



CITY OF BEVERLY HILLS
JOINT MEETING MINUTES
THE REGULAR CITY COUNCIL MEETING,
THE PUBLIC FINANCING AUTHORITY MEETING
AND
THE PARKING AUTHORITY MEETING
April 3, 2012

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

A. ROLL CALLS

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

B. PRESENTATIONS

1. PROCLAMATION - Councilmember Brucker in honor of his being inducted to the Beverly Hills Alumni Hall of Fame

Mayor Brien and the entire Council congratulated and presented a proclamation to Councilmember Brucker on his induction to the Beverly Hills High School Alumni Association Hall of Fame. Councilmember Brucker thanked his colleagues and the Board of Directors of the Alumni Association.

2. CERTIFICATES OF APPOINTMENT - Cultural Heritage Commission
 - Noah Furie, Chair
 - Richard Waldow, Vice-Chair
 - Rebecca Pynoos
 - Maralee Beck
 - Lisa Greer

Mayor Brien, along with Vice Mayor Mirisch, presented certificates of appointment and City pins to the newly appointed commissioners.

3. PROCLAMATION - National Donate Life Month

Mayor Brien, along with Councilmember Gold, presented a proclamation to Dr. Mason Sommers and declared April 2012 as Donate Life Month in Beverly Hills. Dr. Sommers

thanked the City Council for the recognition, and invited the Councilmembers and residents to participate in the Donate Life Run/Walk on April 28, 2012 in Fullerton.

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.

1. Marilyn Gallup
2. Alma Ordaz
3. James Goldrich
4. Ray Flade
5. Susan Mishler
6. Red Richmond

3. REPORT FROM THE CITY MANAGER * City Bond Sale Update - Scott Miller, Chief Financial Officer and Director, Administrative Services Department

Chief Financial Officer and Director of Administrative Services Department Scott Miller provided a PowerPoint presentation and update on the recent City's bond sale. He spoke about the City's credit rating, and briefly discussed the water revenue bond orders from Beverly Hills and other California retail investors, and the refinancing savings of \$4.09 million. Dr. Miller noted that the lease revenue bonds will be on sale on Thursday, April 5, 2012.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Brucker announced that the Beverly Hills Active Adult Club cookbook is now on sale at the Roxbury Park Community Center. A montage video clip featuring three of the contributor chefs preparing their favorite recipe was shown. These chefs will be featured in three separate shows on the City's Cable channel.

Mayor Brien reported that the City will be providing free transportation to the Metropolitan Transit Authority meetings in downtown Los Angeles on April 18 and April 26. The buses will depart from Kelly's Coffee and Fudge on April 18 at 11:30 am and on April 26 at 7:30 am. He encouraged residents to attend the meetings and avail of the City's free transportation.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

1. APPEAL OF THE ARCHITECTURAL COMMISSION'S DECISION CONDITIONALLY APPROVING AN ARCHITECTURAL PERMIT FOR A FAÇADE REMODEL AND BUSINESS IDENTIFICATION SIGNS FOR THE VAN CLEEF & ARPELS PROJECT LOCATED AT 300 NORTH RODEO DRIVE. Comment: On March 6, 2012 the City Council set this item to be heard as a public hearing item on April 3, 2012. Since that time, the applicant has made changes to the project which were reviewed and approved by the Architectural Commission on March 21, 2012. As a result of that approval, the applicant has withdrawn the appeal request.

ITEM D-1: BY ORDER OF THE CHAIR, ITEM WAS REMOVED FROM THE AGENDA. APPEAL OFFICIALLY WITHDRAWN.

E. CONTINUED AND NEW BUSINESS

1. AGREEMENT WITH THE ARGUS GROUP, LLC FOR SPONSORSHIP SALES AND HOST COMMITTEE DEVELOPMENT FOR THE CITY'S 100TH ANNIVERSARY AND APPROVAL OF A PURCHASE ORDER IN THE NOT-TO-EXCEED AMOUNT OF \$120,000 FOR THESE SERVICES. Comment: This agreement authorizes The Argus Group, LLC to conduct sponsorship sales and provide host committee development for the City's 100th Anniversary and authorizes the issuance of a purchase order, from the tourism and marketing budget, in the not-to-exceed amount of \$120,000, plus 20% commission on gross sponsorship revenue or fair market value of goods/services secured by the firm, for these services.

Deputy City Manager of Public Affairs Cheryl Friedling provided a PowerPoint presentation and spoke about the upcoming City's 100th Anniversary. She noted the Anniversary objectives, the Centennial events and activities prepared by Liaison Committee members Brucker and Bosse, background on the proposed marketing agency, The Argus Group, LLC, key clients of The Argus Group, the program goals, and budget details.

Liaison Committee members Brucker and Bosse thanked Ms. Friedling for her hard work, and commented that they found The Argus Group the right choice for the once-in-a-lifetime City Centennial event.

Councilmember Gold asked why metrics and minimum deliverables were not included in the contract. He inquired whether the City will retain the work product should there be a need to terminate the contract as allowed in the 30 day without cause termination policy. He also requested clarification on the budget. Vice Mayor Mirisch asked about the role of the William Morris Agency in the Centennial celebrations and how it will be complementary to The Argus Group, and the reason for The Argus Group getting a 20% commission in addition to their retainer fee. Mayor Brien requested clarification on whether The Argus Group's commission is based only on cash sponsorships or would include fair market value of in-kind sponsorships.

MOVED by Councilmember Bosse, seconded by Brucker to approve Agreement E-1 as follows:

AGREEMENT WITH THE ARGUS GROUP, LLC FOR SPONSORSHIP SALES AND HOST COMMITTEE DEVELOPMENT FOR THE CITY'S 100TH ANNIVERSARY AND APPROVAL OF A PURCHASE ORDER IN THE NOT-TO-EXCEED AMOUNT OF \$120,000 FOR THESE SERVICES.

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

Noes: Vice Mayor Mirisch.

CARRIED

ITEM E-1: APPROVED AG# 114-12

F. PUBLIC FINANCING AUTHORITY CONSENT CALENDAR

MOVED by Director Bosse, seconded by Director Gold to remove Item F-2 for discussion and separate vote and approve the remaining item on the Public Financing consent calendar.

Minutes

1. CONSIDERATION OF THE MINUTES of the Public Financing Authority meeting of March 6, 2012.

Other Business

2. RESOLUTION OF THE CITY OF BEVERLY HILLS PUBLIC FINANCING AUTHORITY APPROVING AMENDED AND RESTATED BYLAWS. Comment: The Bylaws of the City of Beverly Hills Public Financing Authority will be amended and restated to add an Executive Director who shall be the City Manager, provide that the Treasurer of the PFA will be the CFO instead of the City Treasurer and provide that the Executive Director can

sign contracts on behalf of the PFA in addition to the Chair and Vice-Chair or any of their designees.

City Attorney Wiener answered Director Bosse's questions on the reason behind the transfer of authority to sign contracts from the City Treasurer to the Chief Financial Officer (CFO) and the addition of the City Manager as the Executive Director, as well as why the Parking Authority and City Council structures were also being changed. Director Brucker clarified that the Executive Director and the CFO do not have authority to approve contracts unless the Board give its approval and thus they are just signing contracts under the Board's direction. Director Mirisch suggested that instead of creating an Executive Director position, the Chair and Vice Chair should just be able to designate whoever they wish. He also asked what the approval amount limit will be of the newly created Executive Director position.

MOVED by Director Brucker, seconded by Director Gold to adopt Resolution F-2 as follows:

RESOLUTION OF THE CITY OF BEVERLY HILLS PUBLIC FINANCING AUTHORITY APPROVING AMENDED AND RESTATED BYLAWS.

Ayes: Director Gold, Director Brucker and Chair Brien.
Noes: Director Bosse and Director Mirisch.

CARRIED

ITEM F-2: ADOPTED RES# PFA-12-R-35

Vote on the Public Financing Authority consent calendar:

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

CARRIED

G. PARKING AUTHORITY CONSENT CALENDAR

MOVED by Director Bosse, seconded by Director Brucker to remove Item G-2 for discussion and separate vote and approve the remaining item on the Parking Authority consent calendar.

Minutes

1. CONSIDERATION OF THE MINUTES of the Parking Authority meeting of January 24, 2012.

Other Business

2. RESOLUTION OF THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS APPROVING AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT ESTABLISHING THE CITY OF BEVERLY HILLS PUBLIC FINANCING AUTHORITY. Comment: The Joint Powers Agreement for the City of Beverly Hills Public Financing Authority will be amended and restated to add an Executive Director who shall be the City Manager, provide that the Treasurer of the PFA will be the CFO instead of the City Treasurer and provide that the Executive Director can sign contracts on behalf of the PFA in addition to the Chair and Vice-Chair or any of their designees.

City Attorney Wiener answered Director Bosse's questions on the reason behind the transfer of authority to sign contracts from the City Treasurer to the Chief Financial Officer (CFO) and the addition of the City Manager as the Executive Director, as well as why the Parking Authority and City Council structures were also being changed. Director Brucker clarified that the Executive Director and the CFO do not have authority to approve contracts unless the Board give its approval and thus they are just signing contracts under the Board's direction. Director Mirisch suggested that instead of creating an Executive Director position, the Chair and Vice Chair should just be able to designate whoever they wish. He also asked what the approval amount limit will be of the newly created Executive Director position.

MOVED by Director Brucker, seconded by Director Gold to adopt Resolution and Agreement G-2 as follows:

RESOLUTION OF THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS APPROVING AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT ESTABLISHING THE CITY OF BEVERLY HILLS PUBLIC FINANCING AUTHORITY.

AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT.

Ayes: Director Gold, Director Brucker and Chair Brien.

Noes: Director Bosse and Director Mirisch.

CARRIED

ITEM G-2: ADOPTED RES# PA-R-12-141; AG# PA-12-01

Vote on the Parking Authority consent calendar:

Ayes: Director Gold, Director Bosse, Director Brucker, Director Mirisch and Chair Brien.

Noes: None.

CARRIED

H. CITY COUNCIL CONSENT CALENDAR

MOVED by Councilmember Bosse, seconded by Councilmember Gold to remove Item H-6 for discussion and separate vote, approve the remaining items on the City Council Consent Calendar 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 March 6, 2012.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular meeting of March 20, 2012.

Demands Paid

3. REVIEW OF BUDGETED DEMANDS PAID, report dated February 25 - March 23, 2012
4. PAYROLL DISBURSEMENT REPORT, report dated April 3, 2012.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

5. EXPRESSING DESIRE TO BECOME A HEALTHY EATING ACTIVE LIVING (HEAL) CITY. Comment: The City of Beverly Hills seeks to join the Healthy Eating Active Living (HEAL) Campaign, as encouraged by the League of California Cities, by adopting a resolution to embrace policies to create healthier work, school, and neighborhood environments conducive to healthier living.

ITEM H-5: ADOPTED RES# 12-R-12871

6. AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT ESTABLISHING THE CITY OF THE BEVERLY HILLS PUBLIC FINANCING AUTHORITY. Comment: The Joint Powers Agreement for the City of Beverly Hills Public Financing Authority will be amended and restated to add an Executive Director who shall be the City Manager, provide that the Treasurer of the PFA will be the CFO instead of the City Treasurer and provide that the Executive Director can sign contracts on behalf of the PFA in addition to the Chair and Vice-Chair or any of their designees.

City Attorney Wiener answered Councilmember Bosse's questions on the reason behind the transfer of authority to sign contracts from the City Treasurer to the Chief Financial Officer (CFO) and the addition of the City Manager as the Executive Director, as well as why the Parking Authority and City Council structures were also being changed.

Councilmember Brucker clarified that the Executive Director and the CFO do not have authority to approve contracts unless the Board give its approval and thus they are just signing contracts under the Board's direction. Vice Mayor Mirisch suggested that instead of creating an Executive Director position, the Chair and Vice Chair should just be able to designate whomever they wish. He also asked what the approval amount limit will be of the newly created Executive Director position.

MOVED by Councilmember Brucker, seconded by Councilmember Gold to approve Resolution and Agreement H-6 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT ESTABLISHING THE CITY OF THE BEVERLY HILLS PUBLIC FINANCING AUTHORITY.

AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT.

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

CARRIED

ITEM H-6: ADOPTED RES# 12-R-12872; AG# 115-12

APPROVAL OF:

7. AMENDMENT NO. 1 TO THE AGREEMENT WITH THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT FOR THE PROVISION OF INFORMATION TECHNOLOGY CONSULTING SERVICES. Comment: This Amendment is to correct a typographical error in the current 3-year Agreement between the City and the School District. The current Agreement states that the City will provide the District with up to 4000 hours of information technology services at the rate of \$65.50, for a total annual amount not-to-exceed \$250,000. However, the accurate hourly rate that the City charges the District is \$62.50 per hour, which totals \$250,000 when multiplied by 4000 hours.

ITEM H-7: APPROVED AG# 116-12

8. AMENDMENT NO. 1 TO THE AGREEMENT WITH RINCON CONSULTANTS FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED NEW LEXUS AUTOMOBILE DEALERSHIP BUILDING AT 9230 WILSHIRE BOULEVARD. Comment: This amendment to the agreement for environmental consulting services increases the contract amount from \$284,418 to \$420,807. The cost increase is a result of project changes and additional environmental services that were carried out during review of the project. This amendment does not result in any changes to the project as approved by the City Council, and the full cost of the environmental consulting services will be borne by the project applicant.

ITEM H-8: APPROVED AG# 117-12

9. AN AGREEMENT WITH 10-8 RETROFIT, INC. FOR THE UPFITTING OF VARIOUS PUBLIC-SAFETY VEHICLES; AND

APPROVAL OF A PURCHASE ORDER TO 10-8 RETROFIT, INC IN THE NOT-TO-EXCEED AMOUNT OF \$112,125.00 FOR THESE SERVICES. Comment: Provides for upfitting of various public-safety vehicles to include five (5) police patrol sedans, one (1) police K9, two (2) Traffic-control Pickup Trucks, three (3) Ford Fusion Hybrid sedans, and eight (8) administrative vehicles as required by the Departments of Fire and Police.

ITEM H-9: APPROVED AG# 118-12

10. THE AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, R.C. BECKER AND SON, INC., FOR "T-ALLEY RECONSTRUCTION" PROJECT WITHIN THE CITY OF BEVERLY HILLS IN THE AMOUNT OF \$241,687.00; APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFOR; AND

APPROVAL OF A PURCHASE ORDER TO R.C. BECKER AND SON, INC. IN THE AMOUNT OF \$272,000, FOR THE PROJECT. Comment: This project will rehabilitate the pavement and rectify drainage and pavement degradation problems in the T-alley between Sunset Boulevard and Lexington Road and west of Alpine Drive.

ITEM H-10: APPROVED AG# 119-12

11. AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, SULLY-MILLER CONTRACTING CO, FOR THE "2011-2012 STREET RESURFACING - VARIOUS LOCATIONS" PROJECT IN THE AMOUNT OF \$1,019,450; APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFOR; AND

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$1,172,368 TO SULLY-MILLER CONTRACTING CO. FOR THE PROJECT. Comment: This project consists of resurfacing approximately 4.7 miles of streets and alleys, which were selected utilizing the city's Pavement Management Program System.

ITEM H-11: APPROVED AG# 120-12

12. THE AWARD OF A CONTRACT TO TRUELINE SURFACING FOR THE LA CIENEGA TENNIS COURT RESURFACING PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$169,125 TO TRUELINE SURFACING FOR THE CONTRACT WORK. Comment: This project is for the resurfacing of the La Cienega Tennis courts and is on a five year schedule for surfacing. These courts were last resurfaced in the spring of 2007.

ITEM H-12: APPROVED AG# 121-12

13. A PURCHASE ORDER TO COASTLINE EQUIPMENT COMPANY FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$111,913.71 FOR PURCHASE OF A JOHN DEERE FRONT-END LOADER WITH BACKHOE. Comment: Provides for purchase of a John Deere front-end loader tractor with backhoe, Model 410K, to replace a job-worn 1994 John Deere loader tractor assigned to the Street Infrastructure Maintenance Division.

ITEM H-13: APPROVED

Vote on the City Council consent calendar:

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

Noes: None.

CARRIED

I. COMMISSION SYNOPSIS

1. ARCHITECTURAL COMMISSION - Regular Meeting of February 15, 2012
PLANNING COMMISSION - Regular Meeting of February 23, 2012
PLANNING COMMISSION - Special Meeting of February 24, 2012
RECREATION AND PARKS COMMISSION - Regular Meeting of February 28, 2012
DESIGN REVIEW COMMISSION - Regular Meeting of March 1, 2012
TRAFFIC & PARKING COMMISSION - Regular Meeting of March 1, 2012
PLANNING COMMISSION - Regular Meeting of March 8, 2012
HUMAN RELATIONS COMMISSION - Regular Meeting of March 15, 2012
PUBLIC WORKS COMMISSION - Special Meeting of March 15, 2012

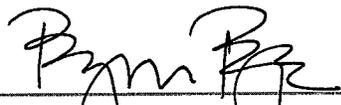
J. OTHER BUSINESS

None

K. ADJOURNMENT

There being no further business, Mayor/Chair Brien, with the consent of the Council/Boards, recessed the meeting back to Closed Session at 8:59 pm for the remaining items on the Closed Session Agenda. The Closed Session ended at 11:15 pm.

PASSED, Approved and Adopted
this 17th day of April, 2012



BYRON POPE, City Clerk/Secretary

WILLIAM W. BRIEN, MD, MAYOR/CHAIR

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