



**CITY OF BEVERLY HILLS
REGULAR CITY COUNCIL
AND PARKING AUTHORITY
MINUTES
October 18, 2011**

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

PLEDGE OF ALLEGIANCE

A. *ROLL CALLS*

Present: Bosse, Mirisch, Brien, and Brucker
Absent: Gold

B. *PRESENTATIONS*

1. PROCLAMATION - to Monty Hall in recognition of his charitable contributions.

Mayor Brucker, along with the City Councilmembers, played a game of "Let's Make a Deal" with Monty Hall and presented him with a proclamation and gifts to thank him for his years of charitable work in the community.

2. PROCLAMATION - supporting National Health Education Week, October 16-22, 2011.

Mayor Brucker presented a proclamation to California State Recreation and Parks representative Kathi Rothner in support of National Health Education Week on October 16-22, 2011.

3. RECOGNITION - Beverly Hills Public Library Summer Reading Club

Mayor Brucker invited Library Services Manager Marilyn Taniguchi who spoke about the recent Summer Reading Program attended by over 1200 children. Mayor Brucker, along with the City Council, acknowledged the summer reading program participants and took group photos to commemorate the occasion.

4. RECOGNITION - of the Friends of the Beverly Hills Public Library for their continued donations in support of the Library, including the Roxbury Senior Library, homebound delivery service and the pickup of Library donations.

Mayor Brucker invited Assistant Community Services Director Nancy Hunt Coffey who acknowledged and thanked the Friends of the Beverly Hills Public Library for their donation and continued support.

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. Mitch Dawson
2. Marie France

3. REPORT FROM THE CITY MANAGER
* Summer Internship Program - Karine Shirinian, Training Coordinator

Training Coordinator Karine Shirinian spoke about the City's Summer Internship Program, noting the goals of the program, the depth of involvement of the interns, the requirements for acceptance into the program, and other program details. She distributed copies of the program brochure to the City Council.

* Presentation of a Special Achievement Award for Exceptional Application of Geospatial Technology - David Schirmer, Chief Information Officer and Nate Johnson, ESRI Regional Manager for Western US

Mr. Nate Johnson, ESRI Regional Manager for Western US, presented a Special Achievement Award for Exceptional Application of Geospatial Technology which was accepted by GIS Coordinator Lema Kebede on behalf of the City.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS
* Annual New York Sales Mission Update - Mayor Brucker and Vice Mayor Brien

* Take A Moment

Mayor Brucker and Vice Mayor Brien reported on their recent Annual New York Sales Mission trip on October 10-14, 2011. Vice Mayor Brien thanked the Chamber of Commerce for organizing the trip.

Councilmember Bosse announced an upcoming free event at the Beverly Hills Public Library on Sunday November 6, 2011 at 1pm featuring author Peter Ford. She also announced that the Library will now be open until 8pm on Thursdays.

Councilmember Mirisch invited the community to participate in the Great American Shakeout annual earthquake drill on Thursday, October 20, 2011 at 10:20am.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

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

1. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING MUNICIPAL CODE ARTICLES 27 (OTHER USE AND BUILDING RESTRICTIONS); ARTICLE 30 (ARCHITECTURAL COMMISSION, ARCHITECTURAL REVIEW, AND PROCEDURE); ARTICLE 33 (IN LIEU PARKING); AND, ARTICLE 35 (OPEN AIR DINING) RELATED TO RESTAURANT USES. First reading - For Introduction. Comment: Staff recommends the subject ordinance, which is intended to streamline the City's restaurant permit process, be continued to November 3, 2011.

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 Director of Community Development and the records of the Community Development Department in this matter are made a part of the record of this hearing.

With the consent of the City Council, the Mayor continued this item to the next City Council meeting on November 3, 2011.

ITEM D-1: BY ORDER OF THE CHAIR, ITEM CONTINUED TO NOVEMBER 3, 2011

E. PARKING AUTHORITY CONTINUED AND NEW BUSINESS

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

1. RESOLUTION OF THE BOARD OF THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS ESTABLISHING THE PARKING AUTHORITY SCHEDULE OF PARKING FACILITY RATES FOR FISCAL YEAR 2011/2012. Comment: This establishes the parking rates for parking facilities owned by the Parking Authority of the

City of Beverly Hills. These are the same rates as currently established in the City's Schedule of Taxes, Fees and Charges except for the parking facility located at 461 N. Bedford Drive, which will expand from One-Hour to Two-Hour Free Parking.

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 Director of Parking Operations and the records of the Department of Public Works and Transportation in this matter are made a part of the record of this hearing.

Director of Parking Operations Chad Lynn presented a brief PowerPoint presentation and staff report.

Director Mirisch explained the reason why the Board is passing the resolution.

MOVED by Director Bosse, seconded by Director Mirisch to adopt Resolution E-1 as follows:

RESOLUTION OF THE BOARD OF THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS ESTABLISHING THE PARKING AUTHORITY SCHEDULE OF PARKING FACILITY RATES FOR FISCAL YEAR 2011/2012.

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

CARRIED

ITEM E-1: ADOPTED RES# PA-11-139

F. PARKING AUTHORITY CONSENT CALENDAR

MOVED by Director Mirisch, seconded by Director Bosse to approve all items on the Parking Authority consent agenda.

Minutes

1. CONSIDERATION OF THE MINUTES of the Parking Authority meeting of August 16, 2011.

Vote on the Parking Authority Consent Calendar:

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

CARRIED

G. CITY COUNCIL CONTINUED AND NEW BUSINESS

1. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ESTABLISHING A MILLS ACT PILOT PROGRAM INCLUDING DEVELOPMENT OF AN APPLICATION PROCESS, REVIEW PROCEDURES, AND REQUIRED CONTRACT PROVISIONS FOR IMPLEMENTATION OF THE ACT IN THE CITY; AND APPROPRIATION OF \$25,000 TO FUND AN HISTORIC CONSULTANT TO ADMINISTER THE PROGRAM AND PROVIDE TRAINING TO STAFF AND OFFICIALS. Comment: This is a consideration of establishing a two-year Mills Act Pilot Program as presented during the Study Session on September 20, 2011.

Director of Community Development Susan Healy Keene provided a brief background on the item and noted that the Planning Commission will begin their historic preservation discussion at their meeting on October 27, 2011. She introduced Associate Planner Peter Noonan who discussed the selection criteria, priority considerations and recommendation.

Speaking:

1. Rabbi David Baron, Saban Theater
2. Marcello Vavala, Los Angeles Conservancy

MOVED by Vice Mayor Brien, seconded by Councilmember Mirisch to adopt Resolution G-1 as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ESTABLISHING A MILLS ACT PILOT PROGRAM INCLUDING DEVELOPMENT OF AN APPLICATION PROCESS, REVIEW PROCEDURES, AND REQUIRED CONTRACT PROVISIONS FOR IMPLEMENTATION OF THE ACT IN THE CITY; AND APPROPRIATION OF \$25,000 TO FUND AN HISTORIC CONSULTANT TO ADMINISTER THE PROGRAM AND PROVIDE TRAINING TO STAFF AND OFFICIALS.

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

CARRIED

ITEM G-1: ADOPTED RES# 11-R-12838

H. CITY COUNCIL CONSENT CALENDAR

MOVED by Councilmember Bosse, seconded by Councilmember Mirisch to remove Item H-5 and vote on separately, approve the remaining items on the consent agenda by reference only and direct that the appropriate accounts be charged on Items H-3 and H-4.

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular meeting of September 20, 2011.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular meeting of September 27, 2011.

Demands Paid

3. REVIEW OF BUDGETED DEMANDS PAID, report dated September 3 - October 7, 2011.
4. PAYROLL DISBURSEMENT REPORT, report dated October 18, 2011.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

5. AMENDING THE BEVERLY HILLS MUNICIPAL CODE PROVISIONS REGARDING OIL, GAS AND OTHER HYDROCARBON DRILLING AND EXTRACTION, PROHIBITING THE DRILLING AND EXTRACTION OF OIL, GAS AND OTHER HYDROCARBON SUBSTANCES FROM SURFACE LOCATIONS IN THE CITY, AND REPEALING ORDINANCE NO. 11-O-2603. Second Reading - For Adoption. Comment: Second reading and adoption of an ordinance introduced on September 20, 2012 prohibiting drilling of oil, gas and other hydrocarbon substances.

MOVED by Councilmember Bosse, seconded by Vice Mayor Brien to adopt Ordinance H-5 as follows:

AMENDING THE BEVERLY HILLS MUNICIPAL CODE PROVISIONS REGARDING OIL, GAS AND OTHER HYDROCARBON DRILLING AND EXTRACTION, PROHIBITING THE DRILLING AND EXTRACTION OF OIL, GAS AND OTHER HYDROCARBON SUBSTANCES FROM SURFACE LOCATIONS IN THE CITY, AND REPEALING ORDINANCE NO. 11-O-2603

Ayes: Councilmembers Bosse and Brien, and Mayor Brucker.
Noes: Councilmember Mirisch.
Absent: Councilmember Gold.

CARRIED

ITEM H-5: ADOPTED ORD# 11-O-2614

RESOLUTIONS APPROVING:

6. ACCEPTING A DONATION FROM THE FRIENDS OF THE BEVERLY HILLS PUBLIC LIBRARY FOR LIBRARY OPERATIONS IN THE AMOUNT OF \$20,070 AND APPROPRIATING FUNDS THEREFOR. Comment: This report asks the City Council to approve a resolution appropriating \$20,070 donated by the Friends of the Beverly Hills Library for the delivery of library materials to homebound seniors, pickup of donated materials and delivery to the Senior Library at Roxbury Community Center.

ITEM H-6: ADOPTED RES# 11-R-12839

7. AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES & CHARGES TO REPEAL CERTAIN PARKING FACILITY RATES FOR FISCAL YEAR 2011/2012. Comment: This repeals the parking rates in the City's Schedule of Taxes, Fees and Charges for parking facilities that are owned by the Parking Authority of the City of Beverly Hills. The remaining parking rates will not be changed.

ITEM H-7: ADOPTED RES# 11-R-12840

8. APPLYING FOR THE FY11/12 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT FROM THE STATE OFFICE OF TRAFFIC SAFETY; AND APPROPRIATION OF \$140,000 TO FUND TRAFFIC ENFORCEMENT ACTIVITIES UNDER THE FY11/12 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM. Comment: Grant funds awarded by the California Office of Traffic Safety will be used to conduct DUI and driver's license checkpoints, DUI saturation patrols, special enforcement operations, and warrant operations.

ITEM H-8: ADOPTED RES# 11-R-12841

APPROVAL OF:

9. REAPPOINTING TWO MEMBERS TO THE GROUNDWATER MANAGEMENT PLAN TECHNICAL COMMITTEE (ARNOLD EPSTEIN AND MARVIN KATZ). Comment: Reappoints Arnold Epstein and Marvin Katz to the Groundwater Management Plan Technical Committee to serve three-year terms each.

ITEM H-9: APPROVED

10. REAPPOINTING A BOARD MEMBER TO THE METROPOLITAN WATER DISTRICT (ROBERT WUNDERLICH). Comment: Reappoints Robert Wunderlich as a member to the Board of Metropolitan Water District of Southern California for another four-year term.

ITEM H-10: APPROVED

11. AMENDMENTS TO CONFLICT OF INTEREST CODES FOR VARIOUS CITY DEPARTMENTS. Comment: Amends Conflict of Interest Codes of various City departments to reflect new and deleted positions, and position title changes.

ITEM H-11: APPROVED

12. AN AGREEMENT WITH ADAMSON POLICE PRODUCTS FOR PURCHASE OF GAS MASK AND ACCESSORIES; AND

APPROPRIATION OF \$62,574.02 TO ASSIST WITH THE PURCHASE OF THIS EQUIPMENT UNDER THE FY2009 RECOVERY ACT JUSTICE ASSISTANCE GRANT PROGRAM; AND

AUTHORIZE A PURCHASE ORDER FOR THIS EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$66,000.00. Comment: Grant funds to be used for purchase of police protective equipment.

ITEM H-12: APPROVED AG# 417-11

13. AN AGREEMENT WITH ADS CORP. TO PROVIDE MAINTENANCE AND REPAIR SERVICES FOR SEWER FLOW MONITORING EQUIPMENT AND MONTHLY WASTEWATER SAMPLING AND DATA ANALYSIS. Comment: This agreement provides for maintenance and repair services for sewer flow monitoring equipment and monthly wastewater sampling and data analysis in order to assist the City in compiling the necessary information to ensure it is properly paying for its proportional share of the costs for wastewater treatment.

ITEM H-13: APPROVED AG# 418-11

14. AMENDMENT NO. 1 TO THE AGREEMENT WITH UTOPIA ENTERTAINMENT, INC. FOR HOLIDAY DÉCOR AND PROGRAM MANAGEMENT; AND

APPROVAL OF A CHANGE PURCHASE ORDER IN THE AMOUNT OF \$63,276 TO UTOPIA ENTERTAINMENT, INC. FOR THESE SERVICES. Comment: Requests approval of Amendment No. 1 to provide holiday décor in the City's commercial areas.

ITEM H-14: APPROVED AG# 419-11

15. AMENDMENT NO. 2 TO THE AGREEMENT WITH FOLLIS DESIGN, AN S CORPORATION, FOR GRAPHIC DESIGN SERVICES RELATED TO THE CIVIC CENTER; AND

APPROVAL OF A CHANGE PURCHASE ORDER IN THE AMOUNT OF \$54,000 TO FOLLIS DESIGN FOR THESE SERVICES. Comment: Requests approval of Amendment No. 2 to provide design services related to the Crescent Garage project for facility identification and user wayfinding.

ITEM H-15: APPROVED AG# 420-11

16. AMENDMENT NO. 1 TO THE AGREEMENT WITH ARNIE BERGHOFF & ASSOCIATES FOR REPRESENTATION AND PUBLIC AFFAIRS SERVICES. Comment: This item amends the contract with Arnie Berghoff & Associates for an additional 6-month period for government and public affairs advocacy.

ITEM H-16: APPROVED AG# 421-11

17. AGREEMENT WITH HEXAGON TRANSPORTATION CONSULTANTS, INC. FOR AS-NEEDED TRAVEL DEMAND AND TRANSIT RIDERSHIP CONSULTING SERVICES; AND

AUTHORIZE A PURCHASE ORDER IN THE AMOUNT OF \$25,000 TO HEXAGON TRANSPORTATION CONSULTANTS, INC. FOR THE CONSULTANT SERVICES. Comment: Provides for independent review of the Westside Subway Extension Final Environmental Impact Statement/Report (FEIS/FEIR) and travel demand/ridership studies on an as-needed basis.

ITEM H-17: APPROVED AG# 422-11

18. APPROPRIATION OF \$11,010 TO FUND DNA ANALYSIS UNDER THE FY 2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM. Comment: Grant funds awarded by the United States Department of Justice will be used to identify suspects and solve crimes.

ITEM H-18: APPROVED

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

ITEM A AGREEMENT WITH THE DAVIS COMPANY FOR COMPENSATION STUDIES AND CLASSIFICATION ANALYSIS; AND,

APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$135,000 FOR THE AGREED SERVICES. Comment: This agreement will provide professional consultant services with the Davis Company to assist the City with classification and compensation studies as required in the various Memorandum of Understanding for a period of two years.

ITEM H-19A: APPROVED AG# 423-11

ITEM B A PURCHASE ORDER IN THE AMOUNT OF \$90,619 TO HANSON BRIDGETT LLP FOR SPECIAL COUNSEL SERVICES. Comment: Purchase Order for Hanson Bridget LLP for special counsel services for Fiscal Year 2011-2012.

ITEM H-19B: APPROVED

ITEM C A PURCHASE ORDER IN THE AMOUNT OF \$75,000 WITH JSLS, INC. FOR SERVICES RELATED TO IDENTIFICATION OF UNREGISTERED BUSINESSES. Comment: JSLS, Inc. provides revenue collection services through discovery of non-compliant businesses within the City of Beverly Hills.

ITEM H-19C: APPROVED

ITEM D A CHANGE ORDER IN THE AMOUNT OF \$51,000 TO AON CONSULTING FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$106,000 FOR ACTUARIAL SERVICES. Comment: Approval to pay for increased council directed actuarial services.

ITEM H-19D: APPROVED

Vote on the Consent Calendar:

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

CARRIED

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

1. DESIGN REVIEW COMMISSION - Special meeting of September 13, 2011
 CHARITABLE SOLICITATIONS COMMISSION - Regular meeting of September 14, 2011
 FINE ART COMMISSION - Regular meeting of September 15, 2011
 HEALTH AND SAFETY COMMISSION - Regular meeting of September 26, 2011
 DESIGN REVIEW COMMISSION - Regular meeting of October 6, 2011

J. OTHER BUSINESS

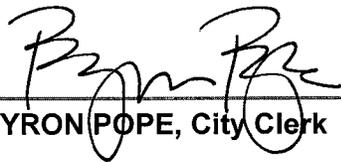
None

K. ADJOURNMENT

There being no further business, Mayor/Chairman Brucker, with the consent of the City Council/Directors, recessed the meeting back to the Closed Session for the remaining items on the Closed Session agenda at 8:30pm.

The Closed Session ended at 10:50pm.

PASSED, Approved and Adopted
This 3rd day of November, 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.