



CITY OF BEVERLY HILLS
ADJOURNED REGULAR CITY COUNCIL MEETING
AND PARKING AUTHORITY MEETING
MINUTES
December 18, 2012

The Joint Adjourned Regular City Council and Parking Authority meeting was held in the Council Chambers at 7:00 pm. The Parking Authority met during Closed Session at 5:15pm. There were no reportable actions.

A. ROLL CALLS

Present: Gold, Bosse, Brucker, Mirisch, and Brien
 Absent: None

B. PRESENTATIONS

None

Mayor Brien called for a moment of silence in memory of the victims of the recent shooting tragedy in Newtown, Connecticut, and assured the community that the City and the Beverly Hills Unified School District (BHUSD) are teaming up to enhance security procedures in the five BHUSD schools and private schools. Each Councilmember read a group of names of the victims.

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/Parking Authority 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/Parking Authority.)

None

2. AUDIENCE COMMENTS. Any person wishing to address the City Council/Parking Authority 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/Parking Authority 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/Parking Authority 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. George Diordjevic
2. Ebrahim Younessi
3. Heidi Novian
4. Solay Rad
5. Lior Shily

3. REPORT FROM THE CITY MANAGER

* City Banking and Deposit Services - Sharon Rahban, Accounting Manager

Accounting Manager Sharon Rahban presented a PowerPoint report on the City's transition from City National Bank to Wells Fargo Bank effective November 1, 2012.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Mayor Brien reported that he and the Vice-Mayor Mirisch, as the Legislative Committee, met today to discuss local, state and federal legislative initiatives in response to the shooting incident in Connecticut.

D. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

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

1. ANNUAL GENERAL PLAN AND HOUSING ELEMENT REPORT. Comment: State requires the City to submit annual progress reports on completing programs in the General Plan and Housing Element. This item provides those reports. This item also provides a work plan and timeline for completing the program included in the City's Housing Element.

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 Assistant Director of Community Development/City Planner concerning this matter shall be entered into the record.

Assistant Director of Community Development/City Planner Jonathan Lait presented the staff report for the annual hearing on the general plan.

MOVED by Councilmember Bosse, seconded by Councilmember Gold to direct staff to forward to the State Office of Planning and Research, and the Department of Housing and Community Development the report as follows:

ANNUAL GENERAL PLAN AND HOUSING ELEMENT REPORT

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

Noes: None.

CARRIED

ITEM D-1: DIRECTED STAFF TO FORWARD THE ANNUAL GENERAL PLAN AND HOUSING ELEMENT REPORT TO THE STATE OFFICE OF PLANNING AND RESEARCH, AND THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

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

2. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AUTHORIZING A ZONING AMENDMENT THAT WOULD APPLY THE CITY'S TRANSPORTATION OVERLAY ZONE TO THE PROPERTY LOCATED AT 9848 SANTA MONICA BOULEVARD. First Reading - For Introduction. Comment: Application of the Transportation Overlay Zone to the subject property would allow the property to be used for surface parking purposes, whereas the property's current zoning allows for railroad uses only. The Zoning Amendment was reviewed by the Planning Commission on November 19, 2012, and the Planning Commission has recommended that the City Council approve the Zoning Amendment.

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 Senior Planner concerning this matter shall be entered into the record.

Senior Planner Ryan Gohlich presented a PowerPoint report. He showed the existing site configuration, and discussed the proposed zoning amendment, the Planning Commission (PC) review of the development plan and gateway project, and the PC and staff recommendations.

The applicant, Mr. Jeff Wilson, answered Councilmembers' questions regarding the planned use of additional parking spaces.

MOVED by Councilmember Bosse, seconded by Councilmember Brucker to introduce and read by title only Ordinance D-2 as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AUTHORIZING A ZONING AMENDMENT THAT WOULD APPLY THE CITY'S TRANSPORTATION OVERLAY ZONE TO THE PROPERTY LOCATED AT 9848 SANTA MONICA BOULEVARD

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

Noes: None.

CARRIED

ITEM D-2: INTRODUCED AND READ BY TITLE ONLY; ADVANCE TO THE MEETING OF JANUARY 8, 2013 FOR ADOPTION

E. CONTINUED AND NEW BUSINESS

1. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING THE SANITARY SEWER MANAGEMENT PLAN (SSMP) IN COMPLIANCE WITH THE STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS. Comment: Staff to present the Sewer System Management Plan (SSMP) for adoption so that it may be submitted to the State Water Quality Control Board for compliance with the Statewide General Waste Discharge Requirements Order No. 2006-0003.

Senior Management Analyst Christian Di Renzo presented a PowerPoint and staff report. He discussed the purpose and basic requirements of the water discharge requirements (WDR), and the development of the sewer system management plan (SSMP).

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 APPROVING THE SANITARY SEWER MANAGEMENT PLAN (SSMP) IN COMPLIANCE WITH THE STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS

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

Noes: None.

CARRIED

ITEM E-1: ADOPTED RES# 12-R-12903

F. PARKING AUTHORITY CONSENT CALENDAR

MOVED by Director Bosse, seconded by Director Gold to approve all items on the Parking Authority consent calendar by reference

Minutes

1. CONSIDERATION OF THE MINUTES of the Parking Authority meeting of November 13, 2012.

APPROVAL OF:

2. FIRST AMENDMENT OF LEASE BY AND BETWEEN THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS AND STROUK GROUP, INC DBA MONSIEUR MARCEL AT 447 N. CANON DRIVE. Comment: This amendment delays the commencement of the rent by five (5) months and extends the term of the lease by five (5) months.

ITEM F-2: APPROVED AG# PA-12-23

Vote on the Parking Authority Consent Calendar:

Ayes: Director Gold, Director Bosse, Director Brucker, Director Mirisch, and Chair Brien.
Noes: None.

CARRIED

G. CITY COUNCIL CONSENT CALENDAR

MOVED by Councilmember Bosse, seconded by Councilmember Brucker to remove Items G-7 and G-10 for discussion and separate vote, approve the remaining items on the consent calendar by reference, and direct that the appropriate accounts be charged on Items G-3 and G-4

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Special meeting of October 21, 2012.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of December 4, 2012.

Demands Paid

3. REVIEW OF BUDGETED DEMANDS PAID, report dated November 17 - November 30, 2012.
4. PAYROLL DISBURSEMENT REPORT, report dated December 18, 2012.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

5. AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF A GRANT UNDER THE FISCAL YEAR 2010 STATE HOMELAND SECURITY GRANT PROGRAM FOR THE PURCHASE OF AUTOMATED LICENSE PLATE RECOGNITION SYSTEMS; AND

AUTHORIZING THE CITY MANAGER TO APPROVE AN AGREEMENT AND A PURCHASE ORDER WITH 3M (FORMERLY PIPS TECHNOLOGY) IN AN AMOUNT NOT TO EXCEED \$57,000 FOR PURCHASE AND INSTALLATION OF AUTOMATED LICENSE PLATE RECOGNITION SYSTEMS; AND

APPROPRIATION OF \$48,921 TO FUND THE PURCHASE OF AUTOMATED LICENSE PLATE RECOGNITION SYSTEMS. Comment: Funds received under the grant program will be used to purchase three mobile automatic license plate recognition systems in police patrol vehicles.

ITEM G-5: ADOPTED RES# 12-R-12904

APPROVAL OF:

6. PLANNING COMMISSION APPOINTMENT (ALAN ROBERT BLOCK). Comment: Appoints Alan Robert Block to the Planning Commission for an initial two-year term.

ITEM G-6: APPROVED

7. AN ENCROACHMENT PERMIT AND COVENANT WITH LUXE LA CIENEGA, LLC, OWNER OF THE PROPERTY LOCATED AT 375 NORTH LA CIENEGA BOULEVARD, LOS ANGELES, TO ENCROACH INTO THE CITY OF BEVERLY HILLS UTILITY EASEMENT ON THEIR PROPERTY. Comment: It is recommended that the encroachment permit and covenant be approved to allow encroachment into the City utility easement.

Director of Public Works and Transportation David Gustavson responded to Vice Mayor Mirisch's request for clarification regarding the location of the property.

MOVED by Councilmember Bosse, seconded by Councilmember Gold Comment: It is recommended that the encroachment permit and covenant be approved to allow encroachment into the City utility easement.

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

Noes: None.

CARRIED

ITEM G-7: APPROVED AG# 530-12

8. AGREEMENT WITH LIEBERT CASSIDY WHITMORE, A PROFESSIONAL CORPORATION, FOR EMPLOYEE RELATIONS AND NEGOTIATION SERVICES. Comment: This agreement provides for continued labor negotiation and employment law services from Liebert, Cassidy & Whitmore. The agreement restructures the compensation for labor negotiation services so that such services are provided on a retainer basis and increases to \$300 per hour the compensation for employment law services provided by partners. Other rates would remain the same.

ITEM G-8: APPROVED AG# 531-12

9. AMENDMENT NO. 1 TO THE AGREEMENT WITH ARNIE BERGHOFF & ASSOCIATES FOR REPRESENTATION AND PUBLIC AFFAIRS SERVICES; AND
AUTHORIZATION OF A CHANGE ORDER IN THE AMOUNT OF \$33,000, NOT TO EXCEED \$66,000 TO ARNIE BERGHOFF & ASSOCIATES FOR THESE SERVICES. Comment: Staff recommends that City Council move to approve Amendment No. 1 to Agreement No. 178-12, and issue a change order between the City of Beverly Hills and Arnie Berghoff & Associates for intergovernmental representation and advocacy services in a total not to exceed \$66,000.

ITEM G-9: APPROVED AG# 532-12

10. A PURCHASE ORDER TO "PARADISE CHEVROLET" IN THE NOT-TO-EXCEED AMOUNT OF \$121,235.69 FOR PURCHASE OF FOUR (4) CHEVROLET VEHICLES. Comment: Provides for purchase of four (4) Chevrolet vehicles to replace an equal number of public-safety vehicles currently assigned to the Department of Police.

Vice Mayor Mirisch questioned the appropriateness of the vehicles being purchase for their purpose.

MOVED by Councilmember Bosse, seconded by Councilmember Brucker to approve upon condition that the Police Chief review the Vice Mayor's comments about the appropriate use of the vehicles for undercover work Purchase Order G-10 as follows:

A PURCHASE ORDER TO "PARADISE CHEVROLET" IN THE NOT-TO-EXCEED AMOUNT OF \$121,235.69 FOR PURCHASE OF FOUR (4) CHEVROLET VEHICLES

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

CARRIED

ITEM G-10: APPROVED UPON CONDITION THAT THE POLICE CHIEF REVIEW THE VICE MAYOR'S COMMENTS ABOUT THE APPROPRIATE USE OF THE VEHICLES FOR UNDERCOVER WORK

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

ITEM A: AN AGREEMENT WITH PRO SOUND CA, INC. FOR CITY HALL COUNCIL CHAMBERS AND ROOM 280A AUDIOVISUAL AND TELEVISION PRODUCTION SYSTEM IMPROVEMENTS; AND

APPROVAL OF A PURCHASE ORDER IN A NOT-TO-EXCEED AMOUNT OF \$300,000 FOR THE CONTRACT WORK INCLUDING CONTINGENCY. Comment: Staff recommends that the City Council award the contract related to Bid No. 13-17 to Pro Sound CA, Inc. for City Hall Council Chambers and Room 280A Audiovisual and Television Production System Improvements, and approve a purchase order in the amount of \$300,000, including all related equipment and services in the amount of \$273,722.85, and contingency funds in an amount not to exceed \$26,277.15.

ITEM G-11A: APPROVED AG# 533-12

ITEM B: STATE OF CALIFORNIA, DEPARTMENT OF INDUSTRIAL RELATIONS, OFFICE OF SELF-INSURANCE PLANS ASSESSMENT FEE FOR SELF-INSURED WORKERS' COMPENSATION PLANS. Comment: Provides for the approval for the payment of the annual Workers' Compensation assessment fees and the purchase order in the amount of \$83,094.40.

ITEM G-11B: APPROVED

ITEM C: A CHANGE ORDER FOR ACCOUNTEMPS, A PROFESSIONAL CORPORATION, FOR TEMPORARY STAFFING ASSISTANCE IN THE AMOUNT OF \$41,000 FOR A TOTAL NOT-TO-EXCEED \$73,000. Comment: Request for an additional \$41,000 to be allocated to the purchase order for Accountemps for required temporary staffing assistance.

ITEM G-11C: APPROVED

Vote on the City Council Consent Calendar:

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

CARRIED

**H. COMMISSION SYNOPSIS
NO ACTIONS TAKEN ON "H" ITEMS**

1. CHARITABLE SOLICITATIONS COMMISSION - Regular Meeting of November 14, 2012
FINE ART COMMISSION - Regular Meeting of November 15, 2012
HEALTH AND SAFETY COMMISSION - Regular Meeting of November 19, 2012
RECREATION AND PARKS COMMISSION - Regular Meeting of November 27, 2012
TRAFFIC & PARKING COMMISSION - Regular Meeting of December 6, 2012

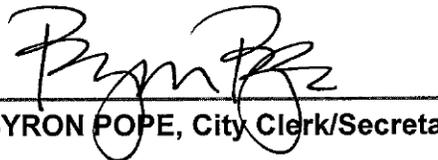
I. OTHER BUSINESS

None

J. ADJOURNMENT

There being no further business, Mayor/Chair Brien, with the consent of the Council/Board adjourned the meeting at 8:38pm.

PASSED, Approved and Adopted
this 8th day of January, 2013


BYRON POPE, City Clerk/Secretary


WILLIAM W. BRIEN, MD, MAYOR/CHAIR

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