



**CITY OF BEVERLY HILLS  
CITY COUNCIL  
REGULAR MEETING  
February 16, 2010**

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

**PLEDGE OF ALLEGIANCE**

**A. ROLL CALL**

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

**B. PRESENTATIONS**

**1. PROCLAMATION - for Los Angeles City Councilman Paul Koretz**

Mayor Krasne invited the entire City Council down to the podium, and presented Los Angeles Councilman Paul Koretz with a proclamation for his many years of continued service and work with the Beverly Hills community. Mr. Koretz thanked the Council for the recognition, introduced his staff present this evening and spoke about issues the City of Los Angeles is dealing with currently.

**2. PROCLAMATION - to the American Heart Association in honor of the recent "National Wear Red Day" for women - Dr. Jerry Preston**

Dr. Preston was not present and Mayor Krasne presented a proclamation in honor of the recent Wear Red For Women Day to Dr. Debra Judelson, who accepted on behalf of Dr. Preston.

**3. PRESENTATION - of the California Public Parking Association's 2009 Parking Professional of the Year Award to Shawn McCormick, the City's Parking Service Manager**

Mayor Krasne, along with Vice Mayor Delshad, presented Parking Service Manager Shawn McCormick with the California Public Parking Association's 2009 Parking Professional of the Year Award.

**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. Stan Myles, Senior Public Information Specialist with the Southcoast Air Quality Management District (AQMD), submitted a DVD on air quality to play on the City's cable channel.

2. Albert Ahobim spoke about his property at 338 North Canon Drive, and wanted the Council to allow him to change the arrangements to rent/lease the property.

The Mayor suggested Mr. Ahobim speak with the Planning Director regarding this issue.

3. Don Ward spoke about a hit and run bicycle incident in Beverly Hills and requested the Council urge the Police Department to pursue such cases.

4. Alex Thompson spoke about a mishandled hit and run bicycle incident in Beverly Hills, and asked the Council to make Beverly Hills more bike friendly.

5. Kathleen Roos commented on unsafe biking conditions on Wilshire Boulevard.

6. Ron Durgin spoke about the biking conditions in the City.

7. Jeremy Grant spoke about a fatal hit and run bicycle incident in Compton today and the need for Beverly Hills to fix the missing link on the Westside.

8. Amanda Lipsey spoke about bicycle safety issues and concerns in Beverly Hills.

9. Brian Cooperman spoke about several bike accidents around the City of Los Angeles and the lack of enforcement by the police.

10. Mihai Peteu spoke in support of Brandon Chan (hit and run victim in Beverly Hills) and stated he would like to see more institutionalized support for cyclists.

11. Brandon Chan described his hit and run incident in Beverly Hills last September and noted the case was dropped.

### **3. REPORT FROM THE CITY MANAGER**

#### **\* LA Marathon - from the Stadium to the Sea - Community Services Administrator Gisele Grable**

Community Services Administrator Gisele Grable, along with Recreation and Parks Commissioner Kathi Rothner, presented a PowerPoint and information regarding the Sunday, March 21, 2010 Los Angeles Marathon. Ms. Grable noted the route, which includes Beverly Hills, the street closures, the water stations, and the medical stations in the City.

### **4. CITY COUNCILMEMBER AND COMMITTEE REPORTS**

#### **Report from Councilmember Brien on his trip to Washington DC**

- Showcase Beverly Hills:**
- \* Utility Billing Workshop**

Councilmember Brien reported on his legislative trip to Washington DC last week with Commander Theresa Goldman and Deputy City Manager Cheryl Friedling. He spoke about the productive meetings held with key Homeland Security officials.

Mayor Krasne announced the City will hold a Utility Billing Workshop on Wednesday, February 24th at 7:00 p.m. in City Hall Council Chambers, and staff will answer questions about recent water charges and provide assistance on billing options.

### **D. PUBLIC HEARING**

#### **TO SET:**

None

#### **TO CONSIDER:**

**1. APPEAL OF THE BUILDING OFFICIAL'S REVOCATION OF BUILDING PERMIT NO. BS0725308 FOR THE PROPERTY LOCATED AT 1201 LAUREL WAY.**

Comment: The applicant has filed an appeal of the Building Official's decision to revoke a building permit previously issued to allow the construction of a major addition and remodel of the existing single family residence.

Mayor Krasne noted she received a letter from Ben Reznik, attorney for the appellant, indicating he needs additional time to prepare for the public hearing.

In response to Mr. Reznik's comment, City Attorney Larry Wiener explained how this matter is appealable. Following discussion, it was the consensus of the Council to continue the hearing for another two weeks to allow Mr. Reznik to further prepare for the hearing. In addition, this will provide the City Council with time to consider the additional information provided in Mr. Reznik's letter of February 16. Council requested receiving any additional written material submitted by Mr. Reznik in a timely manner, and Mr. Reznik requested that witnesses be sworn in.

**ITEM D-1: BY ORDER OF THE CHAIR, THE MATTER WAS CONTINUED TO MARCH 2, 2010**

**E. CONTINUED AND NEW BUSINESS**

**1A. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ESTABLISHING PREFERENTIAL PARKING PERMIT ZONE "O" ON THE 800 BLOCK OF CINTHIA STREET.**

Deputy Director of Transportation Aaron Kunz provided a PowerPoint presentation and staff report on this item. Mr. Kunz spoke about the parking issues in the area, the Traffic & Parking Commission recommendation, and the staff recommendation.

Speaking:

1. Deedy Oberman described the current situation in West Hollywood and asked the Council to approve evening permit parking on Cinthia Street.

2. Hendrikus Van Oosterom spoke against the proposal and prefers no parking after midnight to solve the issue.

3. Bonnie Van Oosterom stated she is not in favor of the recommendation, and spoke about the speeding conditions.

4. Gina Swoope expressed concern with the affect the parking restriction will have on her needs.

5. Ron Stone spoke in favor of the recommendation which will address issues of safety.

6. Grenda David addressed the affect of the cars from West Hollywood that park in front of her home and requested the Council's support of this parking permit zone.
7. Richard David discussed the disturbance in the neighborhood, and supports the permit zone.
8. Martin Gordon urged the Council to do something about parking in this area.
9. Leah Hanna King offered her support of the parking permit zone.
10. Simon Sherry-Wood stated his support of the preferential parking permit on his block.
11. Noah King supports the parking permit zone.
12. Les Bell stated he is not in favor of the permit and including Sundays in the permit.
13. Robert Harper supports the permit.
14. Jerome Reston supports the permit and wants to include Sierra as well.
15. Noah Furie spoke about the administrative record and supports the permit request.
16. Adam King supports the permit.
17. Thomas White supports relief to the residents of the street.
18. Ken Goldman, former Traffic and Parking Commissioner, explained the reason he voted against this proposed restriction.

- 1B. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ESTABLISHING PREFERENTIAL PARKING PERMIT ZONE "O" ON THE 700 BLOCK OF NORTH OAKHURST DRIVE AND ADJACENT SECTIONS OF ELEVADO AVENUE BETWEEN THE ALLEY WEST OF OAKHURST DRIVE AND NORTH DOHENY DRIVE.** Comment: Staff received two qualifying petitions requesting a preferential parking permit zone with "2-hour parking, 8 a.m. to 6 p.m., and No Parking Any Other Time, Daily, Except by Permit on both streets. Staff recommended approval of request based on excessive intrusion and noise currently generated by the adjacent arterials on Sunset Blvd and Santa Monica Blvd, and potential increase of activity due to new entertainment developments in West Hollywood. The Traffic & Parking Commission (TPC) reviewed each request at its December 17, 2009 meeting, and recommended against the petition request by a 4/3 vote. Staff will present both TPC and staff recommendations for City Council consideration.

Following discussion, the Council agreed the parking restriction would be 8am to 8pm Monday - Saturday and no parking 8pm to 2:30am daily except by permit.

Councilmember Brucker suggested staff inform the residents of the 700 block of Sierra Drive of the new restrictions when implemented.

MOVED by Councilmember Brien, seconded by Councilmember Mirisch to adopt Resolution E-1A and Resolution E-1B as amended with 2 hour parking 8am to 8pm Monday - Saturday and no parking 8pm to 2:30am daily except by permit as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS  
ESTABLISHING PREFERENTIAL PARKING PERMIT ZONE "O" ON THE 800  
BLOCK OF CINTHIA STREET.

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS  
ESTABLISHING PREFERENTIAL PARKING PERMIT ZONE "O" ON THE 700  
BLOCK OF NORTH OAKHURST DRIVE AND ADJACENT SECTIONS OF  
ELEVADO AVENUE BETWEEN THE ALLEY WEST OF OAKHURST DRIVE  
AND NORTH DOHENY DRIVE.

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

CARRIED

***ITEMS E-1A AND E-1B: ADOPTED RES#10-R-12733 AND RES#10-R-12734***

2. ***AN ORDINANCE OF THE CITY OF BEVERLY HILLS RELATING TO PARKING METER ZONES HOURS OF OPERATION AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. Second reading - For Adoption.*** Comment: This ordinance will amend the municipal code section to allow the Director of Public Works & Transportation to determine the specific hours of operation for on-street parking meters between the hours of 6:00 a.m. to 11:59 p.m. every day of the week. The Director's proposal is to extend hours of operation from 8am to 6pm to 8am to 9pm Monday thru Saturday and 12p to 5pm on Sundays, except in those areas surrounding the Entertainment Business District, La Cienega and Roxbury Parks, the Santa Monica 5 (SM5) parking decks and South Beverly Drive South of Olympic.

Director of Parking Operations Chad Lynn provided the staff report and Power Point presentation. He spoke about the meetings to date, the purpose of the proposed ordinance, community concerns, neighborhood concerns, delegation concerns, financial impacts, and the recommendation.

1. Rudy Cole shared the historical intention of Sunday parking near the churches and spoke in support of the churches.

2. Rev. R. John Perling, Mt. Calvary Lutheran Church, requested no parking restrictions on Sundays for churches.
3. Bonnie McClure supports staff recommendation to exclude parking meters around churches.
4. Sam Williamson, representing All Saints Church, spoke about the parking restrictions greatly affecting the churches' operation.
5. Peter Bernard asked the Council to table this issue.
6. Anita Zussman Eddy, Vice President Legislative Affairs and Economic Development, Chamber of Commerce, mentioned the Chamber's concerns regarding the parking meters hours of operation and now feel their concerns have been addressed.
7. Carlene McDonald asked that there be no change in the parking restrictions.
8. Rev. Andrew Eagles, Beverly Hills Presbyterian Church, agreed with the other speakers.
9. Harry Lake advocated no change for meters surrounding the churches.
10. Thomas Welbers, new pastor of Good Shepherd Church, supported what others have said and also spoke about the times of mass at his church.
11. David Mulford spoke in opposition to any change in the meters around the churches.
12. Pastor David Worth, Beverly Hills Presbyterian Church, asked the Council not to change the parking arrangement.
13. Andy Carmichael, All Saint's Church, noted the church is a seven-day a week operation, and asked the Council to consider this in voting for the ordinance.
14. Thomas White, Chairman of the Municipal League of Beverly Hills, spoke in opposition to any change in the parking meters.
15. Jeannie Bazilauskas addressed the permit parking on Park Way.
16. Laura Roth asked that the Council support the churches and keep the parking available.
17. Karen Smits, member of All Saints Beverly Hills, requested that the jurisdiction to change any parking be with the City Council.
18. Daniel Tamm spoke in support of the exception of those areas surrounding Santa Monica Five and against the language of the amendment allowing the Director of Public Works to determine the hours of operation.

19. Marcia Hobbs asked the Council to keep control over the jurisdiction of this parking issue.

Councilmember Brien thanked the community members that worked with staff for their support and input to find a solution that meets the needs of the community. Mr. Brien gave his support of staff's recommendation and also having City Council controlling the parking.

Councilmembers Mirisch and Brucker agreed with Councilmember Brien's comments and would like to move forward.

Vice Mayor Delshad and Mayor Krasne supported the recommendations of their colleagues.

Following the Council's direction, City Attorney Wiener provided amendment language to be added to the end of each paragraph in Sections 1-6 as follows: "The Director of Public Works and Transportation shall provide 30 days notice to the City Council at a public meeting of any proposed change to parking meter hours or days of operation at any meter."

MOVED by Mayor Krasne, seconded by Councilmember Brucker to introduce the ordinance and waive full reading and advance to the meeting of March 2, 2010 for adoption with the amendment read into the record by the City Attorney as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS RELATING TO PARKING METER ZONES HOURS OF OPERATION 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-2: REINTRODUCE THE ORDINANCE AND WAIVE FULL READING AND ADVANCE TO THE MEETING OF MARCH 2, 2010 FOR ADOPTION WITH AMENDMENTS READ INTO THE RECORD BY THE CITY ATTORNEY***

Mayor Krasne recessed the meeting at 10:37pm and reconvened the meeting at 10:51pm with all members present.

**F. CONSENT CALENDAR**

MOVED by Councilmember Mirisch, seconded by Councilmember Brien to remove Item F-4 from the consent calendar and vote on separately, approve the remaining items on the consent calendar and direct that the appropriate accounts be charged on Items F-1 and F-2.

### Minutes

None

### Demands Paid

1. **REVIEW OF BUDGETED DEMANDS PAID, report dated January 4 - February 4, 2010.**
2. **PAYROLL DISBURSEMENT REPORT, report dated February 16, 2010.**

### Other Business

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

None

#### **RESOLUTIONS APPROVING:**

3. **THE FINAL MAP FOR TRACT MAP NO. 63079 (447-451 NORTH DOHENY DRIVE).** Comment: This is a request for City Council to approve the final map and authorize for recordation the Tract Map 63079 located at 447-451 North Doheny Drive.

#### **ITEM F-4: ADOPTED RES#10-R-12735**

4. **DENYING AN APPLICATION FOR AMENDMENT OF A DEVELOPMENT PLAN REVIEW PERMIT FOR THE PROPERTY LOCATED AT 8767 WILSHIRE BOULEVARD.** Comment: As directed by the City Council at its meeting on February 2, 2010, this resolution denies the appeal for the amendment to the Design Review Permit for the property located at 8767 Wilshire Boulevard.  
APPROVAL OF:

1. Attorney Ben Resnik mentioned they submitted a traffic report by their traffic consultant indicating the total number of car trips through the intersection of Wilshire and Robertson.

MOVED by Councilmember Brucker, seconded by Councilmember Mirisch to adopt the Resolution of the Council of the City of Beverly Hills denying an application for amendment of a Development Plan Review Permit for the property located at 8767 Wilshire Boulevard.

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

CARRIED

**ITEM F-4: ADOPTED RES#10-R-12736**

5. **FINE ART COMMISSION APPOINTMENT.** Comment: Appoints Scott Stover to the Fine Art Commission for an initial two year term.

**ITEM F-5: APPROVED**

6. **TRAFFIC AND PARKING COMMISSION APPOINTMENT.** Comment: Appoints Andy Licht to the Traffic and Parking Commission for an initial two year term.

**ITEM F-6: APPROVED**

7. **AN AGREEMENT WITH CITYGATE ASSOCIATES, LLC FOR ORGANIZATIONAL AND MANAGEMENT ANALYSIS OF THE FIRE DEPARTMENT; AND APPROVAL TO ISSUE A PURCHASE ORDER IN THE NOT-TO-EXCEED AMOUNT OF \$71,948 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-7: APPROVED AG#51-10**

8. **DESIGNATING AN ALL-WAY STOP INTERSECTION AT BEVERLY DRIVE AND SUTTON WAY.** Comment: Approves placement of an all-way stop sign on Beverly Drive at Sutton Way adjacent to Coldwater Canyon Park. City of Los Angeles approval is also required.

**ITEM F-8: APPROVED**

9. **AN AGREEMENT WITH MOBILE MODULAR MANAGEMENT CORPORATION FOR PURCHASE AND INSTALLATION OF MODULAR OFFICE BUILDING AT GREYSTONE PARK; AND, APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$82,390.28 TO MOBILE MODULAR CORPORATION FOR THE PURCHASE AND INSTALLATION.** Comment: Provides for the purchase and installation of a 12 feet wide by 47 feet long modular building for staff offices at Stables area at Greystone Park to replace the 13 year old unit that has exceeded its life cycle.

**ITEM F-9: APPROVED AG#52-10**

10. **AMENDMENT NO. 1 TO THE AGREEMENT WITH SYSTEMS SOURCE, INC. FOR FURNITURE PURCHASE AND INSTALLATION RELATED TO THE FIRE STATION NO. 1 REMODEL; AND, APPROVAL OF A CHANGE PURCHASE ORDER IN THE AMOUNT OF \$41,009.08 TO SYSTEMS SOURCE, INC. FOR THE PURCHASE AND SERVICES.** Comment: Provides for the purchase and installation of additional office furniture to replace furniture in excess of 20 years old from offices that are adjacent, but were not part of the initial scope of the renovation of the administrative area in Fire Station Headquarters. The additional furniture is for supervisory and management staff, in areas contiguous to that renovated.

**ITEM F-10: APPROVED AG#53-10**

11. **AMENDMENT NO. 1 TO AN AGREEMENT WITH KAPLAN CHEN KAPLAN ARCHITECTS & PLANNERS FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES RELATED TO GREYSTONE MANSION HVAC IMPROVEMENTS PROJECT; AND, APPROVAL OF A CHANGE PURCHASE ORDER IN THE AMOUNT OF \$190,000 FOR THESE SERVICES.** Comment: Provides for the architectural and engineering services to complete the design, prepare construction documents and construction administration for a heating, ventilating and cooling system in the Greystone Mansion.

**ITEM F-11: APPROVED AG#54-10**

12. **FOURTH SUPPLEMENT TO AN AGREEMENT WITH CITY OF LOS ANGELES, INCREASING THE 2006 URBAN AREA SECURITY INITIATIVE (UASI) GRANT FUNDING ALLOCATION IN THE AMOUNT OF \$100,000 AND EXTENDING GRANT PERFORMANCE PERIOD FROM SEPTEMBER 30, 2009 TO JUNE 30, 2010.** Comment: Fire Department staff recommends that the City Council approve the fourth supplemental agreement between the City of Beverly Hills and the City of Los Angeles associated with the 2006 Urban Area Security Initiative (UASI 06) grant which increases funding allocation by \$100,000 and would extend grant performance period from September 30, 2009 to June 30, 2010.

**ITEM F-12: APPROVED AG#55-10**

13. **VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN: ITEM A A CHANGE ORDER TO THE BLANKET PURCHASE ORDER IN THE AMOUNT OF \$40,000 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: 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 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-13: APPROVED**

14. **REJECTION OF ALL BIDS FOR THE RELOCATION OF EXISTING FIBER OPTIC LINE AND THE CONSTRUCTION OF NEW INFRASTRUCTURE FOR FUTURE**

***I.T. AND SECURITY EQUIPMENT AT WATER RESERVOIR 7 SITE, WITHIN THE CITY OF BEVERLY HILLS, CALIFORNIA, AND AUTHORIZE THE READVERTISING FOR BIDS.*** Comment: Staff recommends that the City Council reject all bids for the relocation of existing fiber optic line and the construction of new infrastructure for future I.T. and security equipment at water reservoir 7 site, due to many mistakes in the bids received on January 19, 2010.

***ITEM F-14: 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***

None

***I. ADJOURNMENT***

There being no further business, Mayor Krasne, with the consent of Council, adjourned the meeting at 11:29pm.

PASSED, Approved and Adopted  
this 2nd day of March, 2010.

  
\_\_\_\_\_  
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.