



**CITY OF BEVERLY HILLS
CITY COUNCIL REGULAR MEETING
MINUTES
December 15, 2015**

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

PLEDGE OF ALLEGIANCE led by Alex Kay

A. ROLL CALL

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

B. PRESENTATIONS

1. CERTIFICATES OF APPOINTMENT

- Architectural Commission
- Sheri Hirschfeld

- Design Review Commission
- Ilona Sherman

Mayor Gold presented incoming Architectural Commissioner Sheri Hirschfeld and Design Review Commissioner Ilona Sherman with certificates of appointment and City pins.

2. 60-SECOND BUSINESS SHOUT-OUT – Monogrammit

Mayor Gold, along with Councilmember Krasne, presented a 60-Second Business Shout-Out certificate to Elisa Nassirzadeh, owner of Monogrammit, and thanked Councilmember Krasne for nominating her for the recognition.

3. 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 (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.)

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. Sabrina Gordon-Gilardian
2. Bitia Ahdoot-Santaella
3. Alexandra Polin
4. Ellie Samadi
5. Ted Fentin
6. Susan Cohn
7. Dr. Woodrow Clark
8. Lionel A. Ephraim, Le Fanbourg St. Louis HOA
9. Robert Tanenbaum, Beverly Hills North HOA

3. REPORT FROM THE CITY MANAGER

City Manager Mahdi Aluzri provided an update/status report on the steps taken by the City to ensure public safety around Parcels 12 and 13, and noted a full report will be provided at the January 5, 2016 City Council Meeting.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

None

D. CITY COUNCIL CONSENT CALENDAR

FISCAL IMPACT REPORT

MOVED by Councilmember Brien, 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-3 and D-4

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Study Session of December 1, 2015.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Formal Meeting of December 1, 2015.

Demands Paid

3. REVIEW OF BUDGETED DEMANDS PAID, report dated November 6 – December 4, 2015.
4. PAYROLL DISBURSEMENT REPORT, report dated December 15, 2015.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

5. AMENDING THE CITY'S PROCEDURES CONCERNING THE ECONOMIC ANALYSIS OF THE FINAL PROPOSED MEMORANDUM OF UNDERSTANDING AND DECLARING THE URGENCY THEREOF. Comment: This ordinance amends the City's municipal code regarding labor negotiations to clarify that, at the conclusion of the negotiations process, an independent economic analysis may be prepared analyzing the costs of the final proposed memorandum of understanding, and declaring the urgency thereof.

ITEM D-5: ADOPTED; ORD# 15-O-2697

6. AMENDING THE CITY'S PROCEDURES CONCERNING THE ECONOMIC ANALYSIS OF THE FINAL PROPOSED MEMORANDUM OF UNDERSTANDING. First Reading - For Introduction. Comment: This ordinance amends the City's municipal code regarding labor negotiations to clarify that, at the conclusion of the negotiations process, an independent economic analysis may be prepared analyzing the costs of the final proposed memorandum of understanding.

ITEM D-6: INTRODUCED AND READ BY TITLE ONLY; ADVANCE TO THE MEETING OF JANUARY 5, 2016 FOR ADOPTION

RESOLUTION:

None

APPROVAL OF:

7. AN AGREEMENT WITH PSOMAS TO PROVIDE ENGINEERING DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR STORM DRAIN RELOCATION BETWEEN SUNSET BOULEVARD AND LOMITAS AVENUE; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$61,200 TO PSOMAS. Comment: This agreement is for engineering design and preparation of construction documents and construction support services related to the relocation of a storm drain line between Sunset Boulevard and Lomitas Ave.

ITEM D-7: APPROVED; AG# 617-15

8. AN AGREEMENT WITH KRB CONSTRUCTION FOR MAINTENANCE AND REPAIR SERVICES AT SUNSET RESERVOIR; AND APPROVAL OF A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$66,799. Comment: This is an agreement between the City and KRB Construction for maintenance work at City Building #51 at Sunset Reservoir and approval of a Purchase Order in an amount not to exceed \$66,799.

ITEM D-8: APPROVED; AG# 618-15

9. AMENDMENT NO. 1 TO AN AGREEMENT WITH GREINES, MARTIN, STEIN & RICHLAND, LLP FOR SPECIAL COUNSEL SERVICES RELATED TO CERTAIN LITIGATION MATTERS. Comment: This Amendment is for special counsel services related to litigation regarding the vehicle accidents that occurred on Loma Vista Drive.

ITEM D-8: APPROVED; AG# 619-15

10. AMENDMENT NO. 4 TO AN AGREEMENT WITH MANAGEMENT PARTNERS FOR INTERIM MANAGEMENT CONSULTING SERVICES; AND APPROVAL OF A CHANGE PURCHASE ORDER IN THE AMOUNT OF \$50,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$250,000. Comment: This is to allow Management Partners to continue its consulting services while Community Development Department finalizes its recruitment for the Urban Designer and Principal Planner positions. Funding for this agreement is included in the existing budget.

ITEM D-10: APPROVED; AG# 620-15

11. APPROPRIATION OF \$154,000 FROM THE SEIZED & FORFEITED PROPERTY FUND TO ENHANCE POLICE DEPARTMENT OPERATIONS. Comment: Request to use asset forfeiture funds to augment police operations.

ITEM D-11: APPROVED

12. APPROPRIATION OF \$800,000 FOR SPECIAL COUNSEL SERVICES RELATED TO CERTAIN LITIGATION MATTERS. Comment: This appropriation funds legal services for certain litigation matters.

ITEM D-12: APPROVED

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:

None

F. CONTINUED AND NEW BUSINESS

1. REQUEST FOR AUTHORIZATION TO APPROPRIATE \$524,499 FROM GENERAL FUND REVENUE TO FUND TWO POSITIONS IN THE POLICE DEPARTMENT AND TWO POSITIONS IN HUMAN RESOURCES; AND AUTHORIZATION TO APPROPRIATE \$25,000 FROM GENERAL FUND REVENUE TO FUND HUMAN RESOURCES PROFESSIONAL SERVICES. Comment: In order to further implement recommendations made by Management Partners, this is a request to authorize one Professional Standards Unit Sergeant and one Executive Assistant I in the Police Department, a Human Resources Analyst and a Human Resources Associate I in the Administrative Services Department, and appropriate \$25,000 to fund Human Resources consulting services.

Police Chief Rivetti and Assistant Director of Administrative Services/Human Resources Shelley Ovrom presented a PowerPoint and oral report discussing their respective requests for additional staff and appropriations to fund the positions.

Mr. Rivetti, Ms. Ovrom and City Manager Mahdi Aluzri responded to Council questions regarding timeline that complaints are reported, recruitment policies and incentives, comparison of consultant companies and services, Human Resources (HR) staff's involvement and the proposed staff's job/work, and importance and need for the positions.

Mayor Gold straw-polled the Councilmembers and agreed on the two Police Department positions and funding for the two positions as well as the \$25,000 appropriation for consulting services.

MOVED by Councilmember Brien, seconded by Councilmember Bosse to authorize one Professional Standards Unit Sergeant and one Executive Assistant I in the Police Department, and appropriate \$25,000 to fund Human Resources consulting services.

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

Noes: Vice Mayor Mirisch.

CARRIED

ITEM F-1: APPROVED TWO POLICE DEPARTMENT POSITIONS, FUNDING FOR THE POSITIONS AND \$25,000 APPROPRIATION FOR CONSULTING SERVICES

2. WORK HOURS AND DETOUR ROUTES TO BE INCORPORATED IN THE MEMORANDUM OF AGREEMENT FOR ACTIVITIES REQUIRING THE CLOSURE OF WILSHIRE BOULEVARD ASSOCIATED WITH THE CONSTRUCTION OF THE LA CIENEGA STATION OF THE WESTSIDE SUBWAY EXTENSION. Comment: This report provides two options for allowable work hours/days and the associated traffic analysis for subway station construction activities.

City Engineer Mark Cuneo presented the PowerPoint and oral report providing the timeline of events and introduced Cathy Higley from Cordoba Corporation who reviewed the proposed construction schedule for pile installation along Wilshire Boulevard, and decking and piling installation across Wilshire. Michael Meyer from Iteris reported on the traffic analysis that was conducted in the area including the existing and forecast traffic conditions, proposed detour routes, proposed traffic mitigation measures, roadway segment mitigation, and traffic detour analysis. Ms. Higley presented a comparison of closure options, and community feedback received.

Councilmember Brien left the meeting at 9:57pm.

Speaking:

1. Alex Kay
2. AJ Willmer

Mr. Cuneo, Jim Cohen and Scott McConnell from Metro, Ms. Higley, and Mr. Meyer responded to Council questions pertaining to Saban Theatre's preferred closure option, safety, closure duration, traffic impact, closure options, penalty for consequences, access to businesses, pedestrian access, noise mitigation, closure recommendation, public outreach, availability of traffic control officers at key intersections, utility relocation, weekend closure option, effects of bad weather, and soundproofing.

Councilmember Krasne suggested that Metro temporarily relocate residents who live close to the construction areas during the piling installation. She requested Metro to have two portals at each of the stops and traffic control officers at congested areas.

Councilmember Bosse commented that she will require information regarding the consequences of going beyond six weeks closure in order to decide on which option to choose.

Vice Mayor Mirisch invited Jay Greenstein, District Transportation Deputy for City of Los Angeles Councilman Paul Koretz, to share his position on the project. He suggested that Council meet with Mr. Greenstein and Mr. Koretz to integrate the two cities' plans.

City Council directed staff to bring back the item at a future meeting with more information.

ITEM F-2: NO ACTION TAKEN; COUNCIL DIRECTED STAFF TO RETURN THE ITEM TO CITY COUNCIL WITH MORE INFORMATION

3. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BEVERLY HILLS AND THE BEVERLY HILLS FIREFIGHTERS' ASSOCIATION. Comment: The Memorandum of Understanding with the Firefighters' Association expired October 5, 2015. Negotiations have now concluded and the process required by Municipal Code Section 2-5 for adopting a memorandum of understanding has been completed, resulting in a new four year term agreement for Council approval.

The City's Labor Negotiator Peter Brown presented a PowerPoint and oral report outlining the procedure, the major components of the renegotiated memorandum of understanding (MOU), additional terms of the MOU, and the four year cost of the MOU.

Councilmember Brien and Mayor Gold acknowledged the Fire Department staff and the negotiators for a fair MOU and process. Vice Mayor Mirisch asked that an email notification to the public be done in the future. He commented on a systemic problem which continues to prevail and not addressed over the years involving inflated salaries and pensions, increasing unfunded liabilities.

MOVED by Councilmember Bosse, seconded by Councilmember Krasne to approve Item F-3 as follows:

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BEVERLY HILLS AND THE BEVERLY HILLS FIREFIGHTERS' ASSOCIATION

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

Noes: Vice Mayor Mirisch.

CARRIED

ITEM F-3: APPROVED; MOU# 2015-11

4. A. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS FOR TERMINATION OF PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR THE BEVERLY HILLS FIREFIGHTERS' ASSOCIATION.

B. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS FOR A REDUCTION IN PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR THE BEVERLY HILLS POLICE OFFICERS' ASSOCIATION AND BEVERLY HILLS POLICE MANAGEMENT ASSOCIATION. Comment: Approval of Resolutions to be filed with CalPERS to eliminate the Employer Paid Member Contributions (EPMC) for the Firefighters' Association per the new Memorandum of Understanding (MOU) and implement a negotiated reduction to the EPMC for the Police Officers' Association and the Police Management Association under the existing MOU's.

The City's labor Negotiator Peter Brown briefly explained that the item is just to comply with the California Public Employee's Retirement System (CalPERS) requirement.

MOVED by Councilmember Brien, seconded by Councilmember Bosse to adopt Resolution F-4A as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS FOR TERMINATION OF PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR THE BEVERLY HILLS FIREFIGHTERS' ASSOCIATION.

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

CARRIED

ITEM F-4A: ADOPTED; RES# 15-R-13063

MOVED by Councilmember Brien, seconded by Councilmember Krasne to adopt Resolution F-4B as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS FOR A REDUCTION IN PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR THE BEVERLY HILLS POLICE OFFICERS' ASSOCIATION AND BEVERLY HILLS POLICE MANAGEMENT ASSOCIATION

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

CARRIED

ITEM F-4B: ADOPTED; RES# 15-R-13064

5. PRESENTATION OF THE FINDINGS OF THE FIBER-TO-THE-PREMISE FEASIBILITY STUDY TO MAKE BROADBAND SERVICES AVAILABLE TO RESIDENTS AND BUSINESSES THROUGHOUT THE CITY; AUTHORIZATION FOR THE CITY MANAGER TO NEGOTIATE AN AMENDMENT TO THE AGREEMENT WITH UPTOWN SERVICES FOR THE COMPLETION OF ENGINEERING DESIGN SERVICES FOR THE FIBER TO THE PREMISE PROJECT; APPROPRIATION OF \$500,000 FROM THE CITY'S TECHNOLOGY FUND 41; AND APPROVAL OF A PURCHASE ORDER TO UPTOWN SERVICES FOR THIS WORK IN AN AMOUNT NOT-TO-EXCEED \$500,000. Comment: This item provides a comprehensive overview of the work that has been conducted in determining the feasibility of making broadband services available to every parcel in the City. Staff is also seeking Council direction on whether to proceed with the next steps of the project which includes completion of all engineering work, development of construction drawings, and an RFP development.

Chief Information Officer David Schirmer provided a PowerPoint and oral report providing background on the fiber-to-the-premise project, timeline, residential and business service offerings, financing, and the next steps.

Dave Stockton and Neil Shaw from Uptown Services presented a PowerPoint and oral report introducing the fiber-to-premise technology, the feasibility study conducted and findings, and recommendations.

Speaking:

1. AJ Willmer, Technology Committee
2. Sharon Persovski, Technology Committee

Mayor Gold asked about the cost for a basic package and in comparison to other services, the Gigabit Passive Optical Network (GPON) technology and decrement in performance with simultaneous use, how other cities are managing their systems, emergency service, and costs.

Council indicated their support for the item.

MOVED by Councilmember Krasne, seconded by Councilmember Bosse to approve Item F-5 as follows:

AUTHORIZATION FOR THE CITY MANAGER TO NEGOTIATE AN AMENDMENT TO THE AGREEMENT WITH UPTOWN SERVICES FOR THE COMPLETION OF ENGINEERING DESIGN SERVICES FOR THE FIBER TO THE PREMISE PROJECT; APPROPRIATION OF \$500,000 FROM THE CITY'S TECHNOLOGY FUND 41; AND APPROVAL OF A PURCHASE ORDER TO UPTOWN SERVICES FOR THIS WORK IN AN AMOUNT NOT-TO-EXCEED \$500,000

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

CARRIED

ITEM F-5: APPROVED

G. COMMISSION SYNOPSIS

1. PUBLIC WORKS COMMISSION - Regular Meeting of November 12, 2015
- FINE ART COMMISSION - Regular Meeting of November 19, 2015
- RECREATION AND PARKS COMMISSION - Regular Meeting of November 24, 2015
- TRAFFIC & PARKING COMMISSION - Regular Meeting of December 3, 2015
- DESIGN REVIEW COMMISSION - Regular Meeting of December 3, 2015

ITEM G-1: NO ACTION TAKEN

H. OTHER BUSINESS

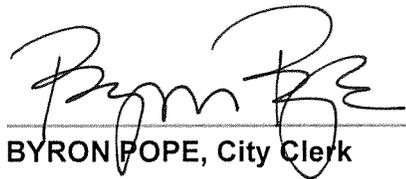
None

I. ADJOURNMENT

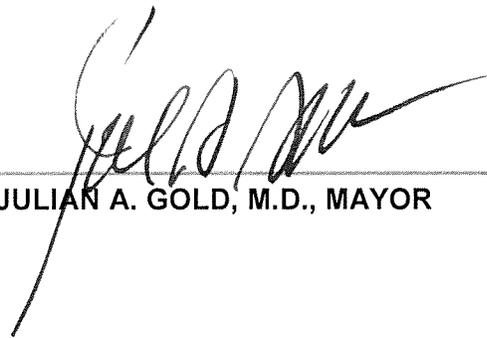
The next City Council Meeting will be held on January 5, 2016.

There being no further business, Mayor Gold, with the consent of the City Council, adjourned the meeting at 12:06 am on December 16, 2015.

PASSED, Approved and Adopted
this 26th day of January, 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.