



**CITY OF BEVERLY HILLS  
CITY COUNCIL REGULAR MEETING  
MINUTES  
August 4, 2015**

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

***PLEDGE OF ALLEGIANCE*** led by retiring Fine Art Commissioner Sandra Pressman

**A. ROLL CALL**

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

**B. PRESENTATIONS**

**1. SWEARING IN – Police Chief Dominick Rivetti**

Mayor Gold administered the oath of office to Police Chief Dominick Rivetti, and along with the Councilmembers present, welcomed him to the City.

**2. RECOGNITION OF A RETIRING COMMISSIONER**

Fine Art Commission  
- Sandra Pressman

Mayor Gold, along with the Councilmembers present, presented a plaque of recognition and gift to retiring Fine Art Commissioner Sandra Pressman.

**3. PROCLAMATION for Susan Berk and Alissa Roston for their work as co-chairs of the Special Olympics Host Town program.**

Mayor Gold, along with the Councilmembers present, presented proclamation certificates to Susan Berk and Alissa Roston for spearheading Beverly Hills' involvement in the 2015 Special Olympics as Co-Chairs of the Host Town Committee.

**4. 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 Brien 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. Ira Rad
2. Zac Holland, Cocaine Anonymous
3. Diane Forte, Southern California Edison Region Manager
4. Dana Cole on behalf of Jose Eber Salon
5. Shadoe Stevens
6. Gary Fogel
7. Terre Thomas

3. REPORT FROM THE CITY MANAGER

None

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Bosse announced that tonight until 9:00pm on Rexford Drive, the City is hosting the Beverly Hills National Night Out, an annual community block party that focuses on safety and security. She encouraged the community to call the Community Emergency Response Team at (310) 281-2754 for more information on disaster training classes for residents and businesses.

**D. CITY COUNCIL CONSENT CALENDAR**

MOVED by Councilmember Brien, seconded by Councilmember Bosse to remove Item D-8 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-3 and D-4

**FISCAL IMPACT REPORT**

**Minutes**

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Study Session of July 21, 2015.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of July 21, 2015.

**Demands Paid**

3. REVIEW OF BUDGETED DEMANDS PAID, report dated July 11 – July 24, 2015.
4. PAYROLL DISBURSEMENT REPORT, report dated August 4, 2015.

**Other Business**

**ORDINANCE OF THE CITY OF BEVERLY HILLS:**

5. AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING PARKING PERMITS FOR BEVERLY HILLS UNIFIED SCHOOL DISTRICT PERSONNEL. First Reading – For Introduction. Comment: This ordinance amends the Municipal Code to permit Beverly Hills Unified School District personnel to park adjacent to BHUSD properties without permit zone or time restrictions while engaged in BHUSD official business. This amendment is in line with Council direction regarding establishing a parking program for designated BHUSD personnel.

**ITEM D-5: INTRODUCED AND READ BY TITLE ONLY; ADVANCE TO THE MEETING OF AUGUST 18, 2015 FOR ADOPTION**

6. AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING BICYCLES ON SIDEWALKS IN THE BUSINESS DISTRICT. First Reading – For Introduction. Comment: This ordinance amends the Municipal Code to expand the approved persons authorized to operate bicycles on city sidewalks. This amendment is in support of Council's decision to contract an ambassador service firm to provide safety and hospitality services. The firm's delivery of services will be enhanced.

**ITEM D-6: INTRODUCED AND READ BY TITLE ONLY; ADVANCE TO THE MEETING OF AUGUST 18, 2015 FOR ADOPTION**

7. AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING MOBILE BILLBOARD ADVERTISING DISPLAYS AND ADVERTISING ON VEHICLES. Second Reading – For Adoption. Comment: The ordinance regulates mobile billboard advertising in order to promote the safe movement of vehicular traffic, to reduce air pollution and to improve the aesthetic appearance of the City. Staff recommends the City Council adopt the ordinance regulating mobile billboard advertising displays.

**ITEM D-7: ADOPTED; ORD# 15-O-2684**

**RESOLUTION:**

None

**APPROVAL OF:**

8. AUTHORIZING THE CITY MANAGER, CITY ATTORNEY, AND ACTING CHIEF OF POLICE TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH XEROX STATE & LOCAL SOLUTIONS, INC. FOR PHOTO RED LIGHT ENFORCEMENT PROGRAM SERVICES. Comment: The proposed amendment to the existing agreement will allow for the addition of two new photo red light enforcement approaches at the intersection of Olympic Boulevard and Beverly Dr. and will authorize a change order of an annual increase in an amount not to exceed \$111,120, for a total annual not to exceed amount of \$750,000.

Police Lt. Michael Foxen responded to Vice Mayor Mirisch's questions regarding the addition of a photo red light system at the intersection of Olympic Boulevard and Beverly Drive.

MOVED by Vice Mayor Mirisch, seconded by Councilmember Brien to approve Item D-8 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS  
AUTHORIZING THE CITY MANAGER, CITY ATTORNEY, AND ACTING  
CHIEF OF POLICE TO EXECUTE AN AMENDMENT TO THE  
AGREEMENT WITH XEROX STATE & LOCAL SOLUTIONS, INC. FOR  
PHOTO RED LIGHT ENFORCEMENT PROGRAM SERVICES

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

Noes: None.

Absent: Councilmember Krasne

CARRIED

**ITEM D-8: APPROVED**

9. AGREEMENT WITH UTOPIA ENTERTAINMENT, INC. FOR HOLIDAY DÉCOR, AUDIO SYSTEM AND PROGRAM MANAGEMENT; AND APPROVAL OF A PURCHASE ORDER IN A NOT-TO-EXCEED AMOUNT OF \$863,600 TO UTOPIA ENTERTAINMENT, INC. FOR THESE SERVICES. Comment: It is recommended that the City Council approve an agreement with Utopia Entertainment for holiday décor, audio system and overall program management and approve a purchase order in a not-to-exceed amount of \$863,600 for these services. Of this amount, \$700,000 will be charged to the Tourism and Marketing budget and the remaining \$163,600 will be charged to CIP Project No. 939 – Small Business Streetscape, for the procurement of the new audio system.

**ITEM D-9: APPROVED; AG# 406-15**

10. AGREEMENT WITH THE BEVERLY HILLS CONFERENCE AND VISITORS BUREAU FOR PROMOTION OF THE CITY FOR FISCAL YEAR 2015-2016; AND APPROVAL OF A PURCHASE ORDER IN A NOT-TO-EXCEED AMOUNT OF \$2,825,666 TO THE BEVERLY HILLS CONFERENCE AND VISITORS BUREAU FOR THESE SERVICES. Comment: On June 30, 2015 the City Council approved interim funding for BHCVB in the amount of \$1,003,536 for July through September 2015. This agreement provides funding for BHCVB's remaining operational expenses and visitor marketing services for the fiscal year. In addition, Council is requested to authorize a purchase order in the amount of \$2,825,666 for these services.

**ITEM D-10: APPROVED; AG# 407-15**

11. AGREEMENT WITH CYCLEHOP, LLC FOR THE PURCHASE, OPERATION, MAINTENANCE AND ADMINISTRATION OF THE CITY'S PILOT BICYCLE SHARE PROGRAM; APPROVE AN APPROPRIATION OF \$162,000 OF MEASURE-R LOCAL RETURN TRANSPORTATION GRANT FUNDS; AND APPROVAL OF A PURCHASE ORDER FOR FISCAL YEAR 2015-2016 TO CYCLEHOP, LLC IN AN AMOUNT NOT TO EXCEED \$327,000 FROM TRANSPORTATION GRANT FUNDS. Comment: Approves a 3-year contract with two additional two-year renewal options that may be extended by the City at its discretion with CycleHop, LLC for the purchase, installation, operation and maintenance, and administration of the City's pilot bicycle share program. The first year pilot program is funded is with AQMD and Measure R transportation grant funds.

**ITEM D-11: APPROVED; AG# 408-15**

12. AGREEMENT WITH THE CITY OF GLENDALE FOR CRIME LABORATORY SERVICES. Comment: Staff recommends City Council approve a one year agreement with the City of Glendale's Verdugo Regional Crime Lab to provide DNA analysis services.

**ITEM D-12: APPROVED; AG# 409-15**

13. ACCEPTANCE OF THE CONTRACT WORK FOR SEWER PIPELINE AND MANHOLE REHABILITATION AT VARIOUS LOCATIONS BY INSITUFORM TECHNOLOGIES, INC. IN THE FINAL AMOUNT OF \$4,908,852.35; AND AUTHORIZATION OF CITY CLERK TO RECORD NOTICE OF COMPLETION. Comment: This project included the rehabilitation of 24.2 miles of sewer pipe and 563 manholes citywide in streets, alleys and easements. It is recommended that the described work with Insituform Technologies, Inc. be accepted and authorization be given for the recordation of the Notice of Completion.

**ITEM D-13: APPROVED**

14. A PURCHASE ORDER TO JAM SERVICES, INC. FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$179,295 FOR THE PURCHASE OF TRAFFIC SIGNAL LIGHT REPLACEMENT PARTS. Comment: Staff recommends that the City Council move to approve a purchase order in the amount of \$179,295 to JAM Services for the purchase of traffic signal light part components for the citywide signal light and pedestrian crossing sign replacement project.

***ITEM D-14: APPROVED***

***Vote on the City Council Consent Calendar:***

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

CARRIED

***E. PUBLIC HEARING***

***TO SET:***

None

***TO CONSIDER:***

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

1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM AND ADOPTING THE CONGESTION MANAGEMENT PLAN LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089. Comment: Annual resolution and Local Development Report supporting compliance with the countywide Congestion Management Program requirement.

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

Transportation Planner Martha Eros provided the staff report, explaining that the annual compliance with the congestion management program is needed so the City can remain eligible to receive state and federal funding, including an annual allocation of approximately \$900,000 of gas tax monies.

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

Ms. Eros responded to Councilmember Bosse's question on who identifies the intersections for study.

There were no further questions from Councilmembers.

MOVED by Councilmember Brien, seconded by Councilmember Bosse to approved Resolution E-1 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM AND ADOPTING THE CONGESTION MANAGEMENT PLAN LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089

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

CARRIED

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

2. AN ORDINANCE OF THE CITY OF BEVERLY HILLS ESTABLISHING PROCEDURES FOR EXPEDITED PERMIT PROCESSING FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS, AND AMENDING TITLE 9 OF THE BEVERLY HILLS MUNICIPAL CODE. First Reading – For Introduction. Comment: The proposed ordinance will establish expedited permit processing of small residential rooftop solar systems. In 2014, the State of California adopted Assembly Bill 2188 (2014, Muratsuchi, Codified as Government Code Section 65850.5 and Civil Code Section 714), which requires all local jurisdictions to adopt an ordinance to create an expedited, streamlined permitting process for small residential rooftop solar energy systems on or before September 30, 2015.

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/Building Official 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/Building Official Raj Patel presented the staff report, noting that the ordinance is being recommended to fulfill a new state requirement.

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

There were no questions from Councilmembers.

MOVED by Councilmember Bosse, seconded by Councilmember Brien to introduce and

MOVED by Councilmember Bosse, seconded by Councilmember Brien to introduce and read by title only Ordinance E-2, and advance to the meeting of August 18, 2015 as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS ESTABLISHING PROCEDURES FOR EXPEDITED PERMIT PROCESSING FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS, AND AMENDING TITLE 9 OF THE BEVERLY HILLS MUNICIPAL CODE

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

Noes: None.

Absent: Councilmember Krasne

CARRIED

***ITEM E-2: INTRODUCED AND READ BY TITLE ONLY; ADVANCE TO THE MEETING OF AUGUST 18, 2015 FOR ADOPTION***

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

3. AN APPEAL OF THE PLANNING COMMISSION'S DECISION DENYING A ZONE TEXT AMENDMENT AND R-4 PERMIT TO ALLOW ADDITIONS TO A MULTI-FAMILY BUILDING LOCATED AT 310 NORTH CRESCENT DRIVE. Comment: On April 23, 2015, the Planning Commission recommended against a request to amend the zoning code and grant an R-4 Permit to allow over-height additions to multi-family buildings that already legally exceed the existing height regulations in the City. The Planning Commission's decision was appealed, and the City Council is now asked to make a determination regarding the requested entitlements as the reviewing authority.

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 Ryan Gohlich presented a PowerPoint and oral report reviewing the zone text amendment and staff recommendation based on the Planning Commission (PC) decision. He noted that when considering the request, PC asked that the building be in full compliance with all current fire and building codes. He also reviewed the practicality, applicability and public benefits of the amendment.

PC Chair Alan Block provided comments on behalf of the PC on this matter.

Speaking:

1. Murray D. Fischer

2. Steve Webb
3. Michael Libow

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

Mr. Gohlich, and PC Chair Block responded to Council questions pertaining to staff's analysis and initial recommendations prior to PC's discussions, required life safety changes, code compliance requirements, change in number of units, building height, impact to neighbor's privacy, setbacks compliance, other impacts, PC's discretion for future approvals, difference between an apartment and a condo, other significant elements of the project, and other public benefits.

There were no further questions from Councilmembers.

MOVED by Councilmember Bosse, seconded by Councilmember Brien to remand the item to the Planning Commission with direction to draft a more narrow zone text amendment that would address this project and a limited number of other projects and consider whether or not to require public benefits

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

Noes: None.

Absent: Councilmember Krasne

CARRIED

***ITEM E-3: REMAND ITEM TO THE PLANNING COMMISSION WITH DIRECTION TO DRAFT A MORE NARROW ZONE TEXT AMENDMENT THAT WOULD ADDRESS THIS PROJECT AND A LIMITED NUMBER OF OTHER PROJECTS, AND CONSIDER WHETHER OR NOT TO REQUIRE PUBLIC BENEFITS***

***F. CONTINUED AND NEW BUSINESS***

None

***G. COMMISSION SYNOPSIS***

1. HEALTH AND SAFETY COMMISSION - Regular Meeting of June 22, 2015  
DESIGN REVIEW COMMISSION - Regular Meeting of July 2, 2015  
CULTURAL HERITAGE COMMISSION - Regular Meeting of July 8, 2015  
TRAFFIC AND PARKING COMMISSION - Special Meeting of July 9, 2015  
PLANNING COMMISSION - Regular Meeting of July 9, 2015  
ARCHITECTURAL COMMISSION - Regular Meeting of July 15, 2015  
HEALTH AND SAFETY COMMISSION - Regular Meeting of July 27, 2015

***ITEM G-1: NO ACTION TAKEN***

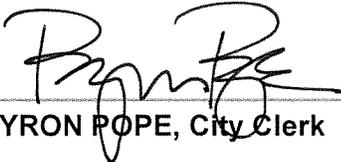
**H. OTHER BUSINESS**

None

**I. ADJOURNMENT**

There being no further business, Mayor Gold, with the consent of the City Council, adjourned the meeting adjourned at 9:40pm.

PASSED, Approved and Adopted  
this 18<sup>th</sup> day of August, 2015



BYRON POPE, City Clerk

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**JULIAN A. GOLD, M.D., MAYOR**

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