



**CITY OF BEVERLY HILLS
CITY COUNCIL
ADJOURNED REGULAR MEETING
October 27, 2009**

The Adjourned 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 - from the American Cancer Society, Relay for Life Event** -
Katie Holmes and Nicole Pattison

Katie Holmes and Nicole Pattison presented a certificate of recognition to the City in support of the fight against Cancer. Ms. Holmes announced the next Relay for Life event will take place on April 24 - 25, 2010.

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. Alma Ordaz spoke about traffic and safety concerns on Spalding near the High School.

Mayor Krasne suggested the Traffic and Parking Commission and Police Department look into the issue reported.

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. Sonia Berman spoke about her time employed with the City as CPR Coordinator, and the events that have taken place since the Council direction for the Beverly Hills CPR program.

2. Alex Kay commented about the CPR program and the resignation of the volunteers after the coordinator retired.

3. **REPORT FROM THE CITY MANAGER (Taken out of order)**
*Presentation of the Government Finance Officers Association (GFOA)
Award for the City of Beverly Hills' 2008 Comprehensive Annual Financial Report (CAFR) - Accounting Manager, Sharon Rahban

Accounting Manager Sharon Rahban presented the CAFR award received by the City for the 2008 Annual Financial Report. Ms. Rahban noted the Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting and its attainment represents a significant accomplishment by government and its management.

4. **CITY COUNCILMEMBER AND COMMITTEE REPORTS**

- Showcase Beverly Hills:

* Health and Safety Week and Safety Expo

* Report from Mayor and Vice Mayor on New York Sales Mission

Councilmember Mirisch reported on the Health and Safety Week activities in Beverly Hills and the Health and Safety Expo on Sunday, November 1 at the Farmers Market.

Mayor Krasne announced on Wednesday, November 4th at 6 p.m., the LA Metropolitan Transportation Authority will hold a meeting in the Municipal Gallery and the citizens will have an opportunity to ask questions about the proposed subway extension, or "Subway to the Sea" and its potential stops in Beverly Hills. The Mayor encouraged all community members to attend.

Mayor Krasne and Vice Mayor Delshad reported on their recent New York Sales Mission trip the week of October 20, 2009.

Councilmember Brien requested staff provide an update on the first quarter revenues for the City so the Council can compare actuals vs. projections. Assistant City Manager Lichtig mentioned a report is expected to Council the first meeting in December.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

None

E. CONTINUED AND NEW BUSINESS

- 1. AN ORDINANCE OF THE CITY OF BEVERLY HILLS REQUIRING LEGISLATIVE ADVOCATES TO WEAR IDENTIFICATION BADGES AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Introduction.** Comment: This ordinance enhances disclosure requirements by requiring that lobbyists wear identification badges when they meet with or advocate before elected officeholders or city administrators.

Deputy City Manager Cheryl Friedling presented a PowerPoint and oral report on this matter. Deputy Friedling provided a background on the item, research data, a definition of a "lobbyist", the current situation in Beverly Hills and the steps for implementation.

Speaking:

1. Red Richmond thanked resident Ruth Kraft, in her absence, for her efforts regarding this matter and read comments in favor of this ordinance.
2. Larry Larson stated he agrees it is in the best interest of the City for lobbyists to wear badges and urged the Council to pass the ordinance.
3. Darian Bojeaux said she is in favor of passing the law, but feels the definition is not accurate enough.
4. Marilyn Gallup urged the Council to adopt the ordinance.
5. Dr. Woody Clark asked the Council to vote unanimously for this item.
6. Thomas White supported the lobbyist ordinance and thanked Councilmember Mirisch for bringing this item forward.

In response to a request by Vice Mayor Delshad, it was mentioned that as part of a community outreach program the guidelines could be drafted in simpler language for those seeking to better understand them. In addition, staff will add a box on the speaker cards for lobbyists to check.

MOVED by Councilmember Mirisch, seconded by Vice Mayor Delshad to waive full reading and advance Ordinance E-1 to November 5, 2009 for adoption as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS REQUIRING LEGISLATIVE ADVOCATES TO WEAR IDENTIFICATION BADGES AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE.

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

CARRIED

ITEM E-1: WAIVE FULL READING AND ADVANCE TO THE MEETING OF NOVEMBER 5, 2009 FOR ADOPTION

2. **ORDINANCE OF THE CITY OF BEVERLY HILLS ADOPTING AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY OF BEVERLY HILLS WHICH WILL PROVIDE TWO YEARS ADDITIONAL SERVICE CREDIT FOR LOCAL MISCELLANEOUS MEMBERS PER GOVERNMENT CODE SECTION 20903. For Introduction.** Comment: Staff recommends approval of the ordinance to amend the City's contract with the California Public Employee's Retirement System (CALPERS) to provide Government Code Section 20903 (two years additional service credit) for local miscellaneous members as part of the City's effort to reduce costs.

Personnel Manager Neil Comelo presented the staff report and noted this early retirement program is in response to Council's direction to staff to come up with cost cutting measures during the recent budget discussions.

City Attorney Wiener noted for the record that an actuary is present this evening to answer any questions regarding the potential costs of the matter.

MOVED by Councilmember Brien, seconded by Councilmember Brucker to waive full reading and advance Ordinance E-2 to the meeting of November 17, 2009 for adoption.

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

CARRIED

ITEM D-2: WAIVE FULL READING AND ADVANCE TO THE MEETING OF NOVEMBER 17, 2009 FOR ADOPTION

Councilmember John Mirisch left the Chambers and the meeting at 8:25 p.m.

F. CONSENT CALENDAR

MOVED by Councilmember Brucker, seconded by Councilmember Brien 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 regular meeting of October 6, 2009.**

Demands Paid

2. **REVIEW OF BUDGETED DEMANDS PAID, report dated September 24 - October 16, 2009.**
3. **PAYROLL DISBURSEMENT REPORT, report dated October 27, 2009.**
4. **2009-10 1st QUARTER PURCHASE ORDER REPORT** Comment: This report reviews purchase orders between \$10,000 and \$50,000 issued during the first quarter fiscal year 2009-10.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

5. **REGARDING THE MODIFICATION OF AN EXISTING PREFERENTIAL PARKING ZONE AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Introduction.** Comment: This ordinance would establish the Traffic & Parking Commission's role in modifying a time restriction in an existing zone in the same manner as establishing a zone.

ITEM F-5: WAIVE FULL READING AND ADVANCE TO THE MEETING OF NOVEMBER 5, 2009 FOR ADOPTION

RESOLUTIONS APPROVING:

6. **CONDITIONALLY APPROVING ARCHITECTURAL DESIGN MODIFICATIONS TO A PREVIOUSLY APPROVED 13-UNIT CONDOMINIUM BUILDING LOCATED AT 155 NORTH HAMILTON DRIVE.** Comment: This Resolution sets forth the City Council's findings and conditions determined at the September 15, 2009 public hearing.

ITEM F-6: ADOPTED RES#09-R-12707

7. **THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE SALE OF THE SELLER'S PROPOSITION 1A RECEIVABLE FROM THE STATE; AND DIRECTING AND AUTHORIZING CERTAIN OTHER**

ACTIONS IN CONNECTION THEREWITH. Comment: This action authorizes the City to sell its Proposition 1A receivable to the California Statewide Communities Development Authority, a joint exercise of powers authority organized and existing under the laws of the State, at face value rather than hold the receivable until maturity on June 30, 2013.

ITEM F-7: ADOPTED RES#09-R-12708 AG#420-09

APPROVAL OF:

8. **AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, ATLAS ALLIED, INC., FOR THE WATER VALVE REPLACEMENTS AND FIRE HYDRANT INSTALLATIONS WITHIN THE CITY OF BEVERLY HILLS, CALIFORNIA IN THE AMOUNT OF \$358,000; APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFOR; AND, APPROVAL OF THE ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$393,000 TO ATLAS ALLIED, INC. FOR THE PROJECT.** Comment: Provides for the replacement of broken water valves in water system, installation of water valves in the vicinity of Wilshire and Santa Monica Boulevard and installation of fire hydrants at the dead end main of the water system to meet the Health Department requirements.

ITEM F-8: APPROVED AG#421-09

9. **AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, MOORE ELECTRICAL CONTRACTING, INC., FOR MUNICIPAL AREA NETWORK (M.A.N.)/BHUSD FIBER OPTIC AND SECURITY CAMERA INSTALLATION WITHIN THE CITY OF BEVERLY HILLS, CALIFORNIA IN THE AMOUNT OF \$269,921; AND APPROVING THE PLANS AND SPECIFICATIONS THEREFOR; AND, APPROVAL OF A PURCHASE ORDER TO MOORE ELECTRICAL CONTRACTING, INC. IN THE AMOUNT OF \$350,000 FOR THE PROJECT; AND AUTHORIZE THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR FIBER OPTIC COMMUNICATIONS AND SECURITY CAMERA EQUIPMENT IN THE NOT-TO-EXCEED AMOUNT OF \$160,000.** Comment: This project will complete installation of the fiber optic ring into Beverly Vista School, El Rodeo School, and Horace Mann School, and security cameras will be installed at various locations around those schools as well as Beverly Hills High School. This project is pursuant to the Joint Powers Agreement 2008-2012 with the BHUSD and a subsequent agreement letter to facilitate and expedite the aforementioned work.

ITEM F-9: APPROVED AG#422-09

10. **APPROPRIATION OF \$9,200 TO PURCHASE BALLISTIC VESTS UNDER THE FEDERAL BULLETPROOF VEST PARTNERSHIP.** Comment: The FY 2009 Federal Bulletproof Vest Partnership program will reimburse the City for 50% of the costs associated with purchasing ballistic vests.

ITEM F-10: APPROVED

11. **TWO DEFERRED COMPENSATION PLANS - A RETIREMENT HEALTH SAVINGS PLAN (RHS) AND A ROTH 401(K) PLAN.** Comment: Request approval of benefit plans [RHS and Roth 401(k)] to provide employees additional options to save for retirement, through these deferred compensation vehicles. Benefit plans are at no cost to the City.

ITEM F-11: APPROVED

12. **VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN:** ITEM A A PURCHASE ORDER TO MOTOROLA, INC. IN A NOT-TO-EXCEED AMOUNT OF \$594,583 FOR THE PLANNED REPLACEMENT OF POLICE AND FIRE HAND-HELD RADIOS. Comment: This purchase is for the planned replacement of twenty percent of public safety hand held radios.

ITEM F-12A: APPROVED

ITEM B APPROPRIATING FUNDS IN THE AMOUNT OF \$80,000 FOR THE ADDITIONAL LEGAL COSTS RESULTING FROM THE FORMATION OF A NEW BARGAINING UNIT; AND

APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$80,000 TO THE PURCHASE ORDER WITH LIEBERT CASSIDY WHITMORE FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$105,000. Comment: The City needs the assistance and expert labor services of Liebert Cassidy Whitmore to help negotiate the Memorandum of Understanding (MOU) with the new bargaining group representing supervisors.

ITEM F-12B: APPROVED

ITEM C A PURCHASE ORDER IN A NOT-TO-EXCEED AMOUNT OF \$70,504 TO ROUND 2 COMMUNICATIONS, LLC FOR PURCHASING AND PLACING ADVERTISEMENT TO MARKET THE HOLIDAY PROGRAM AND LIGHTING CEREMONY. Comment: This item requests approval of a purchase order in the amount of \$70,504 for the purchase of advertising through Round 2 media for the 2009 holiday marketing program.

ITEM F-12C: APPROVED

13. **ACCEPTANCE OF THE CONTRACT WORK FOR THE INSTALLATION OF DEBRIS SCREEN DEVICES AT STORM WATER CATCH BASINS BY UNITED STORM WATER INC., IN THE FINAL AMOUNT OF \$117,463.40.** Comment: Acceptance of the contract work by United Storm Water Inc. for the installation of the debris screen devices at storm water catch basins to be in compliance with the Ballona Creek Trash TMDL and authorize the City Clerk to record the Notice of Completion.

ITEM F-13: APPROVED

Vote on Consent Agenda:

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

Noes: None

Absent: Councilmember Mirisch

CARRIED

G. COMMISSION SYNOPSIS

1. HUMAN RELATIONS COMMISSION - regular meeting of January 15, 2009.
HUMAN RELATIONS COMMISSION - regular meeting of April 16, 2009.
HUMAN RELATIONS COMMISSION - regular meeting of May 21, 2009.
HUMAN RELATIONS COMMISSION - regular meeting of June 18, 2009.
HUMAN RELATIONS COMMISSION - regular meeting of July 16, 2009.
DESIGN REVIEW COMMISSION - regular meeting of September 3, 2009.
HEALTH AND SAFETY COMMISSION - regular meeting of September 21, 2009.
DESIGN REVIEW COMMISSION - regular meeting of October 1, 2009.

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

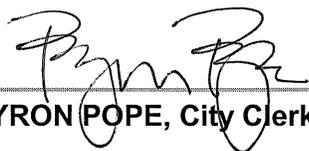
H. OTHER BUSINESS

Assistant City Manager Katie Lichtig reminded the Council and community that November 3, 2009 is Election Day and the next City Council Meeting will be held on Thursday, November 5, 2009.

I. ADJOURNMENT

There being no further business, Mayor Krasne, with the consent of the Council, adjourned the meeting at 8:50 p.m.

PASSED, Approved and Adopted
this 1st day of December, 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.