



**CITY OF BEVERLY HILLS
CITY COUNCIL
REGULAR MEETING
February 17, 2009**

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

PLEGDE OF ALLEGIANCE

A. ROLL CALL

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

MOMENT OF SILENCE in honor of Battalion Fire Chief Edward LaFouge

Mayor Brucker observed a moment of silence in honor of the passing of Chief LaFouge and, on behalf of the City Council, expressed sympathy to Chief LaFouge's family and his fellow fire fighters who have worked so closely with him for decades.

Fire Chief Tim Scranton thanked the Council, City staff and all members of the Fire Department for all their support during this difficult time.

1. PRESENTATION - 2008 Architectural Commission Design Awards

Mayor Brucker spoke about the history of the Architectural Design Awards and mentioned the names of the Commissioner's who participated in the 2008 award selection. Architectural Commission Chair Fran Cohen, along with the Commissioners, presented this year's awards to:

1. Luau Restaurant
2. Mercedes Benz Service Center
3. Burberry
4. Officine Panerai, Jaeger-LeCoultre & IWC Schaffhausen
5. Beverly West Sales Center

PRESENTATION

Mayor Brucker presented retiring Planning Commissioner Kathy Reims with a proclamation and personalized street sign in honor of her dedicated years of service to the City of Beverly Hills.

Ms. Reims provided thank you remarks and the entire City Council provided individual comments regarding Ms. Reims' exceptional commitment.

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. Herm Schulz, President of Concern for Tenants Rights of Beverly Hills, said hello to the City Council and members of the audience.

2. Rachel Feinberg, President of Teen BHEF, mentioned the group is hosting a City Council candidate forum tomorrow at 5:00pm, and invited the community to attend.

2. Alma Ordaz spoke about her experiences as a poll watcher during the November election and the upcoming Municipal Election on March 3.

3. Jordan Walder, resident on the 300 block of Alpine Drive, stated he is appealing a recent decision rendered by the Traffic & Parking Commission.

Council suggested scheduling a Traffic and Parking Liaison meeting with Mr. Walder to review this matter.

4. Eliot Finkel, City Treasurer, spoke about anticipated budget shortfalls.

3. REPORT FROM THE CITY MANAGER

City Manager Wood spoke about the uncertainty the City is facing with the financial condition of the country and informed the Council he will not seek the annual performance compensation or COLA for this year.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

- Showcase Beverly Hills:

*** Woofstock 90210**

*** Report from Councilmember Briskman on annual legislative trip to Washington D.C.**

Mayor Brucker spoke about an upcoming event called "Woofstock 90210" devoted to canine friends on Sunday, March 15, 2009 at Roxbury Park (to be known as Wiggley Field on this day).

Councilmember Briskman reported on her trip last week to Washington DC for the City's annual legislative visit which is an initiative that has returned a significant amount of benefit to the City. Mrs. Briskman mentioned three areas of discussion involved homeland security and public safety issue, stimulus package, and transportation.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

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

- 1. ORDINANCE OF THE CITY OF BEVERLY HILLS REGARDING THE APPLICABILITY OF PARKING AND LOADING STANDARDS TO CERTAIN NONCONFORMING COMMERCIAL STRUCTURES IN THE C-3T-2 ZONE ON OLYMPIC BOULEVARD BETWEEN REXFORD DRIVE AND ROBERTSON BOULEVARD. For Introduction.** Comment: The ordinance addresses changes of use in 12,000+ sq. ft. nonconforming along Olympic Boulevard. Such projects are required to meet current parking & loading standards or obtain Planning Commission approval where the standards can't be met.

The notice of this hearing was published as required by law and an affidavit to this effect is on file with the City Clerk.

The records and files of the Community Development Department and the report of the Principal Planner concerning this matter shall be entered into the record.

Principal Planner Larry Sakurai provided a PowerPoint presentation and oral report. Mr. Sakurai spoke about the background of this hearing item, the standards imposed in the ordinance, and the properties potentially affected by the ordinance.

Speaking:

1. Morton Minikes, attorney representing the owners of property at 9000, 9001 and 9031 West Olympic Boulevard, spoke about his concerns with the proposed ordinance.

At the request of Mayor Brucker, City Attorney Wiener and staff responded to questions raised by the speaker.

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

There were no further questions or comments of Councilmembers.

Following discussion, it was the consensus of the Council to move forward with the approval of this ordinance.

MOVED by Councilmember Briskman, seconded by Councilmember Delshad to waive full reading of Ordinance D-1 and advance to the meeting of March 25, 2009 for adoption as follows:

ORDINANCE OF THE CITY OF BEVERLY HILLS REGARDING THE APPLICABILITY OF PARKING AND LOADING STANDARDS TO CERTAIN NONCONFORMING COMMERCIAL STRUCTURES IN THE C-3T-2 ZONE ON OLYMPIC BOULEVARD BETWEEN REXFORD DRIVE AND ROBERTSON BOULEVARD.

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

Noes: None

CARRIED

ITEM D-1: WAIVE FULL READING AND ADVANCE TO THE MEETING OF MARCH 25, 2009 FOR ADOPTION

E. CONTINUED AND NEW BUSINESS

1. **RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS EXPRESSING OPPOSITION TO MEASURE P.** Comment: Due to the economic downturn since Measure P was placed on the March 3, 2009 ballot, the Council has requested a resolution to oppose Measure P.

Deputy City Manager Cheryl Friedling explained this item provides the Council an opportunity to go on the record this evening and state their preferences regarding Measure P.

Speaking:

1. Rudy Cole questioned the Council considering reversing a decision they made and urged them not to take a position on this issue this evening.
2. Dan Walsh, CEO of the Chamber of Commerce and speaking on behalf of its members, spoke in support of opposition to Measure P.

Following comments, it was noted that each of the Councilmembers had already publicly stated their position on Measure P following the change in the economy and now do not see the merit in voting on this resolution. There was no motion to approve the resolution.

ITEM E-1: NO MOTION TO APPROVE THE RESOLUTION

- 2A. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AUTHORIZING EXECUTION OF A QUITCLAIM DEED TO THE CITY OF BEVERLY HILLS PUBLIC FINANCING AUTHORITY FOR THE PROPERTY LOCATED AT 331 FOOTHILL ROAD; AND,** Comment: The Public Financing Authority is entering into a commercial real estate transaction with City National Bank to secure funding for the construction of an office building at 331 Foothill Road. To accomplish this, the City is transferring through a quitclaim deed the property (i.e. 331 Foothill Road) to the Public Financing Authority. At the end of the loan the Public Financing Authority will deed the property back to the City.

Chief Financial Officer Scott Miller noted this is Phase II of the financing the City Council had approved for this building. Mr. Miller explained the City Council will be deeding the property, which the City of Beverly Hills owns, to the Public Financing Authority (who will then own it) and the City will be leasing the property (as a Master Lease from the Public Financing Authority) for the City to be able to use it and sublease, through its Property and Real Estate division.

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

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
AUTHORIZING EXECUTION OF A QUITCLAIM DEED TO THE CITY OF
BEVERLY HILLS PUBLIC FINANCING AUTHORITY FOR THE
PROPERTY LOCATED AT 331 FOOTHILL ROAD.

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

Carried

ITEM E-2A: ADOPTED RES#09-R-12657

- 2B. APPROVAL OF A MASTER LEASE BETWEEN THE CITY OF BEVERLY HILLS AS TENANT AND THE CITY OF BEVERLY HILLS PUBLIC FINANCING AUTHORITY AS LANDLORD FOR PROPERTY LOCATED AT 331 FOOTHILL ROAD.** Comment: Staff recommends approval of this Lease between the Finance Authority and the City. This Lease is contemplated by the City National Bank permanent loan commitment to the Finance Authority for the Foothill building. This Lease requires the City to pay rent in an amount sufficient to pay the debt service on that loan, as well as ownership/operating costs of the Finance Authority for the property. (The Lease will be subordinated to the deed of trust securing the CNB loan such that the lease would terminate if the deed of trust were ever foreclosed by CNB due to a default by the Finance Authority.)

MOVED by COUNCILMEMBER DELSHAD, SECONDED BY VICE MAYOR FENTON TO APPROVE THE MASTER LEASE BETWEEN THE CITY OF BEVERLY HILLS AS TENANT AND THE CITY OF BEVERLY HILLS PUBLIC FINANCING AUTHORITY AS LANDLORD FOR PROPERTY LOCATED AT 331 FOOTHILL ROAD.

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

Carried

ITEM E-2B: APPROVED AG#52-09

RECESS CITY COUNCIL MEETING

**CONVENE SPECIAL PUBLIC FINANCING AUTHORITY MEETING
(SEE PUBLIC FINANCING AUTHORITY MEETING AGENDA)**

RECONVENE CITY COUNCIL MEETING

Mayor Brucker recessed the meeting at 8:58pm to convene the Public Financing Authority meeting. Mayor Brucker reconvened the Council meeting at 9:02pm with all members present.

- 3. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE CITY TREASURER'S COMPENSATION AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Introduction.** Comment: Adoption of this ordinance would increase the City Treasurer's compensation from \$1.00 to \$200.00 annually.

Director of Administrative Services/CFO Scott Miller noted the staff report is correct but there was a typo in the agenda and the compensation should be \$200 monthly not annually.

MOVED by Councilmember Briskman, seconded by Councilmember Delshad to waive full reading of Ordinance E-3 and advance to the meeting of March 25 for adoption as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE CITY TREASURER'S COMPENSATION AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE.

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

Noes: None

CARRIED

ITEM E-3: WAIVE FULL READING AND ADVANCE TO THE MEETING OF MARCH 25, 2009 FOR ADOPTION

F. CONSENT CALENDAR

Moved by Councilmember Delshad, seconded by Councilmember Krasne to remove Items F-7, F-11 and F-17 from the consent agenda, remove Items F-5, F-8, F-12, F-19, F-22A and F-22B for clarification and return to the consent agenda; 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 January 22, 2009.***
- 2. CONSIDERATION OF THE MINUTES of the regular meeting of February 3, 2009.***

Demands Paid

- 3. REVIEW OF BUDGETED DEMANDS PAID, report dated January 28 -February 5, 2009.***
- 4. PAYROLL DISBURSEMENT REPORT dated February 17, 2009.***

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

5. **AN AGREEMENT WITH THE CITY OF HAWAIIAN GARDENS, REGARDING THE EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG) FOR THE FISCAL YEAR 2008-2009.** Comment: This agreement allows an exchange of \$93,029 of the general funds of Hawaiian Gardens for \$169,143 unexpended CDBG funds from the City of Beverly Hills.

In response to Councilmember Krasne's question, City consultant Michael Neal explained that this is federal grant money and, if exchanged, the funds are not subject to recapture.

ITEM F-5: ADOPTED RES#09-R-12658 AG#53-09

6. **ADOPTING THE BEVERLY HILLS SUSTAINABLE CITY PLAN AS A MEANS OF ADDRESSING CITY ACTIONS REGARDING SUSTAINABILITY.** Comment: The Sustainable City Plan is a framework of goals, objectives and policies advancing the City toward sustainability.

ITEM F-6: ADOPTED RES#09-R-12659

7. **AWARDING A CONTRACT TO TOWER GENERAL CONTRACTORS, INC. FOR THE CITY HALL SECOND FLOOR / THIRD FLOOR REMODEL AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND, APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$2,999,000 TO TOWER GENERAL CONTRACTORS, INC. FOR THE CONTRACT WORK.** Comment: Provides for the contract work to remodel the second and third floors of City Hall as part of the approved fiscal year 08-09 Capital Improvement Program budget. The first and second lowest bidders failed to provide evidence of at least three completed projects that meet the minimum dollar value specified in the bid documents for Specific Qualifications, and are therefore non-responsive and rejected. The bid submitted by Tower General Contractors, Inc. was fully responsive to the bid requirements.

ITEM F-7: REMOVED FROM AGENDA

8. **ADJUSTING THE PARKING CITATION CHARGES FOR FISCAL YEAR 2008/2009.** Comment: This rate adjustment is in direct response to Senate bill 1407, enacted in January of 2009, in which the state assessed a fee of \$3.00 per paid parking citation to support associated bonds for the Superior Court of California. Staff is proposing adjustment of all parking citations to mitigate the impact of these fees.

It was noted that the City was just assessed an additional fee for court costs which is passed on to the new rates.

ITEM F-8: ADOPTED RES#09-R-12660

APPROVAL OF:

9. **AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, SOUTH WEST PUMP & DRILLING, INC. FOR THE DRILLING AND TESTING OF A TEST HOLE FOR THE CITY OF BEVERLY HILLS WITHIN THE CITY OF WEST HOLLYWOOD, CALIFORNIA IN THE AMOUNT OF \$258,283; APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFOR; AND, APPROVAL OF THE ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$288,283 TO SOUTH WEST PUMP & DRILLING, INC. FOR THE PROJECT.** Comment: Award a contract to South West Pump & Drilling, Inc. for drilling a test hole at City's Robertson Yard for groundwater supply in the Hollywood Basin.

ITEM F-9: APPROVED AG#54-09

10. **AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, UNITED STORM WATER, INC., FOR THE INSTALLATION OF DEBRIS SCREEN DEVICES AT STORM WATER CATCH BASINS WITHIN THE CITY OF BEVERLY HILLS, CALIFORNIA IN THE AMOUNT OF \$92,680; APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFOR; AND, APPROVAL OF THE ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$117,680 TO UNITED STORM WATER, INC. FOR THE PROJECT.** Comment: Awarding a contract to United Storm Water Inc. for the installation of Screen Debris Devices at storm drain catch basins at various locations within the City of Beverly Hills.

ITEM F-10: APPROVED AG#55-09

11. **THE AWARD OF A CONTRACT TO AVI-CON, INC. DBA CA CONSTRUCTION FOR THE PUBLIC WORKS FACILITY FIRST FLOOR REMODEL; APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFOR; AND, APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$847,000 TO AVI-CON, INC. DBA CA CONSTRUCTION FOR THE CONTRACT WORK.** Comment: Provides for the contract work to address the addition of the parking enforcement operations from City Hall to the Public Works Facility, additional locker room facilities and operational changes due to the City acquisition of the Water Treatment Plant as part of the approved fiscal year 08-09 Capital Improvement Program budget.

ITEM F-11: REMOVED FROM AGENDA

12. **TO ISSUE A PURCHASE ORDER TO ONE SOURCE FACILITIES GROUP, LLC IN THE AMOUNT OF \$231,398 FOR OFFICE FURNITURE AND HIGH DENSITY STORAGE FOR THE POLICE FACILITY AND EMERGENCY OPERATIONS CENTER REMODEL AND EXPANSION.** Comment: Provides for the purchase of staff workstation furniture and high density storage units, in the amount of \$210,398 and a contingency of \$21,000 for the Police Department's Property and Evidence storage in connection with the Emergency Operations Center expansion and Police Facility Remodel as part of the approved fiscal year 08-09 Capital Improvement Program budget.

In response to Councilmember Krasne's question, City Manager Wood confirmed this is essential to outfit the EOC.

ITEM F-12: APPROVED

13. **SECOND AMENDMENT TO LEASE AND MEMORANDUM OF SECOND AMENDMENT TO LEASE WITH FORWARD BEVERLY HILLS, INC. A CALIFORNIA CORPORATION DOING BUSINESS AS KELLER WILLIAMS REALTY ("TENANT").** Comment: A Second Amendment to Lease and Memorandum of Second Lease has been prepared for City Council's approval. This Second Amendment defers base rent and common area maintenance charges for the months of December 2008 and January 2009 to the end of the lease term and extends the lease term from April 17, 2010 to June 17, 2010.

ITEM F-13: APPROVED AG#56-09; MEMORANDUM OF SECOND AMENDMENT TO LEASE AG#57-09

14. **SECOND AMENDMENT TO LEASE AND MEMORANDUM OF LEASE WITH ALLAN BROOKS, DBA AL'S NEWSSTAND.** Comment: A Second Amendment to Lease and a Memorandum of Lease has been prepared for City Council's approval. This Second Amendment extends the lease term of the lease by five (5) years with a new expiration date of March 31, 2014.

ITEM F-14: APPROVED AG#58-09; MEMORANDUM OF LEASE AG#59-09

15. **TERMINATION OF LEASE AND TERMINATION OF MEMORANDUM OF LEASE BY AND BETWEEN CITY OF BEVERLY HILLS, A MUNICIPAL CORPORATION AND AUTO GALLERY MOTOR CARS - BEVERLY HILLS, LLC, A DELAWARE LIMITED LIABILITY COMPANY.** Comment: A Termination of Lease and Termination of Memorandum of Lease has been prepared for City Council's approval. This agreement terminates the Lease between the City and Auto Gallery Motor Cars - Beverly Hills, for leased premises at 447 N. Canon Drive. The City previously entered into a lease with Auto Gallery Motor Cars for the City owned location, however due to economic and financial concerns the Tenant is not able to commence the lease terms as agreed.

ITEM F-15: APPROVED AG#60-09

16. **AMENDMENT NO. 2 TO THE AGREEMENT WITH WHITIN DESIGN WORKS FOR CONSULTING DESIGN SERVICES RELATED TO GREYSTONE PARK; AND, APPROVAL OF A CHANGE PURCHASE ORDER IN THE AMOUNT OF \$288,263 TO WHITIN DESIGN WORKS FOR THESE SERVICES.** Comment: This amendment provides for Phase III project implementation consultant services including preparation of plans and specifications and construction administration for site improvements at Greystone Park in the amount of \$266,263 and \$22,000 for reimbursable expenses and design contingency as part of the approved FY 08-09 Capital Improvement Program budget. The total amount of this agreement including the amendments is \$468,918.

ITEM F-16: APPROVED AG#61-09

17. **AMENDMENT NO. 4 TO AN AGREEMENT WITH THE BEVERLY HILLS CHAMBER OF COMMERCE AND CIVIC ASSOCIATION FOR THE CHAMBER'S CONFERENCE AND VISITORS BUREAU; AND, AUTHORIZATION OF A PURCHASE ORDER IN THE AMOUNT OF \$194,828 FOR VISITOR ATTRACTION AND MARKETING PROGRAMS.** Comment: This item requests approval of Amendment #4 to an agreement with the Beverly Hills Chamber of Commerce, Conference and Visitors Bureau in the amount of \$194,828 for reimbursements and programming requested by the City including: Sister City related China expenses, 2008 Holiday program, and inclusion of a local marketing effort.

ITEM F-17: REMOVED FROM AGENDA

18. **AGREEMENT WITH ATB SERVICES COMPANY, LLC, FOR CONSULTING SERVICES TO MANAGE AND ADMINISTER CITY'S FALSE ALARM ORDINANCE.** Comment: It is recommended that the agreement with ATB Services, LLC be accepted and authorization be given for the implementation of the Police and Fire Department false alarm billing program.

ITEM F-18: APPROVED AG#62-09

19. **AMENDMENT NO. 1 TO THE AGREEMENT WITH I.P.S. GROUP, INC. TO PROVIDE FLEXIPAY SINGLE-SPACE PARKING METERS; AND, APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$1,326,325 TO I.P.S. GROUP, INC. FOR A TOTAL NOT TO EXCEED AMOUNT OF \$1,375,700 FOR THIS PURCHASE.** Comment: This amendment executes the next phase of the single-space, credit card, parking meter acquisition and deployment in an amount not to exceed \$1,860,000 and approval of a purchase order for the first years capital and operating expenses in an amount not to exceed \$1,375,700.

Director of Parking Operations Chad Lynn clarified questions raised by Councilmember Krasne.

ITEM F-19: APPROVED AG#63-09

20. **AMENDMENT NO. 1 TO AN AGREEMENT WITH WOODRUFF, SPRADLIN & SMART FOR SPECIAL COUNSEL SERVICES FOR TORT CLAIMS LITIGATION.** Comment: Woodruff, Spradlin and Smart provides litigation services to the City in connection with cases involving the police department. This amendment would increase the hourly rate for attorney services to \$175 per hour.

ITEM F-20: APPROVED AG#64-09

21. **APPROPRIATION OF FUNDS IN THE AMOUNT OF \$25,000 FOR FINAL SUBDIVISION MAP REVIEW SERVICES ON AN ON-CALL BASIS & SUBSEQUENT APPROVAL OF AN AGREEMENT WITH RKA CONSULTING GROUP UTILIZING THESE FUNDS.** Comment: This agreement is for consultant services to provide on-call map checking services for the subdivisions within the City of Beverly Hills. The cost will be reimbursed by applicant.

ITEM F-21: APPROVED AG#65-09

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

ITEM A A PURCHASE ORDER TO CREATIVE BUS SALES, INC. FOR THE PURCHASE OF FIVE 20-PASSENGER CUTAWAY BUSES FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$340,255.30. Comment:

Provides for the purchase of five 20-passenger Cutaway Buses for the Department of Public Works and Transportation Dial-A-Ride Program in the not-to-exceed amount of \$340,255.30 from Prop "A" grant funding.

Maintenance Operations Manager Fred Simonson provided clarification to a questions raised by Council.

ITEM F-22A: APPROVED

ITEM B AMENDMENT NO. 1 TO THE AGREEMENT WITH ENVIRON INTERNATIONAL CORPORATION, FOR AIR MONITORING CONSULTING SERVICES FOR DEVELOPMENT PROJECTS LOCATED AT 9876 AND 9900 WILSHIRE BOULEVARD; AND,

APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$5,000 TO THE PURCHASE ORDER FOR A TOTAL OF NOT-TO-EXCEED AMOUNT OF \$55,000. Comment: Staff is requesting that existing cost of contract (\$50,000) be increased by \$5,000 to accommodate greater than anticipated use of the consultant services. The cost to perform these services is fully covered by the developers of the 9900 Wilshire project.

ITEM F-22B: APPROVED AG#66-09

ITEM C AMENDMENT NO. 4 TO AN AGREEMENT WITH CADOW SOFTWARE CONSULTING, INC. FOR SUPPORT SERVICES IN DEVELOPING AND MAINTAINING COGNOS IMPROMPTU WEB REPORTS.

Comment: Requests approval of amendment to modify agreement to provide ongoing support for development of financial, payroll, human resource, and various Cognos Impromptu web reports.

ITEM F-22C: APPROVED AG#67-09

ITEM D A PURCHASE ORDER TO JAM SERVICES, INC. FOR THE PURCHASE OF 550 COUNTDOWN LIGHT EMITTING DIODE (LED) SIGNAL MODULES FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$109,549. Comment:

Provides for the purchase of 550 Countdown Traffic Pedestrian Signal Modules to be used for the LED replacement program city wide and to upgrade the current modules for pedestrian safety.

ITEM F-22D: APPROVED

ITEM E AGREEMENT WITH THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT FOR THE PROVISION OF INFORMATION TECHNOLOGY CONSULTING SERVICES. Comment: The Information Technology Department for the City of Beverly Hills will provide the Beverly Hills Unified School District with network administration services on an hourly basis not to exceed \$250,000 per year. The three year contract is cost-neutral and the District is paying the City's cost for providing the services.

ITEM F-22E: APPROVED AG#68-09

23. **REJECTION OF ALL BIDS FOR CONTRACT WORK PERTAINING TO THE REMODEL OF FIRE STATION NO. 1 IMPROVEMENTS & REMODEL PROJECT.** Comment: Recommends rejection of all bids due to the apparent low bidder exceeding the project budget in consideration of the alternate bids, and authorize the rebidding of the work.

ITEM F-23: APPROVED

24. **ACCEPTANCE OF THE CONTRACT WORK FOR RECONSTRUCTION OF FRED HAYMAN PLACE (DAYTON TO RODEO) USING DECORATIVE STAMPED CONCRETE ("PROJECT") BY GRIFFITH COMPANY, IN THE FINAL AMOUNT OF \$105,052.29 AND AUTHORIZATION OF CITY CLERK TO RECORD NOTICE OF COMPLETION.** Comment: Requests acceptance of the reconstruction of Fred Hayman Place with decorative paved concrete.

ITEM F-24: APPROVED

25. **AN AGREEMENT WITH TANK SPECIALISTS, INC. DBA TANK SPECIALISTS OF CALIFORNIA FOR UPGRADES ON TWO UNDERGROUND GASOLINE STORAGE TANKS AND GASOLINE FUEL DISPENSERS AT THE CENTRAL FUEL FACILITY; AND, APPROVAL OF A PURCHASE ORDER IN THE NOT TO EXCEED AMOUNT OF \$56,265 TO TANK SPECIALISTS, INC DBA TANK SPECIALISTS OF CALIFORNIA FOR THE SERVICES.** Comment: This agreement and purchase is for an upgrade to the Enhanced Vapor Recovery (EVR I & II) systems of the gasoline dispensers at the City's Central Fueling Facility in compliance with the California Air Resources Board and South Coast Air Quality Management District mandates, for a not-to-exceed amount of \$56,265 including contingency of \$5,000.

ITEM F-25: APPROVED AG#69-09

Vote on consent calendar:

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

Carried

G. COMMISSION SYNOPSIS

1. **HEALTH AND SAFETY COMMISSION - regular meeting of December 15, 2008.**
PUBLIC WORKS COMMISSION - regular meeting of January 8, 2009.

Original, signed minutes are on file with 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 9:45pm to the Closed Session for the items listed on the Closed Session agenda.

PASSED, Approved and Adopted
this 7th day of April, 2009.



BYRON POPE, City Clerk

NANCY KRASNE, MAYOR

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