



**CITY OF BEVERLY HILLS
MINUTES
CITY COUNCIL
REGULAR MEETING
April 17, 2012**

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

A. ROLL CALL

Present: Councilmember Gold, Councilmember Bosse, Councilmember Brucker, Vice Mayor Mirisch, and Mayor Brien

Absent: None

B. PRESENTATIONS

None

C. ORAL COMMUNICATIONS

1. TELEPHONE CALL-IN (310.285.1020) (Members of the public are invited to place telephone calls to comment on issues that do not appear on the evening's agenda. The City Council will take up to three telephone calls per meeting. Comments on the evening's agenda must be made in person as the item comes before the City Council.)

None

2. AUDIENCE COMMENTS. Any person wishing to address the City Council on any matter not on the agenda may do so at this time. However, the State open meetings law (Government Code Section 54950 et seq.) prohibits the City Council from providing a detailed response or acting upon any item not contained on the agenda posted 72 hours before a regular meeting and 24 hours before a special meeting. If you wish to address the City Council at this time, please complete a speaker's card and give it to the City Clerk prior to the commencement of the meeting. Please use the microphone provided, clearly stating your name for the official record and courteously limiting your remarks to three (3) minutes so others may have the opportunity to speak as well.

None

3. REPORT FROM THE CITY MANAGER

* Announcement/Notification of the Kick-Off to the Team Beverly Hills Recruitment - Gisele Grable, Community Services Administrator

Community Services Administrator Gisele Grable announced the kick off of the Team Beverly Hills recruitment period. She provided a brief background on Team Beverly Hills, and noted that the 16th class graduated in March and there are now 462 alumni members. She invited residents to apply online or call (310) 285-1023 for an application. The deadline to apply is June 7, 2012.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Bosse encouraged the public to attend two meetings on a proposed pilot project to create bicycle routes on Beverly Hills streets. The first meeting is on April 25, 2012 at 7pm in the Public Works building during a Traffic and Parking Commission (TPC) Bicycle Ad-Hoc Committee meeting, and the second meeting is on May 9, 2012 at 7pm at City Hall during a TPC meeting.

Councilmember Brucker reported on his attendance on April 13, 2012 to Metro Board's private briefing for elected officials in the local Los Angeles Western region. He briefly went over the items that were discussed, the questions he asked and the responses he received.

Dr. Gold announced that the City will be providing free transportation to two meetings this month at Metro's downtown headquarters on April 18, 2012 and April 26, 2012. He encouraged all concerned residents to attend either or both meetings and avail of the free transportation departing on Rexford Drive in front of Kelly's Coffee and Fudge.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

None

E. CONTINUED AND NEW BUSINESS

1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ESTABLISHING PREFERENTIAL PARKING PERMIT ZONE "O" ON THE 700 BLOCK OF NORTH DOHENY DRIVE. Comment: Establishes a preferential parking permit zone with a regulation of "2-Hour Parking, 8am to 8pm, Monday-Saturday, and No Parking, 8pm to 2:30am, Daily, Permit 'O' Exempt."

Speaking:

Deputy Director of Transportation Aaron Kunz provided the staff report along with a PowerPoint presentation. He noted that the Traffic and Parking Commission unanimously approved the request.

MOVED by Councilmember Bosse, seconded by Councilmember Brucker to adopt Resolution E-1 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
ESTABLISHING PREFERENTIAL PARKING PERMIT ZONE "O" ON THE
700 BLOCK OF NORTH DOHENY DRIVE.

Ayes: Councilmember Gold, Councilmember Bosse, Councilmember Brucker,
Vice Mayor Mirisch and Mayor Brien.

Noes: None.

CARRIED

ITEM E-1: ADOPTED RES# 12-R-12873

2. CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL REGARDING THE WESTSIDE SUBWAY EXTENSION PROJECT. Comment: Vice Mayor Mirisch is requesting that the City Council consider adopting the attached draft resolution he prepared stating the City's position regarding the Westside Subway extension project and Metro staff recommendation on the preferred local alternative route tunneling under the Beverly Hills High School.

Assistant City Manager Mahdi Aluzri briefly provided background information on the draft resolution submitted by Vice Mayor Mirisch for Council consideration and approval. He clarified that the locally preferred alternative referred to in the report is Metro's and not the City's.

Speaking:

1. Ken Goldman, Southwest Homeowners Association
2. David Gordon
3. Stephanie Ordaz
4. Alma Ordaz
5. James Goldrich
6. Dr. Matthew Finerman
7. Dr. Woodrow Clark
8. Thomas White, Municipal League of Beverly Hills
9. Former Mayor Steve Webb
10. Gunther Schiff
11. Jeffrey Burkett

12. AJ Willmer
13. Former Mayor Linda Briskman - letter read into the record by Mayor Brien
14. Murray D. Fischer - letter read into the record by Mayor Brien
15. Bruce Schulman, General Manager of Mercedes-Benz of Beverly Hills - letter read into the record by Mayor Brien
16. Vicky Mense, Xi'an Restaurant Owner - letter read into the record by Mayor Brien
17. Rod Krall

Councilmember Mirisch explained the intent of the resolution he drafted.

The Councilmembers discussed and asked questions pertaining to the fiscal and other impacts of the subway to businesses, ridership, legal action or real options that can be taken, alternative route options, and the next proactive course of action to pursue. All Councilmembers also reiterated their opposition to tunneling under the Beverly Hills High School, clarified the actions that Council has taken to date on the matter, and expressed their comments and suggested changes on the draft resolution.

Council agreed for Councilmembers to send their comments through staff to Legislative Liaisons Mayor Brien and Vice Mayor Mirisch for them to blend all comments into a final resolution for submission to Metro before April 26, 2012, or authorize the Mayor to submit a letter including the consensus of the Council comments if the Liaisons cannot agree on the final resolution language.

ITEM E-2: NO MOTION MADE

F. CITY COUNCIL CONSENT CALENDAR

MOVED by Councilmember Gold, seconded by Councilmember Bosse to approve all items on the consent calendar by reference only with revisions submitted by the City Attorney for Item F-7, and direct that 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 April 3, 2012.

Demands Paid

2. REVIEW OF BUDGETED DEMANDS PAID, report dated March 24 - April 6, 2012.
3. PAYROLL DISBURSEMENT REPORT, report dated April 17, 2012.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

4. AWARDING A CONTRACT TO UNITED MECHANICAL CONTRACTORS, INC. FOR THE INFORMATION TECHNOLOGY INTERIOR IMPROVEMENTS PROJECT AND AC UNIT REPLACEMENT AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$420,000 TO UNITED MECHANICAL CONTRACTORS, INC. FOR THE CONTRACT WORK; AND

APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND SYSTEMS SOURCE, INC. FOR FURNITURE PURCHASE AND INSTALLATION AT INFORMATION TECHNOLOGY IN THE AMOUNT OF \$256,423.38; AND

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$256,423.38 TO SYSTEMS SOURCE, INC. FOR THE WORK. Comment: Provides for the contract work for interior improvements to Information Technology's office space and to replace aging mechanical equipment in the Data Center; and for purchase and installation of furniture as part of this capital improvement project.

ITEM F-4: ADOPTED RES # 12-R-12874; AG# 134-12; AG# 135-12

APPROVAL OF:

5. LEASE AND MEMORANDUM OF LEASE WITH W. MCDEVITT COMPANY, INC.; AND A BROKER AGREEMENT WITH INDUSTRY PARTNER, INC. Comment: This office lease is for ten (10) years, The W. McDevitt Company will occupy for the entire 3rd floor of 9400 Santa Monica Boulevard building.

ITEM F-5: APPROVED AG# 136-12; AG# 137-12; AG# 138-12

6. LEASE AND MEMORANDUM OF LEASE WITH DEAN JOFFE (DBA DELICIOUS SNACK COMPANY) FOR A SNACK BAR AT LA CIENEGA PARK. Comment: Provides for a lease to operate a snack bar service at La Cienega Park.

ITEM F-6: APPROVED AG# 139-12; AG# 140-12

7. AN AGREEMENT FOR POLICE AND CITY TOWING SERVICES WITH QUICKSILVER TOWING, INC.; AND

AN APPROPRIATION OF \$4,000 FOR ADDITIONAL CONTRACT SERVICES FOR THE VEHICLE IMPOUND STORAGE PROGRAM. Comment: Under this agreement, Quicksilver Towing, Inc. will provide towing services for the Police Department's Vehicle Impound Storage Program.

City Attorney Wiener distributed a handout explaining the revisions made to the agreement.

ITEM F-7: APPROVED AG# 141-12

8. AGREEMENT WITH RICHARD GRAY GALLERY, AS AGENT FOR JAUME PLENSA, FOR THE CREATION, SALE AND ASSIGNMENT OF CERTAIN RIGHTS IN THE ARTISTIC WORK WHICH IS UNTITLED AND FROM THE SERIES "ENDLESS". Comment: Provides for the purchase of Untitled by Jaume Plensa as recommended by the Fine Arts Commission and by the City Council at the February 7, 2012 study session. Funding will come from the Fine Arts fund which is reserved for art related expenses.

ITEM F-8: APPROVED AG# 142-12

9. ACCEPTANCE OF THE CONTRACT WORK FOR THE "REHABILITATION OF BENEDICT CANON DRIVE UTILIZING AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDS. FEDERALLY FUNDED PROJECT ESPL 5221 (011) (CITY OF BEVERLY HILLS GRANT CODE 0605101F010)" BY ALL AMERICAN ASPHALT, IN THE FINAL AMOUNT OF \$581,183; AND

AUTHORIZATION OF CITY CLERK TO RECORD NOTICE OF COMPLETION.

Comment: This report provides information to the City Council for acceptance of the contract work in the final amount of \$581,183.00 and authorization for the recordation of the Notice of Completion by the City Clerk with the Los Angeles County Recorder. The project was funded by the American Recovery and Reinvestment Act (ARRA).

ITEM F-9: APPROVED

10. ACCEPTANCE OF THE CONTRACT WORK FOR THE 2010-2011 STREET RESURFACING - VARIOUS LOCATIONS BY ALL AMERICAN ASPHALT, IN THE FINAL AMOUNT OF \$3,073,888.04; AND

AUTHORIZATION OF CITY CLERK TO RECORD NOTICE OF COMPLETION.

Comment: This report provides information to the City Council for acceptance of the contract work in the final amount of \$3,073,888.04 and authorization for the recordation of the Notice of Completion by the City Clerk with the Los Angeles County Recorder. The project is part of the City Capital Improvement Program for the Fiscal Year 2010-2011.

ITEM F-10: APPROVED

11. A PURCHASE ORDER TO QUINN COMPANY FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$78,964.56 FOR PURCHASE OF A CATERPILLAR SKID STEER LOADER. Comment: Provides for purchase of a Caterpillar Skid-steer Loader, Model 242B3, to replace a job-worn 1998 Gehl Skid-steer Loader assigned to the Street Infrastructure Maintenance Division.

ITEM F-11: APPROVED

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

ITEM A: AMENDMENT NO. 1 TO THE AGREEMENT WITH STEGEMAN & KASTNER, INC FOR CONSULTING SERVICES ON VARIOUS CITY OWNED PROPERTIES APPROVAL OF A PURCHASE ORDER TO STEGEMAN & KASTNER, INC IN AN AMOUNT NOT TO EXCEED \$81,500. Comment: This Amendment increases the contract with Stegeman & Kastner for base building and tenant improvement related consulting services at the following locations: 365 N. Rodeo Drive, 239 N. Crescent, 439 N. Canon Drive. The original contract total was \$46,000 and this amendment adds \$35,500 for a total contract amount of \$81,500.

ITEM F-12: APPROVED AG# 143-12

Vote on Consent Calendar:

Ayes: Councilmember Gold, Councilmember Bosse, Councilmember Brucker,
Vice Mayor Mirisch, and Mayor Brien.
Noes: None.

CARRIED

**G. COMMISSION SYNOPSIS
NO ACTION TAKEN ON "G" ITEMS**

1. CHARITABLE SOLICITATIONS COMMISSION - Special Meeting of March 7, 2012
FINE ART COMMISSION - Regular Meeting of March 15, 2012
ARCHITECTURAL COMMISSION - Regular Meeting of March 21, 2012
HEALTH AND SAFETY COMMISSION - Regular Meeting of March 26, 2012
RECREATION AND PARKS COMMISSION - Regular Meeting of March 27, 2012
TRAFFIC & PARKING COMMISSION - Regular Meeting of April 5, 2012

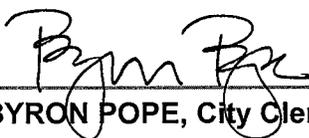
H. OTHER BUSINESS

None

I. ADJOURNMENT

There being no further business, Mayor Brien, with the consent of the Council, adjourned the meeting at 9:40pm.

PASSED, Approved and Adopted
this 1st day of May, 2012


BYRON POPE, City Clerk

WILLIAM W. BRIEN, MD, MAYOR

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