



**CITY OF BEVERLY HILLS  
CITY COUNCIL  
REGULAR MEETING  
October 07, 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. RECOGNITION OF RETIRING COMMISSIONER - Solicitations Advisory  
Commission - Bunni Fischer**

Mayor Brucker presented retiring Commissioner Bunni Fischer with a plaque and a gift in recognition and appreciation for her years of distinguished and devoted public service as a member of the Solicitations Advisory Commission.

Commissioner Fischer provided brief remarks and thanked the Council and Mayor for this honor.

**2. PRESENTATION - by Southern California Edison  
- Mark Olson**

Mayor Brucker mentioned the upgrade of an aging air-conditioning system at the Civic Center which is already saving the City money and conserving significant energy.

Southern California Edison (SCE) representative Mark Olson presented the City with a \$62,000 rebate check for installing the energy efficient equipment.

In response to a question by Councilmember Delshad, Mr. Olson spoke about a rebate program for efficiency lighting.

**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. Houshang Eli Bakshandeh, Patvaneh Poursalimi and Lida Gabbai spoke in opposition of a 10% rent increase.

City Manager Rod Wood responded that staff will look into the matter and verify that the properties have handled the increases properly.

2. David Hakimfar spoke about election issues related to Measure H on the November ballot.

City Attorney Laurence Wiener addressed the actions taken by his office.

3. Alex Bandell commented on Measure H.

4. Ruth Kraft, accompanied by Steven Weinglass, sang a song regarding an issue recently in the Beverly Hills Courier regarding Richard Stone.

5. Larry Larson spoke about Measure H and the Beverly Hilton Revitalization project.

6. John Mirisch provided comments about the Beverly Hills General Plan.

7. Paul Bernstein mentioned water conversation issues in the City.

8. Dr. James Goldrich spoke about Beverly Hills High School employee Sylvester Harris.

Mayor Brucker pointed out the City has no jurisdiction regarding this issue and suggested Mr. Goldrich address the School Board.

**3. REPORT FROM THE CITY MANAGER**

\* Southern California High Tech Crimes Task Force - Police Captain Mitch McCann

Police Captain Mitch McCann provided a PowerPoint presentation regarding the Southern California High Tech Task Force (SCHTTF). He spoke about the SCHTTF organization, its benefits, BHPD capabilities, the current high tech Crime Lab, the future lab environment, annual workload and successes.

**4. CITY COUNCILMEMBER AND COMMITTEE REPORTS**

- Showcase Beverly Hills: \* Affaire in the Gardens Art Show

Councilmember Briskman announced that the semi-annual Affaire in the Gardens Art Show will be held in Beverly Gardens Park on Saturday, October 18th and Sunday, October 19th from 10:00 a.m. to 6:00 p.m. and invited the community to attend.

Councilmember Briskman spoke about Measure R on the November 4, 2008 ballot. The City Council concurred with Councilmember Briskman's recommendation to authorize a resolution to be brought back for adoption at the next formal meeting in support of Measure R.

**D. PUBLIC HEARING**

TO SET:

None

TO CONSIDER:

None

**E. CONTINUED AND NEW BUSINESS**

- 1. AN INTERIM ORDINANCE OF THE CITY OF BEVERLY HILLS REGARDING THE APPLICABILITY OF PARKING AND LOADING STANDARDS TO CERTAIN NONCONFORMING COMMERCIAL STRUCTURES, AND DECLARING THE URGENCY THEREOF.** Comment: Interim urgency ordinance would require nonconforming structures located in the City's commercial-residential transition areas to meet current parking and loading requirements if intensification in use is proposed. The ordinance would provide a Planning Commission hearing process which could accommodate situations where current parking and loading requirements are difficult to satisfy in existing development. The interim ordinance would take effect immediately while the City considers permanent legislation. It

addresses a concern that new uses introduced into older buildings with inadequate facilities could impact residential neighborhoods behind the commercial corridors as well as nearby businesses.

City Planner Jonathan Lait explained why staff is presenting the urgency ordinance, the concerns the ordinance attempts to address and how the proposed urgency ordinance achieves its goal.

Speaking:

1. Anita Zusman-Eddy, Chamber of Commerce, stated there has been insufficient notice to the business community, and asked the Council to hold off on a decision on this matter until such time that community input has been obtained.
2. Murray Fischer expressed concern that there was no notice of this agenda item, and spoke about the unintended consequences associated with the passing of this proposed urgency ordinance. He noted several of his clients that could be affected by this item.
3. Nicole Belcore explained her concerns about the proposed interim urgency ordinance.
4. Jay Luchs stated he is in agreement with the previous speakers, and expressed his concern about the proposed interim urgency ordinance.
5. Joseph Tilem spoke about where this traditional ordinance originated, and asked the Council to table this item until further discussion has taken place.
6. Arnold Rosenstein commented on the issue of the vacancy with his property.

Planning Commission Chair Noah Furie presented his personal thoughts and noted that the Planning Commission has not considered this item. Mr. Furie stated he supports the staff's interim ordinance with the additional language presented by staff this evening. He spoke about additional amendments that he would like to see in the ordinance.

City Manager Roderick Wood spoke about the specific project that brought the necessity for this ordinance.

City Attorney Laurence Wiener spoke about interim urgency ordinances and the type of urgency matter this ordinance is related to.

Mayor Brucker suggested continuing this item until November 5, 2008 for further study before making a decision. He suggested a Planning Ad Hoc and a community discussion take place prior to November 5th. The Council concurred with this recommendation.

**ITEM E-1: BY ORDER OF THE CHAIR, MATTER IS CONTINUED TO NOVEMBER 5, 2008.**

- 2A.** RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS DENYING A REQUEST FOR ESTABLISHMENT OF A PREFERENTIAL PERMIT PARKING ZONE ON THE WEST SIDE OF THE 200 BLOCK OF REEVES DRIVE. Comment: Residents of the 200 block of Reeves Drive submitted a qualifying petition to allow parking on the west side of the 200 block of Reeves Drive. The Traffic & Parking Commission unanimously voted against establishment of the zone, and recommends modification to the east side of the block.

Deputy Director of Transportation Aaron Kunz made a PowerPoint presentation and staff report for this item. Mr. Kunz provided a background on the parking for 200 Reeves, what started the process, the Traffic & Parking Commission process on this item, the public comment at the May 21 and June 5 meetings. He noted the Traffic and Parking Commission voted to recommend denial of the original resident request. Mr. Kunz spoke about the alternate Traffic and Parking Commission proposal (City-initiated) and noted the Commission unanimously voted in favor of the east side of the block restriction.

Traffic and Parking Commission Chair Dr. Julian Gold spoke about the Commission's hearings process on this matter and how they arrived at their recommendation.

Speaking:

1. Rudy Cole urged the Council to uphold the recommendation of the Commission.
2. David Krater stated he favors the modification on the east side of the street and explained why he would have liked to see parking on the west side of the street.
3. Mike Jamison expressed appreciation for the Traffic and Parking Commission's process and spoke in support of the modification.
4. Sage Novak expressed support of permit parking only after 6 p.m.
5. David Collacott expressed the reasons he is in support of the modification of permit parking only after 6 p.m.

Following clarifying questions asked by Councilmember Krasne, the Council expressed support of this denial.

MOVED by Councilmember Krasne, seconded by Vice Mayor Fenton to adopt Resolution E-2A as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS DENYING A REQUEST FOR ESTABLISHMENT OF A PREFERENTIAL PERMIT PARKING ZONE ON THE WEST SIDE OF THE 200 BLOCK OF REEVES DRIVE.

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

Noes: None

CARRIED

**ITEM E-2A: ADOPTED RES#08-R-12635**

- 2B.** RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS MODIFYING PREFERENTIAL PERMIT PARKING ZONE "Q" ON THE EAST SIDE OF THE 200 BLOCK OF REEVES DRIVE. Comment: Modifies the parking regulation on east side of the 200 block of Reeves Drive from "1-Hour Parking, 8 a.m. to 2:30 a.m., Except by Permit Q" to "1-Hour Parking, 8 a.m. to 6 p.m., and No Parking Any Other Time, Except by Permit Q."

MOVED by Vice Mayor Fenton, seconded by Councilmember Delshad to adopt Resolution E-2B as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS MODIFYING PREFERENTIAL PERMIT PARKING ZONE "Q" ON THE EAST SIDE OF THE 200 BLOCK OF REEVES DRIVE.

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

Noes: None

CARRIED

**ITEM E-2B: ADOPTED RES#08-R-12636**

**F. CONSENT CALENDAR**

MOVED by Councilmember Delshad, seconded by Councilmember Krasne to remove Item F-9 for clarification purposes, approve all items on the consent agenda, and direct that the appropriate accounts be charged on Items F-1 through F-5.

Minutes

1. Consideration of the Minutes of the regular meeting of September 2, 2008.

Demands Paid

2. REVIEW OF BUDGETED DEMANDS PAID, report dated September 9 - 22, 2008.
3. REVIEW OF BUDGETED DEMANDS PAID, report dated September 24 - October 2, 2008.
4. PAYROLL DISBURSEMENT REPORT, report dated October 7, 2008.
5. FISCAL YEAR 2008-09 1ST QUARTER PURCHASE ORDER REPORT.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

None

APPROVAL OF:

6. MEMORANDUM OF UNDERSTANDING WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR PROPOSITION A INCENTIVE RESERVE FUND VEHICLE REPLACEMENT PROJECTS. Comment: The City of Beverly Hills was awarded a \$206,250 grant to supplement existing Proposition A funds for the purchase of five replacement shuttle busses.

**ITEM F-6: APPROVED AG#421-08**

7. A MEMORANDUM OF LEASE AND AMENDMENT OF LEASE WITH 323 NO. CRESCENT DRIVE, INC. (DBA "BAILEY'S BAKERY"). Comment: Bailey's Bakery is a tenant in the City's North Crescent Drive Parking Structure. This lease amendment will extend the lease term an additional 10 years.

**ITEM F-7: APPROVED AG#422-08**

8. AMENDMENT NO. 1 TO THE AGREEMENT WITH KEYSER MARSTON ASSOCIATES, INC. FOR CONSULTANT SERVICES REGARDING DEVELOPMENT OF THE SITES KNOWN AS "9900 WILSHIRE BOULEVARD" AND "THE BEVERLY HILTON"; AND APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$3,000 TO THE PURCHASE ORDER FOR A NOT-TO-EXCEED TOTAL OF \$53,000 FOR THE CONTRACTED SERVICES. Comment: Staff is requesting that the City approve a \$3,000 amendment to the existing \$50,000 agreement to accommodate a greater than anticipated use of consultant services. This

\$3,000 amendment covers the final consultant services and closes out the existing agreement. The costs of these services bear no fiscal impact to the City and are fully covered by the developers.

**ITEM F-8: APPROVED AG#423-08**

9. AGREEMENT WITH RBF CONSULTING TO PROVIDE CONSTRUCTION MANAGEMENT PLAN COORDINATION SERVICES IN SUPPORT OF THE 9900 WILSHIRE BOULEVARD PROJECT; AND AUTHORIZATION OF A PURCHASE ORDER IN THE AMOUNT OF \$580,000 FOR PROFESSIONAL CONSULTING SERVICES. Comment: A condition of approval for the 9900 Wilshire Project requires the City and School District to jointly select a qualified firm to provide Construction Management Plan Coordination services to assist the City with construction mitigation monitoring. RBF Consulting was selected to perform these services. This agreement in the amount of \$580,000.00 is entirely funded by the developer and has no fiscal impact on the City.

City Manager Rod Wood, Building Official George Chavez and City Attorney Laurence Wiener offered clarification to questions raised by Mayor Brucker and Councilmember Krasne.

**ITEM F-9: APPROVED AG#424-08**

10. THE AWARD OF A CONTRACT TO EBERHARD FOR THE POLICE FACILITY ROOFING PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$436,500 TO EBERHARD FOR THE CONTRACT WORK. Comment: Provides for the contract work to install a new roofing system for the Police Facility to replace the existing 20-year old roof.

**ITEM F-10: APPROVED AG#425-08**

11. THE AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, MANERI SIGN CO. INC., TO FURNISH AND INSTALL (REPLACE THE EXISTING) STANDARD PARKING REGULATION SIGNS AT VARIOUS LOCATIONS WITHIN THE CITY OF BEVERLY HILLS IN THE AMOUNT OF \$57,418; AND APPROVING THE SPECIFICATIONS THEREFOR; AND APPROVE ISSUING A PURCHASE ORDER TO MANERI SIGN CO. INC. IN THE AMOUNT OF \$66,030 FOR THE PROJECT. Comment: For replacement of 1700 standard "2-hour" and "No parking" regulation City wide.

**ITEM F-11: APPROVED AG#426-08**

12. AN AGREEMENT WITH AMPCO SYSTEM PARKING FOR THE MANAGEMENT AND OPERATION OF THE BEVERLY GARDENS PARKING FACILITY AT THE MONTAGE; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$796,000 TO AMPCO SYSTEM PARKING FOR THE CONTRACT WORK. Comment: This is a three-year agreement for the labor and services related to the parking operations at the new Beverly Gardens Parking Facility scheduled to open in November 2008.

***ITEM F-12: APPROVED AG#427-08***

13. APPROPRIATION OF FUNDS FOR UPWARD BOUND HOUSE FOR THE ACQUISITION OF THE PROPERTY IN CULVER CITY TO BE THE SITE OF AN EMERGENCY FAMILY SHELTER IN THE AMOUNT OF \$200,000 AS APPROVED BY CITY COUNCIL IN THE FORMAL MEETING ON SEPTEMBER 23, 2008. Comment: This appropriation is to fund the City's portion in the acquisition cost of the future Emergency Family Shelter by Upward Bound House. The requested amount of \$200,000 will be fully reimbursed to the City by the Los Angeles County Community Development Commission (LACDC) through the Community Development Block Grant (CDBG) funds.

***ITEM F-13: APPROVED***

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

ITEM A AGREEMENT WITH IRON MOUNTAIN INFORMATION MANAGEMENT, INC. FOR OFFSITE DATA STORAGE AND RELATED SERVICES. Comment: This agreement provides for continued offsite data storage services essential to the City's disaster recovery operations. It is a 3-year agreement for an annual not-to-exceed PO amount of \$25,000, totaling \$75,000 for the 3-year period.

***ITEM F-14A: APPROVED AG#428-08***

ITEM B A PURCHASE ORDER TO LANDSCAPE FORMS, INC., FOR THE PURCHASE OF OUTDOOR FURNITURE FOR BEVERLY HILLS GARDENS IN THE AMOUNT OF \$94,426.49. Comment: Requests approval of a purchase order in the amount of \$94,426.49 to Landscape Forms for the purchase of outdoor tables and chairs to be used in the Beverly Hills Gardens.

***ITEM F-14B: APPROVED***

ITEM C AGREEMENT WITH ROBERT HALF INTERNATIONAL, INC., DBA OFFICE TEAM AND ACCOUNTEMPS FOR TEMPORARY STAFFING ON AN AS-NEEDED BASIS. Comment: Human Resources division of Administrative Services opened a competitive Request for Proposal (RFP)

process for temporary staffing services. This agreement presented for your approval between Robert Half International and the City of Beverly Hills is the last agreement of the five vendors selected.

***ITEM F-14C: APPROVED AG#429-08***

Vote on Consent Calendar:

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

Noes: None

CARRIED

**G. COMMISSION SYNOPSIS**

None

**H. OTHER BUSINESS**

Mayor Brucker announced City Hall and other City offices will be closed from 7:30 a.m. to 2:00 p.m. on Monday, October 13, for an annual all-employee training day (Innovations Day). He noted Police, Fire and Public Works essential services will continue normal operations on that day.

**I. ADJOURNMENT**

There being no further business, Mayor Brucker, with the consent of Council, adjourned the meeting at 9:50 p.m. to Tuesday, October 14, 2008 at 7:00 p.m.

ADOPTED, Passed and Approved  
this 5th day November, 2008.

  
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 BHTV10 Time Warner Cable**