



**CITY OF BEVERLY HILLS
ADJOURNED REGULAR CITY COUNCIL MEETING
AND ADJOURNED REGULAR PUBLIC FINANCING MEETING
MINUTES
May 23, 2013**

The joint meeting of the Adjourned Regular City Council and Adjourned Regular Public Financing Authority meeting was held in the Council Chambers at 7:00pm.

A. ROLL CALLS

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

B. PRESENTATIONS

1. PROCLAMATION - Andrew Stevens, author of "Rebel With a Cause: The Amazing True Stories of an Urban Partisan in WWII"

This item was not taken.

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/Public Financing 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/Public Financing Authority.)

None

2. AUDIENCE COMMENTS. Any person wishing to address the City Council/Public Financing 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/Public Financing 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/Public Financing 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, Max Schwartz
2. Lior Shilly

3. REPORT FROM THE CITY MANAGER

* Team Beverly Hills - Gisele Grable, Community Services Administrator

Community Services Administrator Gisele Grable announced that the recruitment period for the Team Beverly Hills program is currently underway, and the deadline to submit applications is on June 13, 2013. She provided background information on the Team Beverly Hills program, and invited residents to apply.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

None

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

None

E. PUBLIC FINANCING AUTHORITY CONTINUED AND NEW BUSINESS

1. RESOLUTION OF THE CITY OF BEVERLY HILLS PUBLIC FINANCING AUTHORITY AUTHORIZING THE ISSUANCE OF LEASE REVENUE BONDS IN THE INITIAL PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,000,000 IN CONNECTION WITH THE REFINANCING OF CERTAIN LEASE REVENUE BONDS, AUTHORIZING AND DIRECTING EXECUTION OF AN INDENTURE, A PROPERTY LEASE, A SITE AND FACILITY LEASE, AND CERTAIN OTHER DOCUMENTS, AUTHORIZING THE NEGOTIATION FOR THE SALE OF BONDS, APPROVING AN OFFICIAL STATEMENT, AND AUTHORIZING OTHER RELATED ACTIONS. Comment: Staff recommends the Board of Directors of the City of Beverly Hills Public Financing Authority approve, authorize and execute certain bond (financing) documents and direct related actions in connection with the issuance of the City of Beverly Hills Public Financing Authority 2013 Lease Revenue Refunding Bonds, Series A (2003 Refunding Project), the proceeds of which will be used to refinance bonds issued to fund seismic retrofitting and other improvements to City Hall in 1993. The principal amount of the City of Beverly Hills Public Financing Authority 2013 Lease Revenue Refunding Bonds, Series A (2003 Refunding Project) will not exceed \$20,000,000.

Assistant Director of Administrative Services/Finance Noel Marquis presented a PowerPoint report showing information on the lease revenue bonds being refinanced, noting the City's AAA credit rating.

The Board asked how many more bonds the Public Financing Authority has and the interest rate.

MOVED by Director Krasne, seconded by Director Bosse to adopt Resolution E-1 as follows:

RESOLUTION OF THE CITY OF BEVERLY HILLS PUBLIC FINANCING AUTHORITY AUTHORIZING THE ISSUANCE OF LEASE REVENUE BONDS IN THE INITIAL PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,000,000 IN CONNECTION WITH THE REFINANCING OF CERTAIN LEASE REVENUE BONDS, AUTHORIZING AND DIRECTING EXECUTION OF AN INDENTURE, A PROPERTY LEASE, A SITE AND FACILITY LEASE, AND CERTAIN OTHER DOCUMENTS, AUTHORIZING THE NEGOTIATION FOR THE SALE OF BONDS, APPROVING AN OFFICIAL STATEMENT, AND AUTHORIZING OTHER RELATED ACTIONS

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

Noes: None.

CARRIED

ITEM E-1: ADOPTED RES# PFA-13-R-36

F. CITY COUNCIL CONTINUED AND NEW BUSINESS

1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF CERTAIN FINANCING DOCUMENTS AND DIRECTING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE REFINANCING OF CERTAIN LEASE OBLIGATIONS. Comment: Staff recommends the City Council of the City of Beverly Hills approve, authorize and execute certain bond (financing) documents and direct related actions in connection with the issuance of the City of Beverly Hills Public Financing Authority 2013 Lease Revenue Refunding Bonds, Series A (2003 Refunding Project), the proceeds of which will be used to refinance bonds issued to fund seismic retrofitting and other improvements to City Hall in 1993. The principal amount of the City of Beverly Hills Public Financing Authority 2013 Lease Revenue Refunding Bonds, Series A (2003 Refunding Project) will not exceed \$20,000,000.

This item was discussed jointly with Item E-1.

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

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF
CERTAIN FINANCING DOCUMENTS AND DIRECTING CERTAIN
RELATED ACTIONS IN CONNECTION WITH THE REFINANCING OF
CERTAIN LEASE OBLIGATIONS

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

CARRIED

ITEM F-1: ADOPTED RES# 13-R-12937

2. REVIEW OF QUESTIONS AND RESPONSES REGARDING THE APPROVED MASTER LICENSE AGREEMENT (MLA) WITH AT&T FOR INSTALLATION AND USE OF TELECOMMUNICATIONS ANTENNAS AND SUPPORTING EQUIPMENT ON LIGHT STANDARDS AND POLES. Comment: The staff report provides comprehensive responses to questions raised by the public on the MLA during the May 7, 2013 meeting for City Council review. The agreement was approved at the April 11, 2013 meeting and was executed by the City and AT&T.

Assistant City Manager Mahdi Aluzri provided a brief overview on the project, noting that the master license agreement was approved by the City Council on April 11, 2013. He discussed the predicted coverage and proposed node locations, oDAS node and wireless macro cabinet comparison, consideration of antenna placement on power poles, consideration of cabinet placement in alleys, landscaping to minimize appearance, CEQA exemptions, public outreach, and the next steps including reviewing plans and issuing permits for each site.

Mr. Aluzri and City Attorney Wiener explained the options available to Council regarding the contract extension and limitations on local control.

Speaking:

1. Marty Geimer
2. Ray Flade
3. Eli Blumenfeld
4. Nancy Blumenfeld
5. Pam Meadow
6. AJ Willmer
7. Debra Judelson
8. Zac Holland
9. Menashi Cohen
10. Thomas White, Municipal League of Beverly Hills

11. Chuck Aronberg
12. Ken Goldman

Councilmember Krasne addressed the issues raised by the public speakers such as Police Department involvement, CEQA, and health risks. She suggested the matter be brought to the Architectural Commission for review of the box landscaping and visibility obstruction. Councilmember Gold explained the reasons for supporting the item and reaffirmed his support. Councilmember Brien addressed health and safety concerns, the need for an independent review, and confirmed his support to move forward. Vice Mayor Bosse commented that it is the City's responsibility to listen to concerns raised by residents and make sure due diligence has been exercised.

Mr. Aluzri clarified that the independent analysis done by Psomas was technological in nature. City Attorney Wiener answered questions pertaining to what the City can do about re-negotiation of the contract and guarantee of performance. Mayor Mirisch agreed with Vice Mayor Bosse that it is the Council's responsibility to listen to residents' concerns and identify options available to the City.

Council agreed to move forward with the project and to form an Ad Hoc Committee to look into the possibility of conducting a study.

ITEM F-2: COUNCIL AGREED TO MOVE FORWARD WITH THE PROJECT AND FORM AN AD HOC COMMITTEE TO LOOK INTO THE POSSIBILITY OF CONDUCTING A STUDY

3. TRANSMITTAL OF WATER AD HOC COMMITTEE RECOMMENDED WATER UTILITY RATES FOR FISCAL YEAR 2013/2014. Comment: This item transmits the Water Ad Hoc Committee recommended water utility rates for FY 13/14. The City Council will consider a reduction of the potential increase in utility rates for FY 13/14.

Assistant Director of Administrative Services/Finance Noel Marquis provided a brief background report on the item, which was already discussed at the afternoon Study Session. He noted that staff recommends the proposed increase of 7% be reduced to 5%.

Councilmember Krasne supported lowering the rate putting the surplus into the reserve fund for Storm water. Gold agreed to lower the rate and take \$2.5M surplus to be applied to the Storm water Fund. Councilmember Brien expressed his support for the rate decrease and putting surplus money into the Storm Water Fund. He also explained in simple terms where the rate increase money goes and the processes involved. Vice Mayor Bosse commented on the City's AAA rating and expressed support for the staff recommendation. Mayor Mirisch indicated that it would be good if the rate can be lowered but he's not supporting the item.

City Attorney Wiener clarified that when the budget documents are brought back, there will be a resolution implementing Council's direction.

MOVED by Councilmember Gold, seconded by Vice Mayor Bosse to approve Item F-3 as follows:

TRANSMITTAL OF WATER AD HOC COMMITTEE RECOMMENDED WATER UTILITY RATES FOR FISCAL YEAR 2013/2014

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

Noes: Mayor Mirisch.

CARRIED

ITEM F-3: APPROVED

4. AUTHORIZATION FOR DEVELOPMENT OF AN ENHANCED WATERSHED MANAGEMENT PROGRAM FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT COMPLIANCE. Comment: Staff is seeking authorization to enter into development of an Enhanced Watershed Management Program jointly with all other Ballona Creek Watershed agencies for NPDES Permit compliance.

Senior Management Analyst Dan Cartagena presented a PowerPoint staff report providing background information. He discussed the NPDES permit, new permit requirements, new water quality standards, implementation methods for permit compliance, EWMP conceptual scheme, and the staff recommendation to pursue EWMP implementation plan.

Councilmember Krasne mentioned attending the Metropolitan Water District meeting. Council expressed their support for the item.

MOVED by Councilmember Krasne, seconded by Vice Mayor Bosse to authorize Item F-4 as follows:

AUTHORIZATION FOR DEVELOPMENT OF AN ENHANCED WATERSHED MANAGEMENT PROGRAM FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT COMPLIANCE

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

Noes: None.

CARRIED

ITEM F-4: DEVELOPMENT OF PROGRAM AUTHORIZED

5. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS PROVIDING A ONE YEAR COMPENSATION ENHANCEMENT TO THE CITY MANAGER. Comment: Pursuant to Section 3 of the City's agreement with the City Manager, this proposed resolution provides the City Manager with a onetime compensation enhancement of

\$7,500. This compensation enhancement will not affect the City Manager's base salary nor otherwise amend his employment agreement with the City. This item was continued from the May 7, 2013 meeting.

ITEM F-5: BY ORDER OF THE CHAIR, WITH NO OBJECTIONS, ITEM REMOVED FROM THE AGENDA

6. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS PROVIDING A COST OF LIVING ADJUSTMENT PURSUANT TO AGREEMENT NO. 266-07 WITH RICHARDS WATSON AND GERSHON FOR CITY ATTORNEY SERVICES. Comment: The resolution provides for the City Council to set July 1, 2013 cost of living adjustment pursuant to Section 2 of the Agreement at 1% plus a onetime payment \$10,000 which equals less than an additional one percent. This item was continued from the May 7, 2013 meeting.

City Attorney Wiener recused himself from this item and left the dais at 9:47pm.

City Manager Kolin provided an oral staff report.

MOVED by Councilmember Gold, seconded by Vice Mayor Bosse to adopt Resolution F-6 as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS PROVIDING A COST OF LIVING ADJUSTMENT PURSUANT TO AGREEMENT NO. 266-07 WITH RICHARDS WATSON AND GERSHON FOR CITY ATTORNEY SERVICES

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

Noes: Councilmember Krasne.

CARRIED

ITEM F-6: ADOPTED RES # 13-R-12938

G. PUBLIC FINANCING AUTHORITY CONSENT CALENDAR

MOVED by Director Krasne, seconded by Director Bosse to approve the item on the Public Financing Authority consent calendar

Minutes

1. CONSIDERATION OF THE MINUTES of the Public Financing Authority Meeting of January 8, 2013.

Vote on the Public Financing Authority:

Ayes: Director Krasne, Director Gold, Director Brien, Director Bosse, and Chair Mirisch.
Noes: None.

CARRIED

H. CITY COUNCIL CONSENT CALENDAR

MOVED by Vice Mayor Bosse, seconded by Councilmember Krasne to remove Item H-6 for discussion and put back on the consent calendar for approval with the rest of the items; approve all items and direct that the appropriate accounts be charged on Items H-4 and H-5

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Budget Study Session of May 7, 2013.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Study Session of May 7, 2013.
3. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of May 7, 2013.

Demands Paid

4. REVIEW OF BUDGETED DEMANDS PAID, report dated April 27 - May 10, 2013.
5. PAYROLL DISBURSEMENT REPORT, report dated May 23, 2013.

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING

None

APPROVAL OF:

6. MUNICIPAL LEAGUE OF BEVERLY HILLS CO-SPONSORSHIP REQUEST. Comment: Request from the Beverly Hills Municipal League for City to co-sponsor their 50th Anniversary Celebration to be held at Greystone Estate in June 2013.

Recreation Services Manager Brad Meyerowitz and Municipal League of Beverly Hills Chairman Thomas White answered Councilmember Gold's questions pertaining to the logistics of the Municipal League event being proposed.

This item was put back on the agenda for approval with the rest of the consent calendar items.

ITEM H-6: APPROVED

7. AN AGREEMENT WITH CMG BRANDS, LLC TO PROVIDE EXCLUSIVE LICENSING REPRESENTATION TO THE CITY. Comment: This agreement authorizes CMG Brands, LLC to serve as the City's exclusive licensing agent for the portfolio of the City's trademarks, including the Beverly Hills Shield Design trademark, which is owned by the City of Beverly Hills.

ITEM H-7: APPROVED AG# 183-13

8. AN AGREEMENT WITH NATIONAL URBAN FELLOWS, INC. FOR A CLASS OF 2014 FELLOW; AND APPROVAL OF A PURCHASE ORDER IN A NOT-TO-EXCEED AMOUNT OF \$70,000.00 TO NATIONAL URBAN FELLOWS, INC. FOR THESE SERVICES. Comment: Requests City Council approve an agreement with National Urban Fellows, Inc. for a class of 2014 fellow and approve a purchase order in the amount of \$70,000 for funding of the position.

ITEM H-8: APPROVED AG# 184-13

9. APPROPRIATION OF \$230,000 FROM THE SEIZED & FORFEITED PROPERTY FUND TO ENHANCE POLICE DEPARTMENT OPERATIONS. Comment: Seeks appropriation of restricted funds received as a result of asset seizures for overtime for narcotics investigations.

ITEM H-9: APPROVED

Vote on the City Council Consent Calendar:

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

CARRIED

I. COMMISSION SYNOPSIS

1. ARCHITECTURAL COMMISSION - Regular Meeting of April 17, 2013 TRAFFIC & PARKING COMMISSION - Regular Meeting of May 2, 2013 CHARITABLE SOLICITATIONS COMMISSION - Special Meeting of May 8, 2013 PLANNING COMMISSION - Regular Meeting of May 9, 2013 PUBLIC WORKS COMMISSION - Regular Meeting of May 9, 2013

ITEM I-1: NO ACTION TAKEN

J. OTHER BUSINESS

Study Session

Item A-2 - Recreation and Parks Commission Interview Panel Report

Council concurred with the Interview Panel's recommendation to appoint Frances Bilak to the Recreation and Parks Commissioner vacancy. The item will be on the June 4, 2013 City Council Formal meeting for adoption.

Item A-3 – Design Review Commission Reappointment

Council concurred with Liaison Councilmembers Brien and Krasne to reappoint Design Review Commissioner John Wyka to a second term of four years. The item will be on the June 4, 2013 City Council Formal meeting for adoption.

Item A-4 – Public Works Commission Reappointments

Council concurred with Council Liaisons Mayor Mirisch and Councilmember Krasne to reappoint Public Works Commissioners Barry D. Pressman, MD and Ron Shalowitz to a second term of four years each. The item will be on the June 4, 2013 City Council Formal meeting for adoption.

Item A-5 – Recreations and Parks Commission Reappointments

Council concurred with Liaison Councilmembers Gold and Krasne to reappoint Recreation and Parks Commissioners Howard Rosoff and Simon Friedman to a second term of four years each. The item will be on the June 4, 2013 City Council Formal meeting for adoption.

Item A-6 – Community Charitable Foundation Reappointment

Council concurred with Council Liaisons Vice Mayor Bosse and Councilmember Krasne to reappoint Community Charitable Foundation Resident Director Kathleen Rothner to a second term of four years, not three years as reported in the report. The item will be on the June 4, 2013 City Council Formal meeting for adoption.

Item A-7 - Update for the City Council on the Provision of an English as a Second Language Program Through the Recreation Division of the Community Services Department

Councilmember Krasne suggested having a coordinator to oversee the contract employees. Council directed staff to look into increasing the hour cap from 12 to 18, with

employees on a contract basis. Mayor Mirisch expressed his hope to expand the program to include other languages as well.

Closed Session

City Attorney Wiener announced that Council unanimously approved the settlement of a litigation matter in the amount of \$330,000 on the Shafrir v City of Beverly Hills, et al litigation case.

Budget Study Session

Information Technology

City Manager Kolin announced that Chief Information Officer David Schirmer is among the top ten CIOs nominated for recognition on June 5th at the Century Plaza.

Mr. Schirmer presented the Information Technology Department's budget information and one enhancement request. Council indicated their support for the budget enhancement.

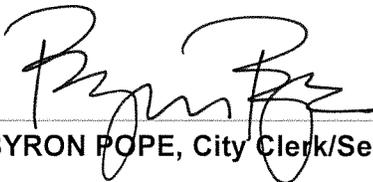
Community Services

Director of Community Services Steve Zoet presented a PowerPoint report on the Community Services Department budget information and budget enhancement requests. Council asked questions pertaining to the second Farmers market location, the RFID/AMHS program, cost savings as a result of the demolition of Roxbury Park, and library hours. Councilmember Brien asked staff to look at adding staff support in Greystone Mansion to coordinate various park activities and events. Vice Mayor Bosse requested staff to provide Council with information on what would be involved if the library opened at 9am. Mayor Mirisch expressed that his focus is on expanding library hours.

K. ADJOURNMENT

There being no further business, Mayor/Chair Mirisch, with the consent of the Council/Board adjourned the meeting at 11:25pm.

PASSED, Approved and Adopted
this 10th day of September, 2015



BYRON POPE, City Clerk/Secretary

JULIAN A. GOLD, MAYOR/CHAIR

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