



**CITY OF BEVERLY HILLS  
REGULAR CITY COUNCIL AND PARKING AUTHORITY MEETING  
MINUTES  
April 22, 2014**

The Joint Adjourned Regular City Council and Parking Authority meeting was held in the Council Chambers at 7:00 pm. The Parking Authority Meeting met during Closed Session at 5:17pm. There were no reportable actions.

**PLEDGE OF ALLEGIANCE** led by Dr. Brian Goldberg

**A. ROLL CALLS**

Present: Councilmember Mirisch, Councilmember Brien, Vice Mayor Gold, and Mayor Bosse.  
Absent: Councilmember Krasne.

**B. PRESENTATIONS**

**1. RECOGNITION OF RETIRING COMMISSIONER**  
Traffic & Parking Commission  
- Jeffrey S. Levine

Mayor Bosse, along with Vice Mayor Gold, presented a plaque of recognition and gift to retiring Traffic and Parking Commissioner Jeffrey S. Levine.

**2. RECOGNITION of Laura Schmieder, Director of iPalpiti Artists International**  
- Recognition of Laura Schmieder for her years of service to the City of Beverly Hills as Volunteer Artistic Director of the Music in the Mansion concert series.

Mayor Bosse, along with Vice Mayor Gold, presented a proclamation to community volunteer and Director of iPalpiti Artists International Laura Schmieder. Ms. Schmieder has donated her time and talents to bring young classical musicians to Beverly Hills. She has been involved with the City's Sundays at Two concert series in the Library, Music in the Mansion and the iPalpiti Artists International series.

**3. PROCLAMATION for Relay for Life**

Mayor Bosse, along with Vice Mayor Gold, presented a proclamation to Ashley Millhouse, on behalf of the American Cancer Society Relay for Life. Relay for Life is an annual

fundraising event replay where teams of volunteers walk laps all night long to raise money for the American Cancer Society.

4. PROCLAMATION for Youth in Government - Recognition of students participating in the May 9, 2014 Youth in Government event.

Mayor Bosse, along with the entire Council, presented a proclamation to Horace Mann Social Studies teacher David Foldvary, and Dr. Brian Goldberg for the Youth in Government program, which the School District and the City are sponsoring on May 9<sup>th</sup>. Mr. Foldvary provided information on this year's program and called the students who will be participating in the mock City Council meeting on May 9<sup>th</sup> to the podium.

5. 60 SECOND BUSINESS SHOUT-OUT - Luxe Hotel Rodeo Drive

Mayor Bosse, along with the entire Council, presented a 60 Second Business Shout Out proclamation to Luxe Rodeo Drive Hotel, represented by Owner, Founder and Chairman Efrem Harham and General Manager Marcus Mueller. Mayor Bosse also invited Annette Saleh and Jen Terrel-Schwartz, who nominated the Luxe Hotel, to join them at the podium.

6. 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 Gold announced that residents may text the City at (310) 596-4265 for any questions, comments or if they need information.

### **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. Dr. Robert Wunderlich
2. Dr. Clyde Thomas Williams

**3. REPORT FROM THE CITY MANAGER**

\* Fiscal Year 2014-2015 Budget Study Session Schedule - Jeffrey Kolin, City Manager

City Manager Kolin announced the schedule for the Budget Study Session presentations and requested the Council to block off their schedule for the evenings of May 8<sup>th</sup> and May 13<sup>th</sup> to have more time to finish the presentations. Council decided on a cutoff time of 5:30pm on May 8<sup>th</sup> and 7:00pm on May 13<sup>th</sup>, and a start time of 2:30pm on May 15<sup>th</sup>.

\* Information Technology Updates - David Schirmer, Chief Information Officer

Chief Information Officer David Schirmer presented an update on the technologies that the Information Technology Department is currently working on. These include the installation of security cameras in Santa Monica Five parking structures, public Wi-Fi, and new Apps such as "Explore Beverly Hills," "Beverly Hills on the Move" on pedometer, "Walk with the Mayor," text BH, and an interactive "Contact Us."

**4. CITY COUNCILMEMBER AND COMMITTEE REPORTS**

Councilmember Brien reported on his trip to Washington, DC a week ago as part of the Interagency Communications Interoperability Systems (ICIS) group representing Beverly Hills working with government officials to look into enhancing and strengthening our interoperable system that serves over 26 cities and local agencies.

Mayor Bosse announced that today is the 44<sup>th</sup> anniversary of the original Earth Day. She encouraged everyone to live a healthy and sustainable lifestyle.

**D. PARKING AUTHORITY CONSENT CALENDAR**

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

**Minutes**

1. CONSIDERATION OF THE MINUTES of the Parking Authority meeting of February 18, 2014.

**Other Business**

**APPROVAL OF:**

2. SEVENTH AMENDMENT OF LEASE BY AND BETWEEN THE PARKING AUTHORITY OF THE CITY OF BEVERLY HILLS AND SHAHRAM SAEEDIAN AND BIJAN DADFARIN DBA BEVERLY HILLS MARKET. Comment: This amendment extends the rent of \$6,203.96 through March 31, 2016. The rent will adjust every two years thereafter based on the Consumer Price Index, not to exceed 5%. The Beverly Hills Market is located at 303 N. Crescent Drive.

**ITEM D-2: APPROVED AG# PA-14-41**

**Vote on the Parking Authority Consent Calendar:**

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

CARRIED

**E. CITY COUNCIL CONSENT CALENDAR**

MOVED by Councilmember Mirisch, seconded by Vice Mayor Gold to approve all items on the City Council consent calendar, and direct that the appropriate accounts be charged on Items E-2 and E-3

**Minutes**

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of April 1, 2014.

**Demands Paid**

2. REVIEW OF BUDGETED DEMANDS PAID, report dated March 22 - April 11, 2014.
3. PAYROLL DISBURSEMENT REPORT, report dated April 22, 2014.

**Other Business**

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

4. AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING CARRYOUT BAGS. Second Reading - For Adoption. Comment: This ordinance amends the Beverly Hills Municipal Code to prohibit certain retail establishments from providing certain plastic carry-out bags at the point of sale and regulating the use of paper carryout bags and finds the ordinance exempt from the California Environmental Quality Act. The ordinance will take effect on July 1, 2014 and January 1, 2015, depending upon the type of store, as described in further detail in the Ordinance.

**ITEM E-4: ADOPTED ORD# 14-O-2658**

5. REGULATING TOBACCO AND ELECTRONIC CIGARETTE USE IN OUTDOOR SERVICE LINES, FARMERS MARKETS, PUBLIC PLAZAS AND OUTDOOR PUBLIC GATHERING PLACES. Second Reading - For Adoption. Comment: Amends the municipal code to expand the City's regulations to prohibit smoking in outdoor service lines, farmers markets, public plazas, and outdoor public gatherings and finds the ordinance exempt from the California Environmental Quality Act. The ordinance will be effective June 1, 2014.

**ITEM E-5: ADOPTED ORD# 14-O-2659**

**RESOLUTIONS:**

6. AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF A GRANT UNDER THE FISCAL YEAR 2013 URBAN AREA SECURITY INITIATIVE (UASI 13) AND APPROPRIATING FUNDS FOR DISASTER PREPAREDNESS, RESPONSE ACTIVITIES TRAINING AND AUTOMATED LICENSE PLATE RECOGNITION EQUIPMENT. Comment: Grant funds will be used by the Fire Department to purchase personal protective equipment, Urban Search and Rescue (USAR) response team training, Terrorism Liaison Officer (TLO) training and by the Police Department to purchase additional Automatic License Plate Recognition (ALPR) equipment.

**ITEM E-6: ADOPTED RES# 14-R-12977; APPROVED AG# 155-14**

7. AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AGREEMENTS FOR THE TEMPORARY USE OF NON-CITY PROPERTY FOR TRAINING OF CITY PUBLIC SAFETY PERSONNEL. Comment: The resolution authorizes the City Manager to execute agreements for off-site Police and Fire Department training in situations where costs to the City are less than or equal to \$50,000.

**ITEM E-7: ADOPTED RES# 14-R-12978**

8. APPROVING PARTICIPATION IN THE LOS ANGELES URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM BY AUTHORIZING THE MAYOR OR HER DESIGNEE TO SIGN A COOPERATION AGREEMENT WITH THE COUNTY OF LOS ANGELES. Comment: The Cooperation Agreement outlines legal provisions and new requirements for the City to participate in the CDBG program.

**ITEM E-8: ADOPTED RES# 14-R-12979; APPROVED AG# 156-14**

**APPROVAL OF:**

9. TRAFFIC AND PARKING COMMISSION APPOINTMENTS (JACOB MANASTER AND DAVID M. SEIDEL). Comment: Appoints Jacob Manaster to the Traffic and Parking Commission for an initial two-year term, and David M. Seidel to an upcoming vacancy.

**ITEM E-9: APPROVED**

10. HUMAN RELATIONS COMMISSION APPOINTMENTS (ORI BLUMENFELD, KAREN POPOVICH LEVYN, JERALD FRIEDMAN, AND SONIA BERMAN). Comment: Appoints Ori Blumenthal, Karen Popovich Levyn, Jerald Friedman, and Sonia Berman to the Human Relations Commission for an initial two-year term each.

**ITEM E-10: APPROVED**

11. PROFESSIONAL SERVICES AGREEMENT WITH ENVIRON INTERNATIONAL CORP. FOR CONSULTING SERVICES RELATED TO AMBIENT AIR PARTICULATE MATTER

MONITORING SERVICES AT 9900 WILSHIRE BOULEVARD PROJECT; AND AUTHORIZE A PURCHASE ORDER APPROVAL IN THE AMOUNT OF \$88,855 FOR PROFESSIONAL CONSULTING SERVICES. Comment: Staff requests that Council approve an agreement and a purchase order with Environ International Corporation for the ambient air particulate matter monitoring services of the 9900 Wilshire project. This cost will be reimbursed by the developer with no fiscal impact to the City.

***ITEM E-11: APPROVED AG# 157-14***

12. PROFESSIONAL SERVICES AGREEMENT WITH CITADEL ENVIRONMENTAL SERVICES, INC. FOR CONSULTING SERVICES RELATED TO ENVIRONMENTAL COMPLIANCE MONITORING SERVICES AT 9900 WILSHIRE BOULEVARD PROJECT; AND AUTHORIZE A PURCHASE ORDER APPROVAL IN THE AMOUNT OF \$108,533 FOR PROFESSIONAL CONSULTING SERVICES. Comment: Staff requests that Council approve an agreement and a purchase order with Citadel Environmental Services, Inc. for the environmental compliance monitoring services of the 9900 Wilshire Blvd. project. This cost will be reimbursed by the developer with no fiscal impact to the City.

***ITEM E-12: APPROVED AG# 158-14***

13. AN AGREEMENT WITH MLA GREEN, INC., DBA MIA LEHRER & ASSOCIATES FOR DESIGN SERVICES RELATED TO RESTORATION OF BEVERLY GARDENS PARK FOOTHILL BLOCKS; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$76,745 TO MLA GREEN, INC., DBA MIA LEHRER & ASSOCIATES FOR DESIGN SERVICES. Comment: Provides for design services through the construction document phase for the two blocks between Alpine Drive and Elm Drive.

***ITEM E-13: APPROVED AG# 159-14***

14. AN AGREEMENT WITH TRITON WATER TECHNOLOGIES OF CALIFORNIA, INC. FOR PROFESSIONAL SERVICES, SOFTWARE LICENSING AND SUPPORT RELATED TO THE CITY'S WATER METERS AND USAGE REPORTS; AND AUTHORIZATION OF PURCHASE ORDER IN THE AMOUNT OF \$113,500 FOR PROFESSIONAL CONSULTING SERVICES. Comment: The Triton web based service is highly customizable and allows Beverly Hills customers to view, monitor and set performance levels for their specific water usage/consumption. This system works with our automated meter system to allow for near real-time data and customer notifications of water usage and potential issues within their system.

***ITEM E-14: APPROVED AG# 160-14***

15. AMENDMENT NO. 1 TO AN AGREEMENT WITH NELSON/NYGAARD CONSULTING ASSOCIATES, INC. FOR AN IN LIEU PARKING STUDY; AND APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$25,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$75,000. Comment: Amends the Agreement to add \$25,000.00 dollars, for a total amount of \$75,000, for additional tasks required to complete the study. Funds were previously allocated by the City Council for this study.

***ITEM E-15: APPROVED AG# 161-14***

16. AMENDMENT NO. 1 TO THE AGREEMENT WITH CSG CONSULTANTS, INC. TO PROVIDE PLAN REVIEW SERVICES AND OTHER AS-NEEDED CONSULTING SERVICES, AND APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$100,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$150,000. Comment: This is to increase the existing agreement of \$50,000 to a total-not-to-exceed amount of \$150,000 to meet the increasing demand for plan review services.

***ITEM E-16: APPROVED AG# 162-14***

17. AMENDMENT NO.1 TO THE AGREEMENT WITH ESTHER CAPORALE FOR ENGLISH AS A SECOND LANGUAGE (ESL) CLASSES THROUGH THE CITY'S COMMUNITY SERVICES DEPARTMENT AT VARIOUS CITY PARKS AND BEVERLY HILLS UNIFIED SCHOOL DISTRICT GROUNDS; AND APPROVAL TO INCREASE THE ANNUAL PURCHASE ORDER FISCAL YEAR AMOUNTS FROM \$15,000 TO \$25,000 FOR FY13-14. Comment: This amendment increases the annual fiscal year amount from \$15,000 to \$25,000 for FY 13-14 and 2 subsequent years due to increased enrollment in the ESL classes. New \$75,000 total amount of Agreement is offset by revenue.

***ITEM E-17: APPROVED AG# 163-14***

18. AMENDMENT NO. 1 TO AN AGREEMENT WITH G4S SECURE SOLUTIONS (USA) INC. FOR THE OPERATIONS AND MANAGEMENT OF THE BEVERLY HILLS CITY JAIL. Comment: This Amendment clarifies that the consideration listed in the original agreement is an annual payment to operate and manage the City's jail facility and includes additional training for vendor's employees.

***ITEM E-18: APPROVED AG# 164-14***

19. AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, HARDY & HARPER, INC., FOR THE PROJECT "HEATH AVENUE STREET RECONSTRUCTION (OLYMPIC BOULEVARD TO HILLGREEN DRIVE CUL-DE-SAC)" IN THE AMOUNT OF \$488,000; AND APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFORE; AND APPROVAL OF ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$536,800 FOR THE PROJECT. Comment: Staff recommends that the City Council approve the award of a contract to Hardy & Harper, Inc. for the reconstruction of Heath Avenue (Olympic to Hillgreen); a residential asphalt alley which was annexed to the City of Beverly Hills (from City of LA) in 1999.

***ITEM E-19: APPROVED AG# 165-14***

20. ACCEPTANCE OF CONTRACT WORK FOR 13 OF 21 CONTRACTS FOR THE PUBLIC WORKS WAREHOUSE AND SHOPS PROJECT BY VARIOUS CONTRACTORS IN THE CUMULATIVE FINAL CONTRACT AMOUNT OF \$3,639,894. Comment: Recommends that the City Council accept the described contract work with various contractors and authorize the Notice of Completion.

***ITEM E-20: APPROVED***

21. ACCEPTANCE OF CONTRACT WORK FOR BEVERLY GARDENS PARK LILY POND RESTORATION PROJECT, BLOCK #14 IN THE FINAL CUMULATIVE FINAL CONTRACT AMOUNT OF \$1,246,723. Comment: Recommends that the City Council accept the described contract work with various contractors and authorize the Notice of Completion.

***ITEM E-21: APPROVED***

22. ACCEPTANCE OF CONTRACT WORK FOR THE ROXBURY PARK FIELD RENOVATION AND MAINLINE REPLACEMENT PROJECT BY LANDSCAPE SUPPORT SERVICES, INC., IN THE FINAL CONTRACT AMOUNT OF \$645,097. Comment: Recommends that the City Council accept the described contract work with Landscape Support Services, Inc., and authorize the Notice of Completion.

***ITEM E-22: APPROVED***

23. ACCEPTANCE OF CONTRACT WORK FOR THE HAMEL PARK IMPROVEMENT PROJECT BY G2K CONSTRUCTION, INC. IN THE FINAL CONTRACT AMOUNT OF \$321,096.42. Comment: Recommends that the City Council accept the described contract work with G2K Construction, Inc., and authorize the filing of the Notice of Completion.

***ITEM E-23: APPROVED***

24. A PURCHASE ORDER TO MCPEEK'S DODGE OF ANAHEIM FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$56,795.60 FOR PURCHASE OF TWO (2) DODGE CHARGER POLICE PURSUIT VEHICLES. Comment: Staff recommends that the City Council (1) find that the conformance with the bidding procedures in the Municipal Code would be contrary to the best interests of the City, (2) waive the bidding requirements as the City is utilizing the LA County Sheriff's Department bid process, and (3) move to approve a purchase order in the amount of \$56,795.60 to McPeek's Dodge of Anaheim for the purchase of two Dodge Charger Police Pursuit Vehicles (PPV) to replace two job-worn Detective vehicles currently assigned to the Police Department (PD) Investigation Bureau.

***ITEM E-24: APPROVED***

25. A PURCHASE ORDER IN THE AMOUNT OF \$125,000 TO PSOMAS TO PROVIDE CONSTRUCTION SUPPORT SERVICES FOR THE 2013-2014 ON-CALL PAVING SPOT REPAIRS AND SIDEWALK, CURB AND GUTTER AND DRIVEWAY APPROACH SPOT REPAIRS PROJECT AS PART OF THE THREE YEAR AGREEMENT (49-12) BETWEEN THE CITY OF BEVERLY HILLS AND PSOMAS APPROVED BY COUNCIL ON FEBRUARY 21, 2012. Comment: This Purchase Order will cover the cost to provide for special inspection and testing for all the work associated with the reconstruction of sidewalks, spot repair and replacement of driveways, curb & gutters and pavement.

***ITEM E-25: APPROVED***

26. AN ENCROACHMENT PERMIT AND COVENANTS WITH GCIP HOLDINGS, LLC, OWNER OF THE PROPERTY AT 121 SOUTH SPALDING DRIVE, TO ENCROACH INTO THE ALLEY PUBLIC RIGHT-OF-WAY. Comment: It is recommended that encroachment agreement for alley paving, a subsurface garage structure, a pedestrian bridge, decorative roof awnings, and an electrical conduit trench be approved.

**ITEM E-26: APPROVED AG# 166-14**

27. APPROPRIATION OF \$23,600 FROM THE SEIZED & FORFEITED PROPERTY FUND TO ENHANCE POLICE DEPARTMENT OPERATIONS. Comment: Funds received as a result of federal asset seizures will be used to purchase tactical safety vests and ballistic helmets and assist with the purchase of a police motorcycle.

**ITEM E-27: APPROVED**

28. VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN:  
ITEM A AGREEMENT WITH MAINLINE INFORMATION SYSTEMS, INC. FOR INFORMATION TECHNOLOGY CONSULTING SERVICES RELATED TO IMPLEMENTATION OF AN EXPANDED STORAGE SYSTEM, AND RELATED SERVICES; AND AUTHORIZE A PURCHASE ORDER TO MAINLINE INFORMATION SYSTEMS, INC. IN THE AMOUNT OF \$118,402.60. Comment: This project is for implementation of an expanded storage system for the Beverly Hills Police Department to facilitate storage and retrieval of the increasing evidentiary documentation, including video surveillance footage in support of Public Safety. In addition, there are related services to be performed by IBM under an existing agreement and purchase order in the amount of \$11,500, for a total project cost not to exceed \$129,902.60.

**ITEM E-28A: APPROVED AG# 167-14**

ITEM B AGREEMENT WITH FARO TECHNOLOGIES, INC. FOR A FOCUS 3D-X330 LASER SCANNER, AND RELATED SERVICES; AND AUTHORIZE A PURCHASE ORDER IN THE AMOUNT OF \$94,554.09 TO FARO TECHNOLOGIES, INC., FOR THE PURCHASE OF A 3D LASER SCANNER FOR 3D CRIME SCENE MODELING AND DOCUMENTATION SYSTEM; AND AUTHORIZE A PURCHASE ORDER IN THE AMOUNT OF \$11,780 TO ARAS 360 TECHNOLOGIES, INC. FOR ARAS 3D CRASH AND CRIME SCENE RECONSTRUCTION SOFTWARE; AND AUTHORIZE AN APPROPRIATION OF \$7,000 FROM THE SEIZED AND FORFEITED PROPERTY FUND TO ENHANCE POLICE DEPARTMENT OPERATIONS; AND AUTHORIZE A PURCHASE ORDER TO DELL MARKETING IN AN AMOUNT NOT TO EXCEED \$7,000 FOR TWO COMPUTERS. Comment: Funds received as a result of federal asset seizures will be used to purchase equipment and software to enhance the Police Department's ability to quickly diagram and reconstruct collision and crime scenes.

**ITEM E-28B: APPROVED AG# 168-14**

ITEM C AMENDMENT NO. 1 TO AN AGREEMENT WITH BARTEL ASSOCIATES, LLC FOR ACTUARIAL SERVICES. Comment: The City wishes to decrease the general liability insurance coverage of the vendor to \$1 Million dollars.

**ITEM E-28C: APPROVED AG# 169-14**

**Vote on the City Council Consent calendar:**

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

CARRIED

**F. 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 TO PROHIBIT HYDRAULIC FRACTURING, ACIDIZING OR ANY OTHER WELL STIMULATION TREATMENT IN CONJUNCTION WITH THE PRODUCTION OR EXTRACTION OF OIL, GAS OR OTHER HYDROCARBON SUBSTANCES FROM ANY SURFACE LOCATION IN THE CITY OR ANY SUBSURFACE BOTTOM HOLE IN THE CITY. First Reading - For Introduction. Comment: This ordinance prohibits well stimulation treatments, commonly referred to as fracking, in Beverly Hills and finds the ordinance exempt from the California Environmental Quality Act.

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 report of the Director of Community Development and the record of the Community Development Department in this matter are made a part of the record of this hearing.

Community Development Director Susan Healy Keene delivered an oral staff report. She provided historical background information, definitions of terms, pros and cons of fracking, and the fiscal impact. She reported about the correspondence received by staff that were passed to Council.

Speaking:

1. Ashley Kissinger
2. Dr. Clyde Thomas Williams
3. Thomas Haberkorn
4. Brenna Norton

5. Kent Minault
6. Diane Thomas
7. Marvin Stovall
8. Gary Gless
9. Lauren Steiner
10. Brian Florian
11. Latrice Carter
12. Blair Knox
13. Jhon Arbelaez
14. Paul Ferrazzi

City Attorney Wiener noted the communications received and that the ordinance is being treated as a land use regulation. He also noted that the ordinance was amended to add language to the definition of acidizing and well stimulation, as well as addition pertaining to prohibition appeal.

There were no additional members of the audience who wished to comment. Mayor Bosse closed the public hearing.

Council provided their comments and agreed that fracking is not compatible to Beverly's land use goals, and the best interests and safety of the residents of Beverly Hills.

There were no further questions or comments from Councilmembers.

MOVED by Councilmember Mirisch, seconded by Councilmember Brien to introduce and read by title only Ordinance F-1 as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS TO PROHIBIT HYDRAULIC FRACTURING, ACIDIZING OR ANY OTHER WELL STIMULATION TREATMENT IN CONJUNCTION WITH THE PRODUCTION OR EXTRACTION OF OIL, GAS OR OTHER HYDROCARBON SUBSTANCES FROM ANY SURFACE LOCATION IN THE CITY OR ANY SUBSURFACE BOTTOM HOLE IN THE CITY

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

CARRIED

***ITEM F-1: INTRODUCED AND READ BY TITLE ONLY; ADVANCE TO THE MEETING OF MAY 6, 2014 FOR ADOPTION***

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

2. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO REVISE THE REQUIREMENTS FOR PUBLIC NOTICING OF PLANNING APPLICATIONS. First Reading - For Introduction. Comment: Ordinance expands and provides for more consistent public noticing requirements and finds the ordinance exempt from the California Environmental Quality Act.

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 report of the Assistant Director of Community Development/City Planner and the record of the Community Development Department in this matter are made a part of the record of this hearing.

Assistant Director of Community Development/City Planner Jonathan Lait provided a brief background, discussing the noticing, process, issues being addressed, the current requirements and proposed requirements, key proposed changes: (1) mailed notices; (2) on-site posted notices, (3) consolidated code language, (4) public notice guidelines, and the pros and cons.

There were no members of the audience who wished to comment. Mayor Bosse closed the public hearing.

Vice Mayor Gold suggested that the color of the envelopes be changed to stress the importance of the mailing, or indicate on the envelope that the attention of the recipient is required. He also asked about noticing in case of delayed hearings, and the height of signs.

Mayor Bosse asked for clarification on what are being done at the director level review, commission and City Council level review, and the addition of technology/social media timeline/schedule. She suggested increasing the mailing requirements to a 500 foot radius with block-face in the Central area.

There were no further questions or comments from Councilmembers.

MOVED by Councilmember Brien, seconded by Councilmember Mirisch to introduce and read by title only with a change in the mailing requirements from 300 foot radius + block-face in the Central area to 500 foot radius + block-face in the Central area, Ordinance F-2 as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO REVISE THE REQUIREMENTS FOR PUBLIC NOTICING OF PLANNING APPLICATIONS

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

CARRIED

**ITEM F-2: INTRODUCED AND READ BY TITLE ONLY WITH A CHANGE IN THE MAILING REQUIREMENTS FROM 300 FOOT RADIUS + BLOCK-FACE IN THE CENTRAL AREA TO 500 FOOT RADIUS + BLOCK-FACE IN THE CENTRAL AREA; ADVANCE TO THE MEETING OF MAY 6, 2014 FOR ADOPTION**

**G. CONTINUED AND NEW BUSINESS**

None

**H. COMMISSION SYNOPSIS**

1. CULTURAL HERITAGE COMMISSION - Special Meeting of February 20, 2014  
ARCHITECTURAL COMMISSION - Regular Meeting of March 19, 2014  
FINE ART COMMISSION - Regular Meeting of March 20, 2014  
FINE ART COMMISSION - Special Meeting of March 20, 2014  
RECREATION AND PARKS COMMISSION - Regular Meeting of March 25, 2014  
PLANNING COMMISSION - Regular Meeting of March 27, 2014  
FINE ART COMMISSION - Special Meeting of April 10, 2014

**ITEM H-1: NO ACTION TAKEN**

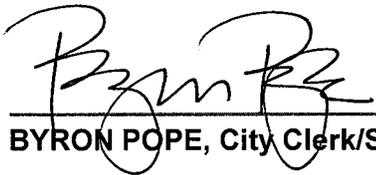
**I. OTHER BUSINESS**

None

**J. ADJOURNMENT**

There being no further business, Mayor/Chair Bosse, with the consent of the Council/Board, adjourned the meeting at 9:18pm.

PASSED, Approved and Adopted  
this 6<sup>th</sup> day of May, 2014



---

BYRON POPE, City Clerk/Secretary



---

LILI BOSSE, MAYOR/CHAIR

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