



**CITY OF BEVERLY HILLS
CITY COUNCIL
ADJOURNED REGULAR MEETING
January 08, 2008**

The Adjourned Regular Meeting of the City Council 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. RECOGNITION OF RETIRING COMMISSIONER - Recreation & Parks Commission**
- Myron Roberts

Mayor Delshad, along with Councilmember Fenton, thanked Mr. Roberts for his years of distinguished and dedicated service to the community serving on the Recreation & Parks Commission.

Mr. Roberts thanked his family, city staff and the community for the privilege of serving on the Recreation & Parks Commission.

- 2. CERTIFICATES OF APPOINTMENT - Health & Safety Commission**
- Dr. Debra Judelson and Karén Setian

Mayor Delshad presented Dr. Debra Judelson and Karén Setian with Certificates of Appointment to the newly formed Health & Safety Commission.

- 3. PROCLAMATION - National Blood Donor Month**
- Kendra Gill, Red Cross representative

Mayor Delshad, along with Councilmember Briskman, presented Kendra Gill with a proclamation designating January 2008 as National Blood Donor Month in Beverly Hills.

Ms. Gill invited the City to participate in the local blood drive on January 28.

4. PRESENTATION - a new, combined Quarterly Investment Report
- The City Treasurer and the Assistant Director of Administrative Services/Finance will present a new combined Quarterly Investment Report

Mayor Delshad advised this matter will be discussed at the January 29 meeting.

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. Paul Bernstein spoke about cleaning the sidewalks in the commercial area.

City Manager Roderick Wood provided a brief report on what is being implemented in the area.

2. Roberto Carbajal mentioned a program using electric therapy to assist drug users and those with other addictions and requested Council support in disseminating this information.

3. James Fabe commented on traffic conditions on Clifton Way.

Mayor Delshad suggested Mr. Fabe attend a Traffic and Parking Commission meeting and directed staff to look into this matter.

4. Mary Ellen Cutler, representing the Beverly Hills Estates Homeowners Association, spoke about several issues including: police patrol, parking, enforcement, fallen palm fronds and plant conditions on City property.

Mayor Delshad directed staff to address the issues raised.

5. Thomas White, Chairman of the Beverly Hills Municipal League, read a letter from the Board of Governors of the Municipal Leagues and asked the Mayor to respond to specific questions.

3. REPORT FROM THE CITY MANAGER

* Firewise Award Recognition

* Status Report on New Performance Evaluation (City Manager and Human Resources)

City Manager Wood acknowledged the exceptional work of Deputy Fire Marshall Greg Barton for his leadership in the Firewise Program and noted that Mr. Barton has been recognized by the National Firewise Community's program with its prestigious Firewise Leadership Award.

The Fire Chief and Battalion Chief assisted the Mayor in presenting Mr. Barton with the award.

City Manager Wood spoke briefly about a new performance evaluation system and introduced Assistant Director of Administrative Services/Human Resources Sandra Olivencia to present an outline for this program.

Ms. Olivencia noted that new forms will be based on developing the employees and the major difference with the new program is that the performance evaluation form will be job/person specific.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

- Did you know? :

* Smart City Initiatives

* Legislative Updates from Councilmember Briskman

Mayor Delshad spoke about the Smart City initiatives that are in place and underway (CCTV and ALPR) to make Beverly Hills the smartest and safest city in America. Vice Mayor Brucker spoke about the Auto License Plate Recognition Program (ALPR). Mr. Brucker noted this morning the 10th car was stopped; the car was stolen and the driver was apprehended. Mayor Delshad also spoke about the solar powered parking meters, smart wireless water meters and smart traffic lights. A video clip from Fox News highlighting the Smart City initiatives in Beverly Hills was shown.

Councilmember Briskman provided legislative updates on a grant for homeland security, securing funds for the Westside transit project/mass transit system, as well as the status on other voter approved bond funds. Ms. Briskman spoke about the regional communication system.

Vice Mayor Brucker reported on two initiatives related to the Chamber of

Commerce and Visitor's Bureau which will involve a thorough analysis of its programs, culminating in an audit.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

1. AN APPEAL FROM THE DECISION OF THE HEARING OFFICER UPHOLDING AN ASSESSMENT FOR UNPAID BUSINESS TAXES, PENALTIES AND INTEREST FOR NRT, INC. (COLDWELL BANKER RESIDENTIAL BROKERAGE COMPANY) ON REMAND FROM CITY COUNCIL APPEAL. Comment: The Assistant Director of Administrative Services - Finance issued a decision upholding the assessment for unpaid business taxes, penalties and interest for NRT, Inc. (Coldwell Banker) in the amount of \$1,059,377.77. NRT, Inc. has filed an appeal objecting to the amount of the assessment. Staff recommends this matter be continued to the adjourned regular meeting of Tuesday, January, 29, 2008 at 7:30 p.m.

BY ORDER OF THE CHAIR, THE HEARING IS CONTINUED TO TUESDAY, MARCH 4, 2008.

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

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES & CHARGES TO ADJUST THE GROUNDWATER REPLENISHMENT FEE FOR FISCAL YEAR 2007/2008 AND 2008/2009. Comment: The proposed amendment is to increase the groundwater replenishment fee for the fiscal year 2007/2008 and 2008/2009.

The notice of this hearing was published as required by law and an affidavit to this effect is on file with the City Clerk.

The report of the Environmental Utilities Manager and the record of the Public Works Department in this matter are made a part of the record of this hearing.

Environmental Utilities Manager Shana Epstein explained the recommendation to increase the shallow groundwater replenishment fee from \$520.95 per acre-ft. to \$549.70 and \$584.20 per acre-ft is due to the cost increase of replacement water based on how much the City purchases from the Metropolitan Water District plus an administrative percentage on top of that.

Councilmember Krasne suggested if anyone has questions regarding this matter, to listen to this afternoon's Informal Meeting where this was discussed at length.

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

There were no questions or comments of Councilmembers.

MOVED by Councilmember Briskman, seconded by Vice Mayor Brucker to adopt Resolution D-2 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AMENDING THE COMPREHENSIVE SCHEDULE OF TAXES, FEES & CHARGES TO ADJUST THE GROUNDWATER REPLENISHMENT FEE FOR FISCAL YEAR 2007/2008 AND 2008/2009.

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

Noes: None

CARRIED

ITEM D-2: ADOPTED RES#08-R-12471

E. CONTINUED AND NEW BUSINESS

None

F. CONSENT CALENDAR

MOVED by Vice Mayor Brucker, seconded by Councilmember Krasne to remove Item F-6A for discussion, approve all items on the consent agenda, and direct that the appropriate accounts be charged on Items F-1 and F-2.

Minutes

None

Demands Paid

1. REVIEW OF BUDGETED DEMANDS PAID, report dated December 10 - 24, 2007.
2. PAYROLL DISBURSEMENT REPORT, report dated January 8, 2008.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

3. ACCEPTING A DONATION OF \$2,036.18 FROM E. GREGORY HOOKSTRATTEN FOR A POLICE BICYCLE AND APPROPRIATING FUNDS FOR PURCHASE OF THIS EQUIPMENT. Comment: E. Gregory Hookstratten has presented this donation to the City for purchase of a fully-equipped police bicycle.

ITEM F-3: ADOPTED RES#08-R-12472

4. DESIGNATING AGENTS AUTHORIZED TO EXECUTE APPLICATIONS FOR FINANCIAL ASSISTANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND THE STATE OFFICE OF EMERGENCY SERVICES FOR RECOVERING COSTS ASSOCIATED WITH DECLARED EMERGENCIES. Comment: Request City Council approve resolution updating the position titles and adding an additional position to those authorized to execute applications for financial support or reimbursement before, during or after a declared disaster or emergency.

ITEM F-4: ADOPTED RES#08-R-12473

5. ESTABLISHING PREFERENTIAL PERMIT PARKING ZONE "QQ" ON THE 200 AND 300 BLOCKS OF SPALDING DRIVE. Comment: Corrects a clerical error in the Resolution approved on November 13, 2007 to include adjacent portions of Charleville Boulevard and Gregory Way with Permit Parking Zone "QQ."

ITEM F-5: ADOPTED RES#08-R-12474

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

ITEM A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROPRIATING FUNDS IN THE AMOUNT OF \$91,100 FOR REPAIRS AND RESTORATION OF PUBLIC OUTDOOR SCULPTURE, "SISYPHUS", BY ALEXANDER LIBERMAN; AND,

APPROVAL OF AN AGREEMENT WITH GRISWOLD CONSERVATION ASSOCIATES, LLC, FOR REPAIRS AND RESTORATION OF PUBLIC OUTDOOR SCULPTURE, "SISYPHUS", BY ALEXANDER LIBERMAN; AND,

APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$91,100 FOR THE REPAIR AND RESTORATION SERVICES DESCRIBED. Comment: Requests appropriating of funds and approval of agreement with Griswold Conservation Associates, LLC in the not to exceed amount of \$91,100 to provide repairs and restoration of the public outdoor sculpture, "Sisyphus".

Councilmember Krasne requested that this item be pulled for discussion. City Manager Wood clarified the needed repair to the sculpture is the result of damage from an auto accident and the City will pursue recovery of costs with the insurance carrier.

ITEM F-6A: ADOPTED RES#08-R-12475; APPROVED AG#01-08

ITEM B AGREEMENT WITH STERLING CODIFIERS, INC. FOR CODIFICATION SERVICES RELATED TO THE CITY'S MUNICIPAL CODE. Comment: Provides for a 5-year agreement with Sterling Codifiers for ongoing codification services, ongoing production of municipal code supplements, and hosting of the City's online Municipal Code for a not to exceed amount of \$75,000 (\$15,000 per year).

ITEM F-6B: APPROVED AG#02-08

ITEM C AGREEMENT WITH PHAROS SYSTEMS INTERNATIONAL, INC. FOR PUBLIC LIBRARY PUBLIC ACCESS MANAGEMENT SYSTEMS; AND,

APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$57,118.79 FOR THE SPECIFIED EQUIPMENT, SOFTWARE AND SERVICES. Comment: Provides for purchase of a package solution for the library's public access management system. The purchase includes software and hardware that will enable library patrons to reserve PC time, PC print and copy services, and self-service account maintenance.

ITEM F-6C: APPROVED AG#03-08

ITEM D AGREEMENT WITH KRB CONSTRUCTION FOR EMERGENCY SEWER LINE REPLACEMENT AT CAMDEN HOUSE RESTAURANT, A CITY LEASED PROPERTY; AND,

APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$55,800 FOR THE SPECIFIED SERVICES. Comment: Request approval of an emergency agreement with KRB Construction for replacement of broken and leaking sewer lines located in the City's lease tenant, Camden House Restaurant, as called for in the lease agreement with the City.

ITEM F-6D: APPROVED AG#04-08

ITEM E APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$56,570 TO COALINGA MOTORS, INC. FOR PURCHASE OF THREE CHEVROLET COLORADO MINI PICKUP TRUCKS. Comment: Requests approval of a purchase order in the amount of \$56,570 to Coalinga Motors, Inc. for purchase of three Chevrolet Colorado Mini Pickup trucks as replacement vehicles for three obsolete traffic-control vehicles assigned to the department of Police.

ITEM F-6E: APPROVED

7. A CHANGE ORDER IN THE AMOUNT OF \$144,293 ISSUED TO J FLETCHER CREAMER & SON, INC. FOR THE ADDITIONAL REQUIREMENTS IN THE CITY OF WEST HOLLYWOOD EXCAVATION PERMIT FOR THE WATERLINE INSTALLATION IN ROBERTSON BOULEVARD FROM SANTA MONICA BOULEVARD TO BEVERLY BOULEVARD WITHIN CITY OF WEST HOLLYWOOD; AUTHORIZE THE CITY MANAGER TO SIGN CHANGE ORDER NO. 1 ON BEHALF OF THE CITY. Comment: Request for approval of a Change Order for the cost for additional requirements from City of West Hollywood for the installation of waterline in Robertson Boulevard between Santa Monica Boulevard and Beverly Boulevard.

ITEM F-7: APPROVED

8. REJECTION OF ALL BIDS FOR CONTRACT WORK PERTAINING TO THE POLICE AND LIBRARY CARD ACCESS REPLACEMENT PROJECT. Comment: Recommends rejection of the single bid received and authorize the rebidding of the work.

ITEM F-8: 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 - FINE ART COMMISSION - regular meeting of December 20, 2007.

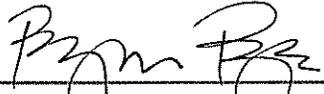
Original, signed minutes are on file in the office of the City Clerk.

H. OTHER BUSINESS

Councilmember Briskman announced Hillary Clinton and John McCain won in the New Hampshire Primary Election.

I. ADJOURNMENT

There being no further business, Mayor Delshad, with the consent of Council, adjourned the meeting at 9:00 p.m.



BYRON POPE, City Clerk

PASSED, Approved and Adopted
this 5th day of February, 2008.

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.