



**CITY OF BEVERLY HILLS  
CITY COUNCIL  
REGULAR MEETING  
January 05, 2010**

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, Vice Mayor Delshad, and Mayor Krasne

Absent: None

**B. PRESENTATIONS**

Mayor Krasne announced that Assemblyman Feuer is not able to attend tonight's meeting, and his presentation will be rescheduled.

**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. Tom Roberts voiced concern about bus bench billboard structures in the City.

City Manager Roderick Wood responded to Mr. Robert's comments.

**3. REPORT FROM THE CITY MANAGER \* Grant/Stimulus Funding Update - Senior Management Analyst Megan Roach**

Senior Management Analyst Megan Roach provided an update on the City's efforts to seek grant and stimulus funding. Ms. Roach spoke about the grants the City has been rewarded this past fiscal year.

**4. CITY COUNCILMEMBER AND COMMITTEE REPORTS  
- Showcase Beverly Hills  
\*Online Water Usage Application**

Vice Mayor Delshad provided information regarding the City's new innovative online service called the Water Tracker that allows customers to track their water usage and be able to lower their consumption. He noted over the last year the City has been installing "smart" water meters for all customers which track water use and detect leaks immediately.

Mayor Krasne announced the recent passing of former Mayor Benjamin Norton. On behalf of the City Council and all City employees, Mayor Krasne extended condolences to his family, and asked for a moment of silence in his honor.

**D. PUBLIC HEARING**

**TO SET:**

None

**TO CONSIDER:**

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

- 1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES & CHARGES TO ADJUST THE PARKING FACILITY RATES AFTER THE FREE PARKING PERIOD FOR FISCAL YEAR 2009/2010.** Comment: At the request of the City Council, staff is returning with rate proposals for off-street parking fees after the 1 and 2 hour free parking periods. Rate proposals will include the hourly rate and time increment after the free parking periods, the after 6pm flat rate, and a pay-as-you-go parking and validation program at the Civic Center and Bedford garages. This item is continued from the City Council Meeting of December 15, 2009.

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 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 provided a PowerPoint presentation and the staff report for this item. He noted the purpose of the action this evening is financial (mitigate structural deficit of the Parking Enterprise Fund and to create a sustainable operation) and behavioral (provide available, convenient, affordable parking and encourage appropriate usage of the parking assists). He then spoke about the proposed rates, the Bedford and Camden Pay-As-You Go scenarios, financial information, and presented staff recommendations.

Following discussion, the Council recommended amending the proposed resolution to eliminate the evening 6:00pm start time to 5:00pm, and raise the flat rate for vehicles entering after 6:00pm to \$5.00.

MOVED by Councilmember Brucker, seconded by Vice Mayor Delshad to adopt Resolution D-1 as amended to have the evening flat rate start at 6:00pm and increase the flat rate from \$3.00 to \$5.00 as follows:

**RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS  
AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES &  
CHARGES TO ADJUST THE PARKING FACILITY RATES AFTER THE FREE  
PARKING PERIOD FOR FISCAL YEAR 2009/2010.**

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

CARRIED

***ITEM D-1: ADOPTED AS AMENDED RES#10-R-12723***

***E. CONTINUED AND NEW BUSINESS***

- 1. PRESENTATION OF THE FISCAL YEAR ENDING JUNE 30, 2009 COMPREHENSIVE ANNUAL FINANCIAL REPORT.*** Comment: Presents the fiscal year 2008/2009 Comprehensive Annual Financial Report (CAFR) and management letter to the City Council.

Assistant Director of Administrative Services Noel Marquis introduced Accounting Manager Sharon Rahban. Ms. Rahban highlighted the details of the Comprehensive Annual Financial Report (CAFR).

2. ***AN ORDINANCE OF THE CITY OF BEVERLY HILLS RELATING TO PARKING METER ZONES HOURS OF OPERATION AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. First reading - For Introduction.*** Comment: This ordinance will amend the municipal code section of the Beverly Hills Municipal Code relating to the hours of operation for on-street parking meters. Such hours of operation will be extended from 8am to 6pm to 8am to 9pm except in anti-gridlock zones.

Director of Parking Operations Chad Lynn provided the staff report and a PowerPoint presentation for this item. He reviewed the current and proposed hours of operation.

Following discussion, and to affect the Council's intent, City Attorney Wiener suggested adding the following phrase at the beginning of each of the paragraphs that are shown in sections 1-6 of the proposed ordinance, that would say "except as otherwise set by the Director of Public Works and Transportation as provided in this paragraph". He explained this would provide the flexibility for the Director to come back in the future to address different hours as the Council had discussed this evening.

Since the fee structure was not agendaized tonight, Vice Mayor Delshad and Councilmember Mirisch directed staff to bring back the fee structure matter for a future Study Session discussion.

MOVED by Councilmember Brucker, seconded by Councilmember Mirisch to waive full reading and advance Ordinance E-2 as amended to include language suggested by the City Attorney to the meeting of January 12, 2010 as follows:

**AN ORDINANCE OF THE CITY OF BEVERLY HILLS RELATING TO PARKING METER ZONE HOURS OF OPERATION 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-2: WAIVE FULL READING AND ADVANCE TO THE MEETING OF JANUARY 12, 2009 AS AMENDED***

## **F. CONSENT CALENDAR**

MOVED by Councilmember Brien, seconded by Councilmember Mirisch to approve the items on the consent agenda, and direct that the appropriate accounts be charged on Items F-1 and F-2.

**Minutes**

1. **CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the regular meeting of December 15, 2009.**

**Demands Paid**

2. **REVIEW OF BUDGETED DEMANDS PAID, report dated December 9 - 22, 2009.**
3. **PAYROLL DISBURSEMENT REPORT, report dated January 5, 2010.**

**Other Business**

**ORDINANCE OF THE CITY OF BEVERLY HILLS:**

None

**RESOLUTIONS APPROVING:**

4. **AUTHORIZING THE SUBMITTAL OF A FUNDING APPLICATION TO THE CALIFORNIA ENERGY COMMISSION TO IMPLEMENT ENERGY EFFICIENCY IMPROVEMENTS AT VARIOUS CITY FACILITIES.** Comment: Requests that authorization be granted to apply and accept grant funding in the amount of \$192,706 under the American Recovery and Reinvestment Act of 2009 administered through the California Energy Commission to implement energy efficiency improvements. APPROVAL OF:

**ITEM F-4: ADOPTED RES#10-R-12724**

5. **FIFTH AMENDMENT TO LEASE WITH FEDEX OFFICE AND PRINT SERVICES, INC., A TEXAS CORPORATION.** Comment: Council approval is requested for the Fifth Amendment to lease with Fedex Office and Print Services at 461 North Bedford Drive. This Fifth Amendment updates the corporate name of the company and extends the term of the lease by one year.

**ITEM F-5: APPROVED AG#01-10**

6. **PURCHASE ORDERS THAT TOTAL \$81,189.30 AND WERE ISSUED TO DOOLEY ENTERPRISES INC. FOR POLICE DEPARTMENT AMMUNITION.** Comment: The Police Department has issued three purchase orders to Dooley Enterprises Inc. that, collectively, exceed the \$50,000 threshold and require approval of the City Council.

**ITEM F-6: APPROVED**

7. **AMENDMENT NO. 4 TO AN AGREEMENT WITH THE TENNIS PLACE INC. D/B/A "BEVERLY HILLS TENNIS" FOR A THREE (3) MONTH EXTENSION TO THE EXISTING AGREEMENT.** Comment: The agreement with Beverly Hills Tennis expired on 12/31/09. The extension will allow Beverly Hills Tennis to operate under the same agreement provisions during the interim of drafting a new tennis concession agreement

**ITEM F-7: APPROVED AG#02-10**

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

**ITEM A A PURCHASE ORDER TO MAR-CO EQUIPMENT COMPANY IN A NOT-TO-EXCEED AMOUNT OF \$285,281.74 FOR THE PLANNED REPLACEMENT OF ONE COMPRESSED NATURAL GAS (CNG) POWERED REGENERATIVE-AIR STREET SWEEPER.** Comment: Comment: This purchase is for the planned replacement of one (1) Truck-mounted Regenerative Air Street Sweeper powered by Compressed Natural Gas (CNG) engine.

**ITEM F-8A: APPROVED**

**ITEM B AMENDMENT NO. 1 TO AN AGREEMENT WITH XEROX CORPORATION FOR CITYWIDE COPIERS, LICENSE OF SOFTWARE, INSTALLATION AND RELATED SERVICES.** Comment: This is a no cost amendment to the existing agreement with Xerox to modify the commencement and termination dates and to modify model numbers of multi-function devices to be provided to the City.

**ITEM F-8B: APPROVED AG#03-10**

**ITEM C AMENDMENT NO. 2 TO THE AGREEMENT WITH PACIFIC COAST CABLING, INC. D.B.A. PCC NETWORK SOLUTIONS FOR COMMUNICATIONS INFRASTRUCTURE SERVICES RELATED TO CITY CAPITAL IMPROVEMENT PROJECTS; AND**

**APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$68,907.90 TO THE PURCHASE ORDER FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$158,907.90 FOR THESE SERVICES.** Comment: Provides for data and voice cabling services for the workstations and offices for the Third Floor remodel of City Hall. The total amount of the agreement including the amendment is \$158,907.90.

**ITEM F-8C: APPROVED AG#04-10**

Vote on Consent Calendar:

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

Noes: None

CARRIED

**G. COMMISSION SYNOPSIS**

- 1. HEALTH AND SAFETY COMMISSION - regular meeting of November 23, 2009.  
DESIGN REVIEW COMMISSION - special meeting of December 8, 2009.**

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

**H. OTHER BUSINESS**

None

**I. ADJOURNMENT**

There being no further business, Mayor Krasne with the consent of Council, adjourned the meeting at 8:55pm to January 12, 2010 at 2:30pm.

PASSED, Approved and Adopted  
this 12th day of January, 2010.

  
\_\_\_\_\_  
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.**