



**CITY OF BEVERLY HILLS
CITY COUNCIL
ADJOURNED REGULAR COUNCIL MEETING
July 10, 2007**

A. ROLL CALL

Present: Councilmember Krasne, Councilmember Fenton,
Councilmember Briskman, Vice Mayor Brucker, and Mayor
Delshad
Absent: None

B. PRESENTATIONS

1. BURTON E. GREEN SCHOLARSHIP AWARDS
 - Cathryn Chen
 - Tiffany Matloob
 - Jason Vogel
 - Emily Wolfe

Mayor Delshad provided a brief background on the Burton E. Green Scholarship Awards, and invited Beverly Hills High School Principal Jay Guidetti to introduce and speak about the accomplishments of this year's recipients. Mayor Delshad presented a plaque to the students in attendance. Mr. Guidetti also thanked the City Council for their consistent support to the Beverly Hills School District.

2. ALLIANCE FOR INNOVATIONS AWARD
 - Beverly Hills Campus

Chief Information Officer David Schirmer made a PowerPoint presentation and announced the City's award for the Beverly Hills Campus from the Alliance for Innovations.

3. "MEET THE STAFF" - Information Technology
 - Nicole McClinton, Senior Contract Administrator

Chief Information Officer David Schirmer introduced Senior Contract Administrator Nicole McClinton. Ms. McClinton spoke about her six-year history with the City, her background and schooling, and previous work experience.

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. Josh Englander, Field Representative from Assemblymember Mike Feuer's office, spoke in support of AB 221, the Iran Divestment Act, and on behalf of Assemblyman Feuer, thanked the Council for taking this under consideration.

2. Dana Gabbard, Executive Secretary of the Southern California Transit Advocates, mentioned the subway extension meeting scheduled on July 17 at the Beverly Hills Public Library Auditorium from 6-8 p.m. to discuss the proposal to extend the subway (also known as the Purple Line) westward through Beverly Hills to Santa Monica.

3. Marion Gold, spoke about her medical condition and urged the Council to adopt an ordinance for smoke-free apartment units in Beverly Hills.

Mayor Delshad asked the Council Sub-committee (Vice Mayor Brucker and Councilmember Briskman) to discuss the issue and bring it back to the full Council for review.

3. REPORT FROM THE CITY MANAGER
- Report on Beverly and Canon power outage on June 26 - 27, 2007
Mark Olson and Adebola Ayorinde - Southern California Edison

Assistant City Manager Katie Lichtig introduced Southern California Edison representatives Mark Olsen and Adebola Ayorinde to report on a recent power outage.

Mr. Olsen discussed the incident on June 26-27, 2007 and the events that took place to restore the power. He also gave a brief background regarding distribution circuits. Mr. Ayorinde reported on the maintenance efforts in Beverly Hills.

Both gentlemen answered questions of the City Council. Mayor Delshad mentioned Green Days in Beverly Hills held at the end of June, and mentioned the discussions for use of solar power in the City.

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

Mayor Delshad spoke about an article on the West Nile Virus appearing in the *Los Angeles Times* on Monday, July 9, and suggested the community visit the City's website to become aware of the ways to combat the virus.

**D. PUBLIC HEARING
TO SET:**

None

TO CONSIDER:

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

AN ORDINANCE OF THE CITY OF BEVERLY HILLS PROHIBITING WOOD ROOF COVERINGS AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Adoption. Comment: This permanent Ordinance amends the City's regulations pertaining to wood roofs. The proposed ordinance is intended to reduce the risk of homes and other structures from being destroyed in a wildfire by requiring all new roofs to be of Class A assembly and not allowing wood to be used as a roof covering material.

The notice of this 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 Deputy Fire Marshall and the records of the Community Development and Fire Departments in this matter are made a part of the record of this hearing.

City Building Official George Chavez provided the staff report. Mr. Chavez noted the ordinance tonight replaces the interim emergency ordinance that was adopted by the City Council on June 19, 2007.

Speaking:

1. James Farell spoke about products that work as a Class A fire protectant on wood shake roofing systems.
2. Ruth Kraft commented on the proposed ordinance.
3. Dick Seff asked a specific question regarding a roof replacement he did in the past and the impact of the current ordinance.
4. M.R. Redd spoke about the proposed ordinance in relation to historical homes and requested the Council continue this item and consider designating high and low fire risk areas in the City.

Mr. Chavez, Deputy Fire Marshall Greg Barton and Community Development Director Vince Bertoni addressed the comments and questions of the speakers and the Councilmembers.

Mr. Chavez noted the Community Services Department, in conjunction with the Fire Department, will be building a display in order to provide public education to show the available products that simulate wood products that can be applied.

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

Councilmember Krasne suggested revising the 10% requirement in the ordinance to 20%. Following discussion, the Council agreed to move forward with the ordinance as written.

There were no further questions or comments of Councilmembers.

MOVED by Councilmember Briskman, seconded by Vice Mayor Brucker to adopt Ordinance D-1 as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS PROHIBITING WOOD ROOF COVERINGS AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE.

Ayes: Councilmember Krasne, Councilmember Fenton,
Councilmember Briskman, Vice Mayor Brucker, and Mayor
Delshad.

Noes: None.

CARRIED

ITEM D-1: ADOPTED ORD#07-O-2520

E. CONTINUED AND NEW BUSINESS

1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS MODIFYING PREFERENTIAL PERMIT PARKING ZONE "UU" ON THE 100 BLOCK OF SOUTH CARSON ROAD, THE 200 BLOCK OF SOUTH STANLEY DRIVE AND CHARLEVILLE BOULEVARD BETWEEN STANLEY AND WILLAMAN DRIVES AND ADJACENT SECTIONS OF GREGORY WAY. Comment: Proposed modified regulations for Permit Parkinson Zone "UU" developed at the City Council and Traffic & Parking Commission Liaison meeting on June 20, 2007.

City Attorney Laurence Wiener announced he lives in close proximity to the subject area and recused himself from participation in this matter and left the Chambers at 8:55 p.m. Gena Stinnett served as legal counsel in his place.

Deputy Director of Transportation Aaron Kunz provided the staff report. Mr. Kunz reviewed the original Traffic & Parking Commission recommendation, and discussed the results of the Liaison Committee meeting on June 20, 2007.

Speaking:

1. Gary Taran spoke about the confusion with the number of signs on the streets in this area, and enforcement issues.
2. Terrence Rodsky noted the enforcement issues, and voiced concern for parking in this area of town.
3. David Bennett spoke about the parking problems and asked the Council to vote on an option this evening.
4. Pamela Bennett spoke about the parking situation and provided proposed solutions for each block.
5. Joseph Tilem, representing two businesses in the area, commented on parking for commercial needs. Mr. Tilem requested that the six-month trial period be included in the language of the ordinance.
6. Teresa Frazer presented a PowerPoint presentation and provided an alternate recommendation that was discussed with the residents.
7. Colin Daley stated he supports a 1-hour restriction.

8. Dr. Norman Schulman spoke about the lack of enforcement, and noted a fitness facility's website is encouraging patrons to park on Stanley Drive.

9. Bo Bagsim supported 2-hour parking during the daytime so she can continue to have a productive business in the area.

10. Eileen Finizza stated all streets should have the same restrictions.

11. Diane Whitney spoke about the enforcement problem in the area.

12. Jim Simon expressed support of 1-hour parking and eventually permit parking only as on Le Doux.

Councilmember Briskman summarized a letter from Jeff Wolf who is in support of the restrictions, but noted there are other items for staff to consider.

Traffic & Parking Commissioner Richard Seff spoke about the process the Commission has taken, and noted that there is no way to give everyone what they want, but to seek a compromise between the residents and the businesses.

The Council discussed the proposal submitted by resident Teresa Frazer for all of Charleville having 2-hour parking on Monday through Saturday, and 1-hour parking on Sunday from 9 a.m. to 7 p.m. and no parking any other time except by permit; and 1-hour parking on 100 block of South Carson and 200 block of South Stanley from 9 a.m. - 7 p.m. with no parking any other time except by permit. In response to the Council's question, Traffic and Parking Commissioners Seff, Gold and Silver were in agreement with the proposal as long as the resident's and businesses supported it.

It was the consensus of the Council to move forward with the recommendation as shown in the PowerPoint presentation by Ms. Frazer.

The Council confirmed with staff that the enforcement issue will be addressed.

MOVED by Councilmember Briskman, seconded by Vice Mayor Brucker to adopt Resolution E-1 as amended as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
MODIFYING PREFERENTIAL PERMIT PARKING ZONE "UU" ON THE 100
BLOCK OF SOUTH CARSON ROAD, THE 200 BLOCK OF SOUTH
STANLEY DRIVE AND CHARLEVILLE BOULEVARD BETWEEN STANLEY
AND WILLAMAN DRIVES AND ADJACENT SECTIONS OF GREGORY
WAY.

Ayes: Councilmember Krasne, Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad.
Noes: None.

CARRIED

City Attorney Wiener returned to the dais at 10:00 p.m.

ITEM E-1: ADOPTED AS AMENDED RES#07-R-12383

F. CONSENT CALENDAR

MOVED by Vice Mayor Brucker, seconded by Councilmember Krasne to approve the items on the consent agenda and direct that the appropriate accounts be charged on Items F-2 and F-3.

Minutes

1. Consideration of the Minutes of the adjourned regular meeting of May 29, 2007.

Demands Paid

2. REVIEW OF BUDGETED DEMANDS PAID, report dated June 19-28, 2007.
3. PAYROLL DISBURSEMENT REPORT, report dated July 10, 2007.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

- 4A. REGARDING THE CITY'S EMERGENCY ORGANIZATION AND DISASTER COUNCIL. For Adoption. Comment: Recommends adoption of the revised Emergency Services Ordinance which re-aligns the ordinance with State and Federal law and re-defines the Disaster Council and the Director of Emergency Services role, responsibilities and succession plan.

ITEM F-4A: ADOPTED ORD#07-O-2521

- 4B. ESTABLISHING RESTRICTIONS ON EXCESSIVE AND UNJUSTIFIED INCREASES IN CONSUMER PRICES DURING A DECLARED

EMERGENCY. For Adoption. Comment: Creates a new ordinance that codifies and expands certain provisions in the state law prohibiting excessive and unjustified increases of essential consumer goods and services when an emergency is declared.

ITEM F-4B: ADOPTED ORD#07-O-2522

5. AN AGREEMENT WITH RICHARDS, WATSON & GERSHON, A PROFESSIONAL CORPORATION, FOR LEGAL SERVICES; AND,

APPROVE THE ISSUANCE OF THE PURCHASE ORDER FOR THESE SERVICES. Comment: This agreement continues the retained services of Richards, Watson & Gershon as City Attorney for the City of Beverly Hills.

City Attorney Wiener recused himself from any discussion of this item.

ITEM F-5: ADOPTED RES#07-R-12384 AG#266-07; APPROVED

6. AWARDING A CONTRACT TO TROPICAL CREATIONS, INC. FOR THE ARNAZ PARK IMPROVEMENT PROJECT AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND,

APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$529,370 TO TROPICAL CREATIONS, INC. FOR THE CONTRACT WORK Comment: Requests approval of contract to Tropical Creations, Inc. in the amount of \$489,370 and a contingency of \$40,000 to renovate and improve Arnaz Park, including new hardscape and landscape, irrigation system and site amenities.

ITEM F-6: ADOPTED RES#07-R-12385 AG#267-07; APPROVED

7. AMENDMENT NO. 1 TO THE AGREEMENT WITH INTERNATIONAL PARKING DESIGN, INC. FOR DESIGN, CONSTRUCTION PROCUREMENT AND ADMINISTRATION SERVICES RELATED TO THE PUBLIC WORKS PARKING STRUCTURE LOCATED AT 9333 WEST THIRD STREET; AND,

APPROVE A CHANGE ORDER TO THE PURCHASE ORDER IN THE AMOUNT OF \$123,000 TO INTERNATIONAL PARKING DESIGN, INC. FOR CONSULTANT SERVICES. Comment: Requests approval of an amendment in the amount of \$123,000 for a total agreement of \$645,000 to International Parking Design for additional architectural and engineering design services necessary for a second below-grade parking level for the parking structure to support Public Works and Transportation fleet vehicles for the Public Works campus.

ITEM F-7: ADOPTED RES#07-R-12386 AG#268-07; APPROVED

8. THE FINAL MAP FOR TRACT MAP NO. 053521, (450-460 NORTH PALM DRIVE) Comment: Staff finds the map has met all the requirements and recommends City Council approve the final map for Tract No. 053521 located at 450-460 North Palm Drive.

ITEM F-8: ADOPTED RES#07-R-12387

9. AN AGREEMENT WITH LEACH MOUNCE ARCHITECTS FOR DESIGN, CONSTRUCTION PROCUREMENT AND ADMINISTRATION SERVICES RELATED TO THE POLICE FACILITY EMERGENCY OPERATIONS CENTER REMODEL AND EXPANSION AT 464 NORTH REXFORD DRIVE; AND,

APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$260,224 TO LEACH MOUNCE ARCHITECTS FOR ARCHITECTURAL SERVICES. Comment: Requests approval of agreement in the amount of \$260,224 to Leach Mounce Architects for architectural and engineering design services for the remodel and expansion of the Emergency Operations Center in the Police Facility, and relocate certain Police operations in the facility to accommodate this project.

ITEM F-9: ADOPTED RES#07-R-12388 AG#269-07; APPROVED

10. AN AGREEMENT TO PARTICIPATE IN THE WATER/WASTEWATER AGENCY RESPONSE NETWORK (CAL WARN). Comment: The City of Beverly Hills is joining the statewide mutual aid agreement amongst public and investor owned water and wastewater utilities. Becoming a signatory allows more flexibility for the City in requesting assistance or responding to assistance during an emergency.

ITEM F-10: ADOPTED RES#07-R-12389 AG#270-07

11. THE SUBMITTAL OF A GRANT FOR THE PURCHASE OF AN AUTOMATED LICENSE PLATE RECOGNITION UNIT. Comment: If the City is awarded the grant, \$31,323.26 in funding from the 2007 Edward Byrne Memorial Discretionary Grants program and \$31,323.26 from the Enhanced Community Video Security CIP will be used to purchase two mobile Automated License Plate Recognition (ALPR) units.

ITEM F-11: ADOPTED RES#07-R-12390

12. AGREEMENTS WITH VARIOUS VENDORS FOR PROVISION OF ANNUAL SERVICES; AND, AUTHORIZATION OF BLANKET PURCHASE ORDERS FOR SUPPLIES AND SERVICES FOR THE CITY'S DEPARTMENTS. Comment: Blanket purchase orders (BPO) cover items or services available from particular vendors which are ordered by City departments on an "as-needed" basis throughout the fiscal year. This action will approve the annual blanket purchase orders in excess of \$50,000.

Item A: AMENDMENT NO. 1 TO AN AGREEMENT WITH AMPCO SYSTEM PARKING FOR VALET PARKING SERVICES IN VARIOUS CITY PARKING FACILITIES.

ITEM F-12A: ADOPTED RES#07-R-12391 AG#271-07

Item B: AGREEMENT WITH DATA SYSTEMS WORLDWIDE, INC. FOR INFORMATION TECHNOLOGY CONSULTING SERVICES RELATED TO THE CITY'S NETWORK SECURITY SYSTEM.

ITEM F-12B: ADOPTED RES#07-R-12392 AG#272-07

Item C: AGREEMENT WITH DATA SYSTEMS WORLDWIDE, INC. FOR MAINTENANCE AND SUPPORT OF THE CITY'S NETWORK SECURITY SYSTEM.

ITEM F-12C: ADOPTED RES#07-R-12393 AG#273-07

Item D: AMENDMENT NO. 4 TO AN AGREEMENT WITH INTERNATIONAL BUSINESS MACHINES CORPORATION FOR ONGOING MAINTENANCE AND SUPPORT SERVICES FOR THE CITY'S DATA CENTER.

ITEM F-12D: ADOPTED RES#07-R-12394 AG#274-07

Item E. AGREEMENT WITH RUSSELL NEESE D.B.A. GREAT AMERICAN CLEANING FOR CLEANING CITY VEHICLES AND CITY FACILITIES.

ITEM F-12E: ADOPTED RES#07-R-12395 AG#275-07

ITEM F: AGREEMENT WITH SIERRA DOOR SYSTEMS, INC. FOR MAINTENANCE AND REPAIR SERVICES.

ITEM F-12F: ADOPTED RES#07-R-12396 AG#276-07

ITEM G: AGREEMENT WITH CALIFORNIA WEST COAST PAINT & BODY SHOP FOR VEHICLE REPAIR SERVICES.

ITEM F-12G: ADOPTED RES#07-R-12397 AG#277-07

ITEM H: AMENDMENT NO. 2 TO AN AGREEMENT WITH XEROX CORPORATION FOR LEASE OF CITYWIDE COPIERS, LICENSE OF SOFTWARE, INSTALLATION AND RELATED SERVICES.

ITEM F-12H: ADOPTED RES#07-R-12398 AG#278-07

APPROVAL OF:

13. TO PREPAY THE CITY'S EMPLOYER PORTION OF THE ANNUAL PERS CONTRIBUTION FOR PUBLIC SAFETY EMPLOYEES IN THE AMOUNT OF \$4,999,935 AND MISCELLANEOUS EMPLOYEES IN THE AMOUNT OF \$3,103,465 FOR A TOTAL NOT TO EXCEED AMOUNT OF \$8,103,400. Comment: Approves the prepayment of the annual PERS contribution for Public Safety Employees in the amount of \$4,999,935 and Miscellaneous Employees in the amount of \$3,103,465 for a total of \$8,103,400 resulting in a 3.66% discount or a saving of about \$308,147.

ITEM F-13: APPROVED

14. CONFIRM THE CITY OF BEVERLY HILLS SUPPORT FOR THE WESTSIDE SUBWAY EXTENSION PROJECT AS A WESTSIDE CITIES COUNCIL OF GOVERNMENTS PRIORITY TRANSPORTATION PROJECT AND ADOPTION OF GUIDING PRINCIPLES FOR PROJECT ADVOCACY EFFORTS. Comment: Responds to Westside Cities Council of Governments (WSCOG) request to confirm support of the Westside Subway Extension Project and guiding principals developed by the WSCOG Transportation Committee.

ITEM F-14: APPROVED

Vote on Consent Calendar:

Ayes: Councilmember Krasne, Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad.
Noes: None.

CARRIED

G. COMMISSION SYNOPSIS

1. Synopsis - FINE ART COMMISSION - regular meeting of June 21, 2007.

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

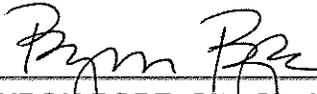
H. OTHER BUSINESS

Mayor Delshad congratulated the City Attorney and the law firm of Richards, Watson & Gershon for almost 20 years of continued excellence in service.

I. ADJOURNMENT

There being no further business, Mayor Delshad, with the consent of Council, adjourned the meeting at 10:10 p.m.

***PASSED, Approved and Adopted
this 4th day of September, 2007***



BYRON POPE, City Clerk

JIMMY DELSHAD, MAYOR

This meeting was broadcast on live television, on City of Beverly Hills municipal government television access Channel BHN/10 Time Warner Cable.