



**CITY OF BEVERLY HILLS
REGULAR CITY COUNCIL MEETING
MINUTES
July 16, 2013**

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Fire Chief Timothy J. Scranton.

A. ROLL CALL

Present: Councilmember Krasne, Councilmember Gold, Councilmember Brien, and Mayor Mirisch

Absent: Vice Mayor Bosse

B. PRESENTATIONS

Mayor Mirisch presented a proclamation to Fire Chief Timothy J. Scranton, who is retiring on July 19, 2013 with 27 years of service to the City. Chief Scranton thanked the Council, the City, his colleagues and the residents for their 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 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.)

None

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.

1. Rebeca Ronquillo
2. Alexandra Suh
3. Ulises Carmen
4. Won Kim
5. Heriberto Zamora
4. Cynthia Anderson-Barker

City Attorney Wiener explained that the City does not have jurisdiction over the alleged Urasawa labor violations brought up by the speakers before the Council. Moreover, health concerns are the jurisdiction of the State and cannot be enforced by the City. However, the Council can pass a resolution expressing support for the labor laws. Mayor Mirisch directed staff to bring the matter to the Legislative Committee and then return it to Council at a future meeting.

3. REPORT FROM THE CITY MANAGER * Enterprise Resource Program (ERP) Implementation Update - Noel Marquis, Assistant Director of Administrative Services/Finance

Assistant Director of Administrative Services/Finance Noel Marquis provided a progress report on the City's implementation of the new Enterprise Resource Program (ERP).

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Gold reported on his recent Independent Cities Association Conference in Rancho Bernardo on July 12 and 13, 2013.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

None

E. CONTINUED AND NEW BUSINESS

1. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS STATING THE CITY'S POSITION CONCERNING THE ACCELERATION OF ISSUANCE OF ADDITIONAL MEASURE E BONDS BY THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT. Comment: This resolution was requested by Mayor Mirisch for consideration by the City Council to state a nonsupport position on the School Board's decision to request that the County Board of Supervisors adjust the tax rates to pay an expected accelerated issuance of up to \$95m of Measure E bonds.

Assistant City Manager Mahdi Aluzri presented an oral report, noting that the School Board has asked their staff to place a replacement bond measure on the ballot in the November 2013 or March 2014 election. He further noted that a letter was sent by the City to School Superintendent Gary Woods listing the questions raised during the July 2, 2013 Council meeting regarding the School Board's decision to accelerate the issuance of Measure E bonds. Included in the Council packet is the letter to Dr. Woods as well as a resolution stating the City's position not to support the School Board's decision to accelerate the Measure E bonds without voter approval, an update on the status of AB182, and a memo from Assistant City Attorney Lolly Enriquez outlining the legislative, judicial and political options available to Council.

Speaking:

1. Savannah Forno presented a PowerPoint and statement from Lewis Hall as an individual. Councilmember Krasne asked Ms. Forno regarding the sheer wall reinforcement.
2. A J Willmer
3. Thomas White
4. Robert Tanenbaum

Council discussed various aspects of the item including considerations regarding safety, effect on taxes, the role of the City and Council, and putting a measure on the ballot for residents' vote.

Council agreed to table the item to the Council meeting of August 6, 2013.

ITEM E-1: ITEM TABLED TO THE COUNCIL MEETING OF AUGUST 6, 2013

F. CITY COUNCIL CONSENT CALENDAR

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

Minutes

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

Demands Paid

3. REVIEW OF BUDGETED DEMANDS PAID, report dated June 22 - July 5, 2013.
4. PAYROLL DISBURSEMENT REPORT, report dated July 16, 2013.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

5. AMENDING SECTION 10-3-3107 OF THE MUNICIPAL CODE REGARDING DEVELOPMENT STANDARDS FOR ROOFTOP USES. Second Reading - For Adoption. 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.

ITEM F-5: ADOPTED OR# 13-O-2643

RESOLUTIONS APPROVING:

None

APPROVAL OF:

6. AN AGREEMENT WITH CANNON CORPORATION TO PROVIDE ENGINEERING DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR THE FY13/14 WATER MAIN REPLACEMENT - VARIOUS LOCATIONS PROJECT; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$275,180 TO CANNON CORPORATION. Comment: It is recommended that the consultant agreement be approved in order to facilitate the design of the project.

A J Willmer expressed concern that the City does not "blue sky" issues enough, and suggested that the City allow vendor companies to provide their expertise and insight on future infrastructure enhancements.

ITEM F-6: APPROVED AG# 272-13

7. ACCEPTANCE OF THE CONTRACT WORK FOR THE "REHABILITATION OF RESERVOIR 4A" BY UNITED ENGINEERING AND CONSTRUCTION INC. IN THE FINAL AMOUNT OF \$1,559,054.60 AND AUTHORIZATION OF CITY CLERK TO RECORD NOTICE OF COMPLETION. Comment: It is recommended that the described work with United Engineering and Construction Inc. be accepted and authorization be given for the recordation of the Notice of Completion.

ITEM F-7: APPROVED

8. REJECTION OF BIDS FOR CONTRACT WORK PERTAINING TO VARIOUS CONTRACTORS FOR THE BEVERLY GARDENS RESTORATION BLOCK #14 PROJECT. Comment: Recommend the rejection of six bid packages for the Beverly Gardens Restoration of the Lily Pond (Block #14) due the low bids exceeding the construction manager's budget cost estimate, and request to re-bid those bid packages in accordance with the Uniform Public Construction Cost Accounting Act adopted by the City.

ITEM F-8: APPROVED

Vote on the City Council Consent Calendar:

Ayes: Councilmember Krasne, Councilmember Gold, Councilmember Brien, and Mayor Mirisch.
Noes: None.
Absent: Vice Mayor Bosse.

CARRIED

G. COMMISSION SYNOPSIS

1. CULTURAL HERITAGE COMMISSION - Special Meeting of June 5, 2013
CULTURAL HERITAGE COMMISSION - Additional Special Meeting of June 5, 2013
CHARITABLE SOLICITATIONS COMMISSION - Adjourned Regular Meeting of June 26, 2013
PLANNING COMMISSION - Regular Meeting of June 27, 2013

ITEM G-1: NO ACTION TAKEN

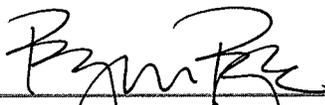
H. OTHER BUSINESS

None

I. ADJOURNMENT

There being no further business, Mayor Mirisch, with the consent of the Council, adjourned the meeting at 8:46pm.

PASSED, Approved and Adopted
this 6th day of August, 2013



BYRON POPE, City Clerk

JOHN A. MIRISCH, MAYOR

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