



**CITY OF BEVERLY HILLS
MINUTES
CITY COUNCIL
REGULAR MEETING
June 21, 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. PROCLAMATION - to freelance journalist and columnist, Norma Zager

Mayor Brucker presented a proclamation to journalist Norma Zager and thanked her for her dedicated service to the Beverly Hills community. City Attorney Wiener spoke about Ms. Zager's efforts during the litigation case involving the Beverly Hills High School oil well.

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 * Status of City's CNG Fleet - Maintenance Operations Manager Fred Simonson

Maintenance Operations Manager Fred Simonson presented a PowerPoint presentation and short report on the status of the Compressed Natural Gas (CNG) program. He spoke about the advantages of using CNG gas and noted a CNG fueling station project is planned to be presented to City Council for approval in July 2011.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS - Take A Moment

Mayor Brucker reported on the highlights of the US Conference of Mayors convention that he attended in Baltimore, Maryland last week.

D. PUBLIC HEARING

TO SET:

1. HEARING DATE FOR AN APPEAL OF THE ARCHITECTURAL COMMISSION'S DECISION APPROVING A FAÇADE REMODEL ASSOCIATED WITH THE ESTABLISHMENT OF AN EQUINOX EXERCISE CLUB AT 9465 WILSHIRE BOULEVARD. Comment: On May 31, 2011 the City received an appeal of the Architectural Commission's decision approving a façade remodel at the subject property. The purpose of this hearing is to set a date for a formal public hearing on the matter. Staff recommends that the hearing be set for August 2, 2011. TO CONSIDER:

ITEM D-1: BY ORDER OF THE CHAIR, HEARING SET FOR AUGUST 2, 2011 AT 7:00 PM

TO CONSIDER:

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

AN ORDINANCE OF THE CITY OF BEVERLY HILLS CLARIFYING TERMS OF VALIDITY FOR DEVELOPMENT AND SUBDIVISION MAP APPROVALS AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. First Reading - For Introduction. Comment: The proposed ordinance would amend Sections 10-2-206, 10-3-207, 10-3-1844, and 10-3-1847 of the Beverly Hills Municipal Code, regarding the time periods in which rights granted pursuant to City development approvals must be exercised. The amendments, among other things, are intended to create consistency between the State Subdivision Map Act and the City's ordinances related to subdivision map approvals, and to better coordinate extensions for projects that include both planning entitlements and

subdivision map approvals. The proposed CEQA determination is exemption pursuant to CEQA Guidelines Section 15061(b)(3).

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 report of the City Planner/Assistant Director of Community Development and the record of the Community Development Department in this matter are made a part of the record of this hearing.

Speaking:

Attorney David Snow presented the staff report noting the details of the ordinance.

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

Councilmember Mirisch requested clarification on whether the extension is discretionary and applies only to projects with tract maps. Mayor Brucker asked the possibility of adding a clause in the Development Agreement to collect a fee associated with keeping the entitlement active. Councilmember Mirisch commented regarding banning of common interest developments. Councilmember Bosse asked whether the extension is automatic. City Attorney Wiener clarified the parameters of the ordinance.

There were no further questions or comments from Councilmembers.

MOVED by Councilmember Gold, seconded by Vice Mayor Brien to waive full reading of Ordinance D-2 and advance to the meeting of July 7, 2011 for adoption as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS CLARIFYING TERMS OF VALIDITY FOR DEVELOPMENT AND SUBDIVISION MAP APPROVALS AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE.

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

Noes: Councilmember Bosse, and Councilmember Mirisch.

CARRIED

ITEM D-2: WAIVE FULL READING AND ADVANCE TO JULY 7, 2011 FOR ADOPTION.

E. CONTINUED AND NEW BUSINESS

None

F. CITY COUNCIL CONSENT CALENDAR

MOVED by Councilmember Bosse, seconded by Councilmember Mirisch to remove Item F-4 from the agenda, approve the remaining items on the Consent Agenda and direct that the appropriate accounts be charged on Items F-2 and F-3.

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular meeting of June 7, 2011.

Demands Paid

2. REVIEW OF BUDGETED DEMANDS PAID, report dated June 2 - 9, 2011.
3. PAYROLL DISBURSEMENT REPORT, report dated June 21, 2011.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

None

APPROVAL OF:

4. LEASE AND MEMORANDUM OF LEASE WITH THE BEVERLY HILLS CONFERENCE AND VISITORS BUREAU. Comment: This is a lease for the City owned property at 239 S. Beverly Drive. The lease is for space occupied by the Conference and Visitors Bureau on the ground floor of the building.

ITEM F-4: REMOVED

5. AMENDMENT NO. 1 TO AN AGREEMENT WITH THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT FOR REIMBURSEMENT OF THE COST OF CROSSING GUARD SERVICES. Comment: Renews the current FY10-11 Agreement between the City and BHUSD for 12 school crossing guard intersections in an amount not to exceed \$125,030.

ITEM F-5: APPROVED AG# 207-11

6. AN AGREEMENT WITH ADVANCED SEWER TECHNOLOGIES TO PROVIDE PROFESSIONAL SERVICES FOR THE SANITARY SEWER CLOSED CIRCUIT TELEVISION (CCTV) AND CONDITION ASSESSMENT AND RECOMMENDATIONS FOR 48 MILES OF SEWER MAINLINE AND ASSOCIATED MANHOLES; AND

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$226,950 TO ADVANCED SEWER TECHNOLOGIES. Comment: This agreement is to CCTV, assess and provide rehabilitation recommendations for 48 miles of sewer pipes ranging in diameter from 6" to 32" and associated manholes (1300) within the City limits.

ITEM F-6: APPROVED AG# 208-11

7. AN AGREEMENT WITH IPC (USA), INC. FOR SUPPLY OF GASOLINE AND DIESEL FUELS; AND

APPROVAL OF A PURCHASE ORDER IN THE NOT-TO-EXCEED AMOUNT OF \$800,000 TO IPC (USA), INC. FOR SUPPLY OF GASOLINE AND DIESEL FUELS. Comment: Provides for the supply of gasoline and Diesel fuels to various fueling facilities to support the operation of vehicles and equipment belonging to the City fleet.

ITEM F-7: APPROVED AG# 209-11

8. AN AGREEMENT WITH THE CITY OF WEST HOLLYWOOD FOR PARKING REVENUE COLLECTION AND VERIFICATION SERVICES; AND

APPROPRIATING \$126,000 IN THE 2011/2012 BUDGET FOR STAFFING AND MATERIAL TO CARRY OUT THE AGREEMENT. Comment: This agreement provides the City of Beverly Hills with compensation in the amount \$178,418 to provide the City of West Hollywood with collections and counting services for their parking meter system. In order to provide such services, a budget appropriation in the amount of \$126,000 is needed for additional staffing and materials necessary to provide these services.

ITEM F-8: APPROVED AG# 210-11

9. THE AWARD OF A CONTRACT TO CABRAL ROOFING & WATERPROOFING CORPORATION FOR THE CITY HALL RE-ROOFING PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$302,642 TO CABRAL ROOFING & WATERPROOFING CORPORATION FOR THE CONTRACT WORK. Comment: Provides for the contract work to re-roof City Hall due the end of life cycle of the existing roofing system.

ITEM F-9: APPROVED AG# 211-11

10. A CHANGE ORDER TO THE BLANKET PURCHASE ORDER IN THE AMOUNT OF \$6,000 TO BEVWOOD FUN CAMP FOR A TOTAL NOT TO EXCEED \$56,000 FOR YOUTH SPORTS CAMPS AND CLASSES THROUGH THE COMMUNITY SERVICES DEPARTMENT. Comment: Funds are currently available for this expenditure which is offset by revenue in an amount not to exceed \$56,000. The City has already paid the vendor \$50,000. An additional \$6,000 is requested to be added to this current Blanket Purchase Order for the 2010-11 fiscal year to pay the vendor for an increase in class participants.

ITEM F-10: APPROVED

Vote on Consent Calendar:

Ayes: Councilmember Gold, Councilmember Bosse, Councilmember Mirisch, Vice Mayor Brien, and Mayor Brucker.
Noes: None.

CARRIED

**G. COMMISSION SYNOPSIS
NO ACTION TAKEN ON "G" ITEMS**

1. ARCHITECTURAL COMMISSION - regular meeting of May 18, 2011.
HEALTH AND SAFETY COMMISSION - regular meeting of May 23, 2011.
HUMAN RELATIONS COMMISSION - special meeting of May 24, 2011.
DESIGN REVIEW COMMISSION - regular meeting of June 2, 2011.
TRAFFIC AND PARKING COMMISSION - regular meeting of June 2, 2011.
ARCHITECTURAL COMMISSION - regular meeting of June 15, 2011.

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

H. OTHER BUSINESS

Mayor Brucker reconvened the Study Session to discuss the remaining items on the Study Session agenda at 7:58pm.

ITEM A-3 Request from Councilmember Mirisch to Review Status of Proposed 2012 Beverly Hills Tournament of Roses Parade Float Initiative. This item provides a review of the CVB/Marketing Liaison Committee Meeting which occurred on June 20, 2011. This Liaison Committee Meeting was conducted to review and seek input regarding the proposed 2012 Tournament of Roses Parade float initiative with key community organizations.

Deputy City Manager Cheryl Friedling provided background information, and turned the discussion over to Ad Hoc Committee members Vice Mayor Brien and Councilmember Mirisch for a report on their recent Ad Hoc Committee meeting.

The Councilmembers explained their positions and reasons for voting for or against the request. Council decided to place the item for continued discussion on the July 7, 2011 City Council meeting.

Moved by Bosse, seconded by Mirisch for \$130,000 the Committee requested plus \$70,000 of arrearages totaling \$200,000 to put towards this year's Rose Parade float.

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

ITEM A-4 Request from Councilmember Mirisch for Discussion and Possible Direction to Staff to Form a New Heritage Commission. Request by Councilmember Mirisch that the City Council consider forming a Heritage Commission.

Assistant City Manager Mahdi Aluzri gave background information and turned the report over to Councilmember Mirisch to elaborate on his request.

The City Council did not reach consensus to move forward with Councilmember Mirisch's request.

ITEM A-5 Business Card Template for Persons with Honorary Titles. Staff seeks City Council direction as to a business card template for persons who have been designated with an "honorary title" from the City Council.

Deputy City Manager Cheryl Friedling presented the staff report. She showed a PowerPoint presentation of two template design options for Goodwill Ambassador Jimmy Delshad for his business cards.

The City Council unanimously supported option 1 and Mayor Delshad provided his comments and thanks.

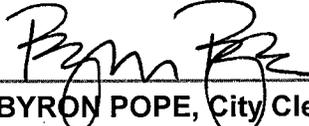
ITEM A-6 Community Development Department's Strategic Plan. Report on the department's strategic plan which includes goal statements for the next three years.

Director of Community Development Susan Healy Keene presented a brief staff report. Councilmembers Mirisch and Bosse suggested that the goals should not be prioritized by order but rather should be bullet-points goals.

I. ADJOURNMENT

There being no further business, Mayor Brucker, with the consent of the Council, adjourned the meeting back to the Closed Session for the remaining items on the Closed Session agenda at 9:15 pm.

PASSED, Approved and Adopted
this 7th day of July, 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.