



**CITY OF BEVERLY HILLS
CITY COUNCIL REGULAR MEETING
MINUTES
September 1, 2015**

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

PLEDGE OF ALLEGIANCE led by Councilmember Nancy Krasne

A. ROLL CALL

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

Absent: None

B. PRESENTATIONS

1. STEP-UP RECOGNITION - Donna Goldstein

Mayor Gold, along with the entire City Council, presented the Step-Up recognition certificate to Donna Goldstein for her volunteer services and philanthropic contributions to the community, and thanked Vice Mayor Mirisch for recommending her for the recognition.

2. 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 Bosse announced the Text BH feature to the community.

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.

None

3. REPORT FROM THE CITY MANAGER * Beverly Hills Ambassador Team Update - James Latta, Human Services Administrator

Human Services Administrator James Latta introduced Block by Block Regional Vice President Scott Crandall and Beverly Hills Ambassador Program Operations Manager Kris Zagyva. They provided an update on the pilot program's first month of operation, and a brief report on the accomplishments and successes to date, information on the deployment areas and hours of operation, statistics on ambassador contacts, return on investment, and hotline phone number to call.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

None

D. CITY COUNCIL CONSENT CALENDAR

FISCAL IMPACT REPORT

MOVED by Councilmember Krasne, seconded by Councilmember Bosse to remove Item D-5 for discussion, remove Items 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-3 and D-4

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Study Session of August 18, 2015.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of August 18, 2015.

Demands Paid

3. REVIEW OF BUDGETED DEMANDS PAID, report dated August 8 – August 21, 2015.

4. PAYROLL DISBURSEMENT REPORT, report dated September 1, 2015.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

5. AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO PROHIBIT ADULTS IN PLAYGROUNDS UNLESS ACCOMPANIED BY CHILDREN. First Reading – For Introduction. Comment: Addressing use of city park playgrounds.

Councilmember Krasne and Vice Mayor Mirisch requested an explanation on why the ordinance is being proposed. City Council directed that the item be returned to Council after being brought before the Recreation and Parks Commission.

ITEM D-5: DIRECTED THAT THE ITEM BE BROUGHT BEFORE THE RECREATION AND PARKS COMMISSION

6. AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING VEHICLE TEST DRIVES. First Reading – For Introduction. Comment: In response to resident concerns of vehicle test-driving in residential areas, this proposed ordinance requires auto-related businesses within the City of Beverly Hills to establish test drive routes that limit use of residential streets.

ITEM D-6: INTRODUCED AND READ BY TITLE ONLY; ADVANCE TO THE MEETING OF SEPTEMBER 10, 2015 FOR ADOPTION

7. AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING STAGE D WATER CONSERVATION REQUIREMENTS FOR EXTERIOR WASHDOWN OF BUILDINGS, VEHICLES, SIDEWALKS AND OUTDOOR DINING AREAS. Second Reading - For Adoption. Comment: This item amends the BHMC 9-4-304 regarding washing of building exteriors, sidewalks, ground floor outdoor dining areas and car washing under Stage D of the Water Conservation Plan.

ITEM D-7: ADOPTED; ORD# 15-O-2689

RESOLUTION:

8. AWARDING A CONTRACT TO SOUTH COAST PAINTING FOR THE BEVERLY CANON PARKING STRUCTURE PAINTING PROJECT AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND APPROVAL OF A PURCHASE ORDER TO SOUTH COAST PAINTING IN THE TOTAL AMOUNT OF \$199,900 FOR THE CONTRACT WORK. Comment: Recommends the adoption of the resolution awarding a contract for interior and exterior painting for the Beverly Canon Parking Structure at 438 N. Beverly Drive and 439 N. Canon Drive as part of the City's capital maintenance and improvements for the City's parking garages.

ITEM D-8: ADOPTED; RES# 15-R-13053; AG# 459-15

9. ESTABLISHING PREFERENTIAL PARKING PERMIT ZONE "L" ON THE 200

BLOCK OF NORTH OAKHURST DRIVE BETWEEN CLIFTON WAY AND DAYTON WAY. Comment: Resident petition to establish a parking regulation of "2-Hour Parking, 8 a.m. to 6 p.m., Monday through Saturday, Except by Permit."

Speaking:

1. David Kohanbash

MOVED by Councilmember Brien, seconded by Councilmember Bosse to adopt Resolution D-9 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
ESTABLISHING PREFERENTIAL PARKING PERMIT ZONE "L" ON
THE 200 BLOCK OF NORTH OAKHURST DRIVE BETWEEN
CLIFTON WAY AND DAYTON WAY

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

CARRIED

ITEM D-9: ADOPTED; RES# 15-R-13054

10. ACCEPTING A DONATION FROM THE FRIENDS OF THE BEVERLY HILLS PUBLIC LIBRARY FOR LIBRARY OPERATIONS IN THE AMOUNT OF \$20,070 AND APPROPRIATING FUNDS THEREFOR. Comment: This report asks the City Council to accept and appropriate funds donated to the Library by the Friends of the Beverly Hills Public Library in support of the delivery of materials to homebound seniors, to the Roxbury Library and pick up materials that are donated to the Library.

On behalf of the City Council, Mayor Gold thanked the Friends of the Beverly Hills Public Library for the donation.

MOVED by Mayor Gold, seconded by Councilmember Brien to adopt Resolution D-10 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
ACCEPTING A DONATION FROM THE FRIENDS OF THE BEVERLY
HILLS PUBLIC LIBRARY FOR LIBRARY OPERATIONS IN THE
AMOUNT OF \$20,070 AND APPROPRIATING FUNDS THEREFOR

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

CARRIED

ITEM D-10: ADOPTED; RES# 15-R-13055

APPROVAL OF:

11. ESTABLISHMENT OF A JOINT DECLARATION BETWEEN THE CITY OF BEVERLY HILLS AND STATE OF ISRAEL. Comment: It is recommended that the City Council adopt the Joint Declaration between the City of Beverly Hills and the State of Israel.

Senior Management Analyst Kevin Kearney announced that a ceremonial signing event of the adoption of the strategic partnership between the City of Beverly Hills and State of Israel will be taking place at the Wallis Annenberg Center for the Performing Arts on Tuesday, November 10, 2015. He introduced Consul General of the State of Israel in California David Seigel, who expressed his excitement to work with the City. Mayor Gold, and the entire City Council, thanked Mr. Siegel for his presence and Israel's partnership with the City.

MOVED by Councilmember Bosse, seconded by Councilmember Brien Comment: It is recommended that the City Council adopt the Joint Declaration between the City of Beverly Hills and the State of Israel.

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

Noes: None.

CARRIED

ITEM D-11: APPROVED

12. SECOND AMENDMENT OF LEASE BY AND BETWEEN THE CITY OF BEVERLY HILLS AND WINE SOCIETE, LLC AT 9400 S. SANTA MONICA BLVD. Comment: This amendment extends the term of the lease with Wine Societe dba Heritage Wine for an additional year, reduces the rent for the next 24 months, by \$1/SF from \$9,942.75 to \$8,488.75. The Tenant will also be responsible for investing \$34,896 on improvements and other items that benefit Tenant's business in the location.

ITEM D-12: APPROVED; AG# 460-15

13. AN AGREEMENT WITH ROSA LOWINGER & ASSOCIATES, FOR CONSERVATION TREATMENT AND MAINTENANCE OF OUTDOOR PUBLIC ART; AND APPROVAL OF A PURCHASE ORDER AND APPROPRIATION OF FUNDS FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$94,205 FROM THE FINE ART FUND. Comment: This is a three year agreement between the City and Rosa Lowinger and Associates for art maintenance and conservation. The agreement includes the cost to restore Joan Brown's Center Obelisk; Yayoi Kusama's Hymn of Life; as well as the annual maintenance for the City's art collection. The total contract amount is not-to-exceed \$94,205.

ITEM D-13: APPROVED; AG# 461-15

14. AN AGREEMENT WITH RTK ARCHITECTS, INC. FOR CONSULTANT DESIGN SERVICES RELATED TO THE BEVERLY GARDENS RESTROOM BUILDING AT CANON DRIVE; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$83,050 TO RTK ARCHITECTS, INC. FOR THE SERVICES. Comment: Recommends approval of the agreement for design services to replace the existing public restroom building in Beverly Gardens Park on Canon Drive to address the high volume of use during the past 30 years.

ITEM D-14: APPROVED; AG# 462-15

15. REQUEST FOR APPROPRIATION OF \$661,037 TO FUND FY15-16 CONSERVATION EDUCATION AND REBATE PROGRAMS. Comment: It is recommended that \$661,037 be appropriated to fund FY15-16 conservation education and rebate efforts through November 2015.

ITEM D-15: APPROVED

16. ACCEPTANCE OF THE CONTRACT WORK FOR THE 2013-2014 ON-CALL PAVING SPOT REPAIRS AND SIDEWALK, CURB AND GUTTER AND DRIVEWAY APPROACH SPOT REPAIRS BY ALL AMERICAN ASPHALT, IN THE FINAL AMOUNT OF \$2,529,138.20; AND AUTHORIZATION TO CITY CLERK TO RECORD NOTICE OF COMPLETION. Comment: Staff recommends that the City Council move to accept the described work with All American Asphalt, and authorize the City Clerk to record the Notice of Completion.

ITEM D-16: APPROVED

Vote on the City Council Consent Calendar:

Ayes: Councilmember Krasne, Councilmember Bosse, Councilmember Brien,
Vice Mayor Mirisch, and Mayor Gold.
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. PUBLIC HEARING REGARDING PROPOSED INCREASE TO RATES AND CHARGES FOR WATER SERVICES AND FACILITIES FURNISHED BY THE

CITY. Comment: The City is proposing two water rate increases of 5% each for FY15/16 in order to cover operational expenses and to continue to provide high quality and reliable water supply.

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 & Field Operations Trish Rhay presented a PowerPoint and oral report discussing the current risks and impacts, short and long-term action plan, rate strategies to address the costs, revenue trends, proposed rate increases, rate impact, bill impact, and schedule/timeline.

Mayor Gold noted that the City Council received 17 letters from residents opposing the water rate increase, including a letter from City of West Hollywood Assistant City Manager Sam Baxter on behalf of the City of West Hollywood City Council.

Speaking:

1. Lauren Meister, City of West Hollywood Mayor Pro Tempore, speaking as a City of West Hollywood resident
2. Peggy Goldberg
3. Irwin S. Field, Four Seasons North Condominiums
4. Tristram Buckley

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

In response to Councilmember Bosse's request as mentioned by public speakers, Interim City Manager Mahdi Aluzri addressed the City Hall landscaping and water conservation efforts. He also confirmed that the City of Beverly Hills' water savings is down by 40%. Councilmember Brien requested that information regarding the water rate increase be published online and on television in a simple and clear way so that water users will understand it.

There were no further questions from Councilmembers.

MOVED by Councilmember Brien, seconded by Councilmember Krasne to continue the Public Hearing to the City Council meeting of October 6, 2015

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

Noes: None.

CARRIED

ITEM E-1: PUBLIC HEARING CONTINUED TO THE CITY COUNCIL MEETING OF OCTOBER 6, 2015

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

2. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO ALLOW SYNTHETIC TURF IN RESIDENTIAL FRONT YARDS AND SET STANDARDS FOR SYNTHETIC TURF LOCATED IN STREET SIDE YARDS THAT ARE VISIBLE FROM THE PUBLIC RIGHT OF WAY AND ALL FRONT YARDS. First Reading – For Introduction. Comment: The proposed ordinance was reviewed by the Planning Commission on July 23, August 13, and August 19, 2015. The ordinance modifies the Municipal Code to allow synthetic turf in residential front yards and allow synthetic turf to count toward required landscaping. The ordinance also sets standards for synthetic turf located in street side yards that are visible from the public right of way and all front yards. The City Council will consider finding the Ordinance exempt from the environmental review requirements of CEQA pursuant to Section 15305 of Title 14 of the California Code of Regulations.

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 providing information regarding the Planning Commission's (PC) review of the item during its meetings, the goal, draft ordinance, process for approval, coverage requirements, turf material, installation, maintenance, additional change considered by PC, review period after two years and revision of ordinance based on review of installations, existing synthetic turf installations, changes to the draft ordinance, and PC and staff recommendations.

PC Chair Alan Robert Block indicated that PC's overall preference is natural grass but the criteria set forth by PC in the draft ordinance will provide a high standard for synthetic turf should Council choose to approve its use.

Mayor Gold read a letter of opposition from Thomas White into the record.

Speaking:

1. Gary Fogel
2. Terre Thomas
3. Mark Nicholls
4. Joe Vrankin, Turfscape
5. Chuck Aronberg

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

Mr. Gohlich, Interim City Manager Mahdi Aluzri, City Attorney Larry Wiener, Park and Urban Forest Manager Ken Pfazgraf, Community Development Director Susan Healy Keene, and PC Chair Block responded to Council questions pertaining to the number of residents who are already in the process of installing artificial turf in their property, policy on grandfathering previously installed turf, percentage of coverage, permit process guidelines, turf material standards, State Assembly Bill AB1164, existing turf installations, notification to residents, front yard/landscape total area requirement, change in policy after Stage D water conservation is over, permit costs, installation within the dripline of trees, landscape buffer in front of the house, difference between a ten and an eight-pound backing strength, artificial turf cleaning, provider and installer certifications, inspections, enforcement, retroactive permitting of previously installed turf, and parking on synthetic turf.

There were no further questions from Councilmembers.

City Attorney Wiener summarized the changes to the draft ordinance suggested by the Councilmembers.

MOVED by Councilmember Krasne, seconded by Councilmember Bosse to introduce and read by title only as amended, advance to the meeting of October 6, 2015 for adoption, Ordinance E-2 as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO ALLOW SYNTHETIC TURF IN RESIDENTIAL FRONT YARDS AND SET STANDARDS FOR SYNTHETIC TURF LOCATED IN STREET SIDE YARDS THAT ARE VISIBLE FROM THE PUBLIC RIGHT OF WAY AND ALL FRONT YARDS

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

Noes: Vice Mayor Mirisch.

CARRIED

ITEM E-2: INTRODUCED AND READ BY TITLE ONLY; ADVANCE TO THE MEETING OF OCTOBER 6, 2015 FOR ADOPTION AS AMENDED

F. CONTINUED AND NEW BUSINESS

None

G. COMMISSION SYNOPSIS

1. TRAFFIC & PARKING COMMISSION - Regular Meeting of August 6, 2015
DESIGN REVIEW COMMISSION - Regular Meeting of August 6, 2015
PLANNING COMMISSION - Regular Meeting of August 13, 2015

PLANNING COMMISSION - Special Meeting of August 19, 2015
HUMAN RELATIONS COMMISSION - Regular Meeting of August 20, 2015
FINE ART COMMISSION - Regular Meeting of August 20, 2015

ITEM G-1: NO ACTION TAKEN

H. OTHER BUSINESS

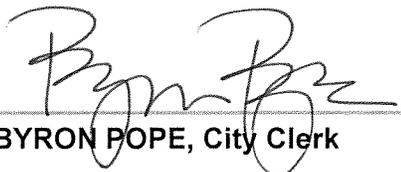
None

I. ADJOURNMENT

The next City Council Meeting will be held on September 10, 2015.

There being no further business, Mayor Gold, with the consent of the City Council, adjourned the meeting at 10:38pm to Thursday, September 10, 2015.

PASSED, Approved and Adopted
this 6th day of October, 2015



BYRON POPE, City Clerk

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.