CITY OF BEVERLY HILLS
MINUTES
ADJOURNED REGULAR CITY COUNCIL
AND
SPECIAL PARKING AUTHORITY
April 22, 2010

The Joint Adjourned Regular Meeting of the City Council and the Special Parking Authority Meeting was held in the Council Chambers at 7:00pm.

A. ROLL CALLS

Present: Mirisch, Brien, Krasne, Brucker, and Delshad
Absent: None

Roll call was taken for the City Council and Parking Authority.

B. PRESENTATIONS

1. RECOGNITION - The Beverly Vista Junior Girl Scout Troop 10825

Mayor Delshad, along with Councilmembers Mirisch and Krasne, presented badges and certificates to the members of the Girl Scout Troop for their service to the community.

CONTINUED ITEMS FROM THIS AFTERNOON'S STUDY SESSION:

Item A-5 Discussion of Consolidation of Design Review and Architectural Commissions

Director of Community Development Susan Healy Keene reported the consolidation was recommended in the Matrix Management Study that was performed several years ago. She spoke about the efforts by staff to streamline the processes to support both Commissions (Architectural and Design Review) and noted staff is not recommending a consolidation at this time. It was the consensus of the Council not to consolidate the commissions and reduce the number of Commissioners on the Architectural Commission from 7 to 5. Staff will return at a later date with minor code adjustments. It was noted the Liaison Committee will determine the staggering of the reappointments for the Design Review Commission and return to the Council for approval.

Item A-6 Review of City Council Policy on Allocation of TOT Marketing Funds

Director of Economic Development and Marketing Alison Maxwell explained this is an opportunity to review the history of the TOT program and provide the City Council with an opportunity to modify, leave as it or even disband the policy. Following discussion, it was the consensus of the Council to remain supportive of the 2% TOT with some hold back after budget discussions, if necessary.

Speaking:

1. Gaby Alexander, speaking on behalf of the Canon Drive Association, urged the Council to continue the full allocation of 2% of the TOT toward targeted, effective marketing and outreach for the City.

2. Councilmember Mirisch read a letter into the record from representatives from the Beverly Hills Conference & Visitors Bureau, Beverly Hills Chamber of Commerce and the Rodeo Drive Committee asking the Council to retain the 2% of TOT to fund the tourism and marketing programs.

Item A-3 Presentation of the Community Services Department's Management and Organizational Analysis by Arroyo Associates, Inc. - will be rescheduled.

The Study Session was adjourned at 8:35pm.

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/Parking Authority 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/Parking Authority.)

   None

2. ***AUDIENCE COMMENTS.*** Any person wishing to address the City Council/Parking Authority 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/Parking Authority 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/Parking Authority 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. Cheri Yousem spoke about the Human Relations Commission's sponsorship of diversity training.

2. Jill Tavelman Collins announced the Volunteer Recognition Reception to be held at Greystone Mansion on Wednesday, May 26, 2010. Ms. Collins read a list of the residents that will be funding the reception.

3. REPORT FROM THE CITY MANAGER
****City's Sidewalk Program***
****1st Budget Session on Tuesday, May 4, 2010 at 1:00pm***

Fred Simonson, Maintenance Operations Manager, presented a PowerPoint presentation and spoke about the City's sidewalk program. Mr. Simonson noted the sidewalk program goals, key policy points, typical sidewalk defects, common sidewalk repair methods and the life cycle of a sidewalk repair.

Assistant City Manager Mahdi Aluzri announced the schedule for the upcoming budget discussions.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS
- Did you know?
****Herzl Way Renaming***
****Beverly Hills Police Department Response Time***

Councilmember Krasne reported on the Beverly Hills Police Department response time.

Councilmember Brien reminded the community about the Smart City Water Tracker to help reduce water consumption.

Councilmember Mirisch announced the renaming of a block of Clark Drive in honor of Theodore Herzl to Herzl Way on May 2, 2010 at 11:00am.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

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. This item is being continued to the City Council Meeting of May 4, 2010.

ITEM D-1: BY ORDER OF THE CHAIR, ITEM IS CONTINUED TO THE MEETING OF TUESDAY, MAY 4, 2010 AT 7:00PM

E. CONTINUED AND NEW BUSINESS

1A. AN URGENCY ORDINANCE OF THE CITY OF BEVERLY HILLS RELATED TO METERED TAXICAB RATES AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE.

1B. AN ORDINANCE OF THE CITY OF BEVERLY HILLS RELATED TO METERED TAXICAB RATES AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE.

First reading - For Introduction. Comment: This ordinance amends the Beverly Hills Municipal Code relating to metered taxicab rates that were inadvertently adopted in a form that is not consistent with federal standards in September 2007. An urgency ordinance is also recommended for immediate adoption in order to protect the public safety and welfare by establishing a conforming rate and enabling the City to enforce overcharges perpetrated by taxi companies operating in the City of Beverly Hills.

Director of Parking Operations Chad Lynn explained adoption of the urgency and permanent ordinances would enable staff to enforce the current rates. Mr. Lynn noted the current ordinance adopted in 2007 was meant to match the rates of the City of Los Angeles but that did not occur. This action will make the rates consistent with programming standards for taxicab meters as set for by the National Institute of Standards and Technology (NIST).

MOVED by Krasne, seconded by Brucker to adopt Urgency Ordinance E-1A as follows:

AN URGENCY ORDINANCE OF THE CITY OF BEVERLY HILLS RELATED TO METERED TAXICAB RATES AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE.

Ayes: Brucker, Delshad, Krasne, Brien, and Mirisch
Noes: None

CARRIED

ITEM E-1A: ADOPTED ORD#10-O-2579

MOVED by Krasne, seconded by Brucker to waive full reading and advance Ordinance E-1B to the meeting of May 4, 2010 for adoption as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS RELATED TO METERED TAXICAB RATES AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE.

Ayes: Brucker, Delshad, Krasne, Brien, and Mirisch
Noes: None

CARRIED

ITEM E-1B: WAIVE FULL READING AND ADVANCE TO THE MEETING OF MAY 4, 2010 FOR ADOPTION

F. PARKING AUTHORITY CONSENT CALENDAR

MOVED by Brien, seconded by Brucker to approve Item F-1 on the consent agenda.

Minutes

None

1. ***LEASE AND MEMORANDUM OF LEASE AND GUARANTY OF LEASE BY AND BETWEEN THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS AND LA VALENCIA.*** Comment: This lease is for a vitrine space at the Gardens Building located at 240 North Beverly Drive for a term of eighteen (18) months.

ITEM F-1: APPROVED AG#PA10-05; AG#PA-10-06

Vote on Consent Calendar:

Ayes: Brucker, Delshad, Krasne, Brien, and Mirisch
Noes: None

CARRIED

G. CITY COUNCIL CONSENT CALENDAR

MOVED by Brucker, seconded by Krasne to approve the items on the consent agenda, and direct that the appropriate accounts be charged on Items G-1 and G-2.

Minutes

None

APPROVAL OF:

Demands Paid

1. ***REVIEW OF BUDGETED DEMANDS PAID, report dated March 29 - April 9, 2010.***
2. ***PAYROLL DISBURSEMENT REPORT, report dated April 22, 2010.***

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

3. ***REGARDING REDUCTION OR ELIMINATION OF BUSINESS TAX PENALTIES FOR GOOD FAITH COMPLIANCE WITH CITY TAX LAWS AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. Second Reading - For Adoption.*** Comment: This ordinance amends the City of Beverly Hills Municipal Code to include provisions regarding the reduction or elimination of business tax penalties for good faith compliance with city tax laws.

   ITEM G-3: ADOPTED ORD#10-O-2580

4. ***UNCODIFIED ORDINANCE EXTENDING THE TERMS OF THREE MEMBERS OF THE RECREATION AND PARKS COMMISSION (JILL TAVELMAN COLLINS, MICHAEL BLUMENFELD AND KATHLEEN ROTHNER). First Reading - For Introduction.*** Comment: Amending the City of Beverly Hills Municipal Code to extend the Commission terms of three current Recreation and Parks Commissioners - Jill Tavelman Collins (from September 7, 2010 to November 23, 2010), Michael Blumenfeld (from October 21, 2010 to November 23, 2010) and Kathleen Rothner (from October 21, 2010 to April 1, 2011).

   ITEM G-4: WAIVE FULL READING AND ADVANCE TO THE MEETING OF MAY 4, 2010 FOR ADOPTION

RESOLUTIONS APPROVING:

5. ***SETTING FORTH THE POSITION OF THE CITY OF BEVERLY HILLS OPPOSING PROPOSITION 16.*** Comment: This report asks the City Council to adopt a resolution opposing Proposition 16, the "New Two-Thirds Requirement for Local Public Electricity Providers" on the June 8, 2010 California Statewide Ballot. APPROVAL OF:

   ITEM G-5: ADOPTED RES#10-R-12744

6. ***REAPPOINTING A MEMBER TO THE PLANNING COMMISSION (DANIEL YUKELSON).*** Comment: Reappoints Daniel Yukelson to the Planning Commission for a four year term.

   ITEM G-6: APPROVED

7. ***REAPPOINTING A MEMBER TO THE TRAFFIC AND PARKING COMMISSION (JEFFREY LEVINE).*** Comment: Reappoints Jeffrey Levine to the Traffic and Parking Commission for a four year term.

   ITEM G-7: APPROVED

8. ***AMENDMENT NO. 4 TO THE AGREEMENT WITH STEGEMAN AND KASTNER, INC. FOR PROJECT MANAGEMENT CONSULTANT SERVICES RELATED TO THE CITY'S CAPITAL IMPROVEMENT PROJECTS; AND APPROVAL OF A CHANGE PURCHASE ORDER IN THE AMOUNT OF $15,000 TO STEGEMAN AND KASTNER, INC. FOR THESE SERVICES.*** Comment: Provides for continuing project management services in conjunction with the Project Administration office for the City's capital improvement projects.

ITEM G-8: APPROVED AG#129-10

9. ***AN AGREEMENT WITH BEHRENS AND ASSOCIATES, INC., TO PROVIDE CONSTRUCTION NOISE MONITORING SERVICES DURING THE REPLACEMENT OF WATER RESERVOIR TANKS 3A, 4B, 5, 6 AND 7; AND,***

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF $128,100 TO BEHRENS AND ASSOCIATES. Comment: This agreement is for the acoustical services for the purpose of monitoring construction noise levels during demolition and replacement of 5 City above-ground steel water tanks, and seismic retrofit of the associated pump stations.

ITEM G-9: APPROVED AG#130-10

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

ITEM A A CHANGE ORDER TO THE BLANKET PURCHASE ORDER TO GOVCONNECTION, INC. IN THE AMOUNT OF $75,000 FOR COMPUTER EQUIPMENT REPLACEMENT, MISCELLANEOUS PARTS, SPARES AND INCIDENTALS, AS NEEDED FOR A TOTAL NOT-TO-EXCEED AMOUNT OF $150,000. Comment: During the course of the year, unanticipated purchases occurred related to various citywide projects requiring hardware, software and infrastructure equipment. A change order request is needed to pay for the additional anticipated purchases for the remainder of the year related to ongoing citywide needs for hardware, software and equipment. Pricing is pursuant to GSA contract #GS-35F-0750P, which expires August 17, 2014.

ITEM G-10A: APPROVED

ITEM B A PURCHASE ORDER IN THE AMOUNT OF $65,172.37 TO RACEWAY FORD FOR THE PURCHASE OF A TRUCK MOUNTED VALVE OPERATOR VACUUM UNIT. Comment: This item requests approval of a purchase order to Raceway Ford in the amount of $65,172.37 for the purchase of a Truck-mounted Valve Operator/Vacuum Machine to replace an obsolete machine currently assigned to the Public Works & Transportation Department, Water Distribution Maintenance Division.

ITEM G-10B: APPROVED

11. ***ACCEPTANCE OF CONTRACT WORK FOR THE FIRE ALARM SYSTEM UPGRADES AT CITY HALL BY JAM CORPORATION IN THE FINAL CONTRACT AMOUNT OF $48,500.00.*** Comment: Requests acceptance of the contract work and authorizes the recording of the Notice of Completion with the County Recorder.

ITEM G-11: APPROVED

Vote on Consent Agenda:

Ayes: Mirisch, Brien, Krasne, Brucker, and Delshad
Noes: None

CARRIED

H. COMMISSION SYNOPSIS

None

I. OTHER BUSINESS

None

J. ADJOURNMENT

There being no further business, Mayor/Chair Delshad, with the consent of the Council/Parking Authority, adjourned the meeting at 9:10pm to the Closed Session for the items listed on the agendas.

PASSED, Approved and Adopted
this 4th day of May, 2010.

BYRON POPE, City Clerk

JIMMY DELSHAD, MAYOR/CHAIR

This meeting was broadcast on live television, on City of Beverly Hills municipal government television access Channel BHTV10 Time Warner Cable.