



**CITY OF BEVERLY HILLS
CITY COUNCIL
REGULAR COUNCIL MEETING
September 15, 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. RECOGNITION OF RETIRING COMMISSIONERS - Traffic and Parking Commission**
 - Julian Gold
 - Richard Seff

Mayor Krasne invited Councilmember Mirisch to assist her in presenting retiring Commissioners Julian Gold and Richard Seff with a plaque and gift in recognition of their years of dedicated service on the Traffic and Parking Commission.

- 2. RECOGNITION OF RETIRING COMMISSIONER - Architectural Commission**
 - Arline Pepp

Mayor Krasne, with the assistance of Councilmember Mirisch, thanked and presented retiring Architectural Commissioner Arline Pepp with a plaque and gift in honor of her years of service.

- 3. CERTIFICATES OF APPOINTMENT - Traffic and Parking Commission**
 - Alan Grushcow
 - Brian Rosenstein

Mayor Krasne and Councilmember Mirisch presented new Traffic and Parking Commissioners Grushcow and Rosenstein with Certificates of Appointment and City pins.

4. CERTIFICATE OF APPOINTMENT - Architectural Commission
- Barry Bernstein

Councilmember Mirisch and Mayor Krasne congratulated and presented newly appointed Architectural Commissioner Barry Bernstein with a Certificate of Appointment and City pin.

5. PROCLAMATION - to Rose Norton for her service to the community.

Mayor Krasne, along with Councilmember Mirisch, presented Rose Norton with a proclamation in honor of her decades of distinguished community service and congratulated Mrs. Norton on receiving the Lifetime Volunteer Award and recognized her lifelong commitment to El Nido Family Center.

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.)

1. Sarah Meagher received a free gift as noted under City Councilmember and Committee Reports - ShopbH.com.

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. Hermine Beck spoke about food trucks on Benedict Canyon and the speed of traffic on Summit Drive.

Assistant City Manager Katie Lichtig indicated staff will look into the concerns raised regarding the food trucks and Mayor Krasne suggested Ms. Beck speak with the Traffic and Parking Commission regarding traffic calming on Summit Drive.

2. Paul Bernstein commented on the formatting of the utility billing.

Assistant City Manager Lichtig reported staff is working on the issue and will return with an update on this matter.

3. REPORT FROM THE CITY MANAGER

*Disaster Service Worker Program - Pamela Mottice-Muller, Director of Emergency Management

Director of Emergency Management Pamela Mottice-Muller presented a report on the City's Disaster Service Worker Program. She explained the State of California Government Code declares all public employees are designated as disaster services workers and that all City of Beverly Hills employees will be considered a responder in an emergency. Ms. Mottice-Muller also spoke about Health and Safety week.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

- Showcase Beverly Hills:
- * Household Hazardous Waste Roundup
- * Shop BH.com

Mayor Krasne announced the Fall sale on ShopBH.com, and she gave away gifts to the audience members and one telephone caller.

Councilmember Mirisch announced the City of Beverly Hills will host a Household Hazardous Waste Round-up on Saturday, October 3, 2009 from 9:00 a.m. to 3:00 p.m. on Foothill Road between Alden Drive and Third Street.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

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

- 1. APPEAL OF THE ARCHITECTURAL COMMISSION'S DECISION DENYING ARCHITECTURAL REVISIONS TO A PREVIOUSLY APPROVED 13-UNIT CONDOMINIUM BUILDING LOCATED AT 155 NORTH HAMILTON DRIVE.**
Comment: Modifications were made to this project that were not consistent with the Architectural Commission's approval. This appeal asks for those modifications to be approved.

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

City Planner Jonathan Lait explained that last year it was noted that there were inconsistencies between the as-built conditions and the approval that was granted by the Architectural Commission for this 13-unit condominium building at 155 North Hamilton Drive. He noted staff evaluated those modifications and determined that they were significant enough to warrant reconsideration by the Architectural Commission. Mr. Lait presented the staff report along with a PowerPoint presentation that walked the Council through some of the primary issues that were identified in reconsideration of the revisions. Mr. Lait presented staff's recommendations regarding the vents, molding on the central bridge, metal grilles and balconies that could be incorporated into a final approval of the project to comply with the Architectural Commission's direction.

James Mortenson, Counsel for Hamilton Development LLC, addressed the Council about the process that has taken place since 2008.

M. Michael Naim, architect of the project, spoke about the details of the project. He urged the Council to approve the staff's recommendations.

Architectural Commission Chair Rennett and Vice Chair Rubins spoke about the Architectural Commission's view on the project, the process and their recommendations.

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

Councilmember Mirisch suggested making the building the way it was originally approved and that anything else would set a precedent.

Councilmember Brucker expressed concern about developers ignoring the Commission's and then expecting to be forgiven. He agreed that all the recommendations need to be executed.

Councilmember Brien noted this is a case of not doing what they were supposed to do and is not how the process works in this City. Mr. Brien agreed with the recommendations outlined in the staff report in terms of the vents, bridge, fountain maintained, etc.

Vice Mayor Delshad agreed with staff's recommendations.

Mayor Krasne stated staff and the Architectural Commission did not go far enough. The Mayor added applying moldings on the entire building, rustification of the building, along with the recommendations.

There were no further questions or comments of Councilmembers.

MOVED by Councilmember Brien, seconded by Councilmember Brucker to direct the City Attorney to prepare a resolution of findings conditionally approving the architectural revisions to the 13-unit condominium building located at 155 North Hamilton Drive as follows: recommendations as noted in the staff report - No. 1 in its entirety regarding the two faux vents, No. 2 in its entirety regarding the central bridge, No. 4 in its entirety regarding the balconies on the second, third and fourth floors, add: the window moldings around the entire building with paint rustification of the building and the window moldings being sent back to the subcommittee of the Architectural Commission for final review, the sign to be added and painted in a rustification manner and No. 3 will be restated that the security grille above the garage shall be replaced with either a stucco wall or a clear nonbreakable glass.

Councilmember Mirisch made a motion to amend the motion to add the remaining two points in the staff report that have not been addressed and include them to achieve the best effect. There was no second and the motion failed.

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

CARRIED

ITEM D-1: DIRECT CITY ATTORNEY TO PREPARE A RESOLUTION OF FINDINGS APPROVING THE ARCHITECTURAL REVISIONS AS AMENDED

E. CONTINUED AND NEW BUSINESS

- 1A. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS TO MODIFY PREFERENTIAL PERMIT PARKING ZONE "YY" ON THE 1200, 1300 AND 1400 BLOCKS OF PARK WAY.*** Comment: This resolution will implement the following for the 1200, 1300 and 1400 blocks of Park Way: 1) Modify the parking regulation on the north (residential) side of Park Way to "No Parking Anytime, Except by Permit YY"; 2) Modify the parking meters on the south side of Park Way by adding a "No Parking, 8:00 p.m. to 2:30 a.m., Daily, Except by Permit YY" to the 43 metered parking spaces adjacent to Beverly Gardens Park. This item is continued from the July 21, 2009 City Council Meeting.

The Mayor noted that Items E-1A, E-1B and E-2 will be considered together.

Deputy Director Aaron Kunz provided the staff report along with a PowerPoint presentation. Mr. Kunz recapped the items discussed at the July 21, 2009 meeting and noted the issues involve: delivery trucks, limousines and tow trucks staging in the area, unruly behavior in park and adjacent sidewalk/street and parking needs for

residents, park visitors, tourists and adjacent churches. Mr. Kunz reported the Ad Hoc committee meeting findings and itemized the new recommendations proposed.

Speaking:

1. Keith Knudsen made reference to his email that had been sent to the Council earlier and urged the Council to reconsider the matter at this time.
2. Jean Sanders Torrey, Director of Weddings at Beverly Hills Presbyterian Church, spoke about issues regarding parking when weddings are held that are not being considered in the proposed recommendations.
3. Roman Erber does not agree with the permits and asked the Council to leave the parking as it is.
4. Rev. Andrew Eagles spoke about the night meetings held at the church and asked the Council to consider not making any changes to the parking.
5. Dale Whitt said limiting access to the parks will limit public trust.
6. Donald Bergman spoke about parking being a critical component to the growth of the church.
7. Leslie Barnard requested no changes in the current parking near the church.
8. Erwin Boychenko asked the Council to reconsider this item and move slowly.
9. Mehry Cohenzad spoke about the parking needs of the elderly and that the restrictions proposed would be a burden.
10. Amanda Zielinski liked the Council's suggestion for smart cameras and park rangers as a first solution attempt.
11. Tony Kayden asked for a simpler way to resolve the issue for affected residents.
12. Erin Orias stated she opposes the restrictions.
13. Andrew S. Arnold agrees the resolutions should not move forward.
14. Russ Colby, parent of a pre-school student that attends the school at the church, stated opposition to the proposed resolutions.
15. Marilyn Anclaire does not want any change in the parking situation.
16. Frank Harris, parent of a student that attends the church school, asked for no changes.
17. George Mitchell asked to keep the parking as it currently is.
18. Marilyn Schulte supports no change to the parking.
19. Martin Lee stated opposition to the two resolutions.
20. Lisa Lake stated why she opposes changes to the existing parking.
21. Harry Lake stated opposition to any changes and noted he attended the liaison meeting and made observations for resolution of the problem.
22. Alex Kerr opposed the parking restrictions and likes the concept of using park rangers and smart cameras.
23. Jimmy Setiabrata opposes changes to current parking conditions for the church.
24. Marie Rolf stated her opposition to the proposals made.
25. Laura Rock spoke about parking for the elderly and safety issues.
26. Abraham Azil spoke in favor of the ordinance.
27. David Worth, Pastor of the Beverly Hills Presbyterian Church, said he appreciates the efforts of Item 1B, but raised safety issues and opposed the passing of the items tonight.
28. Richard Rust spoke against the proposed YY permit program.
29. Peter Troesch suggested additional lighting along with rangers and cameras.
30. Farideh Wilson spoke about the growth of the English and Farsi speaking communities within the church.

31. Pari Ershadi had concerns about the practicality of the permit program for the church and supports the idea of cameras and park rangers as a solution to the problems.
32. Glenn Cunningham requested keeping the parking open in the area for the public.
33. Vida Cunningham spoke about the parking needs for the church.
34. Reza Yazdanbukhas asked the Council to help with the church parking.
35. Zari Zahale spoke about the importance of parking for the church.
36. Morhros Ghate spoke about the parking needs of disabled members.
37. Tala Yazdanbakhsh urged the Council to help the church keep their parking.
38. Martin Wilson felt this is a police issue not a parking issue.
39. Janie Marlowe asked for the parking to remain the same.
40. Barbara Gamer doesn't mind the people from the church parking on the street, but opposes tour buses, limos staging, etc.
41. Michael Rablevrh spoke about the problem he is facing as a resident on Park Way.
42. Thomas White commented on the Ad Hoc/Liaison meeting he attended.

Councilmember Brien recapped the reasons this matter came forward for consideration by the Council, the goal of the Liaison Committee meeting held, the issues that were raised and discussed by the Liaison Committee, and stated why he supports the recommendations presented.

Traffic and Parking Commission Chair Joyce Braun and Vice Chair Ken Goldman spoke on behalf of the Commission. The Council thanked the entire Commission for their hard work and dedicated service on this matter.

Councilmember Brucker addressed some of the issues raised such as the use of rangers and cameras and noted that there will be additional church parking with the changes proposed.

Councilmember Mirisch stated the issue does not seem to be traffic and parking but a behavioral problem and the best solution would be increased police patrols. Mr. Mirisch expressed concern for an impact on the public use of the parks.

Vice Mayor Delshad agreed that change is inevitable and offered his support of the Committee's recommendations. Mr. Delshad suggested possible use of stickers for the church cars, up to 48 permits be issued for special events at the church, and a review of the new process in six months with a report back to the Council.

Mayor Krasne stated she understands the concerns of the residents on Park Way, but agrees with Councilmember Mirisch that this is a behavioral problem and not a parking problem. The Mayor said she does not support permit parking on the south side of the street and would like to first see the trees cut, the lighting improved and smart cameras used as a solution.

The Council indicated a desire to extend the use of the preferential parking permits to the other churches that also use the parking. City Attorney Wiener pointed out a resolution would have to be brought back to the Council for consideration.

MOVED by Councilmember Brien, seconded by Councilmember Brucker to adopt Resolution E-1A as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS TO MODIFY PREFERENTIAL PERMIT PARKING ZONE "YY" ON THE 1200, AND 1400 BLOCKS OF PARK WAY.

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

Noes: Councilmember Mirisch and Mayor Krasne

CARRIED

ITEM D-1A: ADOPTED RES#09-R-12699

- 1B. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS PROVIDING PREFERENTIAL PARKING PERMITS TO THE BEVERLY HILLS PRESBYTERIAN CHURCH FOR ZONE YY.** Comment: Provide the Beverly Hills Presbyterian Church located at 505 N. Rodeo Drive, with Zone "YY" preferential parking privileges for use on both sides of Park Way.

MOVED by Councilmember Brien, seconded by Councilmember Brucker to adopt Resolution E-1B amending Section 4 to provide up to 25 preferential parking permits to the Church daily for use only in Zone YY during restricted parking permit hours and up to 48 preferential parking permits for daily use for special events as determined by the Director of Public Works and Transportation as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS PROVIDING PREFERENTIAL PARKING PERMITS TO THE BEVERLY HILLS PRESBYTERIAN CHURCH FOR ZONE YY

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

Noes: Councilmember Mirisch and Mayor Krasne

CARRIED

ITEM E-1B: ADOPTED AS AMENDED RES#09-R-12700

- 2. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO PROHIBIT THE PARKING OF OVERSIZED VEHICLES IN RESIDENTIAL ZONES. For Introduction.** Comment: This ordinance will prohibit staging or parking of vehicles that exceed 21 feet in length or a load capacity greater than three-quarters (3/4) ton in residential

areas where signs are posted. This ordinance applies to stretch limousines, tow trucks, and large delivery vehicles. Vehicles engaged in loading and unloading, making pick-ups or deliveries, or construction will be exempt.

Staff suggested amending Section 1A of the proposed ordinance to add a sentence that "any vehicle stopped, parked, or left standing shall be subject to removal" and subsection B2, 3 and 4 add the wording "adjacent to the residences" to deal with vehicles loading and unloading of goods. The Council concurred with these suggestions.

MOVED by Councilmember Mirisch, seconded by Mayor Krasne to waive full reading and advance Ordinance E-2 to October 6, 2009 as amended as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO PROHIBIT THE PARKING OF OVERSIZED VEHICLES IN RESIDENTIAL ZONES.

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

Noes: None

CARRIED

ITEM E-2: WAIVE FULL READING AND ADVANCE AS AMENDED TO THE MEETING OF OCTOBER 6, 2009 FOR ADOPTION

3. ***RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ADOPTING THE CITY OF BEVERLY HILLS FERAL CAT TRAP-NEUTER-RETURN (TNR) PROGRAM REGULATIONS AND GUIDELINES.*** Comment: This resolution establishes the requirements and guidelines of the feral cat trap, neuter and return program as referenced in the feral cat Ordinance.

Assistant Director of Community Development George Chavez presented the staff report along with a PowerPoint presentation of the regulations and guidelines. He gave the background of the matter and went over a summary of the modifications and staff recommendations.

Speaking:

1. Christi Metropole thanked the Council for the ordinance and stated she feels it is too restrictive.
2. Katherine Varjian updated the Council on her TNR efforts since August 2009.
3. Missy Woodward referred to an ordinance in Baltimore.
4. Ilona Sherman complimented the team that worked on this project.
5. Marcia Hobbs suggested tweaks to make the program more successful.

Mayor Krasne suggested calling the ordinance the "Hobbs Bojeaux Ordinance" in honor of all their hard work. The Council concurred.

Mayor Krasne closed the public comment portion of the item.

Following Ms. Hobbs' suggestion, the Council agreed to strike any reference regarding feeding times to "sunset" "or earlier" and make it 8pm. Mr. Chavez noted trapping also needs to be corrected to reflect 8:00pm.

MOVED by Councilmember Mirisch, seconded by Vice Mayor Delshad to adopt Resolution E-3 as amended as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
ADOPTING THE CITY OF BEVERLY HILLS FERAL CAT TRAP-NEUTER-
RETURN (TNR) PROGRAM REGULATIONS AND GUIDELINES

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

CARRIED

ITEM E-3: ADOPTED AS AMENDED RES#09-R-12701

4. **AN ORDINANCE OF THE CITY OF BEVERLY HILLS ALLOWING COMMISSIONERS TO CONTINUE THEIR TERM OF OFFICE WHILE TEMPORARILY RESIDING OUTSIDE OF THE CITY AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Introduction.** Comment: Per the City Council's direction at the September 1, 2009 Study Session, this ordinance amends the Beverly Hills Municipal Code section 2-2-106(D) to allow a Commissioner once to temporarily reside outside of the City during his or her Commission term for a period not-to-exceed six months for an unusual circumstance or hardship at the City Council's discretion.

City Clerk Byron Pope provided a brief staff report.

MOVED by Councilmember Brucker, seconded by Vice Mayor Delshad to waive full reading and advance Ordinance E-4 to October 6, 2009 for adoption as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS ALLOWING
COMMISSIONERS TO CONTINUE THEIR TERM OF OFFICE WHILE
TEMPORARILY RESIDING OUTSIDE OF THE CITY AND AMENDING THE
BEVERLY HILLS MUNICIPAL CODE.

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

CARRIED

**ITEM F-4: WAIVE FULL READING AND ADVANCE TO THE MEETING OF
OCTOBER 6, 2009 FOR ADOPTION**

F. CONSENT CALENDAR

MOVED by Vice Mayor Delshad, seconded by Councilmember Brien to approve all items on the consent agenda by reference and direct that the appropriate accounts be charged on items F-2 through F-4.

Minutes

1. **CONSIDERATION OF THE MINUTES of the regular meeting of August 18, 2009.**

Demands Paid

2. **REVIEW OF BUDGETED DEMANDS PAID, report dated August 26 - September 4, 2009.**
3. **PAYROLL DISBURSEMENT REPORT, report dated August 4, 2009.**
4. **PAYROLL DISBURSEMENT REPORT, report dated September 15, 2009.**
5. **PORTFOLIO REPORT, quarter ending June 30, 2009.**

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

6. **AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO ADD REGULATIONS REGARDING THE FEEDING AND CARE OF FERAL CATS. For Adoption.**
Comment: The 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 is the second reading of the Ordinance, which includes the City's determination that the Ordinance is exempt from the California Environmental Quality Act.

ITEM F-6: ADOPTED ORD#09-O-2568

RESOLUTIONS APPROVING:

7. **APPOINTING STANDBY OFFICERS FOR THE CITY COUNCIL.** Comment: Resolution appoints standby officers for all City Council members should a member be unavailable to serve during a state or local emergency.

ITEM F-7: ADOPTED RES#09-R-12702

8. **ACCEPTING A GRANT AWARDED BY THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY AND APPROPRIATING FUNDS IN THE AMOUNT OF \$28,988 FOR UPDATING THE CITY'S LOCAL HAZARD MITIGATION PLAN.**
Comment: Grant funding will be used for contractual services to update the City's Local Hazard Mitigation Plan.

ITEM F-8: ADOPTED RES#09-R-12703

9. **AUTHORIZING THE CITY MANAGER TO EXECUTE A FUNDING AGREEMENT BETWEEN THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) AND THE CITY OF BEVERLY HILLS TO ACCEPT A GRANT IN THE AMOUNT OF \$1,059,000 FOR THE ENGINEERING DIVISION FOR THE REHABILITATION OF ROBERTSON BOULEVARD.**
Comment: Authorizes the City Manager as the designated Signature Authority for the City of Beverly Hills to apply for and accept American Recovery and Reinvestment Act (ARRA) grant funding in the amount of \$1,059,000 from CalTrans. APPROVAL OF:

ITEM F-9: ADOPTED RES#09-R-12704

10. **REAPPOINTING A MEMBER TO THE PUBLIC WORKS COMMISSION (PETER FOLDVARY).** Comment: Reappoints Peter Foldvary to the Public Works Commission for a four year term.

ITEM F-10: APPROVED

11. **AN AGREEMENT WITH ONE SOURCE FACILITIES GROUP, LLC FOR FURNITURE PURCHASE AND INSTALLATION AT CITY HALL SECOND FLOOR; AND,**

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$187,470 TO ONE SOURCE FACILITIES GROUP, LLC FOR THE PURCHASE AND SERVICES.

Comment: Provides for the purchase and installation of staff work stations and office furniture for the second floor as part of the City Hall Phase 2 remodel.

ITEM F-11: APPROVED AG#354-09

12. **AGREEMENT WITH THE MAPLE COUNSELING CENTER FOR COUNSELING SERVICES AND EDUCATIONAL WORKSHOPS.** Comment: This agreement continues the relationship between the City and The Maple Counseling Center (TMCC) to provide professional counseling services to city employees and volunteers as well as educational workshops and training.

ITEM F-12: APPROVED AG#355-09

13. **THE AWARD OF A CONTRACT TO ALCAL ARCADE CONTRACTING, INC. FOR THE LIBRARY RE-REROOFING PROJECT; AND**

APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$399,250 TO ALCAL ARCADE CONTRACTING, INC. FOR THE CONTRACT WORK. Comment: Provides for the contract work to re-roof the Library and replace the 20 year old roof.

ITEM F-13: APPROVED AG#356-09

14. **APPROPRIATION OF FUNDS IN THE AMOUNT OF \$1,059,000 FOR THE REHABILITATION OF ROBERTSON BOULEVARD UTILIZING AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDS; AND**

AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, ALL AMERICAN ASPHALT, FOR THE REHABILITATION OF ROBERTSON BOULEVARD, FEDERALLY FUNDED PROJECT ESPL 5221 (009) (CITY OF BEVERLY HILLS GRANT CODE # 0605101F010), AND APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFOR; AND

APPROVAL OF A PURCHASE ORDER TO ALL AMERICAN ASPHALT FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$684,000. Comment: This Federally-funded project consists of rubberized asphalt overlay of approximately 1.1 miles of Robertson Boulevard, from Whitworth Drive to Burton Way and the ADA-compliant upgrading of 48 curb ramps.

ITEM F-14: APPROVED AG#357-09

15. **AMENDMENT OF THE ENCROACHMENT AGREEMENT WITH RODEO-SANTA MONICA LLC FOR THE PROPERTY LOCATED AT 469 NORTH RODEO DRIVE.**

Comment: This is an amendment to an existing encroachment agreement with the City and Rodeo-Santa Monica LLC on behalf of its tenant, Missoni SPA. The amendment increases the length of the encroachment along Rodeo Drive by 1.5 inches to a total of 7 inches, and increases the annual fee from \$6,000 to \$7,000.

ITEM F-15: APPROVED AG#358-09

16. **OFFICE LEASE AND MEMORANDUM OF LEASE WITH BEVERLY HILLS CPR.**

Comment: The agreements approve the CPR training area which will be located within the City Hall campus.

ITEM F-16: APPROVED AG#359-09; MEMORANDUM OF LEASE #360-09

17. **VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN:**

ITEM A APPROPRIATING DONATIONS RECEIVED FROM VARIOUS INDIVIDUALS AND GROUPS IN THE AMOUNT OF \$28,569.75 FOR LIBRARY OPERATIONS AND EQUIPMENT. Comment: The City of Beverly Hills Public Library received multiple donations amounting to \$28,569.75. The donation will pay for various library services, equipment and materials as specified in the Appropriation

of Funds Form. Donations and appropriations were informally approved by the City Council at its 8/18/09 study session.

ITEM F-17A: APPROVED

ITEM B AMENDMENT NO. 1 TO AN AGREEMENT WITH OFFICEMAX INCORPORATED (FORMERLY BOISE OFFICE SOLUTIONS) TO PROVIDE OFFICE SUPPLIES. Comment: The amendment increases the total annual amount City department's can spend with the vendor (in aggregate). This action is needed due to increased usage of the vendor and cost increases since the contract was originally adopted.

ITEM F-17B: APPROVED AG#361-09

ITEM C AN AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. (ESRI) FOR INFORMATION TECHNOLOGY CONSULTING SERVICES RELATED TO GIS DEVELOPMENT FOR PUBLIC SAFETY'S UNITE PROJECT; AND,

APPROVAL OF A PURCHASE ORDER FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$150,000. Comment: Award of Bid No. 09-38 to ESRI. The scope of this project is for information technology consulting services related to geographic information systems (GIS) application development and related services to be provided for the benefit of the City's Public Safety programs and is funded through the Edward Byrne Memorial Discretionary Grants Program FY 2008 Congressionally Mandated Award.

ITEM F-17C: APPROVED AG#362-09

ITEM D AGREEMENT WITH STEP UP ON SECOND FOR OUTREACH AND ENGAGEMENT PROGRAM IN SUPPORT OF THE CITY'S CLASP PROGRAM; AND,

APPROVAL OF A PURCHASE ORDER FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$85,000. Comment: Step Up On Second shall provide a Homeless Outreach and Engagement team to work within City limits. The team will evaluate, assess and refer for services those identified as homeless and/or in need of community mental health support services.

ITEM F-17D: APPROVED AG#363-09

ITEM E AN AGREEMENT WITH JEWISH FAMILY SERVICE FOR COMMUNITY ASSISTANCE FUNDS; AND,

APPROVAL OF A PURCHASE ORDER FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$50,500. Comment: Funding provides the continuation of the Beverly Hills Care Management Program for 30 at risk older adults. Care management consists of comprehensive assessment, an individual care plan, service coordination, monitoring/home visits and emergency response services. Services are available in English, Farsi and Hebrew.

ITEM F-17E: APPROVED AG#364-09

ITEM F AN AGREEMENT WITH THE MAPLE COUNSELING CENTER FOR COMMUNITY ASSISTANCE FUNDS FOR MENTAL HEALTH SERVICES; AND

APPROVAL OF A PURCHASE ORDER FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$86,499. Comment: The Maple Counseling Center (TMCC) serves as a resource for mental health education, prevention, intervention, and crisis support in the Beverly Hills community. In addition, TMCC offers a range of programs within the Beverly Hills School District including onsite individual and group counseling, tutoring, Community Circle, peer counseling and the Safe Ride program. During this difficult economic downturn when many social services are being cut or even closed, TMCC provides local support to at risk residents.

ITEM F-17F: APPROVED AG#365-09

ITEM G AN AGREEMENT WITH WESTSIDE FOODBANK FOR COMMUNITY ASSISTANCE FUNDS; AND

APPROVAL OF A PURCHASE ORDER FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$72,000. Comment: Westside Foodbank provides food to 65 member agencies within the Los Angeles area. Donated funds are used to purchase food in bulk. Food is then distributed through local food distribution agencies to low income individuals and families.

ITEM F-17G: APPROVED AG#366-09

18. **ACCEPTANCE OF THE CONTRACT WORK FOR THE PHASE 2 (SOUTH RING) FIBER OPTIC MUNICIPAL AREA NETWORK (M.A.N.) RING PROJECT BY MANUEL BROS., INC. IN THE FINAL AMOUNT OF \$1,823,968.05.** Comment: It is recommended that the described work with Manuel Bros., Inc. be accepted and authorization be given for the recordation of the Notice of Completion

ITEM F-18: APPROVED

Vote on consent calendar:

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

Noes: None

CARRIED

G. COMMISSION SYNOPSIS

None

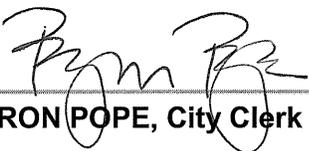
H. OTHER BUSINESS

None

I. ADJOURNMENT

Councilmember Brien adjourned the meeting at 12:40 a.m. in memory of Fire Captain Tedmund Hall and Firefighter Specialist Arnaldo Quinones of the Los Angeles County Fire Department who lost their lives on August 30 on the front lines of the devastating Station fire. Councilmember Mirisch also adjourned the meeting in memory of writer and long time Beverly Hills resident Larry Gelbart.

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.