



**CITY OF BEVERLY HILLS  
JOINT CITY COUNCIL AND PARKING AUTHORITY  
MINUTES  
June 21, 2016**

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

***PLEDGE OF ALLEGIANCE*** led by Former Mayor Linda J. Briskman

**A. ROLL CALLS**

Present: Reims, Gold, Bosse, Krasne, and Mirisch

Absent: None

Mayor Mirisch held a moment of silence honoring the recent Orlando, Florida mass shooting victims and asked the community to reflect on promoting tolerance and understanding.

Vice Mayor Krasne announced the passing of former City of Beverly Hills Commissioner Paul L. Krentzman this week.

On behalf of the City Council, Mayor Mirisch extended condolences and honored the passing of 99-year old resident Donna Goldstein with a video tribute showing her recent Step-Up award presentation, followed by a moment of silence.

**B. PRESENTATIONS**

**1. RECOGNITION OF RETIRING COMMISSIONER**

\* Fine Art Commission - Brenda R. Potter

Mayor Mirisch, along with the entire City Council, presented a plaque of recognition and gift to retiring Fine Art Commissioner Brenda R. Potter.

**2. PROCLAMATION for Michele Sapper**

Mayor Mirisch, along with the entire City Council, presented a proclamation to Michele Sapper in recognition of her courage and commitment to raising awareness about the dangers of drunk driving, and saving lives through sharing her experiences as a survivor of a car crash.

**3. KEY TO THE CITY PRESENTATION to Former Mayor Vicki Reynolds**

Mayor Mirisch, along with the entire City Council, presented a Key to the City of Beverly Hills and the original nameplate that was in the City hall Rotunda to former Mayor Vicki Reynolds. A short video about Mayor Reynolds was shown.

**4. 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.**

Councilmember Bosse announced that text messages on any City-related topic may be sent to (310) 596-4265.

**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. Phil Savenick
2. Ilona Sherman

**3. REPORT FROM THE CITY MANAGER**

None

**4. CITY COUNCILMEMBER AND COMMITTEE REPORTS**

None

**D. PARKING AUTHORITY CONSENT CALENDAR**

**FISCAL IMPACT REPORT**

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

**Minutes**

1. CONSIDERATION OF THE MINUTES of the Parking Authority meeting of June 6, 2016.

**Other Business**

**APPROVAL OF:**

2. AGREEMENT WITH THE SCHAFFEL GROUP, INC. FOR BROKERAGE SERVICES RELATED TO THE ACQUISITION OF REAL PROPERTY. Comment: This agreement with The Schaffel Group, Inc. is for broker services related to the acquisition of real property located at 117 and 195 S. Robertson Boulevard.

**ITEM D-2: APPROVED; AG# PA-16-59**

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

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

CARRIED

**E. CITY COUNCIL CONSENT CALENDAR**

**FISCAL IMPACT REPORT**

MOVED by Councilmember Reims, seconded by Councilmember Gold, to remove Items E-9, E-11, E-16B, and E-30 for discussion and separate vote, approve the remaining items on the City Council consent calendar and direct that the appropriate accounts be charged on Items E-5 and E-6

**Minutes**

1. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Special Budget Study Session #1 of May 3, 2016.
2. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Special Budget Study Session #2 of May 10, 2016.

3. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Special Meeting of May 31, 2016.
4. CONSIDERATION BY THE CITY COUNCIL OF THE MINUTES of the Adjourned Regular Meeting of June 6, 2016.

**Demands Paid**

5. REVIEW OF BUDGETED DEMANDS PAID, report dated May 28 – June 10, 2016.
6. PAYROLL DISBURSEMENT REPORT, report dated June 21, 2016.

**Other Business**

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

7. AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING MINIMUM NUMBER OF OPERATING TAXICABS PER FRANCHISEE. First Reading - For Introduction. Comment: The adoption of an ordinance amending the Beverly Hills Municipal Code as it relates to the minimum number of taxicabs each Taxicab Franchisee must have in operation. The proposed amendment to the ordinance will modify the requirement from 25 to a number determined by the Transportation Official.

***ITEM E-7: INTRODUCED AND READ BY TITLE ONLY; ADVANCE TO THE MEETING OF JULY 5, 2016 FOR ADOPTION***

***RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS:***

8. AUTHORIZING SUBMITTAL OF APPLICATION FOR PAYMENT PROGRAMS AND RELATED AUTHORIZATIONS FOR THE CALRECYCLE PROGRAM. Comment: This resolution authorizes submission of CalRecycle payment program application(s) for a period of five years and if awarded, provides the authority to appropriate funding for purchases and/or services.

***ITEM E-8: ADOPTED; RES# 16-R-13084***

9. SUSPENDING THE PENALTY SURCHARGE FOR WATER USAGE CONTRARY TO THE PROVISIONS OF THE STAGE D WATER CONSERVATION MEASURES. Comment: This resolution would suspend the imposition of water penalty surcharge assessments while a fines and fees structure for excess water use is being developed.

Councilmember Gold advised the community that the water rates will be changing as the surcharges are removed in the next 90-100 days.

MOVED by Councilmember Bosse, seconded by Vice Mayor Krasne to adopt Resolution E-9 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS  
SUSPENDING THE PENALTY SURCHARGE FOR WATER USAGE  
CONTRARY TO THE PROVISIONS OF THE STAGE D WATER  
CONSERVATION MEASURES

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

CARRIED

**ITEM E-9: ADOPTED; RES# 16-R-13085**

**APPROVAL OF:**

10. ADOPTION OF THE STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2016/17. Comment: Transmits the Treasurer's Fiscal Year 2016/2017 Investment Policy to the City Council.

**ITEM E-10: ADOPTED**

11. AGREEMENT WITH PARRENT SMITH INVESTIGATIONS FOR INVESTIGATIVE SERVICES REGARDING TREE REMOVAL ON PARCELS 12 AND 13. Comment: This agreement hires Parrent Smith Investigations & Research Private Investigators to conduct the investigation and provide the time line and report for the Parcels 12 and 13 matter.

Councilmember Gold indicated that he did not and does not support the item.

Speaking:

1. Robert Tanenbaum
2. Lionel Ephraim, Le Faubourg St. Louis HOA
3. Steve Mayer
4. Thomas White, Municipal League of Beverly Hills
5. Joanne Parrent, Parrent Smith Investigations

Councilmember Bosse announced that she and Vice Mayor Krasne are meeting with Ms. Joanne Parrent to talk about the specific scope of service. She confirmed that the investigation will be a fact-finding charge and asked not to characterize anything associated with it in advance as a "mistake." Councilmember Bosse and Mayor Mirisch suggested to strike out the word "mistake" from the agreement and add the elements "under oath," "penalty of perjury," "scope of work is finding the truth," and "establishing accountability." Councilmember Reims asked City Attorney Wiener and Ms. Parrent regarding the standard process. She also asked Councilmember Gold the reason why he was not in support of the item.

MOVED by Councilmember Bosse, seconded by Vice Mayor Krasne, to approve Agreement E-11, with the amended language as follows:

AGREEMENT WITH PARRENT SMITH INVESTIGATIONS FOR INVESTIGATIVE SERVICES REGARDING TREE REMOVAL ON PARCELS 12 AND 13

Ayes: Councilmember Reims, Councilmember Bosse, Vice Mayor Krasne, and Mayor Mirisch.

Noes: Councilmember Gold.

CARRIED

***ITEM E-11: APPROVED WITH AMENDED LANGUAGE; AG# 203-16***

12. AGREEMENT WITH THE BEVERLY HILLS CONFERENCE AND VISITORS BUREAU FOR PROMOTION OF THE CITY FOR FISCAL YEAR 2016-2017; AND APPROVAL OF A PURCHASE ORDER IN A NOT-TO-EXCEED AMOUNT OF \$3,829,202 TO THE BEVERLY HILLS CONFERENCE AND VISITORS BUREAU FOR THESE SERVICES. Comment: This agreement provides funding for BHCVB's operational expenses and visitor marketing services for the fiscal year. In addition, Council is requested to authorize a purchase order in the amount of \$3,829,202 for these services.

***ITEM E-12: APPROVED; AG# 204-16***

13. AN AGREEMENT BY AND BETWEEN THE CITY OF BEVERLY HILLS AND RODEO DRIVE, INC. FOR FISCAL YEAR 2016-2017 MARKETING AND SPECIAL EVENTS; AND APPROVAL OF A PURCHASE ORDER IN A NOT-TO-EXCEED AMOUNT OF \$1,000,000 TO RODEO DRIVE, INC. FOR THESE SERVICES. Comment: This agreement provides funding to Rodeo Drive, Inc. for marketing and special events for the fiscal year. In addition, the City Council is requested to authorize a purchase order in the amount of \$1,000,000 to Rodeo Drive, Inc. for these services.

***ITEM E-13: APPROVED; AG# 205-16***

14. AGREEMENTS AND AMENDMENTS TO AGREEMENTS WITH VARIOUS VENDORS FOR PROVISION OF ANNUAL SERVICES; AND APPROVAL OF BLANKET PURCHASE ORDERS FOR SUPPLIES AND SERVICES FOR THE CITY'S DEPARTMENTS IN THE TOTAL NOT-TO-EXCEED AMOUNT OF \$32,522,522. Comment: Requests City Council approval of agreements and blanket purchase orders for supplies and services throughout fiscal year 2016/2017 for various City departments on an as needed basis in the total not-to-exceed amount of \$32,522,522.

***ITEM E-14: APPROVED***

***CDW GOVERNMENT, LLC – AG# 206-16***

***COMMLINE INC – AG# 207-16***

**CITY OF GLENDALE – AG# 208-16**  
**INDEPENDENT TECHNOLOGY GROUP – AG# 209-16**  
**INTEGRATED MEDIA TECHNOLOGIES, INC. – AG# 210-16**  
**OROPRISE SOLUTIONS, INC. – AG# 211-16**  
**VIDEO TO IP CONSULTING SERVICES, INC. – AG# 212-16**

15. AGREEMENTS WITH VARIOUS VENDORS FOR PROVISION OF ANNUAL SERVICES FOR THE INFORMATION TECHNOLOGY DEPARTMENT; AND APPROVAL OF BLANKET PURCHASE ORDERS FOR EQUIPMENT AND SERVICES IN THE TOTAL NOT-TO-EXCEED AMOUNT OF \$2,385,000.00. Comment: This report seeks City Council approval of nine annual blanket purchase orders (BPO) for various vendors serving the IT department.

**ITEM E-15: APPROVED**

**BERKONE, INC. DBA BERKHEIMER ONESOURCE – AG# 213-16**  
**ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. – AG# 214-16**  
**FIRST TEK, INC. – AG# 215-16**  
**MAINLINE INFORMATION SYSTEMS, INC. – AG# 216-16**  
**OPTIV SECURITY, INC. – AG# 217-16**  
**QUARTIC SOLUTIONS, INC. – AG# 218-16**  
**TOWNE COMMUNICATIONS, INC. DBA SYNECTIC TECHNOLOGIES – AG# 219-16**

16. THREE AS-NEEDED HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) AGREEMENTS IN THE NOT-TO-EXCEED AMOUNT OF \$225,000 EACH OVER A PERIOD FOR UP TO THREE YEARS, TOTALING \$675,000, RELATING TO THE MAINTENANCE OF CITY FACILITIES; AND APPROVAL OF THREE CORRESPONDING PURCHASE ORDERS IN THE AMOUNT OF \$75,000 EACH, TOTALING \$225,000, FOR THESE SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2017.

A. AGREEMENT WITH C.E. MECHANICAL, INC. FOR AS-NEEDED HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) SERVICES RELATING TO THE MAINTENANCE OF CITY FACILITIES; AND A PURCHASE ORDER WITH C.E. MECHANICAL, INC. IN THE AMOUNT OF \$75,000 FOR THE FISCAL YEAR ENDING JUNE 30, 2017

**ITEM E-16A: APPROVED; C.E. MECHANICAL, INC. – AG# 220-16**

B. AGREEMENT WITH AIR CONDITIONING SOLUTIONS, INC. FOR AS-NEEDED HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) SERVICES RELATING TO THE MAINTENANCE OF CITY FACILITIES; AND A PURCHASE ORDER WITH AIR CONDITIONING SOLUTIONS, INC. IN THE AMOUNT OF \$75,000 FOR THE FISCAL YEAR ENDING JUNE 30, 2017

Mayor Mirisch asked City Manager Mahdi Aluzri how soon the City can make the air conditioning work.

MOVED by Mayor Mirisch, seconded by Councilmember Gold, to approve Agreement E-16B as follows:

AGREEMENT WITH AIR CONDITIONING SOLUTIONS, INC. FOR AS-NEEDED HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) SERVICES RELATING TO THE MAINTENANCE OF CITY FACILITIES; AND A PURCHASE ORDER WITH AIR CONDITIONING SOLUTIONS, INC. IN THE AMOUNT OF \$75,000 FOR THE FISCAL YEAR ENDING JUNE 30, 2017

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

CARRIED

***ITEM E-16B: APPROVED; AIR CONDITIONING SOLUTIONS, INC. – AG# 221-16***

C. AGREEMENT WITH ADVANCED CENTRIFUGAL SYSTEMS, INC. FOR AS-NEEDED HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) SERVICES RELATING TO THE MAINTENANCE OF CITY FACILITIES; AND A PURCHASE ORDER WITH ADVANCED CENTRIFUGAL SYSTEMS, INC. IN THE AMOUNT OF \$75,000 FOR THE FISCAL YEAR ENDING JUNE 30, 2017. Comment: Staff is requesting the approval of three (3) agreements for as-needed heating, ventilation, and air conditioning (HVAC) services at City owned and operated facilities, each in an amount not to exceed \$225,000 over the entire contract term. Staff is also requesting the approval of a corresponding purchase order with each of these three (3) contractors in an amount not to exceed \$75,000 for the fiscal year ending June 30, 2017.

***ITEM E-16C: APPROVED; ADVANCED CENTRIFUGAL SYSTEMS, INC. – AG# 222-16***

17. A. AN AGREEMENT WITH THE BEVERLY HILLS COURIER, LLC TO PROVIDE ADVERTISING AND NOTICES; AND

***ITEM E-17A: APPROVED; THE BEVERLY HILLS COURIER, LLC – AG# 223-16***

B. AN AGREEMENT WITH BEVERLY HILLS WEEKLY TO PROVIDE ADVERTISING AND NOTICES. Comment: Awarding Bid No. 16-14 to The Beverly Hills Courier, LLC and approving an agreement with Beverly Hills Weekly for the publication of City of Beverly Hills advertising and legal notices for Fiscal Year 2016/2017.

***ITEM E-17B: APPROVED; BEVERLY HILLS WEEKLY – AG# 224-16***

18. AGREEMENT WITH CORAL REEF, INC. FOR MAINTENANCE OF KOI FISH PONDS AT WILL ROGERS MEMORIAL PARK, GREYSTONE PARK AND BEVERLY GARDENS PARK; AND APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$70,150 FOR THE SERVICES DESCRIBED. Comment: Staff recommends approval of the agreement and purchase order with Coral Reef, Inc. to maintain the quality and character of the ponds within Beverly Hills parks for the enjoyment of residents and visitors.

**ITEM E-18: APPROVED; AG# 225-16**

19. AN AGREEMENT WITH THE COUNTY OF LOS ANGELES RELATING TO A COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM. Comment: This request is for approval of an agreement between the City and Los Angeles County to hold an annual event for the proper disposal of Household Hazardous Materials including Electronic Waste.

**ITEM E-19: APPROVED; AG# 226-16**

20. AGREEMENT WITH LIEBERT CASSIDY WHITMORE, A PROFESSIONAL CORPORATION, FOR EMPLOYEE RELATIONS AND NEGOTIATION SERVICES. Comment: This request is for approval of an agreement with Liebert Cassidy Whitmore, a professional corporation for legal services in connection with employee relations and negotiation services for a three year term, which the City Council's litigation subcommittee has approved.

**ITEM E-20: APPROVED; AG# 227-16**

21. COMMUNITY ASSISTANCE GRANT FUNDING AGREEMENTS AND PURCHASE ORDERS FOR FY 2016-17 FOR THE CITY'S SOCIAL SERVICE SAFETY NET INCLUDING: 1) JEWISH FAMILY SERVICE; 2) PEOPLE ASSISTING THE HOMELESS; 3) STEP UP ON SECOND; 4) THE MAPLE COUNSELING CENTER; AND 5) WESTSIDE FOODBANK. Comment: Community Assistance Grant Funding recipients provide a continuum of care for the community's most vulnerable individuals.

**ITEM E-21: APPROVED**

**JEWISH FAMILY SERVICE – AG# 228-16**

**PEOPLE ASSISTING THE HOMELESS (P.A.T.H.) – AG# 229-16**

**STEP UP ON SECOND – AG# 230-16**

**THE MAPLE COUNSELING CENTER – AG# 231-16**

**WESTSIDE FOOD BANK – AG# 232-16**

22. AGREEMENT WITH STEP UP ON SECOND FOR OUTREACH AND ENGAGEMENT SERVICES IN SUPPORT OF CITY'S CLASP PROGRAM; AND APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$106,449.00 FOR CONTINUATION OF SERVICES DESCRIBED. Comment: The City of Beverly Hills CLASP team is staffed by two Step Up On Second case managers and focuses on outreach and engagement to homeless individuals throughout the city. CLASP provides case management services to link individuals with City and County-funded social service programs to address their financial, health and housing needs.

**ITEM E-22: APPROVED; AG# 233-16**

23. AGREEMENT WITH MYDATT, INC., DBA BLOCK BY BLOCK FOR SAFETY AND HOSPITALITY AMBASSADOR SERVICES; AND APPROVAL TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$575,000.00 FOR AMBASSADOR SERVICES. Comment: The Block By Block Beverly Hills Ambassador team provides 21 hour safety and hospitality services in the City's business triangle, S. Beverly Drive and other designated areas. Ambassadors assist residents, merchants, tourists and individuals in need. Ambassadors proactively connect people in need on the streets with the City's Changing Lives and Sharing Places homeless outreach team which provides individualized case management services ongoing.

**ITEM E-23: APPROVED; AG# 234-16**

24. AGREEMENT WITH ADS CORP TO PROVIDE THE CITY OF BEVERLY HILLS WITH MAINTENANCE AND REPAIR OF SEWER FLOW MONITORING EQUIPMENT & WASTEWATER SAMPLING AND DATA ANALYSIS; AND APPROVAL OF A PURCHASE ORDER WITH ADS CORP FOR AN AMOUNT NOT TO EXCEED \$204,324.30. Comment: Staff recommends that the City Council move to approve an agreement with ADS Corp (ADS) to upgrade and continue providing maintenance and repair services for sewer flow monitoring equipment, monthly wastewater sampling and data analysis to the Wastewater Utility in the amount not to exceed \$204,324.30

**ITEM E-24: APPROVED; AG# 235-16**

25. AGREEMENT WITH CWE TO PROVIDE FEASIBILITY AND DESIGN TO DEVELOP GREEN STREETS FUNCTIONS AND WATER EFFICIENT LANDSCAPE MODEL ON BURTON WAY MEDIAN; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$350,000 TO CWE. Comment: Award the RFP to CWE to determine the feasibility and design of green streets functions and water efficient landscape model on Burton Way median. If the model program is feasible, CWE will proceed on designing green streets functions and water efficient landscape model at the site.

**ITEM E-25: APPROVED; AG# 236-16**

26. AGREEMENT WITH WILLIAM KENTRIDGE FOR THE SALE AND ASSIGNMENT OF THE ARTISTIC WORK ENTITLED WORLD ON ITS HIND LEGS (WOHL); AND APPROVAL OF A PURCHASE ORDER AND APPROPRIATION OF \$500,000 FROM THE FINE ART FUND FOR THIS PURPOSE. Comment: Provides for the purchase of "World On Its Hind Legs" by William Kentridge as recommended by the Fine Art Commission and approved by the City Council at the July 21, 2015 Study Session. Funding will come from the Fine Art fund which is reserved for art related expenses.

**ITEM E-26: APPROVED; AG# 237-16**

27. AMENDMENT NO. 1 TO AN AMENDED AND RESTATED EMPLOYMENT AGREEMENT WITH BYRON POPE. Comment: This amendment to the agreement provides a cost of living increase of 1.7% which equals approximately \$2,770. The amendment also includes performance pay of \$8,000 which is nonrecurring.

**ITEM E-27: APPROVED; AG# 238-16**

28. AMENDMENT NO. 1 TO AN AGREEMENT WITH PMAM, INC. FOR CONSULTING SERVICES TO MANAGE AND ADMINISTER CITY'S FALSE ALARM ORDINANCE. Comment: Staff recommends the approval to amend the agreement with the City's false alarm vendor due to changes Council approved during the May 3, 2016 council meeting.

**ITEM E-28: APPROVED; AG# 239-16**

29. AMENDMENT NO. 1 TO AN AGREEMENT WITH TETRA TECH, INC. FOR DESIGN ENGINEERING AND CONSTRUCTION SUPPORT SERVICES FOR THE CONSTRUCTION OF CONVEYANCE SYSTEM AND WELLHEAD EQUIPMENT OF WATER WELLS AT 342 FOOTHILL ROAD (JOB NO. 10106); AND APPROVAL TO INCREASE THE PURCHASE ORDER TO TETRA TECH, INC. FOR ENGINEERING DESIGN AND CONSTRUCTION SUPPORT SERVICES IN THE AMOUNT OF \$471,207. Comment: Staff recommends City council move to approve Amendment No. 1 to Agreement No. 10-15 with Tetra Tech, Inc. for engineering design and construction support services related to the water conveyance system and the wellhead equipment of the water wells at 342 Foothill Road and approve an increase to the purchase order with Tetra Tech, Inc. in the amount of \$471,027.

**ITEM E-29: APPROVED; AG# 240-16**

30. AMENDMENT NO. 1 EXTENDING A 2012 AGREEMENT AND 2013 SUPPLEMENTAL AGREEMENT WITH THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT FOR THE PROVISION, USE AND MAINTENANCE OF EDUCATIONAL, RECREATIONAL AND COMMUNITY FACILITIES. Comment: Recommendation of a one (1) year extension of the current Joint Powers Agreement (JPA) between the City of Beverly Hills and the Beverly Hills Unified School District. The one year extension would make the current Agreement in effect until June 30, 2017. The current four year Agreement of the Joint Powers Agreement was to conclude on June 30, 2016.

Director of Community Services Nancy Hunt Coffey presented a brief oral report, noting that the Council liaisons and School Board members recommended a one-year extension while various issues are being taken care of.

Speaking:

1. Howard Goldstein and Steve Kessler, Beverly Hills Unified School District

MOVED by Councilmember Gold, seconded by Councilmember Bosse to approve Agreement E-30 as follows:

AMENDMENT NO. 1 EXTENDING A 2012 AGREEMENT AND 2013 SUPPLEMENTAL AGREEMENT WITH THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT FOR THE PROVISION, USE AND MAINTENANCE OF EDUCATIONAL, RECREATIONAL AND COMMUNITY FACILITIES

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

CARRIED

***ITEM E-30: APPROVED; AG# 241-16***

31. AMENDMENT NO. 3 TO AN AGREEMENT WITH HAZEN AND SAWYER TO PROVIDE THE CITY OF BEVERLY HILLS WITH WATER TREATMENT OPERATIONS SYSTEMS AND PROCESSES CONSULTING SERVICES; AND APPROVAL TO INCREASE THE PURCHASE ORDER TO HAZEN AND SAWYER FOR PROFESSIONAL SERVICES IN THE AMOUNT OF \$103,370. Comment: Staff recommends City Council move to approve Amendment No. 3 to Agreement No. 358-14 with Hazen and Sawyer for consulting services to integrate the two new water wells into the City water system and approve an increase to the purchase order with Hazen and Sawyer in the amount of 103,370.

***ITEM E-31: APPROVED; AG# 242-16***

32. ACCEPTANCE OF CONTRACT WORK FOR THE BEVERLY GARDENS ELECTRIC FOUNTAIN BLOCK #21 PROJECT BY SIX VARIOUS CONTRACTORS IN THE FINAL CONTRACT AMOUNT OF \$1,505,628.92 AND AUTHORIZATION OF CITY CLERK TO RECORD NOTICE OF COMPLETION. Comment: Final Acceptance for the Electric fountain Block #21 project and the Recordation of the Notice of Completion.

***ITEM E-32: APPROVED***

33. ACCEPTANCE OF CONTRACT WORK FOR THE POLICE FACILITY OVERSIZED VEHICLE STORAGE PROJECT - RE-BID #3 PROJECT BY BBS CONSTRUCTION INC. IN THE FINAL CONTRACT AMOUNT OF \$969,000.00; AND AUTHORIZATION OF CITY CLERK TO RECORD NOTICE OF COMPLETION. Comment: Final Acceptance for the PD Oversized Vehicle Project and authorizing the Notice of Recordation.

***ITEM E-33: APPROVED***

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

Ayes: Councilmember Reims, Councilmember Gold, Councilmember Bosse, Vice  
Mayor Krasne, and Mayor Mirisch.  
Noes: None.  
Abstain: Councilmember Reims on Items E-1 to E-3

CARRIED

**F. 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 ADOPTING THE 2015 URBAN WATER MANAGEMENT PLAN. Comment: Staff Recommends That City Council Adopt Resolution Of The Council Of The City Of Beverly Hills Adopting The 2015 Urban Water Management Plan.

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 Water Resources Manager and the record of the Public Works Services Department in this matter are made a part of the record of this hearing.

Water Resources Manager Vince Damasse presented a PowerPoint and oral report providing a brief overview of the city water system, water supply area (WSA) demographics and planned growth, the City's historical and projected water use, the City's water conservation efforts, water supply reliability assessment conducted, next steps to be undertaken and recommendations.

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

City Manager Mahdi Aluzri responded to Councilmember Krasne's question regarding the water rates being charged for West Hollywood as well as Councilmember Reims' question regarding separate metering for multi-family units and enforcement for high-rise condominium units.

MOVED by Councilmember Bosse, seconded by Vice Mayor Krasne, to adopt Resolution F-1 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS  
ADOPTING THE 2015 URBAN WATER MANAGEMENT PLAN

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

CARRIED

**ITEM F-1: ADOPTED; RES# 16-R-13086**

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

2. TWO RESOLUTIONS OF THE COUNCIL OF THE CITY OF BEVERLY HILLS DESIGNATING THE "CLOCK DRIVE-IN MARKET" AT 8423 WILSHIRE BOULEVARD AND THE "ROSENSTIEL RESIDENCE" AT 1210 COLDWATER CANYON DRIVE AS LOCAL LANDMARKS AND PLACING THE PROPERTIES ON THE BEVERLY HILLS REGISTER OF HISTORIC PROPERTIES; AND THE COUNCIL WILL ALSO CONSIDER ADOPTION OF TWO CATEGORICAL EXEMPTIONS, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. Comment: It is recommended that the City Council, on the recommendation of the Cultural Heritage Commission and with property owner support, adopt resolutions designating: (1) the Clock Drive-In Market at 8423 Wilshire Boulevard; and (2) the Rosenstiel Residence at 1210 Coldwater Canyon Drive, as Local Landmarks, and add the properties to the Beverly Hills Register of Historic Places.

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

Urban Designer Mark Odell presented a PowerPoint and oral report showing both projects' site maps, and photos of the exterior and interior spaces, and discussed the criteria that the properties must meet for designation within the City.

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

Mr. Odell responded to Councilmember Krasne's question pertaining to the ownership of the Rosenstiel property.

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

TWO RESOLUTIONS OF THE COUNCIL OF THE CITY OF BEVERLY HILLS DESIGNATING THE "CLOCK DRIVE-IN MARKET" AT 8423 WILSHIRE BOULEVARD AND THE "ROSENSTIEL RESIDENCE" AT 1210 COLDWATER CANYON DRIVE AS LOCAL LANDMARKS AND PLACING THE PROPERTIES ON THE BEVERLY HILLS REGISTER OF HISTORIC PROPERTIES; AND THE COUNCIL WILL ALSO CONSIDER ADOPTION OF TWO CATEGORICAL EXEMPTIONS, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

Noes: None.

CARRIED

**ITEM F-2: ADOPTED;  
8423 WILSHIRE BOULEVARD – RES# 16-R-13087  
1210 COLDWATER CANYON DRIVE – RES# 16-R-13088**

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

3. AN APPEAL OF THE COMMUNITY DEVELOPMENT DEPARTMENT'S APRIL 13, 2016 DETERMINATION REGARDING VIEW PRESERVATION ASSOCIATED WITH NEW CONSTRUCTION AT 1200 STEVEN WAY. Comment: On April 26, 2016, a timely appeal was filed by the property owner of 1211 Laurel Way contesting the Community Development Department's determination that new construction at 1200 Steven Way will not substantially disrupt views of the Los Angeles basin from the property at 1211 Laurel Way.

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 Ryan Gohlich presented a PowerPoint and oral report discussing the municipal code provisions, background on the property, views of the subject property, and staff recommendation.

Speaking:

1. William Steckbauer, Ramin Delijani Trust
2. Murray D. Fischer
3. John Ruzicka
4. Scott Zimmerman , on behalf of Isaac and Shirley Hakim

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

Council discussed and asked questions regarding the building height, CC&R, right tests and code violations, view disruption/preservation, and hedge/trees.

Councilmember Bosse suggested that the Councilmembers go to the property to see the view firsthand.

Council agreed to remand the item back to the Planning Commission for further review and study.

MOVED by Vice Mayor Krasne, seconded by Councilmember Bosse, to remand the project back to the Planning Commission for further review and study

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

Noes: Councilmember Reims, and Councilmember Gold.

CARRIED

***ITEM F-3: PROJECT REMANDED BACK TO THE PLANNING COMMISSION FOR FURTHER REVIEW AND STUDY***

**G. CONTINUED AND NEW BUSINESS**

1. CITY CLERK'S CERTIFICATION THAT THERE ARE SUFFICIENT SIGNATURES ON AN INITIATIVE PETITION. Comment: Provides certification of the City Clerk that the initiative measure related to amending The Beverly Hilton Specific Plan is signed by not less than 10 percent of the voters of the City.

City Clerk Byron Pope presented a certification that there are sufficient signatures qualifying the initiative petition to amend the Beverly Hilton Specific Plan. He presented a brief timeline beginning with the filing of the notice of intent to circulate a petition on March 3, 2016 and the process followed.

Mr. Pope and City Attorney Laurence Wiener responded to Mayor Mirisch's request for clarification on the percentage of signatures requirement.

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

2. DISCUSSION OF INITIATIVE MEASURE RELATED TO AMENDING THE BEVERLY HILTON SPECIFIC PLAN AND DIRECTION TO ADOPT THE MEASURE, TO PLACE THE MEASURE BEFORE THE VOTERS, OR TO ORDER A REPORT ON THE MEASURE. Comment: Request that the City Council discuss the initiative measure and as further described in the agenda report, that the City Council take one of the following actions pursuant to Elections Code Section 9215: (i) adopt the measure; (ii) place the measure before the voters at the November 8, 2016 Los Angeles County General Election or at a special election to be held before that day; or (iii) order a report on the effect and impact of the proposed initiative measure. Staff is seeking direction as to which course of action the City Council desires to take on this matter.

City Clerk Byron Pope presented the three courses of action that the City Council may take, namely: 1) adopt the ordinance as presented in the petition; 2) request a report from staff on the effect of the initiative to be returned within 30 days; 3) submit the matter to the voters either by setting a special election at least 88 days and no more than 103 days after City Council decides to set the election, or consolidating the election with the Los Angeles County on November 8, 2016..

He also reviewed the costs associated with the options. He presented a list of questions for Council discussion tonight.

Speaking:

1. Robert Tanenbaum
2. Linda Briskman
3. Ilona Sherman
4. Frances Bilak
5. Lauren Escobar
6. Michael Hirschfeld
7. Barry Bernstein
8. Yehudah Younessian
9. Jonathan Block
10. Maryam Maleki
11. Nicola Issod Schneidman

Mayor Mirisch read letters into the record from:

1. Linda and Maynard Brittan, Brittan Family Trust
2. Dan Schnur
3. Shohreh and Brad Black
4. Les Bronte
5. Michelle and Alan Kaye
6. Mark Egerman, Egerman Law Group, LLP

Council commented and discussed their responses to the questions posed by staff, as follows: 1) Do you want to adopt the resolution?; 2) Do you want a 30-day report on the effect of the ordinance and what do you want to include in the report?; 3) Do you want to set the election date and if yes, what date? Once the election date has been set, the following questions need to be answered by the City Council: 4) Do you want rebuttal arguments? 5) Do you want an impartial analysis? 6) Approve the ballot question; 7) Decide whether or not the City Council will submit an argument against the measure

Following are some of the items that the City Council requested be studied and addressed in the 30 day report:

- traffic circulation and impacts, traffic control and mitigation
- how this project will interface with the Wanda project in terms of traffic and circulation, entrances on Merv Griffin
- impact of the open space
- landscape and pedestrian area
- an understanding what the additional garden space means in the real world
- fiscal impacts
- various traffic scenarios
- shade and shadow impact
- potential impacts of setback change on Santa Monica
- queing, parking, etc.
- breakdown of each use of the open space
- footprint of Building A
- noise impacts and hours of operation
- outdoor events

- sufficiency of parking and parking plans
- condos being used as additional hotel rooms
- rooftop use and maximum accommodation
- comparison table or side-by-side table showing comparison of the old specific plan and the new one
- calculate the additional water use needs
- need for special fire/emergency equipment
- development agreement
- easement for bus turn out
- difference between a plan and a figure – any significance on the word “figure”?
- impact of the gardens and rooftop and will they be used as banquet space
- list of typical City oversight that we will not have
- once (if) approved, what is the ability to make changes without going back to electorate?
- if the new plans don't meet the standards, will they still be done?
- are there new fees?
- can the City hold the developer accountable for promises he has made; are they binding?
- how the public garden will be used; what portion of the garden will be designated for events?
- what is the Council's role when the plan gets approved?
- seismic issues
- maximum number of events to be held in the gardens during a calendar year
- employee parking
- are they planning to landmark the Hilton Hotel as historic?

MOVED by Councilmember Bosse, seconded by Vice Mayor Krasne, to direct staff to prepare a report on the effect and impact of the proposed initiative measure and present the report to the City Council at the July 19, 2016 City Council meeting

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

Noes: None.

CARRIED

***ITEM G-2: DIRECTED STAFF TO PREPARE A REPORT ON THE EFFECT AND IMPACT OF THE PROPOSED INITIATIVE MEASURE AND PRESENT THE REPORT TO THE CITY COUNCIL AT THE JULY 19, 2016 CITY COUNCIL MEETING***

3. PERMIT APPLICATION FOR THE USE OF THE PUBLIC RIGHT-OF-WAY TO CONDUCT FIELD EXPLORATION TO LOCATE UNDERGROUND UTILITIES ON REEVES DRIVE THAT ARE ASSOCIATED WITH SECTION 2 OF THE WESTSIDE SUBWAY EXTENSION PROJECT. Comment: This report recommends that the City Council authorize staff to issue the necessary permit to Metro and its Contractors for field investigations on Reeves Drive just south of Wilshire Boulevard with specific

conditions intended to minimize potential impacts to adjacent residents and businesses as described in the report.

City Engineer Mark Cuneo presented a PowerPoint and oral report providing a brief background and discussing proposed work locations, scope of work permit, schedule, potential impacts, public notification, work hours/work days, traffic, parking, noise mitigation and staff recommendation. Mr. Cuneo noted that Metro will reimburse the City for all costs associated with the work.

Mr. Cuneo, City Attorney Laurence Wiener, City Manager Mahdi Aluzri, and Alex Kaye responded to Council questions on the reaction of the business community on the process, protection of people using the park, impact on hotel operations, noticing to businesses, two-week work permit, traffic control, reimbursement of expenses for a third EMS rig dispatched.

MOVED by Vice Mayor Krasne, seconded by Councilmember Gold, to approve Item G-3 as follows:

PERMIT APPLICATION FOR THE USE OF THE PUBLIC RIGHT-OF-WAY TO CONDUCT FIELD EXPLORATION TO LOCATE UNDERGROUND UTILITIES ON REEVES DRIVE THAT ARE ASSOCIATED WITH SECTION 2 OF THE WESTSIDE SUBWAY EXTENSION PROJECT

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

CARRIED

**ITEM G-3: APPROVED**

#### **H. COMMISSION SYNOPSIS**

1. PUBLIC WORKS COMMISSION - Regular Meeting of May 12, 2016  
HUMAN RELATIONS COMMISSION - Regular Meeting of May 19, 2016  
FINE ART COMMISSION - Regular Meeting of May 19, 2016  
HEALTH AND SAFETY - Regular Meeting of May 23, 2016  
PLANNING COMMISSION - Regular Meeting of June 9, 2016

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

#### **I. OTHER BUSINESS**

None

**J. ADJOURNMENT**

There being no further business, Mayor Mirisch, with the consent of the Council/Parking Authority, adjourned the meeting at 11:58pm.

PASSED, Approved and Adopted  
this 16<sup>th</sup> day of August, 2016



BYRON POPE, City Clerk/Secretary



JOHN A. MIRISCH/MAYOR/CHAIR

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