



AGENDA REPORT

Meeting Date: September 11, 2012
Item Number: D-1
To: Honorable Mayor & City Council
From: City Attorney
Subject: CONTINUANCE OF HEARING DATE FOR AN APPEAL FROM THE ASSESSMENT OF BUSINESS TAXES, PENALTIES AND INTEREST FOR SPECIALTY SURGICAL CENTER, LLC AND SPECIALTY SURGICAL CENTER OF BEVERLY HILLS, L.P.
Attachments: None

RECOMMENDATION

The City Attorney's office recommends that the hearing on the appeal by Specialty Surgical Center be rescheduled from the City Council meeting of September 20, 2012 to the City Council meeting of October 23, 2012, or the next available City Council meeting after October 16, depending on the City Council's calendar decisions at the September 11 study session.

INTRODUCTION

At its meeting on July 24, 2012, the City Council set September 20, 2012 as the date for hearing the appeal of Specialty Surgical Center from the business tax assessment issued by City staff. On August 20th, the City Attorney's office contacted counsel for Specialty Surgical Center to request a continuance of the hearing date to October 2nd or October 16th. Over the next ten days, the parties experienced some difficulty arriving at a mutually agreeable date for a continuance. On August 31st, the City Attorney's office indicated that the City was willing to withdraw its request and proceed on September 20th. However, Specialty's counsel indicated that Specialty representatives had already altered schedules and were no longer available on the September 20th date.

DISCUSSION

In response to the City's initial request to continue the September 20th hearing date, Specialty has indicated that it would be available on October 16th, or if the City Council reschedules that date to October 23, then Specialty would be available on that date. Specialty has indicated that its representatives are no longer available on September 20th and that they are also not available on October 2nd.

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FISCAL IMPACT

The rescheduling of the hearing date will have no fiscal impact on the City.



Laurence S. Wiener, City Attorney