



**CITY OF BEVERLY HILLS
MINUTES
CITY COUNCIL
REGULAR MEETING
May 17, 2011**

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

PLEDGE OF ALLEGIANCE

A. ROLL CALL

Present: Councilmember Gold, Councilmember Bosse, Councilmember Mirisch, Vice Mayor Brien, and Mayor Brucker
Absent: None

B. PRESENTATIONS

1. RECOGNITION OF NANCY PERRY AS THE CITY OF BEVERLY HILLS 2011 OLDER AMERICAN OF THE YEAR - In recognition of Older Americans Recognition Month, resident Nancy Perry has been chosen to represent the City of Beverly Hills as this year's Older American of the Year.
- Jane Winston Doman

Senior Recreation Supervisor Jane Winston Doman briefly introduced Nancy Perry. Mayor Brucker presented the Older American of the Year recognition award to Ms. Perry.

2. PRESENTATION - Customized Street Signs to Former Mayors Jimmy Delshad and Nancy Krasne
- Cheryl Friedling

Mayor Brucker presented honorary street signs with their names to former Mayors Nancy Krasne and Jimmy Delshad in recognition of their devoted service and volunteer work to the community.

3. PROCLAMATION TO HASTY TORRES TO ACKNOWLEDGE HER BEVERLY HILLS BUSINESS KNOWN AS 'MADAME CHOCOLAT' - This item provides recognition to a local Beverly Hills specialty retail store that produces exclusive chocolate products.
- Mayor Brucker

Mayor Brucker, together with former Mayor Nancy Krasne, presented a proclamation to Hasty Torres of Madame Chocolat in honor of their fourth anniversary celebration. Ms. Torres was not present to receive her proclamation.

4. CERTIFICATE OF APPOINTMENT - Design Review Commission
- John Wyka

Mayor Brucker, along with Vice Mayor Brien, presented a Certificate of Appointment and City pin to incoming Design Review Commissioner John Wyka.

5. CERTIFICATE OF APPOINTMENT - Public Works Commission
- Ron Shalowitz

Mayor Brucker, along with Councilmember Mirisch, presented a Certificate of Appointment and City pin to newly appointed Public Works Commissioner Ron Shalowitz.

6. PROCLAMATION - Recognizing May as Lupus Awareness Month
- Mayor Brucker

Mayor Brucker, along with Councilmember Bosse, presented a proclamation to Michelle and Alan Kaye, and Lupus LA Director of Patient Services Elyse Reyes recognizing their efforts to fight the disease and declaring the month of May as Lupus Awareness Month.

7. THE CITY OF BEVERLY HILLS ARCHITECTURAL AWARDS - The Beverly Hills Architectural Awards are presented to designers and architects for completed building renovations or new projects which have been determined to substantially contribute to the built environment of the City of Beverly Hills through the art of architecture. Architectural awards recognize merit in the commercial and single-family projects based on exterior appearance and in consideration of quality of materials, colors, landscaping and context with neighboring properties. The purpose of the awards is to inspire property owners and architects/designers in the City to strive for excellence in design
- Susan Healy Keene

Director of Community Services Susan Healy Keene provided background information on the awards being given at tonight's meeting. She acknowledged the photography services rendered by Architectural Commissioner Zale Richard Rubins. Mayor Brucker, along with Councilmember Gold, Design Review Commissioners and Architectural Commissioners, presented three Design Review Commission awards and seven Architectural Commission awards. Council also presented the Architectural and Design Review Commissions with proclamations for their accomplishments and contributions to architecture and design.

Councilmember Mirisch reported that he has, for the past three days, been attending the 36th Annual California Preservation Conference entitled "Preservation on the Edge" in Santa Monica. He encouraged the Architectural and Design Review Commissioners, and Council to actively participate in future efforts towards historical preservation and enhancement of community character in the City.

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.

None

3. REPORT FROM THE CITY MANAGER
* 9/11 Monument Update - Fire Captain Joseph Matsch

Fire Captain Joseph Matsch presented a PowerPoint presentation and brief update on the 9/11 monument memorial currently being constructed on the corner of Rexford Drive and Little Santa Monica Boulevard. Councilmember Mirisch asked for clarification on how the actual piece is being installed. Vice Mayor Brien thanked the Board of Directors, AdHoc Committee members and people involved in the project for their hard work. He expressed appreciation that no City funds were used.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS
- Take A Moment
- Report on Washington, DC Trip - Vice Mayor Brien

Mayor Brucker announced the new Team Beverly Hills Class application period currently underway, and encouraged residents to apply by June 10, 2011.

Vice Mayor Brien spoke about how the City is working to influence the decision of the Metro subway to tunnel under the City's preferred subway route under Santa Monica Boulevard instead of the alternate MTA plan to tunnel under the Beverly Hills High School for the Constellation Boulevard route.

Vice Mayor Brien reported on his Washington, DC trip on May 10-12 with Police Commander Theresa Goldman to raise awareness and additional funds for the Interagency Communications Interoperability Systems (ICIS).

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

None

E. CONTINUED AND NEW BUSINESS

1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ESTABLISHING PREFERENTIAL PARKING ZONE "G" ON THE 300 BLOCK OF FOOTHILL ROAD AND THE NORTH SIDE OF DAYTON WAY BETWEEN NORTH ALPINE DRIVE AND THE ALLEY IMMEDIATELY EAST OF FOOTHILL ROAD. Comment: Recommendation to establish a preferential permit parking zone with a "No Parking Anytime, Permit G Exempt" regulation.

Deputy Director of Transportation Aaron Kunz presented a PowerPoint presentation and staff report. He noted that a petition request was submitted by residents in the block for no parking anytime except by permit. He further noted that the recommendation was unanimously approved by the Traffic and Parking Commission.

Speaking:

1. Shiva Aghaipour spoke about the prevailing bad parking situation in the area and suggested that Council look at offering alternative parking at nearby City-owned parking facilities for workers in the Business Triangle.
2. Brenda Freeman urged Council to approve the recommendation.
3. Councilmember Mirisch read a letter into the record from Ron Nili.

Councilmember Mirisch asked about the possibility of permit parking only except on Sundays. Councilmember Gold suggested that the Traffic and Parking Commission consider one more time the possibility of zone consolidation to make regulations more consistent and to avoid the domino effect in neighboring blocks. Mayor Brucker directed staff to consider Ms. Aghaipour's suggestion for the City to offer workers in the Business Triangle reduced rates to park in outlying facilities. Director of Parking Operations Chad Lynn affirmed that a rebate program for discounted rates has been offered in the South Beverly facility and may be extended to other parking facilities. Councilmember Gold further suggested that the City look at CUPs and how they are enforced.

MOVED by Councilmember Gold, seconded by Councilmember Bosse to adopt the resolution as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ESTABLISHING PREFERENTIAL PARKING ZONE "G" ON THE 300 BLOCK OF FOOTHILL ROAD AND THE NORTH SIDE OF DAYTON WAY BETWEEN NORTH ALPINE DRIVE AND THE ALLEY IMMEDIATELY EAST OF FOOTHILL ROAD.

Ayes: Mayor Brucker, Vice Mayor Brien, Councilmember Mirisch, Councilmember Bosse, and Councilmember Gold.

Noes: None.

CARRIED

F. CITY COUNCIL CONSENT CALENDAR

MOVED by Councilmember Bosse, seconded by Vice Mayor Brien to approve all items on the consent agenda and direct that the appropriate accounts be charged on Items F-3, F-4, F-5 and F-6.

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Adjourned Regular meeting of April 21, 2011.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Special meeting of May 3, 2011.

Demands Paid

3. REVIEW OF BUDGETED DEMANDS PAID, report dated October 8 - October 22, 2010.
4. REVIEW OF BUDGETED DEMANDS PAID, report dated October 28 - November 4, 2010.
5. REVIEW OF BUDGETED DEMANDS PAID, report dated April 13 - May 5, 2011.
6. PAYROLL DISBURSEMENT REPORT, report dated May 17, 2011.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

None

APPROVAL OF:

7. SIXTH AMENDMENT TO LEASE AND GUARANTY OF LEASE BY AND BETWEEN THE CITY OF BEVERLY HILLS AND KAZUMI KIM DBA KABUKI BEAUTY SALON. Comment: This lease is for City owned retail space at the Crescent Drive property located at 313 Crescent Drive. This agreement reduces the monthly rent by 10% to \$3,605.40 for the last seven months of the lease term. The agreement also extends the term of the lease by two (2) years and substitutes Mrs. Kazumi Kim as the lease signor and guarantor replacing the former signor Mr. Kim who died in November, 2010.

ITEM F-7: APPROVED AG# 158-11; AG# 159-11

8. CONSENT TO ASSIGNMENT BY AND BETWEEN THE CITY OF BEVERLY HILLS AND JAE IN LEE DBA CALIFORNIA COFFEE SELETTO. Comment: This assignment is for the City owned property at 434 N. Camden Drive. The City is approving the assignment of the lease from the current operator Jae In Lee to Chum Nam and Hana Lee. The new operators have provided a \$15,000 security deposit and lease will continue under the current terms.

ITEM F-8: APPROVED AG# 164-11

9. AN AGREEMENT WITH KEC ENGINEERS INC. TO PROVIDE PROFESSIONAL SERVICES FOR THE PREPARATION OF CONSTRUCTION DOCUMENTS AND THE PROVISION OF BID SUPPORT AND CONSTRUCTION INSPECTION SERVICES REQUIRED FOR THE RECONSTRUCTION OF HEATH AVENUE; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$101,720 TO KEC ENGINEERS INC. Comment: This report is a request for City Council approval of a professional services agreement with KEC Engineers for the preparation of construction documents and the provision of bid support and construction inspection services required for the reconstruction of Heath Avenue (Olympic Boulevard to Cul-De-Sac).

ITEM F-9: APPROVED AG# 160-11

10. AN AGREEMENT WITH PSOMAS TO PROVIDE PROFESSIONAL SERVICES FOR THE PREPARATION OF CONSTRUCTION DOCUMENTS AND THE PROVISION OF BID SUPPORT AND CONSTRUCTION INSPECTION SERVICES REQUIRED FOR THE RECONSTRUCTION OF THE T-ALLEY (LEXINGTON DR TO SUNSET BOULEVARD TO ALPINE DRIVE); AND

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$112,223 TO PSOMAS.
Comment: This report is a request for City Council approval of a professional services agreement with Psomas for the preparation of construction documents and the provision of bid support and construction inspection services required for the reconstruction of the T-Alley (Lexington Dr to Sunset Blvd to Alpine Dr).

ITEM F-10: APPROVED AG# 161-11

11. A PURCHASE ORDER IN THE AMOUNT OF \$108,926.88 TO ROADLINE PRODUCTS, INC. U.S.A. FOR PURCHASE OF ONE STENCIL TRUCK. Comment: Provides for purchase of one medium-duty Stencil Truck as replacement for a job-worn stencil truck assigned to the Street Infrastructure Maintenance Division.

ITEM F-11: APPROVED

12. ACCEPTANCE OF CONTRACT WORK FOR THE PROP A MAINTENANCE IRRIGATION DEVICE REPLACEMENT IN SELECTED AREAS OF BEVERLY GARDENS PARK BY AMERICAN LANDSCAPE CORPORATION IN THE FINAL CONTRACT AMOUNT OF \$66,271. Comment: It is recommended that the City Council accept the described contract work for the Prop A maintenance Irrigation Upgrade Project at Beverly Gardens with American Landscape Corporation in the final contract amount of \$66,271.

ITEM F-12: APPROVED

13. VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN:

ITEM A AGREEMENT WITH STEGEMAN & KASTNER, INC. FOR CONSULTING SERVICES RELATED TO REFURBISHMENT AND TENANT IMPROVEMENTS FOR THE CHAMBER OF COMMERCE BUILDING LOCATED AT 239 SOUTH BEVERLY DRIVE; AND

APPROVAL OF A PURCHASE ORDER TO STEGEMAN & KASTNER, INC IN AN AMOUNT NOT TO EXCEED \$130,850. Comment: This agreement provides for consulting services for the oversight, coordination and management of the refurbishment and tenant improvement projects on behalf of the City. The scope of work will include substantial base building improvements as approved and authorized by City Council.

ITEM B AGREEMENT WITH STEGEMAN AND KASTNER INC. FOR CONSULTING SERVICES RELATED TO TENANT IMPROVEMENTS AT 9400 SOUTH SANTA MONICA BOULEVARD; AND

APPROVAL OF A PURCHASE ORDER TO STEGEMAN & KASTNER, INC IN AN AMOUNT NOT TO EXCEED \$98,000. Comment: This agreement provides for consulting services for the oversight, coordination and management of tenant improvement projects on behalf of the City for leased spaces within the building.

ITEM C A CHANGE ORDER TO THE PURCHASE ORDER IN THE AMOUNT OF \$102,000 FOR THE DAVIS COMPANY FOR CLASSIFICATION AND COMPENSATION STUDIES FOR A TOTAL NOT TO EXCEED \$230,000. Comment: The agreement with Mike Davis of the Davis Company is for on-going contractual services to design/implement employee performance standards and measures and conduct salary surveys for all employee groups.

ITEM D A CHANGE ORDER IN THE AMOUNT OF \$50,000 TO THE PURCHASE ORDER TO LIEBERT CASSIDY WHITMORE FOR A TOTAL NOT TO EXCEED \$172,100. Comment: The agreement with Liebert Cassidy Whitmore is to receive specialized legal services in the field of labor law.

Vote on Consent Calendar:

Ayes: Mayor Brucker, Vice Mayor Brien, Councilmember Mirisch, Councilmember Bosse, and Councilmember Gold.

Noes: None.

CARRIED

G. COMMISSION SYNOPSIS

1. CHARITABLE SOLICITATIONS COMMISSION - Regular meeting of April 13, 2011
- FINE ART COMMISSION - Regular meeting of April 21, 2011
- HUMAN RELATIONS COMMISSION - Regular meeting of April 21, 2011
- HEALTH AND SAFETY COMMISSION - Regular meeting of April 25, 2011
- RECREATION AND PARKS COMMISSION - Regular meeting of April 26, 2011
- DESIGN REVIEW COMMISSION - Regular meeting of May 5, 2011

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

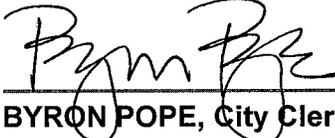
H. OTHER BUSINESS

None

I. ADJOURNMENT

There being no further business, Mayor Brucker, with the consent of the Council, adjourned the meeting after the conclusion of the recessed Special Budget Study Session at 10:55pm to the Closed Session for the remaining items on the Closed Session agenda.

PASSED, Approved and Adopted
this 24th day of May, 2011.


BYRON POPE, City Clerk

BARRY BRUCKER, Mayor

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