



**CITY OF BEVERLY HILLS
CITY COUNCIL
ADJOURNED REGULAR MEETING
February 03, 2011**

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

PLEDGE OF ALLEGIANCE

A. ROLL CALL

Present: Councilmember Mirisch, Councilmember Brien, Councilmember Krasne, Vice Mayor Brucker, and Mayor Delshad
Absent: None

B. PRESENTATIONS

1. RECOGNITION OF RETIRING COMMISSIONER - Design Review Commissioner Marilyn Weiss

Mayor Delshad, along with Vice-Mayor Brucker, presented a plaque and gift to Marilyn Weiss in recognition of her service to the community on the Design Review Commission.

2. CERTIFICATE OF APPOINTMENT - Design Review Commission - Ilene Nathan

Mayor Delshad, along with Vice Mayor Brucker, presented a certificate of appointment and City pin to newly appointed Design Review Commissioner Ilene Nathan.

3. FRIENDLY CITY AWARD - Mayor Delshad Recipients are being recognized for helping to make Beverly Hills a friendlier place.

Mayor Delshad presented a Friendly City Award to Julie Steinberg, and recognized her for her volunteer coordination efforts for the 2011 Beverly Hills Rose Parade float.

Mayor Delshad invited Elisa Furie to speak about her involvement with the American Heart Association and the "Go Red for Women" movement. Along with Councilmember Brien, he presented a proclamation to Dr. Mark Urman on behalf of the American Heart

Association, and designated February 4, 2011 as Wear Red Day for Women in Beverly Hills.

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. City Treasurer Eliot Finkel commented about a campaign mailer he received from one of the City Council candidates.

3. REPORT FROM THE CITY MANAGER

Assistant City Manager Mahdi Aluzri noted that City Manager Jeffrey Kolin is attending the League of California Cities City Manager's Meeting this week.

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

Mayor Delshad appointed Vice Mayor Brucker and Councilmember Mirisch to the Ad Hoc Committee for the City Manager's annual performance review.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

1. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING VARIOUS PROVISIONS OF ARTICLES 30 AND 44 OF THE BEVERLY HILLS MUNICIPAL CODE REGARDING ARCHITECTURAL REVIEW COMMISSION AND DESIGN REVIEW

COMMISSION MEMBERSHIP AND ADMINISTRATION, AND AMENDING SECTIONS 10-4-306 AND 10-4-901 REGARDING PERMISSIBILITY OF SIGNS ON UMBRELLA VALENCES. First Reading - For Introduction. Comment: Proposed amendments would permit signs on umbrella valances, transition the Architectural Commission from seven members to five, and other administrative changes.

Director of Community Development Susan Healy Keene noted that additional items regarding this ordinance have come to her attention since the posting of this item, and she is requesting to continue this item to a future date to allow staff time to address the new issues.

ITEM D-1: BY ORDER OF THE CHAIR, MATTER IS CONTINUED TO A MEETING AT A LATER DATE

2. REQUEST FOR CONTINUANCE OF PUBLIC HEARING REGARDING APPEAL TO CITY COUNCIL OF PLANNING COMMISSION DECISION APPROVING THE PROPOSED MEDICAL AND GENERAL OFFICE BUILDING AT 121 SAN VICENTE BOULEVARD. Comment: The Planning Commission adopted a resolution approving the project on October 14, 2010. Kenneth R. Blumer, the appellant, submitted an appeal of this decision to the City Clerk requesting a public hearing. The appellant wishes to continue the public hearing on this matter to a date in May 2011.

Director of Community Development Susan Healy Keene noted that the applicant and appellant are in agreement that this item be remanded back to the Planning Commission, and this item will be rescheduled for public hearing on a date in May 2011.

1. Alex Kay pointed out the prevailing conditions in the area and the project's effects on infrastructure.
2. The appellant's attorney submitted petitions to City Clerk Pope for the record. City Attorney Wiener explained that the petitions signed by residents in the area request further environmental review of the project.

In response to Councilmember Krasne's question on how many variances the building has, Ms. Healy Keene explained that there have been numerous design changes to the plan. She confirmed that there have been CEQA and environmental studies done.

MOVED by Councilmember Brien, seconded by Councilmember Krasne to remand the matter back to the Planning Commission for further study.

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

Noes: None.

CARRIED

E. CONTINUED AND NEW BUSINESS

None

F. CITY COUNCIL CONSENT CALENDAR

Any item may be removed from the Consent Calendar by a member of the City Council or by a person in attendance, with the concurrence of the City Council.

Moved by Councilmember Mirisch, seconded by Vice Mayor Brucker, to remove Item F-4 for discussion and separate vote, approve all remaining items on the consent agenda and direct that the appropriate accounts be charged on Items F-1 and F-2.

Minutes

None

Demands Paid

1. REVIEW OF BUDGETED DEMANDS PAID, report dated January 19 - 27, 2011.
2. PAYROLL DISBURSEMENT REPORT, report dated February 3, 2011.
3. 2010-11 2nd QUARTER PURCHASE ORDER AND TRANSFER REPORT Comment: Report the 2nd quarter Purchase Orders Issued Report (for P.O.s between \$10,000 and \$50,000) for Fiscal Year 2010-2011 and the first quarter Transfer Report.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

4. AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO DELETE THE LIMIT ON CONTRIBUTIONS TO INDEPENDENT EXPENDITURE COMMITTEES SUPPORTING OR OPPOSING CANDIDATES FOR LOCAL OFFICE. First Reading - For Introduction. Comment: In response to recent court decisions, this ordinance repeals the Beverly Hills Municipal Code limitation on contributions to independent expenditure committees.

City Attorney Wiener explained the reasons for requesting to delete the limit on contributions to independent expenditure committees from the Beverly Hills Municipal Code. Responding to Mayor Delshad, he clarified the expenditure and contribution limits. Councilmember Mirisch explained the basis of his objections to the amendment. In response to Vice Mayor Brucker's request for further information, Mr. Wiener explained how contribution of individuals or groups changes to an independent expenditure committee contribution once it goes beyond the spending threshold.

MOVED by Councilmember Brien, seconded by Mayor Delshad to waive full reading and advance to the meeting of February 15, 2011 for adoption as follows:

AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO DELETE THE LIMIT ON CONTRIBUTIONS TO INDEPENDENT EXPENDITURE COMMITTEES SUPPORTING OR OPPOSING CANDIDATES FOR LOCAL OFFICE.

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

CARRIED

ITEM F-4: WAIVE FULL READING AND ADVANCE TO THE MEETING OF FEBRUARY 15, 2011 FOR ADOPTION

RESOLUTIONS APPROVING:

5. AWARDING A CONTRACT TO BBS CONSTRUCTION, INC. FOR THE GREYSTONE HVAC UPGRADE PROJECT RE-BID; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$1,726,000 FOR THE CONTRACT WORK. Comment: This project is for the installation of heating and air conditioning in the Greystone Mansion. APPROVAL OF:

ITEM F-5: ADOPTED RES# 11-R-12800; AG# 24-11

6. PUBLIC WORKS COMMISSION APPOINTMENTS (BARRY D. PRESSMAN, MD AND RON SHALOWITZ). Comment: Appoints Barry D. Pressman, MD and Ron Shalowitz to the Public Works Commission for an initial two-year terms.

ITEM F-6: APPROVED

7. APPROPRIATION OF FUNDS IN THE AMOUNT OF \$170,000 FROM FUND 49 RESERVES INTO VEHICLE MAINTENANCE AND AUTOMOTIVE INVENTORY FOR THE MAINTENANCE AND REPAIR OF FLEET VEHICLES AND EQUIPMENT; AND APPROVAL OF A CHANGE ORDER TO THE PURCHASE ORDER IN THE AMOUNT OF \$70,000.00 TO BODYWORKS, INC. FOR A TOTAL NOT TO EXCEED \$140,000.00; AND APPROVAL OF AMENDMENT NO. 1 TO THE AGREEMENT WITH CALIFORNIA WEST COAST PAINT AND BODY SHOP FOR VEHICLE BODY REPAIR AND PAINTING SERVICES IN THE AMOUNT OF \$20,000.00 FOR A TOTAL NOT TO EXCEED \$69,000.00; AND APPROVAL OF A CHANGE ORDER TO THE PURCHASE ORDER IN THE AMOUNT OF \$20,000.00 TO CALIFORNIA WEST COAST PAINT FOR A TOTAL NOT TO EXCEED \$54,000.00 Comment: Unanticipated maintenance and vehicle body work has resulted in the need for additional monies for operational support of the City's vehicle fleet.

ITEM F-7: APPROVED AG# 25-11

8. VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN: ITEM A A CHANGE ORDER IN THE AMOUNT OF \$100,000 FOR A PURCHASE ORDER TO HANSON BRIDGETT LLP FOR SPECIAL COUNSEL FOR A TOTAL NOT TO EXCEED AMOUNT OF \$160,000. Comment: A request that the City Council approve an additional \$100,000 be added to the existing purchase order with Hanson Bridgett LLP in a total not-to-exceed amount of \$160,000 for special counsel services related to city benefit programs.

ITEM F-8: APPROVED

Vote on Consent Calendar:

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

CARRIED

G. COMMISSION SYNOPSIS

1. PLANNING COMMISSION - Regular meeting of January 13, 2011.
Original, signed minutes are on file in the Office of the City Clerk.

H. OTHER BUSINESS

Mayor Delshad wished the community a Happy Chinese New Year.

I. ADJOURNMENT

There being no further business, Mayor Delshad with the consent of Council adjourned the meeting at 7:58 pm.

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PASSED, Approved and Adopted
this 15th day of February, 2011.


BYRON POPE, City Clerk

JIMMY DELSHAD, MAYOR

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