



**CITY OF BEVERLY HILLS  
CITY COUNCIL  
REGULAR MEETING  
April 01, 2008**

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

**B. PRESENTATIONS**

1. CERTIFICATE OF APPOINTMENT - Planning Commission - Daniel Yukelson

Mayor Brucker presented Daniel Yukelson with a Certificate of Appointment to the Planning Commission.

2. PROCLAMATION - Earthquake Preparedness Month - Members of the Health and Safety Commission

Mayor Brucker, with the assistance of Councilmember Mayor Delshad, presented a proclamation to the Health & Safety Commission and declared April as Earthquake Preparedness Month in the City of Beverly Hills.

Commission Chair Dr. Sandra Aronberg provided information regarding the Commission's charge and encouraged the community to be prepared in case of an emergency.

**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.)

Due to technical difficulties, the telephone call-in feature was not available.

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. David Mahon discussed various issues regarding parking in the City.

Councilmember Briskman acknowledged that she and Councilmember Delshad are the liaisons for the Traffic and Parking Commission this year, and will address the speaker's concerns.

3. REPORT FROM THE CITY MANAGER
  - \* City-wide Radio System update
  - Police Commander Theresa Taylor

Police Commander Theresa Taylor announced that the radio system for the entire City of Beverly Hills is now operational and provided an historical view of what transpired to arrive at this point.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS
  - Showcase Beverly Hills:
  - \* Earth Day

Councilmember Krasne announced the City's Public Works Department will be holding its annual Earth Day celebration on Sunday, April 13, 2008 from 9:00 am to 1:00 pm at the Farmer's Market.

Mayor Brucker invited the community to attend the High School production of Les Miserables at the Peters Auditorium this Thursday, Friday and Saturday at 7:00 pm. and a matinee Saturday at 1:00 pm. Mayor Brucker provided the contact information.

#### D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

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

1. CONSIDERATION OF PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL OF A GENERAL PLAN AMENDMENT, ZONE TEXT AMENDMENT, ZONE CHANGE, SPECIFIC PLAN, DEVELOPMENT AGREEMENT AND ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED MIXED USE PROJECT AT 9876 WILSHIRE BOULEVARD (THE BEVERLY HILTON REVITALIZATION PROJECT). Comment: The proposed project is located on an approximate 8.9-acre site at the intersection of Wilshire and Santa Monica Boulevards and is currently developed with the Beverly Hilton and ancillary facilities. The proposed project would include redevelopment and reconfiguration of the site by adding guestrooms to the Beverly Hilton hotel as well as new hotel support, retail, and office facilities, a conference room, outdoor landscaped areas, a new five-star Waldorf Astoria Hotel and separate condominium buildings. Parking would be provided in a subterranean garage. This hearing is continued from the Thursday, March 27, 2008 Special Meeting.

Mayor Brucker provided direction for the public hearing this evening.

Community Development Director Vince Bertoni provided a summary of the project. He reviewed the original proposal, the Planning Commission's recommendation, the applicant's revised proposal and the staff recommendation. Mr. Bertoni clarified the parking scenarios based on the original project and discussed the issue of free employee parking and the various ways for the owner to handle this issue. Mr. Bertoni spoke about the setbacks from Wilshire Boulevard, and then provided a project summary table. Director Bertoni reviewed the process for staff recommendations on this project (and projects in general).

Ann Doehne, consultant with Impact Sciences, provided a brief evaluation of the impacts of Residence A (staff's proposal vs. the applicant's proposal). Ms. Doehne discussed thresholds of significance with the original project, Planning Commission approved project, applicant's revised project and staff recommended project.

Community Development Director Vince Bertoni outlined the next steps for Council consideration.

Planning Commission Chair Noah Furie requested the Council approve the Commission's recommendation (not including Residence A or additional height for the Waldorf Astoria).

Corrine Verdery, representing the applicant, reviewed two issues (FAR / Square Footage Changes, Waldorf Astoria).

George Milstein, Latham & Watkins, reviewed construction mitigation and employee parking.

Ted Kahn, President of Oasis West Realty, LLC, discussed economic/financial viability and fiscal impact analysis.

Dr. Scott Miller provided a PowerPoint presentation and spoke about staff's conservative approach to the financial analysis.

The Council recessed at 9:05 p.m. and reconvened at 9:15 p.m. with all members present.

After discussion, the Council requested separate numbers (for comparison) for the Waldorf Astoria and the revitalized Hilton.

Speaking:

1. Reda Anderson spoke in support of the project.
2. Joy Shefter expressed concerns for the Hilton and 9900 Wilshire projects.
3. Joe Safier stated he supports the Waldorf Astoria but has concerns about traffic, infrastructure and what the net revenue will be for the City.

The representatives of the Hilton project responded to various questions posed by Councilmember Krasne.

City Attorney Laurence Wiener explained CEQA standards regarding significant impacts and noted that each City determines its' own threshold of significance.

The Council asked clarifying questions of the representatives, staff and Chair Furie.

Councilmember Briskman praised Director Bertoni's presentation this evening and asked questions of staff for answers at a future date.

Mayor Brucker suggested the Ad Hoc Committee meet to vet out the issues raised this evening.

Mayor Brucker noted the public hearing will be continued to April 8, 2008 at 7 p.m.

**E. CONTINUED AND NEW BUSINESS**

None

F. CONSENT CALENDAR

MOVED by Councilmember Briskman, seconded by Councilmember Delshad to remove Item 9-A for discussion, approve all items on the consent agenda by reference and direct that the appropriate accounts be charged on Items F-5 through F-6.

Minutes

1. Consideration of the Minutes of the adjourned regular meeting of February 19, 2008.
2. Consideration of the Minutes of the adjourned regular meeting of March 4, 2008.
3. Consideration of the Minutes of the special meeting of March 11, 2008.
4. Consideration of the Minutes of the special meeting of March 18, 2008.

Demands Paid

5. REVIEW OF BUDGETED DEMANDS PAID, report dated February 26 - March 7, 2008.
6. REVIEW OF BUDGETED DEMANDS PAID, report dated March 12 - 20, 2008.
7. PAYROLL DISBURSEMENT REPORT, report dated April 1, 2008.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

8. A MOTION OF THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS AMENDING THE DEPARTMENT DIRECTOR, ASSISTANT DIRECTOR AND SENIOR MANAGEMENT EMPLOYEES COMPENSATION PLAN OF THE CITY OF BEVERLY HILLS AND A RESOLUTION OF THE COUNCIL OF

THE CITY OF BEVERLY HILLS FOR PAYING AND REPORTING TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR SAFETY AND MISCELLANEOUS EMPLOYEES IN THE DEPARTMENT DIRECTOR, ASSISTANT DEPARTMENT DIRECTOR AND SENIOR MANAGEMENT GROUP. Comment: The Council of the City of Beverly Hills resolution amending the executive employees compensation plan and implementing the plan for executive employees, and for paying and reporting to the California Public Employees' Retirement System the value of employer paid member contributions for department director, assistant director and senior management compensation plan miscellaneous employees.

**ITEM F-8: ADOPTED RES#08-R-12496 AG#93-08**

APPROVAL OF:

**9. VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN:**

ITEM A AMENDMENT NO. 3 TO THE AGREEMENT WITH MATHIS & ASSOCIATES FOR MANAGEMENT CONSULTING SERVICES; AND,

APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$58,213.92 TO MATHIS & ASSOCIATES FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$170,000. Comment: The addition of funds for the remainder of Fiscal Year 2007/08.

At the request of Councilmember Krasne, Item 9A was pulled for clarification. Chief Financial Officer Scott Miller clarified that this expansion does not include the City Manager's evaluation services.

**ITEM F-9A: APPROVED AG#94-08**

ITEM B A PURCHASE ORDER IN THE AMOUNT OF \$457,669 TO CARMENITA TRUCK CENTER FOR PURCHASE OF TWO REFUSE-COLLECTION TRUCKS. Comment: Requests approval of a purchase order in the amount of \$457,669 to Carmenita Truck Center for purchase of two 26-cubic-yard automated side-loading refuse-collection trucks, which were approved as new additions to the Department of Public Works and Transportation solid-waste-collection fleet.

**ITEM F-9B: APPROVED**

ITEM C A CHANGE ORDER IN THE AMOUNT OF \$60,000 TO THE BLANKET PURCHASE ORDER TO LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS INDUSTRIAL WASTE DIVISION FOR ADMINISTERING THE INDUSTRIAL WASTE DISCHARGE PROGRAM FOR A NOT-TO-EXCEED TOTAL OF \$110,000. Comment: Staff requests approval of a change order in the amount of \$60,000 to Los Angeles County,

Department of Public Works, Industrial Waste Division for administering the City's wastewater discharge program. A change order request is needed to pay for the additional hourly rates and remaining fiscal year inspection services.

**ITEM F-9C: APPROVED**

ITEM D APPROPRIATING FUNDS IN THE AMOUNT OF \$200,000 FOR BUSINESS TAX COMPLIANCE AUDITS; AND

APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$200,000 TO JOHN T. SHEA FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$270,000. Comment: Recommends that the City Council move to appropriate funds in the amount of \$200,000 for business tax compliance audits and approve a change order in the amount of \$200,000 for John T. Shea for a total not-to-exceed amount of \$270,000.

**ITEM F-9D: APPROVED**

ITEM E APPROPRIATING FUNDS IN THE AMOUNT OF \$231,416 FOR THE CITY'S MARKETING PROGRAM. Staff recommends that the City Council move to appropriate funds in the amount of \$231,416 for the City's Marketing Program.

**ITEM F-9E: APPROVED**

10. ACCEPTANCE OF A DEDICATION OF A SUBWAY PORTAL EASEMENT FROM BEVERLY WILSHIRE OWNER, LP, A LIMITED PARTNERSHIP. Comment: Pursuant to the development agreement with Beverly Wilshire Owner, LP (BWO) for the William Morris Project, BWO was required to dedicate to the City a subway portal easement. BWO has now offered the dedication and, by this action, the City would accept the dedication.

**ITEM F-10: APPROVED AG#95-08**

11. SECOND AMENDMENT OF LEASE WITH THE BEVERLY HILLS CITY EMPLOYEES FEDERAL CREDIT UNION. Comment: Staff recommends the approval of the second amendment of lease ("Lease") a copy of which is on file in the office of the City Clerk, between the City of Beverly Hills and the Beverly Hills City Employees Federal Credit Union, a California Corporation. The City Manager or designee shall administer the terms of the lease on behalf of the City.

**ITEM F-11: APPROVED AG#96-08**

12. AN AGREEMENT WITH ITERIS, INC. FOR CONSULTANT SERVICES TO DESIGN AND INSTALL TRAFFIC ENGINEERING CLOSED CIRCUIT MONITORING SYSTEM (SMART SIGNAL CCTV) AT NINE MAJOR

INTERSECTIONS WITHIN BEVERLY HILLS; AND APPROVE ISSUANCE OF A PURCHASE ORDER TO ITERIS, INC. IN THE AMOUNT OF \$352,620 FOR THE PROJECT. Comment: Approval of this contract will allow the consultant to design, procure and install monitoring CCTV's for the use of traffic engineering at 9 major intersections within the City of Beverly Hills.

**ITEM F-12: APPROVED AG#97-08**

13. AN AGREEMENT WITH NESTLE WATERS OF NORTH AMERICA, INC. DBA ARROWHEAD MOUNTAIN SPRING WATER FOR COFFEE SUPPLIES AND RELATED SERVICES; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$35,000 PER YEAR TO NESTLE WATERS OF NORTH AMERICA, INC. DBA ARROWHEAD MOUNTAIN SPRING WATER FOR THE SERVICES. Comment: Requests approval of an agreement with Nestle Waters of North America, Inc. DBA Arrowhead Mountain Spring Water for coffee supplies and related services in the amount of \$35,000 per year, renewable for three years.

**ITEM F-13: APPROVED AG#98-08**

14. APPROPRIATION OF \$28,400 FROM THE SEIZED & FORFEITED PROPERTY FUND TO THE STATE SEIZED & FORFEITED PROPERTY PROGRAM FOR PURCHASE OF POLICE EQUIPMENT. Comment: Funds from the State Asset Forfeiture Fund will be used to purchase equipment for the Police Department's Detective Bureau and School Resource Officer programs.

**ITEM F-14: APPROVED**

15. AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, ISLAND ENVIRONMENTAL SERVICES INC., FOR THE INSTALLATION OF DEBRIS SCREEN DEVICES AT STORM WATER CATCH BASINS WITHIN THE CITY OF BEVERLY HILLS, CALIFORNIA IN THE AMOUNT OF \$111,114; APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFOR; AND APPROVAL OF THE ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$140,000 TO ISLAND ENVIRONMENTAL SERVICES INC. FOR THE PROJECT. Comment: Awarding a contract for installation of debris screen devices at the storm water catch basins within the City of Beverly Hills to reduce the trash deposit to the Ballona Creek to be in compliance with the Ballona Creek Trash Total Maximum Daily Loading (TMDL).

**ITEM F-15: APPROVED AG#99-08**

16. REJECTION OF ALL BIDS FOR CONTRACT WORK PERTAINING TO THE POLICE AND LIBRARY CARD ACCESS REPLACEMENT PROJECT.

Comment: It is recommended that the City Council reject the bids for contract work pertaining to the replacement of the card access system at the Police Facility and Library and authorize the rebidding of the work.

**ITEM F-16: APPROVED**

17. TRAFFIC AND PARKING COMMISSION APPOINTMENT. Comment: Appoints Jeffrey S. Levine to the Traffic & Parking Commission for an initial two year term.

**ITEM F-17: APPROVED**

18. REAPPOINTING A MEMBER TO THE TRAFFIC AND PARKING COMMISSION (KENNETH A. GOLDMAN). Comment: Reappoints Kenneth A. Goldman to the Traffic & Parking Commission for a four year term.

**ITEM F-18: APPROVED**

19. REAPPOINTING A MEMBER TO THE PUBLIC WORKS COMMISSION (JOSEPH STABLER). Comment: Reappoints Joseph Stabler to the Public Works Commission for a four year term.

**ITEM F-19: APPROVED**

20. REAPPOINTING A MEMBER TO THE RECREATION AND PARKS COMMISSION (MARC O'KRENT). Comment: Reappoints Marc O'Krent to the Recreation & Parks Commission for a four year term.

**ITEM F-20: APPROVED**

Vote on Consent Calendar:

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

**CARRIED**

**G. COMMISSION SYNOPSIS**

1. Synopsis - HEALTH AND SAFETY COMMISSION - regular meeting of February 25, 2008. Synopsis - RECREATION AND PARKS COMMISSION - regular meeting of February 26, 2008. Synopsis - HEALTH AND SAFETY COMMISSION - special meeting of March 3, 2008. Synopsis - FINE ART COMMISSION - regular meeting of March 20, 2008.

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

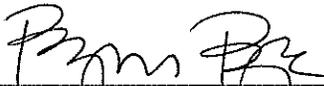
H. OTHER BUSINESS

None

I. ADJOURNMENT

There being no further business, Mayor Brucker, with the consent of Council, adjourned the meeting at 11:20 p.m. and the public hearing was continued to Tuesday, April 8, 2008 at 7:00 p.m.

PASSED, Approved and Adopted  
this 20th day of May, 2008.

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BYRON POPE, City Clerk

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**BARRY BRUCKER, MAYOR**

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