



**CITY OF BEVERLY HILLS
CITY COUNCIL REGULAR MEETING
MINUTES
November 19, 2013**

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

PLEDGE OF ALLEGIANCE led by former Health and Safety Commissioner Karén Setian

A. ROLL CALL

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

Absent: None

Mayor Mirisch spoke about the passing of retired Beverly Hills High School teacher Joel Pressman, and held a moment of silence in his honor.

B. PRESENTATIONS

1. CERTIFICATE OF APPOINTMENT - - Architectural Commission - Michelle Kaye

Mayor Mirisch, along with Vice Mayor Bosse, presented a certificate of appointment and City pin to newly appointed Architectural Commissioner Michelle Kaye.

2. RECOGNITION OF RETIRING COMMISSIONERS - - Health and Safety Commissioners - Debra Judelson, Peter Landau, and Karén Setian

Mayor Mirisch, along with Vice Mayor Bosse, presented plaques of recognition and gifts to retiring Health and Safety Commissioners Debra Judelson, MD, Peter Landau and Karén Setian.

3. PROCLAMATION for Robert S. Anderson

Mayor Mirisch presented a proclamation to Robert S. Anderson formally naming him as the official historian for the City of Beverly Hills Centennial Celebration, and recognizing his generous contributions and longtime dedication to the Beverly Hills community.

4. PROCLAMATION noting the 60th anniversary of Beverly Hills law firm Ervin, Cohen & Jessup LLP

Mayor Mirisch presented a proclamation recognizing the oldest law firm in Beverly Hills, Ervin, Cohen & Jessup, in honor of their 60th anniversary in the City.

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.

None

3. REPORT FROM THE CITY MANAGER * "Home for Good" Update - Jim Latta, Human Services Administrator

Human Services Administrator James Latta showed a PowerPoint presentation on the "Home for Good" program. He provided a brief background on the program, spoke about local efforts to end homelessness, and played a video showing the program's progress.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

Vice Mayor Bosse announced that November 30th, designated "Small Business Saturday", is a special day dedicated to local independently-owned small businesses. She encouraged residents to support small businesses on November 30th and throughout the holiday season.

D. CITY COUNCIL CONSENT CALENDAR

MOVED by Councilmember Brien, seconded by Councilmember Gold to pull Items D-6, D-7, D-8 and D-11 for questions and put back on the consent calendar, approve all items on the consent calendar, and direct that the appropriate accounts be charged on Items D-2 and D-3

Minutes

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Regular Meeting of November 5, 2013.

Demands Paid

2. REVIEW OF BUDGETED DEMANDS PAID, report dated October 26 - November 8, 2013.
3. PAYROLL DISBURSEMENT REPORT, report dated November 19, 2013.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

None

RESOLUTIONS APPROVING:

None

APPROVAL OF:

4. ACTUARIAL REPORT - ENHANCED MEDICAL RETIREMENT BENEFIT COSTS FOR DEPUTY FIRE CHIEF AND FIRE CHIEF. Comment: Per State Law, this report publically discloses the cost estimate for a change in the retirement benefits for the Fire Chief and Deputy Fire Chief positions that is scheduled to be considered by the City Council at the Nov 19th meeting.

ITEM D-4: APPROVED

5. LEASE AND MEMORANDUM OF LEASE BY AND BETWEEN THE CITY OF BEVERLY HILLS AND WINE SOCIETE, LLC; AND OF A BROKER COMMISSION AGREEMENT BY AND BETWEEN THE CITY OF BEVERLY HILLS AND CUSHMAN & WAKEFIELD AT 9400 S. SANTA MONICA BLVD. Comment: This agreement is for the last available lease space at the 9400 Santa Monica Blvd. building. The term is 5 years with a starting rental rate of \$6.75/SF - \$9,942.75 monthly. The lease use will include the retail sale of wine and associated foods.

ITEM D-5: APPROVED AG# 460-13; AG# 461-13; AG# 462-13

6. AGREEMENT WITH CHP ENTERPRISES DBA AS KEN PORTER AUCTIONS FOR AUCTION SERVICES. Comment: The City wishes to enter into an agreement with Ken Porter Auctions for the salvage of surplus equipment and supplies that are no longer necessary for the Public Works Services Department operations.

ITEM D-6: APPROVED AG# 463-13

7. AGREEMENT WITH 3M COMPANY FOR PURCHASE AND INSTALLATION OF AUTOMATED LICENSE PLATE RECOGNITION SYSTEMS; AND AUTHORIZING A PURCHASE ORDER WITH 3M COMPANY IN AN AMOUNT NOT TO EXCEED \$98,000. Comment: Homeland Security grant funds and federal asset forfeiture funds will be used to purchase automated license plate recognition systems to be installed in Police Department patrol vehicles.

ITEM D-7: APPROVED AG# 464-13

8. AN AGREEMENT WITH GRUEN ASSOCIATES FOR CONSULTING DESIGN SERVICES RELATED TO IMPROVEMENTS TO CITY GATEWAYS AT WILSHIRE AND SAN VICENTE BOULEVARDS AND OLYMPIC BOULEVARD AND SOUTH SPALDING DRIVE; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$219,833 TO GRUEN ASSOCIATES FOR THESE SERVICES. Comment: Provides for the design services to prepare plans and specifications based on the City Council's approved design concept for two of the City Gateways, located at Wilshire Boulevard and San Vicente Boulevard., and Olympic Boulevard and South Spalding Drive.

ITEM D-8: APPROVED AG# 465-13

9. AWARD OF CONTRACT TO SOUTH COAST PAINTING FOR THE 9510 BRIGHTON WAY PARKING STRUCTURE INTERIOR AND EXTERIOR PAINTING PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND APPROVAL OF A PURCHASE ORDER TO SOUTH COAST PAINTING FOR THE CONTRACT WORK IN THE TOTAL AMOUNT OF \$160,000. Comment: Project includes the painting of the interior and exterior of the 9510 Brighton Way parking structure.

ITEM D-9: APPROVED AG# 466-13

10. ACCEPTANCE OF CONTRACT WORK FOR THE 221 N. CRESCENT BRICK FAÇADE REPLACEMENT PROJECT BY AVI-CON INC. DBA CA CONSTRUCTION IN THE FINAL CONTRACT AMOUNT OF \$880,966.65. Comment: Final acceptance for the brick façade replacement at 221 N. Crescent and the recordation of the Notice of Completion.

ITEM D-10: APPROVED

11. AMENDMENT NO. 1 TO THE AGREEMENT WITH LATHAM & WATKINS LLP FOR SPECIAL LEGAL COUNSEL SERVICES. Comment: This amendment will increase the hourly rate for litigation services provided by Latham and Watkins to \$550 per hour. This will be the first increase in the rate since the contract was adopted in 2004.

ITEM D-11: APPROVED AG# 467-13

12. AMENDMENT NO. 7 TO AN AMENDED AND RESTATED EMPLOYMENT AGREEMENT WITH BYRON POPE. Comment: This amendment No. 7 to the contract with the City Clerk provides the City Clerk with a cost of living increase to his base salary of 1.3% and a one-time payment for performance of five percent of his base salary, which equals \$7,149.

ITEM D-12: APPROVED AG# 468-13

13. A PURCHASE ORDER TO INFOR PUBLIC SECTOR, INC. FOR ANNUAL SUPPORT OF THE HANSEN ASSET MANAGEMENT SOFTWARE AND SYSTEM SUPPORT IN AN AMOUNT NOT TO EXCEED \$72,210.72. Comment: This purchase order is for the annual maintenance fee for on-going software licenses and system support for the Hansen Asset Management System as described in Agreement No. 513-09.

ITEM D-13: APPROVED

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

ITEM A: AGREEMENT WITH BIRDI & ASSOCIATES, INC. FOR HARDWARE AND SOFTWARE UPGRADES AND SYSTEM ENHANCEMENTS FOR THE BEVERLY HILLS POLICE DEPARTMENT'S JAIL FACILITY MANAGEMENT SYSTEM; AND APPROVAL OF A PURCHASE ORDER TO BIRDI & ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED \$475,000. Comment: The Beverly Hills Police Department's Jail Facility Management System is at the end of its supportable life and requires system upgrades and enhancements in order to ensure business continuity and the ongoing security of the City's jail facility. Staff has conducted extensive research and has determined that the consulting firm Birdi & Associates, provides the required services as competitive pricing, with a history of providing successful implementations related to secure facilities.

ITEM D-14A: APPROVED AG# 469-13

ITEM B: AGREEMENT WITH BARTEL ASSOCIATES, LLC FOR ACTUARIAL SERVICES. Comment: Recommendation of new actuarial vendor.

ITEM D-14B: APPROVED AG# 470-13

Vote on the City Council Consent Calendar:

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

Noes: None.

CARRIED

E. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

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

1. A. AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE UNIFORM ADMINISTRATIVE CODE, 1997 EDITION AND ADOPTING BY REFERENCE THE 2013 CALIFORNIA BUILDING CODE; THE 2013 CALIFORNIA RESIDENTIAL CODE; THE 2013 CALIFORNIA ELECTRICAL CODE; THE 2013 CALIFORNIA MECHANICAL CODE; THE 2013 CALIFORNIA PLUMBING CODE; THE UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE, 2012 EDITION; THE UNIFORM SOLAR ENERGY CODE, 2012 EDITION; THE CALIFORNIA ENERGY CODE, 2013 EDITION; THE 2013 CALIFORNIA FIRE CODE; THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE; THE 2013 CALIFORNIA HISTORICAL BUILDING CODE; THE 2013 CALIFORNIA EXISTING BUILDING CODE; THE 2013 CALIFORNIA REFERENCE STANDARDS CODE; THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION; THE BEVERLY HILLS PHOTOVOLTAIC INSTALLATION GUIDELINES, 2012 EDITION; INCLUDING CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS; AND AMENDING PORTIONS OF TITLE 9 OF THE BEVERLY HILLS MUNICIPAL CODE. Second Reading - For Adoption.

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 Acting Assistant Director of Community Development/Building Official and the record of the Community Development Department in this matter are made a part of the record of this hearing.

Acting Assistant Director of Community Development/Building Official David Yelton presented a PowerPoint and oral report. He presented a background on the history of the City's building standards and the code adoption process, code change highlights and staff recommendations.

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

Councilmember Krasne and Vice Mayor Bosse asked Mr. Yelton to summarize or point out the things that have changed from previous codes that the Council needs to be aware of, as well as what the state is requiring from the City, and what the City is doing differently.

Councilmember Krasne asked questions regarding electronic submission of plans for evaluation, carbon monoxide detectors, and green standard requirements. Councilmember Gold asked questions pertaining to the City's fire retardant roof program. Vice Mayor Bosse asked questions pertaining to the electronic plan checks, and City code vs. State code changes.

There were no further questions or comments from Councilmembers.

MOVED by Councilmember Brien, seconded by Vice Mayor Bosse to adopt Ordinance E-1A as follows:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE UNIFORM ADMINISTRATIVE CODE, 1997 EDITION AND ADOPTING BY REFERENCE THE 2013 CALIFORNIA BUILDING CODE; THE 2013 CALIFORNIA RESIDENTIAL CODE; THE 2013 CALIFORNIA ELECTRICAL CODE; THE 2013 CALIFORNIA MECHANICAL CODE; THE 2013 CALIFORNIA PLUMBING CODE; THE UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE, 2012 EDITION; THE UNIFORM SOLAR ENERGY CODE, 2012 EDITION; THE CALIFORNIA ENERGY CODE, 2013 EDITION; THE 2013 CALIFORNIA FIRE CODE; THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE; THE 2013 CALIFORNIA HISTORICAL BUILDING CODE; THE 2013 CALIFORNIA EXISTING BUILDING CODE; THE 2013 CALIFORNIA REFERENCE STANDARDS CODE; THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION; THE BEVERLY HILLS PHOTOVOLTAIC INSTALLATION GUIDELINES, 2012 EDITION; INCLUDING CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS; AND AMENDING PORTIONS OF TITLE 9 OF THE BEVERLY HILLS MUNICIPAL CODE

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

Noes: None.

CARRIED

ITEM E-1A: ADOPTED ORD# 13-O-2650

B. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS MAKING EXPRESS FINDINGS AND DETERMINATIONS THAT MODIFICATIONS TO THE CALIFORNIA BUILDING STANDARDS CODE ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS. Comment: This ordinance adopts by reference the 2013 California Building Standards Code with applicable local amendments. The proposed Ordinance includes construction standards for building, electrical, mechanical, plumbing, and fire codes. Staff recommends that the Public Hearing be held.

MOVED by Councilmember Brien, seconded by Vice Mayor Bosse to adopt Resolution E-1B as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS MAKING EXPRESS FINDINGS AND DETERMINATIONS THAT MODIFICATIONS TO THE CALIFORNIA BUILDING STANDARDS CODE ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS

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

CARRIED

ITEM E-1B: ADOPTED RES# 13-R-12959

F. CONTINUED AND NEW BUSINESS

1. BEVERLY HILLS CIVIL CITY PROGRAM. Comment: The program expands the umbrella of the embrace civility theme from City Hall to City sidewalks. Traffic, tourism, and everyday business suggest a need for increased safety, more patience and additional good will to others. The program seeks to promote a new sensibility as to our streets and how they are used and shared by pedestrians, bicyclists, and motor vehicles.

Human Services Administrator James Latta introduced Human Relations Commission Chair Rochelle Ginsburg who presented the proposal for the Beverly Hills Civil City Program. She discussed the goals of the program, pledge for drivers/pedestrian/bicyclists, use of stickers/decals/banners, outreach campaign, and recommendation, and showed samples of the Civil City decals/stickers/banners.

Liaison Committee member Krasne commented that she had a different understanding of what transpired during the Liaison meeting. She expressed concern that magnetic decals may not effectively stick to cars, and suggested that it may be better not to identify the City of Beverly Hills on the sticker to make it less City-specific and be more universal.

Councilmember Gold indicated his support of the program asked questions regarding the use of magnetic stickers. Liaison Committee member Brien agreed with Councilmember Krasne's recollection of the Liaison Committee meeting but expressed his support of the Commission's recommendation. Vice Mayor Bosse asked whether the Commission considered other items aside from the decals. Mayor Mirisch made suggestions on the design of the shield.

Council unanimously agreed to move forward with the proposed program. The Human Relations Commission agreed to take into consideration the ideas and comments of the City Council for final decision-making.

ITEM F-1: COUNCIL AGREED TO MOVE FORWARD WITH THE PROGRAM

2. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS MODIFYING THE DESIGNATION OF PREFERENTIAL PARKING ZONE "C" ON THE 300 BLOCK OF EL CAMINO DRIVE TO PREFERENTIAL PARKING ZONE "BT" AND ADJACENT SECTION OF GREGORY WAY TO A COMBINED PREFERENTIAL PARKING ZONE "BT" OR "C". Comment: Petition request to change the current Zone "C" zone designation on the 300 Block of El Camino Drive to a distinct, separate zone. The Traffic & Parking Commission's recommendation was evenly split with two votes in favor of the petition request and two votes to maintain the existing Zone "C" designation.

Deputy Director of Transportation Aaron Kunz presented a PowerPoint and oral report noting that this is a resident-initiated petition. He noted the initial staff recommendation, option to create a new Zone "BT", option to retain the existing Zone "C" designation, Traffic and Parking Commission decision, and correspondence received.

Speaking:

1. Myra Demeter
2. Jeff Berkett
4. Franklin Weigold
5. Stu Rosen
6. Joan Rosen

Councilmember Krasne asked questions regarding license plate readers. In response to Councilmember Gold's question, Director of Parking Operations Chad Lynn explained the Municipal Code laws pertaining to parking near neighbor's homes. Councilmember Gold also asked for a tally of the total number of persons who signed the petition, opposed or supported the zone change, asked about penalizing people selling permits, and commented on Zone D issues. Councilmember Brien expressed concern with making a decision tonight without seeing the petition and not having complete information. Vice Mayor Bosse asked questions pertaining to parking counts, issuing parking citations, revocation of parking permit, residents' awareness of policies on the use of parking permit, and handicap parking. She expressed concern that the Zone C problem exists not just in El Camino but the whole Southwest.

Council reached consensus not to support changes to the existing parking zone designation.

ITEM F-2: NO MOTION MADE TO ADOPT THE RESOLUTION; ITEM FAILED DUE TO LACK OF MOTION

3. PROPOSAL BY COUNCILMEMBER KRASNE TO EXPAND THE CHARGE OF THE HUMAN RELATIONS COMMISSION. Comment: Councilmember Krasne is asking the City Council to consider expanding the charge of the Human Relations Commission to cover socially important issues in the community, including housing. Should the City Council concur with this request, Councilmember Krasne is also asking for the extension of the term of two commissioners whose terms are soon ending.

ITEM F-3: ITEM NOT DISCUSSED

G. COMMISSION SYNOPSIS

1. TRAFFIC & PARKING COMMISSION - Regular Meeting of October 3, 2013
RECREATION AND PARKS COMMISSION - Regular Meeting of October 22, 2013
PLANNING COMMISSION - Regular Meeting of October 24, 2013
FINE ART COMMISSION - Special Meeting of October 29, 2013

ITEM G-1: NO ACTION TAKEN

H. OTHER BUSINESS

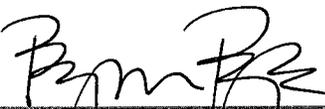
Study Session Item A-3 – Confirming City Council meeting Dates for the First Half of 2014

Council agreed to the proposed meeting dates for the first six months of 2014, and confirmed alternate meeting dates on April 22nd instead of April 15, 2014, and June 10th instead of June 3, 2014

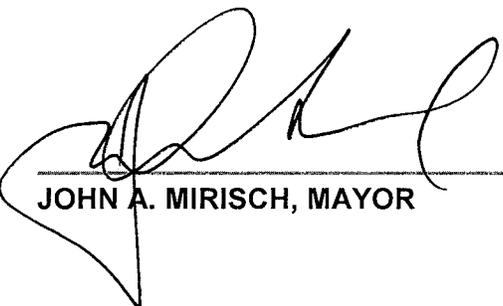
I. ADJOURNMENT

There being no further business, Mayor Mirisch, with the consent of the Council, adjourned the meeting at 10:14pm.

PASSED, Approved and Adopted
this 5th day of December, 2013



BYRON POPE, City Clerk



JOHN A. MIRISCH, MAYOR

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