



**CITY OF BEVERLY HILLS  
REGULAR CITY COUNCIL  
AND PARKING AUTHORITY MEETING  
MINUTES  
July 02, 2013**

The Joint Regular City Council and Parking Authority meeting was held in the Council Chambers at 7:00 pm. The Parking Authority met during Closed Session. There were no reportable actions.

**A. ROLL CALLS**

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

**B. PRESENTATIONS**

1. RECOGNITION FROM THE BEVERLY HILLS EDUCATION FOUNDATION (BHEF) - BHEF President Annette Saleh

Mayor Mirisch, along with Vice Mayor Bosse, thanked Annette Saleh, immediate past President of the Beverly Hills Education Foundation (BHEF), for her work during her tenure. Ms. Saleh, on behalf of the BHEF, personally thanked the City and Council for its support.

2. PROCLAMATION - Andrew Stevens Author of Rebel with a Cause: The Amazing True Stories of an Urban Partisan in WWII.

Mayor Mirisch, along with former Mayor and City Ambassador Jimmy Delshad, presented a proclamation to Andrew Stevens, Beverly Hills resident and author of the book "Rebel with a Cause: The Amazing True Stories of an Urban Partisan in WWII." Mr. Stevens presented each of the Councilmembers with an autographed copy of his book.

**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.)

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. Pierre Berg
2. Andrew Kole

City Attorney Laurence Wiener announced that the City Council authorized in Closed Session with a 4-to-1 vote, with Councilmember Brien dissenting, to initiate litigation. The particulars of the litigation will be disclosed after the litigation has commenced.

3. REPORT FROM THE CITY MANAGER \* Overview of Summer Recreation Programming - Recreation Services Manager Teri Angel will present an overview of the Recreation Division's varied summer programs, activities and events.

Recreation Services Manager Teri Angel and Assistant Director of Community Services Nancy Hunt-Coffey provided a brief overview on the Recreation and Parks summer programs, events and activities being offered which include summer camps, aquatics, adult sports leagues, Shakespeare in the Park, outdoor fitness equipment at La Cienega Park, Concerts on Canon, Sunday Movie Nights, English as a Second Language, and four Summer Library Reading Clubs for all age ranges.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

None

**D. PARKING AUTHORITY PUBLIC HEARING**

**TO CONSIDER:**

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 AMENDING THE PARKING AUTHORITY SCHEDULE OF PARKING FACILITY RATES FOR THE FISCAL YEAR 2013/2014. Comment: It is recommended that the Board of Directors of the Parking Authority consider the proposed changes to the Parking Authority's Schedule of Facility Rates, and adopt the proposed resolution implementing those changes for Fiscal Year 2013/2014.

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 Budget & Financial Analyst and the record of the Administrative Services Department in this matter are made a part of the record of this hearing.

Budget & Financial Analyst Carolyn Johnson presented the staff report. She noted the fees that are recommended to be changed.

Director of Parking Operations Chad Lynn responded to Director Krasne's questions pertaining to parking fees.

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

RESOLUTION OF THE BOARD OF THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS AMENDING THE PARKING AUTHORITY SCHEDULE OF PARKING FACILITY RATES FOR THE FISCAL YEAR 2013/2014

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

Noes: None.

CARRIED

**ITEM D-1: ADOPTED RES# PA-R-13-145**

**E. CITY COUNCIL 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 AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES & CHARGES FOR THE FISCAL YEAR 2013/2014. Comment: It is recommended that the City Council consider the proposed changes to the City's taxes, fees and charges, and adopt the proposed resolution implementing those changes for Fiscal Year 2013/2014.

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 Budget & Financial Analyst and the record of the Administrative Services Department in this matter are made a part of the record of this hearing.

Budget and Financial Analyst Carolyn Johnson presented the staff report, noting the fees that have increased/decreased or changed, and when they will become effective.

Fire Battalion Chief Ralph Mundell, Community Services Director Steve Zoet and Community Services Administrator Gisele Grable answered Council questions regarding ambulance fees, and fees for the use of the Beverly Gardens Park. Councilmember Gold asked about the frequency of use and limits, and suggested developing guidelines on the use of the park.

MOVED by Councilmember Gold, seconded by Vice Mayor Bosse to adopt Resolution E-1 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS  
AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES &  
CHARGES FOR THE FISCAL YEAR 2013/2014

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

Noes: None.

CARRIED

**ITEM E-1: ADOPTED RES# 13-R-12945**

2. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING SECTION 10-3-3107 OF THE MUNICIPAL CODE REGARDING DEVELOPMENT STANDARDS FOR ROOFTOP USES. First Reading - For Introduction. Comment: Request by the owner of buildings at 9800 Wilshire Boulevard and 121 Spalding Drive to amend the Code to allow certain unoccupied rooftop architectural features on commercial buildings with a Development Plan Review by the Planning Commission; consideration of finding the amendment exempt from the California Environmental Quality Act.

Assistant Director of Community Development/City Planner Jonathan Lait presented a PowerPoint and oral report, noting that the issue before Council tonight concerns the text amendments to rooftop uses.

Speaking:

1. Former Mayor Tom Levyn, Gores Group
2. Adam Weil, Gores Group
3. Project architect Hagy Belzberg
4. Planning Commission Chair Brian Rosenstein

Council discussed and commented on the maximum height and noise amplification, night time use, approval of and changes in potential uses and processes involved, unintended consequences and CUP/development plan review permit expiration.

MOVED by Vice Mayor Bosse, seconded by Councilmember Gold, to introduce and read by title only and advance to the meeting of July 16, 2013 Ordinance E-2 as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING SECTION 10-3-3107 OF THE MUNICIPAL CODE REGARDING DEVELOPMENT STANDARDS FOR ROOFTOP USES

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

Noes: Councilmember Krasne.

CARRIED

***ITEM E-2: INTRODUCED AND READ BY TITLE ONLY; ADVANCE TO THE MEETING OF JULY 16, 2013 FOR ADOPTION***

***F. CITY COUNCIL CONTINUED AND NEW BUSINESS***

1. REQUEST FOR CITY COUNCIL DIRECTION REGARDING AN ALTERNATIVE IN-LIEU PARKING FEE STRUCTURE IN CONJUNCTION WITH THE ESTABLISHMENT OF SPAGHETTINI RESTAURANT. Comment: An ad-hoc meeting was held with Mayor Mirisch and Councilmember Gold on May 24, 2013 to discuss options for establishing alternative in-lieu parking fees for Spaghettini Restaurant. Staff will report on the ad-hoc meeting and seek additional direction from the City Council regarding the in-lieu parking program.

Community Development Director Susan Healy Keene provided an oral report, noting the Ad Hoc Committee recommendations and policy considerations.

Speaking:

1. Mayor Mirisch read a letter into the record from David Mirharooni
2. Mayor Mirisch read a letter into the record from Ken Goldman
3. Andy Sywak, Beverly Hills Chamber of Commerce
4. Cary Hardwick

Council liaisons Mayor Mirisch and Councilmember Gold explained the details of the program being proposed. Council discussed the City's financial commitment and fees, and eligible uses. Councilmember Brien suggested implementing a limited term pilot program with a duration of six months and 100 spaces.

***ITEM F-1: COUNCIL PROVIDED DIRECTION TO STAFF TO PROCEED WITH AN IN-LIEU PARKING FEE STRUCTURE IN CONJUNCTION WITH THE ESTABLISHMENT OF SPAGHETTINI RESTAURANT***

2. REQUEST BY MAYOR MIRISCH TO REVIEW PLANNING STAFF'S DETERMINATION REGARDING A REQUEST FOR A MINOR ACCOMMODATION AT 601 NORTH ELM DRIVE. Comment: The Minor Accommodation was granted to allow a 1,656 square foot accessory structure greater than 14 feet in height in both the required rear and side yards in the Central Area north of Santa Monica Boulevard.

Assistant Director of Community Development Jonathan Lait provided a brief oral report, specifically discussing the issues surrounding the project.

The City Council agreed to have the Planning Commission look at this issue and return to the Council with a clear definition of minor accommodation and recommendations on how to avoid problems from happening in the future.

***ITEM F-2: COUNCIL AGREED TO SEND THE ITEM BACK TO THE PLANNING COMMISSION AND RETURN THE RECOMMENDATION TO COUNCIL***

3. AMENDMENT TO THE CITY OF BEVERLY HILLS EXECUTIVE EMPLOYEE COMPENSATION PLAN TO PROVIDE CERTAIN RETIREE MEDICAL BENEFITS TO THE DEPUTY FIRE CHIEF. Comment: This amendment to the Executive Compensation Plan will provide the same retiree medical benefit to the current Deputy Fire Chief that was provided to other executives who were appointed to the executive group between December, 1997 and December 31, 2009.

City Attorney Laurence Wiener provided a brief background on the matter. Mayor Mirisch and Councilmember Krasne spoke about what was discussed during the Ad Hoc Committee meeting wherein they were liaisons. Councilmember Brien asked about the amortization rate of the \$350,000 benefit.

MOVED by Councilmember Gold, seconded by Vice Mayor Bosse to approve Item F-3 as follows:

AMENDMENT TO THE CITY OF BEVERLY HILLS EXECUTIVE EMPLOYEE COMPENSATION PLAN TO PROVIDE CERTAIN RETIREE MEDICAL BENEFITS TO THE DEPUTY FIRE CHIEF

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

Noes: None.

CARRIED

***ITEM F-3: APPROVED #CP-02-2013***

***G. CITY COUNCIL CONSENT CALENDAR***

MOVED by Councilmember Gold, seconded by Vice Mayor Bosse to approve all items on the City Council consent calendar, and direct that the appropriate accounts be charged on Items G-3 and G-4

### **Minutes**

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Study Session of June 18, 2013.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of June 18, 2013.

### **Demands Paid**

3. REVIEW OF BUDGETED DEMANDS PAID, report dated June 8 - June 21, 2013.
4. PAYROLL DISBURSEMENT REPORT, report dated July 2, 2013.

### **Other Business**

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

None

#### ***RESOLUTIONS APPROVING:***

None

#### ***APPROVAL OF:***

5. AN AGREEMENT WITH THE BEVERLY HILLS COURIER PUBLISHING CO., LLC TO PROVIDE ADVERTISING AND NOTICES. AN AGREEMENT WITH BEVERLY HILLS WEEKLY TO PROVIDE ADVERTISING AND NOTICES. Comment: Awarding Bid No. 13-37 to The Beverly Hills Courier and approving an agreement with Beverly Hills Weekly for the publication of City of Beverly Hills advertising and legal notices for Fiscal Year 2013/2014.

Marcia Hobbs from the Beverly Hills Courier requested that in the future when the bids are done again, attachments submitted by newspapers showing circulation figures and other information, be placed in the City's website for the public's information and in the interest of transparency.

#### ***ITEM G-5: APPROVED AG# 235-13; AG# 236-13***

6. THE AWARD OF CONTRACT TO LIFTECH ELEVATOR SERVICES CORPORATION FOR THE MODERNIZATION OF ELEVATOR EQUIPMENT IN THREE CITY FACILITIES; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND APPROVAL OF PURCHASE ORDERS TO LIFTECH ELEVATOR SERVICES CORPORATION FOR THE CONTRACT WORK IN THE TOTAL AMOUNT OF \$1,563,000. Comment: Award of contract for the modernization of elevator equipment at the Police Facility, 440 Camden Parking Garage and 333 N. Crescent Parking Garage, as more fully described in the related Agenda Report.

**ITEM G-6: APPROVED AG# 237-13**

7. ACCEPTANCE OF CONTRACT WORK FOR THE DESIGN/BUILD OF THE CNG REFUELING STATION PROJECT BY MANSFIELD GAS EQUIPMENT SYSTEMS CORPORATION IN THE FINAL CONTRACT AMOUNT OF \$969,164.00. Comment: Recommends that the City Council accept the described contract work with Mansfield Gas Equipment Corporation and authorize the recording of the Notice of Completion.

**ITEM G-7: APPROVED**

8. AGREEMENT WITH PARKING CONCEPTS, INC. FOR THE OPERATION OF CERTAIN PARKING FACILITIES; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$1,239,018 FOR THESE SERVICES. Comment: This is a multi-year agreement for the services related to the parking operations at the Public Gardens Parking Facility at the Montage, the 450 N Crescent parking facility located adjacent to the Annenberg Center, and various other parking operations, such as holiday and attendant assisted parking services, and accounting and administrative duties with respect to revenue generated from monthly contract parking for all public parking garages.

**ITEM G-8: APPROVED AG# 238-13**

9. AGREEMENT BY AND BETWEEN THE CITY OF BEVERLY HILLS AND UNIVERSAL CITY STUDIO LLC IN CONNECTION WITH THE CITY'S USE OF THE STUDIO'S BACK LOTS FOR POLICE TRAINING OPERATIONS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT. Comment: The agreement will allow the Police Department to conduct Bicycle Unit training at Universal City Studio LLC's facility at no cost to the City.

**ITEM G-9: APPROVED AG# 239-13**

10. AUTHORIZE A PURCHASE ORDER IN THE AMOUNT OF \$9,720 TO COBAN TECHNOLOGIES, INC. FOR THE PURCHASE OF MOBILE DATA TERMINAL COMPUTERS FOR POLICE PATROL VEHICLES. Comment: The total purchase price for these computers is \$71,925. A credit in the amount of \$62,205 received in an equipment exchange will be used to offset this purchase resulting in the net new cost to the City of \$9,720.

**ITEM G-10: APPROVED**

11. VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN: ITEM A: AGREEMENTS AND AMENDMENTS TO AGREEMENTS WITH VARIOUS VENDORS FOR PROVISION OF ANNUAL SERVICES; AND APPROVAL OF BLANKET PURCHASE ORDERS FOR SUPPLIES AND SERVICES FOR THE CITY'S DEPARTMENTS IN THE TOTAL NOT-TO-EXCEED AMOUNT OF \$40,199,427. Comment: This report seeks City Council approval of the annual blanket purchase orders (BPO) (various vendors serving all City departments) to cover items or services available from particular vendors ordered by City departments on an "as-needed" basis throughout the fiscal year as described in the Agenda Report. By issuing these vendors one purchase order rather than several throughout the year, the City increases its efficiency

and saves money. Due to the nature of some of the services provided, agreements are in some cases also required.

**ITEM G-11: APPROVED AG# 240-13; AG# 241-13; AG# 242-13; AG# 243-13; AG# 244-13; AG# 245-13; AG# 246-13; AG# 247-13; AG# 248-13; AG# 249-13; AG# 250-13; AG# 251-13; AG# 252-13; AG# 253-13; AG# 254-13**

***Vote on the City Council Consent Calendar:***

Ayes: Krasne, Gold, Brien, Bosse, and Mirisch.  
Noes: None.

CARRIED

***H. COMMISSION SYNOPSIS***

1. DESIGN REVIEW COMMISSION - Regular Meeting of June 6, 2013  
RECREATION AND PARKS COMMISSION - Special Meeting of June 11, 2013  
PLANNING COMMISSION - Regular Meeting of June 13, 2013  
PUBLIC WORKS COMMISSION - Regular Meeting of June 13, 2013

***ITEM H-1: NO ACTION TAKEN***

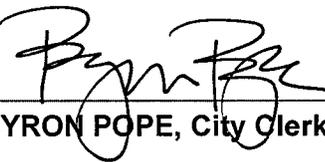
***I. OTHER BUSINESS***

None

***J. ADJOURNMENT***

There being no further business, Mayor/Chair Mirisch, with the consent of the Council/Board, adjourned the meeting at 10:35pm in honor of the Arizona Firefighters who recently lost their lives.

PASSED, Approved and Adopted  
this 16<sup>th</sup> day of July, 2013



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BYRON POPE, City Clerk/Secretary

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JOHN A. MIRISCH, MAYOR/CHAIR

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