2020, the City Manager, in his role as the Director of Emergency Services, proclaimed the existence of a local emergency pursuant to Section 2-4-107 of the Beverly Hills Municipal Code to ensure the availability of mutual aid and an effective City response to the novel coronavirus ("COVID-19")

and that state of emergency was ratified by the City Council on March 16, 2020; and

WHEREAS, the California Department of Public Health and the Los Angeles County Department of Public Health have all issued orders including, but not limited to, social distancing, staying home if sick, canceling or postponing large group events, working from home, and other precautions to protect public health and prevent transmission of this communicable virus; and

WHEREAS, as a result of the public health emergency and the precautions recommended by health authorities, many tenants in Beverly Hills have experienced or expect soon to experience sudden and unexpected income loss; and

WHEREAS, the Governor of the State of California has stated that individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19, and individuals directly affected by COVID-19 may experience loss of income, health care and medical coverage, and ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources, including shelters and food banks; and

WHEREAS, further economic impacts are anticipated, leaving tenants vulnerable to eviction; and

WHEREAS, the City of Beverly Hills is redoubling its efforts to maintain hand hygiene, respiratory etiquette, and social distancing. It is absolutely critical that the City does everything possible to slow the pace of community spread and avoid unnecessary strain on our medical system. To aid in these efforts, the City Council is ordering a series of temporary restrictions be placed on certain establishments throughout the City in which large numbers of people tend to gather and remain in close proximity and is requiring the wearing of face coverings; and

WHEREAS, during this local emergency, and in the interest of protecting the public health and preventing transmission of COVID-19, it is essential to avoid unnecessary housing displacement, to protect the City's affordable housing stock, and to prevent housed individuals from falling into homelessness; and

WHEREAS, commercial tenants who operate businesses within the City may have to close their businesses in response to emergency orders, which will substantially decrease or eliminate their income, and businesses that are permitted to remain open also are likely to experience a significant loss of income while the emergency orders are in effect; and

WHEREAS, restaurants were prohibited from offering dine-in service, limiting restaurants to delivery and takeout offerings only, which has placed a sudden and severe financial strain on many restaurants, particularly those that are small businesses that already operate on thin margins, adding to financial pressures in the industry that predate the COVID-19 crisis; and

WHEREAS, it is in the public interest to take action to maximize restaurant revenue from the takeout and delivery orders that to assist restaurants in surviving this crisis and remain as sources of employment and neighborhood vitality in the City; and

WHEREAS, many consumers use third-party applications and websites to place orders with restaurants for delivery and takeout, and such third-party platforms charge restaurants fees ranging from 30% to 40% of the purchase price per order; and

WHEREAS, restaurants, and particularly restaurants that are small businesses with few locations, have limited bargaining power to negotiate lower fees with third-party platforms, given the high market saturation of third-party platforms, and the dire financial straits small business restaurants are facing in this COVID-19 emergency; and

WHEREAS, temporarily capping the per-order fees will accomplish the legitimate public purpose of easing the financial burden on struggling restaurants during this emergency while not unduly burdening third-party platforms that have seen an increase in demand; and

WHEREAS, in the interest of public peace, health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary for the City Council to exercise its authority to issue these regulations related to the protection of the public peace, health or safety.

**Section 1.** The City Council of the City of Beverly Hills does adopt the recitals and the following emergency regulations which shall take effect immediately:

1. A temporary moratorium on eviction for non-payment of rent by residential tenants substantially impacted by the COVID-19 crisis is imposed as follows:

a. During the period of local emergency declared in response to COVID-19, no landlord shall endeavor to evict a tenant in either of the following situations: (1) for nonpayment of rent if the tenant demonstrates that the tenant is unable to pay rent due to substantial financial impacts related to COVID-19, or (2) for a no-fault eviction, unless necessary for the health and safety of tenants, neighbors, or the landlord, other than based on illness of the tenant or any other occupant of the residential rental unit. A landlord who receives notice that a tenant cannot pay some or all of the rent temporarily for the reasons set forth above shall not serve a notice pursuant to Code of Civil Procedure section 1161(2), file or prosecute an unlawful detainer action based on a 3-day pay or quit notice, or otherwise seek to evict for nonpayment of rent. A landlord receives notice of a tenant's inability to pay rent within the meaning of this Ordinance if the tenant, within seven (7) days after the date that rent is due, notifies the landlord in writing, of lost income or extraordinary expenses related to COVID-19 and inability to pay full rent due to substantial financial impacts related to COVID-19, and within thirty (30) days after the date the rent is due, provides written documentation to the landlord to support the claim, using the form provided by the City. A copy of both the seven-day notice and the documentation to support the claim shall also be provided by email (or if email is not feasible by mail along with notification by telephone) to the City's Rent Stabilization office. For purposes of this Ordinance, "in writing" includes email or text communications to a landlord or the landlord's representative if that is the method of written communication that has been used previously, or correspondence by regular mail, if that is the method of written communication that has been used previously and the parties have not agreed to use email or text messaging. Any medical or financial information provided to the landlord shall be held in confidence, and shall be used only for evaluating the tenant's claim.

b. Nothing in this Ordinance shall relieve the tenant of liability for the unpaid rent, which the landlord may seek after expiration of the local emergency, and which the tenant must pay in full within one year of the expiration of the local emergency. One year after the end of the emergency, unless if the rent is paid in full, a landlord may charge or collect a late fee for rent that is delayed for the reasons stated in this Ordinance; or a landlord may seek rent that is delayed for the reasons stated in this Ordinance through the eviction or other appropriate legal process. No fee for the late payment of rent shall be charged by a landlord during the period of the emergency or one year after the end of the emergency. If a landlord makes an accommodation with respect to rent forbearance from a tenant pursuant to subsection 1.a, and the tenant is in conformance with the tenant's obligations under that subsection, then the landlord shall not make a negative report to a credit bureau so long as the tenant remains in compliance with those obligations.

c. For purposes of this Ordinance, "financial impacts related to COVID-19" include, but are not limited to, lost household income or extraordinary expenses as a result of any of the following: (1) being sick with COVID-19, or caring for a household or family member who is sick with COVID-19; (2) lay-off, loss of hours, or other substantial income reduction resulting from business closure or other economic or employer impacts of COVID-19 including for tenants who are salaried employees or self-employed; (3) compliance with a recommendation from a government health authority to stay home, self-quarantine, or avoid congregating with others during the state of emergency; (4) extraordinary out-of-pocket medical expenses related to COVID-19; or (5) child care needs arising from school closures related to COVID-19.

d. For purposes of this Ordinance, "no-fault eviction" refers to any eviction for which the notice to terminate tenancy is not based on alleged fault by the tenant, including but not limited to, eviction notices served pursuant to Code of Civil Procedure sections 1161(1), 1161(5), or 1161b, use by landlord or relatives as specified

in Beverly Hills Municipal Code Chapters 5 and 6, demolition or condominium conversion, major remodeling, and the Ellis Act, which is called withdrawal of residential rental structure from the rental market in the Beverly Hills Municipal Code.

e. During this emergency, any notice served by a landlord on a tenant under Section 4-5-513 or Section 4-6-6 L of the Beverly Hills Municipal Code is hereby tolled.

f. This Ordinance applies to nonpayment eviction notices, no-fault eviction notices, and unlawful detainer actions based on such notices, served or filed on or after the date on which a local emergency was proclaimed on March 15, 2020.

g. For purposes of this Ordinance, including residential and commercial tenancies, "substantial" shall be defined as a material decrease of monthly income, the incurring of extraordinary expenses related to COVID-19, or any other circumstance which causes an unusual and significant financial impact on the tenant.

h. Because some tenants may not be aware of this Ordinance's provisions, the Deputy Director of the Rent Stabilization may extend the seven (7) day deadline for notifying the landlord for up to thirty (30) days.

2. If a landlord disagrees with the residential tenant's assertion regarding: (1) whether a substantial financial impact exists; (2) whether the substantial financial impact is related to COVID-19; or (3) the amount of rent that the tenant will pay, then the landlord shall notify the tenant of the disagreement in writing within ten (10) days of receipt of the written documentation from the tenant. The residential tenant may file a written appeal to the City, on a form provided by the City, within ten (10) days of receipt of the landlord's written determination and shall provide a copy of the appeal to the landlord. Appeals will be heard by the Standing Committee of the City Council appointed to hear disruptive tenant hearings or other Members of the City Council as designated by the Mayor, to make a final determination of the dispute, until fifteen (15) days after the Rent Stabilization Commission is appointed and sworn into office, in which case the Rent Stabilization Commission shall make a final determination of the dispute. If the Rent Stabilization Commission cannot render a decision by a majority vote, then the Standing Committee or other Members of the City Council, as designated by the Mayor, will make a final determination of the dispute. Final Decisions of the Subcommittee, Council Members designated by the Mayor, or the Rent Stabilization Commission are subject to judicial review filed pursuant to Section 1094.6 of the California Code of Civil Procedure. The hearing procedures shall be established by the City Attorney.

3. A temporary moratorium on eviction for non-payment of rent by commercial tenants substantially impacted by the COVID-19 crisis is imposed as follows:

a. During the period of local emergency declared in response to COVID-19, no landlord shall endeavor to evict a commercial tenant in either of the following situations: (1) for nonpayment of rent if the commercial tenant demonstrates that the commercial tenant is unable to pay rent due to substantial financial impacts related to COVID-19; or (2) for a no-fault eviction unless necessary for the health and safety of tenants, neighbors, or the landlord, other than based on illness of the tenant, the tenant's family or any of tenant's employees. A landlord who receives notice that a commercial tenant cannot pay some or all of the rent temporarily for the reasons set forth above shall not serve a notice or otherwise seek to evict for non-payment of rent. A landlord receives notice a commercial tenant's inability to pay rent within the meaning of this Ordinance if the commercial tenant, within seven (7) days after the date that rent is due, notifies the landlord in writing of lost income or extraordinary expenses related to COVID-19 and inability to pay full rent due to substantial financial impacts related to COVID-19, and within thirty (30) days after the date the rent is due, provides written documentation to the landlord to support the claim. For purposes of this Ordinance, "in writing" includes email or text communications to a landlord or the landlord's representative if that is the method of written communication that has been used previously, or correspondence by regular mail, if that is the method of written communication that has been used previously and the parties have not agreed to use email or text messag-

ing. Any medical or financial information provided to the landlord shall be held in confidence, and only used for evaluating the commercial tenant's claim. Nothing in this Ordinance shall relieve the commercial tenant of liability for the unpaid rent, which the landlord may seek after expiration of the local emergency, and which the commercial tenant must pay within one year of the expiration of the local emergency. One year after the end of the emergency if the rent is unpaid, a landlord may charge or collect a late fee for rent that is delayed for the reasons stated in this Ordinance; or a landlord may seek rent that is delayed for the reasons stated in this Ordinance through the eviction or other appropriate legal process. No fee for the late payment of rent shall be charged by a landlord during the period of the emergency or after the end of the emergency.

b. For purposes of this Ordinance, "financial impacts related to COVID-19" include, but are not limited to, a tenant who lost substantial business income or has extraordinary expenses as a result of any of the following: (1) being sick with COVID-19, or caring for a household or family member who is sick with COVID-19; (2) income reduction resulting from business closure or other economic or employer impacts of COVID-19; (3) compliance with a recommendation from a government health authority to stay home, self-quarantine, or avoid congregating with others during the state of emergency; (4) extraordinary out-of-pocket medical expenses related to COVID-19; or (5) child care needs arising from school closures related to COVID-19.

c. This Ordinance shall not apply to any commercial tenant that is a publicly traded entity, an entity that is listed on the Fortune 1000, or any entity that employs more than 500 employees or any commercial tenant that owned by another entity that is publicly traded, listed on the Fortune 1000 or combined with the commercial tenant and other subsidiaries employs more than 500 employees. As used in the preceding sentence, the term "owned" shall mean ownership of a majority of the ownership interest of the commercial tenant. This exemption shall not apply to a franchisee or similar small business owner who is the responsible tenant on the lease unless such small business owner meets the criteria of this exemption.

(1) Any commercial tenant covered by the exemption set forth in this subsection c, and who otherwise complied with this ordinance, shall have until 10 days, after the tenant has received notice as provided below, to pay all forborne rent that became due since March 16, 2020. The landlord shall not charge a late fee or interest in connection with such unpaid rent. If a commercial tenant fails to pay all forborne rent within 10 days after the tenant has received written notice delivered by certified mail with return receipt, overnight courier service, or by any other delivery method and provides written evidence of receipt, the landlord may charge a late fee or interest from that date.

d. A dispute as to whether the commercial tenant has demonstrated facts sufficient to result in a temporary payment reduction or other legal remedy shall be determined according to civil law.

**Section 2.** In addition to the requirements of the Governor's Executive Order and the requirements of the Los Angeles County Department of Health order, the following regulations related to businesses, located in the City of Beverly Hills are adopted in order to implement recommended practices as a result of the COVID-19 pandemic:

a. Business located in the City with self-service unwrapped food items such as buffets are prohibited.

b. Enforcement of City codes and regulations may be relaxed as City staff deems appropriate in connection with commercial signs and banners displayed on or adjacent to restaurants, bars or other businesses that are permitted to remain open pursuant to this Ordinance.

c. The City shall provide for additional loading zones near businesses that are authorized to be open in order to facilitate curbside pickup.

d. The City shall waive fees associated with a Special Event Permit for temporary outdoor dining and shall waive the minimum ten (10) day period for filing an application for a Special Event Permit for temporary outdoor dining.

e. The City Manager is authorized to issue street closure permits and any other permits necessary to allow for temporary outdoor dining.

f. To the extent that Beverly Hills Municipal Code Sections 5-10-2 through 5-10-7 prohibit retail establishments from providing without charge reusable bags or recycled paper bags to customers at the point of sale, Beverly Hills Municipal Code Sections 5-10-2 through 5-10-7 are hereby suspended.

**Section 3.** During the period of local emergency declared by the Director of Emergency Services on March 15, 2020 and affirmed by the City Council on March 16, 2020, in response to the COVID-19 pandemic, a temporary moratorium is hereby imposed on the annual rent increases authorized by Sections 4-5-303(c) and 4-6-3 of the Beverly Hills Municipal Code. This moratorium on rent increases shall be applied to any rent increase scheduled to take effect on or after March 15, 2020. Nothing in this Ordinance shall alter the date of annual rent increases in future years.

**Section 4.** During the period of local emergency declared by the City Council on March 16, 2020, in response to the COVID-19 pandemic, there shall be no increase in Internet access fees or reduction in service.

**Section 5.** For those establishments offering food pickup options, and other essential businesses, proprietors are directed to establish social distancing practices for those patrons in the queue for pickup and other reasons, as well those allowed in the premises or otherwise working. Such restaurants and essential businesses shall establish health and safety measures for their employees and customers, including but not limited to appropriate gloves and masks.

**Section 6. Face Coverings.** All persons shall wear face coverings that cover their mouth and nose openings such as scarves (dense fabric, without holes), bandannas, neck gaiters, or other fabric face coverings, when they leave their homes or places of residence for essential activities, such as taking a walk through their neighborhood, if that person has potential to come within six feet of another person not a member of their household. All persons, including non-medical essential workers are discouraged from using Personal Protective Equipment (PPE), such as N95 masks, for non-medical reasons.

Exceptions: These following exceptions will apply to this Section 6:

(1) Children under the age of 2 are not required to wear face coverings.

(2) Persons who must remove the face covering in order to receive medical services.

(3) Persons who are directed to remove the face covering by a law enforcement officer.

For the purposes of this Ordinance, the terms "essential business," "essential workers," and "essential activity" shall have the same meanings as they do under State law.

**Section 7. Business Tax.** No penalties or interest shall accrue on outstanding business tax during the period that the City of Beverly Hills has declared an emergency related to the COVID-19 pandemic. The Director of Finance is authorized in his sole discretion to waive any penalties and/or interest on business tax imposed prior to the March 15, 2020 declaration of emergency, upon a request by a business owner and a demonstration by the business owner of economic hardship due to COVID-19.

**Section 8. Hoarding.** The City Council urges residents not to hoard essential goods such as hand sanitizer, cleaning supplies, toilet paper, canned food, frozen food and other needed supplies. The City Council strongly condemns hoarding. Retail establishments located in the City shall be responsible for limiting the sales of such items, as they see fit to provide greater accessibility to a larger group of customers.

**Section 9. Third Party Food Delivery Service Commission.**

1. Definitions. For purposes of this Section, the following definitions apply:

"Delivery Fee" means a fee charged by a Third-party Food Delivery Service for providing a Retail Food Establishment with a service that delivers food and beverages from such establishment to customers. The term does not include any other fee or cost that may be charged by a Third-Party Food Delivery Service to a Retail Food Establishment, such as fees for listing or advertising the Retail Food Establishment on the Third-party Food Delivery Service platform or fees related to processing the online order

including, but not limited to service fees, fees for facilitating Online Orders for pick-up, and credit card processing fees.

"Online Order" means an order placed by a customer, including a phone order, for delivery or pick-up from a restaurant located within the City.

"Purchase Price" means the menu price of the items contained in an Online Order, minus any applicable coupon or promotional discount provided to the customer by the restaurant through the Third-Party Food Delivery Service. Such term therefore excludes taxes, gratuities and any other fees or costs that may make up the total amount charged to the customer of an Online Order.

"Retail Food Establishment" means a restaurant, delicatessen bakery, coffee shop, or other eat-in or carry-out service of processed or prepared raw and ready-to-eat food or beverages.

"Third-Party Food Delivery Service" means any website, mobile application or other internet service that offers or arranges for the sale of food and beverages prepared by, and the delivery or pick-up of food and beverages from, no fewer than 20 separately owned and operated food service establishments.

2. Prohibitions. From the effective date of this ordinance through August 31, 2020, it shall be unlawful for a Third-party Food Delivery Service to do the following:

a. charge a Retail Food Establishment a Delivery Fee that totals more than fifteen percent (15%) of the Purchase Price of each Online Order.

b. charge a Retail Food Establishment any amount designated as a Delivery Fee for an Online Order that does not involve the delivery of food or beverages.

c. charge a Retail Food Establishment any combination of fees, commissions, or costs for the Retail Food Establishment's use of the Third-party Food Delivery Service that is greater than five percent (5%) of the Purchase Price of each Online Order or to charge any amount of fees, commissions, or costs for the Retail Food Establishment's use of the Third-Party Food Delivery Service unless the contract between the Retail Food Establishment and the Third-Party Food Delivery Service allows for fees, commissions, and costs other than a Delivery Fee. For the purpose of this subsection c, fees, commissions, or costs do not include the Delivery Fee, which is capped at fifteen percent (15%).

d. charge a Retail Food Establishment any fee, commission, or cost other than as permitted in subsections a through c, above.

e. charge a customer any Purchase Price for a food or beverage item that is higher than the price imposed by the Retail Food Establishment on the Third-Party Food Delivery Service or, if no price is imposed by the Retail Food Establishment on the Third-Party Food Delivery Service, the price listed on the Retail Food Establishment's own menu.

f. retain any portion of amounts designated as a tip or gratuity. Any tip or gratuity shall be paid by the Third-party Food Delivery Service, in its entirety, to the person delivering the food or beverages.

3. Disclosures. The Third-party Food Delivery Service shall disclose to the customer an accurate, clearly identified, and itemized cost breakdown of each transaction, including, but not limited to the following:

a. the Purchase Price of the food and beverages at the cost listed on the Retail Food Establishment's menu;

b. the Delivery Fee charged to the Retail Food Establishment;

c. each fee, commission, or cost, other than a Delivery Fee, charged to the Retail Food Establishment;

d. each fee, commission, or cost, other than the Delivery Fee or the Purchase Price of the food, charged to the customer by the Third-party Food Delivery Service;

e. any tip or gratuity that will be paid to the person delivering the food or beverages.

4. A Third-Party Food Delivery Service shall not be found in violation of this Section if between June 17, 2020 and June 24, 2020, it imposes a Delivery Fee per Online Order that totals more than fifteen percent (15%), and other fees, commissions, and costs that total more than five percent (5%), of the Purchase Price of such On-

line Order, provided that the Third-Party Food Delivery Service refunds the portion of the fee that exceeds those amounts to the Retail Food Establishment prior to July 3, 2020.

5. If a Third-Party Food Delivery Service charges a Retail Food Establishment fees that violate this Section, the Retail Food Establishment shall provide written notice to the Third-Party Food Delivery Service requesting a refund within seven days. If the Third-Party Food Delivery Service does not provide the refund requested after seven days or the Third-Party Food Delivery Service continues to charge fees in violation of this Section after the initial notice and seven-day cure period, a Retail Food Establishment may enforce this Section by means of a civil action seeking damages and injunctive relief. The prevailing party in any such action shall be entitled to an award of reasonable attorney fees.

**Section 10. Violations.** Violations of this Ordinance shall be punishable as set forth in Section 2-4-111 and Chapter 3 of Title 1 of the Beverly Hills Municipal Code except violations of Section 6, which shall be solely subject to the administrative citation process set forth in Chapter 3 of Title 1 of the Beverly Hills Municipal Code. Violations of any public health order duly issued by the Los Angeles County Public Health Officer may be cited and prosecuted as an infraction or may be subject to the administrative citation process set forth in Chapter 3 of Title 1 of the Beverly Hills Municipal Code. In addition, this Ordinance provides a defense to a tenant, in the event that an unlawful detainer action is commenced in violation of this Ordinance.

**Section 11. Remain in Effect.** This Ordinance shall remain in effect for the duration of the local emergency.

**Section 12.** Ordinance No. 20-O-2809 is hereby repealed and replaced by this Ordinance.

**Section 13. Uncodified.** This Ordinance shall not be codified.

**Section 14. Severability.** If any provision of this Ordinance is held invalid by a court of competent jurisdiction, such provision shall be considered a separate, distinct and independent provision and such holding shall not affect the validity and enforceability of the other provisions of this Ordinance.

**Section 15. 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 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 16. Effective Date.** This Ordinance is adopted as an urgency ordinance for the immediate preservation of the public peace, health and safety within the meaning of Government Code Section 36937(b), and therefore shall be passed immediately upon its introduction and shall become effective at 12:01 a.m., June 17, 2020 upon its adoption by a minimum 4/5 vote of the City Council.

**Section 17. Duration.** This Ordinance shall remain in effect until it is superseded by another Ordinance adopted by the City Council.

**Section 18. Certification.** The City Clerk shall certify to the adoption of this Ordinance.

Adopted: June 17, 2020  
Effective: June 17, 2020

LESTER J. FRIEDMAN  
Mayor of the City of Beverly Hills, California

ATTEST:  
HUMA AHMED (SEAL)  
City Clerk

APPROVED AS TO FORM:  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:  
GEORGE CHAVEZ  
City Manager

AYES: Councilmembers Gold, Bosse, Mirisch,  
Vice Mayor Wunderlich, and Mayor Friedman  
NOES: None  
CARRIED

ORDINANCE NO. 20-O-2815

AN URGENCY ORDINANCE OF THE CITY OF BEVERLY HILLS ADOPTING EMERGENCY REGULATIONS RELATED TO RESIDENTIAL AND COMMERCIAL TENANT EVICTIONS, AND OTHER MEASURES, REPEALING ORDINANCE NO. 20-O-2814, AND DECLARING THE URGENCY THEREOF

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

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARS-CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, on March 4, 2020, the Los Angeles County Board of Supervisors and Department of Public Health declared a local emergency and local public health emergency to aid the regional healthcare and governmental community in responding to COVID-19; and

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for the broader spread of COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread and addressing the effects of COVID-19; and

WHEREAS, on March 15, 2020, the City Manager, in his role as the Director of Emergency Services, proclaimed the existence of a local emergency pursuant to Section 2-4-107 of the Beverly Hills Municipal Code to ensure the availability of mutual aid and an effective City response to the novel coronavirus ("COVID-19") and that state of emergency was ratified by the City Council on March 16, 2020; and

WHEREAS, the California Department of Public Health and the Los Angeles County Department of Public Health have all issued orders including, but not limited to, social distancing, staying home if sick, canceling or postponing large group events, working from home, and other precautions to protect public health and prevent transmission of this communicable virus; and

WHEREAS, as a result of the public health emergency and the precautions recommended by health authorities, many tenants in Beverly Hills have experienced or expect soon to experience sudden and unexpected income loss; and

WHEREAS, the Governor of the State of California has stated that individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19, and individuals directly affected by COVID-19 may experience loss of income, health care and medical coverage, and ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources, including shelters and food banks; and

WHEREAS, further economic impacts are anticipated, leaving tenants vulnerable to eviction; and

WHEREAS, the City of Beverly Hills is redoubling its efforts to maintain hand hygiene, respiratory etiquette, and social distancing. It is absolutely critical that the City does everything possible to slow the pace of community spread and avoid unnecessary strain on our medical system. To aid in these efforts, the City Council is ordering a series of temporary restrictions be placed on certain establishments throughout the City in which large numbers of people tend to gather and remain in close proximity and is requiring the wearing of face coverings; and

WHEREAS, during this local emergency, and in the interest of protecting the public health and preventing transmission of COVID-19, it is essential to avoid unnecessary housing displacement, to protect the City's affordable housing stock, and to prevent housed individuals from falling into homelessness; and

WHEREAS, commercial tenants who operate businesses within the City may have to close

their businesses in response to emergency orders, which will substantially decrease or eliminate their income, and businesses that are permitted to remain open also are likely to experience a significant loss of income while the emergency orders are in effect; and

WHEREAS, restaurants were prohibited from offering dine-in service, limiting restaurants to delivery and takeout offerings only, which has placed a sudden and severe financial strain on many restaurants, particularly those that are small businesses that already operate on thin margins, adding to financial pressures in the industry that predate the COVID-19 crisis; and

WHEREAS, it is in the public interest to take action to maximize restaurant revenue from the takeout and delivery orders that to assist restaurants in surviving this crisis and remain as sources of employment and neighborhood vitality in the City; and

WHEREAS, many consumers use third-party applications and websites to place orders with restaurants for delivery and takeout, and such third-party platforms charge restaurants fees ranging from 30% to 40% of the purchase price per order; and

WHEREAS, restaurants, and particularly restaurants that are small businesses with few locations, have limited bargaining power to negotiate lower fees with third-party platforms, given the high market saturation of third-party platforms, and the dire financial straits small business restaurants are facing in this COVID-19 emergency; and

WHEREAS, temporarily capping the per-order fees will accomplish the legitimate public purpose of easing the financial burden on struggling restaurants during this emergency while not unduly burdening third-party platforms that have seen an increase in demand; and

WHEREAS, in the interest of public peace, health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary for the City Council to exercise its authority to issue these regulations related to the protection of the public peace, health or safety.

**Section 1.** The City Council of the City of Beverly Hills does adopt the recitals and the following emergency regulations which shall take effect immediately:

1. A temporary moratorium on eviction for non-payment of rent by residential tenants substantially impacted by the COVID-19 crisis is imposed as follows:

a. During the period of local emergency declared in response to COVID-19, no landlord shall endeavor to evict a tenant in either of the following situations: (1) for nonpayment of rent if the tenant demonstrates that the tenant is unable to pay rent due to substantial financial impacts related to COVID-19, or (2) for a no-fault eviction, unless necessary for the health and safety of tenants, neighbors, or the landlord, other than based on illness of the tenant or any other occupant of the residential rental unit. A landlord who receives notice that a tenant cannot pay some or all of the rent temporarily for the reasons set forth above shall not serve a notice pursuant to Code of Civil Procedure section 1161(2), file or prosecute an unlawful detainer action based on a 3-day pay or quit notice, or otherwise seek to evict for nonpayment of rent. A landlord receives notice of a tenant's inability to pay rent within the meaning of this Ordinance if the tenant, within seven (7) days after the date that rent is due, notifies the landlord in writing, of lost income or extraordinary expenses related to COVID-19 and inability to pay full rent due to substantial financial impacts related to COVID-19, and within thirty (30) days after the date the rent is due, provides written documentation to the landlord to support the claim, using the form provided by the City. A copy of both the seven-day notice and the documentation to support the claim shall also be provided by email (or if email is not feasible by mail along with notification by telephone) to the City's Rent Stabilization office. For purposes of this Ordinance, "in writing" includes email or text communications to a landlord or the landlord's representative if that is the method of written communication that has been used previously, or correspondence by regular mail, if that is the method of written communication that has been used previously and the parties have not agreed to use email or text messaging. Any medical or financial information provided to the landlord shall be held in confidence, and shall be used only for evaluating the tenant's claim.

b. Nothing in this Ordinance shall relieve the tenant of liability for the unpaid rent, which the landlord may seek after expiration of the local emergency, and which the tenant must pay in full within one year of the expiration of the local emergency. One year after the end of the emergency, unless if the rent is paid in full, a landlord may charge or collect a late fee for rent that is delayed for the reasons stated in this Ordinance; or a landlord may seek rent that is delayed for the reasons stated in this Ordinance through the eviction or other appropriate legal process. No fee for the late payment of rent shall be charged by a landlord during the period of the emergency or one year after the end of the emergency. If a landlord makes an accommodation with respect to rent forbearance from a tenant pursuant to subsection 1.a, and the tenant is in conformance with the tenant's obligations under that subsection, then the landlord shall not make a negative report to a credit bureau so long as the tenant remains in compliance with those obligations.

c. For purposes of this Section 1, "financial impacts related to COVID-19" include, but are not limited to, lost household income or extraordinary expenses as a result of any of the following: (1) being sick with COVID-19, or caring for a household or family member who is sick with COVID-19; (2) lay-off, loss of hours, or other substantial income reduction resulting from business closure or other economic or employer impacts of COVID-19 including for tenants who are salaried employees or self-employed; (3) compliance with a recommendation from a government health authority to stay home, self-quarantine, or avoid congregating with others during the state of emergency; (4) extraordinary out-of-pocket medical expenses related to COVID-19; or (5) child care needs arising from school closures related to COVID-19.

d. For purposes of this Ordinance, "no-fault eviction" refers to any eviction for which the notice to terminate tenancy is not based on alleged fault by the tenant, including but not limited to, eviction notices served pursuant to Code of Civil Procedure sections 1161(1), 1161(5), or 1161b, use by landlord or relatives as specified in Beverly Hills Municipal Code Chapters 5 and 6, demolition or condominium conversion, major remodeling, and the Ellis Act, which is called withdrawal of residential rental structure from the rental market in the Beverly Hills Municipal Code.

e. During this emergency, any notice served by a landlord on a tenant under Section 4-5-513 or Section 4-6-6 L of the Beverly Hills Municipal Code is hereby tolled.

f. This Ordinance applies to nonpayment eviction notices, no-fault eviction notices, and unlawful detainer actions based on such notices, served or filed on or after the date on which a local emergency was proclaimed on March 15, 2020.

g. For purposes of this Section 1, "substantial" shall be defined as a material decrease of monthly income, the incurring of extraordinary expenses related to COVID-19, or any other circumstance which causes an unusual and significant financial impact on the tenant.

h. Because some tenants may not be aware of this Ordinance's provisions, the Deputy Director of the Rent Stabilization may extend the seven (7) day deadline for notifying the landlord for up to thirty (30) days.

2. If a landlord disagrees with the residential tenant's assertion regarding: (1) whether a substantial financial impact exists; (2) whether the substantial financial impact is related to COVID-19; or (3) the amount of rent that the tenant will pay, then the landlord shall notify the tenant of the disagreement in writing within ten (10) days of receipt of the written documentation from the tenant. The residential tenant may file a written appeal to the City, on a form provided by the City, within ten (10) days of receipt of the landlord's written determination and shall provide a copy of the appeal to the landlord. Appeals will be heard by the Standing Committee of the City Council appointed to hear disruptive tenant hearings or other Members of the City Council as designated by the Mayor, to make a final determination of the dispute, until fifteen (15) days after the Rent Stabilization Commission is appointed and sworn into office, in which case the Rent Stabilization Commission shall make a final determination of the dispute. If the Rent Stabilization Commission cannot render a decision by a majority vote, then the Standing Committee or other Members of the City Council,

as designated by the Mayor, will make a final determination of the dispute. Final Decisions of the Subcommittee, Council Members designated by the Mayor, or the Rent Stabilization Commission are subject to judicial review filed pursuant to Section 1094.6 of the California Code of Civil Procedure. The hearing procedures shall be established by the City Attorney.

**Section 2.** The following regulations shall apply to commercial tenancies:

1. The following definitions shall apply to this Section 2:

"Affiliate" shall mean the commercial tenant and any other entity that, directly or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with, the commercial tenant.

"Amnesty Date" shall mean August 1, 2020 for Large Commercial Tenants, and September 1, 2020 for all other commercial tenants.

"Large Commercial Tenants" shall mean a business that, together with its Affiliates, (1) employs more than 100 employees, or (2) has average annual gross receipts of more than \$15 million over the previous three years, or (3) has business operations, other than sales conducted solely through online channels, in three or more countries, including the United States; or (4) a business whose payment of rent is guaranteed by a business falling within the scope of subsections (1) or (2) or (3) of this subsection.

"Rent Recommendation Date" shall mean August 1, 2020.

"Repayment Date" shall mean the date by which all forborne rent shall be due.

2. Landlords and their commercial tenants shall work together during this time of emergency caused by the spread of COVID-19 to make a good faith attempt to develop a payment strategy for rent that accounts for the substantial financial impacts related to COVID-19 that may be faced by some tenants. Any payment strategy negotiated between a landlord and a commercial tenant shall take precedence over the provisions of this Ordinance. Absent such a payment strategy, commercial tenants shall be required to pay their rent under the following provisions of this Section 2.

The following paragraphs (a) through (d) of this Section 2, subsection 2 shall not apply to Large Commercial Tenants.

a. In order to assure that the landlords and commercial tenants will meet to attempt to develop a payment strategy for rent that accounts for the substantial financial impacts related to COVID-19, the landlord shall send a notice to any commercial tenant who has not agreed to a payment strategy with the landlord or who is not otherwise paying full rent, substantially in the form provided by the City, and by certified mail with return receipt, overnight courier service, or by any other delivery method that provides written evidence of receipt, which informs the commercial tenant of the requirement to meet and requesting that the tenant contact the landlord within ten (10) days to arrange a meeting and meet with the landlord within forty five (45) days to discuss a payment strategy that accounts for the substantial financial impacts related to COVID-19. A copy of this notice shall be provided to the City. This notice must be mailed by July 10, 2020.

b. If the landlord fails to send the notice or otherwise fails to meet with the commercial tenant, then the Repayment Date shall be July 1, 2021.

c. If the commercial tenant fails to contact the landlord in response to the notice or otherwise fails to meet with the landlord, then the Repayment Date shall be October 1, 2020.

d. If either party has attempted to schedule a meeting, but the other party appears to be unwilling to meet, either party may call the Rent Stabilization Office of the City of Beverly Hills and a City staff member will schedule such meeting or will determine that one or both parties are unwilling to meet. If the Rent Stabilization Office determines that either or both parties are unwilling to meet then the parties shall follow the provisions set forth below in this Section 2. The Rent Stabilization Office's determination that either or both parties are unable to meet shall create a rebuttable presumption in any unlawful detainer action or other action which seeks to recover rent.

3. A temporary moratorium on eviction for non-payment of rent by commercial tenants

and Large Commercial Tenants substantially impacted by the COVID-19 crisis is imposed as follows:

a. During the period of local emergency declared in response to COVID-19, and up until the date described in subsection d below, no landlord shall endeavor to evict a commercial tenant or Large Commercial Tenant in either of the following situations: (1) for nonpayment of some or all of the rent if such commercial tenant demonstrates that the commercial tenant is unable to pay rent due to substantial financial impacts related to COVID-19; or (2) for a no-fault eviction unless necessary for the health and safety of tenants, neighbors, or the landlord, other than based on illness of the tenant, the tenant's family or any of tenant's employees. A landlord who receives notice that a commercial tenant cannot pay some or all of the rent temporarily for the reasons set forth above shall not serve a notice or otherwise seek to evict a tenant for nonpayment of rent.

b. A landlord receives notice of a commercial tenant's inability to pay rent within the meaning of this Ordinance if the commercial tenant, within seven (7) days after the date that rent is due, notifies the landlord in writing of lost income or extraordinary expenses related to COVID-19 and inability to pay full rent due to substantial financial impacts related to COVID-19, and within thirty (30) days after the date the rent is due, provides written documentation to the landlord to support the claim. Any medical or financial information provided to the landlord shall be held in confidence, and only used for evaluating the commercial tenant's claim. For purposes of this Ordinance, "in writing" includes email or text communications to a landlord or the landlord's representative if that is the method of written communication that has been used previously, or correspondence by regular mail, if that is the method of written communication that has been used previously and the parties have not agreed to use email or text messaging.

c. Nothing in this Ordinance shall relieve any commercial tenant or Large Commercial Tenant of liability for the unpaid rent.

d. Forbearance of rent shall end on the Rent Recommendation Date.

e. A Large Commercial Tenant must pay forborne rent on September 1, 2020 and all other commercial tenants must pay forborne rent on January 1, 2021 if such commercial tenant and the landlord have met pursuant to this Section 2 but have not come to an agreement regarding a payment strategy.

f. For Large Commercial Tenants, with regard to forborne rent a landlord may charge either the late fee or the interest that is provided in the lease between the landlord and the tenant from the time that the first rental payment was missed until the forborne rent is paid. No other late fee, interest or other penalty shall be charged by the landlord during the emergency or before the Repayment Date. After the Repayment Date, and if the forborne rent has not been repaid, a landlord may charge the full amount of the late fee, interest and other penalty that is provided in the lease beginning on the Repayment Date. However, the full amount of the late fees, interest and other penalty shall only run from the Repayment Date.

For all other commercial tenants, with regard to the forborne rent, a landlord may charge one half the amount of either the late fee or the interest that is provided in the lease between the landlord and the tenant capped at five percent (5%) from the time that the first rental payment was missed until the forborne rent is paid. No other late fee, interest or other penalty shall be charged by the landlord during the emergency or before the Repayment Date. After the Repayment Date, and if the forborne rent has not been repaid, a landlord may charge the full amount of the late fee, interest and other penalty that is provided in the lease beginning on the Repayment Date. However, the full amount of the late fees, interest and other penalty shall only run from the Repayment Date.

g. For any commercial tenant who is covered by this Ordinance and wishes to avoid the payment of late fees or interest on the tenant's forborne rent, the tenant may pay some or all of their forborne rent, with no late fees, interest or other penalties, no later than the Amnesty Date. If the tenant pays all forborne rent by that Amnesty Date, the landlord shall not charge any late fees, interest, or other penalty.

h. For purposes of this Section 2, "financial impacts related to COVID-19" include, but are not limited to, a tenant who lost substantial business income or has extraordinary expenses as a result of any of the following: (1) being sick with COVID-19, or caring for a household or family member who is sick with COVID-19; (2) income reduction resulting from business closure or other economic or employer impacts of COVID-19; (3) compliance with a recommendation from a government health authority to stay home, self-quarantine, or avoid congregating with others during the state of emergency; (4) extraordinary out-of-pocket medical expenses related to COVID-19; or (5) child care needs arising from school closures related to COVID-19.

i. For purposes of this Section 2, "substantial" shall be defined as a material decrease of monthly income, the incurring of extraordinary expenses related to COVID-19, or any other circumstance which causes an unusual and significant financial impact on the tenant.

j. This Ordinance shall not apply to any commercial tenant that is a publicly traded entity, an entity that is listed on the Fortune 1000, or any entity that employs more than 500 employees or any commercial tenant that is owned by another entity that is publicly traded, listed on the Fortune 1000 or combined with the commercial tenant and other subsidiaries employs more than 500 employees. As used in the preceding sentence, the term "owned" shall mean ownership of a majority of the ownership interest of the commercial tenant. This exemption shall not apply to a franchisee or similar small business owner who is the responsible tenant on the lease unless such small business owner meets the criteria of this exemption.

(1) Any commercial tenant covered by the exemption set forth in this subsection j, and who otherwise complied with this Ordinance, shall have until 10 days, after the tenant has received notice as provided below, to pay all forborne rent that became due since March 16, 2020. The landlord shall not charge a late fee or interest in connection with such unpaid rent. If a commercial tenant fails to pay all forborne rent within 10 days after the tenant has received written notice delivered by certified mail with return receipt, overnight courier service, or by any other delivery method and provides written evidence of receipt, the landlord may charge a late fee or interest from that date.

(2) A landlord may give notice to any commercial tenant covered by the exemption set forth in this subsection j at any time.

k. A dispute as to whether the commercial tenant has demonstrated facts sufficient to result in a temporary payment reduction or other legal remedy shall be determined according to civil law.

Section 3. In addition to the requirements of the Governor's Executive Order and the requirements of the Los Angeles County Department of Health order, the following regulations related to businesses, located in the City of Beverly Hills are adopted in order to implement recommended practices as a result of the COVID-19 pandemic:

a. Business located in the City with self-service unwrapped food items such as buffets are prohibited.

b. Enforcement of City codes and regulations may be relaxed as City staff deems appropriate in connection with commercial signs and banners displayed on or adjacent to restaurants, bars or other businesses that are permitted to remain open pursuant to this Ordinance.

c. The City shall provide for additional loading zones near businesses that are authorized to be open in order to facilitate curbside pickup.

d. The City shall waive fees associated with a Special Event Permit for temporary outdoor dining and shall waive the minimum ten (10) day period for filing an application for a Special Event Permit for temporary outdoor dining.

e. The City Manager is authorized to issue street closure permits and any other permits necessary to allow for temporary outdoor dining.

f. To the extent that Beverly Hills Municipal Code Sections 5-10-2 through 5-10-7 prohibit retail establishments from providing without charge reusable bags or recycled paper bags to customers at the point of sale, Beverly Hills Municipal Code Sections 5-10-2 through 5-10-7 are hereby suspended.

Section 4. During the period of local emergency

declared by the Director of Emergency Services on March 15, 2020 and affirmed by the City Council on March 16, 2020, in response to the COVID-19 pandemic, a temporary moratorium is hereby imposed on the annual rent increases authorized by Sections 4-5-303(c) and 4-6-3 of the Beverly Hills Municipal Code. This moratorium on rent increases shall be applied to any rent increase scheduled to take effect on or after March 15, 2020. Nothing in this Ordinance shall alter the date of annual rent increases in future years.

Section 5. During the period of local emergency declared by the City Council on March 16, 2020, in response to the COVID-19 pandemic, there shall be no increase in Internet access fees or reduction in service.

Section 6. For those establishments offering food pickup options, and other essential businesses, proprietors are directed to establish social distancing practices for those patrons in the queue for pickup and other reasons, as well those allowed in the premises or otherwise working. Such restaurants and essential businesses shall establish health and safety measures for their employees and customers, including but not limited to appropriate gloves and masks.

Section 7. Face Coverings. All persons shall wear face coverings that cover their mouth and nose openings such as scarves (dense fabric, without holes), bandannas, neck gaiters, or other fabric face coverings, when they leave their homes or places of residence for essential activities, such as taking a walk through their neighborhood, if that person has potential to come within six feet of another person not a member of their household. All persons, including non-medical essential workers are discouraged from using Personal Protective Equipment (PPE), such as N95 masks, for non-medical reasons.

Exceptions: These following exceptions will apply to this Section 6:

(1) Children under the age of 2 are not required to wear face coverings.

(2) Persons who must remove the face covering in order to receive medical services.

(3) Persons who are directed to remove the face covering by a law enforcement officer.

For the purposes of this Ordinance, the terms "essential business," "essential workers," and "essential activity" shall have the same meanings as they do under State law.

Section 8. Business Tax. No penalties or interest shall accrue on outstanding business tax during the period that the City of Beverly Hills has declared an emergency related to the COVID-19 pandemic. The Director of Finance is authorized in his sole discretion to waive any penalties and/or interest on business tax imposed prior to the March 15, 2020 declaration of emergency, upon a request by a business owner and a demonstration by the business owner of economic hardship due to COVID-19.

Section 9. Hoarding. The City Council urges residents not to hoard essential goods such as hand sanitizer, cleaning supplies, toilet paper, canned food, frozen food and other needed supplies. The City Council strongly condemns hoarding. Retail establishments located in the City shall be responsible for limiting the sales of such items, as they see fit to provide greater accessibility to a larger group of customers.

Section 10. Third Party Food Delivery Service Commission.

1. Definitions. For purposes of this Section, the following definitions apply:

"Delivery Fee" means a fee charged by a Third-party Food Delivery Service for providing a Retail Food Establishment with a service that delivers food and beverages from such establishment to customers. The term does not include any other fee or cost that may be charged by a Third-Party Food Delivery Service to a Retail Food Establishment, such as fees for listing or advertising the Retail Food Establishment on the Third-party Food Delivery Service platform or fees related to processing the online order including, but not limited to service fees, fees for facilitating Online Orders for pick-up, and credit card processing fees.

"Online Order" means an order placed by a customer, including a phone order, for delivery or pick-up from a restaurant located within the City.

"Purchase Price" means the menu price of the

items contained in an Online Order, minus any applicable coupon or promotional discount provided to the customer by the restaurant through the Third-Party Food Delivery Service. Such term therefore excludes taxes, gratuities and any other fees or costs that may make up the total amount charged to the customer of an Online Order.

"Retail Food Establishment" means a restaurant, delicatessen bakery, coffee shop, or other eat-in or carry-out service of processed or prepared raw and ready-to-eat food or beverages.

"Third-Party Food Delivery Service" means any website, mobile application or other internet service that offers or arranges for the sale of food and beverages prepared by, and the delivery or pick-up of food and beverages from, no fewer than 20 separately owned and operated food service establishments.

2. Prohibitions. From the effective date of this ordinance through August 31, 2020, it shall be unlawful for a Third-party Food Delivery Service to do the following:

a. charge a Retail Food Establishment a Delivery Fee that totals more than fifteen percent (15%) of the Purchase Price of each Online Order.

b. charge a Retail Food Establishment any amount designated as a Delivery Fee for an Online Order that does not involve the delivery of food or beverages.

c. charge a Retail Food Establishment any combination of fees, commissions, or costs for the Retail Food Establishment's use of the Third-party Food Delivery Service that is greater than five percent (5%) of the Purchase Price of each Online Order or to charge any amount of fees, commissions, or costs for the Retail Food Establishment's use of the Third-Party Food Delivery Service unless the contract between the Retail Food Establishment and the Third-Party Food Delivery Service allows for fees, commissions, and costs other than a Delivery Fee. For the purpose of this subsection c, fees, commissions, or costs do not include the Delivery Fee, which is capped at fifteen percent (15%).

d. charge a Retail Food Establishment any fee, commission, or cost other than as permitted in subsections a through c, above.

e. charge a customer any Purchase Price for a food or beverage item that is higher than the price imposed by the Retail Food Establishment on the Third-Party Food Delivery Service or, if no price is imposed by the Retail Food Establishment on the Third-Party Food Delivery Service, the price listed on the Retail Food Establishment's own menu.

f. retain any portion of amounts designated as a tip or gratuity. Any tip or gratuity shall be paid by the Third-party Food Delivery Service, in its entirety, to the person delivering the food or beverages.

3. Disclosures. The Third-party Food Delivery Service shall disclose to the customer an accurate, clearly identified, and itemized cost breakdown of each transaction, including, but not limited to the following:

a. the Purchase Price of the food and beverages at the cost listed on the Retail Food Establishment's menu;

b. the Delivery Fee charged to the Retail Food Establishment;

c. each fee, commission, or cost, other than a Delivery Fee, charged to the Retail Food Establishment;

d. each fee, commission, or cost, other than the Delivery Fee or the Purchase Price of the food, charged to the customer by the Third-party Food Delivery Service;

e. any tip or gratuity that will be paid to the person delivering the food or beverages.

4. A Third-Party Food Delivery Service shall not be found in violation of this Section if between June 17, 2020 and June 24, 2020, it imposes a Delivery Fee per Online Order that totals more than fifteen percent (15%), and other fees, commissions, and costs that total more than five percent (5%), of the Purchase Price of such Online Order, provided that the Third-Party Food Delivery Service refunds the portion of the fee that exceeds those amounts to the Retail Food Establishment prior to July 3, 2020.

5. If a Third-Party Food Delivery Service charges a Retail Food Establishment fees

that violate this Section, the Retail Food Establishment shall provide written notice to the Third-Party Food Delivery Service requesting a refund within seven days. If the Third-Party Food Delivery Service does not provide the refund requested after seven days or the Third-Party Food Delivery Service continues to charge fees in violation of this Section after the initial notice and seven-day cure period, a Retail Food Establishment may enforce this Section by means of a civil action seeking damages and injunctive relief. The prevailing party in any such action shall be entitled to an award of reasonable attorney fees.

**Section 11. Violations.** Violations of this Ordinance shall be punishable as set forth in Section 2-4-111 and Chapter 3 of Title 1 of the Beverly Hills Municipal Code except violations of Section 7, which shall be solely subject to the administrative citation process set forth in Chapter 3 of Title 1 of the Beverly Hills Municipal Code. Violations of any public health order duly issued by the Los Angeles County Public Health Officer

may be cited and prosecuted as an infraction or may be subject to the administrative citation process set forth in Chapter 3 of Title 1 of the Beverly Hills Municipal Code. In addition, this Ordinance provides a defense to a tenant, in the event that an unlawful detainer action is commenced in violation of this Ordinance.

**Section 12. Remain in Effect.** This Ordinance shall remain in effect for the duration of the local emergency.

Section 13. Ordinance No. 20-O-2814 is hereby repealed and replaced by this Ordinance.

**Section 14. Uncodified.** This Ordinance shall not be codified.

**Section 15. Severability.** If any provision of this Ordinance is held invalid by a court of competent jurisdiction, such provision shall be considered a separate, distinct and independent provision and such holding shall not affect the validity and enforceability of the other provisions of this Ordinance.

**Section 16. 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 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 17. Effective Date.** This Ordinance is adopted as an urgency ordinance for the immediate preservation of the public peace, health and safety within the meaning of Government Code Section 36937(b), and therefore shall be passed immediately upon its introduction and shall become effective at 12:01 a.m., June 19, 2020 upon its adoption by a minimum 4/5 vote of the City Council.

**Section 18. Duration.** This Ordinance shall remain in effect until it is superseded by another

Ordinance adopted by the City Council.

**Section 19. Certification.** The City Clerk shall certify to the adoption of this Ordinance.

Adopted: June 19, 2020  
Effective: June 19, 2020

LESTER J. FRIEDMAN  
Mayor of the City of Beverly Hills, California

ATTEST:  
HUMA AHMED (SEAL)  
City Clerk

APPROVED AS TO FORM:  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:  
GEORGE CHAVEZ  
City Manager

AYES: Councilmembers Gold, Bosse, Mirisch,  
Vice Mayor Wunderlich, and Mayor Friedman  
NOES: None  
CARRIED

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ATTENTION DIABETICS! Save money on your diabetic supplies! Convenient home shipping for monitors, test strips, insulin pumps, catheters and more! To learn more, call now! 1-855-702-3408. (Cal-SCAN)

Lowest Prices on Health Insurance. We have the best rates from top companies! Call Now! 1-888-989-4807. (Cal-SCAN)

Over \$10K in Debt? Be debt free in 24 to 48 months. No upfront

fees to enroll. A+ BBB rated. Call National Debt Relief 1-888-508-6305. (Cal-SCAN)

ATTENTION: OXYGEN USERS! The NEW Inogen One G5. 1-6 flow settings. Designed for 24 hour oxygen use. Compact and Lightweight. Get a Free Info kit today: 1-844-359-3976 (Cal-SCAN)

Attention: Oxygen Users! Gain freedom with a Portable Oxygen Concentrator! No more heavy tanks and refills! Guaranteed Lowest Prices! Call the Oxygen Concentrator Store: 1-844-653-7402 (Cal-SCAN)

Struggling With Your Private Student Loan Payment? New relief programs can reduce your payments. Learn your options. Good credit not necessary. Call the Helpline 866-305-5862 (Mon-Fri 9am-5pm Eastern) (Cal-SCAN)

SAVE BIG on HOME INSURANCE! Compare 20 A-rated insurances companies. Get a quote within minutes. Average savings of \$444/year! Call 1-844-410-9609! (M-F 8am-8pm Central) (Cal-SCAN)

ARE YOU BEHIND \$10k OR MORE ON YOUR TAXES? Stop wage & bank levies, liens & audits, unfiled tax returns, payroll issues, & resolve tax debt FAST. Call 1-855-970-2032 (CalSCAN)

Water Damage to Your Home? Call for a quote for professional cleanup & maintain the value of your home! Set an appt. today! Call 1-855-401-7069 (Cal-SCAN)

DONATE YOUR CAR, BOAT OR RV to receive a major tax deduction. Help homeless pets. Local, IRS Recognized. Top Value Guaranteed. Free Estimate and Pickup. LAPETSALIVE.ORG 1-833-772-2632 (Cal-SCAN)

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DONATE YOUR CAR OR TRUCK TO HERITAGE FOR THE BLIND. Free 3 Day Vacation, Tax Deductible, Free Towing, All Paperwork Taken Care Of. CALL 1-844-491-2884 (Cal-SCAN)

DIRECTV - Switch and Save! \$39.99/month. Select AllIncluded Package. 155 Channels. 1000s of Shows/Movies On Demand. FREE Genie HD DVR Upgrade. Premium movie channels, FREE for 3 mos! Call 1-888-641-5762. (Cal-SCAN)

Need some cash! Sell your unwanted gold, jewelry, watches & diamonds. Call GOLD GEEK 1-844-905-1684 or visit [www.GetGoldGeek.com/california](http://www.GetGoldGeek.com/california) BBB A Plus Rated. Request your 100 Percent FREE, no risk, no strings attached appraisal kit. Call today! (Cal-SCAN)

ENJOY 100% guaranteed, delivered-to-the-door Omaha Steaks! Get 4 FREE Burgers. Order The Griller's Bundle - ONLY \$79.99. 1-877-882-4248 Use Code 63281PAM or [www.OmahaSteaks.com/family06](http://www.OmahaSteaks.com/family06) (Cal-SCAN)

RETIRED COUPLE \$\$\$\$ for business purpose Real Estate loans. Credit unimportant. V.I.P. Trust Deed Company [www.viploan.com](http://www.viploan.com) Call 1-818-248-0000. Broker-principal DRE 01041073. No consumer loans. (Cal-SCAN)

**115-CEMETERY** Hollywood Hills Mt. Sinai Cemetery. Located in Maimonides section. Rare find in sold out section. Endowment and transfer

fees included. \$18,000 obo. (818) 515-8345

Hollywood Forever Cemetery 2 plots in mausoleum. Garden of Israel-Tier B True Companion. Crypt B-46. Current value as of 6-1-19 \$16,500 (normally \$33,000, 50% discount) I will pay the transfer fee of \$1,500. (Live forever with the Hollywood stars). Call 310-228-8534

Mount Sinai Hollywood Hills. 2 plots side by side located in Maimonides section Endowment and Transfer Fees included \$ 36,000. Sold out section near the entrance and a large tree. 818-585-0810

## 125-PERSONALS

Well-to-do lady seeks a good man age 62-80 to travel and have a good life with. I'll pay my expenses, and you pay yours. 310-684-1448.

## 140-HEALTH/MEDICAL

ATTENTION: OXYGEN USERS! The NEW Inogen One G5. 1-6 flow settings. Designed for 24 hour oxygen use. Compact and Lightweight. Get a Free Info kit today: 1-844-359-3976 (CalSCAN)

Attention: Oxygen Users! Gain freedom with a Portable Oxygen Concentrator! No more heavy tanks and refills! Guaranteed Lowest Prices! Call the Oxygen Concentrator Store: 1-844-653-7402 (Cal-SCAN)

## 263-CAREGIVER

Mature caregiver with 11 years elder experience. Looking for a live-in client. Call 661-373-0906.

## 400-REAL ESTATE

REAL ESTATE WANTED KC BUYS HOUSES - FAST - CASH - Any Condition. Family owned & Operated. Same day offer! (951) 777-2518 WWW.KCBUYSHOUSES.COM (Cal-SCAN)A

REAL ESTATE/LAND FOR SALE

Wooded New Mexico high country getaway. 3-7 acre parcels with underground utilities surrounded by public lands. Low down owner financing from \$24,995 total. Hitching Post Land 1-575-773-4200 (CalSCAN)

RETIRED COUPLE \$\$\$\$ for business purpose Real Estate loans. Credit unimportant. V.I.P. Trust Deed Company [www.viploan.com](http://www.viploan.com) Call 1-818-248-0000. Broker-principal DRE 01041073. No consumer loans. (Cal-SCAN)

## 205-ADOPTIONS

ADOPTION: You are not alone. For immediate counseling, help choosing a loving family, and financial assistance, call 24/7 (800) 658-8284 / Text (646) 988-6281. Expenses Paid. Confidential. [www.adoptionsfirst.com](http://www.adoptionsfirst.com) (Cal-SCAN)

## 420-OUT OF STATE PROPERTY

Up to 100,000 sf available in beautiful Northern Minnesota. 25 cents per sf. Creative office space, storage, many uses. Call/text 310-800-1595.

36 ACRE SELF SUFFICIENCY HOMESTEAD - \$145 MONTH

Outstanding buy on quiet - secluded off grid northern Arizona homestead at cool clear 6,000' elev. Entirely useable grassy meadowland with sweeping views of surrounding red rock ridges. Situated within a secluded valley location surrounded by thousands of acres of uninhabited wilderness. Free well water access, rich loam garden soil, and ideal year-round climate. No urban noise and dark sky nights. Zoned for livestock. Camping and RV use ok. Maintained road access. On special at \$15,900, \$1,590 dn. with no qualifying seller financing. Free brochure with similar property descriptions, photos/terrain maps/ weather data/ nearby pioneer town info. 1st United Realty 1-800-966-6690. (Cal-SCAN).

## 501-HELP WANTED

Beverly Hills Unified School District BHUSD is accepting applications for the following Classified

positions (must apply at [www.EdJoin.org](http://www.EdJoin.org) <<http://www.edjoin.org/>>): Security Officer Work Year: 10 months, 40 hours/week (full time) Salary: \$3,024-\$3,858/month Playground Aide Work Year: 10 months (part time, up to 19.5 hours/week) Salary: \$14.14/hr

## 809-INSURANCE/HEALTH

Lowest Prices on Health Insurance. We have the best rates from top companies! Call Now! 1-888-989-4807. (Cal-SCAN)

## 901-AUTOMOTIVE

Midas Beverly Hills Lifetime warranty on Brakes, Shocks & Struts 15% off parts with ad. 8537 Wilshire Blvd 310-652-3040

## 955-AUTOS WANTED

DONATE YOUR CAR, BOAT OR RV to receive a major tax deduction. Help homeless pets. Local, IRS Recognized. Top Value Guaranteed. Free Estimate and Pickup. LAPETSALIVE.ORG 1-833-772-2632 (Cal-SCAN)

DONATE YOUR CAR, TRUCK OR BOAT TO HERITAGE FOR THE BLIND. FREE 3 Day Vacation, Tax Deductible, Free Towing, All Paperwork Taken Care of. Call 1-844-491-2884 (Cal-SCAN)

WANTED! Old Porsche 356/911/912 for restoration by hobbyist 1948-1973 Only. Any condition, top \$ paid! PLEASE LEAVE MESSAGE 1-707-965-9546. Email: [porschorestoration@yahoo.com](mailto:porschorestoration@yahoo.com) (Cal-SCAN)

## 955-FINANCIAL SERVICES

Over \$10K in Debt? Be debt free in 24 to 48 months. No upfront fees to enroll. A+ BBB rated. Call National Debt Relief 1-888-508-6305. (Cal-SCAN)

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# How is the Market?

Low mortgage rates and the need for more space seem to be fueling the current market activity. If you have any specific questions about home values in your area, please do not hesitate to reach out.

| REAL-TIME MARKET PROFILE                                  |  |               |
|---|--|---------------|
| Never miss important changes in the Beverly Hills market. |  |               |
| Median List Price   |  | \$6,995,000   |
| Per Square Foot   |  | \$1,470       |
| Days on Market  |  | 231           |
| Price Decreased   |  | 23%           |
| Price Increased   |  | 1%            |
| Relisted  |  | 20%           |
| Inventory   |  | 223           |
| Median Rent   |  | \$18,500      |
| Most Expensive  |  | \$110,000,000 |
| Least Expensive   |  | \$1,160,000   |
| Market Action   |  | 27            |
| <b>Slight Buyer's Advantage</b>                           |  |               |

Market report provided by - Altos Research, all rights reserved.



10388 Ilona Ave | 4 Bed | 4 Bath



2170 Century Park East | 2 Bed | 2 Bath



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Reach out to me for more!



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