



**CITY OF BEVERLY HILLS
CITY COUNCIL
ADJOURNED REGULAR MEETING
May 13, 2009**

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

PLEGE OF ALLEGIANCE

A. ROLL CALL

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

B. PRESENTATIONS

- 1. PROCLAMATION - Montage Hotel, Beverly Hills**
- In honor of being awarded the LEED (Leadership in Energy and Environmental Design) Gold Certification.

Mayor Krasne, with the assistance of Councilmember Brucker, presented proclamations to Jay Newman, Athens Group/developer of the Montage Hotel, and Ali Kasikci, Managing Director of the Hotel, for being awarded the LEED gold certification for design and construction from the US Green Building Council.

- 2. PROCLAMATION - "Bike to Work" Month**

Mayor Krasne, with the assistance of Councilmember Brien, presented Ron Durgin with a proclamation proclaiming May 2009 to be Bike to Work Month in the City of Beverly Hills.

- 3. PROCLAMATION - National Travel and Tourism Week**

Mayor Krasne, with the assistance of Councilmember Mirisch, presented a proclamation to Kathy Smits, Executive Director of the Conference and Visitors Bureau, recognizing National Travel and Tourism Week.

4. PRESENTATION - Design Review Awards

Mayor Krasne, with the assistance of Vice Mayor Delshad and the Design Review Commissioners, presented the Design Review Awards to: Alisa Abecasis, Hamid Gabbay and Stefanos Polyzoides.

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. Arnold Siedel, spoke to the importance of CPR and saving lives.

2. Dr. Debra Judelson, resident cardiologist and Health and Safety Commissioner, urged the Council to consider continued funding for the CPR coordinator and maintenance of both CERT and CPR training.

3. Gloria Seiff commented on the merits of the City's CPR program and urged the Council to protect the program that has existed for the past 32 years and find a solution to retain the program.

4. Les Bronte spoke about the various aspects of the CPR program and the need to implement a program to require more people to be trained and opportunities for marketing the program.

5. Ben Waldow commented on the need and merits of the CPR program and how the boy scouts use the licensed program.

6. Linda Roberts encouraged the Council to find a way to keep the CPR Coordinator and mentioned how vital the program is to the community.

7. Alex Kay, CPR trainer, asked the Council to keep the program going and shared a life saving experience he had using CPR.

8. Pamela Meadow spoke in support of the CPR program.

9. Marty Geimer read comments urging the Council to preserve the CPR program. Mr. Geimer asked the Council to maintain funding of the office and training center.

10. Ray Flade mentioned the CERT classes he and his wife took and how this enabled him to save a man's life.

Mayor Krasne spoke about a personal experience with CPR.

10. Joe Hirt reported on the coyote population in the City and offered ways to handle the situation.

11. AJ Willmer, referring to Item D-2 on this evening's agenda, explained why he is requesting the Council remove any consideration of a youth sports fee.

12. Rudy Salinas, speaking on behalf of PATH, explained the role of PATH and shared the stats of the organization.

13. Alma Ordaz spoke in opposition to youth sport fees.

14. Larry Larson spoke about the City's budget and suggested hiring an outside consultant to assist with the preparation of the budget.

15. Linda Roberts requested the Council keep the Resource Officers at the schools.

3. *REPORT FROM THE CITY MANAGER*
- GIS Update - David Schirmer, Chief Information Officer

Assistant City Manager Katie Lichtig noted this item has been postponed.

At the request of the Council, Ms. Lichtig took a look at the evening's agenda and proposed the order of the items that need to be heard this evening.

4. *CITY COUNCILMEMBER AND COMMITTEE REPORTS - Showcase Beverly Hills: * Affaire In The Gardens*

No report this evening.

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. This matter is continued from the City Council Meeting on April 21, 2009.

Let the record show that the notice of this hearing was published as required by law.

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

City Planner Jonathan Lait presented the report on the matter noting this is a continuation from the April 21, 2009 public hearing concerning the transfer of minor design modifications from the Planning Commission to the Design Review Commission and streamlining the application review process. Mr. Lait noted there was a liaison meeting with the City Council, Planning Commission and Design Review Commission earlier this week where aspects of the ordinance had been clarified.

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

Mayor Krasne mentioned there had been confusion by some members of the community regarding this ordinance. The Mayor recognized Howard Szabo and Marilyn Weiss of the Design Review Commission and Nan Cole from the Planning Commission in attendance.

There were no questions or comments of Councilmembers.

MOVED by Councilmember Mirisch, seconded by Vice Mayor Delshad to waive full reading and advance Ordinance D-1 to the meeting of May 27, 2009 for adoption as follows:

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, Vice Mayor Delshad, and Mayor Krasne
Noes: None

CARRIED

ITEM D-1: WAIVE FULL READING AND ADVANCE TO THE MEETING OF MAY 27, 2009 FOR ADOPTION

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

2. **RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES AND CHARGES FOR THE FISCAL YEAR 2009/2010.** Comment: The proposed resolution will increase certain City taxes, user fees, and service charges for Fiscal Year 2009/2010. The majority of the fees and charges would be increased by a CPI. In some cases, fees are adjusted to reflect a change in service level or to obtain full cost-recovery. The new fees become effective for general fees on July 1, 2009, and for development fees on July 13, 2009.

Mayor Krasne stated she would like to remove the sports fee from Item D-2. Following a brief discussion, the City Attorney recommended, since this is a public hearing, to hear the public testimony on the fee schedule and then the Council can discuss the policy question of how to proceed.

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 Administrative Services Department/Finance and the report of the Director of Administrative Services/Chief Financial Officer concerning this matter shall be entered into the record.

Director of Administrative Services/CFO Scott Miller presented the staff report. Mr. Scott noted in accordance with the City's Municipal Code, the City's fees and charges are adjusted annually based upon the increase in the Consumer Price Index. Mr. Miller pointed out which sections will not be part of this evening's presentation and stated the Council could set aside the fee schedules for sports and approve everything else. Director Miller mentioned that the Beverly Canon Gardens fees and the Fire Inspection fees will be part of this presentation.

Speaking:

1. Niloufar E. Carnegie spoke as a single parent with a son in organized sports and asked that the Council consider not imposing the sport fee.
2. Jeff Pop spoke about AYSO's financial contribution to the City over the years.
3. Michael Kahn spoke as a non-resident and asked where the youth will be if they are not playing in youth sports and urged the Council not to move forward with this.
4. David Corwin, past President of Beverly Hills Little League, urged the council not to implement a usage fee. He spoke to the merits of youth sports and the impact a fee would have.
4. Mr. Kohan, speaking in opposition to fees, mentioned his children are involved in sports through AYSO and noted the fees would have to be passed on to the children.
5. Scott Karlan urged the Council not to interfere with this program and mentioned the affect it would have on the community.
6. Behnam Ghasseminejud, board member of AYSO and resident of Beverly Hills, mentioned the great benefit they provide to the City in keeping the children occupied.
7. Thomas Zaccaro, President of Beverly Hills Little League, voiced strong opposition to the fee proposal stating it would have a profound impact on the community and Little League in general.
8. Michael Karlin, board member of AYSO, provided additional information for the Council to consider and asked them to study the matter further.

Councilmember Mirisch read a letter into the record from Robert Pinzul writing in support of the City imposing a youth sport fee.

MOVED by Vice Mayor Delshad, seconded by Councilmember Mirisch to remove the youth sports organization fees from the current fee schedule and send the matter back to the liaison committee for discussion and come up with a structure for fees, on the assumption there will be a fee, and bring back a recommendation to the council at a future date. This portion of the public hearing on youth sport fees to be continued to the meeting of May 27, 2009.

Ayes: Councilmember Mirisch, Councilmember Brien, Councilmember Brucker, Vice Mayor Delshad, and Mayor Krasne

Noes: None

CARRIED

The Council considered the rest of the Citywide fees that are part of this item.

Steve Zoet, Assistant Director of Community Services/Recreation and Parks presented the Beverly Canon Gardens Wedding and Commitment Ceremony permit fees that the Council asked to be brought back from a previous discussion. It was noted that a discussion on the usage policy of the Gardens will be agendized for a future meeting.

MOVED by Councilmember Mirisch, seconded by Councilmember Brucker to remove the fees for the Beverly Canon Gardens and vote on it separately.

Ayes: Councilmember Mirisch, Councilmember Brien, Councilmember Brucker, and Vice Mayor Delshad

Noes: Mayor Krasne

CARRIED

MOVED by Councilmember Brucker, seconded by Vice Mayor Delshad to adopt Resolution D-2 with the exception of the fee structure suggested for the gardens at the Montage as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES AND
CHARGES FOR FISCAL YEAR 2009/2010.

Ayes: Councilmember Mirisch, Councilmember Brien, Councilmember Brucker, Vice Mayor Delshad, and Mayor Krasne

Noes: None

CARRIED

The Council discussed the fees for the gardens at the Montage and the consensus was to move forward based on what was recommended in the proposed schedule.

MOVED by Councilmember Brucker, seconded by Vice Mayor Delshad to adopt Resolution D-2 fees for the fees pertaining to the Beverly Canon Gardens as proposed in the schedule as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES AND
CHARGES FOR THE FISCAL YEAR 2009/2010.

Ayes: Councilmember Brien, Councilmember Brucker, Vice Mayor Delshad, and Mayor Krasne

Noes: Councilmember Mirisch

CARRIED

ITEM D-2: ADOPTED AS AMENDED RES#09-R-12669

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

3. **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 determine the parking rates for the Public Gardens Parking Facility located at the Montage, and will include discussions related to the current rates, potential free parking periods, and the overall health and direction of the Parking Enterprise Fund.

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

The records and files of the Public Works Department and the report of the Director of Parking Operations concerning this matter shall be entered into the record.

Director of Parking Operations Chad Lynn answered questions about the Parking Enterprise Fund that were previously raised. Staff was asked to place, for discussion on a future agenda, the possibility to extend meter parking hours in the evenings and weekends as a way to generate additional revenue.

Mr. Lynn provided a PowerPoint presentation that outlined the value of parking rates, the deficit, the Public Gardens facility and the underutilized parking at this facility. He stated staff recommends adjusting transient parking rates at the Public Gardens parking facility at the Montage to one-hour free parking, with the provision of a sunset date of February 2010 and Council direction to request the Traffic and Parking Commission liaisons to work with staff to evaluate additional revenue enhancements.

Speaking:

1. Syrus Rasmi, business owner in the 100 block of Beverly Drive, spoke about how the construction of the Montage Hotel and now the William Morris building has affected his business and stated his support of two hour free parking to support the businesses in the area.
2. Larry Larson handed out projections on the parking for the Montage Hotel and suggested the Council reinstate two hour free parking here.
3. Ruth Kraft stated she has encountered problems parking in Beverly Hills and supports two-hour free parking at this facility.
4. Steven Rich, California Pizza Kitchen, stated complaints are received from customers regarding the lack of parking and urged the Council to institute two-hour free to help stimulate business in this area.

Mayor Krasne read a letter from Masako Kawashima, business owner, regarding the negative impacts on businesses in the area from the loss of parking and supported two-hour free parking and a reasonable monthly parking rate.

5. Hasty Torres, business owner, related the problems the lack of parking has had on her business and stated two hour free parking at the Montage is essential for her business.

Mayor Krasne read a letter into the record from Darian Bojeaux supporting two-hour free parking at the Montage Hotel.

There were no additional members of the audience who wished to speak. Mayor Krasne closed the public hearing.

The Council discussed various options to better utilize the Public Gardens parking facility at the Montage in order to aid the businesses. Councilmembers Brucker and Brien stated why they favored moving forward with the one-hour parking at this time. Councilmember Mirisch suggested two hour free parking and adjusting the fee for the third hour to make up the revenue. Mayor Krasne and Vice Mayor Delshad expressed their support of moving forward with two hour free parking.

There were no questions or comments of Councilmembers.

MOVED by Councilmember Mirisch, seconded by Mayor Krasne to adopt Resolution D-3 as amended to have two-hour free parking for a year at the Montage parking lot and from the 3rd hour charge \$3.00 a half hour thereafter as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
AMENDING THE COMPRESHENSIVE SCHEDULE OF TAXES, FEES &
CHARGES TO ADJUST THE PARKING FACILITY RATES FOR FISCAL YEAR
2008/2009.

Ayes: Councilmember Mirisch, Vice Mayor Delshad, and Mayor Krasne
Noes: Councilmember Brien, and Councilmember Brucker

CARRIED

ITEM D-3: ADOPTED AS AMENDED RES#09-R-12670

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

4. **RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS DECLARING AND IMPLEMENTING WATER CONSERVATION STAGE "B".**
Comment: This resolution enacts mandatory water conservation in conjunction with the City's wholesaler's mandatory restrictions that were approved April 14, 2009 to become effective July 1, 2009. The resolution sets forth the penalty rates for exceeding certain water usage limits that were noticed in April 2008, and sets forth mandatory water conservation acts.

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 Department of Public Works and Transportation and the report of the Environmental Utilities Manager concerning this matter shall be entered into the record.

Environmental Utilities Manager Shana Epstein reported on the current state of water, results of Stage A, water utility efforts, and the current cost of water. She noted staff recommends, with the concurrence of the Public Works Commission, declaring Stage B which is a mandatory 10% water conservation and explained the implementation of the program, additional measures as outlined in the staff report, and the formula for the penalty rate if one goes over their baseline.

City Manager Wood pointed out if the City goes over its allocation, MWD will penalize the City. Ms. Epstein added that these penalties could be severe and the Water Enterprise Fund would have to assume the cost.

In response to Council's question, it was explained those who have already been conserving will be able to use the appeal process for relief.

The Council agreed on the 9am to 5pm restriction for watering hours and Councilmember Brucker and Mirisch stated they would like to include no restriction on days of the week.

MOVED by Vice Mayor Delshad, seconded by Mayor Krasne to adopt Resolution D-4 to include the watering from 9:00am to 5:00pm as follows:

**RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
DECLARING AND IMPLEMENTING WATER CONSERVATION STAGE "B".**

Motion by Councilmember Mirisch, seconded by Councilmember Brucker to amend the original motion to exclude the restriction of watering on specific days of the week.

Ayes: Councilmember Mirisch and Councilmember Brucker
Noes: Councilmember Brien, Vice Mayor Delshad and Mayor Krasne

FAILED

Back to original motion:

Ayes: Councilmember Brien, Vice Mayor Delshad, and Mayor Krasne
Noes: Councilmember Mirisch, and Councilmember Brucker

CARRIED

ITEM D-4: ADOPTED RES#09-R-12671

E. CONTINUED AND NEW BUSINESS

1A. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ADOPTING AN APPEALS PROCEDURE FOR WATER CONSUMPTION SURCHARGES.

Environmental Utilities Manager Shana Epstein explained that with the implementation of water conservation Stage B, water consumption in excess of 90% of the baseline will result in a penalty surcharge, and an appeals procedure will enable users to appeal such surcharges. Ms. Epstein detailed the proposed appeals process. In addition, Ms. Epstein noted that the reference to a Hillside district in the proposed resolution will be called the Very High Fire Hazard Severity Zone.

Councilmember Mirisch stated he found the proposed appeals process too bureaucratic and explained why he would not be in favor of implementing it.

MOVED by Vice Mayor Delshad, seconded by Mayor Krasne to adopt Resolution E-1 as follows:

**RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
ADOPTING AN APPEALS PROCEDURE FOR WATER CONSUMPTION
SURCHARGES.**

Ayes: Councilmember Brien, Councilmember Brucker, Vice Mayor Delshad, and Mayor Krasne
Noes: Councilmember Mirisch

CARRIED

ITEM E-1: ADOPTED RES#09-R-12672

1B. AN ORDINANCE OF THE CITY OF BEVERLY HILLS RELATING TO EMERGENCY WATER CONSERVATION PROCEDURES AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Introduction. Comment: Staff requests adoption of the Resolution establishing procedures for the appeal of water penalty surcharges and an Ordinance amending that portion of the Municipal Code relating to emergency water conservation procedures.

In response to Councilmember Mirisch's question, City Attorney Wiener explained that the prior appeals process for the last drought was adopted by ordinance and this proposed ordinance will remove the procedure from the municipal code and allow the appeals procedure to be adopted by resolution.

MOVED by Vice Mayor Delshad, seconded by Councilmember Brucker to waive full reading and advance Ordinance E-1B to the meeting of May 27, 2009 for adoption as follows:

ORDINANCE OF THE CITY OF BEVERLY HILLS RELATING TO EMERGENCY WATER CONSERVATION PROCEDURES AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE.

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

CARRIED

ITEM E-1B: WAIVE FULL READING AND ADVANCE TO THE MEETING OF MAY 27, 2009 FOR ADOPTION

F. CONSENT CALENDAR

MOVED by Vice Mayor Delshad, seconded by Councilmember Brucker to pull Item F-5 and consider separately, approve the remaining items on the consent agenda by reference, and direct that the appropriate accounts be charged on Items F-2 and F-3.

Minutes

1. **CONSIDERATION OF THE MINUTES of the regular meeting of April 7, 2009.**

Demands Paid

2. **REVIEW OF BUDGETED DEMANDS PAID, report dated April 15 - 23, 2009.**
3. **PAYROLL DISBURSEMENT REPORT, report dated May 13, 2009.**

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

4. **A PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS AND A SHORT TERM LEASE WITH RODERICK J. WOOD AND GINA WOOD FOR**

PROPERTY LOCATED AT 265 SOUTH LA PEER DRIVE. Comment: Pursuant to his employment contract, upon the cessation of his employment with the City, the City Manager is required to repay his home loan from the City or to sell the home back to the City at a price fixed by the contract. These agreements provide for the sale of the home to the City at that fixed price and the lease of the home back to the Woods for the period between the close of the sale and August 9, 2009, Mr. Wood's last day of employment with the City. APPROVAL OF:

City Attorney Larry Wiener read into the record the missing items in Article 4 of the Short Term Lease as follows: monthly rent for the premises would be \$4,600 per month with credit for possessory interest taxes, insurance required by the City and landscape maintenance and minor repair costs by the tenant.

ITEM F-4: ADOPTED AS AMENDED RES#09-R-12673 APPROVED AG#174-09

5. **AGREEMENT WITH THE PENINSULA HOTEL FOR THE SALE OF PARKING RIGHTS AT THE PENINSULA BEVERLY HILLS HOTEL AND RELEASE OF COVENANT.** Comment: In 1986, the City negotiated the rights to use 66 parking spaces in the garage of the Peninsula Hotel for a period of 25 years after completion of the hotel. This agreement would terminate those rights in exchange for a payment of \$285,000 from the hotel. The agreement would also allow the 23 persons who currently park at the hotel pursuant to the 1986 agreement to continue to park at the hotel for the remainder of the 25 year period.

Councilmember Mirisch did not agree with the amount of the sale of the parking rights. Mayor Krasne pointed out the amount paid for the parking spaces is at full market value.

MOVED by Councilmember Brien, seconded by Vice Mayor Delshad to adopt the agreement with the Peninsula Hotel for the sale of parking rights at the Peninsula Beverly Hills Hotel and release of covenant.

Ayes: Councilmember Brien, Councilmember Brucker, Vice Mayor Delshad, and Mayor Krasne

Noes: Councilmember Mirisch

CARRIED

ITEM F-5: APPROVED AG#175-09

6. **AMENDMENT NO. 2 TO THE AGREEMENT WITH JONES & STOKES ASSOCIATES. INC. FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE WALLIS ANNEBERG CENTER FOR THE PERFORMING ARTS (FORMERLY THE BEVERLY HILLS CULTURAL CENTER).** Comment: This amendment adds \$116,567 to the existing contract of \$240,545 to fund the additional EIR costs including recirculation that were required to complete the EIR that was certified by the City Council in January, 2009.

ITEM F-6: APPROVED AG#176-09

7. VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN: ITEM A A PURCHASE ORDER IN THE NOT-TO-EXCEED AMOUNT OF \$136,473.38 TO BAY POINTE TECHNOLOGY FOR THE PURCHASE OF A REDUNDANT FIREWALL APPLIANCE. Comment: The bid is awarded to the lowest responsible bidder, Bay Pointe Technology for the planned replacement of the existing end-of-life firewall system. This appliance represents the foundation for the City's network security infrastructure and enables the enforcement of security policies for all internet/ intranet traffic.

ITEM F-7A: APPROVED

ITEM B AGREEMENT WITH THE WESTCHESTER MEDICAL GROUP CENTER FOR HEART AND HEALTH FOR HEALTH SERVICES. Comment: This agreement provides the City with medical services such as pre-employment medical exams, commercial drivers license physicals, post exposure evaluation and treatment, and other specialized examinations and services on an as-needed basis.

ITEM F-7B: APPROVED AG#177-09

ITEM C AGREEMENT WITH CEDARS SINAI MEDICAL CARE FOUNDATION FOR HEALTH SERVICES. Comment: This agreement provides the City with medical services such as pre-employment medical exams, commercial drivers license physicals, post exposure evaluation and treatment, and other specialized examinations and services on an as needed basis.

ITEM F-7C: APPROVED AG#178-09

8. **ACCEPTANCE OF CONTRACT WORK FOR THE COMPLETED PHASE 1 CITY HALL GROUND FLOOR REMODEL BY TOWER GENERAL CONTRACTORS, INC. IN THE FINAL CONTRACT AMOUNT OF \$5,283,014.** Comment: Requests acceptance of the contract work and authorizes the recording of the Notice of Completion with the County Recorder.

ITEM F-8: APPROVED

9. **REJECTION OF ALL BIDS FOR CONTRACT WORK PERTAINING TO WATERLINE REPLACEMENT AT CHARLEVILLE BOULEVARD AND ADDITIONAL STREETS, ALLEYS AND EASEMENTS NORTH OF WILSHIRE BOULEVARD WITHIN THE CITY OF BEVERLY HILLS, CALIFORNIA AND AUTHORIZE THE RE-ADVERTISING FOR THE BID.** Comment: It is recommended that City Council rejects all bids received for the Waterline Replacement Project at Charleville Boulevard and additional streets, alleys and easements north of Wilshire Boulevard within City of Beverly Hills, California and authorize staff to re-bid the project

ITEM F-9: APPROVED

Vote on the Consent Calendar:

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

CARRIED

G. COMMISSION SYNOPSIS

- 1. PUBLIC WORKS COMMISSION - regular meeting of April 9, 2009. FINE ART COMMISSION - regular meeting of April 16, 2009.**

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

H. OTHER BUSINESS

The Council discussed the following items that were continued from this afternoon' study session.

A-5 Review of 2009 Holiday Program

It was the consensus of the Council to move forward with the program as presented.

A-7 Empowering Local Government Climate Action: Blueprint for the New President and 111th Congress

Council agreed to endorse the ICLEI Local Government Climate Action Plan and selected Councilmember Mirisch as the ICLEI representative.

A-9 Extension of the Existing Crown Disposal, Inc. Agreement for Commercial and Solid Waste Collection and Residential Waste Disposal.

It was the consensus of the Council to extend the agreement until March 31 2012, and prior to the expiration begin a new request for proposal process.

I. ADJOURNMENT

There being no further business, Mayor Krasne, with the consent of the Council, adjourned the meeting at 12:50am to the Closed Session for the items remaining on the agenda.

PASSED, Approved and Adopted
this 16th day of June, 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.