



**CITY OF BEVERLY HILLS
CITY COUNCIL
REGULAR COUNCIL MEETING
March 1, 2011**

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

PLEDGE OF ALLEGIANCE

A. *ROLL CALL*

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

B. *PRESENTATIONS*

1. PROCLAMATION - Lisa Vanderpump for her business and charitable activities.

Mayor Delshad, spoke about the accomplishments of Lisa Vanderpump and her branding efforts for Beverly Hills. He presented her with a proclamation in honor of efforts toward promoting 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.)
 1. Mark Elliot asked for the City's position on a measure on the March 2011 ballot.
 2. Dr. Charles Aronberg spoke about an item on the afternoon Study Session regarding the Taste of Beverly Hills event being proposed for later in the year.
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.

Speaking:

1. Gregory McKenna spoke about his attempts for law enforcement assistance.
2. Sara Reyes, representing Xerox, asked for a complete list of businesses in Beverly Hills.

3. REPORT FROM THE CITY MANAGER * Pavement Management Plan Update - Ara Maloyan, Public Works and Transportation

Deputy City Engineer Ara Maloyan presented an update on the Pavement Management Plan for the City. He spoke about the mileage breakdown of City's paving infrastructure, the MicroPAVER program, pavement condition index, PCI comparison with adjacent cities, average pavement condition by County for 2008 and 2010, asphalt price index, historical pavement condition index, recommended yearly paving budget, paving unit cost, cold-in place recycling, cold-in place benefits, and benefits of high PCI.

City Manager Kolin provided an update on complaints the City has received regarding a proposed project in Los Angeles on Tower Lane. He recommended that the Mayor send a letter regarding the potential impacts to Beverly Hills.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS * Appointment of Ad Hoc Committee on Public Garages and Parking Structure Financing * Did you know?

- Appointment of Ad Hoc Committee on Public Garages and Parking Structure Financing

Mayor Delshad appointed Vice Mayor Brucker and Councilmember Brien to the Ad Hoc Committee on public garages and parking structure.

- Did you know?

Councilmember Krasne presented a gift to Mayor Delshad.

D. PUBLIC HEARING

TO SET:

1. HEARING DATE FOR AN APPEAL OF THE COMMUNITY DEVELOPMENT DIRECTOR'S DECISION APPROVING A MINOR ACCOMMODATION TO ALLOW THE EXTENSION OF A LEGALLY NONCONFORMING SIDE SETBACK ON THE PROPERTY LOCATED AT 716

ALTA DRIVE. The appellant is requesting that the Minor Accommodation granted by the Community Development Director be denied based on privacy impacts. Staff recommends setting this item for public hearing at the Regular City Council Meeting on April 5, 2011 at 7:00pm.

Community Development Director Keene made a brief report and asked the Council to set the hearing on April 5, 2010.

ITEM D-1: BY ORDER OF THE CHAIR, HEARING IS SET FOR TUESDAY, APRIL 5, 2011 AT 7:00 PM

2. HEARING DATE FOR AN APPEAL OF THE PLANNING COMMISSION'S DECISION APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE ESTABLISHMENT OF AN EQUINOX EXERCISE CLUB AT 9465 WILSHIRE BOULEVARD. The appellant is requesting that the Conditional Use Permit granted by the Planning Commission be denied based on inadequate findings and environmental review. Staff recommends setting this item for public hearing at the Regular City Council Meeting on April 5, 2011 at 7:00pm.

Community Development Director Keene presented a brief report and asked to set the hearing for April 5, 2010.

ITEM D-2: BY ORDER OF THE CHAIR, HEARING IS SET FOR TUESDAY, APRIL 5, 2011 AT 7:00 PM

TO CONSIDER:

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

3. AN ORDINANCE OF THE CITY OF BEVERLY HILLS EXTENDING AN INTERIM ORDINANCE TO PROHIBIT THE DRILLING AND EXTRACTION OF OIL, GAS AND OTHER HYDROCARBON SUBSTANCES FROM SURFACE LOCATIONS IN THE CITY, AMENDING THE BEVERLY HILLS MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF. Comment: This interim ordinance, adopted on January 25, 2011, must be extended to allow the Planning Commission time to make its recommendation while preserving the status quo until the Council considers the permanent ordinance.

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

Community Development Director Keene spoke about the adoption of the current interim ordinance, and requested the Council to extend the ordinance for an additional 10 months and 15 days to January 25, 2012.

Speaking:

1. Beverly Hills Unified School District Boardmember Jake Manaster requested to have a dialogue with the Council when items like these come up prior to any public meetings.

Councilmember Brien clarified that the School Board President and Vice President were made aware that the item was on the agenda for discussion. Additionally, the item was discussed at the Liaison Committee meeting attended by the School Board President, Vice President, Vice Mayor Brucker and Councilmember Brien.

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

There were no further questions or comments from Councilmembers.

MOVED by Councilmember Brien, seconded by Mayor Delshad, to waive full reading of Ordinance D-3 and adopt the ordinance as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS EXTENDING AN INTERIM ORDINANCE TO PROHIBIT THE DRILLING AND EXTRACTION OF OIL, GAS AND OTHER HYDROCARBON SUBSTANCES FROM SURFACE LOCATIONS IN THE CITY, AMENDING THE BEVERLY HILLS MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF.

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

Noes: None.

CARRIED

ITEM D-3: WAIVE FULL READING ADOPTED ORD# 11-O-2605

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

4. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ADOPTING CERTAIN FINDINGS AND AUTHORIZING EXECUTION OF AN ENERGY SERVICE CONTRACT WITH ENERGY INNOVATION GROUP, LLC PURSUANT TO GOVERNMENT CODE SECTION 4217.10 ET SEQ; AND, APPROVAL OF AN AGREEMENT WITH ENERGY INNOVATION GROUP, LLC TO PARTICIPATE IN SOUTHERN CALIFORNIA EDISON'S SPECIAL BENEFIT MANAGEMENT AFFILIATES PROGRAM (MAP) TO RETROFIT CITY AND OFF STREET PARKING FACILITIES WITH ENERGY EFFICIENT EQUIPMENT TO PRODUCE ENERGY AND MAINTENANCE SAVINGS; AND APPROPRIATING FUNDS IN THE AMOUNT OF \$1,400,000 THEREFOR; AND, APPROVAL OF A PURCHASE ORDER IN THE NOT TO EXCEED AMOUNT OF \$1,400,000 TO ENERGY INNOVATION GROUP, LLC FOR THE ENERGY EFFICIENT EQUIPMENT; AND, APPROVAL OF AN AGREEMENT WITH SOUTHERN CALIFORNIA EDISON COMPANY FOR THE ON-BILL FINANCING AGREEMENT THIRD-PARTY

IMPLEMENTED PROJECTS; AND, AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT. Comment: Requests approval of agreements with Energy Innovation Group for management services and Southern California Edison Company to implement the zero percent (0%) On-Bill Financing program offered by Southern California Edison Company to offset the full cost of purchasing and installing eligible energy efficient equipment. Proposed projects with an approximate cost up to \$1,400,000 will be paid in full from the monthly utility savings under SCE's 0% interest On-Bill Financing program with no capital outlay from the City. Total annual energy savings are estimated at \$300,000.

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 records and files of the Department of Public Works and Transportation and the report of the Director of Project Administration concerning this matter shall be entered into the record.

Director of Project Administration Alan Schneider provided a PowerPoint presentation and oral report. He spoke about the benefits of the project, identified City locations that will be a part of the project, and provided a general scope of work.

Sid Pedston, Principal at Energy Innovation Group, LLC (EIG), answered Council's question regarding program savings and other technical questions. Councilmember Krasne questioned the need for the project when City Hall was just recently remodeled.

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

There were no further questions or comments from Councilmembers.

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

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
ADOPTING CERTAIN FINDINGS AND AUTHORIZING EXECUTION OF AN
ENERGY SERVICE CONTRACT WITH ENERGY INNOVATION GROUP,
LLC PURSUANT TO GOVERNMENT CODE SECTION 4217.10 ET SEQ.

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

Noes: None.

CARRIED

ADOPTED RES# 11-R-12801

MOVED by Vice Mayor Brucker, seconded by Councilmember Krasne, to adopt the agreement with Energy Innovation Group, LLC to participate in Southern California Edison's special benefit management affiliates program (MAP) to

retrofit City and off street parking facilities with energy efficient equipment to produce energy and maintenance savings.

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

Noes: None.

CARRIED

APPROVED AG# 57-11

MOVED by Vice Mayor Brucker, seconded by Mayor Delshad, to approve an agreement with Southern California Edison Company for the on-bill financing agreement third-party implemented projects; and authorizing the City Manager to execute the agreement.

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

Noes: None.

CARRIED

APPROVED AG# 58-11

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

5. A RESOLUTION OF NECESSITY OF THE CITY OF BEVERLY HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS IDENTIFIED AS LOS ANGELES COUNTY TAX ASSESSOR PARCEL NUMBER 4342-015-039, AND FURTHER DESCRIBED AS A PORTION OF THE MEDIAN OF SANTA MONICA BOULEVARD, ADJACENT AND WEST OF DOHENY DRIVE, NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH A STREET IMPROVEMENT, LANDSCAPING AND PUBLIC SAFETY PROJECT. Comment: This Resolution establishes the necessity to acquire the subject roadway median parcel, upon payment of just compensation to the property owner, through the exercise of the City's power of eminent domain. The property is sought to be acquired to incorporate the center median of this roadway into the City's system of public streets, complete minor environmental remediation on this parcel, provide landscaped open space and improve the site with future gateway marker signage.

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 records and files of the City Manager's Office and the report of the Deputy City Manager concerning this matter shall be entered into the record.

Deputy City Manager Lightner presented a PowerPoint image of the parcel for consideration, and provided an oral report.

Councilmember Mirisch inquired if anyone from the Beverly Hills Land Company wanted to comment on the matter. The Councilmembers each explained their reasons for supporting or opposing the resolution. Councilmember Brien asked for clarification on why only the particular parcel and not the other adjacent parcels are being beautified. Vice Mayor Brucker asked about the parcel's other public uses.

MOVED by Councilmember Krasne, seconded by Mayor Delshad, to adopt Resolution D-5 as follows:

A RESOLUTION OF NECESSITY OF THE CITY OF BEVERLY HILLS DECLARING CERTAIN REAL PROPERTY INTERESTS IDENTIFIED AS LOS ANGELES COUNTY TAX ASSESSOR PARCEL NUMBER 4342-015-039, AND FURTHER DESCRIBED AS A PORTION OF THE MEDIAN OF SANTA MONICA BOULEVARD, ADJACENT AND WEST OF DOHENY DRIVE, NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH A STREET IMPROVEMENT, LANDSCAPING AND PUBLIC SAFETY PROJECT.

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

Noes: Councilmember Brien.

CARRIED

ITEM D-5: ADOPTED RES# 11-R-12802

E. CONTINUED AND NEW BUSINESS

None

F. CITY COUNCIL CONSENT CALENDAR

MOVED by Councilmember Brien, seconded by Vice Mayor Brucker to remove Item F-5 and vote on separately, approve all remaining items on the consent agenda by reference and direct that the appropriate accounts be charged on Items F-2 and F-3.

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular meeting of February 15, 2011.

Demands Paid

2. REVIEW OF BUDGETED DEMANDS PAID, report dated February 10 - February 18, 2011.
3. PAYROLL DISBURSEMENT REPORT, report dated March 1, 2011.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

4. PROHIBITING THE ESTABLISHMENT OF MARIJUANA DISPENSARY, STORE, CO-OP, OR CULTIVATION OPERATIONS IN ANY ZONING DISTRICT OR OVERLAY ZONING DISTRICT WITHIN THE CITY. Second Reading - For Adoption. Comment: This is second reading of an ordinance prohibiting the establishment of a marijuana dispensary, co-op or cultivation operation in the City.

ITEM F-4: ADOPTED ORD# 11-O-2606

RESOLUTIONS APPROVING:

5. CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR 9936 DURANT DRIVE PROJECT; ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A TENTATIVE TRACT MAP NO. 70035, A DENSITY BONUS PERMIT, AN R-4 PERMIT AND A DEVELOPMENT PLAN REVIEW TO ALLOW CONSTRUCTION OF A FOURTEEN UNIT RESIDENTIAL CONDOMINIUM STRUCTURE ON THE PROPERTY LOCATED AT 9936 DURANT DRIVE. Comment: The City Council, at its February 15, 2011, meeting directed the City Attorney to prepare resolutions upholding the decision of the Planning Commission and approve the condominium project at 9936 Durant Drive and certify the environmental impact report prepared for the project. The resolutions are presented for Council consideration and adoption.

City Attorney Wiener advised that the public hearing is closed and no additional evidence regarding the merits of the matter may be considered, but pursuant to the Brown Act since the item is listed on the agenda, the public is entitled to speak regarding the resolutions approved at the previous meeting.

Speaking:

1. David Siegel appealed to Council not to approve the resolutions based on various points he outlined in his previously submitted letter.
2. Jocelyne Siegel completed reading a letter that David Siegel did not have time to finish.

3. Page Berardi, Boardmember of the Durant Towers Homeowners Association, expressed extreme concern on the impact of the project construction on their building.
4. Ivan Ickovit, owner of 9932 Durant, asked for a clause to be added to the resolution if approved.

Councilmember Krasne asked whether Council will consider adding Ms. Berardi's suggestions as part of the approved resolutions. Ms. Keene confirmed that all the points discussed by Ms. Berardi were covered in the inspection process. Councilmember Mirisch asked Mr. Fisher, legal counsel for the project owners, whether he knew if the owner's decision would have been influenced by the Mills Act.

MOVED by Councilmember Krasne, seconded by Councilmember Mirisch to reopen the public hearing.

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

MOTION FAILED.

City Attorney Wiener clarified that the matter cannot be reconsidered once the matter has been voted upon.

MOVED by Vice Mayor Brucker, seconded by Councilmember Brien to approve the Resolutions F-5 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR 9936 DURANT DRIVE PROJECT; ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM.

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A TENTATIVE TRACT MAP NO. 70035, A DENSITY BONUS PERMIT, AN R-4 PERMIT AND A DEVELOPMENT PLAN REVIEW TO ALLOW CONSTRUCTION OF A FOURTEEN UNIT RESIDENTIAL CONDOMINIUM STRUCTURE ON THE PROPERTY LOCATED AT 9936 DURANT DRIVE.

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

CARRIED

ITEM F-5: ADOPTED RES# 11-R-12803; RES# 11-R-12804

APPROVAL OF:

6. LOS ANGELES COUNTY GENERAL SERVICES AGREEMENT WITH THE CITY OF

BEVERLY HILLS. Comment: This five-year agreement extends the City's current agreement with the County set to expire on June 31, 2011 for provision of undefined general services not already included in the special agreements the City has with the County. The agreement provides the authority to the County and sets the rates for such services when requested by the City.

ITEM F-6: APPROVED AG# 59-11

7. FIRST AMENDMENT TO LEASE BY AND BETWEEN THE CITY OF BEVERLY HILLS AND YURMAN RETAIL CALIFORNIA; LEASE TERMINATION AND SETTLEMENT/RELEASE AGREEMENT AND MEMORANDUM OF LEASE TERMINATION AND SETTLEMENT/RELEASE AGREEMENT BY AND BETWEEN THE CITY OF BEVERLY HILLS AND BANG & OLUFSEN RETAIL. Comment: The first amendment to lease with David Yurman expands their leased premises to include the Bang & Olufsen lease premises and extend the term of the existing store location. The termination agreement with Bang & Olufsen terminates the B&O lease early to allow for the expansion of the Yurman space.

ITEM F-7: APPROVED AG# 60-11; AG# 61-11; AG# 62-11

8. MEMORANDUM OF LEASE, AND FIRST AMENDMENT TO LEASE BY AND BETWEEN THE CITY OF BEVERLY HILLS AND NEW CINGULAR WIRELESS PCS, LLC. Comment: This amendment extends the term of the lease with AT&T for five years. This is the AT&T Wireless site that is located on the lower level of the Police Department.

ITEM F-8: APPROVED AG# 63-11

9. LEASE AND MEMORANDUM OF LEASE BY AND BETWEEN THE CITY OF BEVERLY HILLS AND GRANITE ESCROW SERVICES, INC. Comment: This lease is for the City owned office space at 439 N. Canon Drive, Suite 220. The lease is for a term of five (5) years at a monthly rental rate of \$3.70/SF.

ITEM F-9: APPROVED AG# 64-11; AG# 65-11

10. AMENDMENT NO. 6 TO THE AGREEMENT WITH TRUGREEN LANDCARE, LLC FOR LANDSCAPE MAINTENANCE SERVICES, AND APPROVAL OF A CHANGE ORDER TO AN EXISTING PURCHASE ORDER IN THE NOT TO EXCEED AMOUNT OF \$87,485.61. 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 methods and efficiencies of maintaining City landscapes is being evaluated. The extension is until June 30, 2011. Additionally request approval of a Purchase Order to TruGreen Landcare, LLC in the not-to-exceed amount of \$87,485.61.

ITEM F-10: APPROVED AG# 66-11

11. AWARDING A CONTRACT TO DMS FACILITY SERVICES, LLC FOR MECHANICAL-ELECTRICAL SERVICES; FIRE AND LIFE SAFETY; HEATING, VENTILATING, AND AIR CONDITIONING SYSTEMS (HVAC); AND, APPROVAL OF A PURCHASE ORDER TO DMS FACILITY SERVICES, LLC IN AN AMOUNT NOT TO EXCEED \$460,534.26 FOR A ONE YEAR PERIOD (12 MONTHS). Comment: This agreement provides for maintenance and repair of mechanical - electrical,

fire and life, heating, ventilating, and air conditioning systems in City-owned facilities.

ITEM F-11: APPROVED AG# 67-11

12. AN AGREEMENT WITH AEP-CALIFORNIA, LLC TO PROVIDE UPFITTING SERVICES FOR PUBLIC SAFETY VEHICLES; AND APPROVAL OF A PURCHASE ORDER TO AEP-CALIFORNIA, LLC IN THE NOT-TO-EXCEED AMOUNT OF \$65,000.00 FOR THESE SERVICES. Comment: This agreement will provide for the upfitting of various public-safety vehicles that are replacing job-worn vehicles currently assigned to the Police and the Fire Departments for a not-to-exceed amount of \$65,000.00 including a contingency of \$4,996.33.

ITEM F-12: APPROVED AG# 68-11

13. AN AGREEMENT WITH ENG MOBILE SYSTEMS, INC. FOR THE PURCHASE AND MAINTENANCE OF A MOBILE ADVANCED TECHNOLOGY CONTROL CENTER VEHICLE; AND

AUTHORIZE A PURCHASE ORDER FOR THIS VEHICLE AND SERVICES IN AN AMOUNT NOT TO EXCEED \$363,552. Comment: Federal grant funds awarded for the City's Unified Network of Interoperable Technology Enhancements (UNITE) program will be used to purchase the MATCC vehicle, which will support first responder emergency operations.

ITEM F-13: APPROVED AG# 69-11

14. AGREEMENT WITH LUXE INTERIORS + DESIGN FOR DESIGN CONSULTING SERVICES FOR THE LUXE INTERIOR + DESIGN PRESENTS "MAISON DE LUXE 2011" AT HISTORIC GREYSTONE ESTATE IN BEVERLY HILLS. Comment: Luxe Interiors + Design will be recognized as the Title Sponsor and exclusive international and national magazine sponsor of the 2011 Show House event at Greystone Estate on November 2 -20, 2011.

ITEM F-14: APPROVED AG# 70-11

15. REAPPOINTING A MEMBER TO THE FINE ART COMMISSION (BRENDA POTTER). Comment: Reappoints Brenda Potter to the Fine Art Commission for a four year term.

ITEM F-15: APPROVED

16. ACCEPTANCE OF CONTRACT WORK FOR THE GREYSTONE PARK PHASE 3 SITE IMPROVEMENTS PROJECT BY PIMA CORPORATION DBA ADVANCED CONSTRUCTION IN THE FINAL CONTRACT AMOUNT OF \$1,559,416.76. Comment: Requests acceptance of the contract work and authorizes the recording of the Notice of Completion with the County Recorder.

ITEM F-16: APPROVED

17. ACCEPTANCE OF CONTRACT WORK FOR THE AUDIO-VISUAL SYSTEMS FOR EOC EXPANSION PROJECT BY PRESENTATION PRODUCTS, INC., DBA SPINITAR IN THE

FINAL CONTRACT AMOUNT OF \$463,575.72. Comment: Requests acceptance of the contract work and authorizes the recording of the Notice of Completion with the County Recorder.

ITEM F-17: APPROVED

18. ACCEPTANCE OF CONTRACT WORK FOR THE POLICE FACILITY AND EMERGENCY OPERATIONS CENTER REMODEL AND EXPANSION BY SBS CORPORATION, A CALIFORNIA CORPORATION IN THE FINAL CONTRACT AMOUNT OF \$1,840,376.75. Comment: Requests acceptance of the contract work and authorizes the recording of the Notice of Completion with the County Recorder.

ITEM F-18: APPROVED

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

ITEM A A MASTER SERVICES AGREEMENT WITH XO COMMUNICATIONS, INC. Comment: Provides for network transport to the West Coast Metropolitan Area Exchange, internet services and rack space within the One Wilshire Data Center complex in downtown Los Angeles. This is for a 42 month agreement in the total amount of \$251,300 with an annual amount not-to-exceed \$71,800.

ITEM F-19A: APPROVED AG# 71-11

ITEM B AN APPROPRIATION IN THE AMOUNT OF \$70,000 FOR NEGOTIATIONS SERVICES FROM LIEBERT CASSIDY WHITMORE; AND, APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$70,000 TO THE PURCHASE ORDER TO LIEBERT CASSIDY WHITMORE FOR A TOTAL NOT TO EXCEED \$122,100. Comment: The agreement with Liebert Cassidy Whitmore is to receive specialized legal services in the field of labor law.

ITEM F-19B: 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. DESIGN REVIEW COMMISSION - Regular meeting of January 6, 2011.
DESIGN REVIEW COMMISSION - Regular meeting of February 3, 2011.
CHARITABLE SOLICITATIONS COMMISSION - Regular meeting of February 16, 2011.
HUMAN RELATIONS COMMISSION - Regular meeting of February 17, 2011.

H. OTHER BUSINESS

None

I. ADJOURNMENT

There being no further business, Mayor Delshad, with the consent of Council, adjourned the meeting at 9:14 pm.

PASSED, Approved and Adopted
this 5th day of April, 2011.



BYRON POPE, City Clerk

BARRY BRUCKER, MAYOR

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