



**CITY OF BEVERLY HILLS
CITY COUNCIL ADJOURNED REGULAR MEETING
MINUTES
December 5, 2013**

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

PLEDGE OF ALLEGIANCE led by Kimberly Rice

A. ROLL CALL

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

Absent: None

Mayor Mirisch held a moment of silence for Nelson Mandela, and former Beverly Hills Unified School District (BHUSD) Superintendent and Beverly Hills High School (BHHS) Principal Kenneth Peters. He spoke about Dr. Peters' legacy and accomplishments as BHUSD Superintendent and BHHS Principal.

B. PRESENTATIONS

1. CERTIFICATES OF APPOINTMENT

Health and Safety Commission
- Daniel Nazarian, DMD

Mayor Mirisch and Councilmember Brien presented a certificate of appointment and City pin to newly appointed Health and Safety Commissioner Daniel Nazarian, DMD.

Public Works Commission
- Sandra Aronberg, MD
- Jeff Wolfe

Mayor Mirisch and Councilmember Krasne presented certificates of appointment and City pins to newly appointed Public Works Commissioners Sandra Aronberg, MD and Jeff Wolfe.

2. RECOGNITION OF RETIRING COMMISSIONER
- Zale Richard Rubins, Architectural Commission

Mayor Mirisch presented a plaque of recognition and gift to retiring Architectural Commissioner Zale Richard Rubins.

3. TOURNAMENT OF ROSES CENTENNIAL FLOAT RIDER DRAWING
- The City Council will announce the winners of the float rider drawing.

The Councilmembers and Beverly Hills Unified School District Superintendent Gary Woods each picked an entry and announced the following winners of the float rider drawing:

Jane Liepshutz
Aaron Nazarian (minor)
Nagma Navazadeh Tahari
Rachel Benezra
Kiki Hahn
Mitra Elghanian
Kathi Rothner

Mayor Mirisch announced that there is a maximum of two minor riders and minors will be accompanied by Dr. Woods.

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. Lori Gordon
2. Ilona Sherman
3. Ramin Zav

City Attorney Wiener responded to Councilmember Krasne's questions regarding rental increases. City Manager Kolin spoke about the code enforcement issues at 231 N. La Peer.

3. REPORT FROM THE CITY MANAGER
* Water Leak Detection Update - Trish Rhay, Utilities Manager

Utilities Manager Trish Rhay reported on the City's Water Leak Detection Program. Water Operations Manager Kevin Watson spoke about the quality of the current meters.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

None

D. CITY COUNCIL CONSENT CALENDAR

MOVED by Councilmember Gold, seconded by Councilmember Brien to remove Item D-6 for separate vote; approve the remaining items on the City Council consent calendar, and direct that the appropriate accounts be charged on Items D-3 and D-4

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Study Session of November 19, 2013.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of November 19, 2013.

Demands Paid

3. REVIEW OF BUDGETED DEMANDS PAID, report dated November 13 - 21, 2013.
4. PAYROLL DISBURSEMENT REPORT, report dated December 5, 2013.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

5. ESTABLISHING PREFERENTIAL PERMIT PARKING ZONE "AJ" ON THE 9400 BLOCK OF WHITWORTH DRIVE BETWEEN SMITHWOOD DRIVE AND THE NORTH-SOUTH

ALLEYWAY IMMEDIATELY WEST OF SOUTH BEVERLY DRIVE. Comment: Per a residential petition request, establishes permit zone AJ (currently on the 400 block of Smithwood Drive) with a regulation of "1-Hour Parking, 8am to 6pm, Monday - Saturday and No Parking Any Other Time, Except by Permit."

ITEM D-5: ADOPTED RES # 13-R-12960

6. APPROVING AMENDMENT NO. 3 TO THE CITY OF BEVERLY HILLS EXECUTIVE EMPLOYEE COMPENSATION PLAN. Comment: The amendment modifies Exhibit A to adjust downwards salary ranges based on the latest survey, provides a onetime cash-out of vacation and administrative leaves in excess of 80 hours specifically to reimburse overpayments by the City, and allows existing Fire Association members promoted into the Fire Chief and Deputy Fire Chief positions to be eligible for retiree medical benefits currently available to those employees who were members of the executive group before January 1, 2010.

City Manager Kolin spoke about the proposed amendments that include modifications to the salary ranges of the current Executive Compensation Plan, and one-time cash out of vacation and administrative leave balances in excess of the 80-hour limit. A third provision, which is the reason why the item was pulled from the Consent Calendar, allows existing Fire Association members who were promoted to Deputy Fire Chief or Fire Chief level to receive the old retiree medical benefit program. The fourth provision pertains to the Public Works Department reorganization.

MOVED by Councilmember Brien, seconded by Councilmember Krasne to approve Item D-6 as follows:

APPROVING AMENDMENT NO. 3 TO THE CITY OF BEVERLY HILLS
EXECUTIVE EMPLOYEE COMPENSATION PLAN

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

CARRIED

ITEM D-6: ADOPTED RES # 13-R-12961, APPROVED AG# CP-03-2013

APPROVAL OF:

7. MEMORANDUM OF UNDERSTANDING REGARDING THE ADMINISTRATION AND COST SHARING FOR THE DEVELOPMENT OF THE ENHANCED WATERSHED MANAGEMENT PLAN (EWMP) FOR THE BALLONA CREEK WATERSHED. Comment: To comply with National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit for Ballona Creek, the City of Beverly Hills, in conjunction with the Cities of Los Angeles, Culver City, Santa Monica, West Hollywood, Los Angeles County Flood Control District and the County of Los Angeles (Ballona Creek

Permittees), have agreed to collaborate on the development of an Enhanced Watershed Management Program. The purpose of this Memorandum of Understanding is to cooperatively fund the preparation and submittal of the plan to the Regional Water Quality Control Board, Los Angeles Region.

ITEM D-7: APPROVED AG# 487-13

8. AGREEMENT WITH TRACSTAR SYSTEMS, INC. D.B.A. COBHAM SATCOM FOR PURCHASE OF THE WAVE COMMUNICATION SYSTEM AND RELATED SERVICES; AND AUTHORIZING A PURCHASE ORDER WITH TRACSTAR SYSTEMS, INC. D.B.A. COBHAM SATCOM IN AN AMOUNT NOT TO EXCEED \$51,000; AND AUTHORIZING A PURCHASE ORDER WITH CDW GOVERNMENT LLC IN AN AMOUNT NOT TO EXCEED \$27,000. Comment: General funds and federal asset forfeiture funds will be used to acquire computer hardware and software that combines many aspects of the City's public safety radio system with the Police Department's mobile smartphones.

ITEM D-8: APPROVED AG# 488-13

9. AN AGREEMENT WITH VAN DIJK AND ASSOCIATES INC. FOR ROOFING AND WATERPROOFING CONSULTING SERVICES FOR VARIOUS PARKING STRUCTURES; AND APPROVAL OF PURCHASE ORDERS TO VAN DIJK AND ASSOCIATES INC. FOR THE CONTRACT WORK IN THE TOTAL AMOUNT OF \$171,625. Comment: Inspection services for waterproofing on 9 City parking structures.

ITEM D-9: APPROVED AG# 489-13

10. THE AWARD OF CONTRACT TO SCHEA HOLDINGS INC. DBA: SIGNGROUP/ KARMAN FOR THE SANTA MONICA FIVE PARKING GARAGE SIGNAGE PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$257,518 TO SCHEA HOLDINGS INC. DBA: SIGNGROUP/ KARMAN FOR THE CONTRACT WORK. Comment: Recommends the award of contract for fabrication and installation of signage specific to the five parking garages along Santa Monica Boulevard from Beverly Drive to Linden Drive, also known as the Santa Monica Five, as more fully described in the related Agenda Report.

ITEM D-10: APPROVED AG# 490-13

Vote on City Council Consent Calendar:

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

CARRIED

E. PUBLIC HEARING TO SET:

None

TO CONSIDER:

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

1. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING A MILLS ACT CONTRACT FOR BEVERLY HILLS POST OFFICE - WALLIS ANNENBERG CENTER FOR THE PERFORMING ARTS AT 9390 NORTH SANTA MONICA BOULEVARD, BEVERLY HILLS. Comment: It is recommended that the City Council adopt a resolution approving a Mills Act Contract for Beverly Hills Post Office - Annenberg Center for the Performing Arts at 9390 Santa Monica Boulevard, Beverly Hills.

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 Urban Designer and the record of the Community Development Department in this matter are made a part of the record of this hearing.

Urban Designer Bill Crouch presented the recommendation of the Cultural Heritage Commission to recommend a Mills Act contract for the Wallis Annenberg Center for the Performing Arts.

Speaking:

1. Cultural Heritage Commission Chair Richard Waldow
2. Wallis Annenberg Center for the Performing Arts Executive Director Lou Moore

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

Councilmember Krasne asked whether the new auditorium area is included in the Mills Act proposal. Mr. Crouch explained the property tax calculations. Councilmember Gold requested clarification on the tax savings, tax credits, tax assessment timeline and evaluation, and BHUSD benefits. Councilmember Brien commented about property tax revenue losses, tax reduction over the years, and tax loss policies. Vice Mayor Bosse agreed with Councilmember Brien's comments on tax loss policies and indicated her support for the item.

There were no further questions or comments from Councilmembers.

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
APPROVING A MILLS ACT CONTRACT FOR BEVERLY HILLS POST

OFFICE - WALLIS ANNENBERG CENTER FOR THE PERFORMING ARTS
AT 9390 NORTH SANTA MONICA BOULEVARD, BEVERLY HILLS

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

CARRIED

ITEM E-1: ADOPTED RES# 13-R-12962, AG# 491-13

F. CONTINUED AND NEW BUSINESS

1. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING A THREE YEAR EXTENSION OF AN AMENDED MILLS ACT PILOT PROGRAM. Comment: The Cultural Heritage and Planning Commissions have conducted a review of the City's two-year Mills Act Pilot Program and recommend changes to improve program implementation.

Urban Designer Bill Crouch presented the recommendation of the Cultural Heritage and Planning Commissions to consider a three year extension of an amended Mills Act pilot program beyond the initial two year pilot program.

Speaking:

1. Beverly Hills Unified School District Boardmember Jake Manaster

Mr. Crouch, Assistant City Attorney David Snow, City Manager Kolin, and City Attorney Wiener responded to Council's questions and comments regarding the cap, the City's property tax loss and tax reduction.

ITEM F-1: BY ORDER OF THE CHAIR, ITEM TABLED TO A FUTURE MEETING DATE; COUNCIL DIRECTED STAFF TO REACH OUT AND HAVE A DISCUSSION WITH THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT

2. AN ORDINANCE OF THE CITY OF BEVERLY HILLS ADDING ARTICLE 5 TO CHAPTER 5 OF TITLE 2 OF THE MUNICIPAL CODE REGARDING THE PROCEDURE FOR ADOPTING OR AMENDING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND AN EXCLUSIVELY RECOGNIZED EMPLOYEE ORGANIZATION. First Reading - For Introduction. Comment: This ordinance will establish procedures designed to increase public awareness of proposed memoranda of understanding with employee groups, and amendments to those memoranda, before the memoranda and amendments are adopted.

City Attorney Wiener indicated that at the City Council Study Session of October 15, 2013, the Council directed staff to return with an ordinance adding Article 5 of Title 2 of

the Municipal Code regarding the procedure for adopting or amending a Memorandum of Understanding between the City and an exclusively recognized employee organization.

MOVED by Councilmember Krasne, seconded by Vice Mayor Bosse to introduce and read by title only Ordinance F-2 as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS ADDING ARTICLE 5 TO CHAPTER 5 OF TITLE 2 OF THE MUNICIPAL CODE REGARDING THE PROCEDURE FOR ADOPTING OR AMENDING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND AN EXCLUSIVELY RECOGNIZED EMPLOYEE ORGANIZATION

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

Noes: None.

CARRIED

ITEM F-2: INTRODUCED AND READ BY TITLE ONLY, ADVANCE TO THE MEETING OF DECEMBER 17, 2013 FOR ADOPTION

G. COMMISSION SYNOPSIS

1. CULTURAL HERITAGE COMMISSION - Regular Meeting of October 9, 2013
CULTURAL HERITAGE COMMISSION - Special Meeting of October 9, 2013
ARCHITECTURAL COMMISSION - Regular Meeting of October 16, 2013
CHARITABLE SOLICITATIONS COMMISSION - Regular Meeting of November 13, 2013

ITEM G-1: NO ACTION TAKEN

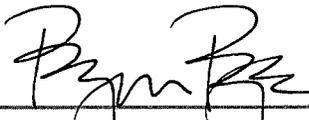
H. OTHER BUSINESS

None

I. ADJOURNMENT

There being no further business, Mayor Mirisch, with the consent of the Council, adjourned the meeting at 10:15pm.

PASSED, Approved and Adopted
this 17th day of December, 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.