



**CITY OF BEVERLY HILLS
CITY COUNCIL ADJOURNED REGULAR MEETING
MINUTES
July 29, 2014**

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

PLEDGE OF ALLEGIANCE led by Cultural Heritage Commission Chair Maralee Beck

A. ROLL CALL

Present: Councilmember Krasne, Councilmember Mirisch, Councilmember Brien, Vice Mayor Gold, and Mayor Bosse
Absent: None

B. PRESENTATIONS

1. CENTENNIAL ROSE BUSH PROCLAMATION for Virginia Robinson Gardens and artist Marcella Ruble

Mayor Bosse, along with the entire Council, presented proclamations to the Virginia Robinson Gardens and the artist and practicing attorney Marcella Ruble for their part in the City's Centennial celebrations. The Committee, co-chaired by Ray Flade, Donna Flade and Kathi Rothner, created a special Beverly Hills Centennial Rose, which was captured in a painting by Ms. Ruble, and presented to the City as a gift.

2. 60 SECOND BUSINESS SHOUT-OUT - Audi Beverly Hills

Mayor Bosse, along with the entire Council, presented a 60-Second Business Shout-out certificate to Audi Beverly Hills, and thanked General Manager Michael Bradford and the Fletcher Jones and Audi family for their support and contributions to the community. She also thanked Ronit Stone and the Beverly Hills Education Foundation Board of Directors for nominating Audi for the shout-out.

3. TEXT BH -Text messages on any City-related topic may be sent to 310-596-4265. City staff will acknowledge receipt of the text message within one business day, however, resolution of issues may take longer.

Councilmember Krasne announced that text messages on any City-related topic may be sent to (310) 596-4265.

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. Teri Austin, The Amanda Foundation

3. REPORT FROM THE CITY MANAGER * Crime Suppression Unit - Police Lieutenant Renato Moreno

Police Lieutenant Renato Moreno presented a PowerPoint report on the Police Department Crime Suppression Unit's accomplishments, highlighting the recent successful residential burglary cases. He encouraged residents to help with their efforts by providing information regarding suspicious activity to the Police Department. He also invited residents who are interested in obtaining crime prevention and home safeguarding tips to contact Police Sgt. Kurt Haefs.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Vice Mayor Gold reported on the Independent Cities Association conference he attended two weekends ago in Rancho Bernardo.

Councilmember Brien invited the community to attend National Night Out on August 5th to learn more about local safety issues. The Police and Fire Department personnel will have SWAT, K-9 and safety displays, and the Beverly Hills Public library staff will host songs and storytelling for children.

D. CITY COUNCIL CONSENT CALENDAR

MOVED by Councilmember Krasne, seconded by Councilmember Brien to remove Item D-1 for discussion and separate vote, approve the remaining items on the City Council consent calendar, and direct that the appropriate accounts be charged on Items D-6 and D-7

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of June 17, 2014.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Study Session of June 24, 2014.
3. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of June 24, 2014.
4. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Study Session of July 1, 2014.
5. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Special Meeting of July 1, 2014.

Demands Paid

6. REVIEW OF BUDGETED DEMANDS PAID, report dated July 21 - July 18, 2014.
7. PAYROLL DISBURSEMENT REPORT, report dated July 29, 2014.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTION:

8. TO DENY A REQUEST TO MODIFY PREFERENTIAL PARKING PERMIT ZONE "AK" ON THE 300 BLOCK OF NORTH ALMONT DRIVE. Comment: Staff received a resident petition to modify the permit parking regulation of "2-Hour Parking, 8am to 6pm, Monday through Saturday" to "1-Hour Parking, 8am to 8pm, Monday through Saturday" to address commuter parking impacts. The Traffic & Parking Commission reviewed the request on July 3, 2014 and unanimously recommended to deny modifying the existing permit parking regulation.

Speaking:

1. Jerry Sweet
2. Sara Willeh

ITEM D-8: ADOPTED RES# 14-R-12997

APPROVAL OF:

9. CHARITABLE SOLICITATIONS COMMISSION APPOINTMENTS (PAM KRAUSHAAR AND JOE SAFIER). Comment: Appoints Pam Kraushaar and Joe Safier to upcoming vacancies on the Charitable Solicitations Commission for an initial two-year term each.

ITEM D-9: APPROVED

10. AN INTERIM FUNDING AGREEMENT WITH THE BEVERLY HILLS CHAMBER OF COMMERCE AND CIVIC ASSOCIATION FOR THE NEW YORK BUSINESS ATTRACTION AND RETENTION MISSION FOR FISCAL YEAR 2014-2015; AND APPROVAL OF A PURCHASE ORDER IN A NOT-TO-EXCEED AMOUNT OF \$105,000 TO THE BEVERLY HILLS CHAMBER OF COMMERCE AND CIVIC ASSOCIATION FOR THESE SERVICES. Comment: This interim funding agreement is for the annual New York Business Attraction and Retention Mission in a not-to-exceed amount of \$105,000. The interim funding will provide the Chamber with the necessary resources to plan the New York Mission until a Council Chamber Liaison Committee meeting may be scheduled to review the Chamber's remaining work program.

Deputy City Manager Cheryl Friedling provided information on the item at the request of Councilmember Krasne.

MOVED by Councilmember Krasne, seconded by Vice Mayor Gold to approve Item D-10 as follows:

AN INTERIM FUNDING AGREEMENT WITH THE BEVERLY HILLS CHAMBER OF COMMERCE AND CIVIC ASSOCIATION FOR THE NEW YORK BUSINESS ATTRACTION AND RETENTION MISSION FOR FISCAL YEAR 2014-2015; AND APPROVAL OF A PURCHASE ORDER IN A NOT-TO-EXCEED AMOUNT OF \$105,000 TO THE BEVERLY HILLS CHAMBER OF COMMERCE AND CIVIC ASSOCIATION FOR THESE SERVICES

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

Noes: None.

CARRIED

ITEM D-10: APPROVED AG# 370-14

11. AN AGREEMENT WITH THE COUNTY OF LOS ANGELES RELATING TO A COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM. Comment: This request is for approval of an agreement between the City and Los Angeles County to hold an annual event for the proper disposal of Household Hazardous Materials including Electronic Waste. The siting liability referenced in the agreement indicates that the liability is transferred to Los Angeles County.

ITEM D-11: APPROVED AG# 371-14

12. AN AGREEMENT WITH IRON MOUNTAIN INFORMATION MANAGEMENT, LLC FOR OFFSITE DATA STORAGE AND RELATED SERVICES. Comment: This is a three year agreement between the City and Iron Mountain for continued offsite data storage services essential to the City's disaster recovery and business continuity program. The annual not-to-exceed amount is \$30,000, for a total contract amount not-to-exceed \$90,000.

ITEM D-12: APPROVED AG# 372-14

13. AMENDMENT NO. 1 TO THE AGREEMENT WITH LINDMARK ENGINEERING, INC. FOR ENVIRONMENTAL SERVICES RELATED TO GROUND WATER DISCHARGE AT 221 N. CRESCENT DRIVE PARKING FACILITY; AND APPROVAL OF A CHANGE PURCHASE ORDER IN THE AMOUNT OF \$47,965 TO LINDMARK ENGINEERING, INC. FOR THE SERVICES. Comment: Recommends the approval of the amendment to provide engineering and design services to modify the ground water discharge at the parking facility located at 221 N. Crescent Drive.

ITEM D-13: APPROVED AG# 373-14

14. 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 \$37,687,134. Comment: This report seeks City Council approval of the annual blanket purchase orders (BPO) 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 D-14A: APPROVED

- **3M - AG# 374-14**
- **3M COMPANY - AG# 375-14**
- **ACCUVANT, INC. - AG# 376-14**
- **CDW GOVERNMENT LLC - AG# 377-14**
- **CLOUDEEVA, INC. - AG# 378-14**
- **COMMLINE INC. - AG# 379-14**
- **COMPUCOM MICROSOFT - AG# 380-14**
- **DATA SPECIALTIES, INC. - AG# 381-14**
- **ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. (ESRI) FOR CITY'S ENTERPRISE GIS SYSTEM - AG# 382-14**
- **GOVERNMENT FINANCE OFFICERS ASSOCIATION - AG# 383-14**
- **INTERNATIONAL BUSINESS MACHINES (IBM) - AG# 384-14**
- **INDEPENDENT TECHNOLOGY GROUP - AG# 385-14**
- **INTEGRATED MEDIA TECHNOLOGIES, INC. - AG# 386-14**
- **MAINLINE INFORMATION SYSTEMS, INC. - AG# 387-14**

- **NEXLEVEL INFORMATION TECHNOLOGY, INC. - AG# 388-14**
- **QUARTIC SOLUTIONS, LLC - AG# 389-14**
- **VIDEO TO IP CONSULTING SERVICES, INC. - AG# 390-14**
- **ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. (ESRI) FOR SMALL ENTERPRISE LICENSE AGREEMENT - AG# 391-14**
- **EVERBRIDGE, INC. - AG# 392-14**
- **MAPLE COUNSELING CENTER - AG# 393-14**
- **PEOPLE ASSISTING THE HOMELESS (P.A.T.H.) - AG# 394-14**
- **WESTSIDE FOOD BANK - AG# 395-14**

Vote on the City Council Consent Calendar:

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

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. AN ORDINANCE OF THE CITY OF BEVERLY HILLS TO INCREASE RATES AND CHARGES FOR WATER SERVICES AND FACILITIES FURNISHED BY THE CITY. First Reading - For Introduction. Comment: The City is proposing to increase water utility rates for FY 2014/15 so that it may continue providing a high quality and reliable water supply. The proposed water rate increases are necessary to adequately fund increasing O&M expenditures, continue investing in infrastructure maintenance and replacement, and maintain adequate operating reserves.

The notice of the hearing was published as required by law and affidavit to this effect is on file with the City Clerk.

The report of the Assistant Director of public Works Services/Infrastructure and Field Operations and the record of the Public Works Services Department in this matter are made a part of the record this hearing.

Assistant Director of Public Works Services/Infrastructure and Field Operations Trish Rhay and Assistant Director of Administrative Services/Finance Noel Marquis provided background information on the new rate proposal, City's financial policies, and the factors affecting the rates such as budget and new state mandates, the proposed water rates,

and five-year projections. Beverly Hills Metropolitan Water District (MWD) representative/Boardmember Robert Wunderlich answered Council questions pertaining to the increase in water rates.

Speaking:

1. Lauren Meister
2. Gayle Rosenberg
3. Terence Moll

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

Council asked questions and commented on the City's water bonds, West Hollywood development projects/infrastructure upgrades' impact to water costs, penalties/fines, water conservation program efforts, cost efficiencies, tunnels to replace the aqueduct and water rate increases, water rates and taxes, apartment individual water meters, rebates, projected revenues, MWD water costs in relation to City's water rates, and public outreach/notification to residents for fines/penalties and time schedule.

There were no further questions or comments from Councilmembers.

MOVED by Councilmember Krasne, seconded by Vice Mayor Gold to introduce and read by title only Item E-1, and advance to the meeting of August 5, 2014 for adoption:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS TO INCREASE RATES AND CHARGES FOR WATER SERVICES AND FACILITIES FURNISHED BY THE CITY

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

Noes: Councilmember Mirisch.

CARRIED

ITEM E-1: INTRODUCED AND READ BY TITLE ONLY; ADVANCE TO THE MEETING OF AUGUST 5, 2014 FOR ADOPTION

F. CONTINUED AND NEW BUSINESS

1. AN INTERIM ORDINANCE OF THE CITY OF BEVERLY HILLS TO PROHIBIT THE EXPANSION OF THE LEVEL PAD AREA OF LOTS IN THE HILLSIDE AREA OF THE CITY AND DECLARING THE URGENCY THEREOF. Comment: Discussion and possible adoption of an urgency ordinance to prohibit the expansion of the level pad area of lots in the Hillside Area to allow the City time to study whether further regulations; and finding it exempt from the California Environmental Quality Act.

Assistant Director of Community Development/City Planner Jonathan Lait presented a brief background on the item. He and Senior Planner Ryan Gohlich answered Council questions pertaining to basements, Trousdale and hillside areas, grading, retaining wall permit, impact and unintended consequences to existing projects, urgency of the matter, code modifications, and public outreach and notifications.

Planning Commission Chair Howard Fisher spoke about the project on Miradero Road which is an example of one of the reasons that the Planning Commission has unanimously recommended the urgency ordinance.

Speaking:

1. Tom Levyn

MOVED by Councilmember Krasne, seconded by Vice Mayor Gold to adopt as amended with revisions to the Ordinance Section 4 (Prohibition) language and additional language to accommodate Miradero, as follows:

AN INTERIM ORDINANCE OF THE CITY OF BEVERLY HILLS TO PROHIBIT THE EXPANSION OF THE LEVEL PAD AREA OF LOTS IN THE HILLSIDE AREA OF THE CITY AND DECLARING THE URGENCY THEREOF

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

Noes: Councilmember Brien.

CARRIED

ITEM F-1: ADOPTED AS AMENDED WITH REVISIONS TO THE ORDINANCE SECTION 4 (PROHIBITION) LANGUAGE AND ADDITIONAL LANGUAGE TO ACCOMMODATE MIRADERO ORD# 14-O-2663

2. MEMORANDUM OF AGREEMENT WITH METRO FOR THE UTILITY RELOCATION PHASE OF THE WESTSIDE SUBWAY EXTENSION Comment: This report recommends that the City Council review the terms and conditions of the draft Agreement between the City and Metro for the Utility Relocation Phase of Westside Subway Extension and provide direction to staff to finalize the agreement.

City Engineer Mark Cuneo provided a PowerPoint and oral report. He provided a brief background on the memorandum of agreement, the current status, summary of key terms, and next steps.

Speaking:

1. Deborah Fox
2. Lewis Hall
3. Andy Sywak, Beverly Hills Chamber of Commerce

4. Rabbi David Baron, Saban Theatre Temple of the Arts
5. Alex Kay
6. Tim Buresh
7. Kasey Carter
8. Jordan Friedberg

Mr. Cuneo, City Manager Kolin, City Attorney Wiener, and Robert Stam from Metro answered Council questions pertaining to Saban Theatre concerns, business mitigation, penalties, support funding from Metro, utility relocation schedule, warranties, and financial disincentives.

Council directed staff to meet with Saban to address their concerns, work with Metro to address the various questionable language pointed out by Councilmembers in the draft agreement, and bring the matter back to the next meeting on August 5, 2014. Councilmember Brien suggested that Council Ad Hoc Committee members Mayor Bosse and Councilmember Mirisch meet with staff, Metro and Saban representatives to work out the issues.

ITEM F-2: COUNCIL DIRECTED STAFF TO TAKE COUNCIL COMMENTS/DIRECTION AND BRING MATTER BACK AT THE NEXT COUNCIL MEETING

BY ORDER OF THE CHAIR, ITEM CONTINUED TO THE MEETING OF AUGUST 5, 2014

3. PERMIT APPLICATION FOR THE RELOCATION OF UNDERGROUND UTILITIES ASSOCIATED WITH THE WESTSIDE SUBWAY EXTENSION Comment: This report recommends that the City Council authorize one of two options, either primarily nighttime or primarily daytime work hours for the relocation of underground utilities on and adjacent to Wilshire Boulevard associated with the Westside Subway Extension project.

ITEM F-3: BY ORDER OF THE CHAIR, ITEM MOVED TO THE MEETING OF AUGUST 5, 2014

4. SELECTION OF A CONSULTANT TO PROVIDE ENGINEERING AND TRANSPORTATION PLANNING SUPPORT SERVICES FOR THE WESTSIDE SUBWAY EXTENSION Comment: This report recommends that City Council authorize the City Manager to develop an agreement with Cordoba Corporation for professional services to support the City during the implementation of the Westside Subway Extension Project.

City Engineer Mark Cuneo presented an oral report, and introduced George Pla, CEO and Cathy Higley, Project Manager from Cordoba Corporation.

Councilmember Brien asked about the fiscal impact and responsibility of the City. Vice Mayor Gold asked about Cordoba's references and notable projects, staff allocation, and indemnification and insurance.

MOVED by Vice Mayor Gold, seconded by Councilmember Krasne to authorize the City Manager to negotiate an agreement with Cordoba Corporation for engineering and transportation planning support services for the Westside Subway extension

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

Noes: None.

CARRIED

ITEM F-4: AUTHORIZED CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH CORDOBA CORPORATION FOR ENGINEERING AND TRANSPORTATION PLANNING SUPPORT SERVICES FOR THE WESTSIDE SUBWAY EXTENSION

G. COMMISSION SYNOPSIS

1. PUBLIC WORKS COMMISSION - Regular Meeting of June 12, 2014
- ARCHITECTURAL COMMISSION - Regular Meeting of June 18, 2014
- HEALTH AND SAFETY COMMISSION - Regular Meeting of June 23, 2014
- RECREATION AND PARKS COMMISSION - Regular Meeting of June 24, 2014
- PLANNING COMMISSION - Regular Meeting of June 26, 2014
- TRAFFIC & PARKING COMMISSION - Regular Meeting of July 3, 2014
- CHARITABLE SOLICITATIONS COMMISSION - Special Meeting of July 9, 2014
- FINE ART COMMISSION - Regular Meeting of July 17, 2014
- HUMAN RELATIONS COMMISSION - Regular Meeting of July 17, 2014

ITEM G-1: NO ACTION TAKEN

H. OTHER BUSINESS

None

I. ADJOURNMENT

There being no further business, Mayor Bosse, with the consent of the Council, adjourned the meeting to the Closed Session at 12:11am on July 30, 2014.

PASSED, Approved and Adopted
this 5th day of August, 2014



BYRON POPE, City Clerk

LILI BOSSE, MAYOR

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