



**CITY OF BEVERLY HILLS
CITY COUNCIL
ADJOURNED REGULAR AND
PARKING AUTHORITY
MINUTES
August 03, 2010**

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

PLEDGE OF ALLEGIANCE

A. *ROLL CALLS*

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

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

B. *PRESENTATIONS*

1. *PROCLAMATION - Dorothe Richberg in honor of her 100th birthday*

Mayor Delshad, with the assistance of Vice Mayor Brucker, presented a proclamation to Dorothe Richberg in honor of her 100th birthday.

2. *PROCLAMATION - Nate n' Al's in honor of their 65th Anniversary.*

Mayor Delshad, along with Councilmember Brien, presented a proclamation to David Mendelson of Nate 'n Al's in honor of their 65th Anniversary, and declared August 17, 2010 as Nate 'n Al's Day in the City of Beverly Hills.

3. *FRIENDLY CITY AWARD RECIPIENTS - Are being recognized for helping to make Beverly Hills a friendlier place.*

Mayor Delshad, along with Councilmember Krasne, presented a Friendly City Award to Urvi Radia, a consultant at The Organic Pharmacy on North Beverly Drive.

**4. REPORT FROM SOUTHERN CALIFORNIA EDISON
- Mark Olson, Regional Manager**

Region Manager of Public Affairs Mark Olson commented on recent concerns about power reliability and introduced Henry Darnell, District Manager of Distribution, Construction and Maintenance, who provided a PowerPoint presentation and explained the recent Beverly Hills circuit outages.

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. Anita Zussman Eddy, Vice President of Economic Development and Government Affairs for the Beverly Hills Chamber of Commerce, presented Studiomusica, a new business in Beverly Hills, and introduced its Managing Director Amy Cox.

2. Amy Cox, Studiomusica, along with the CEO of the company and a colleague from the Beverly Hills office, introduced the company to the Council and the community. Ms. Cox presented the Mayor and City Council with a compilation CD.

3. REPORT FROM THE CITY MANAGER (taken out of order)

*** Fire Department EMS Response - Why We Send an Engine Company on Every Medical Response**

*** Paramedic School - How Long is Training and What's Involved?**

*** Report on City Bond Offering of July 28th, 2010**

City Manager Jeff Kolin introduced Battalion Chief Dwight Simpson and highlighted Chief Simpson's experience and education.

C-Shift Battalion Chief Dwight Simpson presented a PowerPoint presentation on EMS response and explained why the Fire Department sends an engine company on every medical response and what it takes to become a paramedic.

Chief Financial Officer Dr. Scott Miller provided a report to the Council regarding the bonds that were sold to the market last week for various City projects.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS
- Did you know?

Deputy City Manager Cheryl Friedling provided an update on the 9.02.10 event.

Councilmember Mirisch provided some interesting facts about the Beverly Hills Fire Department.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

- 1. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING SECTION 10-3-2868 C. OF THE MUNICIPAL CODE REGARDING THE MAXIMUM SEATING CAPACITY OF RESTAURANTS IN HOTELS LOCATED OUTSIDE THE BUSINESS TRIANGLE. First reading - For Introduction.** Comment: The proposed ordinance would modify the number of restaurant seats that could be requested by hotels located outside the Business Triangle. Current code provisions allow up to one restaurant seat per hotel guestroom, and the ordinance would amend this restriction to allow hotels located outside the Business Triangle to request up to one and one-half (1.5) restaurant seats per hotel guestroom.

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 Department of Community Development and the report of the Director of Community Development concerning this matter shall be entered into the record.

Assistant Director of Community Development/City Planner Jonathan Lait presented a PowerPoint presentation and staff report. He spoke about the current ordinance and the proposed ordinance, noted the hotels outside of the Business

Triangle, the purpose of the amendment, analysis - Planning Commission consideration and the staff recommendation.

Speaking:

1. Mitchell Dawson, representing the Thompson Hotel, spoke in support of the text amendment.

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

Mr. Lait provided clarification and responded to questions raised by the Council.

City Attorney Larry Wiener addressed decibel readings.

Following discussion by the Council, it was pointed out that the proposed text amendment applies only to commercially zoned hotels outside the Business Triangle.

MOVED by Councilmember Brien, seconded by Mayor Delshad to waive full reading and advance Ordinance D-1 to the meeting of August 17, 2010 for adoption as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING SECTION 10-3-2868 C. OF THE MUNICIPAL CODE REGARDING THE MAXIMUM SEATING CAPACITY OF RESTAURANTS IN HOTELS LOCATED OUTSIDE THE BUSINESS TRIANGLE.

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

CARRIED

ITEM D-1: WAIVE FULL READING AND ADVANCE TO THE MEETING OF AUGUST 17, 2010 FOR ADOPTION

E. CONTINUED AND NEW BUSINESS

None

F. PARKING AUTHORITY CONSENT CALENDAR

MOVED by Director Brien, seconded by Director Mirisch to approve all items on the consent agenda.

Minutes

1. **CONSIDERATION OF THE MINUTES of the Parking Authority meeting of July 8, 2010.**

APPROVAL OF:

2. **LEASE AND MEMORANDUM OF LEASE BY AND BETWEEN THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS AND GORNIK AND DRUCKER, INC.** Comment: This lease is for a vitrine space which is one of the display spaces on the first floor of the building. The term of lease is five years at a starting rent of \$675 monthly.

ITEM F-2: APPROVED AG#PA-10-08; AG#PA-10-09

Vote on Consent Calendar:

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

CARRIED

G. CITY COUNCIL CONSENT CALENDAR

MOVED by Vice Mayor Brucker, seconded by Councilmember Mirisch to remove Item G-6 and vote on separately, approve all remaining items on the consent agenda and direct that the appropriate accounts be charged on Items G-2 and G-3.

Minutes

1. **CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the adjourned regular meeting of July 22, 2010.**

Demands Paid

2. **REVIEW OF BUDGETED DEMANDS PAID, report dated July 8 - 22, 2010.**
3. **PAYROLL DISBURSEMENT REPORT, report dated August 3, 2010.**

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

4. **AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS FOR THE 9.02.10 DAY AND RATIFYING AN AGREEMENT FOR THE PROCUREMENT OF MUSICAL TALENT.** Comment: This Resolution will delegate authority to the City Manager to enter into agreements and issue purchase orders for services related to the 9.02.10 Celebration as well as ratify and approve an agreement for the procurement of marquee talent for the event. This event is intended to be cost neutral as the City will be reimbursed the first \$75,000 from ticket proceeds and the remaining funds necessary will be underwritten by sponsorship money raised by the City. To date, \$230,000 has been pledged by Beverly Hills businesses for the 9.02.10 Celebration. APPROVAL OF:

ITEM G-4: ADOPTED RES#10-R-12764

APPROVAL OF:

5. **REAPPOINTING TWO MEMBERS TO THE CHARITABLE SOLICITATIONS COMMISSION (LILLIAN RAFFEL AND ALISSA ROSTON).** Comment: Reappoints Lillian Raffel and Alissa Roston to the Charitable Solicitations Commission for a four year term.

ITEM G-5: APPROVED

6. **AN AGREEMENT WITH BEVERLY HILLS UNIFIED SCHOOL DISTRICT FOR REIMBURSEMENT OF THE COST OF CROSSING GUARD SERVICES; AND**

APPROVAL OF PURCHASE ORDERS TO THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT IN THE AMOUNT OF \$153,935 FOR FY2009-2010 AND \$125,030 FOR FY2010-2011. Comment: The agreement outlines the City's financial responsibilities of paying for crossing guards at 12 qualifying intersection that meet MUTCD warrants; the School District will be required to submit an itemized invoice to the City each fiscal quarter for reimbursement of actual costs incurred at the 12 locations only.

Councilmember Mirisch requested this item be pulled for discussion

Deputy Director of Transportation Aaron Kunz provided a brief staff report.

Councilmember Mirisch suggested not funding this request and have the BHUSD absorb the costs in their Joint Powers Agreement (JPA).

A poll vote was taken on funding for FY2009-2010 with 5 yes votes. A poll vote was taken for FY2010-2011 and there were 4 yes votes and Councilmember Mirisch voted no.

MOVED by Vice Mayor Brucker, seconded by Councilmember Brien to approve an Agreement with Beverly Hills Unified School District for reimbursement of the cost of crossing guard services; and

approval of purchase orders to the Beverly Hills Unified School District in the amount of \$153,935 for FY 2009-2010 and \$125,030 for FY2010-2011 subject to the City Attorney being satisfied that the signatory for the School District has proper execution authority.

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

CARRIED

APPROVED SUBJECT TO THE CITY ATTORNEY BEING SATISFIED THAT THE SIGNATORY FOR THE SCHOOL DISTRICT HAS PROPER EXECUTION AUTHORITY AG#305-10

7. **AN AGREEMENT WITH RKA CONSULTING GROUP TO PROVIDE ENGINEERING DESIGN AND CONSTRUCTION BID SUPPORT SERVICES FOR THE FY2010/2011 EASTSIDE WATERMAIN/HYDRANT REPLACEMENT PROJECT; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$269,260 TO RKA CONSULTING GROUP.** Comment: This agreement is for the preparation of contract documents for the replacement of 30,000 linear feet of water mainline in the eastside of the City south of Wilshire and east of Cañon. The item has been budgeted as part of the City's Fiscal Year 10/11 Capital Improvement Program.

ITEM G-7: APPROVED AG#306-10

8. **TENTH AMENDMENT TO LEASE WITH LUCERNE HARDWARE CO.** Comment: This lease amendment reduces the base rent from \$8,110.52 to \$7,299.72 monthly for 12 months. Lucerne Hardware is located at 313 North Crescent Drive.

ITEM G-8: APPROVED AG#307-10

9. **THIRD AMENDMENT OF LEASE FOR SHAHRAM SAEEDIAN AND BIJAN DADFARIN DBA BEVERLY HILLS MARKET.** Comment: This lease amendment reduces the monthly rent of the market from \$7,298.78 to \$6,203.96. The market is located at 303 North Crescent Drive.

ITEM G-9: APPROVED AG#308-10

10. **AN AGREEMENT WITH SIERRA DOOR SYSTEMS, INC. FOR ROLLING DOOR AND GRILLE MAINTENANCE AND REPAIR SERVICES.** Comment: This agreement provides for maintenance services for the City's overhead roll-up doors and grilles at all City owned facilities in a not to exceed amount of \$90,000 for three years.

ITEM G-10: APPROVED AG#309-10

11. **ACCEPTANCE OF THE CONTRACT WORK FOR THE INSTALLATION OF DEBRIS SCREEN DEVICES AT STORM WATER CATCH BASINS WITHIN CITY OF BEVERLY HILLS, BY WEST COAST STORM, INC. IN THE FINAL AMOUNT OF \$246,400 AND AUTHORIZATION OF CITY CLERK TO RECORD THE NOTICE OF COMPLETION.** Comment: Recommendation to accept the contract work performed by West Coast Storm Inc. for the installation of debris screen devices at storm water catch basins within the City of Beverly Hills.

ITEM G-11: APPROVED

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

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

APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$85,000 FOR CONTINUATION OF SERVICES DESCRIBED. Comment: This agreement provides for an outreach/case management team within the Human Services Division trained to work with mentally ill homeless individuals who comprise the majority of the City's homeless.

ITEM G-12A: APPROVED AG#310-10

ITEM B AGREEMENT WITH MAPLE COUNSELING CENTER FOR COMMUNITY ASSISTANCE FUNDS FOR COMMUNITY MENTAL HEALTH SERVICES; AND

APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$75,000 FOR CONTINUATION OF SERVICES DESCRIBED. Comment: This grant provides funding to support The Maple Counseling Center's efforts to provide the City of Beverly Hills community with low-cost psychological counseling to individuals, couples, families and groups ranging from infants to seniors.

ITEM G-12B: APPROVED AG#311-10

ITEM C AN AGREEMENT WITH WESTSIDE FOOD BANK FOR COMMUNITY ASSISTANCE FUNDS; AND

APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$75,000 FOR THE CONTINUATION OF SERVICES DESCRIBED. Comment: This grant provides funding to the Westside Foodbank to purchase food in large bulk for distribution to low income individuals and families on the Westside.

ITEM G-12C: APPROVED AG#312-10

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

APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$56,000 FOR CONTINUATION OF SERVICES DESCRIBED. Comment: The grant provides funding to support Jewish Family service efforts to provide a continuum of

supportive services to Beverly Hills seniors (55+) who have minimal support.

ITEM G-12D: APPROVED AG#313-10

ITEM E AN AGREEMENT WITH PEOPLE ASSISTING THE HOMELESS (PATH) FOR COMMUNITY ASSISTANCE FUNDS; AND

APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$52,350 FOR CONTINUATION OF SERVICES DESCRIBED. Comment: This grant provides funding to support People Assisting the Homeless as part of the City's efforts to assist the homeless population.

ITEM G-12E: APPROVED AG#314-10

ITEM F TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$125,000 TO EN POINTE TECHNOLOGIES SALES, INC. FOR THE PURCHASE OF A NETWORK INTRUSION PREVENTION SYSTEM. Comment: This is a purchase order for the purchase of a network defense system.

ITEM G-12F: APPROVED

ITEM G TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$75,000 TO SHAW/YODER/ANTWIH, INC. FOR LEGISLATIVE ADVOCACY SERVICES. Comment: This is a purchase order for the City's state lobbyist to provide legislative advocacy services in Sacramento to promote the City's legislative agenda and key initiatives under a current agreement.

ITEM G-12G: APPROVED

ITEM H TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$75,000 TO THE FERGUSON GROUP LLC FOR LEGISLATIVE ADVOCACY SERVICES. Comment: This is a purchase order for the City's federal lobbyist to provide federal regulatory representation and legislative advocacy services in Washington DC to promote the City's legislative agenda and key initiatives under a current agreement.

ITEM G-12H: APPROVED

Vote on Consent Calendar:

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

Noes: None

CARRIED

H. COMMISSION SYNOPSIS

- 1. HEALTH AND SAFETY COMMISSION - regular meeting of June 28, 2010.
DESIGN REVIEW COMMISSION - regular meeting of July 1, 2010.**

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

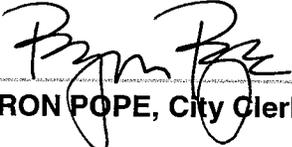
I. OTHER BUSINESS

None

J. ADJOURNMENT

Mayor/Chair Delshad, with the consent of the Council/Parking Authority, adjourned the meeting at 10:50pm to the Closed Session for the remaining items listed on the Closed Session agenda.

PASSED, Approved and Adopted
this 31st day of August, 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.