



**CITY OF BEVERLY HILLS
CITY COUNCIL REGULAR MEETING
MINUTES
November 1, 2016**

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

PLEDGE OF ALLEGIANCE

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.)

1. Frances Shloss

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. Kathleen Mazurek

3. REPORT FROM THE CITY MANAGER

None

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Mayor Mirisch and Vice Mayor Krasne briefly reported on their New York Sales Mission trip last week as part of the Chamber of Commerce Conference and Visitors Bureau delegation.

Mayor Mirisch read a letter from Nancy Barth into the record.

D. CONSENT CALENDAR

FISCAL IMPACT REPORT

MOVED by Vice Mayor Krasne, seconded by Councilmember Gold to approve all items on the City Council consent calendar, and direct that the appropriate accounts be charged on Items D-3 and D-4

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Study Session of September 6, 2016.

ITEM D-1: APPROVED

2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of October 4, 2016.

ITEM D-2: APPROVED

Demands Paid

3. REVIEW OF BUDGETED DEMANDS PAID, report dated October 8 – 21, 2016.

ITEM D-3: APPROVED

4. PAYROLL DISBURSEMENT REPORT, report dated November 1, 2016.

ITEM D-4: APPROVED

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS:

None

APPROVAL OF:

5. AMENDMENTS TO CONFLICT OF INTEREST CODES FOR VARIOUS CITY DEPARTMENTS.

Comment: Amends various departments' Conflict of Interest Codes to reflect new and deleted positions, and position title changes.

ITEM D-5: APPROVED

6. AMENDMENT NO. 2 TO AN AGREEMENT WITH BUSS SHELGER ASSOCIATES FOR VARIOUS PROPERTY APPRAISALS; AND APPROVAL OF A CHANGE PURCHASE ORDER IN THE AMOUNT OF \$50,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$100,000 FOR VARIOUS PROPERTY APPRAISAL SERVICES.

Comment: Staff recommends approval of Amendment No. 2 with Buss Shelger Associates and approval of a change purchase order for \$50,000 for a total not-to-exceed amount of \$100,000.

ITEM D-6: APPROVED; AG# 471-16

7. A. AMENDED AND RESTATED AGREEMENT WITH FIRST TEK, INC. (FORMERLY BARTRONICS AMERICA, INC. AND CLOUDEEVA, INC.) FOR INFORMATION TECHNOLOGY CONSULTING SERVICES RELATED TO PROVISION OF NETWORK ADMINISTRATION SERVICES FOR THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT; AND

B. AMENDED AND RESTATED AGREEMENT WITH NETWORLD SOLUTIONS, INC. FOR INFORMATION TECHNOLOGY CONSULTING SERVICES RELATED TO PROVISION OF SYSTEMS ARCHITECTURE, ADMINISTRATION AND DESIGN SERVICES TO BEVERLY HILLS UNIFIED SCHOOL DISTRICT.

C. AMENDMENT NO. 2 TO THE AGREEMENT WITH THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT FOR THE PROVISION OF INFORMATION TECHNOLOGY CONSULTING SERVICES.

Comment: This item represents a clean-up of existing agreements for information technology consulting services. The Amended and Restated Agreements with First

Tek, Inc., and Network Solutions, Inc., and the Amendment with the Beverly Hills Unified School District are restatements of the terms under the current agreements and provide for ends to the terms of the Agreements. Information Technology staff are working with Beverly Hills Unified School District to create a new Shared Services Agreement that will better meet the needs of both agencies.

ITEM D-7: APPROVED; FIRST TEK, INC. – AG# 472-16; NETWORK SOLUTIONS, INC. – AG# 473-16; THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT – AG# 474-16

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:

1. AN ORDINANCE OF THE CITY OF BEVERLY HILLS ADOPTING AN ADMINISTRATIVE CODE AND ABATEMENT OF DANGEROUS BUILDINGS CODE, AND ADOPTING BY REFERENCE THE 2016 CALIFORNIA BUILDING CODE; THE 2016 CALIFORNIA RESIDENTIAL CODE; THE 2016 CALIFORNIA ELECTRICAL CODE; THE 2016 CALIFORNIA MECHANICAL CODE; THE 2016 CALIFORNIA PLUMBING CODE; THE 2016 CALIFORNIA ENERGY CODE; THE 2016 CALIFORNIA FIRE CODE; THE 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE; THE 2016 CALIFORNIA HISTORICAL BUILDING CODE; THE 2016 CALIFORNIA REFERENCED STANDARDS CODE; THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 EDITION; INCLUDING CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS, AND AMENDING TITLE 9 OF THE BEVERLY HILLS MUNICIPAL CODE. First Reading - For Introduction.

Comment: This ordinance adopts by reference the various Codes with applicable local amendments. The proposed Ordinance includes construction standards for building, electrical, mechanical, plumbing and fire codes. Staff recommends that the Ordinance be set for Public Hearing on Tuesday, December 6, 2016.

Assistant Director of Community Development/City Building Official Raj Patel presented a PowerPoint and oral report discussing the code adoption process and timeline, list of the updated codes, code amendments on water conservation, recycling of construction debris and energy efficiency, the Beverly Hills amendments, and staff recommendations on the process of ordinance adoption. He acknowledged the assistance of Battalion Chief Scott Stevens from the Fire Department in putting together the presentation.

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

Mr. Patel and City Manager Mahdi Aluzri responded to Council questions regarding amendments based on local conditions, seismic codes and when last amended, extra cost to average home builder, 22% water conservation, geological standards, seismic safety in the hillsides, requiring residents to take photographs prior to landscaping, compliance with requirements, state law requirements, minimum standards on the maintenance of parkways, and liability of residents for not watering trees.

There were no further questions or comments from Councilmembers.

MOVED by Councilmember Gold, seconded by Councilmember Bosse, to introduce and read by title only, ordinance as follows set for public hearing on December 6, 2016:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS ADOPTING AN ADMINISTRATIVE CODE AND ABATEMENT OF DANGEROUS BUILDINGS CODE, AND ADOPTING BY REFERENCE THE 2016 CALIFORNIA BUILDING CODE; THE 2016 CALIFORNIA RESIDENTIAL CODE; THE 2016 CALIFORNIA ELECTRICAL CODE; THE 2016 CALIFORNIA MECHANICAL CODE; THE 2016 CALIFORNIA PLUMBING CODE; THE 2016 CALIFORNIA ENERGY CODE; THE 2016 CALIFORNIA FIRE CODE; THE 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE; THE 2016 CALIFORNIA HISTORICAL BUILDING CODE; THE 2016 CALIFORNIA REFERENCED STANDARDS CODE; THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 EDITION; INCLUDING CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS, AND AMENDING TITLE 9 OF THE BEVERLY HILLS MUNICIPAL CODE

ITEM E-1: INTRODUCED AND READ BY TITLE ONLY; ORDINANCE SET FOR PUBLIC HEARING ON DECEMBER 6, 2016

TO CONSIDER:

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

2. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO CONDITIONALLY ALLOW ALTERNATIVE PARKING FACILITIES TO PROVIDE REQUIRED PARKING IN COMMERCIAL ZONES AS A PILOT PROGRAM. First Reading - For Introduction.

Comment: This Ordinance is the result of a Zone Text Amendment request by the developer of a new restaurant project at 250-260 North Canon Drive to allow alternative parking facilities that may use automobile elevators and mechanical parking lifts to provide required parking in commercial zones through a Conditional Use Permit. Pursuant to the provisions set forth in the California Environmental

Quality Act, the City Council will also consider adoption of a Class 5 Categorical Exemption.

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 Planner 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 Planner Ryan Gohlich presented a PowerPoint and oral report on the item discussing the current code, the proposed zone text amendment, prior Planning Commission (PC) review and actions, site and project requirements, information required for application, required findings for the conditional use permit, conditions of approval, project as a pilot program, valet circulation, parking plan, public comment during PC meetings, analysis of staff and PC, and recommendation.

Speaking:

1. Murray D. Fischer
2. Michael Getty, Gensler NY
3. Barry Becker, Pacific West Builders
4. Ryan Kelly, Crane and Associates
5. Paula Zimmerman, Park Associates

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

Mr. Gohlich, City Manager Mahdi Aluzri, City Attorney Laurence Wiener, Assistant Director of Public Works/Parking and Facilities Operations Chad Lynn, Mr. Fischer, and Ms. Zimmerman answered Council questions and comments on code required number of parking spaces, overflow parking, staging area and alley activity, noise created by the gate, fitting bigger cars in elevator, size and adequacy of parking spaces, signage disclosing type of parking facility, number of deliveries/loading facilities, discussion on other uses, height and weight limit, aisle spaces, amount of time for retrieval of cars, number of employees parking onsite, generator back up, lighting, in lieu parking, consequences if program does not work, limited number of valet drop off, employee parking and valet parking spots, universal valet, condition exclusivity for a brand/business and luxury standards, conversion of mechanical to automated parking, and tying two lots together.

Councilmember Reims suggested including the following in the zone text amendment: 28 spaces should go to the new building, no employee parking onsite/paid employee offsite parking, and pay for in-lieu spaces.

Councilmember Gold agreed with Councilmember Reims' ideas and suggested a six-month tryout and another six months if the project is successful. Councilmember Bosse asked that the number of spaces and location of the employee parking be included and the information verifiable. She also asked that the drop off locations be

addressed. Vice Mayor Krasne agreed with the conditions but asked that at least the Head Chef be allowed to park onsite. Mayor Mirisch agreed to the luxury brand and no employee parking conditions. He suggested that the determination regarding project review of parking needs be made by either the PC or the City Council instead of the Department Director.

Assistant City Attorney David Snow read the revised language for the conditions of approval on page 9 of the ordinance Subsection E.

There were no further questions or comments from Councilmembers.

MOVED by Vice Mayor Krasne, seconded by Councilmember Gold, to introduce and read by title only as amended, advance to the meeting of November 15, 2016 for adoption as amended, Item E-2 as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO CONDITIONALLY ALLOW ALTERNATIVE PARKING FACILITIES TO PROVIDE REQUIRED PARKING IN COMMERCIAL ZONES AS A PILOT PROGRAM

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

Noes: None.

CARRIED

ITEM E-2: INTRODUCED AND READ BY TITLE ONLY, AS AMENDED; ADVANCE TO THE MEETING OF NOVEMBER 15, 2016 FOR ADOPTION AS AMENDED

F. CONTINUED AND NEW BUSINESS

1. PERMIT APPLICATION FOR THE USE OF THE PUBLIC RIGHT-OF-WAY TO INSTALL BARRICADES/SOUND WALLS AND RELATED ANCILLARY WORK AROUND THE PERIMETER OF THE TWO STAGING SITES FOR THE LA CIENEGA STATION OF THE WESTSIDE SUBWAY EXTENSION PROJECT.

Comment: This report recommends that the City Council authorize staff to issue the necessary permits to Metro and its Contractors for sound wall construction and associated ancillary work upon completion of building demolition at the two staging sites with specific conditions intended to minimize potential impacts to adjacent residents and businesses.

City Engineer Mark Cuneo provided a PowerPoint and oral presentation on the Purple Line Extension project. He provided an update on the demolition at the Wilshire/La Cienega and Gale/Wilshire yards, and discussed the sound wall construction activities, sound wall plan layout and renderings, sound wall signage and permit conditions associated with the work such as reimbursement of cost to the City, traffic control, parking, allowable work hours and workdays, noise control and mitigation,

temporary construction lighting, compliance monitor for enforcement of permit conditions, tree removal and replacement, business mitigation assistance, advance notification and public phone lines.

Mr. Cuneo, City Attorney Laurence Wiener, Assistant City Attorney Nicholas Ghirelli, Project Manager Robert Welch, City Manager Mahdi Aluzri and Mr. Jim Cohen from Metro responded to Council questions pertaining to Beverly Hills-specific advertising and graphics, tree replacement, banner replacement, power outages and service interruptions, on-street parking, impact on Saban Theater, noise mitigation on historic structures, Metro mitigation assistance to businesses, and signage content control.

MOVED by Councilmember Bosse, seconded by Vice Mayor Krasne, to approve a permit application for the use of the public right-of-way to install barricades/sound walls and related ancillary work around the perimeter of the two staging sites for the La Cienega station of the Westside Subway Extension project with condition that the City of Beverly Hills will produce and control the content and design of the graphics

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

Noes: None.

CARRIED

ITEM F-1: APPROVED PERMIT APPLICATION FOR THE USE OF THE PUBLIC RIGHT-OF-WAY TO INSTALL BARRICADES/SOUND WALLS AND RELATED ANCILLARY WORK AROUND THE PERIMETER OF THE TWO STAGING SITES FOR THE LA CIENEGA STATION OF THE WESTSIDE SUBWAY EXTENSION PROJECT WITH CONDITION THAT THE CITY OF BEVERLY HILLS WILL PRODUCE AND CONTROL THE CONTENT AND DESIGN OF THE GRAPHICS

G. COMMISSION SYNOPSIS

1. RECREATION AND PARKS COMMISSION - Regular Meeting of September 27, 2016
CULTURAL HERITAGE COMMISSION - Special Meeting of October 5, 2016
TRAFFIC AND PARKING COMMISSION - Regular Meeting of October 6, 2016
DESIGN REVIEW COMMISSION - Regular Meeting of October 6, 2016
PLANNING COMMISSION - Special Meeting of October 10, 2016
RECREATION AND PARKS COMMISSION - Special Meeting of October 11, 2016
PLANNING COMMISSION - Special Meeting of October 13, 2016
ARCHITECTURAL COMMISSION - Regular Meeting of October 19, 2016

ITEM G-1: NO ACTION TAKEN

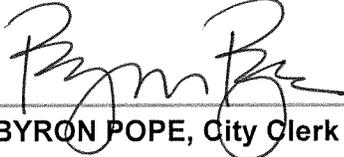
H. OTHER BUSINESS

None

I. ADJOURNMENT

There being no further business, Mayor Mirisch, with the consent of the City Council, adjourned the meeting at 11:58pm. He announced that there will be a Special Meeting on November 7, 2016.

PASSED, Approved and Adopted
this 20th day of December 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.