



**CITY OF BEVERLY HILLS
CITY COUNCIL ADJOURNED REGULAR MEETING
MINUTES
August 30, 2016**

The City Council Adjourned Regular Meeting was held in the Council Chamber at 7:00 pm.

PLEDGE OF ALLEGIANCE led by Former Mayor Tom Levyn

A. *ROLL CALL*

Present: Councilmember Reims, Councilmember Gold, Councilmember Bosse, Vice Mayor Krasne, and Mayor Mirisch
Absent: None

B. *PRESENTATIONS*

1. TEXT BH - Text messages on any City-related topic may be sent to 310-596-4265. City staff will acknowledge receipt of the text message within one business day, however, resolution of issues may take longer.

Councilmember Bosse announced that text messages on any City-related topic may be sent to (310) 596-4265.

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. Steve Mayer
2. Mike Harriel, SoCal Gas
3. Rex Sherry
4. David Gingold
5. Bob MacDonald
6. Lionel Ephraim

3. REPORT FROM THE CITY MANAGER

None

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Vice Mayor Krasne announced that as part of the City's fundraising efforts, the City will be selling mik chocolate bars at Sweet Beverly and other stores throughout the City. The City is also looking at marketing Police and Fire Departments teddy bears dressed in embroidered jerseys.

Mayor Mirisch invited the public to the last Concerts on Canon event this Thursday, September 1st at 6:00pm at the Beverly Canon Gardens, which will be a singalong with the Mayor and City Council.

Mayor Mirisch reported that he participated in a panel in Detroit last week at the Autonomous Vehicle Summit and gave a keynote speech entitled "Democratization of Public Transportation through Autonomous Vehicles."

D. CONSENT CALENDAR

FISCAL IMPACT REPORT

MOVED by Councilmember Gold, seconded by Councilmember Bosse to remove Items D-3, D-4A and D-5 for discussion and separate vote, approve the remaining items on the City Council consent calendar and direct that the appropriate accounts be charged on Items D-5 and D-6

Minutes

None

Demands Paid

1. REVIEW OF BUDGETED DEMANDS PAID, report dated August 6 – 19, 2016.
2. PAYROLL DISBURSEMENT REPORT, report dated August 30, 2016.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

3. AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING RESTRICTIONS PERTAINING TO FORMER ELECTED OFFICIALS, FORMER PLANNING COMMISSIONERS AND FORMER CITY OFFICIALS. Second Reading – For Adoption. Comment: At its meeting of August 16, 2016, the City Council conducted a first reading of this ordinance and introduced it. This ordinance amends the Municipal Code regarding restrictions pertaining to former elected officials, former planning commissioners and former city officials to increase the time period for various restrictions to four (4) years after leaving city office or employment.

City Attorney Laurence Wiener and Councilmember Gold responded to Vice Mayor Krasne's concerns regarding former elected officials who work for companies that are lobbying the City.

MOVED by Councilmember Gold, seconded by Councilmember Bosse to adopt Ordinance D-3 as follows:

ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING RESTRICTIONS PERTAINING TO FORMER ELECTED OFFICIALS, FORMER PLANNING COMMISSIONERS AND FORMER CITY OFFICIALS

Ayes: Councilmember Reims, Councilmember Gold, Councilmember Bosse, Vice Mayor Krasne, and Mayor Mirisch.

Noes: None.

CARRIED

ITEM D-3: ADOPTED; ORD# 16-O-2707

4. A. AN ORDINANCE OF THE CITY OF BEVERLY HILLS REGULATING EXPANSIONS OF LEVEL PAD AREAS OF LOTS AND DEVELOPMENT OFF THE LEVEL PAD OF LOTS IN THE HILLSIDE AREA OF THE CITY. Second Reading - For Adoption. Comment: At its meeting of August 16, 2016, the City Council conducted a first reading of this ordinance and introduced it. This ordinance establishes a minimum dimension of 20' x 20' for any area to qualify as "level pad" for the purposes of determining the maximum allowed floor area; and requires discretionary review for projects that include more than 1,000 cumulative square feet of development off a property's existing level pad. The City Council also found this ordinance to be exempt from the California Environmental Quality Act.

Councilmember Bosse and Vice Mayor Krasne recused from Item D-4A and left the dais.

MOVED by Councilmember Gold, seconded by Councilmember Reims to adopt Ordinance D-4A as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS REGULATING EXPANSIONS OF LEVEL PAD AREAS OF LOTS AND DEVELOPMENT OFF THE LEVEL PAD OF LOTS IN THE HILLSIDE AREA OF THE CITY

Ayes: Councilmember Reims, Councilmember Gold, and Mayor Mirisch.
Noes: None.
Recuse: Councilmember Bosse, and Vice Mayor Krasne.

CARRIED

ITEM D-4A: ADOPTED; ORD# 16-O-2707

B. AN ORDINANCE OF THE CITY OF BEVERLY HILLS REGULATING LANDFORM ALTERATIONS OF CERTAIN LOTS IN THE HILLSIDE AREA OF THE CITY. Second Reading - For Adoption. Comment: At its meeting of August 16, 2016, the City Council conducted a first reading of this ordinance and introduced it. This ordinance requires discretionary review for import/export of earth material in excess of 1,500 cubic yards on streets less than 24' in width. The City Council also found this ordinance to be exempt from the California Environmental Quality Act.

ITEM D-4B: ADOPTED; ORD# 16-O-2709

5. AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING THE PERSONNEL PROCEDURES FOR HIRING AND RETENTION OF ASSISTANT CITY MANAGERS, DEPUTY CITY MANAGERS AND DEPARTMENT HEADS. Second Reading - For Adoption. Comment: This ordinance will give the Council the authority to hire and dismiss Assistant City Managers, Deputy City Managers and Department Heads.

Councilmember Gold explained his reasons for voting against the item. Councilmember Reims suggested that the effective date be delayed for six months to a year so that the City Council can further study the matter. Vice Mayor Krasne agreed to put a sunset clause for six months. Mayor Mirisch suggested revisiting the matter in six months. Councilmember Bosse stated that she has no further comments and was prepared to move forward with the item.

MOVED by Councilmember Bosse, seconded by Vice Mayor Krasne to adopt Ordinance D-5 as follows:

Ayes: Councilmember Bosse, Vice Mayor Krasne, and Mayor Mirisch.
Noes: Councilmember Reims, and Councilmember Gold.

CARRIED

ITEM D-5: ADOPTED; ORD# 16-O-2710

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS:

6. AUTHORIZING THE CITY MANAGER TO AWARD A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER FOR THE LA BREA SUBAREA WELL DRILLING PROJECT AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND AUTHORIZING THE CITY MANAGER TO APPROVE A PURCHASE ORDER IN THE AMOUNT OF THE LOWEST RESPONSIBLE BID PLUS A 15% CONTINGENCY. Comment: This Resolution authorizes the City Manager to award a contract to the lowest responsible bidder for construction of the La Brea Subarea Well Drilling Project.

ITEM D-6: ADOPTED; ORD# 16-R-13099

7. FIXING THE RATE OF TAXES TO PAY THE BONDED AND OTHER VOTER-APPROVED INDEBTEDNESS OF THE CITY FOR THE FISCAL YEAR 2016/2017. Comment: In accordance with the provisions of Article XIII A of the Constitution of the State of California, the City may levy an annual tax rate for the repayment of interest and principal on general obligation bonds and other voter-approved indebtedness. This rate is in addition to the general rate of 1% of full market value authorized in the above-noted Constitution article. Expenditures recoverable under this provision reflect the costs of retirement benefits for public safety personnel as approved by voters in an election in 1974. For Fiscal Year 2016/2017, the expenditures for public safety retirement benefits which can be recovered by the property tax override equal \$6,303,372.

ITEM D-7: ADOPTED; ORD# 16-R-13100

APPROVAL OF:

8. AN AGREEMENT WITH STAR, INC. FOR AFTER SCHOOL AND SUMMER CLASS INSTRUCTION SERVICES THROUGH THE CITY'S DEPARTMENT OF COMMUNITY SERVICES; AND APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$270,000 FOR THE SERVICES DESCRIBED. Comment: Staff recommends that City Council approve the agreement and purchase order with STAR, Inc. for one year of services to provide after school and summer class instruction services in an amount not-to-exceed \$270,000.

ITEM D-8: APPROVED; AG# 363-16

9. AGREEMENT WITH TIRE CENTERS LLC FOR HEAVY DUTY TIRE SERVICE; AND ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$70,000.00 TO TIRE CENTERS LLC FOR THESE SERVICES. Comment: Staff recommends that the City Council approve waiver of formal-bid procedure, and approve a purchase order to Tire Centers LLC, in the not-to-exceed amount of \$70,000.00 for Heavy-Duty Tire Service which is budgeted for FY 2016-2017 in Program No. 49008501, Vehicle Maintenance. This agreement is extendable for four (4) additional one (1) year terms pursuant to Section 2, (b) with a not to exceed total of \$375,000.00.

ITEM D-9: APPROVED; AG# 364-16

10. AGREEMENT WITH CHP ENTERPRISES DBA KEN PORTER AUCTIONS FOR AUCTION SERVICES. Comment: Staff recommends that the City Council approve an agreement with Ken Porter Auctions for the disposal of surplus equipment and supplies that are no longer necessary for the Public Works Services Department operations. This agreement has an initial one-year term with four possible one-year periods of extension. There is no cost to the City associated with the agreement. Services are paid for by the auction item buyer through a premium placed on each auctioned item.

ITEM D-10: APPROVED; AG# 365-16

11. ACCEPTANCE OF THE CONTRACT WORK FOR THE DRILLING OF SHALLOW WATER WELLS AT MAPLE YARD (JOB NO. 10106) BY CASCADE DRILLING L. P. IN THE FINAL AMOUNT OF \$842,782.50 AND AUTHORIZATION OF CITY CLERK TO RECORD A NOTICE OF COMPLETION. Comment: Staff recommends that the contract work performed by Cascade Drilling L. P. in drilling of two shallow water wells at Maple Yard be accepted and authorize the City Clerk to record the Notice of Completion.

ITEM D-11: APPROVED

12. A PURCHASE ORDER TO BRAGG INVESTMENT COMPANY DBA COASTLINE EQUIPMENT FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$89,518.85 FOR PURCHASE OF ONE (1) JOHN DEERE 204K WHEEL LOADER. Comment: Staff recommends that the City Council waive the bidding requirements, as the City is utilizing the National Joint Powers Alliance (NJPA) bid process, and move to approve a purchase order in the amount of \$89,518.85 to Bragg Investment Company DBA Coastline Equipment for the purchase of specified equipment. Funding for this purchase is included in the Fiscal Year 2016-2017 Council approved Department budget.

ITEM D-12: APPROVED

Vote on the City Council Consent Calendar:

Ayes: Councilmember Reims, Councilmember Gold, Councilmember Bosse, Vice Mayor Krasne, and Mayor Mirisch.
Noes: None.

CARRIED

E. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

1. AN APPEAL OF THE COMMUNITY DEVELOPMENT DEPARTMENT'S APRIL 13, 2016 DETERMINATION REGARDING VIEW PRESERVATION ASSOCIATED WITH NEW CONSTRUCTION AT 1200 STEVEN WAY. Comment: The subject appeal hearing is being rescheduled to September 6, 2016, and the item will not be heard on August 30, 2016.

ITEM E-1: BY ORDER OF THE CHAIR, ABSENT OBJECTION, ITEM CONTINUED TO THE SEPTEMBER 6, 2016 MEETING

F. CONTINUED AND NEW BUSINESS

None

G. COMMISSION SYNOPSIS

1. HEALTH AND SAFETY COMMISSION - Regular Meeting of July 25, 2016
TRAFFIC AND PARKING COMMISSION - Regular Meeting of August 4, 2016
DESIGN REVIEW COMMISSION - Regular Meeting of August 4, 2016
PLANNING COMMISSION - Regular Meeting of August 11, 2016
HUMAN RELATIONS COMMISSION - Regular Meeting of August 18, 2016

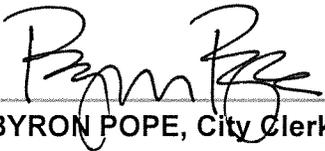
ITEM G-1: NO ACTION TAKEN

H. OTHER BUSINESS

I. ADJOURNMENT

There being no further business, Mayor Mirisch, with the consent of the City Council, adjourned the meeting at 8:08pm.

PASSED, Approved and Adopted
this 20th day of September, 2016



BYRON POPE, City Clerk

JOHN A. MIRISCH, MAYOR

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