



**CITY OF BEVERLY HILLS
CITY COUNCIL
REGULAR MEETING
April 07, 2009**

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

A. ROLL CALL

Present: Councilmember Mirisch, Councilmember Brien, Councilmember
Brucker, Vice Mayor Delshad, and Mayor Krasne
Absent: None

B. PRESENTATIONS

None

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.*

1. Alan Berlin, President of the Trousdale Estates Homeowners Association, stated the major complaint received from the neighbors who bought view lots in the Trousdale area is obscured views by trees and vegetation.
2. Frieda Berlin, liaison agent for the Trousdale Homeowners Association, asked the Council to direct staff to draft an ordinance to cover view preservation in the Trousdale area of Beverly Hills.
3. Richard Kahn spoke about losing the view from his property in Trousdale Estates, and the lack of cooperation from his neighbor, and stated the need for a view protection ordinance to restore and preserve the views of Trousdale homeowners.
4. Alan Iezman provided comments about his property in Trousdale Estates and asked the Council to consider a view preservation ordinance.
5. Karen K. Platt for Jeffrey Hyland, speaking on behalf of Mr. Hyland, commented on the views in the Trousdale Estates.
6. Randy Simon spoke about issues with neighbors in Trousdale Estates that do not prune their high trees that block the views for adjacent properties.

Council directed staff to work with the Planning Commission to address the concerns raised and review the entire hillside areas.

7. Marty Geimer, speaking on behalf of the Friends of Greystone, introduced Victor Bardack who spoke about his play, Franklin and Jefferson - Sex, Politics and the American Revolution, being presented at the Greystone Mansion.

**3. *REPORT FROM THE CITY MANAGER * Preserving Trees During Construction
- Parks and Urban Forest Manager Ken Pfalzgraf
* False Alarm Enforcement Program - Police Commander Theresa Taylor***

Parks and Urban Forest Manager Ken Pfalzgraf made a PowerPoint presentation on the urban forestry operation in the City and showed a video about preserving the trees during construction.

Police Commander Theresa Taylor announced the initiation of the City's False Alarm program (April 1, 2009) and explained how the process will work which will include public education of the community.

**4. *CITY COUNCILMEMBER AND COMMITTEE REPORTS
- Showcase Beverly Hills:
* Earth Day at the Farmers' Market on April 19***

Councilmember Brucker announced the Earth Day Celebration in the City of Beverly Hills on April 19, 2009 and also announced the addition of two new environmentally friendly trolleys to the City's fleet.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

None

E. CONTINUED AND NEW BUSINESS

- 1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ESTABLISHING PREFERENTIAL PERMIT PARKING ZONE "G" ON THE 200 BLOCK OF FOOTHILL ROAD AND SOUTH SIDE OF DAYTON WAY BETWEEN ALPINE DRIVE AND ALLEY WEST OF ELM DRIVE.** Comment: Establishes the 200 block of Foothill Road and adjacent sections of Dayton Way as Permit Zone "G" with a more restrictive regulation of "No Parking Anytime, Except by Permit."

Director of Parking Operations Chad Lynn provided a PowerPoint presentation and staff report requesting the establishment of the Preferential Permit Parking Zone "G". Mr. Lynn pointed out it is a resident initiated zone requesting no parking anytime.

MOVED by Councilmember Brien, seconded by Vice Mayor Delshad to adopt Resolution E-1 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
ESTABLISHING PREFERENTIAL PERMIT PARKING ZONE "G" ON THE 200
BLOCK OF FOOTHILL ROAD AND SOUTH SIDE OF DAYTON WAY
BETWEEN ALPINE DRIVE AND ALLEY WEST OF ELM DRIVE.

Ayes: Councilmember Mirisch, Councilmember Brien, Councilmember
Brucker, Vice Mayor Delshad, and Mayor Krasne
Noes: None

CARRIED

ITEM E-1: RES#09-R-12663

- 2. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ESTABLISHING PREFERENTIAL PERMIT PARKING ZONE "DD" ON THE 100 BLOCK OF SOUTH PALM DRIVE AND NORTH SIDE OF CHARLEVILLE BOULEVARD BETWEEN THE ALLEY WEST OF PALM DRIVE AND OAKHURST DRIVE.** Comment: Established the 100 block of South Palm Drive and adjacent sections of Charleville Boulevard as a permit zone with "2-Hour Parking, 8:00 a.m. to 6:00 p.m., Monday through Saturday, Except by Permit DD."

Director of Parking Operations Chad Lynn provided a PowerPoint presentation and staff report on this City-initiated Preferential Permit Parking Zone "DD" to establish and consolidate permit zones in multi-family areas.

Traffic and Parking Commissioner Julian Gold and Director Lynn answered questions of the City Council.

MOVED by Vice Mayor Delshad, seconded by Councilmember Mirisch to adopt Resolution E-2 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
ESTABLISHING PREFERENTIAL PERMIT PARKING ZONE "DD" ON THE 100
BLOCK OF SOUTH PALM DRIVE AND NORTH SIDE OF CHARLEVILLE
BOULEVARD BETWEEN THE ALLEY WEST OF PALM DRIVE AND
OAKHURST DRIVE.

Ayes: Councilmember Mirisch, Councilmember Brien, Councilmember
Brucker, Vice Mayor Delshad, and Mayor Krasne
Noes: None

CARRIED

ITEM E-1: ADOPTED RES#09-R-12664

3. **RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
ADJUSTING THE PARKING CITATION CHARGES FOR FISCAL YEAR
2008/2009.** Comment: This rate adjustment is in direct response to SB 425,
enacted in 2008, and SB 1407, enacted in January of 2009 in which the City is
liable for a state assessed fee of \$1.50 per paid parking citation to support
associated bonds for the Superior Court of California. Staff is proposing adjustment
of all parking citations by \$2.00 to mitigate the impact of these fees.

Director of Parking Operations Chad Lynn made a PowerPoint presentation and staff report requesting an additional \$2.00 fee which is in direct response to SB 425 and SB 1407.

MOVED by Councilmember Brien, seconded by Councilmember Brucker to adopt Resolution E-3 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
ADJUSTING THE PARKING CITATION CHARGES FOR FISCAL YEAR
2008/2009.

Ayes: Councilmember Mirisch, Councilmember Brien, Councilmember
Brucker, Vice Mayor Delshad, and Mayor Krasne
Noes: None

Carried

ITEM E-3: ADOPTED RES#09-R-12665

4. **RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS REAUTHORIZING A CIVILIAN RANGEMASTER POSITION TO BE FUNDED BY THE CITY'S COPS ALLOCATION.** Comment: In order to accept \$100,000 in Citizens Option for Public Safety (COPS) Allocation funding from the State of California, a public hearing must be conducted reauthorizing its use for personnel costs.

Police Commander Theresa Taylor provided the staff report requesting reauthorization of the Civilian Rangemaster position to be funded by the City's COPS allocation.

MOVED by Councilmember Brucker, seconded by Vice Mayor Delshad to adopt Resolution E-4 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
REAUTHORIZING A CIVILIAN RANGEMASTER POSITION TO BE FUNDED
BY THE CITY'S COPS ALLOCATION.

Ayes: Councilmember Mirisch, Councilmember Brien, Councilmember Brucker, Vice Mayor Delshad, and Mayor Krasne

Noes: None

Carried

ITEM E-4: ADOPTED RES#09-R-12666

5. **ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE CITY TREASURER'S COMPENSATION AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Adoption.** Comment: Adoption of this ordinance would increase the City Treasurer's compensation from \$1.00 annually to \$200.00 monthly.

Chief Financial Officer Scott Miller presented the staff report advising this is the second reading of the ordinance. Mr. Miller indicated the City Treasurer's wages have not been increased since 1949 and the recommendation is for a \$200 month wage.

MOVED by Vice Mayor Delshad, seconded by Councilmember Mirisch to adopt Ordinance E-5 as follows:

ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE CITY
TREASURER'S COMPENSATION AND AMENDING THE BEVERLY HILLS
MUNICIPAL CODE.

Ayes: Councilmember Mirisch, Councilmember Brien, Councilmember
Brucker, Vice Mayor Delshad, and Mayor Krasne
Noes: None

Carried

ITEM E-5: ADOPTED ORD#09-O-2564

**RECESS CITY COUNCIL MEETING
Meeting recessed at 8:41pm**

CONVENE SPECIAL PARKING AUTHORITY MEETING

(SEE PARKING AUTHORITY MEETING AGENDA)

**RECONVENE CITY COUNCIL MEETING
Meeting reconvened at 8:50pm**

STUDY SESSION ITEMS CONTINUED FROM THIS AFTERNOON'S MEETING:

Study Session Item A-7

Request of Mayor Krasne to Revisit Use of Shield Logo on City Councilmember Business Cards and Stationery - Deputy City Manager Cheryl Friedling presented the staff report. Following discussion, the Council agreed to allow the Mayor discretion to use the City seal or shield on official stationery.

Mayor Krasne noted the "B" Information items in the Study Session packet from this afternoon's meeting.

Study Session Item A3 - Budget

Assistant Director of Administrative Services/CFO Scott Miller made a PowerPoint presentation which included: the different funds in City government, fiscal management, budget practices, financial policies and procedures, funds/reserves/personnel organizations and realignments, management audits and best management practices.

Assistant City Manager Katie Lichtig spoke about the efficiency and effectiveness measures, years of continuous improvement, personnel reorganizations and realignments, management audits, and best management practices.

Mayor Krasne adjourned the Study Session at 9:40pm and reconvened the City Council Meeting with all Councilmembers present.

F. CONSENT CALENDAR

MOVED by Councilmember Brien, seconded by Councilmember Mirisch to pull Item F-9 and consider separately, pull Item F-10 for discussion purposes only; approve the items on the consent agenda and direct that the appropriate accounts be charged on Items F-3 and F-4.

Minutes

1. **CONSIDERATION OF THE MINUTES of the regular meeting of February 17, 2009.**
2. **CONSIDERATION OF THE MINUTES of the special meeting of March 11, 2009.**

Demands Paid

3. **REVIEW OF BUDGETED DEMANDS PAID, report dated February 25 - March 31, 2009.**
4. **PAYROLL DISBURSEMENT REPORT, report dated April 7, 2009.**

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

5. **REGARDING THE APPLICABILITY OF PARKING AND LOADING STANDARDS TO CERTAIN NONCONFORMING COMMERCIAL STRUCTURES IN THE C-3T-2 ZONES ON OLYMPIC BOULEVARD BETWEEN REXFORD DRIVE AND ROBERTSON BOULEVARD. For Adoption.** Comment: The ordinance addresses changes of land use in 12,000+ sq. ft. nonconforming structures along Olympic Boulevard. Such projects are required to meet current parking and loading standards or obtain Planning Commission approval where the standards cannot be met.

ITEM F-5: ADOPTED ORD#09-O-2565

RESOLUTIONS APPROVING:

6. **THE CUSTOMER IDENTIFICATION AND CREDIT INFORMATION PROTECTION PROGRAM IN COMPLIANCE WITH THE FAIR AND ACCURATE CREDIT TRANSACTIONS ACT OF 2003.** Comment: The Fair and Accurate Credit Transaction Act requires entities which affect consumer credit to evaluate and possibly create a formal program to detect, prevent and mitigate identity theft before May 1, 2009. APPROVAL OF:

ITEM F-6: ADOPTED RES#09-R-12667

7. **REAPPOINTING TWO MEMBERS TO THE PLANNING COMMISSION (LILI BOSSE AND NANETTE H. COLE).** Comment: Reappoints Lili Bosse and Nanette

Cole to the Planning Commission for a four year term.

ITEM F-7: APPROVED

8. **AN AGREEMENT WITH ARROYO ASSOCIATES INC. FOR AN ORGANIZATIONAL AND MANAGEMENT ANALYSIS OF THE COMMUNITY SERVICES DEPARTMENT; AND, APPROVAL TO ISSUE A PURCHASE ORDER IN THE NOT-TO-EXCEED AMOUNT OF \$64,950 FOR THE SERVICES.**
Comment: Requests approval of an agreement for a comprehensive analysis of the department and a report which will include recommendations to improve fiscal responsibility, customer service, management effectiveness, and strategic planning for the future.

ITEM F-8: APPROVED AG#136-09

9. **AMENDMENT NO. 1 TO AN AGREEMENT WITH BEVERLY HILLS GLOBAL PARTNERS, INC. FOR THE SISTER CITY PROGRAM IN PUDONG, CHINA, IN THE AMOUNT OF \$25,000; AND, AUTHORIZATION OF A PURCHASE ORDER IN THE AMOUNT OF \$25,000 FOR SISTER CITY CHINA PROGRAM.**
Comment: Amendment No. 1 to an agreement with Beverly Hills Global Partners provides an additional \$25,000 in funding for the Sister City China program, approved at the City Council Study Session on February 17, 2009.

Councilmember Mirisch requested this item be pulled and considered separately. Mr. Mirisch explained the reasons he is not in favor of the Sister City relationship with Pudong, China.

MOVED by Councilmember Brucker, seconded by Vice Mayor Delshad to approve Item F-9 as follows:

AMENDMENT NO. 1 TO AN AGREEMENT WITH BEVERLY HILLS GLOBAL PARTNERS, INC. FOR THE SISTER CITY PROGRAM IN PUDONG, CHINA, IN THE AMOUNT OF \$25,000; AND, AUTHORIZATION OF A PURCHASE ORDER IN THE AMOUNT OF \$25,000 FOR SISTER CITY CHINA PROGRAM.

Ayes: Councilmember Brien, Councilmember Brucker, Vice Mayor Delshad, and Mayor Krasne

Noes: Councilmember Mirisch

Carried

ITEM F-9: APPROVED AG#137-09

10. **THE AGREEMENT WITH XEON, INC. DBA CTL ENVIRONMENTAL SERVICES FOR SITE ASSESSMENT SERVICES RELATED TO THE 455 NORTH CRESCENT DRIVE PARKING STRUCTURE; AND, APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$66,492 TO XEON, INC. DBA CTL ENVIRONMENTAL SERVICES FOR THESE SERVICES.** Comment: Provides for

environmental consulting services to perform a site assessment investigation of subsurface soil and groundwater conditions within the proposed Crescent Garage site. The information provided will be coordinated with the Annenberg Center as it relates to the development of the Performing Arts Theater and garage.

Mayor Krasne asked that this item be pulled to ask who is bearing the cost for this project. Director of Project Administration Alan Schneider explained this is on the City garage portion of the project and for the City's share of the costs.

After discussion, the item was placed back on the Consent Calendar for the vote.

- 11. A LEASE WITH WEG ENTERTAINMENT, INC. FOR OFFICE SPACE IN THE 439 N. CANON DRIVE BUILDING.** Comment: Requests approval of an Office Lease, Guarantee of Lease and Memorandum of Lease with WEG Entertainment, Inc. for office space at 439 North Canon Drive for a term of two years with an expiration date of January 31, 2011.

ITEM F-10: APPROVED AG#138-09

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

ITEM A AWARD OF BID NO. 09-25 TO DATA SYSTEMS WORLDWIDE FOR THE ROUTINE REPLACEMENT OF NETWORK SWITCHES AND OPTICS; AND,

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$197,074.73. Comment: The bid is awarded to Data Systems Worldwide for the purchase of the data network hardware and optics equipment necessary to upgrade functional areas of the City's network monitoring system.

ITEM F-12A: APPROVED

ITEM B AWARD OF BID 09-26 TO DATA SYSTEMS WORLDWIDE FOR THE PURCHASE OF AN ENHANCED DOMAIN NAME SERVICE SYSTEM; AND,

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$69,879.58. Comment: The bid is awarded to Data Systems Worldwide for the purchase of the infrastructure required to allow the City to have the ability to own, operate, and manage its own domain name service system.

ITEM F-12B: APPROVED

ITEM C AWARD OF BID 09-27 TO DELL MARKETING L.P. TO PURCHASE SPECIALIZED NETWORK HARDWARE COMPONENTS; AND,

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$101,060.04. Comment: The bid is awarded to Dell Marketing for the purchase of network hardware components related to enhancing the City's internet routing ability.

ITEM F-12C: APPROVED

ITEM D A PURCHASE ORDER TO AHERN RENTAL & SALES FOR ONE COMPACT WHEEL LOADER TRACTOR IN THE TOTAL NOT-TO-EXCEED AMOUNT OF \$71,850.45. Comment: Requests approval of a purchase order in the amount of \$71,850.45 to Ahern Rental & Sales for purchase of one Compact Wheel-loader Tractor which was approved as a replacement for an existing tractor assigned to the Department of Public Works & Transportation Solid Waste Program.

ITEM F-12D: APPROVED AG#142-09

ITEM E A CHANGE ORDER IN THE AMOUNT OF \$50,000 TO THE PURCHASE ORDER TO JSLS, INC. FOR DEBT COLLECTION CONTRACTUAL SERVICES FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$99,500. Comment: Staff recommends approval of a change order in the amount of \$50,000 for business tax collection services.

ITEM F-12E: APPROVED

ITEM F A CHANGE ORDER IN THE AMOUNT OF \$40,000 TO THE PURCHASE ORDER TO LA COUNTY DEPARTMENT OF PUBLIC WORKS INDUSTRIAL WASTE DIVISION FOR ADMINISTERING THE INDUSTRIAL WASTE DISCHARGE PROGRAM FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$90,000. Comment: Requests approval of a change order for the services of Los Angeles County Department of Public Works Industrial Waste Division for administering the City's wastewater discharge program in the amount of \$40,000 for a not-to-exceed total of \$90,000. During inspection, LA County staff discovered numerous non-compliant industrial waste permittees and spent additional labor hours to bring the permittee to compliance. The City was charged for the additional labor hours rates. A change order request is needed to pay for these additional hourly rates and remaining fiscal year inspection services.

ITEM F-12F: APPROVED

ITEM G AN AGREEMENT WITH MAINLINE INFORMATION SYSTEMS, INC. FOR EQUIPMENT, INSTALLATION AND CONFIGURATION SERVICES RELATED TO REPLACEMENT OF THE CITY'S STORAGE AREA NETWORK SWITCH; AND,

APPROVAL OF A PURCHASE ORDER IN A TOTAL NOT-TO-EXCEED AMOUNT OF \$258,084.32. Comment: Awards Bid No. 09-22 for Storage Area Network (SAN) Switch Replacement to the lowest responsible bidder, Mainline Information Systems. SAN Switch replacement is required for business continuity to ensure maximum operability of the City's SAN as the current switch is at the end-of-life.

ITEM F-12G: APPROVED AG#143-09

ITEM H AN AGREEMENT WITH MUNISERVICES, LLC FOR REVENUE ENHANCEMENT SERVICES. Comment: Staff recommends the City Council approve the renewal of an agreement between the City of Beverly Hills and Muni Services, MMC for revenue enhancement services. The current renewal agreement, through a re-tasking of services, provides an ongoing cost reduction of \$120,000 per year from the prior agreement.

Vote on Consent Calendar:

Ayes: Councilmember Mirisch, Councilmember Brien, Councilmember Brucker, Vice Mayor Delshad, and Mayor Krasne
Noes: None

Carried

G. COMMISSION SYNOPSIS

- 1. FINE ART COMMISSION - regular meeting of February 19, 2009. HUMAN RELATIONS COMMISSION - regular meeting of February 19, 2009. HEALTH AND SAFETY COMMISSION - regular meeting of February 23, 2009. DESIGN REVIEW COMMISSION - regular meeting of March 5, 2009.**

Original, signed minutes are on file in the Office of the City Clerk.

I. ADJOURNMENT

There being no further business, Mayor Krasne, with the consent of the Council, adjourned the meeting at 10:05pm.

PASSED, Approved and Adopted
this 13th day of May, 2009



BYRON POPE, City Clerk

NANCY KRASNE, MAYOR

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