



**CITY OF BEVERLY HILLS
CITY COUNCIL
REGULAR MEETING
October 06, 2009**

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

PLEDGE OF ALLEGIANCE

A. ROLL CALL

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

B. PRESENTATIONS

1. PRESENTATION - Summer Reading Program Recognition

Mayor Krasne mentioned that 1,089 children signed up for the Summer Reading Club at the Beverly Hills Public Library, and of these, 683 achieved the Summer Reading Club goal, which is to read at least 8 books and discuss them with a librarian. The Mayor, along with Vice Mayor Delshad, congratulated the children and took a picture with them.

2. PROCLAMATION - to David L. Rimoin, M.D., Ph.D., Michael Kaback, M.D. and Jean Lopategui for their work on genetic screening for the Persian Jewish Community.

Mayor Krasne, along with Vice Mayor Delshad, presented proclamations to Drs. Rimoin, Kaback (not present) and Lopategui in recognition of having developed a genetic screening program to test Persian Jews for the four inherited diseases which are treatable or preventable if detected. The Council also recognized their invaluable contributions to medicine and genetics.

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. Kenneth Goldman read a letter to the Council announcing his upcoming resignation from the Traffic and Parking Commission as of December 31, 2009 as he will no longer be a resident of the City. Mr. Goldman thanked the Council for the opportunity to serve the community and mentioned some of the accomplishments of the Commission during the three and a half years he served on the Commission.

Each of the Councilmembers expressed their appreciation to Mr. Goldman for his service to the community and wished him and his family the best.

2. Shireen Jamali thanked the Mayor for allowing her to speak. Ms. Jamali spoke about her positive experience living in Beverly Hills, and voiced concern about her language barrier with getting assistance at the Beverly Hills Library.

3. **REPORT FROM THE CITY MANAGER**

- * **Update on CPR Program - Fire Battalion Chief Gregory Barton**
- * **Parks Update - Parks and Urban Forest Manager Ken Pfalzgraf**

Fire Chief Tim Scranton thanked the City Council for their continued support and commitment to the Beverly Hills CPR program. He introduced Marty Geimer, President of Beverly Hills CPR, who provided the report on the transition from the long-standing joint partnership with the Fire Department to the new community assistance grant funded CPR program. Mr. Geimer thanked everyone who has helped with this endeavor.

Urban Forest Manager Ken Pfalzgraf provided a PowerPoint presentation and an update on the parks program that included the parks inventory and issues of water conservation, public safety and park aesthetics they are currently focusing on.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

- Showcase Beverly Hills:

*** *Affaire in the Gardens Art Show***

*** *Friends of the Beverly Hills Library author program - Life as a Visitor, featuring Sidney Poitier and Angella Nazarian***

*** *League of California Cities 2009 Annual Conference and Expo - Councilmembers Brucker and Mirisch***

Councilmember Mirisch announced the Affaire in the Gardens Art Show taking place at Beverly Gardens Park the weekend of October 17 - 18, 2009 from 10 a.m. to 5 p.m.

Vice Mayor Delshad announced the Friends of the Library event on October 18, 2009 at the Beverly Hills Library at 3:00 p.m. showcasing Angella Nazarian's recently released book - Life as a Visitor. Mr. Delshad noted Oscar winning actor Sidney Poitier will be introducing Ms. Nazarian. Vice Mayor Delshad asked Barbara Linder, President of the Friends of the Library, to stand and be recognized.

Councilmembers Brucker and Mirisch reported on their recent trip to the League of California Cities 2009 Annual Conference in San Jose, CA.

Councilmembers Brien and Mirisch reported on their recent Metropolitan Water District trip to Northern California to see the way the water system works.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

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

1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES & SERVICE CHARGES FOR THE FISCAL YEAR 2009/2010 TO ESTABLISH FEES RELATED TO IMPOUNDED VEHICLES AND APPROPRIATING FUNDS THEREFOR. Comment: The proposed resolution will establish fees related to storing impounded vehicles on City property. The new fees become effective on November 5, 2009. Additionally, funds will be appropriated to operate the City's vehicle storage program. The notice of the hearing was published as required by law and an affidavit to this effect in on file with the City Clerk.

The records and files of the Police Department and the report of the Chief of Police are on file with the City Clerk.

Senior Management Analyst Erick Lee presented the staff report. He spoke about the two phase implementation plan and reported on staff findings of Council

questions raised at the September 15 Study Session. Mr. Lee reported on the establishment of fees to launch the program (daily storage fee, lien sale processing fees, and vehicle auction purchase deposit). He then spoke about Phase One - Appropriation of Funds and presented staff's recommendation.

There were no members of the audience who wished to comment. Mayor Krasne closed the public hearing.

There were no further questions or comments of Councilmembers.

MOVED by Councilmember Brien, seconded by Mayor Krasne to adopt Resolution D-1 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES &
SERVICE CHARGES FOR THE FISCAL YEAR 2009/2010 TO ESTABLISH
FEES RELATED TO IMPOUNDED VEHICLES AND APPROPRIATING FUNDS
THEREFOR.

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

Noes: None

CARRIED

ITEM D-1: ADOPTED RES#09-R-12705

E. CONTINUED AND NEW BUSINESS

None

F. CONSENT CALENDAR

MOVED by Councilmember Mirisch, seconded by Councilmember Brien to remove Item F-8 from the agenda, remove Item F-6 and vote on separately, remove Items F-13 and F-17-B for discussion and return to the consent agenda, adopt the remainder of 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 September 1, 2009.**
- 2. CONSIDERATION OF THE MINUTES of the regular meeting of September 15, 2009.**

Demands Paid

- 3. REVIEW OF BUDGETED DEMANDS PAID, report dated September 9 - 24, 2009.**

4. PAYROLL DISBURSEMENT REPORT, report dated October 6, 2009.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

5. AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO PROHIBIT THE PARKING OF OVERSIZED VEHICLES IN RESIDENTIAL ZONES. For Adoption.

Comment: This ordinance will prohibit staging or parking of vehicles that exceed 21 feet in length or a load capacity greater than three-quarters (3/4) ton in residential areas where signs are posted. This ordinance applies to stretch limousines, tow trucks, and large delivery vehicles. Vehicles engaged in loading and unloading, making pick-ups or deliveries, or construction will be exempt.

ITEM F-5: ADOPTED ORD#09-O-2569

6. ALLOWING COMMISSIONERS TO CONTINUE THEIR TERM OF OFFICE WHILE TEMPORARILY RESIDING OUTSIDE OF THE CITY AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Adoption.

Comment: Per the City Council's direction at the September 1, 2009 Study Session, this ordinance amends the Beverly Hills Municipal Code section 2-2-106(D) to allow a Commissioner once to temporarily reside outside of the City during his or her Commission term for a period not-to-exceed six months for an unusual circumstance or hardship at the City Council's discretion.

Mayor Krasne asked that this item be voted on separately.

MOVED by Councilmember Mirisch, seconded by Councilmember Brucker to adopt Ordinance F-6 as follows:

ORDINANCE OF THE CITY OF BEVERLY HILLS ALLOWING COMMISSIONERS TO CONTINUE THEIR TERM OF OFFICE WHILE TEMPORARILY RESIDING OUTSIDE OF THE CITY AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE.

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

Noes: Mayor Krasne

CARRIED

ITEM F-6: ADOPTED ORD#09-O-2570

RESOLUTIONS APPROVING:

7. ACCEPTING A GRANT AWARDED BY THE US DEPARTMENT OF HOMELAND SECURITY FOR 2008 URBAN AREAS SECURITY INITIATIVE (UASI 08) AND APPROPRIATING FUNDS IN THE AMOUNT OF \$62,793 FOR HAZARDOUS MATERIALS AND URBAN SEARCH & RESCUE (USAR) TRAINING. Comment:

This item requests the City Council to accept and appropriate UASI 08 grant funding in the amount of \$62,793.

ITEM F-7: ADOPTED RES#09-R-12706 AG#404-09

8. **ACCEPTING A DONATION OF \$10,000 FROM PRINCE SAUD FAHAD ABDULAZIZ AND APPROPRIATING FUNDS FOR USE BY THE POLICE DEPARTMENT.** Comment: Funds donated by Prince Saud Fahad Abdulaziz will be used to by the Police Department to ensure the safety of the community.

ITEM F-8: REMOVED FROM AGENDA AT STAFF'S REQUEST

APPROVAL OF:

9. **THE WESTSIDE CITIES COUNCIL OF GOVERNMENTS ENDORSING THE AHWAHNEE PRINCIPLES.** Comment: The City of Beverly Hills joins the Westside Cities Council of Governments as a unit in supporting these sustainability principles.

ITEM F-9: APPROVED

10. **AMENDMENTS TO CONFLICT OF INTEREST CODES FOR VARIOUS CITY DEPARTMENTS.** Comment: Amends Conflict of Interest Codes to reflect new and deleted positions and position title changes for various City departments.

ITEM F-10: APPROVED

11. **AMENDMENT NO. 1 TO AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. (ESRI) FOR INFORMATION TECHNOLOGY CONSULTING SERVICES RELATED TO GIS DEVELOPMENT FOR PUBLIC SAFETY'S UNITE PROJECT.** Comment: This agreement is for GIS development services for the City's UNITE project for which the City received a federal grant from the Department of Justice. The Amendment revises the commencement date of the Agreement from September 1, 2009 to September 18, 2009.

ITEM F-11: APPROVED AG#387-09

12. **APPROPRIATION OF \$152,000 FROM THE SEIZED & FORFEITED PROPERTY FUND TO ENHANCE POLICE DEPARTMENT OPERATIONS.** Comment: Restricted funds received as a result of federal and state asset seizures will be used to enhance the operations of the Police Department.

ITEM F-12: APPROVED

13. **THE AWARD OF A CONTRACT TO BBS CONSTRUCTION, INC. FOR THE GREYSTONE MANSION CATERING KITCHEN PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND, APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$963,000 TO BBS CONSTRUCTION, INC. FOR THE CONTRACT WORK.** Comment: Provides for the contract work to renovate Greystone Mansion in creating a catering kitchen.

In response to Mayor Krasne's question, Director of Project Administration Alan Schneider explained that he and the City Attorney reviewed the matter and the protest letter received from SBS Corporation has no merit.

ITEM F-13: APPROVED AG#388-09

14. **A LICENSE AGREEMENT WITH THE BEVERLY HILLS CHAMBER OF COMMERCE AND CIVIC ASSOCIATION.** Comment: This item seeks approval of a License Agreement with the Chamber of Commerce that allows the Chamber to use the City Shield Design for certain purposes.

ITEM F-14: APPROVED AG#389-09

15. **A SECOND LEASE ADDENDUM WITH MOBILE MODULAR MANAGEMENT CORPORATION TO EXTEND THE TERM OF THE LEASE OF THREE MODULAR BUILDINGS FOR TEMPORARY STAFF OFFICES; AND, APPROVE A CHANGE PURCHASE ORDER IN THE AMOUNT OF \$110,399.49 TO MOBILE MODULAR MANAGEMENT CORPORATION.** Comment: Provides for a second addendum to the lease for an additional seven months lease of the modular buildings occupied by Administrative Services Department during the remodel of City Hall.

ITEM F-15: APPROVED AG#390-09

16. **THE AWARD OF A CONTRACT TO WEST COAST DOOR, INC. FOR REPLACEMENT OF ROLL UP DOORS AT POLICE FACILITY AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND, APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$70,000 TO WEST COAST DOOR, INC. FOR THE CONTRACT WORK.** Comment: Provides for the contract work to replace the roll up doors into the parking garage at the Police Facility, which have reached the end of their life cycle.

ITEM F-16: APPROVED AG#391-09

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

ITEM A AN AGREEMENT WITH TW MOBILE ENGINEERING TECHNOLOGIES, INC. TO PROVIDE UPFITTING SERVICES FOR PUBLIC SAFETY VEHICLES; AND,

APPROVAL OF A PURCHASE ORDER IN A TOTAL NOT-TO-EXCEED AMOUNT OF \$150,000. Comment: Approval of an agreement with TW Mobile Engineering Technologies, Inc. will replace obsolete and job-worn vehicles currently assigned to the Police Department in the not-to-exceed amount of \$150,000.

ITEM F-17A: APPROVED AG#392-09

ITEM B A CHANGE ORDER IN THE AMOUNT OF \$272,867 TO THE BLANKET PURCHASE ORDER ISSUED TO TRUGREEN LANDCARE, LLC. FOR

LANDSCAPE MAINTENANCE SERVICES FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$363,822.68. Comment: Requests approval of a change order in the amount of \$272,867.00 to increase the existing Trugreen Landcare purchase order to a not to exceed total of \$363,822.68.

In response to Mayor Krasne's question, Assistant Director of Community Services/Recreation and Parks Steve Zoet clarified the purchase order is only for mowing and maintenance services.

ITEM F-17B: APPROVED

Vote on Consent Calendar:

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

Noes: None

CARRIED

G. COMMISSION SYNOPSIS

None

H. OTHER BUSINESS

Discussion of items continued from this afternoon's Study Session:

Item A-8: Request of Mayor Krasne to Discuss the Relocation of the Erratic Sculpture

Recreation Services Manager Brad Meyerowitz presented the staff report regarding a possible relocation of the Roxy Paine sculpture in Beverly Gardens Park between Crescent and Rexford Drives. He noted the areas of the City for possible relocation should the Council desire. Mr. Meyerowitz provided the costs for relocating the piece.

Recreation and Parks Commissioners Kathi Rothner and Jill Collins addressed the issue of placement of Fine Art in public parks/spaces, and the issue of dialogue between Commissions.

Following discussion, Mayor Krasne proposed a joint liaison meeting between the Council liaison, the Fine Art and Recreation and Parks Commissions regarding this matter. The Council concurred with this recommendation.

Item A-7: Request of Mayor Krasne to Immediately Begin Recruitment for a Position on the Recreation and Parks Commission.

Mayor acknowledged receiving correspondence from Recreation and Parks Commissioner Marc O'Krent regarding his upcoming resignation. Mayor Krasne announced the

upcoming vacancy on the Recreation and Parks Commission and that recruitment will begin now, and the Council concurred.

Item B-11: Energy Options

Environmental Utilities Manager Shana Epstein answered questions of the Council regarding the City's energy options.

The Council directed that Energy Options item be placed on a future Study Session agenda for full discussion. Mayor Krasne also asked for the Technology Committee to address this issue.

City Attorney Laurence Wiener announced the Horace Mann 80th Anniversary Carnival on Sunday, October 11.

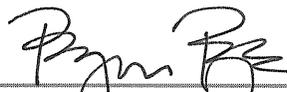
Mayor Krasne announced the upcoming Rodeo Walk of Style scheduled for Thursday, October 22, 2009 on the 200 block of North Rodeo Drive.

Councilmember Mirisch announced the BHEF Apple Harvest Faire on October 25, 2009 from 12:00 p.m. to 5:00 p.m.

I. ADJOURNMENT

There being no further business, Mayor Krasne, with the consent of Council, adjourned the meeting at 9:50 p.m.

PASSED, Approved and Adopted
this 27th day of October, 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.