



**CITY OF BEVERLY HILLS
CITY COUNCIL
REGULAR COUNCIL MEETING
September 01, 2009**

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

B. PRESENTATIONS

1. PRESENTATION - from TreePeople - Torin Dunnivant and Edith Ben-Horin

Torin Dunnivant from TreePeople provided a brief report and PowerPoint describing what the non-profit organization does, and how they can be an asset to the City of Beverly Hills.

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. Les Bronte spoke about a video regarding texting while driving that he would like to have the community at-large view, and a program called the "Beverly Hills Way".
2. Anastasia Glasheen spoke about the current rent stabilization system in Beverly Hills, and asked that the City look into remedies for the 10% yearly increases by some landlords.
3. Lynn T. Harris voiced concern that it appears the Council does not take into account citizen comments on a particular subject when making policy decisions.

3. REPORT FROM THE CITY MANAGER

City Manager Roderick Wood mentioned a challenge was given to the employees to come up with ideas to reduce the \$2million deficit to help avoid having to implement the furlough program. Mr. Wood advised the Council that given the ideas/solutions submitted by employees, and the contribution of the Executive Group by forgoing their merit increases (this fiscal year), the furlough program for this fiscal year has been avoided.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

- Showcase Beverly Hills:
- * Beverly Hills Forum Lecture - John Edwin Mroz

Councilmember Mirisch announced that John Edwin Mroz, CEO of the EastWest Institute, will be the featured speaker at the next Beverly Hills Forum lecture on September 14, 2009 at 7:30 p.m.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

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

1. **AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO ADD REGULATIONS REGARDING THE FEEDING AND CARE OF FERAL CATS. For Introduction.** Comment: This ordinance will define feral cats, feral cat colonies and establish and regulate a trap, neuter and return program in an effort to monitor feral cat feeding and care and control feral cat populations. This item is continued from the August 18, 2009 City Council meeting. The public hearing is open for the limited purpose to address

the California Environmental Quality Act issues raised in a letter authored by several environmental groups that was submitted to the City Council at the August 18, 2009 hearing and to address the changes to the ordinance and regulations as directed by the City Council at the August 18, 2009 meeting.

Assistant Director of Community Development George Chavez presented the staff report on the proposed Feral Cat TNR Ordinance which included unanswered questions from the August 18, 2009 Council meeting, regarding complaints in the alleys and TNR effectiveness, summary of modifications, feeding & trapping hours, maintenance, public notice, removal of feeders & traps, identification, complaints, six feet barrier exception, diagram of a concept feral cat feeding station, location, parks, vaccines, and the staff recommendation to introduce the ordinance as amended for first reading this evening, and adoption of the ordinance and a resolution approving TNR program regulations and guidelines at the next meeting.

Speaking:

1. Alex Kwechansky, resident of Los Angeles, spoke in support of the ordinance.
3. Beverly Houwing asked questions regarding insurance for this program and mentioned the impact of crows on the bird population.
4. Travis Longcore, Ph.D., Urban Wildlands Group, Audubon Society, spoke about CEQA issues and noted the ordinance is not yet ready for adoption.
5. Anthony Shale addressed the issue of vaccinations, the feral cat feeders, and shelters.
6. Cindy Crawford showed copies of feeders at Warner Bros. Studios, and asked questions about the hours of feeding.
7. Christi Metropole spoke about the FIV and FeLV testing.
8. Darian Bojeaux reviewed the proposed ordinance and stated she is happy with it. Ms. Bojeaux addressed a few concerns that need addressing.
9. Marcia Hobbs voiced a list of concerns for Council to consider.

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

Director of Community Development Susan Healey-Keene made several comments regarding letters and items received by staff within the last twenty four hours. Ms. Healey-Keene spoke to the CEQA analysis staff performed and explained why they believe the ordinance is exempt from CEQA review.

Mayor Krasne called for a five minute recess at 8:45 p.m. to allow Council the opportunity to review the materials submitted at the dais for this item from various groups and individuals. The meeting reconvened at 9:10 p.m. with all members present.

Director Healey-Keene provided additional comments regarding a letter received this afternoon from the Audubon Society regarding the CEQA issue.

Building Official George Chavez provided further clarification on the spay and neuter issue.

City Attorney Laurence Wiener also spoke about staff responses to the Audubon letter dated September 1, 2009.

Each of the Councilmembers provided comments on the proposed ordinance and agreed that while some issues remain, the ordinance is very workable and directed staff to move forward at this time. Staff was directed to include the amendments as read into the record by Mr. Chavez, the environmental findings in Section 2 along with the implementation date (10 days as referenced in Section 3 of the ordinance). Staff was also asked to provide a progress report on the program to Council in six months. The Council thanked staff, the groups and individuals for their extraordinary efforts in this matter.

There were no further questions or comments of Councilmembers.

MOVED by Vice Mayor Delshad, seconded by Councilmember Mirisch to waive full reading and advance Ordinance D-1 as amended to September 15, 2009 for adoption as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO ADD REGULATIONS REGARDING THE FEEDING AND CARE OF FERAL CATS.

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 SEPTEMBER 15, 2009 FOR ADOPTION AS AMENDED

E. CONTINUED AND NEW BUSINESS

None

F. CONSENT CALENDAR

MOVED by Councilmember Brien, seconded by Mayor Krasne to approve all items on the consent agenda and direct that the appropriate accounts be charged on Items F-2 and F-3.

Minutes

- 1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the joint regular City Council, special Parking Authority and special Public Financing Authority meeting of August 4, 2009.***

Demands Paid

2. **REVIEW OF BUDGETED DEMANDS PAID, report dated August 12 -21, 2009.**
3. **PAYROLL DISBURSEMENT REPORT, report dated September 1, 2009.**

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

None

APPROVAL OF:

4. **ARCHITECTURAL COMMISSION APPOINTMENT.** Comment: Appoints Barry Bernstein to the Architectural Commission for an initial two year term.

ITEM F-4: APPROVED

5. **THE AWARD OF A CONTRACT TO PPC AIR CONDITIONING, INC. FOR THE POLICE FACILITY FIRING RANGE RENOVATION AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$1,167,080 TO PPC AIR CONDITIONING, INC. FOR THE CONTRACT WORK.** Comment: Provides for the contract work to renovate the firing range in the Police Facility to meet current code and safety regulations.

ITEM F-5: APPROVED AG#328-09

6. **VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN:** ITEM A AN AGREEMENT WITH STAR, INC. FOR AFTERSCHOOL AND SUMMER CLASS INSTRUCTION SERVICES THROUGH THE CITY'S DEPARTMENT OF COMMUNITY SERVICES; AND,

APPROVAL OF A PURCHASE ORDER FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$210,000. Comment: Request approval of a one year agreement and Blanket Purchase Order for vendor to provide youth after school and summer class instruction at various BHUSD school sites in the amount not to exceed \$210,000 per year.

ITEM F-6A: APPROVED AG#329-09

ITEM B A PURCHASE ORDER TO THEODORE ROBINS FORD IN A NOT-TO-EXCEED AMOUNT OF \$103,694.58 FOR THE PURCHASE OF FOUR LAW ENFORCEMENT VEHICLES. Comment: This request is for the City Council to approve issuance of purchase order to Theodore Robins Ford for purchase of four Ford Crown Victoria Police Interceptor Sedans to replace an equal number of obsolete and job-worn police vehicles currently assigned to the Police Department.

ITEM F-7B: APPROVED

- 7. ACCEPTANCE OF CONTRACT WORK FOR THE CONSTRUCTION OF THE 9333 THIRD STREET PARKING STRUCTURE BY BOMEL CONSTRUCTION COMPANY, INC. IN THE FINAL CONTRACT AMOUNT OF \$13,540,569.**
Comment: Requests acceptance of the contract work and authorizes the recording of the Notice of Completion with the County Recorder.

Vote on Consent Calendar:

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

CARRIED

ITEM F-7: APPROVED

G. COMMISSION SYNOPSIS

None

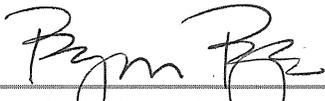
H. OTHER BUSINESS

None

I. ADJOURNMENT

There being no further business, Mayor Krasne, with the consent of Council, adjourned the meeting at 9:50 p.m.

PASSED, Approved and Adopted
this 6th day of October, 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.