



**CITY OF BEVERLY HILLS
CITY COUNCIL REGULAR MEETING
MINUTES
February 3, 2015**

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

PLEDGE OF ALLEGIANCE led by retiring Human Relations Commissioner Rochelle Ginsburg

A. ROLL CALL

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

B. PRESENTATIONS

1. RECOGNITION - for the late Alan Grushcow

Mayor Bosse, along with the entire City Council and Traffic & Parking Commissioners, presented a recognition proclamation to the late Traffic and Parking Commissioner Alan Grushcow's wife Judi and children Brian and Steve.

2. CERTIFICATE OF APPOINTMENT - Fine Art Commission - Michael Smooke

Mayor Bosse, along with the entire City Council, presented a certificate of appointment and City pin to newly appointed Fine Art Commissioner Michael Smooke.

3. RECOGNITION - Retiring Commissioners

Human Relations Commission
- Rochelle Ginsburg

Mayor Bosse, along with the entire City Council, presented a plaque of recognition and gift to retiring Human Relations Commissioner Rochelle Ginsburg.

Design Review Commission
- Susan Strauss

Mayor Bosse, along with the entire City Council, presented a plaque of recognition and gift to retiring Design Review Commissioner Susan Strauss.

4. PROCLAMATION for American Heart Month

Mayor Bosse, along with the entire City Council, presented a proclamation declaring February as American Heart Month and February 6 as Go Red Day in Beverly Hills to Business Development Director of Go Red for Women Laura Brown, and Miss International Samantha Riddle on behalf of the American Heart Association.

5. 60 SECOND BUSINESS SHOUT-OUT - Tutto Bene Bakery & Cafe

Mayor Bosse, along with the entire City Council, presented a 60-Second Business Shout-Out certificate to Tutto Bene Bakery & Café owner Jutta Senger, and thanked City staff member Karen Myron for nominating the business.

6. 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.

Vice Mayor Gold 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. Alexandra Polin
2. Elham Samadi
3. David Galst
4. Les Bronte
5. Alma Ordaz
6. Hal Lifson
7. Peter Gabayan

Mayor Bosse appointed Vice Mayor Gold and Councilmember Brien to work with City staff on the school security concerns raised this evening by some of the speakers.

3. REPORT FROM THE CITY MANAGER

* Crime Lab Presentation: Technology Advances within the Beverly Hills Crime Lab - Clark Fogg, Senior Forensic Specialist

Senior Forensic Specialist Clark Fogg provided a PowerPoint and oral presentation on the latest technological advances being utilized by the Beverly Hills Police Department in the crime lab for collecting and analyzing DNA, and answered questions from City Council.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Vice Mayor Gold reported that he attended the Independent Cities Meeting this past weekend.

Mayor Bosse reported that she represented the City at the annual U.S. Conference of Mayors Winter meeting held in Washington, D.C. on January 21-23, 2015.

D. CITY COUNCIL CONSENT CALENDAR

MOVED by Vice Mayor Gold, seconded by Councilmember Krasne to remove Items D-7, D-9, D-10, and D-11 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-5 and D-6

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Study Session of January 6, 2015.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Study Session of January 13, 2015.
3. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of January 6, 2015.
4. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Special Meeting of January 13, 2015.

Demands Paid

5. REVIEW OF BUDGETED DEMANDS PAID, report dated December 26 - January 23, 2015.
6. PAYROLL DISBURSEMENT REPORT, report dated February 3, 2015.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

7. AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING COMMISSIONS. Second Reading - For Adoption. Comment: This ordinance amends various sections of the City's Municipal Code to reflect updates to the Commission structure such as commission size, terms, charges, and absence policy.

Senior Management Analyst Michelle Tse provided a brief report on the item.

Speaking:

1. Recreation and Parks Commissioner Frances Bilak

Councilmember Krasne addressed Commissioner Bilak's concern.

MOVED by Vice Mayor Gold, seconded by Councilmember Krasne to adopt Ordinance D-7 as follows:

ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING COMMISSIONS

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

Noes: None.

CARRIED

ITEM D-7: ADOPTED; ORD# 15-O-2673

RESOLUTION:

None

APPROVAL OF:

8. AMENDMENT NO. 8 TO AN AMENDED AND RESTATED EMPLOYMENT AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND BYRON POPE. Comment: This amendment No. 8 to the contract with the City Clerk provides the City Clerk with a cost of living increase equal to one percent of his base salary, which equals approximately \$1,450 and a one-time payment for performance of five percent of his base salary, which equals approximately \$7,250. Additionally, the amendment caps certain medical insurance benefits at \$2,100 annually and shifts the employee share of PERS costs, which equals eight percent of base salary, from the City to the City Clerk. The amendment also increases the City Clerk's base salary by eight percent to offset the shift of PERS costs.

ITEM D-8: APPROVED; AG# 35-15

9. A TEN YEAR PURCHASE ORDER COMMITMENT FOR IMPORTED WATER SUPPLIES PROVIDED BY THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA. Comment: Staff recommends that City Council move to approve a ten-year purchase order commitment for imported water supplies with Metropolitan Water District for period Jan 1, 2015 - Dec 31, 2024.

Assistant Director of Public Works Services/Infrastructure and Field Operations Trish Rhay responded to Vice Mayor Gold's request for confirmation on Council's direction to accept staff's recommendation for Option 1.

MOVED by Vice Mayor Gold, seconded by Councilmember Krasne to approve Item D-9 as follows:

A TEN YEAR PURCHASE ORDER COMMITMENT FOR IMPORTED WATER SUPPLIES PROVIDED BY THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

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

Noes: None.

CARRIED

ITEM D-9: APPROVED; AG# 36-15

10. A PURCHASE ORDER IN THE AMOUNT OF \$440,000 WITH ACLARA TECHNOLOGIES LLC FOR WATER METER TRANSMITTING UNITS (MTUS). Comment: Staff recommends City Council approve the purchase order for meter transmitting unit (MTUs) related to the City's automated water utility meter reading system.

Senior Management Analyst Michelle Tse explained the information provided in the supplemental agenda report that was distributed to Council at the dais.

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

A PURCHASE ORDER IN THE AMOUNT OF \$440,000 WITH ACLARA TECHNOLOGIES LLC FOR WATER METER TRANSMITTING UNITS (MTUS)

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

Noes: None.

CARRIED

ITEM D-10: APPROVED

11. AN AGREEMENT WITH T2 SYSTEMS CANADA INC. FOR EQUIPMENT AND SERVICES ASSOCIATED WITH THE OPERATION AND MAINTENANCE OF MULTI-SPACE PARKING PAY STATIONS. Comment: This is an Agreement to continue to operate 20 multi-space parking pay stations for the Santa Monica 5 parking facilities, which provide coin, credit card, and debit card acceptance along with web access for staff to provide and control real-time credit card processing, alarm monitoring services, and comprehensive reporting capabilities totaling \$132,600 over three years for all services.

Senior Management Analyst Daniel Cartagena and Interim City Manager Mahdi Aluzri responded to Vice Mayor Gold's question regarding the lifespan of the agreement in relation to technology changes.

MOVED by Vice Mayor Gold, seconded by Councilmember Brien to approve Item D-11 as follows:

AN AGREEMENT WITH T2 SYSTEMS CANADA INC. FOR EQUIPMENT AND SERVICES ASSOCIATED WITH THE OPERATION AND MAINTENANCE OF MULTI-SPACE PARKING PAY STATIONS

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

Noes: None.

CARRIED

ITEM D-11: APPROVED; AG# 37-15

12. AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE PRE-QUALIFIED BIDDER, ICON WEST, INC. FOR THE "CONSTRUCTION OF GATEWAYS AND STREETScape LOCATED AT OLYMPIC BLVD AT SPALDING DR. AND SAN VICENTE BLVD. AT WILSHIRE BLVD.", IN THE AMOUNT OF \$1,541,180; APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFOR; AND APPROVAL OF ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$1,700,000 TO ICON WEST, INC. FOR THE PROJECT. Comment: This is a request to Council to award a construction contract to Icon West, Inc. for the construction of the proposed Gateways and Streetscape on Olympic Blvd. just west of Spalding Dr. and on San Vicente Blvd. just north of Wilshire Blvd. in the amount of \$1,541,180.

ITEM D-12: APPROVED; AG# 38-15

13. APPROPRIATION OF \$50,000 FROM THE SOLID WASTE FUNDS UNANTICIPATED REVENUE ACCOUNT TO THE SOLID WASTE EXPENDITURE ACCOUNT TO COVER RELATED FEES ASSOCIATED WITH THE ASSIGNMENT OF THE CITY'S SOLID WASTE FRANCHISE AGREEMENT. Comment: Staff recommends approval to appropriate the \$50,000 received as part of the assignment review process to cover related expenses.

ITEM D-13: APPROVED

14. VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN:

ITEM A: A PURCHASE ORDER TO ARROWHEAD FORENSICS PRODUCTS IN AN AMOUNT NOT TO EXCEED \$53,000.00 FOR THE PURCHASE OF A PORTABLE FORENSIC LASER SYSTEM. Comment: The portable Forensic Laser System will be used to visualize latent print and trace evidence at crime scenes.

ITEM D-14A: APPROVED

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. A. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO ESTABLISH A WATER CAPACITY CHARGE. First Reading - For Introduction.

B. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES & CHARGES TO ESTABLISH A WATER CAPACITY CHARGE. Comment: This ordinance and resolution is to amend the Municipal Code and the City's Schedule of Taxes, Fees and Charges, respectively, to establish a water capacity charge.

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 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 of this hearing.

Assistant Director of Public Works Services/Infrastructure and Field Operations Trish Ray presented a PowerPoint and oral report on this item. She spoke about what a capacity fee is and isn't, legal authority, who will be impacted, the fee structure, calculating unit buy-in cost, and capacity fee pricing by meter size information.

Mayor Bosse read a letter into the record from Arnold Rosenstein.

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

Ms. Rhay summarized the changes made on the resolution and the ordinance.

Councilmember Krasne asked a question regarding change in hotel water usage. Council liaisons Brien and Mirisch commented that the fee structure is fair and addresses a lot of issues that Council has discussed in the past. Council asked question pertaining to the fee calculations,

There were no further questions or comments from Councilmembers.

MOVED by Councilmember Brien, seconded by Councilmember Mirisch to introduce and read by title only, advance to the meeting of February 17, 2015 for adoption, Ordinance E-1A as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO ESTABLISH A WATER CAPACITY CHARGE

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

Noes: None.

CARRIED

ITEM E-1A: INTRODUCED AND READ BY TITLE ONLY; ADVANCE TO THE MEETING OF FEBRUARY 17, 2015 FOR ADOPTION

MOVED by Councilmember Brien, seconded by Councilmember Mirisch to adopt Resolution E-1B as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES & CHARGES TO ESTABLISH A WATER CAPACITY CHARGE

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

Noes: None.

CARRIED

ITEM E-1B: ADOPTED; RES# 15-R-13024

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

2. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING A FINAL STATEMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT OBJECTIVES AND PROJECTED USE OF FUNDS FOR FORTY-FIRST YEAR (2015-2016) FUNDING UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED. Comment: CDBG funds the single and multi-family handyworker programs.

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 Human Services Administrator and the record of the Community Services Department in this matter are made a part of the record of this hearing.

Human Services Administrator Jim Latta presented an oral report and introduced consultant Michael Neal from Pacific Municipal Consulting. Mr. Latta noted the items for consideration in the resolution, and provided background information about the community development block grant program and budget.

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

Mr. Latta, Mr. Neal, and Interim City Manager Mahdi Aluzri responded to City Council questions regarding the definition of multi-family units, responsibility to repair or improve buildings, loan responsibilities of the City, property owner/landlord and tenant, credit check, loan qualifications and requirements, budget, replenishment of funds, transfer of property, and tracking of property. Councilmember Brien indicated he needs more details on the duration of the loan and who will be responsible for paying the loan. Vice Mayor Gold commented that he would be interested to know how many people applied to and received funding from the program, and the amount allocated to have a sense of the benefits of the program.

There were no further questions or comments from Councilmembers.

MOVED by Councilmember Brien, seconded by Vice Mayor Gold to adopt Resolution E-2 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
APPROVING A FINAL STATEMENT OF COMMUNITY DEVELOPMENT
BLOCK GRANT OBJECTIVES AND PROJECTED USE OF FUNDS FOR
FORTY-FIRST YEAR (2015-2016) FUNDING UNDER THE HOUSING AND
COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED

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

Noes: None.

CARRIED

ITEM E-2: ADOPTED; RES# 15-R-13025

F. CONTINUED AND NEW BUSINESS

None

G. COMMISSION SYNOPSIS

1. DESIGN REVIEW COMMISSION - Special Meeting of January 7, 2015
PLANNING COMMISSION - Regular Meeting of January 8, 2015
CULTURAL HERITAGE COMMISSION - Regular Meeting of January 14, 2015
HUMAN RELATIONS COMMISSION - Regular Meeting of January 15, 2015
FINE ART COMMISSION - Regular Meeting of January 15, 2015
ARCHITECTURAL COMMISSION - Regular Meeting of January 21, 2015
PLANNING COMMISSION - Regular Meeting of January 22, 2015

ITEM G-1: NO ACTION TAKEN

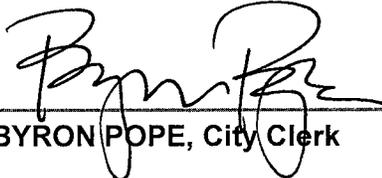
H. OTHER BUSINESS

None

I. ADJOURNMENT

There being no further business, Mayor Bosse, with the consent of the Council, adjourned the meeting at 9:47pm.

PASSED, Approved and Adopted
this 17th day of February, 2015


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.