



**CITY OF BEVERLY HILLS
ADJOURNED REGULAR CITY COUNCIL
AND PARKING AUTHORITY MEETING
MINUTES
September 24, 2013**

The Joint Adjourned Regular City Council and Parking Authority meeting was held in the Council Chambers at 7:00 pm. The Parking Authority met during Closed Session at 5:06 pm. There were no reportable actions.

A. ROLL CALLS

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

B. PRESENTATIONS

1. Recognition of Participants in the Children's Summer Reading Club program, Group 2

Mayor Mirisch acknowledged the 435 Beverly Hills residents that completed the Summer Reading Club. He invited Library Services Manager Marilyn Taniguchi to speak about this year's program. Ms. Taniguchi asked some of the students about the books that they read this summer.

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.)

1. Carla Gordy Bristol

Deputy City Manager Cheryl Friedling provided background information pertaining to Ms. Bristol's comments.

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. Marcy Kaplan, The Maple Counseling Center
2. Larry Sarokin on behalf of Rob Bouie

Council requested staff to obtain more information from Mr. Sarokin and follow up on the matter.

3. Marion Zola

City Manager Kolin provided an update regarding what is being done by the City's Code Enforcement Department on the complaints regarding 350 North Crescent Drive. Council directed staff to pursue the matter more vigorously and urgently.

4. Amir Asil
5. Leslie Barnard

3. REPORT FROM THE CITY MANAGER * City of Beverly Hills Mixed Waste System - James Burnley, Solid Waste Manager

Solid Waste Manager James Burnley presented a PowerPoint report on the City's mixed waste system. He spoke about what a mixed waste system is, the three categories of waste streams, benefits of the mixed waste system, history of the Citywide State diversion rate from 2002 - 2011, neighboring cities' comparison chart of the diversion rate, and the City's annual Hazardous Waste Roundup program taking place this Saturday, September 28th from 9 am - 3 pm.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Gold reported on his trip to attend the Independent Cities Association Meeting and Installation in Downey on September 12, 2013. He reported that he was installed as one of the Board Directors at the meeting.

Mayor Mirisch announced that the City Council retreat will be held during the November 5th Study Session time.

Councilmember Brien reported on his trip to attend the League of California Cities Conference in Sacramento on September 18-20, 2013.

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 AMENDING SECTIONS 10-2-804 AND 10-2-805 OF THE MUNICIPAL CODE REGARDING LOT LINE ADJUSTMENTS FOR LEGALLY NONCONFORMING LOTS. First Reading - For Introduction. Comment: Request for a Zone Text Amendment to amend the Municipal Code to allow for legally non-conforming lots to request a lot line adjustment.

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 Assistant Director of Community Development/City Planner and the record of the Community Development Department in this matter are made a part of the record of this hearing.

Assistant Director of Community Development/City Planner Jonathan Lait presented a PowerPoint and oral staff report. He showed photos of existing properties on Sutton Way and Loma Linda Drive.

Speaking:

1. Tom Levyn, representing owners of both 1184 Loma Linda and 1117 Sutton Way properties

Councilmember Krasne requested clarification on the boundaries of the property. Councilmember Gold queried whether any outstanding issues have been resolved with both parcels of land. Vice Mayor Bosse indicated her support on the item. Mayor Mirisch asked the possibility of reviewing other properties in the future on a case-by-case basis, with the Council being able to call it up for review.

MOVED by Councilmember Gold, seconded by Vice Mayor Bosse to introduce and read by title only and advance to the meeting of October 3, 2013, Ordinance D-1 as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING SECTIONS 10-2-804 AND 10-2-805 OF THE MUNICIPAL CODE REGARDING LOT LINE ADJUSTMENTS FOR LEGALLY NONCONFORMING LOTS

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

Noes: None.

CARRIED

ITEM D-1: INTRODUCED AND READ BY TITLE ONLY, ADVANCE TO THE MEETING OF OCTOBER 3, 2013 FOR ADOPTION

E. CONTINUED AND NEW BUSINESS

None

F. PARKING AUTHORITY CONSENT CALENDAR

MOVED by Councilmember Brien, seconded by Vice Mayor Bosse to approve all items on the Parking Authority consent calendar by reference.

Minutes

1. CONSIDERATION OF THE MINUTES of the Parking Authority meeting of August 20, 2013.

Other Business

2. SECOND AMENDMENT OF LEASE BY AND BETWEEN THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS AND CHUN NAM LEE AND HANA LEE DBA CALIFORNIA COFFEE SELETTO. Comment: This amendment extends the term of the lease agreement at 434 N. Camden Drive by five (5) years. The starting rent will increase from \$4,799 to \$4,976 and will increase annually thereafter by the Consumer Price Index.

ITEM F-2: APPROVED AG# PA-13-38

Vote on the Parking Authority Consent Calendar:

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

Noes: None.

CARRIED

G. CITY COUNCIL CONSENT CALENDAR

MOVED by Councilmember Brien, seconded by Vice Mayor Bosse to remove Item G-9 for discussion and separate vote, approve the remaining items on the City Council consent calendar by reference, 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 September 10, 2013.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of September 10, 2013.

Demands Paid

3. REVIEW OF BUDGETED DEMANDS PAID, report dated August 24 - September 13, 2013.
4. PAYROLL DISBURSEMENT REPORT, report dated September 24, 2013.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

5. A. AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO AMEND THE TERM OF APPOINTMENT OF THE CITY'S REPRESENTATIVE TO THE BOARD OF DIRECTORS OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA. First Reading - For Introduction. B. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS EXTENDING DR. WUNDERLICH'S SECOND TERM AS THE CITY'S REPRESENTATIVE TO THE BOARD OF DIRECTORS OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA. Comment: The ordinance modifies the limit of appointment to the MWD board of directors and allows the City Council to extend a representative's second term beyond four (4) years for purposes of allowing such representative to serve a full term as an officer of the Board of Directors. The resolution authorizes the extension as allowed by the ordinance and becomes effective 30 days after the adoption of the ordinance.

ITEM G-5: ORDINANCE INTRODUCED AND READ BY TITLE ONLY, ADVANCE TO THE MEETING OF OCTOBER 3, 2013 FOR ADOPTION; ADOPTED RES# 13-R-12952

RESOLUTIONS APPROVING:

6. THE CONFLICT OF INTEREST CODE FOR THE CAPITAL ASSETS DEPARTMENT; AND, APPROVAL OF THE AMENDMENTS TO CONFLICT OF INTEREST CODES FOR VARIOUS CITY DEPARTMENTS. Adopts the Conflict of Interest Code for the newly established Capital Assets Department, and amends the Conflict of Interest Codes to reflect changes resulting from department reorganizations, new and deleted positions, and position title changes for the Community Development, Policy and Management, and Public Works Services departments.

ITEM G-6: ADOPTED RES# 13-R-12953

APPROVAL OF:

7. FINE ART COMMISSION APPOINTMENT (ALAN KAYE). Comment: Appoints Alan Kaye to the Fine Art Commission for an initial two-year term.

ITEM G-7: APPROVED

8. SIDE LETTERS WITH ALL THE MISCELLANEOUS EMPLOYEE ASSOCIATIONS MEMORIALIZING FOR 2014 CALENDAR YEAR PERS CARE FAMILY MEDICAL INSURANCE. Comment: Review and approval of miscellaneous side letters to current MOU's regarding 2014 medical health insurance.

ITEM G-8: APPROVED AG # 373-13; AG # 374-13; AG # 375-13; AG # 376-13; AG # 377-13

9. DONATION AGREEMENT WITH 9336/9346 CIVIC CENTER DRIVE, L. P. FOR THE CENTER OBELISK BY JOAN BROWN. Comment: This agreement provides for the donation of the Center Obelisk by Joan Brown to the City by 9336/9346 Civic Center Drive GP, L.L.C. As part of the agreement 9336/9346 Civic Center Drive GP, L.L.C. will provide \$75,000 to the City for relocation, installation and restoration of the piece as well as for maintenance of the piece over time. Once the agreement is fully executed, 9336/9346 Civic Center Drive GP, L.L.C. will be relieved of the fine art obligation associated with the original installation of the piece at the Civic Center location.

Councilmember Krasne asked whether the relocation was approved by the Fine Art Commission. Vice Mayor Bosse clarified that the relocation has already been approved by the previous Council.

MOVED by Councilmember Brien, seconded by Vice Mayor Bosse to approve Item G-9 as follows:

DONATION AGREEMENT WITH 9336/9346 CIVIC CENTER DRIVE, L. P.
FOR THE CENTER OBELISK BY JOAN BROWN

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

Noes: None.

CARRIED

ITEM G-9: APPROVED AG # 378-13

10. A TRADEMARK LICENSE AGREEMENT WITH THE BEVERLY HILLS CONFERENCE AND VISITORS BUREAU. Comment: This item is a recommendation from the City Council Branding/Licensing Committee (Mayor Mirisch and Vice Mayor Bosse) for the City to enter into a license agreement with the BHCVB for use of the Beverly Hills Shield Trademark for merchandise to sell at the Visitor Center.

ITEM G-10: APPROVED AG # 379-13

11. AGREEMENT WITH MEDORA CORPORATION FOR MAINTENANCE OF SOLARBEE RECIRCULATION DEVICES. Comment: The City of Beverly Hills installed SolarBee recirculation devices in seven of the reservoirs with an eighth scheduled in the last steel tank replacement project. The recirculation devices help maintain our high quality drinking water. This maintenance service contract will help insure the continued reliability of the recirculation devices. The total cost is not to exceed \$39,936.00 per year plus a contingency of \$10,000.00 or \$49,936.00 per year for a period of five years.

ITEM G-11: APPROVED AG # 380-13

12. AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, ALL AMERICAN ASPHALT INC., FOR THE 2013-2014 ON-CALL PAVING SPOT REPAIRS AND SIDEWALK, CURB AND GUTTER AND DRIVEWAY APPROACH SPOT REPAIRS PROJECT IN THE AMOUNT OF \$2,440,000; APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFORE; APPROVE THE ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$2,684,000 FOR THE PROJECT; AND APPROPRIATING FUNDS THEREFORE. Comment: Award of contract for Paving Spot Repairs and Sidewalk, Curb and Gutter and Driveway Approach Spot Repairs project as described in the related Agenda Report. This contract will repair damaged and displaced concrete sidewalks south of Santa Monica Boulevard North.

ITEM G-12: APPROVED AG # 381-13

Vote on the City Council Consent Calendar:

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

CARRIED

H. COMMISSION SYNOPSIS

1. PLANNING COMMISSION - Special Meeting of August 12, 2013 ARCHITECTURAL COMMISSION - Regular Meeting of August 21, 2013 DESIGN REVIEW COMMISSION - Special Meeting of September 9, 2013 CHARITABLE SOLICITATIONS COMMISSION - Regular Meeting of September 11, 2013

ITEM H-1: NO ACTION TAKEN

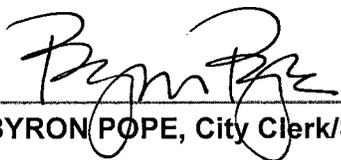
I. OTHER BUSINESS

None

J. ADJOURNMENT

There being no further business, Mayor/Chair Mirisch, with the consent of the Council/Board, adjourned the meeting at 8:26 pm.

PASSED, Approved and Adopted
this 3rd day of October, 2013


BYRON POPE, City Clerk/Secretary

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.