CITY OF BEVERLY HILLS
JOINT CITY COUNCIL AND PARKING AUTHORITY MEETING
MINUTES
October 20, 2015

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

PLEDGE OF ALLEGIANCE

A. ROLL CALLS

Present: Krasne, Bosse, Brien, Mirisch, and Gold
Absent: None

B. PRESENTATIONS

1. 60-SECOND BUSINESS SHOUT-OUT – Beverly Hills Drink Company

Mayor Gold, along with the entire City Council, presented a 60-Second Business Shout-Out certificate to Beverly Hills Drink Company founder and president Jon Gluck, and thanked Jon Paul Puno for nominating the business for a shout-out. The company is the maker of Beverly Hills 90H20, the world's first sommelier-crafted water.

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.

Vice Mayor Mirisch 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/Parking 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/Parking Authority.)

None

2. AUDIENCE COMMENTS. Any person wishing to address the City Council/Parking 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/Parking 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/Parking 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. Michael Libow
2. Ellen Lutwak

3. REPORT FROM THE CITY MANAGER

None

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

None

D. PARKING AUTHORITY CONSENT CALENDAR

FISCAL IMPACT REPORT

MOVED by Director Bosse, seconded by Director Krasne to approve all items on the Parking Authority Consent Calendar by reference

Minutes

1. CONSIDERATION OF THE MINUTES of the Parking Authority meeting of June 30, 2015.

Other Business

APPROVAL OF:

2. AMENDMENT OF LEASE BY AND BETWEEN THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS AND GRANITE ESCROW SERVICES AT 439 N. CANON DRIVE, SUITE 220. Comment: Granite Escrow exercised their option to extend the term of the lease by five (5) years. The base rent will adjust from $3.85/SF to $4.10/SF effective March 21, 2016. The City will provide a onetime tenant improvement allowance of $31,730 (10/SF), and tenant will increase their security deposit by $1,269.20 to equal a full month of rent at the start of the extended term $13,009.30.

ITEM D-2: APPROVED; AG# PA-15-56

Vote on the Parking Authority Consent Calendar:

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

CARRIED

E. CITY COUNCIL CONSENT CALENDAR

FISCAL IMPACT REPORT

MOVED by Councilmember Krasne, seconded by Vice Mayor Mirisch to remove Item E-6 for separate vote, approve the remaining items on the City Council consent calendar, and direct that the appropriate accounts be charged on Items E-3 and E-4

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Study Session of October 6, 2015.

2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of October 6, 2015.

Demands Paid

3. REVIEW OF BUDGETED DEMANDS PAID, report dated September 26 – October 9, 2015.

4. PAYROLL DISBURSEMENT REPORT, report dated October 20, 2015.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

5. AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING OUTSIDE EMPLOYMENT. First Reading – For Introduction. Comment: This ordinance amends the municipal code to require approval from the City Council before any department head level employee engages in outside employment.

ITEM E-5: INTRODUCED AND READ BY TITLE ONLY; ADVANCE TO THE MEETING OF NOVEMBER 3, 2015 FOR ADOPTION

6. TO INCREASE RATES AND CHARGES FOR WATER SERVICES AND FACILITIES FURNISHED BY THE CITY. Second Reading - For Adoption. Comment: The City is proposing two water rate increases of 5% each for FY15/16 in order to cover operational expenses and provide high quality and reliable water supply.

MOVED by Councilmember Brien, seconded by Councilmember Krasne to adopt Ordinance E-6 as follows:

ORDINANCE OF THE CITY OF BEVERLY HILLS TO INCREASE RATES AND CHARGES FOR WATER SERVICES AND FACILITIES FURNISHED BY THE CITY

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

CARRIED

ITEM E-6: ADOPTED; ORD# 15-O-2692

RESOLUTION:

None

APPROVAL OF:

7. DESIGN REVIEW COMMISSION APPOINTMENT (ILONA SHERMAN). Comment: Appoints Ilona Sherman to the Design Review Commission for an initial two-year term.

ITEM E-7: APPROVED

8. AMENDMENTS TO CONFLICT OF INTEREST CODES FOR VARIOUS CITY DEPARTMENTS. Comment: Amends Conflict of Interest Codes to reflect new and deleted positions, and position title changes.

ITEM E-8: APPROVED

9. AGREEMENT WITH JONES HALL, A PROFESSIONAL LAW CORPORATION FOR SPECIAL COUNSEL SERVICES FOR THE ISSUANCE OF BONDS. Comment: A one year agreement with Jones Hall, A Professional Law Corporation, with two one year options to renew for special counsel services for the issuance of bonds related to projects reviewed by the Mayor's Finance Taskforce. Payment for disclosure services shall be at a flat fee of $40,000 and bond counsel services shall be based on a percentage of the principal amount of the bonds. These fees and expenses shall be entirely contingent, due and payable upon the delivery of the bonds, and shall be payable solely from the proceeds of the bonds and from no other funds of the City.

ITEM E-9: APPROVED; AG# 542-15

10. AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH 3M COMPANY FOR PURCHASE AND INSTALLATION OF MOBILE AUTOMATED LICENSE PLATE RECOGNITION SYSTEMS; AND APPROPRIATION OF $17,412.41 FROM THE SEIZED & FORFEITED PROPERTY FUND; AND APPROVAL OF A

PURCHASE ORDER WITH 3M COMPANY IN AN AMOUNT NOT TO EXCEED $78,312.41 FOR THE GOODS AND SERVICES. Comment: Funds received under the UASI 2014 grant and federal asset forfeiture program will be used to purchase three (3) new Automated License Plate Recognition (ALPR) units to be installed in Police Department patrol vehicles.

ITEM E-10: APPROVED

11. AN AMENDMENT TO THE MASTER SERVICES AGREEMENT AND ADDENDUM TO THE SERVICE ORDER AGREEMENT WITH XO COMMUNICATIONS, INC. Comment: The Amendment to the Master Services Agreement and Addendum to the Service Order Agreement provide for a 3-year extension to the existing Agreement. The City Council previously approved a purchase order for this Agreement in the amount of $100,000 for fiscal year 2015-16. The Amendment and Addendum also provide for discounted monthly service fees for network transport, internet services, and colocation services, and an automatic month-to-month renewal after the 3-year term to ensure business continuity for City operations.

ITEM E-11: APPROVED; AG# 543-15

12. AMENDMENT NO. 2 TO THE AGREEMENT WITH BRIT WEST SOCCER, INC. FOR YOUTH SPORTS CAMP AND CLASS INSTRUCTION SERVICES THROUGH THE CITY'S COMMUNITY SERVICES DEPARTMENT; AND APPROVAL TO ISSUE A CHANGE ORDER FOR A NOT-TO-EXCEED AMOUNT OF $62,000 TO THE EXISTING PURCHASE ORDER OF $43,000 TOTALING $105,000 FOR THE SERVICES DESCRIBED ABOVE. Comment: Staff recommends that City Council approved the amendment and associated change order for vendor to provide youth sports camp and class instruction.

ITEM E-12: APPROVED; AG# 544-15

13. AMENDMENT NO. 1 TO A PROFESSIONAL SERVICES AGREEMENT WITH GHD, INC. FOR ENGINEERING DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR THE FY 13/14 REHABILITATION/UPGRADING OF THE CITY OF BEVERLY HILLS' REVERSE OSMOSIS (R. O.) WATER TREATMENT PLANT (JOB NO. 10102); AND APPROVAL TO INCREASE THE PURCHASE ORDER TO GHD, INC. FOR ENGINEERING DESIGN AND CONSTRUCTION SUPPORT SERVICES IN THE AMOUNT OF $273,897; AND APPROPRIATION OF $273,897 FROM THE WATER FUND. Comment: Request for City Council's approval of an amendment to the Agreement with GHD, Inc. for the additional engineering design and construction support services and approval to increase the Purchase Order to GHD, Inc. in the amount of $273,897.

ITEM E-13: APPROVED; AG# 545-15

14. AMENDMENT NO. 1 TO THE AGREEMENT WITH HF&H CONSULTANTS, LLC FOR SERVICES RELATED TO WATER RATE EVALUATION AND RESTRUCTURING; APPROVAL OF A CHANGE PURCHASE ORDER IN THE AMOUNT OF $179,369 FOR A TOTAL NOT TO EXCEED AMOUNT OF $225,369 FOR THESE SERVICES; AND APPROVAL OF AN APPROPRIATION IN THE AMOUNT OF $179,369 FROM THE

WATER UTILITY FUND BALANCE. Comment: It is recommended that the City Council approve Amendment No. 1 between the City of Beverly Hills and HF&H Consultants, LLC for water rate evaluation and restructuring; approve a Change Purchase Order in the amount of $179,369 for a not to exceed amount of $225,369 for these services; and appropriate $179,369 from the Water Utility Fund Balance to fund the additional work required to complete the City's water rate structuring analysis.

ITEM E-14: APPROVED; AG# 546-15

15. A PURCHASE ORDER IN THE AMOUNT OF $100,000 FOR BRYAN CAVE, LLP FOR LEGAL COUNSEL SERVICES RELATED TO BEVERLY HILLS SHIELD DESIGN, TRADEMARK AND OTHER INTELLECTUAL PROPERTY MATTERS FOR FISCAL YEAR 2015-16. Comment: This purchase order provides for legal counsel services in connection with the maintenance and protection of Beverly Hills trademarks and other intellectual property.

ITEM E-15: APPROVED

16. A CHANGE ORDER TO A PURCHASE ORDER WITH GENERAL PUMP COMPANY FOR $580,583 FOR A NOT TO EXCEED AMOUNT OF $680,583. Comment: This item is requesting a change order to an existing FY 2015-16 Purchase Order with General Pump Company for $580,583 for a not-to-exceed amount of $680,583.

ITEM E-16: APPROVED

17. APPROVE AN APPROPRIATION IN THE AMOUNT OF $63,000 FROM THE GENERAL FUND FOR THE HOUSING UNIT RESTRICTED BY THE CITY OF BEVERLY HILLS FOR THE HOMELESS. Comment: A grant of $63,000 to Step Up On Second Street, Inc. in exchange for the Conditions, Covenants and Restrictions (the CC&Rs) executed by The Tammy Apartments, LLC for 1146-1148 Tamarind Avenue in Los Angeles.

ITEM E-17: APPROVED

Vote on the City Council Consent Calendar:

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

CARRIED

F. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

None

G. CONTINUED AND NEW BUSINESS

1. UPDATE TO THE CITY COUNCIL ON PROPOSED CONSTRUCTION AT THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT SCHOOLS AND IMPACTS THE CONSTRUCTION WILL HAVE ON CITY PROGRAMMING. Comment: Through the Joint Powers Agreement, the City makes use of various School District facilities for a variety of activities, including youth sports and classes. This report will summarize the proposed construction activities at the various schools and the impacts that the construction will have on City related programming.

Mayor Gold provided a brief background and the framework for the discussion of the item. Assistant Director of Community Services/City Librarian Nancy Hunt Coffey presented a PowerPoint and oral report on the background of the joint powers agreement (JPA) between the City of Beverly Hills and the Beverly Hills Unified School District (BHUSD), selected provisions from the JPA, City use of BHUSD facilities, and El Rodeo proposed interim staff/teacher parking and parking options.

Speaking:

1. Howard Goldstein, BHUSD Boardmember
2. Steve Kessler, BHUSD Superintendent
3. Nooshin Meshkaty
4. AJ Willmer

City Council asked questions and commented on the following issues: various constructions being undertaken simultaneously by the BHUSD, El Rodeo parking and trenching, JPA provisions, classroom size and maximum capacity, green space, parking availability, public outreach and residents' input/feedback, timeline of constructions, loss of use of BHUSD facilities and displacement alternatives as well as impacts to City programs, courtesy noticing to the City, Scout House, bond measure and increase in taxes, lack of plans, prioritizing children's education in the City, and no rash actions before School Board elections.

Councilmember Krasne requested that information be provided to Council on the costs and funding by the City of the various constructions being undertaken by the BHUSD. Councilmember Bosse requested that feedback from residents and businesses be obtained. Councilmember Brien requested that the BHUSD give the City 90 days courtesy notice before voting on any substantial construction that will impact the City.

ITEM G-1: NO ACTION TAKEN

2. RECOMMENDATIONS BY THE RECREATION AND PARKS COMMISSION ON DOG PARK DESIGN, AMENITIES, POLICIES AND OPERATIONS AND REQUEST FOR DIRECTION ON NEXT STEPS. Comment: It is recommended that the City

Council review the proposed design concepts and provide direction to staff regarding the desired design and operations for the Foothill/Alden Dog Park.

Assistant Director of Community Services/City Librarian Nancy Hunt Coffey and Assistant Director of Community Development/City Planner Ryan Gohlich presented a PowerPoint and oral report reviewing the public meetings and feedback, environmental review process, proposed location, park utilization and operation recommendations (licensing and spay/neutering of dogs, permitting and residency, controlled access system, allowable number of dogs, no dog breed restrictions, hours of operation, staffing, rules of use, annual fees, and sunset clause). RTK Architects Principal Mandana Motahari presented a diagram of the proposed park, and discussed the site study and design plans. Ms. Hunt Coffey discussed the budget, recommended design option details, parking, liability, and fiscal impact.

Recreation and Parks Commission (RPC) Chair Simone Friedman briefly addressed the Council on the work that the RPC did on the dog park. Mayor Gold and the City Council thanked the Commission for their hard work.

Speaking:

1. Alma Ordaz
2. Lois Hirt
3. Franny Rennie
4. Richard Sherman
5. Jerry Sweet
6. Deborah Frank
7. Harvey Englander
8. Darryl Kam
9. Vera Markowitz
10. Ori Blumenfeld
11. Alan and Michelle Kaye
12. Larry Sarokin
13. Tracy Jones on behalf of Tina Sinatra
14. Barry Novak
15. Pauli Moss
16. Dorothy Weiss
17. Ralph Goldstein, Yin BH
18. Jon Paul Puno
19. Avromie Schnitzer
20. June Brenner
21. William Brenner, MD
22. Tammy Weisman
23. Teri Austin, The Amanda Foundation
24. Michael Chill
25. Jackie Qeuh
26. Rob Gaudio, Pussy & Pooch
27. Sharka DiVito
28. Curt Eddy
29. Lou Milkowski
30. Jon Bosse

31. Joel Reims
32. Kathy Reims
33. Marc Saleh
34. Marcia Hobbs
35. Annette Saleh
36. Ronald Richards
37. Alan Block
38. Michael Baum
39. Michael Rosenberg
40. Nancy London
41. Nooshin Meshkaty
42. Ilona Sherman
43. Ilona Sherman on behalf of Dr. John Winters
44. Mendel Shusterman, Chabad of Beverly Hills
45. Bill Crowe
46. Rabbi Pini Dunner, Young Israel of Beverly Hills
47. Michael Novack
48. Laurie Ackerman
49. Kathi Rothner, California Association of Recreation & Parks Commissioners
50. Elizabeth Ebrahimian's letter read by Frances Bilak
51. Scott McIntosh
52. Dr. Sharon Ignarro
53. Paul DiVito
54. Ladan Linda Kadisha, comments read by Mayor Gold
55. Ben Reiss
56. Kimberly Reiss
57. Marjan Zohoury's letter read by Councilmember Brien
58. Ryan Zohoury's letter read by Councilmember Brien
59. Julia Zohoury's letter read by Councilmember Brien
60. Michael Naim
61. Benjamin Thompson
62. Susan Marlow
63. Denita Huerta
64. Paul Aslan

Mayor Gold read letters into the record from:

65. Melisa Beck
66. Joan Lopatin
67. Todd Johnson, Beverly Hills Chamber of Commerce

Councilmember Bosse read letters into the record from:

68. Hillary Hartman
69. Deborah Sarokin
70. David Weisberg
71. Murray Fischer
72. Sandra Wilder
73. Noah Margo

Ms. Hunt Coffey, Ms. Teri Austin, Project Manager Stuart Sam, City Manager Mahdi Aluzri, and Assistant City Attorney David Snow responded to Council questions pertaining to dogs being on a leash, solid barrier underneath the decomposed granite, dog sign in, dog park location, size, and entrance, dog spaying/neutering requirement, Ficus trees, use of park ranger for enforcement, parking availability, hours of operation, incidents of dog bites, help for people with fear of dogs, businesses opposed to the dog park, timeline, traffic mitigation, funding for park enhancements, restrooms, number of public meetings and the process, metal grates/tree sealing/arsenic barrier, meetings with synagogue leadership/dialogue on the mitigation of issues, restriction on number of dogs in the park, rules on enforcement, control access system, annual fees, Sunset clause, trial period, walking path, walls and fencing, use of park by non-residents, ADA compliance, dog microchipping, dog camera/app to aid in planning, green space, adequate lighting, and charging for the use of the park.

Councilmember Krasne indicated that this location is a "placeholder" location for her and that she prefers the permanent location be at Orange Grove in Coldwater Canyon Park. Councilmember Brien requested that the Mayor put together a Committee to sit down with the synagogue leadership to discuss their concerns.

Councilmember Brien left the meeting at 12:13am on October 21, 2015.

Councilmember Krasne left the meeting at 12:24 am on October 21, 2015.

ITEM G-2: CITY COUNCIL PROVIDED FEEDBACK AND COMMENTS ON THE PROJECT AND DIRECTED STAFF TO PROCEED WITH THE BASE DESIGN OF THE PROJECT WITH ADDITIONS TO THE BASE TO BE DETERMINED

3. 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"

ITEM G-3: ITEM MOVED TO THE MEETING OF NOVEMBER 3, 2015

H. COMMISSION SYNOPSIS

1. HEALTH AND SAFETY COMMISSION - Regular Meeting of September 28, 2015
DESIGN REVIEW COMMISSION - Regular Meeting of October 1, 2015
CHARITABLE SOLICITATIONS COMMISSION - Special Meeting of October 6, 2015
PUBLIC WORKS COMMISSION - Regular Meeting of October 8, 2015
PLANNING COMMISSION - Regular Meeting of October 8, 2015

ITEM H-1: NO ACTION TAKEN

I. OTHER BUSINESS

None

J. ADJOURNMENT

The next City Council Meeting will be held on November 3, 2015.

There being no further business, Mayor/Chair Gold, with the consent of the City Council/Parking Authority, adjourned the meeting at 12:26am on October 21, 2015.

PASSED, Approved and Adopted
this 5th day of January, 2016

for **BYRON POPE, City Clerk/Secretary**

JULIAN A. GOLD, M.D., MAYOR/CHAIR

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