



**CITY OF BEVERLY HILLS
MINUTES
CITY COUNCIL
REGULAR MEETING
February 21, 2012**

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

A. ROLL CALL

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

B. PRESENTATIONS

1. PROCLAMATION - the American Heart Association in honor of the recent "National Wear Red Day" for women.

Mayor Brucker, along with Vice Mayor Brien, presented a proclamation to Dr. Mark Urman, on behalf of the American Heart Association, in honor of Wear Red Day and declared February as American Heart Month in Beverly Hills.

2. PROCLAMATION - Concern Foundation leaders

Mayor Brucker, along with Vice Mayor Brien, honored the members of The Concern Foundation, for their efforts to eradicate cancer.

3. PROCLAMATION - Rotary Club of Beverly Hills in honor of its anniversary

Mayor Brucker, along with Vice Mayor Brien, presented a proclamation to the Beverly Hills Rotary in honor of their 107th anniversary, and dedicated years of service.

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.)

1. Alma Ordaz spoke about parking difficulties on South Spalding Drive

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
* Area "A" Operations Chiefs - Positive Outcomes
- Mark Embrey, Deputy Fire Chief

Deputy Fire Chief Mark Embrey reported on the City's effort in the Area "A" Operations program. He noted the participating cities in Area "A" which include Beverly Hills, Santa Monica, Culver City and Los Angeles.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS
- Take A Moment

Mayor Brucker recognized Police Commander Theresa Goldman, and thanked her for 15 years of service. He wished her well as she moves to her new job at the City of Glendale.

Councilmember Mirisch announced current volunteer opportunities in the City of Beverly Hills and encouraged residents to get involved.

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 REQUIRING HIGH IMPACT CONVENIENCE STORES TO OBTAIN A CONVENIENCE STORE CONDITIONAL USE PERMIT AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. First Reading - For Introduction. Comment: This item was continued from the February 7, 2012 Council meeting. Staff is scheduling this matter to a future Council meeting date.

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

Speaking:

Director of Community Development Susan Healy Keene requested a continuance of this item until the next City Council Meeting on March 6, 2011.

ITEM D-1: BY ORDER OF THE CHAIR, WITH NO OBJECTIONS, ITEM WAS TABLED TO A FUTURE CITY COUNCIL MEETING DATE; STAFF WILL RETURN ON MARCH 6, 2011 WITH A REQUEST TO EXTEND THE INTERIM ORDINANCE

E. CONTINUED AND NEW BUSINESS

None

F. CITY COUNCIL CONSENT CALENDAR

MOVED by Councilmember Bosse, seconded by Councilmember Gold to remove Items F-6 and F-7 for discussion; approve the remaining items on the consent calendar 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 February 7, 2012.

Demands Paid

2. REVIEW OF BUDGETED DEMANDS PAID, report dated January 28 - February 10, 2012.
3. PAYROLL DISBURSEMENT REPORT, report dated February 21, 2012.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

4. AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO ADD THE CULTURAL HERITAGE COMMISSION AS CLASS 1 PERMIT USERS. Second Reading - For Adoption. Comment: This amendment will revise the Beverly Hills Municipal Code to include members of the newly created Cultural Heritage Commission as Class 1 Permit users.

ITEM F-4: ADOPTED ORD# 12-O-2620

RESOLUTIONS APPROVING:

None

APPROVAL OF:

5. LEASE AND MEMORANDUM OF LEASE BY AND BETWEEN THE CITY OF BEVERLY HILLS AND THE BEVERLY HILLS CONFERENCE AND VISITORS BUREAU FOR SPACE AT 9400 SANTA MONICA BOULEVARD. Comment: The lease is for a term of ten years with a starting rental rate of \$9,404.84 monthly.

ITEM F-5: APPROVED AG# 47-12; 48-12

6. AN AGREEMENT WITH PSOMAS FOR ENGINEERING SERVICES TO PREPARE PLANS, SPECIFICATIONS AND ESTIMATES FOR VARIOUS INFRASTRUCTURE IMPROVEMENT PROJECTS. Comment: This agreement is for PSOMAS to provide professional design services for a three-year period for various infrastructure improvement projects to allow staff to concentrate on overall project management and construction management functions, in the amount not to exceed \$750,000.

Deputy City Engineer Ara Maloyan answered questions from Councilmembers Bosse and Mirisch regarding the agreement, the RFQ process, and Council approval on purchase orders and agreements. Council approved the item with two additions: 1) Staff should report back after one year to the City Council with regard to whether or not staff would recommend going out for a new RFQ to determine whether the City could find a vendor with better qualifications or whether staff thought the City could get better rates; and 2) No individual purchase order would be issued to Psomas for more than \$50,000 without approval of the City Council.

ITEM F-6: APPROVED AS AMENDED AG# 49-12

7. AGREEMENTS WITH THREE PREVIOUSLY APPROVED CATERERS TO PROVIDE CATERING SERVICES AT GREYSTONE MANSION. Comment: Seeking City Council approval for agreements with caterers for food services at Greystone Mansion.

In response to Councilmember Bosse's questions, Recreation Services Manager Brad Meyerowitz clarified that the three vendor agreements are different based on what was submitted during the RFP process. Council directed staff and the Liaison Committee to conduct a meeting with neighboring residents to get feedback on potential impacts of change in the hours of operation.

ITEM F-7: APPROVED AG# 50-12; AG# 51-12; AG# 52-12

8. AGREEMENT BY AND BETWEEN THE CITY OF BEVERLY HILLS AND RODEO DRIVE, INC. FOR THE CONCOURS D'ELEGANCE EVENT. Comment: Requests approval of a funding agreement for the annual Concours D'Elegance event on Father's Day, June 17, 2012.

ITEM F-8: APPROVED AG# 53-12

9. AMENDMENT NO. 6 TO AN AMENDED AND RESTATED EMPLOYMENT AGREEMENT WITH BYRON POPE. Comment: This Amendment to the City Clerk's contract will increase the City Clerk's base salary by 5%, provide a pay for performance award of 5% of his annual base salary and authorize reimbursement for the City Clerk's membership in the Beverly Hills Rotary Club.

ITEM F-9: APPROVED AG# 54-12

10. A PURCHASE ORDER TO COBAN TECHNOLOGIES, INC. IN AN AMOUNT NOT TO EXCEED \$79,487.98 FOR THE PURCHASE OF WIRELESS IN-CAR VIDEO SYSTEMS. Comment: Provides for the purchase of next generation Coban in-car video system for some of the Police Department's patrol vehicles.

ITEM F-10: APPROVED

11. TERMINATION OF A COVENANT THAT REQUIRES THE PROPERTIES LOCATED AT 121-145 NORTH ROBERTSON BOULEVARD TO BE HELD AS A SINGLE SITE. Comment: A covenant was previously recorded in 2003 requiring that the subject properties be held as a single site. The covenant was recorded to allow the properties to be developed as a single project. The project was never developed, and the property owner now seeks to terminate the covenant as it is no longer needed.

ITEM F-11: APPROVED

12. EXPENDITURE REPORT REGARDING EMERGENCY SEWER REPAIRS AUTHORIZED BY THE CITY MANAGER. Comment: Provides the report required by Municipal Code Section 3-3-206 for repairs performed to mitigate the emergency situation declared by the City Manager. The actual cost of the sewer repairs is \$ 98,644.80

ITEM F-12: 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. RECREATION AND PARKS COMMISSION - Special Meeting of January 24, 2012
PLANNING COMMISSION - Regular Meeting of January 26, 2012

H. OTHER BUSINESS

None

I. ADJOURNMENT

There being no further business, Mayor Brucker, with the consent of the Council, adjourned the meeting at 8:39 pm.

PASSED, Approved and Adopted
this 6th day of March, 2012.



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.