



**CITY OF BEVERLY HILLS
CITY COUNCIL
ADJOURNED REGULAR MEETING
June 19, 2007**

The Adjourned Regular Meeting of the City Council of the City of Beverly Hills was held in the Council Chambers at 7:30 p.m.

PLEDGE OF ALLEGIANCE

A. ROLL CALL

Present: Councilmember Krasne, Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad
Absent: None

B. PRESENTATIONS

1. PROCLAMATION - Older American of the Year
- Irene Schwartz

Mayor Delshad proclaimed May, 2007 as Older American of the Year Month and presented Irene Schwartz with a proclamation in honor of her being recognized as the Older American of the Year in the City of Beverly Hills. On behalf of the Council, the Mayor expressed appreciation to Ms. Schwartz for her active role and outstanding dedication to the community.

2. CERTIFICATE OF APPOINTMENT - Planning Commission
- Lili Bosse
- Nanette Cole

Mayor Delshad presented Lili Bosse and Nanette Cole with Certificates of Appointment and congratulated them on their appointment to the Planning Commission.

3. "MEET THE STAFF" - Administrative Services
- Ariston Trompeta, Accounting Technician

Dr. Scott Miller, Chief Financial Officer, introduced Accounting Technician Ariston Trompeta. Ariston spoke about his upbringing, education and his position and responsibilities in the City's Finance division.

4. GREEN DAYS IN BEVERLY HILLS - Presentation
- European Business Council

Renato Romano spoke about the need for Beverly Hills to be a national leader in being a Green City. His wife, Alice Campbell Romano commented on the presenters for the Green Days in Beverly Hills on June 23 and 24, 2007 at Beverly Hills High School.

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.

1. David Hunt Stafford, Artistic Director for Theatre 40, mentioned the educational programs being offered to the Beverly Hills Unified School District and thanked the City Council for the FY 2007-2008 community assistance funding that will also incorporate funding for The Manor at Greystone program.

2. Susan Schmidt-Lackner commented about books she checked out of the Beverly Hills Library.

Mayor Delshad directed staff to review the issue.

3. Paul Bernstein expressed concern regarding library fees associated with reserving books.

4. Darian Bojeaux commented on the item on the Informal Agenda regarding Industrial Area (Entertainment District) developers.

Vice Mayor Brucker explained what the Council considered at the 3 p.m. meeting. Councilmember Briskman spoke about the noticing of City Council Meeting agenda items.

5. Frances Shloss voiced concern and spoke about the April 26 public hearing regarding Legacy Partners (9200 Wilshire), and the proposed Lexus dealership expansion projects.

3. REPORT FROM THE CITY MANAGER

City Manager Wood briefly reported on the status of the street repair and improvement program.

Director of Public Works and Transportation David Gustavson provided details of the maintenance repair program.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS - Did you know? :
- * Presentation - Certificate of Achievement for Excellence in Financial Reporting to Dr. Scott Miller
 - * Formation of the Logo Design Ad Hoc Committee - Mayor Delshad
 - * 2007 City Water Taste Test Results - Mayor Delshad

Mayor Delshad presented Dr. Scott Miller, Chief Financial Officer, with the Certificate of Achievement for Excellence in Financial Reporting, and congratulated the Administrative Services Department for this honor.

Mayor Delshad announced the City of Beverly Hills received Honorable Mention when it placed in the top 15 out of the 93 cities competing in the U.S. Conference of Mayors 2007 National City Water Taste Test competition.

Mayor Delshad mentioned the Westside Cities Council of Governments (COG) appointed Councilmember Linda Briskman as the Chair of the Council for a one-year term.

Mayor Delshad announced a press conference was held this morning for the inauguration of the new FlexPay Parking Meters on the 300 block of North Canon. He explained the concept, noting this is a test period and invited the community to try them out and provide the City feedback. The Mayor pointed out the Cities of Beverly Hills and West Hollywood have joined in partnership and are the only two cities testing this new technology.

Mayor Delshad announced the appointment of Vice Mayor Brucker and Councilmember Briskman as members of the Logo Design Ad Hoc Committee regarding the City Shield and logo.

**D. PUBLIC HEARING
TO SET:**

None

TO CONSIDER:

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

1. AN APPEAL OF THE PLANNING COMMISSION'S DECISION AND CONSIDERATION OF A REQUEST FOR A GENERAL PLAN AMENDMENT, A ZONING CODE AMENDMENT TO CREATE AN OVERLAY ZONE, A VESTING TENTATIVE TRACT MAP, A PLANNED DEVELOPMENT PERMIT, A DEVELOPMENT AGREEMENT AND AN ENVIRONMENTAL IMPACT REPORT TO ALLOW CONSTRUCTION OF A MIXED-USE PROJECT WITH 6,383 SQUARE FEET OF RETAIL/COMMERCIAL SPACE AND A MAXIMUM 25 RESIDENTIAL CONDOMINIUM UNITS FOR PROPERTY LOCATED AT 8600 WILSHIRE BOULEVARD (WILSHIRE COLONIAL PARTNERS LLC). Comment: At the September 19, 2006 hearing regarding the appeal of the Planning Commission's denial of this project, the City Council remanded the project back to the Planning Commission to review and revise the project's development standards. This item is returning with the Planning Commission's recommendation and staff requests that the City Council: a) review the Environmental Impact Report (EIR) for the project and direct staff to prepare a resolution to certify the EIR and b) provide direction to staff regarding whether or not the revised project is consistent with the City Council's direction provided at the appeal hearing on September 19, 2006.

Councilmember Krasne explained she sat on the Planning Commission and had discussed the quasi-judicial matters when this project was heard by the Commission, and for that reason she will recuse herself from the quasi-judicial matters that will be discussed this evening. She noted she will participate in the discussion of the legislative issues as participation in the legislative matters is not a conflict.

City Attorney Laurence Wiener recused himself from this discussion because he resides within approximately a 500 foot radius of the proposed project. Chief Assistant City Attorney Roxanne Diaz sat as counsel on this matter.

Mr. Wiener left the Chambers at 8:40 p.m.

The City Council took a five minute recess at 8:40 p.m. to allow the Mayor to

confer with Counsel regarding the format to allow Councilmember Krasne's participation, and reconvened at 8:45pm with all members present.

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

Community Development Director Vince Bertoni provided an overview of the project and the process that has taken place to date.

Senior Planner Donna Jerex discussed the specifics of the project. Ms. Jerex discussed the details of what the proposed project involves: demolition, construction, maximum residential, etc. She spoke about the Code amendments proposed for the site and noted the project history. Ms. Jerex showed details of the project on a PowerPoint presentation and noted the original site plan, the areas the Planning Commission was asked to address, the applicant's revised site plan, the original and revised elevations of the plans, supplement to the final Environmental Impact Report (EIR), the conclusions and summary table of the Planning Commission's requested changes.

Planning Commission Chair Noah Furie acknowledged the applicant's efforts in working with the Planning Commission and staff on the modifications of the project. Mr. Furie pointed out the areas left outstanding for decision, and requested that the Council approve the EIR and the project as submitted.

Speaking:

1. Mitchell Dawson, representing the applicant, spoke about the revisions to the project which include the option of affordable housing and he explained how this would be a benefit to the City. Mr. Dawson noted how the project is in substantial compliance with the prior recommendations of the City Council and the Planning Commission. He provided the details of the project and asked that issues such as landscaping, railings, planter boxes, roofing, etc. be remanded to the Architectural Commission with the Council's direction.

2. Edward Levin, representing Wilshire Colonial Partners, presented a PowerPoint presentation of the changes to the project. He mentioned the affordable units and the offset with a request for a third townhouse. Mr. Levin concurred that facade modulation, landscaping and other aesthetic items would better be determined and worked out with the Architectural Commission.

3. Virginia Maas read letters into the record from School Board members John Milan and Alissa Roston and from Christopher Bushee, President of the Beverly Hills Education Association, regarding affordable housing.

4. F. Salcedo expressed opposition to the project in his neighborhood.

5. Malcolm Orland, resident on S. Stanley Drive, noted the reasons he is opposed to the project.
6. Anatoly Balsim supported the project and mentioned it would be good for the businesses in the area.
7. Jim Simon spoke in opposition to this project.
8. Eileen Finizza, resident on S. Carson, stated she is not in favor of mixed use for small projects along Wilshire.
9. Teresa Frazer, resident on Carson, spoke in opposition to the project and identified many issues for consideration.
10. Lisa Wolfe stated why she is not in favor of the proposed project.
11. Bo Balsim, salon owner, stated she is in support of the project, and read a letter of support into the record from Gabriel, business owner adjacent to the proposed project.
12. Jeanne Bazilaushas, resident on S. Stanley Drive, spoke about this and other large projects in the area and the impact of traffic.
13. Christopher Bushee, President of the Beverly Hills Education Association, whose statement was read earlier into the record, introduced himself to the Council.

Mayor Delshad identified the parameters that would allow Councilmember Krasne to participate in this portion of the discussion (legislative matters such as zoning and General Plan).

The Councilmembers asked questions of the applicant's representatives and staff.

In response to a request for clarification regarding traffic generation, Traffic Consultant Terry Hayes stated a code complying commercial building would generate more traffic than the proposed project.

Councilmember Krasne left the chambers at 10:10 p.m.

Following discussion, the Council concurred with the Planning Commission's recommendations for 6,383 square feet of ground floor commercial uses (with refinement so that no high turnover uses are permitted); 14 excess parking spaces; removal of the Charleville driveway/entry; setbacks at the 4th and 5th floors and landscaping at the pedestrian level for the Wilshire building. The Council further directed the applicant to return with plans showing options for either two or three town home units for the Charleville frontage with pitched rooflines and individual styling, and with additional greenspace on Stanley Drive.

The Council consensus was to reserve the right to review three scenarios of the project before approval and directed staff to bring back renderings of the proposed changes to the second meeting in July.

The Mayor noted the public hearing will remain open, and this matter will be continued to the second meeting in July at which time the Development Agreement will also be considered.

Councilmember Krasne returned to the dais at 11:04pm. City Attorney Laurence Wiener returned to the dais at 11:05pm.

ITEM D1: BY ORDER OF THE CHAIR, THE PUBLIC HEARING WILL REMAIN OPEN AND WILL BE CONTINUED TO JULY 24, 2007

E. CONTINUED AND NEW BUSINESS

- 1A. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING THE OPERATING BUDGET AND FINANCIAL POLICIES FOR THE 2007/08 FISCAL YEAR AND APPROPRIATING FUNDS THEREFOR; AND,**

Dr. Scott Miller, CFO, provided the staff report for the budget items presented. Dr. Miller reviewed the information that has been discussed at four previous Budget Study Sessions. He noted that if the resolution is adopted approving the Operating Budget and financial policies, the Council must also approve the resolution adopting the Annual Appropriations Limits (Item E-1C).

MOVED by Councilmember Briskman, seconded by Councilmember Fenton to adopt Resolution E-1A as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING THE OPERATING BUDGET AND FINANCIAL POLICIES FOR THE 2007/08 FISCAL YEAR AND APPROPRIATING FUNDS THEREFOR

Ayes: Councilmember Krasne, Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad.

Noes: None.

CARRIED

ITEM E-1A: ADOPTED RES#07-R-12356

- 1B. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING THE CAPITAL IMPROVEMENT PROGRAM BUDGET FOR THE 2007/08 FISCAL YEAR AND APPROPRIATING FUNDS THEREFOR; AND,**

City Manager Wood explained the process involved in establishing the five-year Capital Improvement Budget (CIP).

Councilmember Fenton stated opposition to the granite sidewalks at the parking structures in the Capital Improvement Budget. Councilmember Krasne asked that items regarding certain properties on Foothill Road and the 400 North Crescent Drive Parking Study and Garage be pulled for discussion.

It was agreed by Council, to proceed with the granite for the Montage Hotel site (the City's portion) as committed and the remaining balance of the funds for granite will be placed in a suspension fund until further direction by the Council.

It was the consensus of the Council to leave the budgeted CIP monies with the Shipp property in the budget with the distinction that any decisions will come back to the Council for approval.

MOVED by Vice Mayor Brucker, seconded by Councilmember Krasne to adopt Resolution E-1B as amended as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
APPROVING THE CAPITAL IMPROVEMENT PROGRAM BUDGET FOR
THE 2007/08 FISCAL YEAR AND APPROPRIATING FUNDS THEREFOR

Ayes: Councilmember Krasne, Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad.
Noes: None.

CARRIED

ITEM E-1B: ADOPTED AS AMENDED RES#07-R-12357

- 1C.** RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR THE FISCAL YEAR 2007/08. Comment: It is recommended that the City Council adopt the resolutions approving the Operating Budget, Capital Improvement Program Budget, and Annual Appropriations Limit and appropriate funds for Fiscal Year 2007/08.

MOVED by Councilmember Briskman, seconded by Councilmember Fenton to adopt Resolution E-1C as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR THE FISCAL
YEAR 2007/2008.

Ayes: Councilmember Krasne, Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad.
Noes: None.

CARRIED

ITEM E-1C: ADOPTED RES#07-R-12358

- 2A. AN ORDINANCE OF THE CITY OF BEVERLY HILLS REGARDING THE CITY'S EMERGENCY ORGANIZATION AND DISASTER COUNCIL. For Introduction. Comment: Recommends adoption of the revised Emergency Services Ordinance which re-aligns the ordinance with State and Federal law and re-defines the Disaster Council and the Director of Emergency Services role, responsibilities and succession plan.

City Manager Wood provided the staff report for the three items.

MOVED by Vice Mayor Brucker, seconded by Councilmember Fenton to waive full reading and advance Ordinance E-2A to July 10, 2007 for adoption as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS REGARDING THE CITY'S EMERGENCY ORGANIZATION AND DISASTER COUNCIL.

Ayes: Councilmember Krasne, Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad.
Noes: None.

CARRIED

ITEM E-2A: WAIVE FULL READING AND ADVANCE TO JULY 10, 2007 FOR ADOPTION

- 2B. AN ORDINANCE OF THE CITY OF BEVERLY HILLS ESTABLISHING RESTRICTIONS ON EXCESSIVE AND UNJUSTIFIED INCREASES IN CONSUMER PRICES DURING A DECLARED EMERGENCY. For Introduction. Comment: Creates a new ordinance that codifies and expands certain provisions in the state law prohibiting excessive and unjustified increases of essential consumer goods and services when an emergency is declared.

MOVED by Vice Mayor Brucker, seconded by Councilmember Fenton to waive full reading and advance Ordinance E-2B to July 10, 2007 for adoption as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS ESTABLISHING RESTRICTIONS ON EXCESSIVE AND UNJUSTIFIED INCREASES IN CONSUMER PRICES DURING A DECLARED EMERGENCY.

Ayes: Councilmember Krasne, Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad.
Noes: None.

CARRIED

**ITEM E-2B: WAIVE FULL READING AND ADVANCE TO JULY 10, 2007
FOR ADOPTION**

- 2C.** A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS REGARDING WORKERS' COMPENSATION BENEFITS FOR REGISTERED DISASTER SERVICE WORKERS. Comment: This resolution revises and clarifies the authorizing body (the Disaster Council) to register disaster service workers.

MOVED by Councilmember Briskman, seconded by Councilmember Fenton to adopt Resolution E-2C as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
REGARDING WORKERS' COMPENSATION BENEFITS FOR
REGISTERED DISASTER SERVICE WORKERS

Ayes: Councilmember Krasne, Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad.

Noes: None.

CARRIED

ITEM E-2C: ADOPTED RES#07-R-12359

- 3A.** AN URGENCY ORDINANCE OF THE CITY OF BEVERLY HILLS PROHIBITING WOOD ROOF COVERINGS AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF. Comment: This Ordinance is an urgency ordinance that amends the City's regulations pertaining to wood roofs and will become effective immediately. The proposed ordinance is intended to reduce the risk of homes and other structures from being destroyed in a wildfire by requiring all new roofs to be of Class A assembly and not allowing wood to be used as a roof covering material.

Mayor Delshad mentioned this item was discussed at this afternoon's study session.

MOVED by Councilmember Briskman, seconded by Councilmember Fenton to waive full reading and adopt Urgency Ordinance E-3A as follows:

AN URGENCY ORDINANCE OF THE CITY OF BEVERLY HILLS
PROHIBITING WOOD ROOF COVERINGS AND AMENDING THE
BEVERLY HILLS MUNICIPAL CODE AND DECLARING THE URGENCY
THEREOF

Ayes: Councilmember Krasne, Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad.
Noes: None.

CARRIED

ITEM E-3A: ADOPTED ORD#07-O-2517

- 3B.** AN ORDINANCE OF THE CITY OF BEVERLY HILLS PROHIBITING WOOD ROOF COVERINGS AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Introduction. Comment: This permanent Ordinance amends the City's regulations pertaining to wood roofs. The proposed ordinance is intended to reduce the risk of homes and other structures from being destroyed in a wildfire by requiring all new roofs to be of Class A assembly and not allowing wood to be used as a roof covering material. To be set for 2nd reading (adoption) and public hearing on Tuesday, July 10, 2007 at 7:30pm.

MOVED by Councilmember Briskman, seconded by Councilmember Fenton to waive full reading and advance Ordinance E-3B to July 10, 2007 for public hearing and adoption as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS PROHIBITING WOOD ROOF COVERINGS AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE.

Ayes: Councilmember Krasne, Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad.
Noes: None.

CARRIED

ITEM E-3B: WAIVE FULL READING AND ADVANCE TO JULY 10, 2007 FOR PUBLIC HEARING AND ADOPTION

F. CONSENT CALENDAR

Moved by Councilmember Briskman, seconded by Vice Mayor Brucker to remove Items F-6 and F-7 and consider separately and approve all the remaining items on the consent agenda by reference and direct that the appropriate accounts be charged on Items F-4 and F-5.

Minutes

1. Consideration of the Minutes of the adjourned regular meeting of April 26, 2007.

2. Consideration of the Minutes of the regular meeting of May 1, 2007.
3. Consideration of the Minutes of the regular meeting of May 15, 2007.

Demands Paid

4. REVIEW OF BUDGETED DEMANDS PAID, report dated May 25 - June 13, 2007.
5. PAYROLL DISBURSEMENT REPORT, report dated June 19, 2007.

Other Business

6. PROHIBITING SMOKING IN OPEN AIR DINING AREAS AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. For Adoption. Comment: The proposed Ad Hoc Committee's ordinance prohibits smoking in open air dining areas located on private or public property including the public right-of-way to begin on October 1, 2007. An evaluation of the ordinance's impacts, if any, will be conducted based on data collected for the months of October, November and December. A report and public hearing, to receive input from the public, will be conducted no later than May 31, 2008.

This Item was pulled for public comment and a separate vote.

Speaking:

Rudy Cole spoke about the City of Burbank's ordinance, and suggested revisions to the ordinance for adoption this evening. Mr. Cole asked the Council to consider adding Cafe Roma to the cigar establishment's exception.

MOVED by Vice Mayor Brucker, seconded by Councilmember Fenton to adopt Ordinance F-6 as follows:

ORDINANCE OF THE CITY OF BEVERLY HILLS PROHIBITING SMOKING IN OPEN AIR DINING AREAS AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE.

Ayes: Councilmember Krasne, Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad.

Noes: None.

CARRIED

ITEM F-6: ADOPTED ORD#07-O-2518

7. AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES & CHARGES TO ADJUST UTILITY RATES FOR FISCAL YEAR 2007-2008. For Adoption. Comment: The City continually analyzes its costs so that it can provide high-quality utility services. Along with that cost analysis, the City regularly looks at its business practices to see if there are ways to operate more efficiently. The City also retains utility experts to help staff anticipate future services and facility needs, prepare for emergencies and determine adequate reserve funds. The proposed increases are based on those factors and are the minimum amount necessary to operate responsibly.

Councilmember Krasne indicated she would not be voting in support of this ordinance and for that reason it was considered separately.

MOVED by Councilmember Briskman, seconded by Councilmember Fenton to adopt Ordinance F-7 be adopted as follows:

AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES & CHARGES TO ADJUST THE UTILITY RATES FOR FISCAL YEAR 2007-2008

Ayes: Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad.
Noes: Councilmember Krasne.

CARRIED

ITEM F-7: ADOPTED ORD#07-O-2519

RESOLUTIONS APPROVING:

8. AN AGREEMENT WITH JEWISH FAMILY SERVICES FOR ADMINISTRATION OF THE CITY'S TAXI COUPON PROGRAM. Comment: Approves a one-year agreement with Jewish Family Services (JFS) in an amount not to exceed \$250,000 to administer the City's Taxi Coupon Program for senior and disabled residents.

ITEM F-8: ADOPTED RES#07-R-12360 AG#217-07

9. AMENDMENT NO. 2 TO AN AGREEMENT WITH EIP ASSOCIATES, A DIVISION OF PBS&J (FORMERLY EIP ASSOCIATES, INC.) FOR CONSULTANT SERVICES REGARDING THE COMPREHENSIVE GENERAL PLAN UPDATE AND ENVIRONMENTAL ASSESSMENT; AND APPROVING A CHANGE ORDER IN THE AMOUNT OF \$216,459 TO THE

PURCHASE ORDER TO EIP ASSOCIATES, A DIVISION OF PBS&J (FORMERLY EIP ASSOCIATES, INC.) FOR CONSULTANT SERVICES FOR A NOT-TO-EXCEED TOTAL OF \$1,023,734. Comment: Extends term from June 30, 2007 to June 30, 2008 to permit completion of projects, and increases contract amount to cover increased services requested during development of land use alternatives and draft citywide policies (\$19,450), and development of scope of work/budget for Economic Sustainability Strategy (\$153,982).

ITEM F-9: ADOPTED RES#07-R-12361 AG#218-07

- 10A.** AN AGREEMENT WITH THE BEVERLY HILLS COURIER PUBLISHING CO., LLC TO PROVIDE LEGAL ADVERTISING AND NOTICES. Comment: Awarding Bid No. 07-25 to The Beverly Hills Courier and approving an agreement for the publication of City of Beverly Hills legal advertising and notices.

ITEM F-10A: ADOPTED RES#07-R-12362 AG#219-07

- 10B.** AN AGREEMENT WITH BEVERLY HILLS WEEKLY TO PROVIDE LEGAL ADVERTISING AND NOTICES. Comment: Approving an agreement with the Beverly Hills Weekly for the publication of City of Beverly Hills legal advertising and notices.

ITEM F-10B: ADOPTED RES#07-R-12363 AG#220-07

- 11.** ADOPTING THE MEMORANDUM OF UNDERSTANDING WITH THE MUNICIPAL EMPLOYEES ASSOCIATION OF BEVERLY HILLS AND IMPLEMENTING THE COMPENSATION PLAN FOR PART-TIME EMPLOYEES. Comment: Comment: Adopting the Memorandum of Understanding between the Municipal Employees Association of Beverly Hills and the City of Beverly Hills and implementing the compensation plan for Part-Time employees.

ITEM F-11: ADOPTED RES#07-R-12364 AG#221-07

- 12A.** AN AGREEMENT WITH THE BEVERLY HILLS CHAMBER OF COMMERCE AND CIVIC ASSOCIATION FOR THE CHAMBER'S ECONOMIC DEVELOPMENT PROGRAM; AND, AUTHORIZATION OF A PURCHASE ORDER IN THE AMOUNT OF \$426,772 FOR ECONOMIC DEVELOPMENT PROGRAMS.

ITEM F-12A: ADOPTED RES#07-R-12365 AG#222-07

- 12B.** AN AGREEMENT WITH THE BEVERLY HILLS CHAMBER OF COMMERCE AND CIVIC ASSOCIATION FOR THE CHAMBER'S CONFERENCE AND VISITORS BUREAU; AND, AUTHORIZATION OF A PURCHASE ORDER IN THE AMOUNT OF \$2,136,000 FOR VISITOR ATTRACTION AND MARKETING PROGRAMS.

Comment: This item requests Council approval of two agreements with the Beverly Hills Chamber of Commerce for economic development services and for visitor attraction and marketing services; previously presented and discussed at the May 29, 2007 City Council Study Session.

ITEM F-12B: ADOPTED RES#07-R-12366 AG#223-07

13. AN AGREEMENT WITH RODEO DRIVE, INC. FOR THE DEVELOPMENT OF CITY'S SPECIAL EVENTS AND PROMOTIONAL PUBLICITY PROGRAMS; AND, AUTHORIZATION OF A PURCHASE ORDER IN THE AMOUNT OF \$370,000. Comment: This item requests Council approval of the agreement with Rodeo Drive, Inc. for the Walk of Style programs and the Concours D'Elegance car show, presented and discussed at the June 19, 2007 City Council Study Session.

ITEM F-13: ADOPTED RES#07-R-12367 AG#224-07

14. AN AGREEMENT WITH UTOPIA ENTERTAINMENT, INC. FOR HOLIDAY PROGRAM MANAGEMENT; AND, AUTHORIZATION OF A PURCHASE ORDER IN THE AMOUNT OF \$602,500 FOR HOLIDAY INSTALLATIONS AND PROGRAMMING. Comment: This item requests Council approval of the agreement with Utopia Entertainment for installation of the holiday decorations and implementation of other elements of the holiday program.

ITEM F-14: ADOPTED RES#07-R-12368 AG#225-07

15. AWARDING A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, WILLIAMS PIPELINE CONTRACTORS, INC. FOR SEWER IMPROVEMENTS IN FOOTHILL ROAD AND BURTON WAY FROM THIRD STREET TO OAKHURST DRIVE IN THE CITY OF BEVERLY HILLS, AND APPROVING THE PLANS AND SPECIFICATIONS THEREFOR, AND; APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$755,780 TO WILLIAMS PIPELINE CONTRACTORS, INC. FOR THE PROJECT. Comment: The existing sewer line in Third Street and Alden Drive is reaching its design capacity. Construction of the 15-inch sewer line will relieve these sewer lines from this condition.

ITEM F-15: ADOPTED RES#07-R-12369 AG#226-07

16. AWARDING A CONTRACT TO BBS CONSTRUCTION, INC. FOR FIRE STATION NO. 3 REMODEL AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$559,500 TO BBS CONSTRUCTION, INC. FOR THE CONTRACT WORK. Comment: Requests approval of contract to BBS Construction in the amount of \$508,500 and a contingency of \$51,000 to remodel the building interior, replace HVAC equipment and re-roof Fire Station No. 3, and approve a purchase order in the amount of \$559,500.

ITEM F-16: ADOPTED RES#07-R-12370 AG#227-07

17. AWARDING A CONTRACT TO BBS CONSTRUCTION, INC. FOR GREYSTONE MANSION ELECTRICAL AND PLUMBING RENOVATIONS AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$1,145,000 TO BBS CONSTRUCTION, INC. FOR THE CONTRACT WORK. Comment: Requests approval of contract to BBS Construction in the amount of \$995,000 and a contingency of \$150,000 to renovate the Greystone Mansion electrical and plumbing systems, including complete new electrical service (sized for all future needs), and to accommodate future food service requirements.

ITEM F-17: ADOPTED RES#12371 AG#228-07

18. AGREEMENT WITH THE DEPARTMENT OF WATER AND POWER OF THE CITY OF LOS ANGELES FOR WATER SYSTEM INTERCONNECTION AND WATER EXCHANGE. Comment: This agreement provides for the construction of an interconnection between the water supply systems of LADWP and the City of Beverly Hills on Monte Cielo Drive near La Fontaine Court. The interconnection will be used for a temporary supply of water in the event of an emergency. Funding for this project is budgeted in the CIP for FY 07-08.

ITEM F-18: ADOPTED RES#07-R-12372 AG#229-07

19. AN AGREEMENT WITH MATRIX CONSULTING GROUP FOR AN ORGANIZATIONAL AND MANAGEMENT ANALYSIS OF THE COMMUNITY DEVELOPMENT DEPARTMENT; AND APPROVAL TO ISSUE A PURCHASE ORDER IN THE NOT-TO-EXCEED AMOUNT OF \$89,900.00 FOR THE SERVICES. Comment: Requests approval of agreement for a comprehensive evaluation and analysis of the Community Development Department's developmental permit and land use entitlement processes and management or organizational systems resulting to recommendations that will improve and provide more efficiency in customer service, fiscal responsibility and work practices.

ITEM F-19: ADOPTED RES#07-R-12373 AG#230-07

20. AN AGREEMENT WITH CARL WALKER, INC. FOR CONSULTANT SERVICES RELATED TO A STRUCTURAL AND MAINTENANCE ASSESSMENT OF CITY OWNED PARKING FACILITIES; AND APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$101,700 TO CARL WALKER, INC. FOR THE CONSULTING WORK. Comment: Requests approval of a contract and issuance of a purchase order to Carl Walker, Inc. in the amount of \$96,500 and approve a contingency of \$5,200 for a detailed analysis of structural and aesthetic repairs and ongoing and preventative maintenance recommendations for the City owned parking facilities, including prioritization

of the recommendations and estimated budget impacts for a total approval of \$101,700.

Councilmember Briskman pointed out the funding for this item and item F-24G is the City's commitment for aesthetic improvements and maintenance which is possible from the adjusted parking rates from 2 hours free to 1 hour free in the City-owned facilities.

ITEM F-20: ADOPTED RES#07-R-12374 AG#231-07

21. AMENDMENT NO. 2 TO AN AGREEMENT WITH ROBERT HALF INTERNATIONAL, INC. DBA OFFICE TEAM AND ACCOUNTEMPMS TO PROVIDE TEMPORARY STAFFING ON AN AS-NEEDED BASIS.
Comment: Amends the contract with Robert Half International, Inc., DBA Office Team and Accountemps to show a new termination date of October 21, 2008 and to have an open amount of funds available to hire temporary staff as needed. This temporary agency provides administrative support personnel to all City departments.

ITEM F-21: ADOPTED RES#07-R-12375 AG#232-07

22. AGREEMENTS WITH THE MAPLE COUNSELING CENTER, P.A.T.H. AND WESTSIDE FOOD BANK FOR COMMUNITY ASSISTANCE FUNDS.
Comment: Transmits resolution for City Council approval for community assistance funding. This funding is for organizations providing services vital to the health and welfare of the community and/or providing regional services that enable the City to meet its regional obligation to ameliorate social problems. The report details agreements with fifteen additional agencies to be executed by the City Manager.

ITEM F-22: ADOPTED RES#07-R-12376 AG#233-07; AG#234-07; AG#235-07; AG#236-07

23. AN AGREEMENT WITH THE LAW OFFICES OF PHILIP E. BLACK FOR LITIGATION SERVICES. Comment: Approves an Agreement with the Law Offices of Phillip E. Black for special litigation services relating to tort claims.

ITEM F-23: ADOPTED RES#07-R-12377 AG#237-07

24. VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN:

ITEM A APPROPRIATING FUNDS IN THE AMOUNT OF \$34,625.18 FOR TENANT IMPROVEMENT ALLOWANCE AT THE BEVERLY/CANON PARKING FACILITY; AND

APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF

\$34,625.18 TO W STEAK BEVERLY HILLS, INC. (D.B.A. WOLFGANG'S STEAKHOUSE BY WOLFGANG ZWIENER) FOR TENANT IMPROVEMENT ALLOWANCE. Comment: Approval to issue a purchase order in the amount of \$34,625.18 to W STEAK Beverly Hills, Inc for tenant improvement allowance.

ITEM F-24A: ADOPTED RES#07-R-12378; APPROVED

ITEM B AMENDMENT NO. 1 TO AN AGREEMENT WITH HIRSCH & ASSOCIATES, INC. FOR ARCHITECTURAL CONSULTING SERVICES TO DEVELOP A MASTER PLAN FOR LA CIENEGA PARK; AND

APPROVE A CHANGE ORDER IN THE AMOUNT OF \$22,600 FOR THE DESCRIBED SERVICES FOR A NOT-TO-EXCEED TOTAL OF \$70,600. Comment: This amendment will provide additional services to accommodate the change in project scope resulting from public input during the master planning process.

ITEM F-24B: ADOPTED RES#07-R-12379 AG#238-07; APPROVED

ITEM C AMENDMENT NO. 1 TO AN AGREEMENT WITH MELVYN GREEN & ASSOCIATES, INC. FOR ENGINEERING SERVICES IN CONNECTION WITH VARIOUS PROJECTS IN THE CITY. Comment: The amendment to the agreement with Melvyn Green and Associates, Inc provides for services related to plan review for Building and Safety.

ITEM F-24C: ADOPTED RES#07-R-12380 AG#239-07

ITEM D AMENDMENT NO. 1 TO AN AGREEMENT WITH JAS PACIFIC, INC. FOR PLAN REVIEW AND OTHER AS-NEEDED CONSULTING SERVICES; AND

APPROVE A CHANGE ORDER IN THE AMOUNT OF \$15,000 FOR THE DESCRIBED SERVICES FOR A NOT-TO-EXCEED TOTAL OF \$55,000. Comment: This amendment to the agreement with JAS Pacific, Inc. provides for additional services related to plan review for Building and Safety.

ITEM F-24D: ADOPTED RES#07-R-12381 AG#240-07

ITEM E AMENDMENT NO. 2 TO AN AGREEMENT WITH BERRYMAN & HENIGAR, INC. (A BUREAU VERITAS COMPANY) FOR PLAN CHECK AND OTHER AS-NEEDED CONSULTING SERVICES; AND,

APPROVE A CHANGE ORDER IN THE AMOUNT OF \$15,000 FOR THE DESCRIBED SERVICES FOR A NOT-TO-EXCEED TOTAL OF \$65,000. Comment: This amendment to the agreement with Berryman and Henigar, Inc. (Bureau Veritas and Co.) provides for additional services related to plan review for Building and Safety and Fire.

ITEM F-24E: ADOPTED RES#07-R-12382 AG#241-07

ITEM F APPROVAL TO ISSUE A CHANGE ORDER IN THE AMOUNT OF \$15,363 TO THE PURCHASE ORDER WITH OFFICE TEAM FOR TEMPORARY ADMINISTRATIVE HELP FOR A NOT-TO-EXCEED TOTAL OF \$61,363. Comment: This change order will provide temporary employees to Public Works for the remainder of the fiscal year.

ITEM F-24F: APPROVED

ITEM G APPROVAL TO ISSUE A CHANGE ORDER IN THE AMOUNT OF \$32,000 TO THE BLANKET PURCHASE ORDER TO ABLE BUILDING MAINTENANCE CO. FOR ADDITIONAL POWER WASHING SERVICES FOR THE CITY'S PARKING FACILITIES FOR A NOT-TO-EXCEED TOTAL OF \$1,332,863. Comment: This change order will provide a second powerwashing and scrubbing service for the City's parking facilities.

ITEM F-24G: APPROVED

ITEM H APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$82,202.48 TO JAM SERVICES FOR THE PURCHASE OF LIGHT EMITTING DIODE (LED) TRAFFIC MODULES. Comment: Provides for the purchase of LED traffic signal modules, LED pedestrian signal module, and programmed visibility signal modules as replacement for existing LED traffic modules throughout the City.

ITEM F-24H: APPROVED

Vote on Consent Calendar:

Ayes: Councilmember Krasne, Councilmember Fenton, Councilmember Briskman, Vice Mayor Brucker, and Mayor Delshad

Noes: None

Carried

G. COMMISSION SYNOPSIS

1. Synopsis - PUBLIC WORKS COMMISSION - regular meeting of May 10, 2007.
Synopsis - FINE ART COMMISSION - regular meeting of May 17, 2007.
Synopsis - PLANNING COMMISSION - regular meeting of May 24, 2007.

H. OTHER BUSINESS

It was the consensus of the Council to approve Councilmember Briskman's request to move the July 25, 2007 meeting back to July 24, 2007.

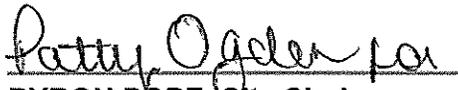
Vice Mayor Brucker read the names of the 2007 Team Beverly Hills members.

Councilmember Briskman announced David Binder Research will be conducting a telephone survey the week of June 18, relating to Beverly Hills Library usage. Ms. Briskman explained the aim of the survey.

I. ADJOURNMENT

There being no further business, Mayor Delshad with the consent of Council, adjourned the meeting at 12:20 a.m.

PASSED, Approved and Adopted
this 21st day of August, 2007.


BYRON POPE, City Clerk

JIMMY DELSHAD, MAYOR

This meeting was broadcast on live television, on City of Beverly Hills municipal government television access Channel BHN/10 Time Warner Cable.