



**CITY OF BEVERLY HILLS  
CITY COUNCIL  
ADJOURNED REGULAR  
January 12, 2010**

The Adjourned 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: Mayor Krasne, Councilmember Mirisch, Councilmember Brien,  
Councilmember Brucker, and Vice Mayor Delshad

Absent: None

Mayor Krasne announced she will be pulling Item F-4 from the consent calendar.

**B. PRESENTATIONS**

**1. PROCLAMATION - Honoring retiring City Manager Roderick J. Wood**

The entire City Council, with Dr. Brien speaking on behalf of the Council, presented retiring City Manager Roderick Wood with a proclamation and gift for his service to the Beverly Hills community.

**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. Rose Norton thanked the Council and community for their tremendous outpouring of support during the recent passing of her husband, former Mayor Ben Norton. Mrs. Norton also thanked the paramedics for their excellent, professional service.

**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. Thomas White spoke regarding Item F-4 (parking meter zones hours of operation) and clarified that the Mayor's intention is to remove the item from the agenda and schedule for a future meeting.

2. Julia Joseph spoke about the annual concert of the Advanced Dance Theater to be held at the High School on January 13 through January 16 at 7:30pm, and invited the entire community to attend.

**ITEM F-4 TAKEN OUT OF ORDER:**

- 4. RELATING TO PARKING METER ZONES HOURS OF OPERATION AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. Second reading - For Adoption.** Comment: This ordinance will amend the municipal code section to allow the Director of Parking and Transportation to determine the specific hours of operation for on-street parking meters between the hours of 6:00am to 11:59pm every day of the week. The Director's proposal is to extend hours of operation from 8am to 6pm to 8am to 9pm Monday thru Saturday and 12pm to 5pm on Sundays.

Mayor Krasne explained the reason she pulled Item F-4 relating to the Parking Meter Zones Hours of Operation that was on the agenda for adoption this evening. She mentioned the impact this ordinance would have on the Farmers' Market and Church parking near Santa Monica Boulevard, and would like further review of this matter.

In response to Council's comments, Director of Parking Operations Chad Lynn pointed out that the way the new ordinance is written, it is designed to allow the meters to be adjusted to any times during the day all seven days of the week. City Attorney Wiener clarified the language of the ordinance will not have to be changed.

Following discussion, it was the consensus of the Council to have staff meet with the interested parties from the Churches and continue this matter to the meeting of February 2, 2010 where Council will give direction to the Director of Parking Operations to implement different hours in certain areas of the City. Staff was asked to provide a list of the names of the representatives they conferred with regarding this matter.

MOVED by Councilmember Brien, seconded by Vice Mayor Delshad to continue this matter to the meeting of February 2, 2009.

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

Noes: None

CARRIED

**ITEM F-4: MATTER CONTINUED TO THE MEETING OF FEBRUARY 2, 2010**

3. **REPORT FROM THE CITY MANAGER**  
**\*Overview of City Owned Commercial Property**  
**- Real Estate and Property Manager Brenda Lavender**

Real Estate and Property Manager Brenda Lavender provided a Power Point presentation and overview of the City's commercial properties. Ms. Lavender explained the role and responsibility of the property management division, its goals and objectives, and current fiscal year work plan.

4. **CITY COUNCILMEMBER AND COMMITTEE REPORTS**  
**\*Showcase Beverly Hills:**  
**- Greystone Events**

Councilmember Brucker spoke about the Greystone Mansion family events scheduled over the next few months.

Mayor Krasne announced the passing of Santa Monica Mayor Ken Genser, and on behalf of the City Council and the City of Beverly Hills, extended condolences to his family and the City of Santa Monica.

**D. PUBLIC HEARING**

**TO SET:**

1. **APPEAL OF THE BUILDING OFFICIAL'S REVOCATION OF BUILDING PERMIT NO. BS0725308 FOR THE PROPERTY LOCATED AT 1201 LAUREL WAY.**  
Comment: The applicant has filed an appeal of the Building Official's decision to revoke a building permit previously issued to allow the construction of a major addition and remodel of the existing single family residence. Staff recommends setting this item for public hearing at the Regular City Council Meeting on February 2, 2010 at 7pm. TO CONSIDER:

Assistant Director of Community Development George Chavez presented a brief summary of this issue.

Speaking:

1. Alex DeGood, attorney representing the owner, noted his client will be out of the country on February 2nd and requested that the hearing be set for a later date.

**ITEM D-1: BY ORDER OF THE CHAIR, HEARING IS SET FOR FEBRUARY 16, 2010**

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

2. ***A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ADOPTING AMENDMENTS TO THE CITY OF BEVERLY HILLS GENERAL PLAN AND ADOPTING A NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.*** Comment: Consideration of adopting the goals, policies and implementation programs constituting the first set of amendments to the City's general plan (Step One) and the associated environment review document.

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 Services concerning this matter shall be entered into the record.

Community Development Director Susan Healey Keene provided the PowerPoint presentation and oral report of Step One of the General Plan Update which includes a broad set of amendments to the City's General Plan. She reported in total, more than 600 goal, policy and program statements are to be adopted.

Speaking:

1. Victor Moss voiced concern about the economic sustainability (ES) portion of the General Plan.
  2. Noah Furie, Planning Commissioner, made personal comments in support of the goal for ES1 and asked the Council to incorporate this modified language into the amendment of the General Plan Update and move forward with Step 1 tonight.
  3. Joseph Tilem, on behalf of the Apartment Owners Association, explained why he is asking the Council to delete Land Use 2.11 since it is already covered in the Housing Element of the General Plan.
- Council suggested replacing the words proactive and aggressive (in LU 2.11) with effective and responsive, which Mr. Tilem agreed with.
4. Dick Wolf expressed support of the newly crafted language presented by Ken Goldman for the ES section.
  5. Lori Goldman asked that the Council make the ES language tight enough, so developers will not dictate how the City operates.
  6. Dan Walsh, President and CEO of the Beverly Hills Chamber of Commerce, stated the Chamber supports the proposed language for Environmental Sustainability except to delete the word "but" from the last sentence of the ES/LU.
  7. David Gordon stated his support of the current direction of the language for ES1.
  8. Ken Goldman, speaking on behalf of the Southwest Beverly Hills Homeowners Association, made additional suggested changes to the proposed language to include "in a manner which is consistent"...

9. Steve Webb supports the most recent language corrections to ES 1 and congratulated everyone that has been involved in the General Plan Update.

10. Michael Broida mentioned the issue he had was resolved this evening but noted how using the word "all" can be limiting and produce negative outcomes.

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

In response to a question raised by Councilmember Brien, Planning Commission Chair Nan Cole explained the Commission's position regarding Commercial Common Interest Development (CID). The Council was in concurrence to eliminate the highlighted language in LU 10.2 and leave the original language as reviewed.

There were no further questions or comments of Councilmembers.

MOVED by Councilmember Brien, seconded by Councilmember Mirisch to approve Resolution D-2 with the recommended changes as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS  
ADOPTING THE AMENDMENTS TO THE CITY OF BEVERLY HILLS  
GENERAL PLAN AND ADOPTING A NEGATIVE DECLARATION PURSUANT  
TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

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

CARRIED

**ITEM D-2: ADOPTED AS AMENDED RES#10-R-12725**

Councilmember Mirisch left the Chambers at 9:35pm.

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

- 1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010.** Comment: The League of California Cities is a coalition sponsor of a measure which is anticipated to qualify for the November 2010 State ballot. This ballot initiative would protect local revenues from being diverted or borrowed to balance the State budget.

Deputy City Manager Cheryl Friedling provided the staff report and highlighted the Governor's proposal, and the signature gathering requirements to place this item on the November 2010 ballot. Ms. Friedling explained voter approval of this ballot initiative would close loopholes and amend the California Constitution to further prevent Sacramento from seizing, diverting, shifting, borrowing, transferring,

suspending or otherwise taking or interfering with tax revenues dedicated to funding local government services.

Councilmember Brien mentioned he is opposed to governing through proposition and constitutional amendment although he will support this because he has an obligation to the residents of the City to preserve and protect the revenue streams that provide City services.

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

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010.

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

Noes: None

Absent: Councilmember Mirisch

CARRIED

**ITEM E-1: ADOPTED RES#10-R-12726**

#### **F. CONSENT CALENDAR**

MOVED by Mayor Krasne, seconded by Councilmember Brien to remove Item F-4 from the consent agenda, remove Item F-16 for discussion for amendment added and return to the consent agenda, approve all items on the consent agenda and direct that the appropriate accounts be charged on Item F-2 and F-3.

#### **Minutes**

- 1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the regular meeting of January 5, 2010.**

#### **Demands Paid**

- 2. REVIEW OF BUDGETED DEMANDS PAID, report dated December 23 - 31, 2009.**
- 3. PAYROLL DISBURSEMENT REPORT, report dated January 12, 2010.**

#### **Other Business**

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

- 4. RELATING TO PARKING METER ZONES HOURS OF OPERATION AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. Second Reading - For**

**Adoption.** *This ordinance will amend the municipal code section to allow the Director of Parking and Transportation to determine the specific hours of operation for on-street parking meters between the hours of 6:00am to 11:59pm every day of the week. The Director's proposal is to extend hours of operation from 8am to 6pm to 8am to 9pm Monday thru Saturday and 12pm to 5pm on Sundays.*

**ITEM F-4: THIS ITEM WAS REMOVED FROM THE CONSENT AGENDA AND DISCUSSED EARLIER IN THE MEETING**

**RESOLUTIONS APPROVING:**

5. **A FINAL STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF FUNDS FOR THIRTY-SIXTH YEAR (2010-2011) FUNDING UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED.** Comment: Annual application to the LA County Community Development Commission indicating the intended use of \$256,626 of federal Community Development Block Grant funds

**ITEM F-5: ADOPTED RES#10-R-12727**

6. **APPLYING FOR THE FY10/11 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT FROM THE STATE OFFICE OF TRAFFIC SAFETY.** Comment: If awarded, grant funding will be used to conduct sobriety enforcement and other traffic safety operations. APPROVAL OF:

**ITEM F-6: ADOPTED RES#10-R-12728**

7. **HUMAN RELATIONS COMMISSION APPOINTMENT.** Comment: Appoints Thomas Pease to the Human Relations Commission for an initial two year term.

**ITEM F-7: APPROVED**

8. **A LEASE WITH JEFF AND PATTY KOLIN FOR THE SINGLE FAMILY RESIDENCE AT 265 SOUTH LA PEER DRIVE.** Comment: This agreement will lease the single family residential property at 265 South La Peer Drive to Jeff and Patty Kolin while Mr. Kolin serves as City Manager of the City of Beverly Hills.

**ITEM F-8: APPROVED AG#12-10**

9. **AMENDMENT NO. 1 TO THE EMPLOYMENT AGREEMENT WITH JEFF KOLIN.** Comment: This amendment will amend the employment agreement with Jeff Kolin in two ways. First, it advances his start date by five days. Second, it modifies his health benefits to reflect the cafeteria plan that was adopted by the City Council after the approval of Mr. Kolin's employment agreement.

**ITEM F-9: APPROVED AG#13-10**

10. **AGREEMENT WITH JEWISH FAMILY SERVICE FOR CONTINUATION OF THE HANDYWORKER SERVICES PROGRAM FOR SINGLE UNITS IN 2009-2010.**  
Comment: This agreement provides for minor home repair services for low income residents in single family homes, regardless of religion, through a \$79,720 Community Development Block Grant funded by the County of Los Angeles.

**ITEM F-10: APPROVED AG#14-10**

11. **AGREEMENT WITH JEWISH FAMILY SERVICE FOR CONTINUATION OF THE HANDYWORKER SERVICES PROGRAM FOR MULTI-UNITS IN 2009-2010.**  
Comment: This agreement provides for minor home repairs for low income residents, regardless of religion, in multi-family buildings through a \$112,739 Community Development Block Grant funded by the County of Los Angeles.

**ITEM F-11: APPROVED AG#15-10**

12. **THE AWARD OF A CONTRACT TO PIMA CORPORATION DBA ADVANCED CONSTRUCTION FOR THE GREYSTONE PARK PHASE 3 SITE IMPROVEMENTS PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND,**

**APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$1,692,000 TO PIMA CORPORATION DBA ADVANCED CONSTRUCTION FOR THE CONTRACT WORK.** Comment: Provides for the contract work to implement the site improvements at the southern portion of the park along Doheny Road from the Gatehouse to the Stable area.

**ITEM F-12: APPROVED AG#16-10**

13. **AN AGREEMENT WITH JEFFREY M. KALBAN & ASSOCIATES ARCHITECTURE, INC. FOR CONSULTANT SERVICES RELATED TO THE DEVELOPMENT OF A THREE-STORY OFFICE BUILDING AT 9400 SOUTH SANTA MONICA BOULEVARD; AND,**

**APPROPRIATING FUNDS IN THE AMOUNT OF \$125,000 THEREFOR; AND,**

**APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$127,722 TO JEFFREY M. KALBAN & ASSOCIATES ARCHITECTURE, INC. FOR THESE SERVICES.** Comment: Provides for the architectural and engineering design services for a three-story office building located at 9400 South Santa Monica Boulevard.

**ITEM F-13: APPROVED AG#17-10**

14. **VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN:** ITEM A ACCEPTING A DONATION OF \$10,000 FROM MICHAEL OVITZ TO THE BEVERLY HILLS FIRE DEPARTMENT AND AS REQUESTED BY THE BEVERLY HILLS FIRE DEPARTMENT APPROPRIATING THESE FUNDS FOR CONSTRUCTION EXPENSES AND OTHER MISCELLANEOUS HARD COSTS RELATED TO A 9/11 MEMORIAL TO BE PLACED AT FIRE STATION 1.

Comment: Mr. Ovitz has made a contribution in the amount of \$10,000 to the Beverly Hills Fire Department. The Fire Department has chosen to help finance construction of a pedestal-based memorial, containing World Trade Center steel artifacts, commemorating the tragic events of 9/11/2001, in front of Fire Station 1 with the donated funds. The 9/11 Memorial will be for public viewing and will pay tribute to the thousands of innocent people who lost their lives on that tragic morning of September 11, 2001.

**ITEM F-14A: APPROVED**

ITEM B A PURCHASE ORDER TO THE STATE OF CALIFORNIA, DEPARTMENT OF INDUSTRIAL RELATIONS, SELF-INSURANCE PLANS IN THE NOT-TO-EXCEED AMOUNT OF \$66,010.41 FOR THE ANNUAL ASSESSMENT FOR THE WORKERS' COMPENSATION SELF-INSURANCE. Comment: The State of California assesses an annual fee to all self-insured workers' compensation plans.

**ITEM F-14B: APPROVED**

15. **AGREEMENT WITH THE LAW OFFICES OF HOLME ROBERTS & OWEN LLP FOR SPECIAL COUNSEL LABOR LITIGATION SERVICES.** Comment: This agreement retains the law firm of Holme Roberts and Owen to provide litigation services in connection with employment law matters.

**ITEM F-15: APPROVED AG#18-10**

16. **AN AMENDED COMPENSATION PLAN FOR DEPARTMENT DIRECTORS, ASSISTANT DEPARTMENT DIRECTORS, AND SENIOR MANAGEMENT EMPLOYEES.** Comment: These amendments continue and refine the changes in the compensation plans that the City has pursued with its employee groups. The changes include basing future salary adjustment on salary surveys, a cafeteria plan for health benefits and adoption of a defined contribution benefit plan. The goal of these changes is to generate future savings while ensuring competitive salaries and benefits.

In response to an earlier question raised by Council regarding the total cost of the provision related to the insurance payout, City Manager Wood stated the approximate range of the cost would be between \$74,000 and \$120,000. City Attorney Wiener distributed a handout with the amendments that would be needed to the plan to implement the payout which would make this a one year program.

**ITEM F-16: APPROVED AG#19-10**

**Vote on Consent Calendar:**

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

Noes: None.

CARRIED

**G. COMMISSION SYNOPSIS**

*None*

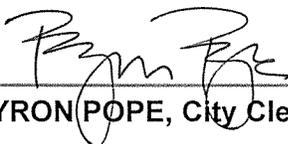
**H. OTHER BUSINESS**

Councilmember Brien requested to put Councilmember Alex Padilla's proposal on a future study session agenda for discussion.

**I. ADJOURNMENT**

There being no further business, Mayor Krasne with the consent of Council adjourned the meeting at 9:55pm.

PASSED, Approved and Adopted  
this 2<sup>nd</sup> day of February, 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.**