



CITY OF BEVERLY HILLS
MINUTES
REGULAR CITY COUNCIL MEETING
AND PARKING AUTHORITY MEETING
May 1, 2012

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

A. ROLL CALLS

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

B. PRESENTATIONS

1. PROCLAMATION - Recognizing May 2012 as Lupus Awareness Month

Mayor Brien, along with Councilmember Brucker, presented a proclamation to Alan and Michelle Kaye and Patti Koltnow, Executive Director of Lupus LA, and declared May 2012 as Lupus Awareness Month in the City of Beverly Hills.

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. Dr. Woodrow Clark
2. Gary Klein
3. Steve Rubin
4. Sahib Dudani
5. Susan Mishler

3. REPORT FROM THE CITY MANAGER

* National Public Works Week - Fred Simonson, Maintenance Operations Manager

Maintenance Operations Manager Fred Simonson presented a PowerPoint presentation, and briefly spoke about National Public Works Week on May 20-26, 2012. He acknowledged the continued support of the City Council and the community, and noted this year's American Public Works Association National Conference will be held in Anaheim, California in August, 2012.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Bosse invited and encouraged residents to apply to the Team Beverly Hills Program for 2012. Applications are due on Thursday, June 7, 2012.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

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

1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS REAUTHORIZING A CIVILIAN RANGEMASTER POSITION AND THE PURCHASE OF POLICE EQUIPMENT TO BE FUNDED BY THE CITY'S COPS ALLOCATION. Comment: Granting permission to use COPS allocation grant funds to fund civilian rangemaster position and to purchase police equipment.

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 Police Commander and the record of the Police Department in this matter are made a part of the record of this hearing.

Speaking:

Police Commander Erick Lee made a brief oral report. He noted the equipment to be purchased with the funds if approved.

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

There were no questions or comments from Councilmembers.

MOVED by Councilmember Gold, seconded by Councilmember Bosse to adopt Resolution D-1 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
REAUTHORIZING A CIVILIAN RANGEMASTER POSITION AND THE
PURCHASE OF POLICE EQUIPMENT TO BE FUNDED BY THE CITY'S
COPS ALLOCATION.

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

Noes: None.

CARRIED

ITEM D-1: ADOPTED RES# 12-R-12876

E. CONTINUED AND NEW BUSINESS

1. AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND UNITED TALENT AGENCY RELATING TO UNITED TALENT AGENCY'S DECISION TO RELOCATE WITHIN THE CITY OF BEVERLY HILLS. Comment: The agreement provides mutual benefits for the City and UTA in conjunction with their recently executed lease in the building located at 9326 and 9346 Civic Center Drive as part of the City's business retention strategy.

Assistant City Manager Mahdi Aluzri presented a PowerPoint presentation and staff report. He provided background information on the United Talent Agency (UTA) and the agreement's basic elements. He posed policy questions for Council consideration, and outlined the staff recommendation.

Speaking:

1. Mark Egerman, Attorney representing UTA
2. Jeremy Zimmer, UTA Co-Founder and Chief Executive Officer
3. Andrew Thau, UTA Chief Operating Officer – introduced but did not make comments

Councilmember Gold asked questions pertaining to the signage and zoning. Councilmember Bosse asked clarification regarding the negotiations between the City and UTA, agreement provisions, signage, outreach to other businesses on the signage change, priority on the use of Civic Center Plaza, and Farmer's market use of the alley and access to the building parking. Councilmember Brucker inquired about street

access, compatibility with the General Plan uses, UTA's use of Civic Center, whether it can be classified as gift of public funds to grant UTA use of City property, and accommodation of the City Fair along with Farmer's Market. Vice Mayor Mirisch commented about the process followed by staff in presenting the final agreement for Council approval and asked about signage policy, outreach to residents and businesses regarding the displacement of Farmer's Market, and zoning/traffic policies and legal restrictions. Mayor Brien asked UTA a follow up question regarding use of Civic Center plaza and parking on the Rexford structure.

Council agreed and approved amending the agreement to delete paragraphs #3B and #3F, and add ability of the City to use the Civic Center Drive up to five times a year upon 30-day notice. Mayor Brien requested the Liaison Committee to discuss the signage with UTA representatives. Mr. Zimmer expressed his disappointment on the outcome of the Council decision on the signage and asked Council to reconsider its decision.

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

AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND UNITED TALENT AGENCY RELATING TO UNITED TALENT AGENCY'S DECISION TO RELOCATE WITHIN THE CITY OF BEVERLY HILLS.

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

CARRIED

ITEM E-1: APPROVED AS AMENDED AG# 156-12

F. PARKING AUTHORITY CONSENT CALENDAR

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

Minutes

1. CONSIDERATION OF THE MINUTES of the Parking Authority meeting of April 3, 2012.
APPROVAL OF:
2. LEASE TERMINATION AGREEMENT BY AND BETWEEN THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS AND TJB GEARYS, LLC; LEASE AND MEMORANDUM OF LEASE BY AND BETWEEN THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS AND RICHEMONT NORTH AMERICA, INC. Comment: The termination agreement with TJB Gearys terminates Geary's lease at the 355 N. Rodeo Drive building contingent upon execution of the new lease with Richemont North. The Richemont Lease is for a term of ten (10) years.

ITEM F-2: APPROVED AG# PA-12-02; AG# PA-12-03; AG# PA-12-04

Vote on the Parking Authority Consent Calendar:

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

Noes: None.

CARRIED

G. CITY COUNCIL CONSENT CALENDAR

MOVED by Councilmember Gold, seconded by Councilmember Bosse to approve all items on the City Council consent agenda and direct that the appropriate accounts be charged on Items G-2 and G-3.

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular meeting of April 17, 2012.

Demands Paid

2. REVIEW OF BUDGETED DEMANDS PAID, report dated April 7 - 20, 2012.
3. PAYROLL DISBURSEMENT REPORT, report dated May 1, 2012.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

None

APPROVAL OF:

4. AN AGREEMENT WITH NATIONAL URBAN FELLOWS, INC. FOR A CLASS OF 2013 FELLOW; AND

APPROVAL OF A PURCHASE ORDER IN A NOT-TO-EXCEED AMOUNT OF \$70,000.00 TO NATIONAL URBAN FELLOWS, INC. FOR THESE SERVICES.
Comment: Requests City Council approve an agreement with National Urban Fellows, Inc. for a class of 2013 fellow and approve a purchase order in the amount of \$70,000 for funding of the position.

Vice Mayor Mirisch asked City Manager Kolin if a candidate has been chosen.

ITEM G-4: APPROVED AG# 157-12

5. AMENDMENT NO. 1 TO AN AGREEMENT WITH DONALD D. CLARKE, CONSULTING PETROLEUM GEOLOGIST, FOR OIL RELATED CONSULTANT SERVICES; AND

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$75,000 FOR THESE SERVICES. Comment: This amendment to the agreement for oil related consulting services is a onetime increase of the contract amount from \$35,000 per year to \$110,000. The cost increase is a result of the extra scope of work required to be performed by the oil consultant experts that includes oil production volumetric confirmation, pricing reconciliation, review of Venoco's submitted documents, coordination meetings and final report of findings and conclusions:

ITEM G-5: APPROVED AG# 158-12

6. AMENDMENT NO. 1 TO AN AGREEMENT WITH KEC ENGINEERS, INC. TO PROVIDE ENGINEERING EVALUATION AND REHABILITATION DESIGN SPECIFICATIONS RELATED TO RESERVOIR 4A'S EXISTING CONDITION; AND

APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$145,500 TO THE PURCHASE ORDER TO KEC ENGINEERS, INC FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$272,750. Comment: This is a request to Council to amend KEC's existing Design Agreement to include additional design and construction-inspection related services for Reservoir 4A rehabilitation in the amount of \$145,500; for a total not to exceed \$272,750.

ITEM G-6: APPROVED AG# 159-12

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

ITEM A A CHANGE ORDER FOR WITTMAN ENTERPRISES, LLC IN THE AMOUNT OF \$5,500 FOR AMBULANCE BILLING SERVICES FOR A TOTAL NOT TO EXCEED \$55,000. Comment: Seeking approval for a Change Order for Wittman Enterprises, LLC in the amount of \$5,500 for a total not to exceed \$55,000. Ambulance billing collection fees increased due to an increase of EMS response calls.

ITEM G-7A: APPROVED

Vote on the City Council Consent Calendar:

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

Noes: None.

CARRIED

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

1. HUMAN RELATIONS COMMISSION - Regular Meeting of April 19, 2012
FINE ART COMMISSION - Regular Meeting of April 19, 2012

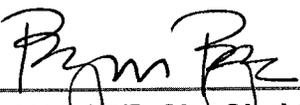
I. OTHER BUSINESS

None

J. ADJOURNMENT

There being no further business, Mayor/Chair Brien, with the consent of the Council/Directors, adjourned the meeting at 9:03pm.

PASSED, Approved and Adopted
this 15th day of May, 2012



BYRON ROPE, 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.