



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

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

PLEDGE OF ALLEGIANCE led by Ron Stone

A. *ROLL CALL*

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

B. *PRESENTATIONS*

1. STEP UP RECOGNITION – Jodi and Doug Galen

Mayor Gold, along with the entire City Council, presented a Step-Up recognition certificate to Jodi Galen and Dr. Doug Galen in recognition of their volunteer work in the City. Jodi regularly volunteers for the Beverly Hills Unified School District and Doug donates his time and resources to Beverly Hills student athletes. The City Council thanked Assistant Principal Kevin Brown for nominating the Galens 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 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.

None

3. REPORT FROM THE CITY MANAGER

* El Nino Update - Pamela Mottice-Muller, Director of Emergency Management

Director of Emergency Management Pamela Mottice-Muller presented a short video and PowerPoint report update on the upcoming El Nino season in the state.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Mayor Gold and Vice Mayor Mirisch reported on their trip to New York last week with representatives from the Chamber of Commerce, the Conference and Visitors Bureau, the City's hotels and City staff as part of the New York Sales Mission.

D. CITY COUNCIL CONSENT CALENDAR

FISCAL IMPACT REPORT

MOVED by Councilmember Bosse, seconded by Councilmember Brien to approve all items on the City Council consent calendar, and direct that the appropriate accounts be charged on Items D-4 and D-5

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Study Session of October 20, 2015.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Special Study Session of October 20, 2015.
3. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of October 20, 2015.

Demands Paid

4. REVIEW OF BUDGETED DEMANDS PAID, report dated October 10 – 23, 2015.
5. PAYROLL DISBURSEMENT REPORT, report dated November 3, 2015.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

6. AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING OUTSIDE EMPLOYMENT. Second Reading - For Adoption. Comment: This ordinance amends the municipal code to require approval from the City Council before any department head level employee, City Manager, Assistant City Manager or Deputy City Manager engages in outside employment.

ITEM D-6: ADOPTED; ORD# 15-O-2693

RESOLUTION:

7. SUPPORTING ZERO WASTE PRINCIPLES AND THE CREATION OF A ZERO WASTE PLAN. Comment: Staff recommends that the City Council approve a resolution supporting the concept of zero waste and supporting the development of a zero waste plan.

ITEM D-7: ADOPTED; RES# 15-R-13057

APPROVAL OF:

8. A. AGREEMENT WITH MERCEDES BENZ OF BEVERLY HILLS FOR LOAN OF A MERCEDES BENZ VEHICLE (SEDAN) FOR USE IN THE POLICE DEPARTMENT'S COMMUNITY RELATIONS PROGRAM.

ITEM D-8A: APPROVED; AG# 566-15

B. AGREEMENT WITH MERCEDES BENZ OF BEVERLY HILLS FOR LOAN OF A MERCEDES BENZ VEHICLE (SEDAN) FOR USE IN THE POLICE DEPARTMENT'S COMMUNITY RELATIONS PROGRAM. Comment: Mercedes Benz of Beverly Hills has offered to loan two vehicles at no cost to the City in support of the Police Department's Community Relations Program.

ITEM D-8B: APPROVED; AG# 567-15

9. AMENDMENT NO. 1 TO AN AGREEMENT WITH DEBORAH JACOBS KANAFANI DBA BIZZY GIRLS TWEEN ENTREPRENEUR FOR SUMMER CAMP INSTRUCTION THROUGH THE CITY'S COMMUNITY SERVICES DEPARTMENT AT BEVERLY HILLS UNIFIED SCHOOLS; AND APPROVAL TO ISSUE A CHANGE ORDER FOR A NOT-TO-EXCEED AMOUNT OF \$30,000 FOR THE SERVICES

DESCRIBED ABOVE. Comment: Staff recommends that City Council approve the agreement amendment for vendor to provide additional camps and workshops for new total not-to-exceed amount of \$75,000. Staff further recommends that City Council approve a Change Order of \$15,000 for remainder of the fiscal year.

ITEM D-9: APPROVED; AG# 568-15

10. AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT NO. 2 TO AN AGREEMENT WITH ABLE BUILDING MAINTENANCE CO. FOR CUSTODIAL MAINTENANCE SERVICES; AND AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE PURCHASE ORDER IN THE NOT-TO-EXCEED AMOUNT OF UP TO \$122,173 TO ABLE BUILDING MAINTENANCE FOR THESE SERVICES. Comment: Staff recommends that the City Council authorize the City Manager to execute an Amendment No. 2 to the agreement between the City of Beverly Hills and ABLE Building Maintenance Company ("ABLE") for parking facility maintenance services and authorize the City Manager to approve a change purchase order for these services. Funds for this amendment are included for this fiscal year in the Parking Services fund.

ITEM D-10: APPROVED

11. APPROPRIATE FUNDS FROM BUDGET UNIT 490, VEHICLE REPLACEMENT FUND BALANCE, IN THE AMOUNT OF \$302,310.72 TO COMPLETE THE PURCHASE OF ONE (1) FREIGHTLINER M2 RESCUE AMBULANCE; AND APPROVAL OF A PURCHASE ORDER TO BRAUN NORTHWEST, INC. IN THE NOT-TO-EXCEED AMOUNT OF \$302,310.72 FOR PURCHASE OF ONE (1) FREIGHTLINER M2 RESCUE AMBULANCE. Comment: Staff recommends that the City Council appropriate funds from Budget Unit 490, Vehicle Replacement Fund Balance, in the amount of \$302,310.72 to complete a purchase order to Braun Northwest, Inc. in the not-to-exceed amount of \$302,310.72 for purchase of one (1) Freightliner M2 Rescue Ambulance.

ITEM D-11: APPROVED

12. APPROPRIATION OF \$60,000 FROM THE GENERAL FUND REVENUE TO FUND EQUIPMENT FOR FIVE NEW TRAFFIC CONTROL OFFICER VEHICLES. Comment: This appropriation will correct an oversight made by staff in the budgeting process and allow for the immediate purchase of five (5) Mobile Data Terminals (MDT's) for new Traffic Control Officer (TCO) Vehicles.

ITEM D-12: APPROVED

13. A PURCHASE ORDER TO WONDRIES FLEET GROUP FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$366,759.42 FOR PURCHASE OF ONE (1) HONDA POLICE DETECTIVE VEHICLE, ONE (1) DODGE POLICE DETECTIVE VEHICLE, TWO (2) FORD POLICE PATROL VEHICLES, THREE (3) CHEVROLET POLICE SUPERVISOR VEHICLES, TWO (2) TOYOTA COMMUNITY SERVICES VEHICLES AND ONE (1) FORD FIRE CHIEF OFFICER VEHICLE. Comment: Staff recommends that the City Council waive the bidding requirements and move to approve a purchase order in the amount of \$366,759.42 to Wondries Fleet Group for the purchase of

specified vehicles. Funding for this purchase is included in the Fiscal Year 2015-2016 Council-approved Department budget.

ITEM D-13: 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. A. AN ORDINANCE OF THE CITY OF BEVERLY HILLS APPLYING THE CITY'S MEDICAL USE OVERLAY ZONE TO THE PROPERTY LOCATED AT 300-336 NORTH CANON DRIVE. First Reading - For Introduction. B. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A PLANNED DEVELOPMENT PERMIT FOR MEDICAL USE ON THE PROPERTY LOCATED AT 300-336 NORTH CANON DRIVE. Comment: This is a request to apply the City's Medical Use Overlay Zone to the Rite Aid pharmacy located at 300-336 North Canon Drive. If approved, approximately 474 square feet of the existing building would be converted to a walk-in medical clinic.

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 project and its location, applications, the proposed medical clinic, the proposed public benefits, location of the proposed trees in upper level parking, items considered by the Planning Commission (PC) at their meeting such as medical use, traffic, parking, pedestrian orientation, and public benefits, project-specific conditions of approval and staff recommendation.

Speaking:

1. Elizabeth Camacho on behalf of Rite Aid
2. Lori Greene Gordon
3. Dr. Shari Able
4. Lester Friedman

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

Mr. Gohlich, Interim City Attorney David Snow, and City Manager Mahdi Aluzri responded to Council questions regarding Rite Aid's provision of clinical emergency and convenient care services, trees in the parking area, breakdown of upper and lower parking spaces, monitoring of security cameras, public benefits, clinic restroom, time of operations, changes with Walgreens acquiring Rite Aid, effect of medical office use on City taxes and City benefit, entitlements, zone changes and plan development permit, parking spaces, wellness concept and sale of tobacco/tobacco products, qualifications of clinical/oversight physician practitioners and peer review, malpractice insurance, and payment of services.

Councilmember Bosse suggested to Mr. Snow to make the public benefits language more clear and specific. Vice Mayor Mirisch recommended that the item be brought back to the Council once Walgreens has acquired Rite Aid and consider the conflict of tobacco sale with their wellness concept.

There were no further questions or comments from Councilmembers. It was the consensus of the City Council to remand the item back to the PC for consideration of further public benefits.

MOVED by Councilmember Brien, seconded by Councilmember Krasne to refer item back to the Planning Commission for consideration of further public benefits

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

Noes: Vice Mayor Mirisch.

CARRIED

ITEM E-1: REFER ITEM BACK TO THE PLANNING COMMISSION FOR CONSIDERATION OF FURTHER PUBLIC BENEFITS

F. CONTINUED AND NEW BUSINESS

1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS MODIFYING PREFERENTIAL PARKING PERMIT ZONE "AF" ON THE 100 BLOCK OF NORTH CARSON ROAD BETWEEN WILSHIRE BOULEVARD AND CLIFTON WAY. Comment: Resident petition to modify the 1-hour daytime permit parking regulation to "No Parking Anytime, Permit AF Exempt"

Transportation Planner Martha Eros presented a PowerPoint and staff report reviewing the current zone area, the results of the parking occupancy study conducted on August 6, 2015, map of the Wilshire Boulevard commercial district near Carson Road, results of parking counts at the parking structures and surface lots, the Traffic and Parking Commission (TPC) September 3rd meeting public comment results, correspondence received as of November 3rd and the TPC recommendation.

Speaking:

1. TPC Chair Lester Friedman on behalf of the Commission
2. Shirley and Aaron Reitman
3. Sid Elihu
4. Scott Zimmerman representing 8641 Wilshire LP

Deputy Director of Transportation Aaron Kunz responded to Council questions regarding passenger loading zone, occupancy level, and valet parking.

Councilmember Krasne recommended that the owner of 8641 Wilshire explore valet parking. Councilmember Bosse suggested that when moving forward with medical use building approvals that the City require free validated parking and parking for employees. Vice Mayor Mirisch suggested looking at the nearby restaurant's 14 parking spaces.

Council indicated their support for the TPC recommendation.

MOVED by Councilmember Brien, seconded by Councilmember Krasne to adopt Resolution F-1 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
MODIFYING PREFERENTIAL PARKING PERMIT ZONE "AF" ON THE
100 BLOCK OF NORTH CARSON ROAD BETWEEN WILSHIRE
BOULEVARD AND CLIFTON WAY

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

Noes: None.

CARRIED

ITEM F-1: ADOPTED; RES# 15-R-13058

2. A. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING STREETS DESIGNATED FOR HEAVY VEHICLE USE. First Reading - For Introduction. Comment: This ordinance amends the municipal code regarding streets designated for vehicles weighing 3 tons or more to provide a weight limit of 15,000 pounds on Rodeo Drive, Canon Drive, Bedford Drive, Brighton Way, Dayton Way and South Santa Monica Boulevard due to safety concerns.

Deputy Director of Transportation Aaron Kunz presented a PowerPoint and oral report discussing the heavy vehicle weight limit, the proposed modifications, vehicle types, active passenger loading zones, and staff recommendations.

Speaking:

1. Jason Lieber on behalf of Starline Tours, Inc.

Mr. Kunz, City Manager Mahdi Aluzri, and Human Services Administrator James Latta responded to City Council questions concerning the recommended vehicle types and weight limit, safety, street restrictions, LED display advertisements on trucks, additional Ambassadors on Beverly Drive, tour bus zone recommendation for the Beverly Hills Courthouse/North Burton Way on weekends.

The City Council supported amending the weight limit to 10,000 lbs.

MOVED by Councilmember Brien, seconded by Councilmember Bosse to introduce and read by title only, advance to the meeting of November 17, 2015 for adoption as amended, Ordinance F-2 as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING STREETS DESIGNATED FOR HEAVY VEHICLE USE

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

Noes: None.

CARRIED

ITEM F-2A: INTRODUCED AND READ BY TITLE ONLY; ADVANCE TO THE MEETING OF NOVEMBER 17, 2015 FOR ADOPTION AS AMENDED

B. ESTABLISH TOUR BUS ACTIVE PASSENGER LOADING ZONES. Comment: Provides an update on the feasibility of an active passenger loading zone on the west side of Crescent Drive between Brighton Way and Dayton Way; implementation of a pilot passenger loading zone on 200 North Beverly Drive with Block-by-Block Ambassadors managing vehicle and pedestrian activity, and weekends-only passenger loading zones on 400 North Crescent Drive and 9300 Burton Way.

MOVED by Councilmember Brien, seconded by Councilmember Bosse that the City implement a pilot passenger loading zone on the 200 block of North Beverly Drive, and weekends-only passenger loading zones on the 400 block of North Crescent Drive and the 9300 block of Burton Way

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

Noes: None.

CARRIED

ITEM F-2B: APPROVED THAT THE CITY IMPLEMENT A PILOT PASSENGER LOADING ZONE ON THE 200 BLOCK OF NORTH BEVERLY DRIVE, AND WEEKENDS-ONLY PASSENGER LOADING ZONES ON THE 400 BLOCK OF NORTH CRESCENT DRIVE AND THE 9300 BLOCK OF BURTON WAY

G. COMMISSION SYNOPSIS

1. TRAFFIC & PARKING COMMISSION - Regular Meeting of October 1, 2015
- RECREATION AND PARKS COMMISSION - Special Meeting of October 13, 2015
- CULTURAL HERITAGE COMMISSION - Regular Meeting of October 14, 2015
- HUMAN RELATIONS COMMISSION - Regular Meeting of October 15, 2015
- FINE ART COMMISSION - Regular Meeting of October 15, 2015
- ARCHITECTURAL COMMISSION - Regular Meeting of October 21, 2015
- PLANNING COMMISSION - Regular Meeting of October 22, 2015

ITEM G-1: NO ACTION TAKEN

H. OTHER BUSINESS

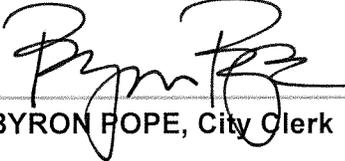
None

I. ADJOURNMENT

The next City Council Meeting will be held on November 17, 2015.

There being no further business, Mayor Gold, with the consent of the City Council, adjourned the meeting at 9:42pm.

PASSED, Approved and Adopted
this 17th day of November, 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.