CITY OF BEVERLY HILLS
ADJOURNED REGULAR CITY COUNCIL
MINUTES
September 20, 2012

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

A. ROLL CALL

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

B. PRESENTATIONS

1. RECOGNITION OF RETIRING COMMISSIONER - Yar Meshkaty, Human Relations Commission

Mayor Brien, along with Councilmember Brucker, presented a plaque of recognition and gift to retiring Human Relations Commissioner Yar Meshkaty. Mr. Meshkaty thanked the City for the opportunity to serve. Councilmember Bosse thanked Mr. Meshkaty for his accomplishments on the Commission.

2. PROCLAMATION - Recognizing Edelweiss Chocolates 70th Anniversary

Mayor Brien, along with Councilmember Bosse, presented a proclamation to Edelweiss Chocolates in honor of their 70th anniversary. Councilmember Mirisch spoke about his childhood memories of Edelweiss.

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. Mossy Taheri

3. REPORT FROM THE CITY MANAGER
* Mobile eGov Application - David Schirmer, Chief Information Officer

David Schirmer, Chief Information Officer, provided a PowerPoint and brief update on the city's mobile technology features and applications.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

None

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

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

1. AN ORDINANCE OF THE CITY OF BEVERLY HILLS ESTABLISHING DEFINITIONS, DESIGNATING USE, AND ADOPTING LOCAL PLANNING AND APPROVAL REQUIREMENTS FOR EMERGENCY SHELTERS, TRANSITIONAL AND SUPPORTIVE HOUSING, COMMUNITY CARE FACILITIES, AND SINGLE ROOM OCCUPANCY UNITS AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE. First Reading - For Introduction. Comment: This ordinance complies with State requirements under Senate Bill 2 and implements Housing Element Program 12.1 "Zoning Text Amendments for Special Needs Housing".

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 Community Development Department and the report of the Senior Planner concerning this matter shall be entered into the record.

Senior Planner Peter Noonan presented the PowerPoint staff report. He provided a background on the item, the forms of special needs housing, a map of the multi-family congregate housing for elderly and disabled persons, and recommended that the City Council affirm the Planning Commission decision on this matter.

Councilmember Gold inquired about the State requirements and consequences of not following the requirements. Councilmember Bosse acknowledged the work of the Planning Commission on the certification of the housing element. She asked why the Single Room Occupancy (SRO) zone requires a CUP, and the impacts of an SRO. Vice Mayor Mirisch expressed his disappointment on the requirements and limitations on the housing element imposed by the State.

MOVED by Councilmember Bosse, seconded by Councilmember Brucker to introduce and read by Title only and advance to the meeting of October 2, 2012 for adoption Ordinance D-1 as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS ESTABLISHING DEFINITIONS, DESIGNATING USE, AND ADOPTING LOCAL PLANNING AND APPROVAL REQUIREMENTS FOR EMERGENCY SHELTERS, TRANSITIONAL AND SUPPORTIVE HOUSING, COMMUNITY CARE FACILITIES, AND SINGLE ROOM OCCUPANCY UNITS AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE

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

CARRIED

ITEM D-1: INTRODUCED AND READ BY TITLE ONLY; ADVANCE TO THE MEETING OF OCTOBER 2, 2012 FOR ADOPTION

E. CONTINUED AND NEW BUSINESS

1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ESTABLISHING PREFERENTIAL PARKING ZONE "O" ON THE 600 BLOCK OF NORTH ALTA DRIVE AND THE ADJACENT SECTIONS OF CARMELITA AND ELEVADO AVENUES BETWEEN THE EAST AND WEST ALLEYWAYS. Comment: Qualifying petition to establish "No Parking, 8 pm to 2:30 am, Daily, Permit "O" Exempt" regulation to address parking intrusion.

Deputy Director of Transportation, Aaron Kunz, presented a PowerPoint and staff report.

Speaking:
1. Hooman Dayani
2. Doreen Wallach
3. Joe Wallach
4. Leeba Isenberg

5. Jennifer Levin
6. Mendel Valensi
7. Ezra Castle
8. Ronald Markman, MD

Councilmember Gold expressed his support on the item based on the majority of residents who spoke of their support and the Traffic and Parking Commission (TPC) recommendation. He asked the TPC to put on its work list identifying the permit parking needs of the City and possibly consolidating the permit zones to make the permitting process more efficient. Mayor Brien acknowledged the presence of TPC Chair Julie Steinberg to answer any questions addressed to the TPC.

Councilmember Bosse asked whether the permit cost is street-specific or applicable to all permit zones. She explained, for the benefit of Mr. Hooman Dayani, that there is a public process currently in place that the City is following.

Councilmember Brucker thanked TPC Chair Steinberg and the entire Commission for their work. He inquired how long the petition process takes from the time it is taken to the Commission for review through Council approval. He suggested that the neighboring residents be informed of what will happen in the next few months so that they can be prepared, and file a petition to expedite the process if they wish to do so.

Vice Mayor Mirisch expressed his concern on the domino effect the permit parking is causing. He asked staff if the City of West Hollywood has an ordinance requiring businesses to provide employee parking, and suggested that an outreach effort to the City of West Hollywood be done.

Mayor Brien expressed his support on this quality of life issue.

MOVED by Councilmember Gold, seconded by Councilmember Bosse to adopt Resolution E-1 as follows:
RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ESTABLISHING PREFERENTIAL PARKING ZONE "O" ON THE 600 BLOCK OF NORTH ALTA DRIVE AND THE ADJACENT SECTIONS OF CARMELITA AND ELEVADO AVENUES BETWEEN THE EAST AND WEST ALLEYWAYS

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

CARRIED

ITEM E-1: ADOPTED RES# 12-R-12893

F. CITY COUNCIL CONSENT CALENDAR

MOVED by Councilmember Brucker, seconded by Councilmember Gold to approve all items on the consent calendar and direct that the appropriate accounts be charged on Item F-1

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Adjourned Regular meeting of September 11, 2012.

Demands Paid

2. REVIEW OF BUDGETED DEMANDS PAID, report dated August 25 - September 7, 2012.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

3. AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO INCREASE THE VOLUNTARY EXPENDITURE CEILING FOR ELECTIONS. Second Reading - For Adoption. Comment: This ordinance increases the voluntary expenditure ceiling for elections from $75,000 to $80,000. The individual contribution limit will remain at $400 if a candidate accepts the spending limit of $80,000, and $125 if the candidate does not accept the spending limit.

ITEM F-3: ADOPTED ORD# 12-O-2632

RESOLUTIONS APPROVING:

4. ACCEPTING A FIREMAN'S FUND HERITAGE PROGRAM GRANT IN THE AMOUNT OF $13,742, APPROVING AN AGREEMENT WITH FIREMAN'S FUND, AND APPROPRIATING FUNDS FOR THE PURCHASE OF FIRE PREVENTION EDUCATION AND COMMUNITY OUTREACH SUPPLIES. Comment: The City of Beverly Hills has been approved to receive a grant in the amount of $13,742.00. The funding will be used for the purchases of various Fire Prevention education and community outreach materials, such as the Commercial Fire Safety Education, preseason brush clearance & midyear brush fire readiness & evacuation education mailers and for the Fire Prevention Week's and school educational materials.

ITEM F-4: ADOPTED RES# 12-R-12894 AG# 425-12

APPROVAL OF:

5. THE CITY'S PLAN ADMINISTRATOR TO SIGN THE AMENDMENT TO THE AGREEMENT WITH ICMA-RC FOR INVESTMENT MANAGEMENT SERVICES AND PLAN ADMINISTRATION Comment: Staff recommends the City Council authorize the City's ICMA Retirement Corporation Plan Administrator (Chief Financial Officer) to amend the agreement terms. The amendment to the agreement will generate $80,000 annually for the City of Beverly Hills.

ITEM F-5: APPROVED

6. A FUNDING AGREEMENT WITH THE BEVERLY HILLS CHAMBER OF COMMERCE AND CIVIC ASSOCIATION FOR BUSINESS ATTRACTION AND RETENTION SERVICES FOR FISCAL YEAR 2012-2013; AND APPROVAL OF A PURCHASE ORDER IN A NOT-TO-EXCEED AMOUNT OF $240,000 TO THE BEVERLY HILLS CHAMBER OF COMMERCE AND CIVIC ASSOCIATION FOR THESE SERVICES. Comment: This is a funding agreement between the City of Beverly Hills and the Beverly Hills Chamber of Commerce and Civic Association for business attraction and retention services for FY 2012-13. The City Council is also asked to approve a purchase order in a not-to-exceed amount of $240,000 for these services.

ITEM F-6: APPROVED AG# 421-12

7. AMENDMENT NO. 1 TO THE AGREEMENT WITH REDFLEX TRAFFIC SYSTEMS, INC. FOR PHOTO RED LIGHT ENFORCEMENT PROGRAM. Comment: This amendment continues the City's agreement with Redflex Traffic Systems, Inc., which provides support for the City's red light enforcement program.

ITEM F-7: APPROVED AG# 422-12

8. AGREEMENT WITH DAVID TURCH AND ASSOCIATES, FOR FEDERAL REGULATORY REPRESENTATION AND LEGISLATIVE SERVICES; AND

AUTHORIZATION OF A PURCHASE ORDER IN THE AMOUNT OF $55,000 TO DAVID TURCH AND ASSOCIATES FOR THESE SERVICES. Comment: An Agreement with David Turch and Associates for legislative advocacy services in Washington, D.C. to promote the City's legislative agenda and key initiatives, in the amount of $55,000.

ITEM F-8: APPROVED AG# 423-12

9. AN AGREEMENT WITH RODEO DRIVE, INC. FOR RODEO DRIVE HOLIDAY DÉCOR; AND APPROVAL OF A PURCHASE ORDER IN A NOT-TO-EXCEED AMOUNT OF $163,105 FOR THESE SERVICES. Comment: Requests approval of an agreement to provide funding for Rodeo Drive holiday décor for the 2012 holiday season. The City Council is also asked to approve a purchase order in a not-to-exceed amount of $163,105 for these services.

ITEM F-9: APPROVED AG# 424-12

10. A PURCHASE ORDER IN THE AMOUNT OF $300,000 TO EQUARIUS WATERWORKS FOR THE PURCHASE OF NEPTUNE WATER METERS AND PARTS. Comment: Equarius Waterworks is currently the only authorized distributor in the State of California for Neptune RF meter reading equipment, Neptune water meters and parts. The City of Beverly Hills standardized on Neptune water meters in 2007. Staff recommends to continue to use Neptune water meters and to approve a purchase order in the amount of $300,000 to Equarius Waterworks.

ITEM F-10: APPROVED

11. ACCEPTANCE OF THE CONTRACT WORK FOR THE "T-ALLEY RECONSTRUCTION" PROJECT BY R.C. BECKER AND SON, INC., IN THE FINAL AMOUNT OF $238,298.80 AND AUTHORIZATION OF CITY CLERK TO RECORD NOTICE OF COMPLETION. Comment: It is recommended that the described work with R.C. Becker and Son, Inc. be accepted and authorization be given for the recordation of the Notice of Completion.

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 ACTIONS TAKEN ON "G" ITEMS

1. CULTURAL HERITAGE COMMISSION - Special Meeting of September 4, 2012

H. OTHER BUSINESS

None

I. ADJOURNMENT

There being no further business, Mayor Brien, with the consent of the Council, adjourned the meeting at 8:22pm.

PASSED, Approved and Adopted
this 2nd day of October, 2012

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.