



**CITY OF BEVERLY HILLS  
CITY COUNCIL  
ADJOURNED REGULAR MEETING  
January 29, 2008**

The Adjourned Regular Meeting of the City Council of Beverly Hills was held in the Council Chambers at 7:00 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 - "Wear Red For Women" Day  
- American Heart Association (Mr. Jae Arre Lloyd)

Mayor Delshad, along with Councilmember Briskman, presented a proclamation to Mr. Jae Arre Lloyd of the American Heart Association. Councilmember Briskman noted that February 1 is designated as National "Wear Red for Women" Day to raise awareness of the high rate of heart disease in women.

2. PROCLAMATION - Mr. David Nahai  
- General Manager, Los Angeles Department of Water and Power  
Mayor Delshad presented Mr. David Nahai with a proclamation in honor of his appointment to the position of General Manager of the Los Angeles Department of Water and Power and for his professional accomplishments.

Mr. Nahai thanked the Council for the honor and made remarks about the status of water conservation in Los Angeles County.

3. PROCLAMATION - Alex Newsom  
- 24 year old Beverly Hills resident serving in Afghanistan

Mayor Delshad, along with Vice Mayor Brucker, presented a proclamation to Lt. Alex Newsom, a Platoon Leader in the 173rd Airborne Brigade Combat Team of the U.S. Army, for his courageous military service in Afghanistan.

4. PRESENTATION - SINGLE FAMILY RESIDENTIAL DESIGN AWARDS  
- Present the first annual Design Review Awards honoring excellent examples of single family design in the City

Mayor Delshad, along with Design Review Chair Marilyn Weiss, presented the four awards to the recipients for the first annual Design Review Awards honoring the best in design in the City of Beverly Hills. Chair Weiss introduced Vice Chair Howard Szabo and Commissioners Gary Gilbar, Hamid Gabbay, and Susan Strauss.

5. PRESENTATION - NEW, COMBINED QUARTERLY INVESTMENT REPORT - City Treasurer and Assistant Director of Administrative Services - Finance will present a new combined Quarterly Investment Report.

City Treasurer Eliot Finkel, along with Assistant Director of Administrative Services Noel Marquis, presented a new portfolio report that will be provided to the City Council on a quarterly basis. Mr. Finkel noted the details of the report.

**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. Les Bronte noted that the Maple Counseling Center will be initiating a program to work with the youth and drug awareness. Mr. Bronte mentioned that on May 21 and 22 the High School will be presenting a program entitled "Every Fifteen Minutes".

2. J.A. Mirisch spoke about the economic sustainability background report

provided as a part of the General Plan discussion at this afternoon's Study Session.

3. REPORT FROM THE CITY MANAGER
  - Vehicle Maintenance Shop update
  - Alan Schneider - Director, Project Administration

City Manager Roderick Wood introduced Project Administration Director Alan Schneider to present an update on the Vehicle Shop project. Mr. Schneider made a PowerPoint presentation showing the progress to date of the Vehicle Shop.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS - Did you know? :
  - \* New Time for City Council Informal and Formal Meetings
  - \* Community Outreach Initiatives
  - Mayor Delshad and Councilmember Briskman report on Washington DC

Vice Mayor Brucker announced the new start time for the study sessions is 2:30 p.m. and the formal meetings at 7:00 p.m.

Councilmember Krasne spoke about a new community outreach campaign that is underway and mentioned two upcoming initiatives are the Town Hall Meetings, the first on February 4th from 5-7 p.m. at the High School Auditorium, and the City's newsletter being sent to all residents and businesses in the City on a monthly basis.

Mayor Delshad reported on the U.S. Conference of Mayors Winter Meeting in Washington DC last week. Councilmember Briskman provided a report on a series of meetings she, Mayor Delshad and City Manager Wood attended with legislators and staff on some of the City's priority initiatives (transportation, COG and Interagency Communications Interoperability System). Ms. Briskman thanked the Council for their support of this effort and noted that the entire westside of Los Angeles will benefit from the results of these trips.

City Manager Roderick Wood noted the additional offices the three of them visited in Washington DC.

**D. PUBLIC HEARING**

TO SET:

None

TO CONSIDER:

None

E. CONTINUED AND NEW BUSINESS

1. BLUE RIBBON TASK FORCE ON PUBLIC PARTICIPATION. Comment: The Council has appointed membership to a new Task Force composed of key community members to provide advice regarding the City's enhanced communications and community outreach efforts.

Deputy City Manager, Public Affairs Cheryl Friedling provided the staff report and announced community members Peter Bernard, Judie Fenton, Ali Kasicki, Dick Rosenzweig and Clif Smith accepted the appointment. Ms. Freidling noted that Mayor Delshad and Councilmember Briskman are the Council liaisons to the Blue Ribbon Task Force.

MOVED by Vice Mayor Brucker, seconded by Councilmember Krasne that the membership of the Blue Ribbon Task Force on Public Participation be approved and that the staff convene the first quarterly meeting of 2008.

Present: Councilmember Krasne, Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad

Absent: None

**ITEM E-1: ADOPTED**

2. PRESENTATION OF THE FY 2006-2007 COMPREHENSIVE ANNUAL FINANCIAL REPORT. Comment: Administrative Services Staff would like to present the FY2006-2007 CAFR for the Council's review, acceptance, and filing. Staff has worked diligently in conjunction with the auditors to complete the yearly audit and to put this report together. This is the second year of the Administrative Services Department's use of the audit firm Mayer Hoffman McCann P.C.

Director of Administrative Services/Chief Financial Officer Dr. Scott Miller presented the results of the FY 2006-2007 CAFR. Dr. Miller discussed the breakdown of the report and what the auditors look for in their audit efforts. He announced that the City of Beverly Hills received an unqualified opinion by the auditors which is the highest level and designation that the auditors can give to a City under the Generally Accepted Accounting Principle (GAP) standards. Dr. Miller noted the auditors found there were no material weaknesses in the audit or in its financial statements, no significant deficiencies and there were only three minor suggestions.

Vice Mayor Brucker spoke about the recent audit committee meeting and to the merits of the City's accounting team.

Mayor Delshad noted there is an article in the community newsletter about

City's financial reporting and awards earned.

3. CITY COUNCIL REVIEW OF THE AD HOC COMMITTEE OF THE ARCHITECTURAL COMMISSION RECOMMENDATION FOR THE PROPOSED OFFICE BUILDING AT 8767 WILSHIRE BOULEVARD; AND A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING THE PRELIMINARY PLANS FOR THE PROPOSED OFFICE BUILDING AT 8767 WILSHIRE BOULEVARD ON THE NORTHEAST CORNER OF WILSHIRE BOULEVARD AND ROBERTSON BOULEVARD. Comment: At its meeting of September 17, 2007, the project received preliminary approval to be able to proceed. At that meeting the City Council also established an Ad Hoc Committee of the Architectural Commission to reach consensus on design issues. The façade design is returned to the City Council for its review and approval.

Director of Community Development Vincent Bertoni provided the staff report. Mr. Bertoni noted the review process from September 14, 2006 through December 11, 2007, the Ad Hoc Committee's recommendation for the project facade and requested the Council adopt the resolution that approves the changes that were agreed upon between the Ad Hoc Committee and the applicant.

Architectural Commission Chair Paul Langh responded to Council's questions and Commissioners Walter Meyer and Susan Strauss of the Ad Hoc Committee, summarized the design meetings they attended.

Speaking:

Joe Tilem, attorney representing the applicant, made remarks about Section 9 of the resolution and additional details that need final approval.

Director Bertoni confirmed that the recommendation is for the final plans to be brought back to the Architectural Commission for review when they have the final lighting and landscape plans.

Following discussion, the Council agreed to amend Section 9 of the proposed resolution so the building permit can be issued to proceed with the construction and then return to the Architectural Commission for review of the lighting, sign and landscaping plans prior to final occupancy.

At the recommendation of Director Bertoni, the Council agreed the liaisons from the Architectural Commission and the Council should meet to discuss the procedure to make sure that all projects are moving forward in a timely manner.

MOVED by Councilmember Briskman, seconded by Councilmember Krasne to adopt Resolution E-3 as amended in Section 9 as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING THE PRELIMINARY PLANS FOR THE PROPOSED OFFICE BUILDING AT 8767 WILSHIRE BOULEVARD ON THE NORTHEAST CORNER OF WILSHIRE BOULEVARD AND ROBERTSON BOULEVARD.

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

**ITEM E-3: ADOPTED AS AMENDED RES#08-R-12476**

**F. CONSENT CALENDAR**

MOVED by Vice Mayor Brucker, seconded by Councilmember Briskman to remove Items F-6 and F-11 for discussion, to approve all items on the consent agenda and direct that the appropriate accounts be charged on Items F-1 and F-2.

Minutes

None

Demands Paid

1. REVIEW OF BUDGETED DEMANDS PAID, report dated December 26, 2007 - January 10, 2008.
2. PAYROLL DISBURSEMENT REPORT, report dated January 22, 2008.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

3. ADJUSTING THE TIME FOR REGULAR MEETINGS OF THE CITY COUNCIL AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Introduction. Comment: In order to encourage more public participation at City Council meetings, this ordinance will adjust the regular City Council meeting times so that the City Council formal meetings will begin at 7:00 p.m. And the City Council study sessions will begin at 2:30 p.m.

**ITEM F-3: WAIVE FULL READING AND ADVANCE TO FEBRUARY 5, 2008 FOR ADOPTION**

**RESOLUTIONS APPROVING:**

- 4A.** RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING A FINAL STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF FUNDS FOR THIRTY-FOURTH YEAR (2008-2009) FUNDING UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED.

***ITEM F-4A: ADOPTED RES#08-R-12477***

- 4B.** RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AMENDING A FINAL STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF FUNDS FOR THIRTY-THIRD YEAR (2007-2008) FUNDING UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED. Comment: Annual application to LA County Community Development Commission indicating the intended use of federal COB funds (2008-09). Amendment of current year's COB application to County indicating City's intent to add a new program, "Emergency Family Shelter" in Culver City that can serve homeless people referred from Beverly Hills

***ITEM F-4B: ADOPTED RES#08-R-12478***

- 5.** AGREEMENT WITH MEASUREMENT CONTROL SYSTEMS, INC. FOR PURCHASE AND INSTALLATION OF THE NEPTUNE AND HEXAGRAM SOLUTIONS FOR THE REPLACEMENT OF WATER METERS USING SMART AUTOMATIC METER READING TECHNOLOGY;

AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$7,679,731 TO MEASUREMENT CONTROL SYSTEMS, INC. Comment: Staff is requesting approval of an agreement for purchase and installation of the majority of the City's water meters to automated meters to enhance customer service.

***ITEM F-5: ADOPTED RES#08-R-12479 AG#14-08; APPROVED***

**APPROVAL OF:**

- 6.** AMENDED AND RESTATED EMPLOYMENT CONTRACT FOR RODERICK J. WOOD. Comment: This amendment makes changes to the City Manager's employment contract including: extending the City Manager's term of employment for an additional year, to June 30, 2011, providing performance pay for the 2007 calendar year and applying a cost of living increase to base salary for the 2008 calendar year. The amendment also reduces over time the cap on interest payments made to the City in

connection with the City Manager's home loan in a manner that brings the loan into closer conformance with the housing program adopted for executive employees

Councilmember Krasne pulled this item for discussion. Ms. Krasne explained she had questions that needed to be answered before she could vote on the agreement and noted she was satisfied with the answers she was provided in Closed Session.

***ITEM F-6: APPROVED AG#15-08***

7. AMENDMENT NO. 1 TO AN AGREEMENT WITH WILLDAN FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE BEVERLY HILLS (FORMER) INDUSTRIAL AREA. Comment: No changes to the contract amount are proposed. The changes to the milestones more accurately reflect the consultant work program and allow for payment of subconsultants in a timely manner. This is achieved by adding milestones earlier in the process, which is when subconsultants will submit the bulk of their deliverables.

***ITEM F-7: APPROVED AG#16-08***

8. TO ISSUE A PURCHASE ORDER TO STATE OF CALIFORNIA, DEPARTMENT OF INDUSTRIAL RELATIONS, SELF INSURANCE PLANS IN THE AMOUNT OF \$50,270 FOR ADMINISTRATIVE EXPENSES INCURRED BY THE STATE IN MONITORING SELF-INSURANCE PROGRAMS. Comment: The State of California, Department of Industrial Relations, Self Insurance Plans, assesses all self-insured, workers' compensation programs with a fee. The fee pays for the administration expenses incurred by the State in monitoring self-insurance programs as well as funds the Fraud Bureau and the trust funds that were established to pay losses to injured employees of uninsured companies.

***ITEM F-8: APPROVED***

9. THE AWARD OF A CONTRACT TO AIR CONDITIONING SOLUTIONS, INC. FOR THE CENTRAL PLANT CHILLER REPLACEMENT; AND, APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$697,005 TO AIR CONDITIONING SOLUTIONS, INC. FOR THE CONTRACT WORK. Comment: Requests approval of the award of a contract to Air Conditioning Solutions, Inc., in the amount of \$667,005 for the contract work, approve the construction contingency of \$30,000, and appropriate funds in the amount of \$97,005 to replace the aging equipment in the Central Plant. The project will result in a significant reduction in energy consumption and costs, and qualifies for a rebate through Southern California Edison in the amount of \$56,122 with an additional rebate of \$10,000 to \$12,000 subject to measurement of the energy savings.

***ITEM F-9: APPROVED AG#18-08***

10. AMENDMENT NO. 2 TO AN AGREEMENT WITH LINDA DEMMERS FOR SPACE PLANNING CONSULTING SERVICES RELATED TO THE BEVERLY HILLS PUBLIC LIBRARY: AND, APPROVE A CHANGE PURCHASE ORDER IN THE AMOUNT OF \$11,655 FOR THE SERVICES. Comment: Requests approval of an amendment to the agreement with Linda Demmers, in the not to exceed amount of \$11,655 to provide consulting services for the selection of the design firm and conceptual design phase for the Library renovation project. The total amount of the agreement is \$51,345.

**ITEM F-10: APPROVED AG#19-08**

11. AN EXCLUSIVE NEGOTIATING AGREEMENT WITH INTERNATIONAL CREATIVE MANAGEMENT / BARKER-PACIFIC GROUP / ANGELO GORDON FOR PREPARATION OF A GROUND LEASE PROPOSAL AT 336 FOOTHILL ROAD. Comment: This agreement establishes the conditions and requirements for staff and consultants to negotiate a proposed ground lease for City owned property at 336 Foothill Road.

Item was removed for discussion.

Speaking:

1. Brenda Freeman spoke about the name change of this area.

Councilmember Briskman pointed out the name of this area changed from the Industrial Area to the Business Entertainment Area 13 years ago and suggested this subject be highlighted at a future study session.

2. Adrea Caren asked questions about the zoning in this area.

Mayor Delshad referred to a letter received from the Shefters for the record.

**ITEM F-11: APPROVED AG#20-08**

12. ACCEPTANCE OF CONTRACT WORK FOR LIBRARY LEVEL "A" PRINT SHOP AND GRAPHIC ARTS OFFICES RELOCATION BY C. G. CONSTRUCTION, INC. IN THE FINAL CONTRACT AMOUNT OF \$464,794. Comment: It is recommended that the City Council accept the described contract work with C. G. Construction, Inc. and authorize the recordation of the Notice of Completion.

**ITEM F-12: 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 - RECREATION AND PARKS COMMISSION - special meeting of December 11, 2007. Synopsis - PUBLIC WORKS COMMISSION - special meeting of December 13, 2007.

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

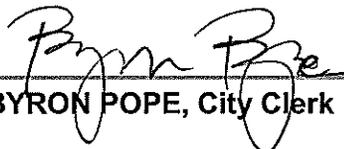
**H. OTHER BUSINESS**

None

**I. ADJOURNMENT**

There being no further business, Mayor Delshad, with the consent of Council, adjourned the meeting at 9:40 p.m. to Tuesday, February 5, 2008 at 2:30 p.m. for the study session and 7:00 p.m. for the formal meeting.

PASSED, Approved and adopted  
this 4th day of March, 2008.

  
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BYRON POPE, City Clerk

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**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.**