



**CITY OF BEVERLY HILLS  
CITY COUNCIL  
SPECIAL MEETING  
December 07, 2010**

The Special Meeting of the City Council of Beverly Hills was held in the Council Chambers at 2:30pm.

**PLEDGE OF ALLEGIANCE**

**A. ROLL CALL**

Present: Councilmember Mirisch, Councilmember Brien, Councilmember Krasne, Vice Mayor Brucker, and Mayor Delshad  
Absent: None

**B. 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

Mayor Delshad made an announcement addressing rumors circulating around the City.

Councilmember Krasne suggested that the City look into the possibility of having a hydrogen substation in the City under the green initiative program.

**C. CONTINUED AND NEW BUSINESS**

1. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS REVISING THE BALLOT QUESTION CONCERNING A MEASURE TO INCREASE THE TAX ON OIL EXTRACTED FROM THE CITY, TO ESTABLISH A TAX ON NATURAL GAS EXTRACTED FROM THE CITY AND TO AMEND THE DEFINITION OF GROSS RECEIPTS IN THE BUSINESS TAX REGULATIONS OF THE BEVERLY HILLS MUNICIPAL CODE. Comment: This resolution revises the ballot question the City Council adopted on November 30, 2010 regarding the Oil Extraction tax, establishing a Natural Gas tax, and revising the definition of gross receipts in the business tax regulations. The revisions are intended to better inform the voter of the content and implications of the ballot question.

Assistant Director of Administrative Services/Finance Noel Marquis presented the staff report on the measure. Mr. Marquis explained staff is recommending that the City Council revise the ballot question in the resolution adopted on November 30, 2010 to clarify that the tax revenue will be placed in the general fund to support general fund services.

Mayor Delshad noted that this item is not related to approval of oil well drilling operations in the City. In response to a question raised by the Mayor, City Attorney Larry Wiener briefly reported on Los Angeles' ballot initiative on oil tax.

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS REVISING THE BALLOT QUESTION CONCERNING A MEASURE TO INCREASE THE TAX ON OIL EXTRACTED FROM THE CITY, TO ESTABLISH A TAX ON NATURAL GAS EXTRACTED FROM THE CITY AND TO AMEND THE DEFINITION OF GROSS RECEIPTS IN THE BUSINESS TAX REGULATIONS OF THE BEVERLY HILLS MUNICIPAL CODE.

Ayes: Councilmember Mirisch, Councilmember Brien, Councilmember Krasne, Vice Mayor Brucker, and Mayor Delshad  
Noes: None

CARRIED

**ITEM C-1: ADOPTED RES#10-R-12791**

2. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS SUBMITTING TO THE VOTERS OF THE CITY OF BEVERLY HILLS A MEASURE TO ESTABLISH A THREE HOUR FREE PARKING PROGRAM FOR RESIDENTS, DIRECTING PREPARATION OF AN IMPARTIAL ANALYSIS AND SETTING PRIORITIES FOR

FILING WRITTEN ARGUMENTS. Comment: Staff recommends that the City Council approve the resolution to place a measure on the March 8, 2011 ballot that establishes a Residents Three Hours Free Parking Program.

Assistant City Manager Mahdi Aluzri presented the staff report on the item.

1. Eliot Finkel, City Treasurer, expressed his support of the Council's decision and approach to bring forth the ballot initiative.
2. Julie Spencer, Douglas Emmett Realty, raised questions about the process. Councilmember Brien, as a member of the Ad Hoc Committee, responded to Ms. Spencer's questions.
3. Brian Rosenstein supported the Council and the City in its opposition to the G&L Realty Corporation ballot initiative.
4. Judie Fenton indicated her support on Council's proposed initiative and opposition to the G&L Realty initiative.

Speaking on behalf of the Ad Hoc Committee composed of Vice Mayor Brucker and himself, Councilmember Brien explained the reasons for bringing this format forward for the three hour free parking program for residents. Dr. Brien noted the Committee would like the Council to review 8-8-5. Section 2 of the proposed ordinance. Vice Mayor Brucker provided additional considerations for the proposal. In addition, Mr. Brucker stressed that the Council supports the 2-hour free parking for nonresidents and there is no contemplation of changing that point of view.

Staff responded to questions raised by the Council.

MOVED by Councilmember Brien, seconded by Vice Mayor Brucker to adopt Resolution C-2 as amended to eliminate Section 2 of the ordinance as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS SUBMITTING TO THE VOTERS OF THE CITY OF BEVERLY HILLS A MEASURE TO ESTABLISH A THREE HOUR FREE PARKING PROGRAM FOR RESIDENTS, DIRECTING PREPARATION OF AN IMPARTIAL ANALYSIS AND SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS.

Ayes: Councilmember Mirisch, Councilmember Brien, Councilmember Krasne, Vice Mayor Brucker, and Mayor Delshad

Noes: None

CARRIED

**ITEM C-2: ADOPTED AS AMENDED RES#10-R-12792**

3. A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS DECLARING ITS OPPOSITION TO THE G&L REALTY CORPORATION TWO HOUR FREE PARKING INITIATIVE. Comment: The resolution declares the City Council's position opposing the G&L Realty Corporation Two Hour Free Parking Initiative.

Assistant City Manager Mahdi Aluzri delivered the staff report for the resolution recommended by staff and the Ad Hoc Committee to declare the City's opposition to the G&L Realty Corporation parking initiative scheduled on the ballot for the March 8, 2011 municipal election.

Speaking:

1. City Treasurer Eliot Finkel reported on the Budget Review Committee's opposition to the G&L Realty Corporation initiative.

Councilmember Brien read a letter into the record from Steven Reyes of the Kaufman Legal Group.

City Attorney Wiener responded to the contents of Mr. Reyes' letter.

Following discussion, it was the consensus of the Council to add the name Marcia Caden (proponent) to the resolution title to read G&L Realty Corporation/Marcia Caden.

In response to a request from the Council, Mr. Finkel read the names of the Budget Review Committee members.

MOVED by Vice Mayor Brucker, seconded by Councilmember Brien to adopt Resolution C-3 as amended to add the name Marcia Caden to the title of the resolution as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS  
DECLARING ITS OPPOSITION TO THE G&L REALTY CORPORATION TWO  
HOUR FREE PARKING INITIATIVE

Ayes: Vice Mayor Brucker, Mayor Delshad, Councilmember Brien, and  
Councilmember Mirisch  
Noes: None  
Abstain: Councilmember Krasne

CARRIED

Councilmember Krasne explained the reason she abstained from voting on this item.

**ITEM C-3: ADOPTED RES#10-R-12793**

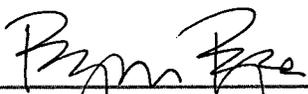
**D. OTHER BUSINESS**

None

**E. ADJOURNMENT**

There being no further business, Mayor Delshad, with the consent of the Council adjourned the meeting at 4:20pm to Closed Session.

PASSED, Approved and Adopted  
this 21st day of December, 2010.

  
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BYRON POPE, City Clerk

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JIMMY DELSHAD, MAYOR

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