



**CITY OF BEVERLY HILLS
CITY COUNCIL REGULAR MEETING
MINUTES
February 2, 2016**

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

PLEDGE OF ALLEGIANCE led by Ken Goldman

A. ROLL CALL

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

B. PRESENTATIONS

1. STEP-UP RECOGNITION – Michael J. Libow

Mayor Gold, along with the entire City Council, presented a Step Up recognition certificate to Michael Libow, realtor and owner of the Beverly Hills historic landmark Witch's House, for his support and contributions to the Beverly Hills Education Foundation (BHEF), the library, Beverly Hills Garden Park and many other local causes. Mayor Gold thanked the BHEF for nominating Mr. Libow 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 (31) 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.)

1. Alma Ordaz

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. Ken Goldman, Southwest Beverly Hills HOA
2. Christine Montgomery

3. REPORT FROM THE CITY MANAGER

None

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Vice Mayor Mirisch reported that he attended a DMV Workshop on autonomous vehicles today with Deputy City Manager Cheryl Friedling.

Mayor Gold announced that the North Homeowners Association and The Municipal League of Beverly Hills hosted a Town Hall Meeting on January 27th in the Council Chamber to discuss issues surrounding Parcels 12 and 13, and as a follow up, the City Council has decided to move forward in two ways: (1) City Manager Mahdi Aluzri will present an outline of the issues that were raised and timeline for a plan to address the issues at the next City Council meeting on February 16th; and (2) there will be a Committee, composed of Mayor Gold, Vice Mayor Mirisch, and two residents each appointed by Councilmembers, that will collect and look at information.

Mayor Gold reported on his participation as City of Beverly Hills Boardmember to the Independent Cities Association Winter Seminar in Santa Barbara on January 29-31, 2016.

D. CITY COUNCIL CONSENT CALENDAR

FISCAL IMPACT REPORT

MOVED by Councilmember Krasne, seconded by Councilmember Bosse to approve all items on the City Council consent calendar, and direct that the appropriate accounts be charged on Items D-2 and D-3

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of January 26, 2016.

Demands Paid

2. REVIEW OF BUDGETED DEMANDS PAID, report dated January 16 – 22, 2016.
3. PAYROLL DISBURSEMENT REPORT, report dated February 2, 2016.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTION:

4. AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF A GRANT UNDER THE FISCAL YEAR 2014 STATE HOMELAND SECURITY PROGRAM (SHSP-14) INITIATIVE FOR DISASTER PREPAREDNESS AND RESPONSE ACTIVITIES TRAINING AND APPROPRIATING FUNDS THEREFOR. Comment: The Fire Department has been awarded \$4,932.00 to train its safety personnel for disaster preparedness and response exercises. The training encompasses an operational urban area search and rescue (USAR) mobilization exercise. It also simulates an earthquake scenario and various USAR related conditions. The City will be reimbursed by the County of Los Angeles for all authorized SHSP grant expenditures by the Fire Department.

ITEM D-4: ADOPTED; RES# 16-R-13066

5. MODIFYING PREFERENTIAL PARKING PERMIT ZONE "S" ON THE 100 BLOCK OF SPALDING DRIVE BETWEEN WILSHIRE BOULEVARD AND CHARLEVILLE BOULEVARD. Comment: Traffic and Parking Commission recommendation to add a Saturday permit parking regulation. With this modification, the regulation would be "No Parking, 8 am to 6 pm, Monday through Saturday, Except by Permit 'S'.

Mayor Gold announced that the City Council received a correspondence for the item.

ITEM D-5: ADOPTED; RES# 16-R-13067

APPROVAL OF:

6. ARCHITECTURAL COMMISSION APPOINTMENT (SHARON PERSOVSKI). Comment: Appoints Sharon Persovski to the Architectural Commission for an initial two-year term.

ITEM D-6: APPROVED

7. AGREEMENT WITH PCR SERVICES CORPORATION TO PROVIDE AIR QUALITY (DUST) MONITORING SERVICES AT THE VACANT SITE OF 9900 WILSHIRE BOULEVARD; AND AUTHORIZE A PURCHASE ORDER APPROVAL IN THE AMOUNT OF \$220,000 FOR PROFESSIONAL CONSULTING SERVICES. Comment: Staff requests that Council approve an agreement and a purchase order with PCR Services Corporation for dust monitoring services at the vacant site of 9900 Wilshire Boulevard project. This cost will be reimbursed by the developer with no fiscal impact to the City.

ITEM D-7: APPROVED; AG# 23-16

8. THE AWARD OF CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, BON AIR, INC. FOR THE COOLING TOWER REPLACEMENT FOR THE CENTRAL PLANT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND APPROVAL OF A PURCHASE ORDER TO BON AIR, INC. IN THE TOTAL AMOUNT OF \$438,000 FOR THE CONTRACT WORK. Comment: Replacement of 3 failing cooling towers on the roof of the Police Department that supply HVAC to City Hall, Library and the Police Dept.

ITEM D-8: APPROVED; AG# 24-16

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. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING BEVERLY HILLS MUNICIPAL CODE SECTIONS 10-3-2804(B) AND 10-3-2850 REGARDING THE HEIGHT LIMITS FOR ADDITIONS TO LEGALLY NONCONFORMING BUILDINGS IN MULTIPLE-FAMILY RESIDENTIAL ZONES. First Reading - For Introduction. Comment: Ordinance proposed by the owner of a multi-family residential building at 310 N. Crescent Drive to amend the code to allow expansions of existing penthouse units to match existing, legally nonconforming height.

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

Assistant Community Development Director/City Planner Ryan Gohlich presented the PowerPoint and oral report showing the roof plan, and discussed the chronology of this item, the revised language to the zone text amendment and staff recommendation.

Planning Commission Chair Alan Block commented that the Commission did not think there would be any adverse impact but there should be a public benefit if there will be an increase in the height of a nonconforming use.

Speaking:

1. Scott R. Jackman, Berding Weil
2. Steve Webb, representing applicant

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

Mr. Gohlich responded to Council questions pertaining to remodeling and asbestos abatement, apartment to condominium conversion, public benefit, construction costs, additional increase in the value of the building (sq. ft. charge/year), and any changes to the project from when it was first presented to the City Council.

Vice Mayor Mirisch asked whether a provision can be added for an additional payment to the affordable housing fund as a public benefit in the event the building is sold as a condominium.

There were no further questions or comments from Councilmembers.

MOVED by Councilmember Bosse, seconded by Councilmember Brien to introduce and read by title only, advance to the meeting of February 16, 2016, Ordinance E-1 as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING BEVERLY HILLS MUNICIPAL CODE SECTIONS 10-3-2804(B) AND 10-3-2850 REGARDING THE HEIGHT LIMITS FOR ADDITIONS TO LEGALLY NONCONFORMING BUILDINGS IN MULTIPLE-FAMILY RESIDENTIAL ZONES

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

CARRIED

ITEM E-1: INTRODUCED AND READ BY TITLE ONLY, ADVANCE TO THE MEETING OF FEBRUARY 16, 2016 FOR ADOPTION

F. CONTINUED AND NEW BUSINESS

1. A. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BEVERLY HILLS AND THE MUNICIPAL EMPLOYEES' ASSOCIATION (FULL-TIME UNIT). Comment: The Memorandum of Understanding with the Municipal Employees Association (Full-Time) expired September 30, 2015. Negotiations have now concluded and the process required by Article 5 of Title 2, Chapter 5 of the Beverly Hills Municipal Code for adopting a memorandum of understanding has been completed, resulting in a new four year term agreement for Council approval.

B. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BEVERLY HILLS AND THE MUNICIPAL EMPLOYEES' ASSOCIATION (PART-TIME UNIT). Comment: The Memorandum of Understanding with the Municipal Employees Association (Part-Time) expired September 30, 2015. Negotiations have now concluded and the process required by Article 5 of Title 2, Chapter 5 of the Beverly Hills Municipal Code for adopting a memorandum of understanding has been completed, resulting in a new four year term agreement for Council approval.

C. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BEVERLY HILLS AND THE SAFETY SUPPORT ASSOCIATION. Comment: The Memorandum of Understanding with the Beverly Hills Safety Support Association expired September 30, 2015. Negotiations have now concluded and the process required by Article 5 of Title 2, Chapter 5 of the Beverly Hills Municipal Code for adopting a memorandum of understanding has been completed, resulting in a new four year term agreement for Council approval.

D. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BEVERLY HILLS AND THE CONFIDENTIAL EMPLOYEES' ASSOCIATION. Comment: The Memorandum of Understanding with the Confidential Employees Association expired September 30, 2015. Negotiations have now concluded and the process required by Article 5 of Title 2, Chapter 5 of the Beverly Hills Municipal Code for adopting a memorandum of understanding has been completed, resulting in a new four year term agreement for Council approval.

E. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BEVERLY HILLS AND THE SUPERVISORS' ASSOCIATION. Comment: The Memorandum of Understanding with the Beverly Hills Supervisors' Association expired September 30, 2015. Negotiations have now concluded and the process required by Article 5 of Title 2, Chapter 5 of the Beverly Hills Municipal Code for adopting a memorandum of understanding has been completed, resulting in a new four year term agreement for Council approval.

F. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BEVERLY HILLS AND THE MANAGEMENT AND PROFESSIONAL EMPLOYEES' ASSOCIATION. Comment: The Memorandum of Understanding with the Beverly Hills

Management and Professional Employees Association expired September 30, 2015. Negotiations have now concluded and the process required by Article 5 of Title 2, Chapter 5 of the Beverly Hills Municipal Code for adopting a memorandum of understanding has been completed, resulting in a new four year term agreement for Council approval.

Labor Negotiator Peter Brown presented a PowerPoint and oral report reviewing the procedure for adopting a memorandum of understanding, the Employee Associations with whom the city negotiated successor MOUs, the major components and additional terms of the renegotiated memoranda of understanding, and general changes for the renegotiated memoranda. He also briefly presented the four-year costs for each of the associations.

Vice Mayor Mirisch asked Mr. Brown to explain the Confidential Employee Association's 27 hours of administrative leave and overtime. He expressed concern about not meeting the two-week posting requirement. He commented that City salaries continue to be higher than that of the private sector and the City has not addressed the problem of unfunded liabilities and has not contributed to pension reform.

MOVED by Councilmember Brien, seconded by Councilmember Bosse to approve Item F-1 memoranda as follows:

A. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BEVERLY HILLS AND THE MUNICIPAL EMPLOYEES' ASSOCIATION (FULL-TIME UNIT).

B. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BEVERLY HILLS AND THE MUNICIPAL EMPLOYEES' ASSOCIATION (PART-TIME UNIT).

C. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BEVERLY HILLS AND THE SAFETY SUPPORT ASSOCIATION.

D. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BEVERLY HILLS AND THE CONFIDENTIAL EMPLOYEES' ASSOCIATION.

E. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BEVERLY HILLS AND THE SUPERVISORS' ASSOCIATION.

F. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BEVERLY HILLS AND THE MANAGEMENT AND PROFESSIONAL EMPLOYEES' ASSOCIATION.

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

Noes: Vice Mayor Mirisch.

CARRIED

ITEM F-1: APPROVED;

ITEM F-1A: MOU# 2016-12

ITEM F-1B: MOU# 2016-13

ITEM F-1C: MOU# 2016-14

ITEM F-1D: MOU# 2016-15

ITEM F-1E: MOU# 2016-16

ITEM F-1F: MOU# 2016-17

2. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING AND ADOPTING THE PAY SCHEDULE FOR ELECTED OFFICIALS AND CITY COUNCIL APPOINTED EMPLOYEES. Comment: Adoption of a salary schedule memorializing salaries for elected and City Council appointed employees pursuant to California Public Employees' Retirement System requirements

Interim City Attorney David Snow provided the staff report, noting that the pay schedule does not change the salaries of the positions but only memorializes the existing salaries.

Vice Mayor Mirisch expressed his opposition to the item.

MOVED by Councilmember Bosse, seconded by Councilmember Krasne to adopt Resolution F-2 as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
APPROVING AND ADOPTING THE PAY SCHEDULE FOR ELECTED
OFFICIALS AND CITY COUNCIL APPOINTED EMPLOYEES

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

Noes: Vice Mayor Mirisch.

CARRIED

ITEM F-2: ADOPTED; RES# 16-R-13068

G. COMMISSION SYNOPSIS

1. CULTURAL HERITAGE COMMISSION - Regular Meeting of January 13, 2016
ARCHITECTURAL COMMISSION - Regular Meeting of January 20, 2016

ITEM G-1: NO ACTION TAKEN

H. OTHER BUSINESS

None

I. ADJOURNMENT

The next City Council Meeting will be held on February 16, 2016.

There being no further business, Mayor Gold, with the consent of the City Council, adjourned the meeting at 8:40pm.

PASSED, Approved and Adopted
this 16th day of February, 2016


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.