



## AGENDA REPORT

**Meeting Date:** December 16, 2008  
**Item Number:** F-6  
**To:** Honorable Mayor & City Council  
**From:** Byron Pope, City Clerk  
**Subject:** RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION HELD ON NOVEMBER 4, 2008, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW

**Attachments:**

1. Resolution
2. Certification

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### **RECOMMENDATION**

The Beverly Hills City Council adopt the attached Resolution.

### **INTRODUCTION**

The City Council adopted Resolution No. 08-R-12613 calling and giving notice of a Special Municipal Election to be held in the City of Beverly Hills on November 4, 2008, and requesting that the Board of Supervisors consent to the consolidation of this election with the Statewide General Election to be held on the same date.

### **DISCUSSION**

The General Municipal Election was held in the City of Beverly Hills on Tuesday, November 4, 2008, consolidated with the Statewide General Election for the purposes of our election on ballot Measure H – the Beverly Hilton Hotel Revitalization Plan. The Los Angeles County Registrar-Recorder/County Clerk has completed the canvass of the results and the appropriate Resolution has been adopted by the Los Angeles County Board of Supervisors on December 2, 2008. The certification and final results are attached as Exhibit "A" to the certification.

Inquiries regarding the results of the election (including issues of alleged voter fraud, recounts, and other matters related to the conduct of this election) should be directed to the Los Angeles County Registrar Recorder/County Clerk.

The Measure passed with the following final results:

“Shall Resolution No. 08-R-12601, entitled “Resolution of the Council of the City of Beverly Hills amending the General Plan to enable the revitalization of the Beverly Hilton Hotel site with a new Luxury Hotel, Condominiums, and Open Space,” be adopted?”

**YES** – 7,972 (50.41%)

**NO** – 7,843 (49.59%)

The voter turnout for this election was approximately 75%, with 21,121 registered voters.

**FISCAL IMPACT**

The Los Angeles County Registrar Recorder’s Office provided the City with an estimate of \$55,000 to consolidate one measure on the Statewide General Municipal Election, and will bill the City our portion of the cost of this consolidated election. The City Clerk’s Office operating budget for FY 08-09 did not include this amount.

Byron Pope, CMC  
Approved By



RESOLUTION NO. 08-R-\_\_\_\_\_

RESOLUTION OF THE COUNCIL OF THE CITY OF  
BEVERLY HILLS RECITING THE FACT OF THE GENERAL  
MUNICIPAL ELECTION CONSOLIDATED WITH THE  
STATEWIDE GENERAL ELECTION HELD ON NOVEMBER  
4, 2008, DECLARING THE RESULT AND SUCH OTHER  
MATTERS AS PROVIDED BY LAW

WHEREAS, a Special Municipal Election was consolidated with the Statewide General Election and was held and conducted in the City of Beverly Hills on Tuesday, November 4, 2008, as required by law; and

WHEREAS, notice of said consolidated election was given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed by the Registrar of Voters of Los Angeles County; and that in all respects the election was consolidated, held and conducted and the votes were cast, received and canvassed and the returns made and declared in the time, form and manner required by state law and the Beverly Hills Municipal Code; and

WHEREAS, pursuant to Resolution No. 08-R-12613, adopted July 8, 2008, the County Election Department canvassed the returns of the election and has certified the results to this City Council, and the results are received, attached and made a part hereof as Exhibit "A".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS DOES RESOLVE AS FOLLOWS:

Section 1. That the whole number of votes cast in the City precincts, except vote by mail voter ballots, was 11,457. That the whole number of votes by mail ballots cast in the City was 6,190, making a total of 17,647 votes cast in the City.

Section 2. That the measure voted on, Measure H, stated as follows:

“Shall Resolution No. 08-R-12601, entitled “Resolution of the Council of the City of Beverly Hills amending the General Plan to enable the revitalization of the Beverly Hilton Hotel site with a new Luxury Hotel, Condominiums, and Open Space,” be adopted?”

Section 3. That the number of votes given at each precinct and the number of votes given in the City for Measure H were as listed in Exhibit “A”, attached.

Section 4. The City Council does declare and determine that Measure H was approved by the voters of the City of Beverly Hills.

Section 5. The City Clerk shall enter in the records of the City, a statement of the result of the election, showing: (1) the whole number of votes cast in the City; (2) the name of the measure voted upon; (3) the number of votes given at each precinct for and against the measure; and (5) the total number of votes given in the city for and against the measure.

Section 6. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Council of this City.

Adopted:

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BARRY BRUCKER  
Mayor of the City of Beverly Hills

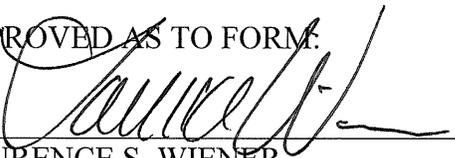
[Signatures continue]

ATTEST:

\_\_\_\_\_  
BYRON POPE  
City Clerk

(SEAL)

APPROVED AS TO FORM:

  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
BYRON POPE  
City Clerk

*Los Angeles County*  
*Registrar-Recorder/County Clerk*

**Certificate of the Canvass of the Election Returns**

*I, DEAN C. LOGAN, Registrar-Recorder/County Clerk of the County of Los Angeles, of the State of California, DO HEREBY CERTIFY that pursuant to the provisions of Section 15300 et seq. of the California Elections Code, I did canvass the returns of the votes cast for each elective office and/or measure(s) for*

*Beverly Hills City*

*at the General Election, held on the 4th day of November, 2008.*

*I FURTHER CERTIFY that the Statement of Votes Cast, to which this certificate is attached, shows the total number of ballots cast in said jurisdiction and the whole number of votes cast for each candidate and/or measure(s) in said jurisdiction in each of the respective precincts therein, and the totals of the respective columns and the totals as shown for each candidate and/or measure(s) are full, true and correct.*

*IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 1st day of December, 2008.*



*Dean C. Logan*  
DEAN C. LOGAN

Registrar-Recorder/County Clerk  
County of Los Angeles

BEVERLY HILLS CITY SPC MUN  
MEASURE H

YES

NO

FINAL OFFICIAL  
STATEMENT OF VOTES CAST

CITY/PREC	REGISTRATION	BALLOTS CAST	YES	NO
BEVERLY HILLS AV/VBM TOTAL	1094 0 1094	602 344 946	244 150 394	308 161 469
BEVERLY HILLS AV/VBM TOTAL	1176 0 1176	513 434 947	226 218 444	243 173 416
BEVERLY HILLS AV/VBM TOTAL	1109 0 1109	609 344 953	238 169 408	336 156 492
BEVERLY HILLS AV/VBM TOTAL	895 0 895	418 320 738	158 133 291	242 171 413
BEVERLY HILLS AV/VBM TOTAL	14 0 14	8 8 16	0 2 2	6 6 12
BEVERLY HILLS AV/VBM TOTAL	1120 0 1120	517 399 916	201 187 388	285 187 472
BEVERLY HILLS AV/VBM TOTAL	1035 0 1035	502 347 849	138 131 269	334 189 523
BEVERLY HILLS AV/VBM TOTAL	874 0 874	487 211 698	205 100 305	218 85 303
BEVERLY HILLS AV/VBM TOTAL	880 0 880	512 266 778	224 146 370	173 100 273
BEVERLY HILLS AV/VBM TOTAL	1111 0 1111	614 261 875	280 148 428	231 95 326
BEVERLY HILLS AV/VBM TOTAL	1121 0 1121	596 301 897	278 149 427	222 109 331
BEVERLY HILLS AV/VBM TOTAL	907 0 907	554 263 817	229 125 354	244 113 357
BEVERLY HILLS AV/VBM TOTAL	1077 0 1077	583 364 947	242 153 395	281 181 462

BEVERLY HILLS CITY SPC MUN  
MEASURE H

YES

NO

FINAL OFFICIAL  
STATEMENT OF VOTES CAST

CITY/PREC	REGISTRATION	BALLOTS CAST	YES	NO
BEVERLY HILLS 09000033C	1128	686	302	290
AV/VBM	0	289	153	103
TOTAL	1128	975	455	393
BEVERLY HILLS 09000026A	1039	560	270	237
AV/VBM	0	285	132	126
TOTAL	1039	845	402	363
BEVERLY HILLS 09000030A	1135	667	307	277
AV/VBM	0	291	163	105
TOTAL	1135	958	470	382
BEVERLY HILLS *09000033B	14	0	0	0
AV/VBM	0	11	5	3
TOTAL	14	11	5	3
BEVERLY HILLS 09000036A	1094	543	260	233
AV/VBM	0	279	160	91
TOTAL	1094	822	420	324
BEVERLY HILLS 09000037A	1016	580	265	272
AV/VBM	0	320	174	114
TOTAL	1016	900	439	386
BEVERLY HILLS 09000039B	1117	651	302	296
AV/VBM	0	288	130	126
TOTAL	1117	939	432	422
BEVERLY HILLS 09000041A	1051	629	309	238
AV/VBM	0	260	132	113
TOTAL	1051	889	441	351
BEVERLY HILLS 09000046A	1114	634	291	247
AV/VBM	0	285	133	122
TOTAL	1114	919	424	369
PRECINCT TOTAL VOTE	21093	11457	4970	5207
VBM TOTAL VOTE	0	6170	2893	2529
VBM BY GROUP TOTAL	0	20	9	7
GRAND TOTAL VOTE	21093	17647	7972	7843

BEVERLY HILLS CITY SPC MUN  
MEASURE H

YES

NO

FINAL OFFICIAL  
STATEMENT OF VOTES CAST

CITY/PREC REGISTRATION BALLOTS CAST

COUNTYWIDE 21093 11457 4970 5207

COUNTYWIDE VOTE BY MAIL 0 6190 3002 2636

TOTAL 21093 17647 7972 7843

30TH US CONGRESSIONAL 21093 11457 4970 5207

30TH US CONGRESSIONAL VOTE BY MAIL 0 6190 3002 2636

TOTAL 21093 17647 7972 7843

23RD ST SENATE 21093 11457 4970 5207

23RD ST SENATE VOTE BY MAIL 0 6190 3002 2636

TOTAL 21093 17647 7972 7843

42ND STATE ASSEMBLY 21093 11457 4970 5207

42ND STATE ASSEMBLY VOTE BY MAIL 0 6190 3002 2636

TOTAL 21093 17647 7972 7843

3RD SUPERVISORIAL 21093 11457 4970 5207

BEVERLY HILLS CITY SPC MUN  
MEASURE H

YES

NO

FINAL OFFICIAL  
STATEMENT OF VOTES CAST

CITY/PREC	REGISTRATION	BALLOTS CAST	YES	NO
3RD SUPERVISORIAL VOTE BY MAIL	0	6190	3002	2636
TOTAL	21093	17647	7972	7843
4TH BOARD OF EQUALIZATION	21093	11457	4970	5207
4TH BOARD OF EQUALIZATION VOTE BY MAIL	0	6190	3002	2636
TOTAL	21093	17647	7972	7843
CITY OF BEVERLY HILLS	21093	11457	4970	5207
CITY OF BEVERLY HILLS VOTE BY MAIL	0	6190	3002	2636
TOTAL	21093	17647	7972	7843