



CITY OF BEVERLY HILLS  
City Hall Room 280-A  
455 N. Rexford Drive  
Beverly Hills, CA 90210

MINUTES  
PUBLIC WORKS COMMISSION SPECIAL MEETING  
May 11, 2015  
8:00 A.M.

The meeting was called to order at 8:03 a.m.

A. **ROLL CALL**

Commissioners Present: Felsenthal, Wolfe, Aronberg, Shalowitz and Pressman.  
Commissioners Absent: None.

B. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Wolfe.

C. **COMMISSION MINUTES**

Consideration of the Minutes of the Public Works Commission Regular Meeting of April 9, 2015; tabled to Meeting of June 11, 2015.

D. **ORAL COMMUNICATIONS FROM THE AUDIENCE**

None.

E. **REPORT FROM THE CHAIRPERSON**

*Mayor's Cabinet Meeting*

Chair Shalowitz attended the meeting of April, 28, 2015; minutes are available online.

*Other Items of Interest*

Chair Shalowitz and Vice Chair Aronberg attended Mayor Gold's new Infrastructure Committee Meeting. The goal is to share information between the Public Works and Planning Commissions. Attendees include the City Manager, Mayor Gold and two members from each Commission.

F. **NEW BUSINESS**

1. **Water Conservation Update**

Ms. Tse provided an update. City Council approved Stage D Water Conservation; staff is moving forward with education and outreach. Office of Communications staff, Ms. Kosterman and Ms. Ahmed provided an update on the City's Conservation Communications plan. The next Newsletter is focused solely on conservation, watering schedules and what the City is doing to conserve. Outreach is provided to all customers, including W. Hollywood and is focused on what the Community can do and the consequences of not following restrictions. Regarding increased and proactive communication between the Commission and the Communications Office, Public Works Staff will provide information between Communications and the Commission's Subcommittee. Ms. Rhay stated staff is working with HF&H on the approved penalty surcharge and the new tiered structure. The San Juan Capistrano ruling did not outlaw rate tiering; the City must complete sufficient research and analysis to justify the cost of service. The City Attorney's Office is comfortable with the analysis on the City's current tiered structure. Current fines and surcharge penalties will be implemented. Staff will report water violations and Community Development inspectors will assist in enforcement. Commissioner Pressman asked that citizens be informed that enforcement starts now and penalties can be retroactive. Vice Chair Aronberg and Commissioner Wolfe will serve on the Appeals Board along with two Staff members to hear Water Bill Surcharge Appeals. A hearing officer will hear fine/citation appeals.

2. Conservation Subcommittee Program Recommendations

The Subcommittee recommends: 1.) The addition of City funds to existing MWD rebates for residential and commercial use. 2.) Community assistance regarding product choice and the provision of free workshops and professional landscape assistance subsidized by the City.

**MOTION** by Chair Shalowitz, **SECONDED** by Commissioner Pressman that the Commission recommends that City Council institute and support two programs as presented by the Subcommittee and that City Council determine funding.

Ayes: Aronberg, Felsenthal, Pressman, Shalowitz and Wolfe.

Noes: None

Abstentions: None

Absent: None

**CARRIED 5/0**

Mr. Neskovitch of Falcon Free Technologies (FFT) provided a presentation on waterless urinals. Rebates are an incentive for customers to install the product; with rebate approval, FFT can assist in marketing. The product has been installed in City buildings resulting in water cost savings.

Ms. Berstler of Green Gardens Group (G3) provided a presentation. G3 works with MWD and other municipalities on conservation and stormwater, including the L.A. Department of Water & Power on a program which includes one-on-one homeowner landscaping and education consultations.

3. Water Enterprise Plan Update

Ms. Rhay provided an update. This Item was presented to City Council and will return on May 18<sup>th</sup>. Council approved the concept of the recommendation; additional information covering workload and scope of the Project Manager positions was requested. Commissioner Felsenthal raised the issue of funding and questioned how the WEP will be funded outside of bond funding. Ms. Rhay stated Council will decide fund allocation; resources to cover gaps may come from new rate processes and assumptions (water capacity fees), new revenue sources and/or grants.

4. Shallow Groundwater Well Update

Mr. Cuneo and Mr. Lightner provided an update. The City's consultants provided conceptual well layouts for the Foothill site. Preliminary design and Environmental review will be finished next and bids should be received by summer's end. Information concerning well location, design constraints and City Council directives was provided. Timelines outlined in the Report are current. Staff will attempt to deliver September's Project Design Completion early and will communicate updates to Ms. Tse for delivery to the Commission. Regarding moving this Project forward at a faster pace, Ms. Rhay stated staffing, consultants and City Council direction are ongoing factors in the process.

5. Water Treatment Plant Update

Mr. Cuneo provided an update. City Council rejected the original bids received due to scope of work issues. The Project was re-advertised and bids are due this week. Staff expects to present this item to Council again in June with construction to begin this summer.

6. Parking Operations, Enforcement and Permit Administration Quarterly Report

Mrs. Row provided an update. The following were covered: Taxi Service/Change in Regulation; History; Elements; Franchise System; Penalty Schedule; Franchise Implementation; and Traffic & Parking Commission. The City does not regulate Transportation Network Companies (TNC) such as Uber; these are regulated by the State Public Utilities Commission. Mr. Inga provided a Parking Disabled Placard Usage Study covering the following: Objective; Methodology; Sample; Overall Occupancy; Observations; Impact of Placard Use on Revenue; and Conclusions. Mr. Lynn stated

City Council requested that Staff pursue a coalition for legislative change as currently the City has little regulatory authority over disabled placards.

7. Enhanced Watershed Management Plan

Mr. Descalzo provided an update. The following were discussed: Ballona Creek Watershed; Regulatory Background; Enhanced Watershed Management Program Elements; Water Quality Priorities; Watershed Control Measures; Control Measures Relative Capacities; Reasonable Assurance Analysis; Permit Compliance Schedule; Scheduling for Compliance; Implementation; Distributed Projects; and Cost and Financial Strategy. Ms. Rhay stated conservation and storm water treatment will go hand in hand. Regarding whether treated water will be usable for non-potable uses, the City's consultants will look into the matter and provide feedback.

8. Proposition 1 Funding

Ms. Tse provided an update. 7.5 billion is available to be split between five programs, three of which are relevant to the City (Water System Improvement, Stormwater Diversion, Shallow Groundwater Treatment). Bucknam & Associates is working on this project.

G. CONTINUED BUSINESS

1. Wastewater Capacity Fee Proposal

Ms. Rhay provided an update. The following were discussed: Staff-revised Wastewater Capacity Fees; Legal Authority; Impact; Wastewater Capacity Fee; Fee Calculation; Fee for Residential; Capacity Fees for All Classes and Next Steps.

**MOTION** by Commissioner Felsenthal, **SECONDED** by Commissioner Wolfe that the Commission recommends that City Council institute the Wastewater Connection Fees as presented by Staff.

Ayes: Aronberg, Felsenthal, Pressman, Shalowitz and Wolfe.

Noes: None

Abstentions: None

Absent: None

**CARRIED 5/0**

2. Water "Will Serve" Letters

Ms. Tse provided an update. Sample Letters are included in this month's packet. Commissioner Felsenthal stated letters from large developments should be presented to the Commission prior to being granted. Ms. Rhay stated the previous Water Operations Manager granted letters; the Water Resource Manager will grant and track future letters. Standard practice is to analyze water asset condition, not supply. Mr. Chavez stated this topic was raised at a recent infrastructure meeting with the Mayor. The Commission is advisory to City Council; permits are not issued by the Commission or Public Works Services (PWS). The Commission can be involved in developing standards used by the Planning Division. This subject is related to capacity and availability, a task undertaken by the Planning Division. Large projects require an Environmental Process in which PWS provides an opinion. Chair Shalowitz stated the Commission requested letters issued in the last 12 months and asked for the 9900 Wilshire Letter, noting that outstanding letters are contingent liabilities and should be considered. Mr. Chavez stated staff will meet with attorneys and present more information at the next meeting and staff will check with the Planning Division for previously granted Will Serve letters.

3. Reports from Sub-Committees TABLED

4. Outstanding Action Items List from Previous Meeting TABLED

5. Capital Improvement Program Projects Under Public Works Management TABLED

6. Discussion of Future Agenda Items and Areas of Priority TABLED

H. **COMMENTS FROM COMMISSIONERS**

Commissioner Pressman would like an update regarding TAKADU. Ms. Rhay stated the technology is proposed as part of the WEP and staff is awaiting City Council's approval.

I. **COMMENTS FROM STAFF**

1. Solid Waste Container Ordinance Enforcement

Mr. Burnley provided an update. The *Early Placement of Solid Waste Containers & Solid Waste Containers Left in Public View* letter (attached) will be distributed to Trousdale area residents. Chair Shalowitz suggested bullet points for clarity and providing roll-out service costs.

2. Climatec Update TABLED

3. Zero Waste Strategic Plan TABLED

4. Water Tracker Launch Update

Ms. Tse provided an update. The system is now live (water.beverlyhills.org). Users can view water use, set up thresholds and receive notifications. Staff is fine tuning the system with the Conservation Subcommittee. Commissioner Wolfe stated notifications are not turned on and issues need to be worked out prior to encouraging use. Commissioner Pressman suggested a statement concerning issues and pending upgrade, that an account number is needed to sign up and an alert informing users to go to "Settings" to set up notifications.

5. Public Works Services Day

Mrs. Kahikina stated Public Works Services Day is Sunday, May 17th, 2015, from 9:00 a.m. – 1:00 p.m. There will be demonstrations, Arts & Crafts, Giveaways, Kid Friendly Activities, etc.

J. **COMMENTS FROM METROPOLITAN WATER DISTRICT (MWD) DIRECTOR**

K. **ACTION ITEMS**

- Staff to bring information on the current Appeals process to the next meeting.
- Chair Shalowitz requested HF&H be present at June's Meeting to discuss their analysis of past assessment by Raftelis.
- Staff to verify if rebates would apply to West Hollywood water customers.
- The Commission would like staff to bring to Council the question as to how the WEP will be funded.
- *Water Enterprise Plan Update* to be on June's Agenda.
- Commissioner Felsenthal introduced an in-lieu water fee resolution for research and analysis to be brought back to the next Commission Meeting for further discussion.
- Commissioner Wolfe requested all information pertaining to will serve letters.

L. **ADJOURNMENT**

There being no further business, Chair Shalowitz, with the consent of the Commission, adjourned the meeting at 11:50 a.m.

Passed and approved

This \_\_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
Chair Shalowitz