



**CITY OF BEVERLY HILLS  
CITY COUNCIL  
REGULAR MEETING  
December 16, 2008**

The Regular Meeting of the City Council of Beverly Hills was held in the Council Chambers at 7:00 p.m.

**A. ROLL CALL**

Present: Councilmember Delshad, Councilmember Krasne, Councilmember Briskman, Vice Mayor Fenton, and Mayor Brucker  
Absent: None

**B. PRESENTATIONS**

**1. CERTIFICATE OF APPOINTMENT - Fine Art Commission  
- Sandra Pressman**

Mayor Brucker presented a Certificate of Appointment and City pin to the new Fine Art Commissioner Sandra Pressman.

**2. PROCLAMATION - to the Beverly Hills Sister Cities China delegation**

Mayor Brucker welcomed a delegation visiting from China this evening. The Mayor then presented proclamations to the delegation from Beverly Hills that traveled to China for the City's Sister City program. The Mayor introduced each member and thanked them for their dedication to the City of Beverly Hills.

**3. CAFR AWARD - GFOA representative presentation of the City's FY 2006-2007 CAFR (Comprehensive Annual Financial Report) Award to the City**

Assistant Director of Administrative Services/Finance Noel Marquis presented the award "Certificate of Achievement for Excellence in Financial Reporting presented to the City of Beverly Hills CAFR for FY 2006-2007" from the Government Finance Officers Association of the United States and Canada to the City of Beverly Hills.

**C. ORAL COMMUNICATIONS**

**1. TELEPHONE CALL-IN (310.285.1020) (Members of the public are invited to place telephone calls to comment on issues that do not appear on the evening's agenda. The City Council will take up to three telephone calls per meeting. Comments on the evening's agenda must be made in person as the item comes before the City Council.)**

None

2. **AUDIENCE COMMENTS.** *Any person wishing to address the City Council on any matter not on the agenda may do so at this time. However, the State open meetings law (Government Code Section 54950 et seq.) prohibits the City Council from providing a detailed response or acting upon any item not contained on the agenda posted 72 hours before a regular meeting and 24 hours before a special meeting. If you wish to address the City Council at this time, please complete a speaker's card and give it to the City Clerk prior to the commencement of the meeting. Please use the microphone provided, clearly stating your name for the official record and courteously limiting your remarks to three (3) minutes so others may have the opportunity to speak as well.*

None

3. **REPORT FROM THE CITY MANAGER**  
*\* Training Coach Program - Sandra Olivencia-Curtis, Assistant Director of Administrative Services/Human Resources*

Assistant Director of Administrative Services/Human Resources Sandra Olivencia-Curtis provided a history on the training and organizational development program and explained the City's certification program for in-house trainers and coaches for City employees.

At the request of the City Manager Roderick Wood, Dr. Miller explained that the City Council approved placing the tax measures (business taxes, oil extraction and commercial parking operations taxes) on the upcoming General Municipal Election ballot for the registered voters of Beverly Hills to decide on. Dr. Miller explained the measures involve updates to the business taxes to allow the City of Beverly Hills to be competitive with surrounding cities. He emphasized that the City Council did not approve these taxes at their last meeting, but merely placed them on the March 3, 2009 ballot for the voters to decide.

Councilmember Briskman requested that all City Council candidates receive a description and a white paper regarding the measure.

4. **CITY COUNCILMEMBER AND COMMITTEE REPORTS**  
*- Showcase Beverly Hills:  
\* Video of 2008 City Highlights*

Mayor Brucker introduced a video on the highlights of the City Council meeting presentations that took place over this past year.

**D. PUBLIC HEARING**

**TO SET:**

None

**TO CONSIDER:**

This being the time and place set, a public hearing was held to consider:

1. INTERIM ORDINANCE OF THE CITY OF BEVERLY HILLS EXTENDING INTERIM ORDINANCE 08-O-2556 REGARDING THE APPLICABILITY OF PARKING AND LOADING STANDARDS TO CERTAIN NONCONFORMING COMMERCIAL STRUCTURES IN THE C-3T-2 ZONE ON OLYMPIC BOULEVARD BETWEEN REXFORD DRIVE AND ROBERTSON BOULEVARD. Comment: The ordinance would extend the interim ordinance through June 30, 2009. The ordinance requires nonconforming buildings of 12,000 sq. ft. or larger to meet current parking and loading standards when the use is intensified, unless the Planning Commission approves alternative arrangements.

The notice of this hearing was published as required by law and an affidavit to this effect is on file with the City Clerk.

The records and files of the Community Development Department and the report of the Director of Community Development concerning this matter shall be entered into the record.

City Planner Jonathan Lait presented the staff report. He noted that on November 5, 2008 the City Council adopted an Urgency Ordinance to allow certain properties along the stretch of Olympic Boulevard to conform with parking and loading standards when an intensification of use is being proposed. Mr. Lait indicated the current ordinance is expiring on December 20th and staff is recommending the extension of the Urgency Ordinance to June 30, 2009.

MOVED by Councilmember Briskman, seconded by Vice Mayor Fenton to waive full reading and adopt Interim Ordinance D-1 as follows:

INTERIM ORDINANCE OF THE CITY OF BEVERLY HILLS EXTENDING INTERIM ORDINANCE 08-O-2556 REGARDING THE APPLICABILITY OF PARKING AND LOADING STANDARDS TO CERTAIN NONCONFORMING COMMERCIAL STRUCTURES IN THE C-3T-2 ZONE ON OLYMPIC BOULEVARD BETWEEN REXFORD DRIVE AND ROBERTSON BOULEVARD.

Ayes: Councilmember Delshad, Councilmember Krasne, Councilmember Briskman, Vice Mayor Fenton, and Mayor Brucker

Noes: None

CARRIED

**ITEM D-1: ADOPTED ORD#08-0-2559**

This being the time and place set, a public hearing was held to consider:

2. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES & CHARGES TO ADJUST THE PARKING CITATION CHARGES FOR FISCAL YEAR 2008/2009. Comment: This amendment will adjust the current schedule of fees and charges related to all parking citation fees. This item is continued from the regular meeting of December 2, 2008.

The notice of this hearing was published as required by law and an affidavit to this effect is on file with the City Clerk.

The records and files of the Public Works Department and the report of the Director of Parking Operations concerning this matter shall be entered into the record.

Director of Parking Operation Chad Lynn presented the staff report and showed a PowerPoint slide with the revised fines requested by the City Council from the last City Council Meeting.

There was a discrepancy noted in the material that needed to be corrected and it was the consensus of the Council to move to the Consent Calendar and then return to complete this item.

Mr. Lynn distributed corrected copies to the Council. Staff was directed to have a discussion regarding impound fees at a future Study Session.

MOVED by Vice Mayor Fenton, seconded by Councilmember Krasne to adopt Resolution D-2 as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS  
AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES & CHARGES  
TO ADJUST THE PARKING CITATION CHARGES FOR FISCAL YEAR 2008/2009.

Ayes: Councilmember Delshad, Councilmember Krasne, Councilmember  
Briskman, Vice Mayor Fenton, and Mayor Brucker

Noes: None

CARRIED

**ITEM D-2: ADOPTED RES#08-R-12646**

**E. CONTINUED AND NEW BUSINESS**

*None*

**F. CONSENT CALENDAR**

Moved by Councilmember Delshad, seconded by Councilmember Briskman to approve the items on the consent agenda, and direct that the appropriate accounts be charged on Items F-2 and F-3.

Councilmember Delshad explained Consent Calendar Item F-7A regarding compensation for City Councilmembers.

Dr. Woodrow Clark discussed the Sister City visit to China and inquired whether they visited the Jewish Temples, and asked questions about Consent Calendar Items F-4, F-5 and F-6, F-16 and F-17.

#### Minutes

1. ***Consideration of the Minutes of the regular meeting of November 18, 2008.***

#### Demands Paid

2. ***REVIEW OF BUDGETED DEMANDS PAID, report dated November 26 - December 8, 2008.***
3. ***PAYROLL DISBURSEMENT REPORT, report dated December 16, 2008.***

#### Other Business

#### **ORDINANCE OF THE CITY OF BEVERLY HILLS:**

4. ***AMENDING TITLE 9 OF THE MUNICIPAL CODE REGARDING WATER CONSERVATION PLUMBING FIXTURE STANDARDS AND WATER EFFICIENT LANDSCAPING. For Introduction.*** Comment: The proposed ordinance provides that upon the change of ownership or upon the resale of residential or commercial property that the plumbing fixtures be retrofitted with water efficient fixtures. In addition, the ordinance requires the installation of smart irrigation controllers for all new landscaping proposed as part of new residential or commercial project, new installations of landscaping irrigation systems or upon the alteration of 50 percent or more of any landscaped area.

#### **ITEM F-4: WAIVE FULL READING AND ADVANCE TO THE MEETING OF JANUARY 6, 2009 FOR ADOPTION**

5. ***REQUIRING VEHICLE REMOVAL FROM DESIGNATED STREETS DURING SEVERE FIRE CONDITIONS IN VERY HIGH FIRE HAZARD SEVERITY ZONES AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE.*** Comment: The proposed ordinance provides the City (BHPD) the authority to remove any vehicle that is stopped, parked or left standing in such a way to prevent the mobility of fire apparatus or whose removal is necessary to ensure public safety in the event of any major conflagration or other fire-related emergency requiring police action. The ordinance applies to that area of the city designated as the "Very High Fire Hazard Severity Zone" located north of Sunset Blvd. RESOLUTIONS APPROVING:

#### **ITEM F-5: WAIVE FULL READING AND ADVANCE TO THE MEETING OF JANUARY 6, 2009 FOR ADOPTION**

**RESOLUTIONS APPROVING:**

6. **RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION HELD ON NOVEMBER 4, 2008, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW.** Comment: Accepts the certification of the November 4, 2008 Election results from the Los Angeles County Registrar Recorder for Measure H - The Beverly Hilton Revitalization Plan.

**ITEM F-6: APPROVED RES#08-R-12647**

- 7A. **ADOPTING THE COMPENSATION PLAN FOR ELECTED OFFICIALS.**

**ITEM F-7A: ADOPTED RES#08-R-12648 AG#508-08**

- 7B. **AMENDING THE COMPENSATION PLAN FOR DEPARTMENT DIRECTORS, ASSISTANT DEPARTMENT DIRECTORS, AND SENIOR MANAGEMENT EMPLOYEES.** Comment: It is recommended that the City Council adopt the two resolutions creating the Councilmember and City Treasurer Compensation Plan and approving the revised Executive Employee Compensation Plan.

**ITEM F-7B: ADOPTED RES#08-R-12649 AG#509-08**

8. **AN ADMINISTRATIVE SERVICES AGREEMENT BETWEEN ICMA RETIREMENT CORPORATION AND THE CITY OF BEVERLY HILLS.** Comment: It is recommended that the City Council adopt the resolution approving the ICMA-RC Administrative Services Agreement extension for an additional two year term with two one year options and authorize the Chief Financial Officer to approve all related documents to develop and implement the 457, 401(k) and future 401(a) and/or a Retirement Health Savings Plan(s) or similar plan. APPROVAL OF:

**ITEM F-8: ADOPTED RES#08-R-12650 AG#510-08**

**APPROVAL OF:**

9. **AGREEMENT WITH MERCEDES BENZ OF BEVERLY HILLS FOR LOAN OF A MERCEDES BENZ VEHICLE FOR USE IN THE POLICE DEPARTMENT'S DRUG ABUSE RESISTANCE EDUCATION (DARE) PROGRAM.** Comment: Mercedes Benz of Beverly Hills has offered to loan a vehicle to the Police Department to support and increase student interest in the DARE program.

**ITEM F-9: APPROVED AG#511-08**

10. **ACCEPTANCE AND APPROPRIATION OF OUT OF SCHOOL TIME ONLINE HOMEWORK HELP GRANT, HELEN LOUISE JACKSON TRUST DONATION, DONATION FROM FRIENDS OF THE BEVERLY HILLS LIBRARY ON BEHALF OF THE HARRIS VISUALLY HANDICAPPED FUND, AND DONATION FROM SAMUEL GOLDWYN FOUNDATION.** Comment: This item requests the City Council to accept and appropriate donation and grant funding in the amount of \$82,040.

**ITEM F-10: APPROVED**

11. **APPROPRIATION OF 2008/2009 PROPOSITION 1B ALLOCATION & SUBSEQUENT APPROVAL OF THE PROP 1B LIST OF STREETS TO BE REHABILITATED UTILIZING THESE FUNDS,** Comment: Appropriation of 08/09 Prop 1B funds in the amount of \$536,437.08 for a new 08/09 street improvement project and approval of streets proposed for rehabilitation utilizing these funds.

**ITEM F-11: APPROVED**

12. **THE AWARD OF A CONTRACT TO SBS CORPORATION, A CALIFORNIA CORPORATION FOR THE POLICE FACILITY AND EMERGENCY OPERATIONS CENTER REMODEL AND EXPANSION AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND, APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$1,873,092 TO SBS CORPORATION, A CALIFORNIA CORPORATION FOR THE CONTRACT WORK** Comment: Provides for the contract work to expand and remodel the EOC and related relocation and remodel of Police offices in the Police Facility.

**ITEM F-12: APPROVED AG#512-08**

13. **APPROPRIATION OF \$1,059,772.00 FROM THE VEHICLE REPLACEMENT INTERNAL SERVICE FUND; AND, APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$1,059,772.00 TO PIERCE MANUFACTURING FOR THE PURCHASE OF ONE PUBLIC SAFETY EQUIPMENT.** Comment: This appropriation is to provide \$1,059,772.00 from the Vehicle Replacement Internal Service Fund to the FY2008/2009 CIP Vehicle Replacement Program and approve a purchase order to the Pierce Manufacturing to purchase one Truck-tractor-drawn Aerial (Ladder Truck) as replacement for an existing ladder truck assigned to the Fire Department.

**ITEM F-13: APPROVED**

14. **PLANNING COMMISSION APPOINTMENT.** Comment: Appoints Craig Corman to the Planning Commission for an initial two year term.

**ITEM F-14: APPROVED**

15. **TRAFFIC AND PARKING COMMISSION APPOINTMENT.** Comment: Appoints Julie Steinberg to the Traffic and Parking Commission for an initial two year term.

**ITEM F-15: APPROVED**

16. **AMENDMENT NO. 1 TO THE AMENDED AND RESTATED EMPLOYMENT AGREEMENT WITH RODERICK J. WOOD.** Comment: This amendment will decrease Mr. Wood's management compensation pay and increase his base salary in the same amount. There will be no net change in this total.

**ITEM F-16: APPROVED AG#513-08**

17. **AMENDMENT NO. 1 TO AN AMENDED AND RESTATED EMPLOYMENT AGREEMENT WITH BYRON POPE.** Comment: This amendment will decrease Mr. Pope's management compensation pay and increase his base salary in the same amount. There will be no net change in this total.

**ITEM F-17: APPROVED AG#514-08**

18. **ACCEPTANCE OF THE CONTRACT WORK FOR THE CONSTRUCTION OF SUNSET RESERVOIR DRAIN SYSTEM AND REHABILITATION OF RESERVOIR 4A INLET/OUTLET LINES BY J. FLETCHER CREAMER & SON, INC. ( JFC) IN THE FINAL AMOUNT OF \$838,802, APPROVAL OF ISSUANCE OF A CHANGE ORDER IN THE AMOUNT OF \$126,082 TO JFC, AUTHORIZATION OF THE CITY MANAGER TO SIGN CHANGE ORDER NO. 1 ON BEHALF OF THE CITY AND AUTHORIZATION FOR THE RECORDATION OF THE NOTICE OF COMPLETION.** Comment: Acceptance of the contract work performed by J. Fletcher Creamer and Son, Inc. at Sunset Reservoir and Reservoir 4A, approval of Change Order No. 1 and authorization for the recordation of Notice of Completion.

**ITEM F-18: APPROVED**

19. **VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN:**

**ITEM A APPROVAL OF A PURCHASE ORDER TO JAM SERVICES, INC. FOR THE PURCHASE OF LIGHT EMITTING DIODE (LED) TRAFFIC MODULES IN THE NOT-TO-EXCEED AMOUNT OF \$58,545.50** Comment: Provides for the purchase (third and last phase) of LED traffic signal modules, LED pedestrian signal modules, and programmed visibility signal modules as replacement for the existing LED traffic modules throughout the City.

**ITEM F-19A: APPROVED**

Vote on Consent Calendar:

Ayes: Councilmember Delshad, Councilmember Krasne, Councilmember Briskman, Vice Mayor Fenton, and Mayor Brucker

Noes: None

CARRIED

**G. COMMISSION SYNOPSIS**

1. **HUMAN RELATIONS COMMISSON - regular meeting of November 20, 2008.**  
Original, signed minutes are on file in the Office of the City Clerk.

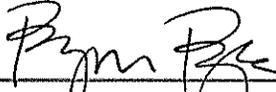
**H. OTHER BUSINESS**

Mayor Brucker, on behalf of the City Council and staff, wished the entire community a Happy and Healthy Holiday.

**I. ADJOURNMENT**

There being no further business, Mayor Brucker, with the consent of Council, adjourned the meeting at 8:35 p.m.

PASSED, Approved and Adopted  
this 22nd day of January, 2009.

  
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BYRON POPE, City Clerk

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**BARRY BRUCKER, MAYOR**

**This meeting was broadcast on live television, on City of Beverly Hills municipal government television access Channel BHTV10 Time Warner Cable.**