



**CITY OF BEVERLY HILLS
CITY COUNCIL
REGULAR MEETING
June 17, 2008**

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

PLEDGE OF ALLEGIANCE

A. ROLL CALL

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

B. PRESENTATIONS

1. **PRESENTATION - ARCHITECTURAL COMMISSION DESIGN AWARDS FOR 2007** - Presentation of Annual Design Awards for Buildings Completed in 2007 which were subject to Architectural Commission Review.

Senior Planner Donna Jerex made a brief PowerPoint presentation and provided a short description of each of the award winners for 2007 (Fendi, Chanel, Paulette, James Perse, Lucky Fish and Mameg/MMM).

Mayor Brucker spoke about the history of the Architectural Commission Design Awards and introduced the Architectural Commission. Paul Langh, 2007 Architectural Commission Chair, along with the Mayor and Architectural Commission, presented the awards to the honorees.

2. **RECOGNITION - ROBERT WUNDERLICH AND BERNICE STILLIONS** - Certificates of Appreciation for tour of Hoover Dam and inspection trip of the Colorado River Aqueduct.

Environmental Utilities Manager Shana Epstein presented a PowerPoint slide show about the recent trip to the Hoover Dam and Colorado River Aqueduct.

Mayor Brucker introduced Robert Wunderlich and Bernice Stillions, from the Metropolitan Water District, and thanked them for hosting the City's recent tour which included 25 members from Beverly Hills (public officials,

commissioners and public works staff). Mayor Brucker presented certificates to the honorees.

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. Sidney Daye spoke about rental control and the CPI adjustment, and the Paper Fish Restaurant on Maple Drive.

City Manager Roderick Wood explained the City's involvement.

3. REPORT FROM THE CITY MANAGER
* Click2Enter Radio Controlled Access - Assistant Fire Chief John Karns

Assistant Fire Chief John Karns provided a brief update on the Click2Enter System.

Councilmember Delshad requested that staff investigate securing funding to assist in keeping the cost down.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS
- Showcase Beverly Hills:
* The Beverly Hills Green Team

Mayor Brucker provided a report regarding the Beverly Hills Green Team and announced that residents and community members can visit the City's website and join the team.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

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

1. AN APPEAL OF THE ARCHITECTURAL COMMISSION'S DECISION DENYING A FAÇADE CHANGE FOR A PROPERTY LOCATED AT 190 NORTH CANON DRIVE (FRED HAYMAN). Comment: At its meeting of January 9, 2008, the Architectural Commission reviewed the request and determined that the findings required for an architectural review permit could not be made in conjunction with the proposed façade remodel to the existing building. This item was continued from the meeting of May 6, 2008.

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 City Planner and the record of the Community Development Department in this matter are made a part of the record of this hearing.

City Planner Jonathan Lait presented the staff report for the proposed facade change to the north side of the building and stated staff's recommendation is to uphold the Architectural Commission's denial of the request.

Mayor Brucker recessed the meeting at 8:53 pm and reconvened at 8:56 pm with all members present.

Vice Mayor Fenton and Councilmember Krasne, City Council Liaisons, provided a report from their recent meeting and explained why they are in support of allowing the facade.

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

There were no questions or comments of Councilmembers.

MOVED by Vice Mayor Fenton, seconded by Councilmember Krasne to direct the City Attorney to prepare a resolution of findings granting the appeal and approving a facade change for property located at 190 North Canon Drive.

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

CARRIED

**ITEM D-1: CITY ATTORNEY DIRECTOR TO PREPARE A RESOLUTION
OF FINDINGS GRANTING THE APPEAL**

2. AN APPEAL FROM THE DECISION OF THE PLANNING COMMISSION DENYING A ZONING CODE AMENDMENT, VESTING TENTATIVE TRACT MAP, AND PLANNED DEVELOPMENT PERMIT TO ALLOW THE CONSTRUCTION OF A MULTI-FAMILY RESIDENTIAL PROJECT WITH 40 CONDOMINIUM UNITS LOCATED AT 120 PECK DRIVE, 125 SOUTH CAMDEN DRIVE AND 133 SOUTH CAMDEN DRIVE . Comment: This appeal relates to a portion of the Residences at Saks Fifth Avenue Project. The mixed-use portion of the project located at 9588 Wilshire Boulevard was also denied by the Planning Commission. No appeals have been filed on this portion of the project and the Commission's denial is therefore final with respect to the mixed-use portion of the project

Mayor Brucker stated staff is recommending that this matter be continued to the meeting of August 19, 2008.

Speaking:

1. Valerie Wisot, speaking on behalf of the Southwest Beverly Hills Homeowners Association, requested the Council consider the item this evening and deny the approval of this project.
2. Michael Murphy, resident south of the proposed project, stated he opposes the project and will reserve his comments until the continued meeting.
3. Howard Fisher outlined the reasons this project should not be heard.

The Council concurred to continue the item.

**ITEM D-1: BY ORDER OF THE CHAIR, MATTER CONTINUED TO THE
MEETING OF AUGUST 19, 2008**

3. AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO DENY THE REQUEST FOR A CHARACTER CONTRIBUTING DETERMINATION FOR THE CONVERSION OF AN EXISTING APARTMENT BUILDING INTO A COMMON INTEREST DEVELOPMENT FOR THE PROPERTY LOCATED AT 404 NORTH MAPLE DRIVE (BETWEEN ALDEN DRIVE AND BEVERLY BOULEVARD). Comment: At its meeting of January 24, 2008, the Planning

Commission reviewed the request and determined that the findings for a character contributing determination could not be made for the subject building due to the building mass and lot coverage in comparison to the other developments in the same block. This item was continued from the May 6, 2008 City Council meeting to the Regular Formal City Council Meeting on June 17, 2008.

Mayor Brucker noted staff recommends this matter be continued to Tuesday, July 15, 2008 and the Council concurred with the recommendation.

ITEM D-2: BY ORDER OF THE CHAIR, MATTER IS CONTINUED TO TUESDAY, JULY 15 2008

4. AN APPEAL FROM THE DECISION OF THE HEARING OFFICER UPHOLDING AN ASSESSMENT FOR UNPAID BUSINESS TAXES, PENALTIES AND INTEREST FOR NRT, INC. (COLDWELL BANKER RESIDENTIAL BROKERAGE COMPANY) ON REMAND FROM CITY COUNCIL APPEAL. Comment: The Assistant Director of Administrative Services - Finance issued a decision upholding the assessment for unpaid business taxes, penalties and interest for NRT, Inc. (Coldwell Banker) in the amount of \$1,059,377.77. NRT, Inc. has filed an appeal objecting to the amount of the assessment. Staff recommends this matter be continued to the meeting of Tuesday, August 5, 2008.

ITEM D-4: BY ORDER OF THE CHAIR, MATTER IS CONTINUED TO TUESDAY, AUGUST 5, 2008

E. CONTINUED AND NEW BUSINESS

1. AN AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT FOR THE PROVISION, USE AND MAINTENANCE OF EDUCATIONAL, RECREATIONAL AND COMMUNITY FACILITIES AND PROGRAMS. Comment: Discussion of a report and recommendation by the City Council Liaison Committee regarding the renewal terms of an agreement between the City and School District for the provision, use and maintenance of educational, recreational and community facilities and programs. Staff requests City Council direction on the terms of the agreement between the City and School District so that the agreement can return to the July 8, 2008 City Council meeting

Director of Community Services Steve Miller explained the Joint Powers Agreement (JPA) with the School District provides the City with the use of educational and recreational facilities owned by the District to enable the City to carry out programs that benefit the residents. Mr. Miller noted the existing 3-year agreement, with a value for the current fiscal year of \$8.4 million, will end on June 30th, 2008. He stated upon direction from the City Council, the City Attorney's office will draft an agreement to be brought back to the Council for approval at the July 8, 2008 meeting.

Mayor Brucker mentioned he and Vice Mayor Fenton, City Council Liaisons,

had been meeting for several months with the School District Liaisons (Dr. Myra Demeter and Myra Lurie) to discuss the renewal of the JPA. Mayor Brucker presented the general terms and conditions the City and the School District negotiated for increase to the base payment (ongoing yearly payment) and one-time funding for a four year agreement.

Vice Mayor Fenton provided brief comments about the City's support of the School District.

Speaking:

1. Dr. Myra Demeter, School Board President, thanked the City for their continued support of the School District and outlined the goals that can be obtained with the increased funding of \$10 million per year.
2. Nooshin Meshkaty, School Board Vice President, spoke about the Municipal Area Network support feature of the new proposed agreement.
3. Kari McVeigh, School District Superintendent, spoke about the ease of collaboration during the process and thanked the City for its support.
4. Dr. Brian Goldberg, School Board member, thanked the Council for the continued support of the School Board and the District.
5. Lori Gordon, Myra Gabbay, and Victoria Gordon thanked the City Council for their support.
6. Frannie Rennie, PTA Council Co-President, thanked the City Council for their efforts and support of the students and the District.

In response to Councilmember Delshad's request for clarification on actual funding of the School District, City Manager Rod Wood stated that in addition to the Joint Powers Agreement and the cash payments made through that, there are many other relationships the City has with the School District (such as crossing guards and the school police officer program).

The Councilmembers each provided comments expressing their commitment to support of the schools.

MOVED by Mayor Brucker, seconded by Vice Mayor Fenton to direct the City Attorney to draft an agreement subject to the following terms as has been articulated and return the item to the July 8, 2008 City Council Meeting for adoption.

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

Noes: None

CARRIED

ITEM E-1: DIRECTION TO PREPARE AGREEMENT FOR ADOPTION AT THE JULY 8, 2008 MEETING

The Mayor recessed the meeting at 8:45 pm and reconvened the meeting at 8:48 pm with all members present.

- 2A.** APPROVAL OF THE AWARD OF CONTRACT TO THE BEVERLY HILLS COURIER PUBLISHING CO., LLC TO PROVIDE ADVERTISING AND NOTICES. Comment: Awarding Bid No. 08-27 to The Beverly Hills Courier and approving an agreement for the publication of City of Beverly Hills advertising and notices.

Rudy Cole of the Beverly Hills Weekly introduced reporter Jacquelyn Ryan to the Council.

City Clerk Byron Pope provided the staff report and recommended awarding the contract bid to the Beverly Hills Courier and contracting with the Beverly Hills Weekly for fiscal year 2008-2009 legal advertising and notices as well as other City related advertising.

MOVED by Vice Mayor Fenton, seconded by Mayor Brucker to award
 the contract to the Beverly Hills Courier Publishing Co.,
 LLC to provide advertising and notices.

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

Noes: None.

CARRIED

ITEM E2A: APPROVED AG#214-08

- 2B.** APPROVAL OF AN AGREEMENT WITH BEVERLY HILLS WEEKLY TO PROVIDE ADVERTISING AND NOTICES. Comment: Approving an agreement with the Beverly Hills Weekly for the publication of City of Beverly Hills advertising and notices.

MOVED by Councilmember Delshad, seconded by
 Councilmember Krasne to approve an agreement
 with Beverly Hills Weekly to provide advertising and
 notices.

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

CARRIED

ITEM E-2B: APPROVED AG#215-08

F. CONSENT CALENDAR

MOVED by Councilmember Briskman, seconded by Councilmember Delshad to approve all items on the consent agenda (noting the revisions to Items F-3, F-5 and F-8) 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 May 21 - 29, 2008.
2. PAYROLL DISBURSEMENT REPORT, report dated June 17, 2008.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS: None

None

RESOLUTIONS APPROVING:

3. AMENDING THE CITY COUNCIL POLICY AND OPERATIONS MANUAL.
Comment: Adopts a policy on the designation of honorary titles and amends the City Council Policy and Operations Manual to incorporate the new policy.

Revisions provided to the City Council.

ITEM F-3: ADOPTED RES#08-R-12612

APPROVAL OF:

4. APPROVING AN AGREEMENT WITH ANNE BROWNING MCINTOSH FOR CONSULTANT SERVICES RELATING TO PROVIDING INTERIM DIRECTOR SERVICES TO THE COMMUNITY DEVELOPMENT DEPARTMENT; AND APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$100,000 TO ANNE BROWNING MCINTOSH FOR THESE SERVICES
Comment: This item recommends Council approval of an agreement and purchase order for Anne Browning McIntosh who will serve as Interim Director of Community Development until the position is permanently filled.

ITEM F-4: APPROVED AG#216-08

- 5A. ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$18,253,668 TO PURCHASE THE REVERSE OSMOSIS WATER TREATMENT PLANT AND PUBLIC WORKERS FACILITY FROM EARTH TECH, INC. AND AUTHORIZATION TO THE CITY MANAGER TO APPROVE AGREEMENTS FOR ITS CONVEYANCE TO THE CITY.

Revisions provided to the Council

ITEM F-5A: APPROVED AS AMENDED

- 5B. AUTHORIZATION TO THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH EARTH TECH IN AN AMOUNT NOT TO EXCEED \$82,000, AND APPROVAL OF AN ISSUANCE OF A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$82,000. Comment: The City of Beverly Hills has received the financing to purchase the Public Works Facility and the Water Treatment Plant in order to have a more cost effective operation and improve the City's water reliability. In addition, staff is recommending a 60-day transition agreement with Earth Tech.

Revisions provided to the Council

ITEM F-5B: APPROVED AS AMENDED

6. AN AGREEMENT WITH ALBERT GROVER & ASSOCIATES, INC. FOR CONSULTANT SERVICES REGARDING THE STREET LIGHTING PROJECT PHASE III COMMERCIAL; AND, APPROVE ISSUING A PURCHASE ORDER TO ALBERT GROVER & ASSOCIATES, INC. IN THE AMOUNT OF \$118,300 FOR THE PROJECT. Comment: The contract will involve the design of a new low voltage street lighting system. Some commercial streets will require all new poles and fixtures whereas some streets will retain existing poles and replace the fixtures. The design will incorporate the potential for banners, holiday lighting, and fiber optic cable at certain locations.

ITEM F-6: ADOPTED AG#217-08; APPROVED

7. AMENDMENT NO. 2 TO THE AGREEMENT WITH RINCON CONSULTANTS, INC. FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED GENERAL PLAN AMENDMENT AND ZONE CHANGE TO THREE FORMER RAILROAD RIGHT-OF-WAY PROPERTIES; AND, APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$16,610 TO THE PURCHASE ORDER TO RINCON CONSULTANTS, INC. FOR A NOT-TO-EXCEED TOTAL OF \$269,622. Comment: The proposed amendment will cover work not originally included the contract's scope. All costs associated with this amendment will be borne by the applicant.

ITEM F-7: ADOPTED AG#218-08; APPROVED

8. AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE AGREEMENTS, AMENDMENTS AND AUTHORIZE PURCHASE ORDERS ON BEHALF OF THE CITY WITH THE BEVERLY HILLS CHAMBER OF COMMERCE, CONFERENCE AND VISITORS BUREAU AND ECONOMIC DEVELOPMENT DIVISIONS RELATING TO THE 2008-2009 PROGRAM OF WORK. Comment: This item authorizes the City Manager to execute agreements, amendments and authorize purchase orders on behalf of the City with the Beverly Hills Chamber of Commerce for the Conference and Visitors Bureau (CVB) and Economic Development Division (EDD) to provide funding necessary for continued provision of services through the first quarter 2008-2009 in a combined amount not to exceed \$807,380. Revisions provided to the Council

ITEM F-8: APPROVED AS AMENDED

9. AMENDMENT NO. 3 TO AN AGREEMENT WITH EIP ASSOCIATES, A DIVISION OF PBS&J (FORMERLY EIP ASSOCIATES, INC.) FOR CONSULTANT SERVICES REGARDING THE COMPREHENSIVE GENERAL PLAN UPDATE AND ENVIRONMENTAL ASSESSMENT; AND, APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$295,608 TO THE PURCHASE ORDER TO EIP ASSOCIATES, A DIVISION OF PBS&J (FORMERLY EIP ASSOCIATES, INC.) FOR CONSULTANT SERVICES FOR A NOT-TO-EXCEED AMOUNT OF \$1,309,354. Comment: Extends the term of the contract from June 30, 2008 to September 30, 2008 to permit completion of projects, and increases contract amount to cover increased services required during the development of land use alternatives and draft citywide policies and development of scope of work/budget for Economic Sustainability Strategy.

ITEM F-9: ADOPTED AG#219-08; APPROVED

10. APPROVE ISSUANCE OF CHANGE ORDER NOS. 2 & 3 FOR \$265,147.60 TO THE CONTRACT WITH MANUEL BROS., INC. FOR ADDITIONAL FIBER OPTIC AND CONDUIT WORK FOR PHASE 2 (SOUTH RING) OF THE FIBER OPTIC MUNICIPAL AREA NETWORK RING; AUTHORIZE THE

CITY MANAGER TO SIGN CHANGE ORDER NOS. 2 & 3 ON BEHALF OF THE CITY; AND, APPROVE ISSUANCE OF A CHANGE ORDER IN THE AMOUNT OF \$275,000.00 TO THE PURCHASE ORDER FOR A NOT TO EXCEED AMOUNT OF \$1,825,000.00 Comment: City directed extra work related to the camera installation at Hawthorne School, and additional bid item quantities throughout the project related to installation of fiber cable, vaults, directional bore conduit, open trench conduit, and indoor conduit have resulted in change orders amounting to \$265,147.60.

ITEM F-10: APPROVED

11. AMENDMENT NO. 6 TO AN AGREEMENT WITH INTERNATIONAL BUSINESS MACHINES CORPORATION FOR ONGOING MAINTENANCE AND SUPPORT SERVICES FOR THE CITY'S DATA CENTER; AND, APPROVAL TO ISSUE A CHANGE ORDER IN THE AMOUNT OF \$99,000.00. Comment: Provides for additional services related to upgrades to the planned upgrades to the server and storage environment.

ITEM F-11: ADOPTED AG#220-08; APPROVED

12. AMENDMENT NO. 3 TO THE AGREEMENT WITH DATA SYSTEMS WORLDWIDE, INC. FOR INFORMATION TECHNOLOGY CONSULTING SERVICES RELATED TO THE CITY'S NETWORK SECURITY SYSTEM; AND, APPROVAL TO ISSUE A CHANGE ORDER IN THE AMOUNT OF \$150,000.00. Comment: Provides for additional hours of consulting services related to monitoring, maintaining and supporting the City's network environment.

ITEM F-12: ADOPTED AG#221-08; APPROVED

13. AN AGREEMENT WITH MV TRANSPORTATION, INC. FOR THE MANAGEMENT, OPERATION AND MAINTENANCE OF THE CITY'S TRANSIT SERVICES. Comment: Approves a seven-year contract with three additional one-year options for an amount not to exceed \$4,687,265 with MV Transportation, Inc. for the management and operation of the City's transit program including the Senior/Disabled Dial-A-Ride shuttle, trolley service and special charters. FY08-09 contract costs not to exceed \$626,630. Program funded by the City's allocation of Proposition A & C transportation funds.

ITEM F-13: ADOPTED AG#222-08

14. AN AGREEMENT FOR A DONATION TO THE CITY OF BEVERLY HILLS FOR BEVERLY GARDENS PARK IMPROVEMENTS. Comment: Seeks Council acceptance and approval of an agreement for a donation in the amount of \$100,000 to improve one block of Beverly Gardens Park located

on Santa Monica Boulevard between Alpine Drive and Foothill Road, subject to the terms and conditions set forth in such agreement.

ITEM F-14: ADOPTED AG#223-08

15. AN AGREEMENT WITH DIGITAL PAYMENT TECHNOLOGIES CORP. FOR EQUIPMENT AND SERVICES RELATED TO MULTI-SPACE PARKING PAY STATIONS; AND APPROVAL OF A PURCHASE ORDER WITH DIGITAL PAYMENT TECHNOLOGIES CORP. IN THE AMOUNT OF \$225,000 FOR THIS PURCHASE. Comment: This is an agreement for the purchase of 20 pay stations for the Santa Monica Five parking lots, which provide coin, credit card, and bill acceptance along with web access for staff to provide and control real-time credit card processing, alarm/monitoring services and comprehensive reporting capabilities totaling \$360,000 over five years for all services.

ITEM F-15: ADOPTED AG#224-08; APPROVED

16. AN AGREEMENT WITH SERCO, INC. FOR A COMPREHENSIVE REVENUE CONTROL PROGRAM FOR PARKING AND OTHER CASH OPERATIONS; AND, APPROVAL OF A PURCHASE ORDER WITH SERCO, INC. IN THE AMOUNT OF \$85,000 FOR THE SERVICES. Comment: This agreement will provide for the creation of a manual establishing industry best practices, equipment recommendations, policy guidance and cash handling tolerance levels for the cash handling and auditing of the City's parking revenues in an amount not to exceed \$85,000.

ITEM F-16: ADOPTED AG\$225-08; APPROVED

17. A PURCHASE ORDER TO DATA SYSTEMS WORLDWIDE IN THE AMOUNT OF \$344,140.14 FOR HARDWARE AND RELATED EQUIPMENT IN SUPPORT OF THE MUNICIPAL AREA NETWORK AND WIRELESS PROJECTS. Comment: Provides for the equipment the initial Phase electronics equipment in support of the Municipal Area Network (MAN) and Wireless CIP projects. These electronics are required to implement the newly constructed "South Phase" of the MAN. The four initial MAN sites would receive the equipment necessary to establish network transport services required to extend the network into the business triangle.

ITEM F-17: APPROVED

18. THE AWARD OF A CONTRACT TO PARK WEST LANDSCAPE, INC. FOR THE BEVERLY GARDENS & WILL ROGERS PARK RENOVATION PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND, APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$1,255,224

TO PARK WEST LANDSCAPE, INC. FOR THE CONTRACT WORK.
Comment: Requests an award of contract to Park West Landscape, Inc., in the amount of \$1,162,224 and approval of a change order contingency of \$93,000 to renovate portions of Beverly Gardens Park at Alden Drive to Alta Drive, Foothill Road to Alpine Drive, Bedford Drive to Roxbury Drive and the fountain and pathways at Will Rogers Park.

ITEM F-18: ADOPTED AG#226-08; APPROVED

19. A PURCHASE ORDER IN THE AMOUNT OF \$64,973.92 TO TERRY EQUIPMENT, INC. FOR THE PURCHASE OF AN ASPHALT PAVER.
Comment: Requests approval of a purchase order to Terry Equipment, Inc. in the amount of \$64,973.92 for the purchase of one Bomag 3313, Asphalt Paver from Terry Equipment, Inc. for the Department of Public Works and Transportation, Infrastructure Maintenance Division.

ITEM F-19: APPROVED

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

ITEM A APPROPRIATING FUNDS IN THE AMOUNT OF \$2,463,094.66 FOR CAPITAL FACILITIES PLAYGROUND PROJECTS COMPLETED BY THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT AT EL RODEO, HAWTHORNE AND HORACE MANN SCHOOLS; AND,

APPROVAL TO REIMBURSE THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT IN THE AMOUNT OF \$1,324,103.66 FOR THE DESCRIBED PROJECTS. Comment: Appropriates funds and authorizes the final payment or the \$5,000,000 the City committed to the School District for capital facilities playground projects related to the JPA.

ITEM F-20A: APPROVED

ITEM B AMENDMENT NO. 4 TO THE AGREEMENT WITH STEGEMAN AND KASTNER, INC. FOR PROJECT MANAGEMENT CONSULTANT SERVICES RELATED TO THE BEVERLY GARDENS AND MONTAGE HOTEL PROJECT; AND,

APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$149,900 TO THE PURCHASE ORDER WITH STEGEMAN AND KASTNER, INC. FOR PROJECT MANAGEMENT CONSULTANT SERVICES FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$565,900. Comment: This amendment no. 4 will provide services related to the pre-design, design and construction of the base building improvements, and tenant improvements at the Beverly Gardens Building in the amount of \$149,900 for a total not-to-exceed amount of \$565,900.

ITEM F-20B: ADOPTED AG#227-08; APPROVED

21. AN AGREEMENT WITH TRUESDAIL LABORATORIES, INC. FOR WATER SAMPLING AND ANALYSIS; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$109,500 FOR THE SERVICES. Comment: Provides for water quality testing work to meet government compliance regulations.

ITEM F-21: ADOPTED AG#228-08; APPROVED

22. ACCEPTANCE OF CONTRACT WORK FOR THE ARNAZ PARK IMPROVEMENT PROJECT BY TROPICAL CREATIONS, INC. IN THE FINAL CONTRACT AMOUNT OF \$522,782.23. Comment: In accordance with the contract documents, this report requests City Council acceptance of the contract work by Tropical Creations, Inc., and requests authorization to record the Notice of Completion with the County Recorder.

ITEM F-22: 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. PLANNING COMMISSION - special meeting of May 21, 2008. FINE ART COMMISSION - special meeting of May 22, 2008.

PLANNING COMMISSION - special meeting of May 28, 2008

Council meeting recessed at 9:35 pm to the Public Financing Authority Meeting. The meeting reconvened at 9:40 pm with all members present.

H. OTHER BUSINESS

None

I. ADJOURNMENT

Mayor Brucker, with the consent of Council, adjourned the meeting at 9:40 pm to closed session to discuss the items listed on the closed session agenda.

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PASSED, Approved and Adopted
this 5th day of August, 2008.


BYRON POPE, City Clerk

BARRY BRUCKER, MAYOR

This meeting was broadcast on live television, on City of Beverly Hills municipal government television access Channel BHTV10 Time Warner Cable.