



**CITY OF BEVERLY HILLS  
CITY COUNCIL  
REGULAR MEETING  
December 21, 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 Krasne, Vice Mayor Brucker, and Mayor Delshad

Absent: None

**B. PRESENTATIONS**

1. RECOGNITION OF RETIRING COMMISSIONER - Recreation and Parks Commission  
- Michael Blumenfeld

Mayor Delshad, along with Vice Mayor Brucker, presented a plaque and gift to Michael Blumenfeld in honor of his service to the community on the Recreation & Parks Commission.

2. CERTIFICATES OF APPOINTMENT - Recreation and Parks Commission  
- Susan Gersh and Robert S. Anderson

Mayor Delshad and Vice Mayor Brucker presented a Certificate of Appointment and City pin to Susan Gersh and Robert S. Anderson as the newly appointed Recreation and Parks Commissioners.

3. PRESENTATION OF THE CAFR - Chief Financial Officer/Administrative Services Director Scott Miller

Assistant Director of Administrative Services Noel Marquis presented to the Council the City's Certificate of Achievement for Excellence in Financial Reporting for the

Fiscal Year ending June 30, 2009 Comprehensive Annual Report (CAFR) and read the letter that accompanied the 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. Ellen Lutwak invited everyone to the first annual Walk and Gawk event down Wilshire Boulevard (meeting at Beverly Canon Garden) on December 29, 2010 at 6:30pm.

2. Lois Hirt asked the Council about having an information kiosk for visitors in the center of the City, and also spoke about having an idling law in the City.

3. REPORT FROM THE CITY MANAGER  
\* Video of Human Services Division - Showcase the Various Components of the Division

Human Services Administrator James Latta presented the new outreach video tool for the Human Services Division.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS  
- Did you know?

Councilmember Mirisch announced the Tournament of Roses Beverly Hills float that is entered in the 2011 New Year's Day Rose Parade. Mr. Mirisch mentioned community volunteers will be assisting with decorating the float.

**D. PUBLIC HEARING**

TO SET:

None

TO CONSIDER:

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

1. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE UNIFORM ADMINISTRATIVE CODE, 1997 EDITION AND ADOPTING BY REFERENCE THE 2010 CALIFORNIA BUILDING CODE; THE 2010 CALIFORNIA RESIDENTIAL CODE; THE 2010 CALIFORNIA ELECTRICAL CODE; THE 2010 CALIFORNIA MECHANICAL CODE; THE 2010 CALIFORNIA PLUMBING CODE; THE UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE, 2009 EDITION; THE CALIFORNIA ENERGY CODE, 2010 EDITION; THE 2010 CALIFORNIA FIRE CODE; THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2010 EDITION; THE 2010 CALIFORNIA HISTORICAL BUILDING CODE; THE 2010 CALIFORNIA EXISTING BUILDING CODE; THE 2010 CALIFORNIA REFERENCE STANDARDS CODE; THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2009 EDITION; THE BEVERLY HILLS PHOTOVOLTAIC INSTALLATION GUIDELINES, 2010 EDITION; INCLUDING CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS; AND AMENDING PORTIONS OF TITLE 9 OF THE BEVERLY HILLS MUNICIPAL CODE. Second reading - For Adoption. Comment: This regular ordinance adopts by reference the 2010 California Building Standards Code and with applicable local amendments to the California Building Standards Code and other technical codes. The ordinance includes construction standards for building, residential, electrical, mechanical, plumbing, green building and fire codes. The public hearing for item is continued from the November 30, 2010 City Council meeting.

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

The report of the Assistant Director of Community Development/City Building Official and the record of the Community Development Department in this matter are made a part of the record of this hearing.

Assistant Director of Community Development/City Building Official George Chavez provided a brief staff report. He reviewed the information provided to the Council at the November 30, 2010 meeting.

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

There were no questions or comments of Councilmembers.

MOVED by Councilmember Brien, seconded by Councilmember Krasne to adopt Ordinance D-1 as it was read into the record by the City Clerk.

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

CARRIED

***ITEM D-1: ADOPTED ORD#10-O-2598***

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

- 2A.** AN ORDINANCE OF THE CITY OF BEVERLY HILLS REPEALING ARTICLE 46 OF CHAPTER 3 OF TITLE 10 OF THE BEVERLY HILLS MUNICIPAL CODE REGARDING GREEN BUILDING STANDARDS. First reading - For Introduction.

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

The report of the Director of Community Development and the record of the Community Development Department in this matter are made a part of the record of this hearing.

Items D-2A and D-2B were heard together.

Director of Community Development Susan Healy Keene presented a brief staff report. She noted this item goes along with the previously adopted item (Item D-1), and explained the reasons for repealing the Beverly Hills codes with the adoption of Item D-1.

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

Director Healy Keene responded to questions raised by the Council.

There were no further questions or comments of Councilmembers.

MOVED by Councilmember Krasne, seconded by Vice Mayor Brucker to waive full reading and advance Ordinance D-2A to the meeting of January 11, 2011 for adoption as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS REPEALING ARTICLE 46 OF CHAPTER 3 OF TITLE 10 OF THE BEVERLY HILLS MUNICIPAL CODE REGARDING GREEN BUILDING STANDARDS

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

CARRIED

***ITEM D-2A: WAIVE FULL READING AND ADVANCE TO THE MEETING OF  
JANUARY 11, 2011 FOR ADOPTION***

- 2B.** A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS REPEALING THE GREEN BUILDING STANDARDS RATING SYSTEM, THE GREEN BUILDING/SUSTAINABILITY CHECKLIST AND VOLUNTARY RESIDENTIAL GREEN BUILDING PROGRAM FOR SINGLE-FAMILY RESIDENCES. Comment: Beginning in 2011, all jurisdictions are required to adopt a unified green building code. Maintenance of the City's local green building standards adopted in 2008 would be inconsistent with the State's green building codes that go into effect on January 1, 2011. The proposed ordinance and resolution repeal the 2008 local green building standards from the Beverly Hills Municipal Code as well as repeal the "Green Building Standards Rating System", "The Green Building/Sustainability Checklist", and "Voluntary Green Building Program for Single-Family Residences."

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS REPEALING THE GREEN BUILDING STANDARDS RATING SYSTEM, THE GREEN BUILDING/SUSTAINABILITY CHECKLIST AND VOLUNTARY RESIDENTIAL GREEN BUILDING PROGRAM FOR SINGLE-FAMILY RESIDENCES.

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

CARRIED

***ITEM D-2B: ADOPTED RES#10-R-12794***

***E. CONTINUED AND NEW BUSINESS***

- 1.** ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO LIMIT NEW OR EXPANDED MEDICAL USES IN COMMERCIAL ZONES AND ADOPTING A MEDICAL USE OVERLAY ZONE. First

reading - For Introduction. Comment: Planning Commission recommending an ordinance that would not affect existing legal medical use but would require additional discretionary review of new or expanded medical use. This item is continued from the November 30, 2010 City Council meeting.

Director of Community Development Susan Healy Keene presented a PowerPoint presentation and provided an oral report. She noted an Ad Hoc Committee made up of Vice Mayor Brucker and Councilmember Brien had been appointed at the November 30, 2010 meeting to review revisions to the ordinance proposed by the City Council as well as additional issues raised. She reviewed the Committee's findings, the administrative medical exception adjustment from 2500 sf to 6000 sf, exclusion of surgery centers from being eligible for expansion, retail optometry, pharmacies in pedestrian areas, in-lieu parking/sunset clause not included in this ordinance, parking signage/disabled placards, overlay objectives, medical definition be modified, modification of effective date, from January 1 to February 11 and clarify overlay zone objective C to be a consistent restriction C in overlay zone.

Speaking:

1. Michelle Urtzan, architect, spoke about the Wilshire/Stanley location.
2. Mark Egerman, representing Beverly Wilshire Owner LLP (medical building on Linden and Wilshire), provided input to one section of the ordinance (Section 7 - 10-3.1620.1B4).
3. Murray Fischer, representing the owners of several medical buildings in the City, thanked staff and the Committee for their hard work on the ordinance, asked questions and raised points about sections of the ordinance.
4. Lois Hirt asked questions about definitions in the ordinance.
5. Kamyar Mahboubi raised questions about covenanted parking rights.

Staff responded to questions raised during the public comments.

Mayor Delshad called a 10-minute recess for the Ad Hoc committee to meet on some issues with the ordinance at 8:50pm.

The meeting resumed at 9:08pm with all Councilmembers present.

Mayor Delshad closed the public comments for this item.

Staff provided proposed changes to the ordinance and the Ad Hoc Committee made comments for Council consideration.

City Attorney Wiener read into the record the changes recommended to the ordinance as follows: Section 7 (10-3-1620.1A & B) - change January 1, 2011 to February 11, 2011; add language read in the record by Director Healy Keene in Subsection B4; Subsection B5 eliminate the word onsite; Subsection 10-3-1620.1D -

change June 30, 2011 to August 11, 2011; Section 8 - definition of retail use would end with the word car dealers; Section 9 a new subsection D would be added "those portions of licensed pharmacies devoted to dispensing prescription medicines shall be prohibited on the ground floor within the first 30 feet behind the storefront facing the street"; and in Section 10-3-1857C delete the word onsite.

MOVED by Councilmember Brien, seconded by Vice Mayor Brucker to waive full reading and advance Ordinance E-1 with the changes as read into the record and noted by the City Attorney to the meeting of January 11, 2011 for adoption as follows:

ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO LIMIT NEW OR EXPANDED MEDICAL USES IN COMMERCIAL ZONES AND ADOPTING A MEDICAL USE OVERLAY ZONE.

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

CARRIED

***ITEM E-1: WAIVE FULL READING AND ADVANCE TO THE MEETING OF JANUARY 11, 2011 FOR ADOPTION AS AMENDED***

***F. CITY COUNCIL CONSENT CALENDAR***

MOVED by Councilmember Brien, seconded by Vice Mayor Brucker to remove Items F-7 and F-8 and vote on separately, remove Items F-9, F-11, F-17, F-23 and F-24 for discussion purposes and place back on the consent agenda; adopt the consent agenda by reference, and direct that the appropriate accounts be charged on Items F-3 and F-4.

**Minutes**

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Adjourned Regular meeting of November 30, 2010.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Special meeting of December 7, 2010.

**Demands Paid**

3. REVIEW OF BUDGETED DEMANDS PAID, report dated November 23 - December 9, 2010.

4. PAYROLL DISBURSEMENT REPORT, report dated December 21, 2010.

#### **Other Business**

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

5. AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO PERMIT SINGLE FAMILY RESIDENTIAL LOTS LOCATED ON THE EAST SIDE OF SPALDING DRIVE SOUTH OF OLYMPIC BOULEVARD AND WEST OF ROXBURY DRIVE THAT MEET CERTAIN STANDARDS TO APPLY FOR CENTRAL R-1 PERMITS REGARDING SECOND UNITS AS SET FORTH IN SECTION 10-3-409 OF THE BEVERLY HILLS MUNICIPAL CODE. Second reading - For Adoption. Comment: Planning Commission recommending an ordinance to permit owners in the subject area to apply for a Central R-1 Permit to allow second units in a location and at a height already allowed for accessory structures, pursuant to a Central R-1 Permit, in the same area.

#### **ITEM F-5: ADOPTED ORD#10-O-2599**

6. EXTENDING THE TERM OF PLANNING COMMISSIONER NOAH FURIE FOR THE LIMITED PURPOSE OF PARTICIPATING IN REVIEW OF A PROPOSED PROJECT. **First Reading - For Introduction.** Comment: The proposed ordinance extends the term of Planning Commission Noah Furie for the limited purpose of participating in the review of the pending Lexus Project at 9230 Wilshire Boulevard.

#### **ITEM F-6: WAIVE FULL READING AND ADVANCE TO THE MEETING OF JANUARY 11, 2011 FOR ADOPTION**

#### **RESOLUTIONS APPROVING:**

7. ACCEPTING A DONATION FROM THE FRIENDS OF THE BEVERLY HILLS PUBLIC LIBRARY FOR LIBRARY OPERATIONS IN THE AMOUNT OF \$24,070 AND APPROPRIATING FUNDS THEREFOR. Comment: This report asks the City Council to approve a resolution appropriating \$24,070 donated by the Friends of the Beverly Hills Library for the delivery of library materials to homebound seniors, pickup of donated materials and support of the collection at the Senior Library at Roxbury Community Center.

MOVED by Councilmember Mirisch, seconded by Mayor Delshad to adopt Resolution F-7 as follows:

ACCEPTING A DONATION FROM THE FRIENDS OF THE BEVERLY HILLS PUBLIC LIBRARY FOR LIBRARY OPERATIONS IN THE AMOUNT OF \$24,070 AND APPROPRIATING FUNDS THEREFOR

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

Noes: None

CARRIED

**ITEM F-7: ADOPTED RES#10-R-12795**

8. ACCEPTING A DONATION FROM AYSO REGION 76-BEVERLY HILLS AND THE FRIENDS OF THE BEVERLY HILLS PUBLIC LIBRARY IN THE AMOUNT OF \$18,600 TO RESTORE LIBRARY HOURS DECEMBER 27-30, 2010 AND APPROPRIATING FUNDS THEREFOR. Comment: This report asks the City Council to accept and appropriate donations from AYSO Region 76-Beverly Hills and the Friends of the Beverly Hills Public Library to restore the hours that the Library would have otherwise been closed due to furloughs on (December 27-December 30, 2010). APPROVAL OF:

Removed for discussion. Staff reported, and resident Lois Hirt spoke in favor of this item.

MOVED by Vice Mayor Brucker, seconded by Councilmember Mirisch to adopt Resolution F-8 as follows:

ACCEPTING A DONATION FROM AYSO REGION 76-BEVERLY HILLS AND THE FRIENDS OF THE BEVERLY HILLS PUBLIC LIBRARY IN THE AMOUNT OF \$18,600 TO RESTORE LIBRARY HOURS DECEMBER 27-30, 2010 AND APPROPRIATING FUNDS THEREFOR

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

Noes: None

CARRIED

**ITEM F-8: ADOPTED RES#10-R-12796**

**APPROVAL OF:**

9. AMENDMENT NO. 1 TO AGREEMENT WITH THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT FOR THE PROVISION, USE AND MAINTENANCE OF EDUCATIONAL, RECREATIONAL AND COMMUNITY FACILITIES AND PROGRAMS FOR THE YEARS 2008 THROUGH 2012. Comment: The proposed amendment modifies the language in the current agreement with the Beverly Hills Unified School District with regard to the funds for the artificial turf fields at the four elementary schools to specifically address the intended uses of these funds. The

amendment also requires the establishment of a reserve account under the mutual control of the City and District to assure compliance and sets forth the procedures for utilizing these funds.

Removed for discussion. Councilmember Mirisch asked about opening up the JPA contract for savings in the future. This matter will be placed on a future Study Session for further discussion.

**ITEM F-9: APPROVED AG#535-10**

10. SIXTH AMENDMENT TO LEASE BY AND BETWEEN THE CITY OF BEVERLY HILLS AND FEDEX OFFICE AND PRINT SERVICES, INC., A TEXAS CORPORATION. Comment: This amendment extends the term of the lease by two years and reduces the rent by 10% from \$6,802.49 to \$6,122.24.

**ITEM F-10: APPROVED AG#536-10**

11. FRANCHISE AGREEMENT WITH CROWN DISPOSAL CO., INC FOR COMMERCIAL SOLID WASTE COLLECTION SERVICES AND RESIDENTIAL SOLID WASTE PROCESSING. Comment: Crown Disposal would receive a new agreement after granting the City concessions to receive more service for no increase in costs and in some cases decreases in costs, which equates to approximately 12% in savings. In FY 09/10, the Crown Disposal collected \$5.5 Million from Commercial and Residential Solid Waste Programs.

Item was removed for discussion. Public Works Commission Chair Weinglass and Commissioner Shooshani reported on contract negotiations.

**ITEM F-11: APPROVED AG#537-10**

12. AGREEMENT WITH ACS STATE & LOCAL SOLUTIONS, INC. FOR PARKING CITATION PROCESSING, PAYMENT, DELINQUENT ACCOUNT COLLECTIONS, AND HEARING SCHEDULING SERVICES; AND

APPROVAL OF A PURCHASE ORDER IN THE NOT-TO-EXCEED AMOUNT OF \$730,000 FOR THE SERVICES. Comment: This is an agreement with ACS State & Local Solutions for the processing of parking violations and collections of delinquent parking fines over for an estimated \$3.7 million over five years.

**ITEM F-12: APPROVED AG#538-10**

13. AMENDMENT NO. 3 TO THE AGREEMENT WITH INTERNATIONAL PARKING DESIGN, INC. FOR CONSULTANT SERVICES RELATED TO THE PARKING STRUCTURE LOCATED AT 455 NORTH CRESCENT DRIVE; AND

APPROVAL OF A CHANGE PURCHASE ORDER IN THE AMOUNT OF \$165,000 TO INTERNATIONAL PARKING DESIGN, INC. FOR THESE SERVICES.

Comment: This amendment adds fees for the redesign of the City and the Annenberg Pavilions, and for additional garage equipment including electric car chargers and car counters.

Item was pulled to respond to a question raised by Council.

**ITEM F-13: APPROVED AG#539-10**

14. AMENDMENT NO. 4 TO AN AGREEMENT FOR POLICE AND CITY TOWING SERVICES BY AND BETWEEN THE CITY OF BEVERLY HILLS AND QUICKSILVER TOWING, INC. Comment: The amendment will extend the current agreement with the towing vendor to provide services for an interim period while the City develops Phase II of its Vehicle Impound Storage Program.

**ITEM F-14: APPROVED AG#540-10**

15. AMENDMENT NO. 5 TO AN AGREEMENT WITH TRUGREEN LANDCARE, LLC FOR LANDSCAPE MAINTENANCE SERVICES; AND

APPROVAL OF A PURCHASE ORDER TO TRUGREEN LANDCARE, LLC IN THE NOT TO EXCEED AMOUNT OF \$87,485.61. Comment: This is an amendment to extend the current agreement with TruGreen Landcare, LLC to provide landscape maintenance services in specific areas of the City while the current scope of contract is being expanded and re-bid. The extension is until March 31, 2011. Additionally request approval of a Purchase Order to TruGreen Landcare LLC in the not-to-exceed amount of \$87,485.61.

**ITEM F-15: APPROVED AG#541-10**

16. AGREEMENT WITH KOURY ENGINEERING & TESTING, INC. FOR CONSTRUCTION INSPECTION AND MATERIAL TESTING SERVICES FOR THE 9400 SOUTH SANTA MONICA BOULEVARD OFFICE BUILDING; AND

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$81,425 TO KOURY ENGINEERING & TESTING, INC. FOR THESE SERVICES. Comment: Provides for the inspection and materials testing services required for the construction of the project.

**ITEM F-16: APPROVED AG#542-10**

17. AUTHORIZATION TO THE CITY MANAGER FOR APPROVAL OF AN AGREEMENT WITH CITY NATIONAL BANK FOR LEASE OF SOLAR EQUIPMENT. Comment: Provides for a lease agreement with City National Bank for financing the installation of a solar energy system.

Item was removed for staff to respond to a question raised by Vice Mayor Brucker.

**ITEM F-17: APPROVED**

18. A PURCHASE ORDER TO HAAKER EQUIPMENT COMPANY IN THE NOT-TO-EXCEED AMOUNT OF \$300,519.82 FOR THE PURCHASE OF A TRUCK-MOUNTED HIGH-PRESSURE JET RODDER MACHINE. Comment: This item requests approval of a purchase order to Haaker Equipment Company in the not-to-exceed amount of \$300,519.82 for the purchase of one (1) CNG-powered Truck-mounted High-pressure Jet Rodder machine to replace an obsolete and job-worn Jet Rodder, which is currently assigned to the Department of Public Works & Transportation Wastewater Division and utilized in the maintenance of the City sewer infrastructure.

**ITEM F-18: APPROVED**

19. APPROPRIATION OF \$318,500 FROM THE SEIZED AND FORFEITED PROPERTY FUND TO ENHANCE POLICE DEPARTMENT OPERATIONS. Comment: Restricted funds received as a result of asset seizures may only be used to enhance the operations of the Police Department. The appropriated funds will be used to purchase a vehicle and communications for the Emergency Services Bureau and fund overtime to conduct plain clothes surveillance and investigations.

**ITEM F-19: APPROVED**

20. AN AGREEMENT WITH WEST COAST ARBORISTS, INC. FOR TREE SERVICES; AND APPROVAL OF A PURCHASE ORDER IN THE NOT TO EXCEED AMOUNT OF \$1,330,176.00 FOR TREE SERVICES. Comment: An agreement for tree trimming and related services for a five year term with three one-year renewals at City's discretion.

**ITEM F-20: APPROVED AG#543-10**

21. AWARD OF A CONTRACT TO AMERICAN LANDSCAPE CORPORATION FOR PROP A MAINTENANCE IRRIGATION DEVICE REPLACEMENT IN SELECTED AREAS OF BEVERLY GARDENS PARK; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$66,457 TO AMERICAN LANDSCAPE CORPORATION FOR THE CONTRACT WORK. Comment: Provides for the contract work to replace irrigation equipment at four blocks of Beverly Gardens Park in accordance with Prop A grant funds.

**ITEM F-21: APPROVED AG#544-10**

22. AWARD OF A CONTRACT TO AIR CONDITIONING SOLUTIONS, INC. FOR THE ENERGY EFFICIENCY (HVAC) UPGRADES FOR CITY FACILITIES PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND,

APPROPRIATING FUNDS IN THE AMOUNT OF \$162,225 THEREFOR;

AND, APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$162,225 TO AIR CONDITIONING SOLUTIONS, INC. FOR THE CONTRACT WORK. Comment: Provides for the contract work to implement energy efficiency HVAC upgrades for City facilities under the American Recovery and Reinvestment Act of 2009 (ARRA grant funds), and that this appropriation will be reimbursed with proceeds from the ARRA Grant and SCE Rebates.

**ITEM F-22: APPROVED AG#545-10**

23. AWARD OF A CONTRACT TO ENERGY EXPRESS SERVICES, INC. FOR THE ENERGY EFFICIENCY (LIGHTING) UPGRADES FOR CITY FACILITIES PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND,

APPROPRIATING FUNDS IN THE AMOUNT OF \$45,552 THEREFOR; AND,

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$45,552 TO ENERGY EXPRESS SERVICES, INC. FOR THE CONTRACT WORK. Comment: Provides for the contract work to implement energy efficiency lighting upgrades for City facilities under the American Recovery and Reinvestment Act of 2009 (ARRA grant funds), and that this appropriation will be reimbursed with proceeds from the ARRA Grant and SCE Rebates.

Item was removed for staff to respond to questions raised by Councilmember Krasne.

**ITEM F-23: APPROVED AG#546-10**

24. ACCEPTANCE OF CONTRACT WORK FOR THE CITY HALL LUNCHROOM IMPROVEMENTS PROJECT BY AVI-CON, INC. DBA CA CONSTRUCTION IN THE FINAL CONTRACT AMOUNT OF \$48,587.63. Comment: Requests acceptance of the contract work and authorizes the recording of the Notice of Completion with the County Recorder.

Item removed for staff to respond to a question raised by Councilmember Krasne.

**ITEM F-24: APPROVED**

**25. CLOSE-OUT AGREEMENT DATED DECEMBER 21, 2010 WITH SEMA CONSTRUCTION, INC.; AND**

ACCEPTANCE OF THE CONTRACT WORK FOR THE REPLACEMENT OF COLDWATER CAÑON RESERVOIR BY SEMA CONSTRUCTION, INC. IN THE FINAL AMOUNT OF \$23,160,292.82 AND AUTHORIZATION OF CITY CLERK TO RECORD NOTICE OF COMPLETION. Comment: This report is a request for City Council to approve the Close-Out Agreement with SEMA Construction Inc. and accept the construction work undertaken by SEMA Construction Inc. for the replacement of Coldwater Cañon Reservoir and the construction of a new neighborhood passive park on top of the reservoir, in the final amount of \$23,160,292.82 and the subsequent recordation of a Notice of Completion.

**ITEM F-25: APPROVED AG#547-10**

**26. REJECTION OF ALL BIDS FOR CONTRACT WORK PERTAINING TO THE GREYSTONE HVAC UPGRADE PROJECT. Comment: Requests that all bids be rejected due to responsive bids exceeding budget estimates and to readvertise the project for re-bidding.**

**ITEM F-26: APPROVED**

Vote on Consent Calendar:

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

Noes: None.

CARRIED

**G. COMMISSION SYNOPSIS**

1. CHARITABLE SOLICITATIONS COMMISSION - regular meeting of November 10, 2010.  
FINE ART COMMISSION - regular meeting of November 18, 2010.  
HEALTH AND SAFETY COMMISSION - regular meeting of November 22, 2010.

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

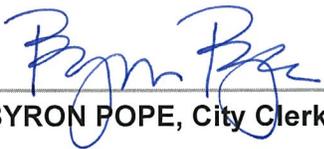
**H. OTHER BUSINESS**

None

**I. ADJOURNMENT**

There being no further business, Mayor Delshad, with the consent of the Council, adjourned the meeting at 9:53pm.

PASSED, Approved and Adopted  
this 11th day of January, 2011.

  
BYRON POPE, City Clerk

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JIMMY DELSHAD, MAYOR

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