



**CITY OF BEVERLY HILLS**  
**MINUTES**  
**PUBLIC FINANCING AUTHORITY,**  
**SPECIAL PARKING AUTHORITY,**  
**REGULAR CITY COUNCIL MEETING**  
**August 16, 2011**

The Joint Regular City Council and Public Financing Authority, and Special Parking Authority meeting was held in the Council Chambers at 7:00 pm.

**A. ROLL CALLS**

Present: Gold, Bosse, Mirisch, Brien, and Brucker  
 Absent: None

**B. PRESENTATIONS**

**1. INTRODUCTION - Los Angeles County Assessor John Noguez**

Los Angeles County Assessor John Noguez introduced himself and his staff, and spoke about what the Los Angeles County Assessor's Office does. He encouraged the community to avail of resources in their website. He reported that the City of Beverly Hills had a 1.2% change in assessed valuation from 2010 to 2011.

**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/Public Financing Authority/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/Public Financing Authority/Parking Authority.)**

None

**2. AUDIENCE COMMENTS. Any person wishing to address the City Council/Public Financing Authority/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/Public Financing Authority/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/Public Financing Authority/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.

None

**3. REPORT FROM THE CITY MANAGER**

\* UNITE Update - Theresa Goldman, Police Division Commander

\* Status of the Crescent Garage Project - Alan Schneider, Director of Project Administration

Police Commander Theresa Goldman presented an overview on the Unified Network of Interoperable Technology Enhancements (UNITE) program. She discussed the program's funding, staffing, goals, implementation plan, and various projects such as the mobile advanced technology control center, automated license plate recognition system and developmental technologies projects which were implemented in conjunction with the Department of Homeland Security. These projects include the mobile dashboard android smartphone application, mobile cellular boosters, wi-fi at the Golden Globes, radio over wireless broadband, video analytics, and program expansion information sharing. Council thanked Ms. Goldman and her staff for their hard work.

Director of Project Administration Alan Schneider provided an update on the Crescent garage project. He announced the planned re-opening of Crescent Drive on Monday, August 29, 2011 and the plan to open Crescent garage for use in mid-October. He also reported that the project used \$7 million less than its allotted budget which is about 15% cost savings to the City. He acknowledged the work of Allen Rubenstein in leading the project through completion. Council commended Mr. Schneider, Mr. Rubenstein, and the team for their outstanding work.

**4. CITY COUNCILMEMBER AND COMMITTEE REPORTS**

- Take A Moment

Vice Mayor Brien announced that Bouchon Bakery was the first restaurant to have successfully completed the City's pilot project. on streamlining restaurant permitting procedures under the direction of the Council and the Mayor's Task Force on Governmental Efficiency. Bouchon's application was processed by staff in only 30 days. He invited the community to celebrate the grand opening of Bouchon Bakery tomorrow.

Councilmember Mirisch announced the creation of the Southeast Taskforce and provided information on its objectives and the names of Taskforce members .

Mayor Brucker commended the Beverly Hills Unified School District (BHUSD) and the City Council for the success of their joint meeting last Tuesday to discuss oil drilling in Beverly Hills. BHUSD and Council agreed to shut down the drilling site when the lease expires in 2016. A joint taskforce, composed of Councilmembers Bosse and Gold and two members from BHUSD, was formed to address the loss of revenue from the oil well.

Councilmember Mirisch read a statement representing his personal views regarding the death of a mentally ill Fullerton transient Kelly Thomas as a result of being beaten and tasered by Police officers. He expressed his support and extended condolences to the Thomas family. He urged the Fullerton City Council and Orange County DA's office to regain the public's trust by ensuring that Kelly Thomas gets true justice.

**D. PUBLIC HEARING**

TO SET:

None

TO CONSIDER:

None

**E. CONTINUED AND NEW BUSINESS**

1. APPROVAL OF A REPRESENTATION AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND WILLIAM MORRIS ENDEAVOR ENTERTAINMENT, LLC TO APPOINT WILLIAM MORRIS ENDEAVOR ENTERTAINMENT, LLC AS THE CITY'S EXCLUSIVE LICENSING AGENT. Comment: This agreement authorizes William Morris Endeavor Entertainment, LLC to serve as the City's exclusive licensing agent for the portfolio of the City's trademarks, including the BEVERLY HILLS SHIELD DESIGN trademark, which is owned by the City of Beverly Hills.

Deputy City Manager Cheryl Friedling provided background information on the item. She acknowledged the assistance of Chief Assistant City Attorney Roxanne Diaz in drafting the agreements. Robert Stone, Licensing Managing Director of William Morris Endeavor Entertainment, LLC, gave a brief background on his licensing expertise and experience, and spoke about how the program will be carried out. He announced that the brand program will be launched in the fourth quarter of 2012.

Councilmember Bosse asked about TV and movie licensing.

MOVED by Councilmember Mirisch, seconded by Councilmember Gold to approve representation agreement E-1 with amendments as follows:

A REPRESENTATION AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND WILLIAM MORRIS ENDEAVOR ENTERTAINMENT, LLC TO APPOINT WILLIAM MORRIS ENDEAVOR ENTERTAINMENT, LLC AS THE CITY'S EXCLUSIVE LICENSING AGENT.

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

Noes: None.

CARRIED

**ITEM E-1: AG# 316-11**

2. APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND THE BEVERLY HILLS CONFERENCE AND VISITORS BUREAU FOR PROMOTION OF THE CITY FOR FISCAL YEAR 2011-2012; AND APPROVAL OF A PURCHASE ORDER IN A NOT-TO-EXCEED AMOUNT OF \$1,791,750 TO THE BEVERLY HILLS CONFERENCE AND VISITORS BUREAU FOR THESE SERVICES. Comment: This funding agreement between the City and the Conference and Visitors Bureau ("CVB") is for promotional services for fiscal year 2011-2012 in a not-to-exceed amount of \$1,791,750. In addition, Council is requested to authorize a purchase order in the amount of \$1,791,750 for these services.

Marketing and Economic Sustainability Manager Megan Roach delivered the staff report. Beverly Hills Conference and Visitors Bureau (CVB) Executive Director Julie Wagner and CVB Board Chair Bill Wiley discussed the CVB's scope of work and workplan, budget and staff time breakdown for the different key budget categories, strategies, metrics, measurements and tactics.

Mayor Brucker congratulated Ms. Wagner for the thorough and detailed report. He asked about the Los Angeles Pow Wow show and suggested the Greystone Mansion as a possible venue destination.

MOVED by Councilmember Bosse, seconded by Councilmember Gold to approve agreement E-2 as follows:

AN AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND THE BEVERLY HILLS CONFERENCE AND VISITORS BUREAU FOR PROMOTION OF THE CITY FOR FISCAL YEAR 2011-2012; AND APPROVAL OF A PURCHASE ORDER IN A NOT-TO-EXCEED AMOUNT OF \$1,791,750 TO THE BEVERLY HILLS CONFERENCE AND VISITORS BUREAU FOR THESE SERVICES.

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

Noes: None.

CARRIED

**ITEM E-2: AG# 317-11**

3. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS FIXING THE RATE OF TAXES TO PAY THE BONDED AND OTHER VOTER-APPROVED INDEBTEDNESS OF THE CITY FOR THE FISCAL YEAR 2011/2012. Comment: This action will fix the rate of taxes for fiscal year 2011-2012 for voter approved indebtedness established in 1974 for public safety retirement benefits.

Assistant Director of Administrative Services/Finance Noel Marquis presented the staff report.

MOVED by Councilmember Gold, seconded by Vice Mayor Brien to approve resolution E-3 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS  
FIXING THE RATE OF TAXES TO PAY THE BONDED AND OTHER  
VOTER-APPROVED INDEBTEDNESS OF THE CITY FOR THE FISCAL  
YEAR 2011/2012.

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

CARRIED

**ITEM E-3: RES 11-R-12825**

**F. PUBLIC FINANCING AUTHORITY CONSENT CALENDAR**

MOVED by Director Bosse, seconded by Chairman Brucker to approve all items on the Public Financing Authority consent agenda.

**Minutes**

1. CONSIDERATION OF THE MINUTES of the Public Financing Authority meeting of April 21, 2011.

**RESOLUTION APPROVING:**

2. RESOLUTIONS OF THE CITY OF BEVERLY HILLS, THE CITY OF BEVERLY HILLS PUBLIC FINANCING AUTHORITY AND THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS APPROVING, AUTHORIZING AND DIRECTING THE SUBSTITUTION OR RELEASE OF REAL PROPERTY FROM CERTAIN LEASE REVENUE BOND FINANCING DOCUMENTS, APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY AND THE PARKING AUTHORITY FOR CERTAIN PARKING FACILITIES, AND APPROVING A \$150,000 APPROPRIATION FROM THE CITY'S GENERAL FUND BALANCE TO IMPLEMENT THESE ACTIONS. Comment: Staff recommends that the City Council and the Board of the Public Financing Authority approve certain resolutions approving, authorizing and directing execution of certain amendments to lease financing documents, authorizing certain substitution and releasing of certain assets for bond securitization and that the City Council and the Board of the Parking Authority approve a purchase and sale agreement related to the transferring of certain real property assets as a related action. In addition, staff also recommends that the City Council appropriate \$150,000 from the General Fund Reserve Account for appraisal and title fee costs to be reimbursed by the proceeds of a future bond financing.

**ITEM F-2: RES# PFA-11-R-32**

**APPROVAL OF:**

3. NONDISTURBANCE AGREEMENT BY AND BETWEEN THE CITY OF BEVERLY HILLS PUBLIC FINANCING AUTHORITY AND PARTICIPANT MEDIA, LLC. Comment: This nondisturbance agreement is being executed as a part of participant's first amendment to lease for the expansion of their leased premises and provides that so long as tenant is not in default under the space lease, owner will not disturb tenant's possession of the premises leased to tenant under the space lease.

**ITEM F-3: AG# PFA-27-11**

Vote on the Public Financing Authority Consent Calendar:

Ayes: Director Gold, Director Bosse, Director Mirisch, Director Brien, and  
Chairman Brucker.  
Noes: None.

CARRIED

**G. PARKING AUTHORITY CONSENT CALENDAR**

MOVED by Director Mirisch, seconded by Director Brien to approve the Parking Authority Consent Calendar.

**Minutes**

1. CONSIDERATION OF THE MINUTES of the Parking Authority meeting of April 6, 2010.
2. CONSIDERATION OF THE MINUTES of the Parking Authority meeting of January 11, 2011.

**RESOLUTION APPROVING:**

3. RESOLUTIONS OF THE CITY OF BEVERLY HILLS, THE CITY OF BEVERLY HILLS PUBLIC FINANCING AUTHORITY AND THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS APPROVING, AUTHORIZING AND DIRECTING THE SUBSTITUTION OR RELEASE OF REAL PROPERTY FROM CERTAIN LEASE REVENUE BOND FINANCING DOCUMENTS, APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY AND THE PARKING AUTHORITY FOR CERTAIN PARKING FACILITIES, AND APPROVING A \$150,000 APPROPRIATION FROM THE CITY'S GENERAL FUND BALANCE TO IMPLEMENT THESE ACTIONS. Comment: Staff recommends that the City Council and the Board of the Public Financing Authority approve certain resolutions approving, authorizing and directing execution of certain amendments to lease financing documents, authorizing certain substitution and releasing of certain assets for bond securitization and that the City Council and the Board of the

Parking Authority approve a purchase and sale agreement related to the transferring of certain real property assets as a related action. In addition, staff also recommends that the City Council appropriate \$150,000 from the General Fund Reserve Account for appraisal and title fee costs to be reimbursed by the proceeds of a future bond financing.

**ITEM G-3: RES# PA-11-138; AG# PA-11-04**

Vote on the Parking Authority Consent Calendar:

Ayes: Director Gold, Director Bosse, Director Mirisch, Director, and Chairman Brucker.

Noes: None.

Abstain: Directors Gold and Bosse on Items G-1 and G-2

CARRIED

**H. CITY COUNCIL CONSENT CALENDAR**

MOVED by Councilmember Gold, seconded by Vice Mayor Brien to remove Item H-5 and vote on separately; approve all items on the City Council consent agenda and direct that the appropriate accounts be charged on Items H-2 and H-3.

**Minutes**

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular meeting of August 2, 2011.

**Demands Paid**

2. REVIEW OF BUDGETED DEMANDS PAID, report dated July 23 - August 5, 2011.
3. PAYROLL DISBURSEMENT REPORT, report dated August 16, 2011.

**Other Business**

**ORDINANCE OF THE CITY OF BEVERLY HILLS:**

4. AN UNCODIFIED ORDINANCE EXTENDING THE TERM OF ONE MEMBER OF THE ARCHITECTURAL COMMISSION (FRAN COHEN). First Reading - For Introduction. Comment: Extend Commissioner Cohen's term from August 2, 2011 to July 11, 2012 to match the terms of two other retiring commissioners, thereby permitting the future reduction of the Architectural Commission from seven to five members while allowing all current members to complete their terms.

**ITEM H-4: WAIVE FULL READING AND ADVANCE TO THE MEETING OF SEPTEMBER 8, 2011 FOR ADOPTION**

5. AMENDING BEVERLY HILLS MUNICIPAL CODE SECTION 10-3-2616 REGARDING DEVELOPMENT STANDARDS FOR WALLS, FENCES AND HEDGES IN THE TROUSDALE ESTATES AREA OF THE CITY. Second Reading - For Adoption. Comment: Second Reading of an ordinance recommended by the Planning Commission that would create a process for Trousdale residents to potentially restore certain views obstructed by foliage on a neighbor's property.

MOVED by Vice Mayor Brien, seconded by Councilmember Bosse to adopt Ordinance H-5 as follows, with a condition that staff return in 90 days with an evaluation report on the ordinance and definition and provisions related to the definition of a hedge and trees making up a hedge.

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING BEVERLY HILLS MUNICIPAL CODE SECTION 10-3-2616 REGARDING DEVELOPMENT STANDARDS FOR WALLS, FENCES AND HEDGES IN THE TROUSDALE ESTATES AREA OF THE CITY.

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

Noes: None.

CARRIED

**ITEM H-5: ORD# 11-O-2611**

**RESOLUTIONS APPROVING:**

6. ACCEPTING A GRANT AWARD UNDER THE FISCAL YEAR 2008 URBAN AREA SECURITY INITIATIVE AND APPROPRIATING FUNDS FOR THE PURCHASE OF UNINTERRUPTIBLE POWER SUPPLIES. Comment: This resolution accepts a grant that the City has secured under the FY2008 UASI program to strengthen its interoperable communications system.

**ITEM H-6: RES# 11-R-12826**

7. RESOLUTIONS OF THE CITY OF BEVERLY HILLS, THE CITY OF BEVERLY HILLS PUBLIC FINANCING AUTHORITY AND THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS APPROVING, AUTHORIZING AND DIRECTING THE SUBSTITUTION OR RELEASE OF REAL PROPERTY FROM CERTAIN LEASE REVENUE BOND FINANCING DOCUMENTS, APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY AND THE PARKING AUTHORITY FOR CERTAIN PARKING FACILITIES, AND APPROVING A \$150,000 APPROPRIATION FROM THE CITY'S GENERAL FUND BALANCE TO IMPLEMENT THESE ACTIONS. Comment: Staff recommends that the City Council and the Board of the Public Financing Authority approve certain resolutions approving, authorizing and directing execution of certain amendments to lease financing documents, authorizing certain substitution and releasing of certain assets for bond securitization and that the City Council and the Board of the

Parking Authority approve a purchase and sale agreement related to the transferring of certain real property assets as a related action. In addition, staff also recommends that the City Council appropriate \$150,000 from the General Fund Reserve Account for appraisal and title fee costs to be reimbursed by the proceeds of a future bond financing.

***ITEM H-7: RES# 11-R-12827; RES# 11-R-12828; AG# 318-11***

***APPROVAL OF:***

8. REAPPOINTING A MEMBER TO THE HUMAN RELATIONS COMMISSION (ILONA SHERMAN). Comment: Reappoints Ilona Sherman to the Human Relations Commission to serve the balance of her four year term.

***ITEM H-8: APPROVED***

9. FIRST AMENDMENT OF LEASE WITH PARTICIPANT MEDIA, LLC. Comment: This first amendment to lease expands Participant Media's leased area to include the remaining space on the 2nd Floor of the 331 Foothill Road building approximately 11,060 RSF for a term of 10 years.

***ITEM H-9: AG# 319-11; AG# 320-11***

10. LEASE AND MEMORANDUM OF LEASE BY AND BETWEEN THE CITY OF BEVERLY HILLS AND THE BEVERLY HILLS CONFERENCE AND VISITORS BUREAU FOR OFFICE SPACE AT 239 S. BEVERLY DRIVE. Comment: This lease and memorandum of lease is for City owned office space in the 239 S. Beverly Drive building formerly owned by the Chamber of Commerce. The CVB will continue to occupy space that it previously occupied as a tenant of the Chamber in the building.

***ITEM H-10: AG# 321-11; AG# 322-11***

11. AMENDMENT NO. 1 TO ADD THE 450 CRESCENT FACILITY TO AN AGREEMENT WITH AMPCO SYSTEM PARKING FOR THE MANAGEMENT AND OPERATION OF THE BEVERLY GARDENS PARKING FACILITY AT THE MONTAGE; AND APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$1,065,000 FOR THESE SERVICES. Comment: This amendment provides an operating allowance of \$25,000 for start-up costs and \$300,000 per year for operations related to the 450 Crescent parking facility adjacent to Annenberg and adjusts the termination date of the agreement from October 2011 until June 2012. This will adjust the annual not to exceed amount for this agreement to \$1,065,000, which includes the costs for all attendant assisted parking services throughout the City.

***ITEM H-11: AG# 323-11***

12. AMENDMENT NO. 2 TO THE AGREEMENT WITH ALLEN M. RUBENSTEIN TO PROVIDE PROJECT MANAGEMENT SERVICES FOR CAPITAL IMPROVEMENT PROJECTS; AND A CHANGE PURCHASE ORDER IN THE AMOUNT OF \$40,000 TO ALLEN M. RUBENSTEIN FOR THESE SERVICES. Comment: Requests approval of Amendment No. 2 in the not to exceed amount of \$40,000 to continue project

management oversight services for capital improvement projects in conjunction with the Project Administration Division in the Public Works & Transportation Department. The total contract amount is \$90,000.

**ITEM H-12: AG# 324-11**

13. THE AWARD OF A CONTRACT TO BBS CONSTRUCTION INCORPORATED, FOR THE FIRE STATION #2 REMODEL PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND A PURCHASE ORDER IN THE AMOUNT OF \$425,000 TO BBS CONSTRUCTION INCORPORATED FOR THE CONTRACT WORK. Comment: Requests approval of a contract for work at Fire Station No. 2 including the replacement of the emergency generator, exterior fascia, new turnout lockers and interior painting of the facility.

**ITEM H-13: AG# 325-11**

Vote on City Council Consent Calendar:

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

Noes: None.

CARRIED

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

1. TRAFFIC & PARKING COMMISSION - Regular meeting of July 7, 2011  
HUMAN RELATIONS COMMISSION - Regular meeting of July 21, 2011  
RECREATION AND PARKS COMMISSION - Regular meeting of July 26, 2011

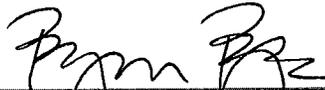
**J. OTHER BUSINESS**

None

**K. ADJOURNMENT**

There being no further business, Mayor/Chairman Brucker, with the consent of the Council/Directors, adjourned the meeting at 8:28pm back to Closed Session for the remaining items on the Closed Session agenda.

PASSED, Approved and Adopted  
this 8<sup>th</sup> of September, 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.**