



**CITY OF BEVERLY HILLS
CITY COUNCIL
REGULAR COUNCIL MEETING
August 21, 2007**

The Regular Meeting of the City Council of the City of Beverly Hills was held in the Council Chambers at 7:30 p.m.

PLEDGE OF ALLEGIANCE

A. ROLL CALL

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

B. PRESENTATIONS

1. PROCLAMATION - Dr. Abolghassem Ghaffari (in honor of turning 100)

Human Relations Commissioner Yar Meshkaty introduced Dr. Ghaffari and the Doctor's daughter read a biography highlighting his many accomplishments. Mayor Delshad presented Dr. Ghaffari with a proclamation in recognition of his 100th birthday.

**2. "MEET THE STAFF" - Community Services
- Evelyn Ruiz, Customer Service Supervisor**

Community Services Director Steve Miller introduced Evelyn Ruiz, Customer Service Supervisor with the Community Services department.

Ms. Ruiz spoke about her family, education, previous retail/travel career and shared her background and the positions she has held with the City of Beverly Hills including her current position as Customer Service Supervisor for the Roxbury Clubhouse location.

3. CITY TREASURER - appointing Deputy City Treasurer

City Treasurer Eliot Finkel announced Abner Goldstine will continue to serve as Deputy City Treasurer. Mr. Finkel noted that he has served as Deputy City Treasurer under previous City Treasurers Frank Fenton and Joan Seidel.

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. Jeff Levine thanked the City Council, City Manager and City Clerk for making the Council meeting materials available online for the first time.

2. Yvonne Bahremand expressed concern regarding the noise levels of party deejays and lunch trucks and asked if the City's code could address this.

3. Mark Rubin spoke about the lack of restrooms in the Civic Center Plaza level of the City Hall complex, and suggested the City publish and make available an easily read list of bus stops along Olympic Boulevard.

3. REPORT FROM THE CITY MANAGER
- Park Master Plan Outreach

City Manager Wood introduced the new Deputy City Manager, Public Affairs Cheryl Friedling.

Deputy Director of Community Services Pat Agnitch presented a PowerPoint presentation and discussed the community outreach efforts for the Parks Master Plan at both La Cienega and Roxbury parks.

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

1. Mayor Delshad read a letter from Rudy Lewis, a Deer Park, Illinois resident acknowledging Chief Snowden and the Police department for the kindness they extended his family during their visit to Beverly Hills.
2. Councilmember Krasne announced the delay of the 2-hour free parking discussion and indicated it will be brought forward shortly, and asked the Mayor to explain the status of widening of Santa Monica Boulevard.
3. Vice Mayor Brucker clarified the recent Council decision on future election sample ballots.
4. Mayor Delshad explained the other duties of the City Councilmembers and mentioned the City now has 10 commissions and 21 other standing Council sub-committees, and 11 other Ad Hoc City Council committees. He noted that all commission meetings and standing sub-committee meetings are open to the public.

**D. PUBLIC HEARING
TO SET:**

None

E. CONTINUED AND NEW BUSINESS

1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089. Comment: This resolution satisfies the annual requirement of self-certification of conformance with the CMP program established by the Los Angeles County Metropolitan Transportation Authority.

Deputy Director of Transportation Aaron Kunz noted the Los Angeles County Metropolitan Transportation Authority requires that the City Council adopt a resolution certifying the City's conformance with the Congestion Management Report and also adopting the Local Development Report. Mr. Kunz explained this is necessary for the City to maintain eligibility for federal and state gas taxes.

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

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION
MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL

DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA
GOVERNMENT CODE SECTION 65089

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

CARRIED

ITEM E-1: ADOPTED RES#07-R-12426

2. 2006-07 4th Quarter Report Comment: The purpose of this report is to update the City Council on the status of revenues, expenditures, work plan initiatives and capital projects for the fourth quarter of the fiscal year 2006/07.

City Manager Roderick Wood presented the City Council with the official copy of the 2007/2008 Fiscal Year Budget as adopted by the City Council.

Mr. Wood also noted the 4th Quarter report being presented tonight, and mentioned that the future 4th Quarter reports will be done to reflect the annual reporting.

Chief Financial Officer Scott Miller presented a PowerPoint presentation on the report.

F. CONSENT CALENDAR

Councilmember Fenton announced that he needs to recuse himself from Item F-9 as he is the donor of funds.

MOVED by Vice Mayor Brucker, seconded by Councilmember Krasne to remove Item F-9 and consider separately, amend Section 3 of Item F-11 to include the wording "after consultation with the Ad Hoc Committee", and approve all the remaining items on the consent agenda and direct that the appropriate accounts be charged on Items F-1 and F-2.

Minutes

1. Consideration of the Minutes of the adjourned regular meeting of June 19, 2007.

Demands Paid

2. REVIEW OF BUDGETED DEMANDS PAID, report dated August 1 -9, 2007.

3. PAYROLL DISBURSEMENT REPORT, report dated August 21, 2007.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

4. RELATED TO INCREASE OF METERED TAXICAB RATES AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Introduction. Comment: Increases the taxi metered rate structure similar to the City of Los Angeles. The Metered rate has not been raised since 2005.

ITEM F-4: WAIVE FULL READING AND ADVANCE TO SEPTEMBER 4, 2007 FOR ADOPTION

5. AMENDING THE BEVERLY HILLS PUBLIC ART ORDINANCE. For Adoption. Comment: The proposed ordinance increases the value of fine art required to be installed when constructing or reconstructing a commercial or industrial building that exceeds \$1,000,000 in construction cost to 1.5%. The previous cap placed on the maximum value of fine art, including the cap on the optional in lieu fee has been eliminated, for new or reconstructed commercial or industrial buildings that exceed \$500,000 or above in construction cost.

ITEM F-5: ADOPTED ORD#07-O-2525

6. REGARDING CHARITABLE SOLICITATIONS AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Adoption. Comment: The proposed ordinance updates the current charitable solicitations ordinance and adds a new provision to allow the issuance of a permit for monetary drives that do not exceed 12 months and a provision to require hotels that lease or rent facilities for charitable solicitation purposes to provide renters a city-issued charitable solicitations packet that describes the City's permit requirements.

ITEM F-6: ADOPTED ORD#07-O-2526

RESOLUTIONS APPROVING:

7. ACCEPTING A GRANT AWARDED BY THE STATE OFFICE OF TRAFFIC SAFETY FOR SOBRIETY ENFORCEMENT AND APPROPRIATING FUNDS IN THE AMOUNT OF \$141,845 FOR POLICE OVERTIME. Comment: Resolution accepts funding from OTS to conduct various traffic enforcement operations, such as sobriety checkpoints, from October 1, 2007 through

September 30, 2008 and appropriates \$141,845 in overtime costs, which will be reimbursed quarterly by OTS.

ITEM F-7: ADOPTED RES#07-R-12417

8. FIXING THE RATE OF TAXES TO PAY THE BONDED AND OTHER VOTER-APPROVED INDEBTEDNESS OF THE CITY FOR THE FISCAL YEAR 2007/2008 Comment: This action will fix the rate of taxes for the Fiscal Year 2007/2008 to 0.017032 per \$100 of assessed valuation for public safety retirement benefits which can be recovered by the property tax override.

ITEM F-8: ADOPTED RES#07-R-12418

9. ACCEPTING A DONATION OF \$2,000 FROM FRANK AND JUDIE FENTON FOR A POLICE BICYCLE AND APPROPRIATING FUNDS FOR PURCHASE OF THIS EQUIPMENT. Comment: Resolution accepts \$2,000 in donated funds from the Fenton Family for the purchase of one police bicycle and appropriates \$2000 to facilitate this purchase.

MOVED by Councilmember Briskman, seconded by Vice Mayor Brucker to adopt Resolution F-9 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
ACCEPTING A DONATION OF \$2,000 FROM FRANK AND JUDIE FENTON
FOR A POLICE BICYCLE AND APPROPRIATING FUNDS FOR THE
PURCHASE OF THIS EQUIPMENT.

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

CARRIED

ITEM F-9: ADOPTED RES#07-R-12419

10. ACCEPTING A DONATION OF \$6,000 FROM CAROLINE AND DAVID KONHEIM FOR POLICE BICYCLES AND APPROPRIATING FUNDS FOR PURCHASE OF THIS EQUIPMENT. Comment: Resolution accepts \$6,000 in donated funds from the Konheim family for the purchase of three police bicycles and appropriates \$6,000 to facilitate this purchase.

ITEM F-10: ADOPTED RES#07-R-12420

11. AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS TO IMPLEMENT THE MARKETING CAMPAIGN FOR THE CITY'S SMOKING ORDINANCE. Comment: This resolution provides the City Manager with authorization to enter into agreements, in an amount not-to-exceed \$150,000,

with firms providing services to develop, produce and implement a marketing program to advertise, make aware and educate the public about the City's Smoking Ordinance which prohibits smoking in open air dining areas within the City.

ITEM F-11: ADOPTED AS AMENDED RES#07-R-12421

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

ITEM A AN AGREEMENT WITH YONG T. LEE D.B.A. PLANETBRAVO, LLC FOR TECHNOLOGY FOCUSED SUMMER AND WINTER CAMP THROUGH THE CITY'S COMMUNITY SERVICES DEPARTMENT; AND,

APPROVAL TO ISSUE A BLANKET PURCHASE ORDER IN THE AMOUNT OF \$110,000 FOR TECHNOLOGY FOCUSED SUMMER AND WINTER CAMPS. Comment: This action will approve an agreement and a blanket purchase order with Yong T. Lee d.b.a. Planetbravo LLC for technology focused summer and winter camp in an amount not-to-exceed \$110,000. This program is self supporting in as much as the revenues derived from the program are shared between the vendor (who receives 70%) and the City (receiving 30%).

ITEM B AN AGREEMENT WITH BRIT WEST SOCCER, INC. FOR SOCCER CAMP AND CLASS INSTRUCTION SERVICES THROUGH THE CITY'S COMMUNITY SERVICES DEPARTMENT; AND,

APPROVAL TO ISSUE A BLANKET PURCHASE ORDER IN THE AMOUNT OF \$65,000 FOR SOCCER CAMP AND CLASS INSTRUCTION SERVICES. Comment: This action approves an agreement and a blanket purchase order with Brit West Soccer, Inc. for soccer camp and class instruction in an amount not-to-exceed \$65,000. This program is self supporting inasmuch as the revenues derived from the program are shared between the vendor (who receives 70%) and the City (receiving 30%).

ITEM F-12B: ADOPTED RES#07-R-12423 AG#344-07

ITEM C AN AGREEMENT WITH CHEER 4U ATHLETICS FOR CHEERLEADING PROGRAM THROUGH THE CITY'S COMMUNITY SERVICES DEPARTMENT. Comment: This action approves an agreement with Cheer 4U Athletics for cheerleading programs. The total cost for the programs is not-to-exceed \$30,000 per year. This program is self supporting inasmuch as the revenues derived from the program are shared between the vendor (who receives 70%) and the City (receiving 30%).

ITEM F-12C: ADOPTED RES#07-R-12424 AG#345-07

ITEM D AN AGREEMENT WITH LESLIE GARCIA-GOMEZ D.B.A. JAZZY GYM FOR CHILDREN'S DANCE INSTRUCTION THROUGH THE

COMMUNITY SERVICES DEPARTMENT. Comment: This action approves an agreement with Leslie Garcia-Gomes d.b.a. Jazzy Gym for children's dance instruction in a not-to-exceed amount of \$17,000 per year. This program is self supporting inasmuch as the revenues derived from the program are shared between the vendor (who receives 70%) and the City (receiving 30%).

ITEM F-12D: ADOPTED RES#07-R-12425 AG#346-07

ITEM E AN AGREEMENT WITH KRB CONSTRUCTION FOR AS-NEEDED CONSTRUCTION SERVICES. Comment: This action approves an agreement with KRB Construction for as-needed construction services in an amount not-to-exceed \$35,000 per year.

ITEM F-12E: ADOPTED RES#07-R-12426 AG#347-07

APPROVAL OF:

13. REAPPOINTING A MEMBER TO THE ARCHITECTURAL COMMISSION (FRAN B. COHEN). Comment: Reappoints Fran B. Cohn to the Architectural Commission for a four year term.

ITEM F-13: APPROVED

14. AN AGREEMENT WITH MANATT PHELPS PHILLIPS FOR FEDERAL LEGISLATIVE ADVOCACY SERVICES. Comment: Approval of an agreement for federal legislative advocacy services in Washington D.C. in an amount not-to-exceed \$171,000.

ITEM F-14: APPROVED AG#348-07

15. AMENDMENT NO. 1 TO AGREEMENT WITH THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT FOR FUNDING THE INSTALLATION OF SYNTHETIC TURF AT Beverly Hills HIGH SCHOOL. Comment: The agreement between the City and the Beverly Hills Unified School District provides for a \$300,000 loan to the District relating to the purchase and installation of synthetic turf. This Amendment revises the dates for the term of the loan and the payment due dates.

ITEM F-15: APPROVED AG#349-07

16. AMENDMENTS TO **CONFLICT OF INTEREST CODES** FOR VARIOUS CITY DEPARTMENTS. Comment: Amends Conflict of Interest Codes to reflect new and deleted positions and position title changes.

ITEM F-16: APPROVED

17. AMENDED AND RESTATED EMPLOYMENT AGREEMENT WITH RODERICK J. WOOD. Comment: Amends the City Manager's employment contract to specifically list the City Manager's benefits in his contract rather than refer to similar benefits in the executive compensation plan. The amendment will not have a material fiscal impact on the City as there are no material changes to the benefits provided to the City Manager.

ITEM F-17: ADOPTED AG#350-07

Vote on Consent Calendar:

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

CARRIED

G. COMMISSION SYNOPSIS

None

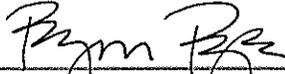
H. OTHER BUSINESS

None

I. ADJOURNMENT

There being no further business, Mayor Delshad with the consent of the Council, adjourned the meeting at 9:05 p.m.

PASSED, Approved and adopted
this 17th 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.