



**CITY OF BEVERLY HILLS  
CITY COUNCIL**

**November 18, 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, and Mayor Brucker  
Absent: Vice Mayor Fenton

**B. PRESENTATIONS**

**1. PROCLAMATION - to Jim M. Jahant of Brooks Brothers**

Mayor Brucker presented Jim Jahant, General Manager of Brooks Brothers, with a proclamation in honor of his community spirit and support of Veranda Great House - Design Review Showcase at Greystone Mansion.

**2. CERTIFICATE OF APPOINTMENT - Human Relations Commission - Rochelle Ginsburg**

Mayor Brucker presented a City pin and Certificate of Appointment to the newly appointed Human Relations Commissioner Rochelle Ginsburg.

**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. Larry Larson reported on Measure H and possible voter fraud in the November 4, 2008 election.
2. Michael Hakim spoke about the condition of South Beverly Drive.
3. Joseph Zernick spoke about various types of fraud.

**3. REPORT FROM THE CITY MANAGER**

\* Changing Lives and Sharing Places (C.L.A.S.P.) Program Update - James Latta, Human Services Administrator

1. Pamela Mottice Muller reported on the recent Great Southern California ShakeOut held in the City of Beverly Hills on Thursday November 13, 2008 in conjunction with the City's annual disaster exercise. Ms. Mottice Muller provided a PowerPoint presentation on the event.

Mayor Brucker and City Manager Roderick Wood made remarks about the exercise.

Human Services Administrator James Latta provided an update on the Changing Lives and Sharing Places (C.L.A.S.P.) program. He spoke about the balanced approach taken, homelessness nationwide, in skid row, the C.L.A.S.P. team and provided contact information.

**4. CITY COUNCILMEMBER AND COMMITTEE REPORTS**

- Showcase Beverly Hills:

\* Holiday Lighting Ceremony and shopping in Beverly Hills for the holidays!

Councilmember Krasne announced the November 22, 2008 Holiday Lighting Ceremony at 6:00 p.m. on Rodeo Drive and invited the entire community to attend.

CONTINUED ITEMS FROM TODAY'S STUDY SESSION.

1. Potential Revenue Generating Measures for March 3, 2009 Ballot

Chief Financial Officer Dr. Scott Miller provided an overview of the four tax options that could be placed on the next Councilmanic Election ballot. Dr. Miller noted True North Research provided a residential survey to gauge the community's interest in the various revenue generating measures which also included Utility Users Tax.

Dr. Timothy McLarney of True North Research spoke about the methodology for the survey he conducted with Beverly Hills residents. He noted the telephone data collection method used, the key findings, and made observations regarding the results.

Following discussion, it was the consensus of the Council to direct staff to draft an ordinance and resolution for consideration at the December 2, 2008 formal meeting that would place the Business Tax Modifications (the Oil Extraction Tax, Business Tax Code Modifications and Commercial Parking Tax) as a ballot measure on the March 3, 2009 election.

2. Current Economic Financial Update

Dr. Scott Miller provided a briefing on the current status of the economy.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

1. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES & CHARGES TO ADJUST THE PARKING CITATION CHARGES FOR FISCAL YEAR 2008/2009. Comment: This amendment will adjust the current schedule of fees and charges related to all parking citation fees. Staff is recommending this item be continued to the meeting of December 2, 2008.

***ITEM D-1: BY ORDER OF THE CHAIR MATTER CONTINUED TO THE MEETING OF DECEMBER 2, 2008***

2. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES & CHARGES TO ADJUST THE PARKING FACILITY RATES FOR FISCAL YEAR 2008/2009. Comment: This amendment will create discounted parking

for fuel efficient and low emitting vehicles at the Public Gardens Parking Facility located at the Montage and establish specific ranges for certain parking rates, such as the daily maximum, monthly parking fees, early bird specials, recurring payment discounts and other special event rates. Staff is recommending this item be continued to the meeting of December 2, 2008.

**ITEM D-2: BY ORDER OF THE CHAIR MATTER CONTINUED TO THE MEETING OF DECEMBER 2, 2008**

**E. CONTINUED AND NEW BUSINESS**

None

**F. CONSENT CALENDAR**

MOVED by Councilmember Briskman, seconded by Councilmember Krasne to approve the items on the consent agenda, and direct that the appropriate accounts be charged on Items F-3 and F-4.

Minutes

1. Consideration of the Minutes of the adjourned regular meeting of October 14, 2008.
2. Consideration of the Minutes of the adjourned regular meeting of November 5, 2008.

Demands Paid

3. REVIEW OF BUDGETED DEMANDS PAID, report dated October 29 - November 13, 2008.
4. PAYROLL DISBURSEMENT REPORT dated November 18, 2008

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

5. INCREASING THE VOLUNTARY EXPENDITURE CEILING FOR CITY ELECTIONS, INCREASING CONTRIBUTION LIMITS, ELIMINATING THE APPLICATION OF CONTRIBUTION AND EXPENDITURE LIMITS IN RECALL ELECTIONS, MODIFYING RULES REGARDING AGGREGATION OF CONTRIBUTIONS AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Adoption. Comment: This ordinance raises the voluntary spending limit for regular municipal elections to \$75,000, and the individual contribution limits to \$300 if a candidate accepts the spending limit and \$125 if the candidate does not accept the spending limit

**ITEM F-5: ADOPTED ORD#08-O-2558**

RESOLUTIONS APPROVING:

None

APPROVAL OF:

6. AGREEMENT WITH ADS CORP. TO PROVIDE MAINTENANCE AND REPAIR SERVICES FOR SEWER FLOW MONITORING EQUIPMENT AND MONTHLY WASTEWATER SAMPLING AND DATA ANALYSIS. Comment: ADS Corp. provides monitoring for the City's wastewater utility that is consistent with the City's contractual obligations with the City of Los Angeles.

**ITEM F-6: APPROVED AG#472-08**

7. THE AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, ALL AMERICAN ASPHALT, FOR 2008-2009 STREET RESURFACING - VARIOUS LOCATIONS, IN THE AMOUNT OF \$4,085,000 AND APPROVING THE PLANS AND SPECIFICATIONS THEREFOR; AND, APPROVE ISSUING A PURCHASE ORDER TO ALL AMERICAN ASPHALT IN THE AMOUNT OF \$4,435,000 FOR THE PROJECT. Comment: Project consists of asphalt overlay of approximately 11.5 miles of residential streets and 1.5 miles of Arterial Street, selected from the 2007 Pavement Management Program Report and field investigation conducted by the Engineering Division.

**ITEM F-7: APPROVED AG#473-08**

8. AMENDMENT NO. 2 TO THE AGREEMENT WITH RTK ARCHITECTS, INC. FOR ARCHITECTURAL AND ENGINEERING DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES RELATED TO REMODEL OF PUBLIC WORKS FACILITY FIRST FLOOR; AND, APPROVE A CHANGE PURCHASE ORDER TO RTK ARCHITECTS, INC. IN THE AMOUNT OF \$23,850 FOR THE SERVICES. Comment: This amendment is to provide additional consulting services to address necessary HVAC upgrades for energy efficiencies and to correct deficiencies in various portions of the facility.

**ITEM F-8: APPROVED AG#474-08**

9. REQUEST APPROVAL FOR THE ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$52,132 TO GAME TIME FOR THE PURCHASE OF PLAYGROUND EQUIPMENT AT LA CIENEGA PARK AND THE ACCEPTANCE OF A "FIGHT OBESITY THROUGH PLAY" GRANT IN THE AMOUNT OF \$18,854.55. Comment: Approval of a purchase order to purchase playground apparatus to replace dilapidated equipment (due to normal wear & tear and vandalism) at La Cienega Park to provide a safer environment and improve the aesthetics of the playground area.

**ITEM F-9: APPROVED**

10. MEMORANDUM OF LEASE AND AMENDMENT OF LEASE FOR SHAHRAM SAEEDIAN AND BIJAN DADFARIN DBA BEVERLY HILLS MARKET. Comment: Staff recommends approval of the Memorandum of Lease and Amendment of Lease by and between the City of Beverly Hills and Shahram Saeedian and Bijan Dadfarin DBA Beverly Hills Market.

**ITEM F-10: APPROVED AG#475-08 (MOL); AG#481-08**

11. APPROPRIATION OF \$10,000 FROM THE GENERAL FUND TO THE LAW ENFORCEMENT GRANT FUND TO FUND OVERTIME EXPENDITURES RELATED TO THE ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE PROGRAM. Comment: The United States Drug Enforcement Administration has agreed to reimburse the City for overtime expenditures related to task force operations.

**ITEM F-11: APPROVED**

12. APPROPRIATION OF \$8,400 FROM THE GENERAL FUND TO THE LAW ENFORCEMENT GRANT FUND TO PURCHASE BALLISTIC VESTS. Comment: The FY 2008 Bulletproof Vest Partnership program will reimburse the City for 50% of the costs associated with purchasing ballistic vests.

**ITEM F-12: APPROVED**

13. THE AGREEMENT WITH MDA JOHNSON FAVARO FOR CONSULTING DESIGN SERVICES RELATED TO PUBLIC LIBRARY RENOVATION FEASIBILITY STUDY; AND, APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$157,500 TO MDA JOHNSON FAVARO FOR THESE SERVICES. Comment: This agreement is to provide the architectural services in the amount of \$147,500 and a contingency of \$10,000 as part of the approved FY 08-09 Capital Improvement Program budget for the future renovation of the Public Library.

**ITEM F-13: APPROVED AG#476-08**

14. AMENDMENT NO. 1 TO AN AGREEMENT WITH ANNE BROWNING MCINTOSH FOR COMMUNITY DEVELOPMENT SERVICES. Comment: This amendment continues the services of Ms. Browning-McIntosh as Interim Director of Community Development during the search for a new Director.

**ITEM F-14: APPROVED AG#477-08**

15. VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN: ITEM A AMENDMENT NO. 2 TO THE AGREEMENT WITH LIEBERT CASSIDY WHITMORE, A PROFESSIONAL CORPORATION, FOR EMPLOYEE RELATIONS AND NEGOTIATION SERVICES; AND,

APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$430,000 TO THE PURCHASE ORDER FOR A TOTAL OF NOT- TO-EXCEED AMOUNT OF \$480,000. Comment: Amendment No. 2 is to provide an annual not to exceed amount to the contract. This amendment changes the consideration from the life of the contract to an annual not to exceed amount.

**ITEM F-15A: APPROVED AG#478-08**

ITEM B A PURCHASE ORDER TO ROUND 2 COMMUNICATIONS, LLC FOR PURCHASING AND PLACING ADVERTISEMENT TO MARKET THE HOLIDAY PROGRAM AND LIGHTING CEREMONY FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$108,478. Comment: This item seeks approval of a purchase order in the amount of \$108,478 with Round 2 communications for purchase and placement of holiday advertising in a variety of regional media, throughout the holiday season.

**ITEM F-15B: APPROVED**

Vote on Consent Agenda:

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

Noes: None

Absent: Vice Mayor Fenton

CARRIED

**G. COMMISSION SYNOPSIS**

- 1. HEALTH AND SAFETY COMMISSION - special meeting of August 4, 2008.
- DESIGN REVIEW COMMISSION - regular meeting of September 4, 2008.
- PLANNING COMMISSION - special meeting of September 18, 2008.
- HEALTH AND SAFETY COMMISSION - regular meeting of September 22, 2008.
- PLANNING COMMISSION - regular meeting of September 25, 2008.
- DESIGN REVIEW COMMISSION - regular meeting of October 2, 2008.
- FINE ART COMMISSION - regular meeting of October 16, 2008.
- PLANNING COMMISSION - special meeting of October 16, 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 11:11 p.m.

PASSED, Approved and Adopted  
this 16th day of December, 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 BHTV10 Time Warner Cable.**