



**CITY OF BEVERLY HILLS  
ADJOURNED REGULAR CITY COUNCIL MEETING  
MINUTES  
January 24, 2013**

The Adjourned Regular City Council meeting was held in the Council Chambers at 4:30 pm.

**A. ROLL CALL**

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

**B. PRESENTATIONS**

**1. CERTIFICATE OF APPOINTMENT - Design Review Commission - Efi Hubschman**

Mayor Brien, along with Councilmember Brucker, presented a Certificate of Appointment and City pin to newly appointed Design Review Commissioner Efi Hubschman.

**2. PROCLAMATION for Al Grimmatt & Sons Automobile Shop**

Mayor Brien, along with Councilmember Bosse, presented a proclamation to John Grimmatt, representing Al Grimmatt & Sons Automobile Shop, in honor of their years of service and dedication to the City of Beverly Hills.

**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. Mark Olson, Southern California Edison

3. REPORT FROM THE CITY MANAGER \* Urban Search and Rescue (USAR) Program - Greg Barton, Fire Battalion Chief

Fire Marshall/Battalion Chief Greg Barton presented a PowerPoint and staff report on the City's Urban Search and Rescue (USAR) Program. He provided an overview of the program, spoke about the USAR team, the USAR training, the USAR vehicle and support trailer.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Mayor Brien reported on his trip to Washington, DC to attend the U.S. Conference of Mayors Winter Meeting on January 17-19, 2013.

**D. PUBLIC HEARING**

**TO SET:**

None

**TO CONSIDER:**

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

1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING A FINAL STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF FUNDS FOR THIRTY-NINTH YEAR (2013-2014) FUNDING UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED. Comment: This annual public hearing is conducted to allocate the upcoming year's estimated grant fund in the amount of \$168,062 and to reallocate any unexpended funding from prior allocations.

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 records and files of the Department of Community Services and the report of the Human Services Administrator concerning this matter shall be entered into the record.

Human Services Administrator James Latta provided the staff report, and noted the changes from the previous year to this year.

Council asked about budget carryover, and the notification process to let residents know of fund availability.

MOVED by Councilmember Bosse, seconded by Councilmember Gold to approve Resolution D-2 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING A FINAL STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF FUNDS FOR THIRTY-NINTH YEAR (2013-2014) FUNDING UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED

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

Noes: None.

CARRIED

***ITEM D-1: ADOPTED RES# 13-R-12909***

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

2. SIX RESOLUTIONS OF THE COUNCIL OF THE CITY OF BEVERLY HILLS DESIGNATING SIX NATIONAL REGISTER PROPERTIES AS LOCAL LANDMARKS AND PLACING THESE PROPERTIES ON THE LOCAL REGISTER OF HISTORIC PROPERTIES. Comment: The following six Local Landmark Nominations are being forwarded to City Council on the recommendation of the Cultural Heritage Commission: (1) Virginia Robinson Estate and Garden, 1008 Elden Way; (2) Beverly Hills Women's Club, 1700 Chevy Chase Drive; (3) Greystone Mansion, 905 Loma Vista Drive; (4) Beverly Hills Post Office, 469 N. Crescent Drive; (5) Anderton Court, 332 N. Rodeo Drive and (6) Karasik House, 436 Spalding Drive.

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 records and files of the Department of Community Development and the report of the Urban Designer concerning this matter shall be entered into the record.

Urban Designer William Crouch introduced Cultural Heritage Commission Chair Noah Furie, who thanked Council for their support in designating the local landmarks. Mr. Crouch presented a PowerPoint providing background information on the six proposed local landmark designations.

Speaking:

1. Kerstin Royce, Virginia Robinson Garden
2. Jill Collins, Beverly Hills Women's Club and Friends of Greystone
3. Marc Wanamaker, Beverly Hills Women's Club and Friends of Greystone

The City Council thanked the Cultural Heritage Commission and staff for their hard work.

MOVED by Vice Mayor Mirisch, seconded by Councilmember Bosse to adopt Resolutions D-2 as follows:

SIX RESOLUTIONS OF THE COUNCIL OF THE CITY OF BEVERLY HILLS DESIGNATING SIX NATIONAL REGISTER PROPERTIES AS LOCAL LANDMARKS AND PLACING THESE PROPERTIES ON THE LOCAL REGISTER OF HISTORIC PROPERTIES

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

Noes: None.

CARRIED

***ITEM D-2: ADOPTED RES# 13-R-12910; RES# 13-R-12911; RES# 13-R-12912; RES# 13-R-12913; RES# 13-R-12914; RES# 13-R-12915***

#### ***E. CONTINUED AND NEW BUSINESS***

1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AUTHORIZING THE ISSUANCE AND SALE OF SPECIAL TAX REFUNDING BONDS AND APPROVING RELATED DOCUMENTS AND ACTIONS IN CONNECTION WITH COMMUNITY FACILITIES DISTRICT NO. 2002-A (BUSINESS TRIANGLE) OF THE CITY OF BEVERLY HILLS. Comment: Staff recommends the City Council of the City of Beverly Hills approve, authorize and execute certain bond (financing) documents and direct related actions in connection with the refinancing of previously issued Community Facilities District (CFD) bonds. These bonds were issued on behalf of, and are paid for by CFD members within the Business Triangle. This refinancing is projected to save CFD members an estimated \$3,395,800 over 15 years with a net present value of \$1,554,000. The cost of issuance of the 2013 Bonds will be paid from the proceeds of the 2013 Bonds. The total not-to-exceed amount is \$14,000,000.

Acting Director of Administrative Services Noel Marquis introduced the Financing Team responsible for the project, and presented a PowerPoint and staff report. He spoke about the history of the district, and the staff's outreach results and recommendation.

City Council congratulated the team for the \$3.5 million savings.

MOVED by Councilmember Gold, seconded by Councilmember Brucker to adopt Resolution E-1 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AUTHORIZING THE ISSUANCE AND SALE OF SPECIAL TAX REFUNDING BONDS AND APPROVING RELATED DOCUMENTS AND ACTIONS IN CONNECTION WITH COMMUNITY FACILITIES DISTRICT NO. 2002-A (BUSINESS TRIANGLE) OF THE CITY OF BEVERLY HILLS

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

Noes: None.

CARRIED

**ITEM E-1: ADOPTED RES# 13-R-12916**

**F. CITY COUNCIL CONSENT CALENDAR**

MOVED by Councilmember Gold, seconded by Councilmember Brucker to remove Items F-4 and F-5 for separate vote, approve the remaining items on the consent calendar by reference, and direct that the appropriate accounts be charged on Items F-2 and F-3

**Minutes**

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Adjourned Regular Meeting of January 8, 2013.

**Demands Paid**

2. REVIEW OF BUDGETED DEMANDS PAID, report dated December 29, 2012 - January 11, 2013.
3. PAYROLL DISBURSEMENT REPORT, report dated January 24, 2013.

**Other Business**

**ORDINANCE OF THE CITY OF BEVERLY HILLS:**

4. REVISING THE SEPARATION REQUIREMENTS BETWEEN OIL WELLS AND SENSITIVE USES, REQUIRING REGULAR INSPECTIONS OF OIL WELLS FOR SUBSIDENCE, AND REQUIRING AN ANNUAL REPORT TO THE CITY COUNCIL. Second Reading - For Adoption. Comment: Revises the existing oil well ordinance pursuant to City Council direction at its December 4, 2012 meeting.

Vice Mayor Mirisch recused and left the dais at 6:05pm.

MOVED by Councilmember Gold, seconded by Councilmember Bosse to adopt Ordinance F-4 as follows:

REVISING THE SEPARATION REQUIREMENTS BETWEEN OIL WELLS AND SENSITIVE USES, REQUIRING REGULAR INSPECTIONS OF OIL WELLS FOR SUBSIDENCE, AND REQUIRING AN ANNUAL REPORT TO THE CITY COUNCIL

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

CARRIED

**ITEM F-4: ADOPTED ORD # 13-O-2637**

5. AMENDING THE MUNICIPAL CODE TO ESTABLISH A REVIEW PROCESS TO DETERMINE SUBSTANTIAL COMPLIANCE WITH CERTAIN ZONING CODE STANDARDS BASED ON SPECIFIC FINDINGS. Second Reading - For Adoption. Comment: This ordinance would amend the City's zoning code to establish a procedure through which the City may approve minor deviations from certain zoning standards on a project specific basis, provided that certain findings can be made.

MOVED by Councilmember Brucker, seconded by Councilmember Gold to adopt Ordinance F-5 as follows:

AMENDING THE MUNICIPAL CODE TO ESTABLISH A REVIEW PROCESS TO DETERMINE SUBSTANTIAL COMPLIANCE WITH CERTAIN ZONING CODE STANDARDS BASED ON SPECIFIC FINDINGS

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

CARRIED

**ITEM F-5: ADOPTED ORD # 13-O-2638**

**RESOLUTIONS APPROVING:**

6. THE APPLICATION AND CERTIFICATION AGREEMENT FOR THE CERTIFIED LOCAL GOVERNMENT PRESERVATION PROGRAM. Comment: Participation in the State Office of Historic Preservation Certified Local Government Preservation Program will provide necessary support for the City's Historic Preservation Program and will make annual Preservation Grants available to the City of Beverly Hills as a program participant.

**ITEM F-6: ADOPTED RES# 13-R-12917**

**APPROVAL OF:**

7. REAPPOINTING A MEMBER TO THE DESIGN REVIEW COMMISSION (ILENE NATHAN). Comment: Reappoints Ilene Nathan to the Design Review Commission for a four-year term.

***ITEM F-7: APPROVED***

8. REAPPOINTING A MEMBER TO THE ARCHITECTURAL COMMISSION (ANDREA GARDNER APATOW). Comment: Reappoints Andrea Gardner Apatow to the Architectural Commission for a four-year term.

***ITEM F-8: APPROVED***

9. AMENDMENT NO. 1 TO THE AGREEMENT WITH MATT CONSTRUCTION CORPORATION FOR CONSTRUCTION MANAGEMENT SERVICES RELATED TO THE ROXBURY COMMUNITY CENTER PROJECT; AND APPROVAL OF A CHANGE PURCHASE ORDER IN THE AMOUNT OF \$1,178,445 TO MATT CONSTRUCTION CORPORATION FOR THE WORK. Comment: Provides for construction management services for the construction phase of the Roxbury Community Center project.

***ITEM F-9: APPROVED AG# 22-13***

10. AMENDMENT NO. 1 TO AN AGREEMENT WITH T.I. MALONEY, INC., DBA COMMUNITY WORKS DESIGN GROUP FOR CONSULTING DESIGN SERVICES RELATED TO ROXBURY PARK; AND APPROVAL OF A CHANGE PURCHASE ORDER IN THE AMOUNT OF \$80,100 TO T.I. MALONEY, INC., DBA COMMUNITY WORKS DESIGN GROUP FOR PROFESSIONAL SERVICES. Comment: Provides for design services for the restroom building and playground area at Roxbury Park.

***ITEM F-10: APPROVED AG# 23-13***

11. ACCEPTANCE OF THE CONTRACT WORK FOR THE 2011-2012 STREET RESURFACING - VARIOUS LOCATIONS BY SULLY-MILLER CONTRACTING CO., IN THE FINAL AMOUNT OF \$897,842.38; AND AUTHORIZATION OF CITY CLERK TO RECORD NOTICE OF COMPLETION. Comment: This report provides information to the City Council for acceptance of the contract work in the final amount of \$897,842.38 and authorization for the recordation of the Notice of Completion by the City Clerk with the Los Angeles County Recorder. The project is part of the City Capital Improvement Program for the Fiscal Year 2011-2012.

***ITEM F-11: APPROVED***

***Vote on the Consent Calendar:***

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

CARRIED

**G. COMMISSION SYNOPSIS  
NO ACTION TAKEN ON "G" ITEMS**

1. FINE ART COMMISSION - Special Meeting of December 11, 2012

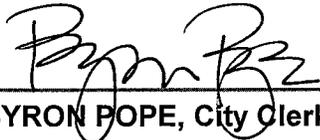
**H. OTHER BUSINESS**

None

**I. ADJOURNMENT**

There being no further business, Mayor Brien, with the consent of the Council, adjourned the meeting at 6:06pm.

PASSED, Approved and Adopted  
this 5<sup>th</sup> day of February, 2013

  
BYRON POPE, City Clerk

  
WILLIAM W. BRIEN, MD, MAYOR

**This meeting was broadcast on live television, on City of Beverly Hills municipal government television access Channel BHTV10 Time Warner Cable.**