



AGENDA REPORT

Meeting Date: December 20, 2016
Item Number: D-13
To: Honorable Mayor & City Council
From: Lourdes Sy-Rodriguez, Assistant City Clerk
Byron Pope, City Clerk
Subject: RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION
CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION
HELD ON NOVEMBER 8, 2016, DECLARING THE RESULT AND
DECLARING SUCH OTHER MATTERS AS PROVIDED BY LAW FOR
CITY MEASURE HH (HILTON CONDOMINIUM TOWER INITIATIVE)

Attachments:

1. Resolution
2. Certification

RECOMMENDATION

The City Council is requested to adopt the resolution (Attachment 1) reciting the fact of the Special Municipal Election held on November 8, 2016 and declaring the result and declaring such other matters as provided by law for City Measure HH (Hilton Condominium Tower Initiative).

INTRODUCTION

The City Council adopted Resolution Nos. 16-R-13092 and 16-R-13093 calling and giving notice to hold a Special Municipal Election to be held in the City of Beverly Hills on November 8, 2016, and requesting that the Board of Supervisors consent to the consolidation of this election with the Statewide General Election, respectively.

DISCUSSION

The Special Municipal Election was held in the City of Beverly Hills on Tuesday, November 8, 2016, consolidated with the Statewide General Election for City Measure HH (Hilton Condominium Tower Initiative). The Los Angeles County Registrar-Recorder/County Clerk has completed the canvass of the results and the canvass has been certified by the Los Angeles County Board of Supervisors on December 2, 2016. The certification and final results are attached (Attachment 2).

Following are the final results of the initiative:

"Shall an ordinance be adopted allowing a 26 story (345 feet) residential building instead of two residential buildings of 8 and 18 stories (101 and 218 feet); increasing open space from 3.28 to 3.89 acres and identifying 1.7 acres of open space as private garden generally open to the public subject to property owner's reasonable restrictions; removing conference center and relocating its uses; prohibiting discretionary architectural review; reducing graywater use requirements?"

Yes – 6,372 (44.85%)

No – 7,835 (55.15%)

FISCAL IMPACT

The Los Angeles County Registrar Recorder/County Clerk Office provided the City with an estimate of \$42,000 to consolidate one measure on the Statewide General Municipal Election, and will bill the City for the final cost of this consolidated election. The City Clerk's Office budget for FY 2016-2017 did not include this amount.

Byron Pope, MMC
Approved By



Attachment 1

RESOLUTION NO. 16-R-_____

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION HELD ON NOVEMBER 8, 2016, DECLARING THE RESULT AND DECLARING SUCH OTHER MATTERS AS PROVIDED BY LAW FOR CITY MEASURE HH (HILTON CONDOMINIUM TOWER INITIATIVE)

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 8, 2016, 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 Nos. 16-R-13092 and 16-R-13093, adopted July 19, 2016, 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 Attachment 2.

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 9,141. That the whole number of votes by mail ballots cast in the City was 6,838 (which includes 10 vote by mail ballots that could not be tracked back to a particular election precinct), making a total of 15,979 votes cast in the City.

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

“Shall an ordinance be adopted allowing a 26 story (345 feet) residential building instead of two residential buildings of 1 and 18 stories (101 and 218 feet); increasing open space from 3.28 to 3.89 acres and identifying 1.7 acres of open space as private garden generally open to the public subject to property owner’s reasonable restrictions; removing conference center and relocating its uses; prohibiting discretionary architectural review; reducing graywater use requirements?”

Section 3. That the number of votes given at each precinct and the number of votes given in the City for Measure HH were as listed in Attachment 2, attached.

Section 4. The City Council does declare and determine that Measure HH was not passed 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:

JOHN A. MIRISCH
Mayor of the City of Beverly Hills

ATTEST:

BYRON POPE
City Clerk (SEAL)

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:



BYRON POPE
City Clerk

Attachment 2

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 8th day of November 2016.

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 that 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 2nd day of December 2016.



Dean Logan

DEAN C. LOGAN
Registrar-Recorder/County Clerk
County of Los Angeles

BEVERLY HILLS CITY SPC MUN
MEASURE HH

FINAL OFFICIAL
STATEMENT OF VOTES CAST
BY PRECINCT

LOCATION	REGIST- RATION	BALLOTS CAST	YES	NO											
PRECINCT TOTAL	21082	9141	3728	4252											
VBM TOTAL	0	6828	2643	3575											
GROUP TOTAL	0	10	1	8											
GRAND TOTAL	21082	15979	6372	7835											