



**CITY OF BEVERLY HILLS
REGULAR MEETING
CITY COUNCIL**

April 21, 2009

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

PLEDGE OF ALLEGIANCE

A. ROLL CALL

Present: Councilmember Mirisch, Councilmember Brien, Councilmember Brucker, and Mayor Krasne
Absent: Vice Mayor Delshad

B. PRESENTATIONS

1. **PROCLAMATION** - Recognition of May 28, 2009 as the 25th Youth in Government Day.

Mayor Krasne invited the entire Council to assist her in presenting a proclamation to the 25th Annual Youth In Government Day participants.

2. **CERTIFICATE OF APPOINTMENT** - Planning Commission - Craig Corman

Mayor Krasne presented Craig Corman with a Certificate of Appointment and City pin in recognition of his recent Planning Commission appointment.

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. Ron Durgin spoke about the benefits of bicycle commuting and requested the Council's support of a proclamation recognizing a "Bike to Work Week" program for the 3rd week of May 2009.

2. Jennifer Klausner, Executive Director of Los Angeles County Bicycle Coalition, mentioned "Bike to Work Month/Week/Day", and further encouraged the City Council to support the program this year in May.

3. Mike Madani, representing the Los Angeles Taxicab Driver's Union, spoke about the taxicab union franchise system, and encouraged the City to support the drivers in replacing the current franchise system with a new medallion system.

4. Jozsef Udvarhelyi requested assistance with a red light camera ticket at the intersection of Wilshire Boulevard and Whittier Drive.

5. Frances Shloss presented the City Council with homemade cookies, and spoke about how Beverly Hills is marketing itself.

6. Thomas White, speaking on behalf of the Municipal League, spoke about revenue generation, and asked for the Council to consider the creation of a Citizens Commission to monitor the use of public funds.

3. **REPORT FROM THE CITY MANAGER**

- U.S. Census: Preparing for the 2010 Census - City Planner, Jonathan Lait

City Planner Jonathan Lait introduced the US Census Bureau global office representative Myron Thomas who provided an overview on the upcoming 2010 Census, commencing April 2010.

4. **CITY COUNCILMEMBER AND COMMITTEE REPORTS**

- Showcase Beverly Hills:
- Playboy Jazz Festival and Celebrate Your Heritage Week

Councilmember Brucker announced the Heritage Week Celebration (May 10 -17) in Beverly Hills. Mayor Krasne invited Recreation & Parks Commissioner Jill Tavelman Collins and Human Relations Commissioner Ilona Sherman to provide additional comments.

Councilmember Mirisch announced the upcoming kickoff Playboy Jazz Festival concert in Beverly Hills on Sunday, May 3, 2009.

Councilmember Brucker announced the passing of long-time resident Betty Wilson last evening, and on behalf of the City Council, sent condolences to the family.

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 AMENDING SECTIONS 10-3-2450, 10-3-2451, 10-3-2455, AND 10-3-3601 OF THE MUNICIPAL CODE OF THE CITY OF BEVERLY HILLS REGARDING THE TRANSFER OF DISCRETIONARY REVIEW AUTHORITY OF SPECIFIC TYPES OF APPLICATIONS AND PERMITS IN THE SINGLE-FAMILY RESIDENTIAL ZONES IN THE CENTRAL AREA OF THE CITY. For Introduction.** Comment: Transfers discretionary review authority on Minor Accommodations for front yard paving and Central R-1 Permits for garage entrance requirements, architectural projections, window heights, and roof eave encroachments in the Central Area of the City from the Planning Commission to the Design Review Commission.

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 Acting Director of Community Development concerning this matter shall be entered into the record.

City Planner Jonathan Lait presented the staff report. Mr. Lait pointed out there are no changes to any of the findings or development standards that exist within the code today, and the only substantive change to the zoning code as a result of this ordinance is the transfer of review authority.

Speaking:

1. Rose Norton wanted to know the definition of "minor accommodation" for this proposed ordinance and made suggestions regarding notification of surrounding neighbors.
2. Judy Okun spoke about a code violation and the need for neighbors to have the ability to address violations that take place.

MOVED by Councilmember Brien, seconded by Councilmember Brucker to continue the matter to the meeting of May 13, 2009 to include input from the Chairs of the Planning and Design Review Commissions.

ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING SECTIONS 10-3-2450, 10-3-2451, 10-3-2455, AND 10-3-3601 OF THE MUNICIPAL CODE OF THE CITY OF BEVERLY HILLS REGARDING THE TRANSFER OF DISCRETIONARY REVIEW AUTHORITY OF SPECIFIC TYPES OF APPLICATIONS AND PERMITS IN THE SINGLE-FAMILY RESIDENTIAL ZONES IN THE CENTRAL AREA OF THE CITY.

Ayes: Councilmember Mirisch, Councilmember Brien, Councilmember Brucker, and Mayor Krasne
Noes: None
Absent: Vice Mayor Delshad

CARRIED

ITEM D-1: MATTER CONTINUED TO THE MEETING OF MAY 13, 2009

RECESS CITY COUNCIL MEETING

Mayor Krasne recessed the City Council Meeting and opened the Special Parking Authority Meeting at 8:55pm.

***CONVENE SPECIAL PARKING AUTHORITY MEETING
(SEE PARKING AUTHORITY MEETING AGENDA)***

RECONVENE CITY COUNCIL MEETING

The Mayor reconvened the City Council meeting at 9:00pm with four Councilmembers present (Vice Mayor Delshad absent)

E. CONTINUED AND NEW BUSINESS

- 1. SECOND AMENDMENT TO RECIPROCAL EASEMENTS AND OPERATIONS AGREEMENT (REOA).** Comment: This second amendment to the REOA between the City of Beverly Hills, the Beverly Hills Parking Authority and Beverly Hills Luxury Hotel (Montage) would establish easements in the enclosed portion of the alley beneath the hotel for light fixtures and utility lines attached to the walls and ceiling; and for an overhead gate at the alley exit. This amendment would also correct two typographical errors regarding reference numbers in the first amendment.

Deputy City Manager David Lightner noted this is the same item addressed at the Parking Authority meeting.

MOVED by Councilmember Brucker, seconded by Councilmember Brien to approve Item E-1 as follows:

SECOND AMENDMENT TO RECIPROCAL EASEMENTS AND OPERATIONS AGREEMENT (REOA).

Ayes: Councilmember Mirisch, Councilmember Brien, Councilmember Brucker, and Mayor Krasne
Noes: None
Absent: Vice Mayor Delshad

CARRIED

ITEM E-1: APPROVED AG#161-09

F. CONSENT CALENDAR

MOVED by Councilmember Brien, seconded by Mayor 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 March 25, 2009.**
2. **CONSIDERATION OF THE MINUTES of the adjourned regular meeting of March 31, 2009.**

Demands Paid

3. **REVIEW OF BUDGETED DEMANDS PAID, report dated April 2 - 9, 2009.**
4. **PAYROLL DISBURSEMENT REPORT, report dated April 21, 2009.**
5. **2008-09 3RD QUARTER PURCHASE ORDER REPORT**

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

6. **APPLYING FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM UNDER THE RECOVERY ACT.** Comment: Grant funds provided to the City under the Recovery Act will be used to fund computer forensic examination services on a contract basis.

ITEM F-6: ADOPTED RES#09-R-12668

APPROVAL OF:

7. **VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN:** ITEM A A CHANGE ORDER IN THE AMOUNT OF \$25,000 TO THE BLANKET PURCHASE ORDER TO HARRINGTON INDUSTRIAL PLASTICS, LLC TO PURCHASE VARIOUS PARTS FOR MAINTENANCE AND REPAIR OF THE CITY WATER SYSTEM IN A NOT-TO-EXCEED AMOUNT OF \$75,000. Comment: Approval of this change order in the amount of \$25,000 will allow staff to purchase more parts for the maintenance and repair of the City Water System.

ITEM F-7A: APPROVED

8. **ACCEPTANCE OF CONTRACT WORK FOR THE POLICE FACILITY ROOFING PROJECT BY EBERHARD IN THE FINAL CONTRACT AMOUNT OF \$433,385.** Comment: Requests acceptance of the contract work and authorizes the recording of the Notice of Completion with the County Recorder.

ITEM F-8: APPROVED

Vote on Consent Calendar:

Ayes: Councilmember Mirisch, Councilmember Brien, Councilmember Brucker, and Mayor Krasne
Noes: None
Absent: Vice Mayor Delshad

CARRIED

G. COMMISSION SYNOPSIS

1. HUMAN RELATIONS COMMISSION - regular meeting of March 19, 2009.
FINE ART COMMISSION - regular meeting of March 19, 2009.

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

H. OTHER BUSINESS

The Mayor adjourned the City Council Meeting at 9:05pm to the Study Session for the items remaining for discussion from this afternoon's meeting.

Item A-4

Beverly Canon Gardens - Proposed Wedding and Commitment Ceremony Permit Guidelines

Recreation Services Manager Brad Meyerowitz presented the staff report. Following Council questions and discussion, the consensus of the Council is to adopt the policy as proposed. The Council also asked for staff to report back in six months on the progress of the program. In addition, staff was directed to provide a report at the May 13, 2009 Study Session regarding the fee structure/proposal of the guidelines.

Item A-2
Budget Presentation - Police Department

Police Chief David Snowden made a PowerPoint presentation summarizing the impacts that are associated with a 10% (target of \$3.5 million) or 15% (target of \$5.2 million) General Fund budget reductions for the Police Department for fiscal year 2009-2010. Chief Snowden then made a proposal for \$2.3 or \$2.1 million cuts that would not affect core public safety programs.

Following discussion, the Council provided policy direction for staff to use in formulating the proposed budget, which includes: use of the glide plan to avoid sudden and dramatic reduction in services, avoid lay offs, use a very small amount of reserves, if at all, and pursue revenue enhancement opportunities.

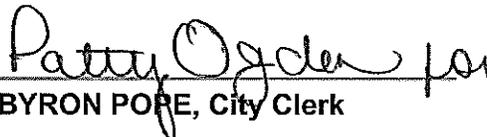
Item B-7
Project Status Updates: 331 Foothill Road, 9268 Third Street, 9400 Santa Monica Boulevard, Parcels 12 and 13

Assistant to the City Manager Daniel Cartagena responded to questions raised by Councilmember Mirisch regarding proposed use of these parcels.

I. ADJOURNMENT

There being no further business, Mayor Krasne, with the consent of the Council, adjourned the meeting at 10:30pm to the Closed Session for the items remaining on the agenda.

PASSED, Approved and Adopted
this 27th day of May, 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.