

Questions and Answers on Measure HH

A total of 55 questions on Measure HH were submitted by citizens through the City's website. After redundancies were removed, 41 questions remained. Below are the questions and answers submitted by signatories for both pro and con sides of the initiative.

1. What funding comes to the BHUSD from the original 2008 project and how much does the initiative increase this funding? Please include one-time funds along with how much property taxes will increase basic aid funding.

Proponent

Measure HH delivers a meaningful increase in tax revenue for the City of Beverly Hills, to benefit the school district as well as libraries, parks, and police and fire protection. According to an independent report the City commissioned, the initiative's total contribution will reach \$125 million -- \$33 million more than the original plan approved in 2008.

BHUSD has already received \$1.7 million in school benefit fees from the owner of the Beverly Hilton as a result of the original development plan approved in 2008. If Measure HH is approved, the overall project will generate approximately \$2.4 million a year for the school district in basic aid funding from property tax revenues, according to the LA Economic Development Corporation's Economic Impact Analysis. Overtime, as property valuations increase, the basic aid payments will increase.

Opponent

The developer was required in the original agreement to pay the district \$1.66 million. Measure HH does not require a penny of new money for the district. They claim that Measure HH will generate \$33 million more in revenue to the City than the original plan, but they leave out that that \$33 million is over 30 years. But that is not money directly for the schools.

2. Is the Hilton tower going to generate \$33 million more than the approved version a year or is it over 30 years? Is it true the city's independent report on Measure HH concluded it will deliver tens of millions more to the city than the 2008 plan?

Proponent

Yes, the City of Beverly Hills' independent study concluded that Measure HH will deliver \$125 million to the City of Beverly Hills over 30 years. That's \$33 million more than the original 2008 plan. This additional revenue will support vital city services, including schools and public safety.

Opponent

They leave out that the \$33 million is over 30 years. Although the developer behind Measure HH will make tens of millions or more if HH passes, the money that goes to the City and our schools will be only about One Million a year

3. I asked a campaign representative what guarantee of when and how often would the school district receive \$3 million dollars as described at the Hilton. The campaign representative said thus far it's just a work in progress. What does that mean?

Proponent

The BHUSD has already received \$1.7 million in school benefit fees from the owner of the Beverly Hilton as a result of the original development plan approved in 2008. If Measure HH is approved, the overall project will generate approximately \$2.4 million a year for the school district in basic aid funding from property tax revenues, according to the LA Economic Development Corporation's Economic Impact Analysis. Overtime, as property valuations increase, the contributions to our schools will also increase.

Opponent

There is just \$1.66 million guaranteed in the original plan. It has already been paid to the School District. There is no direct new money for our schools in Measure HH.

Building Plans

4. Do you believe that a 375' building is consistent with the City's general plan?

Proponent

Yes. The Beverly Hilton is in an area that the General Plan identifies as being appropriate for taller development. The City Council already approved an 18 story building on the Hilton property , and 15 stories for the One Beverly Hills project on the former Robinsons-May

property (which, by the way sits on a 3 story platform so that project is the equivalent of 18 stories). The question for voters is whether to have a single 26-story building and 1.7-acre park for the public to enjoy, or two buildings (18 and 8 stories) and no park for public use.

Opponent

No, the City's General Plan only allows buildings three and 5 story buildings with a maximum 60-foot height limit. Although a specific plan was passed to allow the Hilton Condominium Tower to be 243 feet in 2008, this new plan is completely inconsistent with the City's General Plan.

5. Does the City feel that the developer has accurately represented the nature of the project to the public in its marketing materials and other communications?

Proponent

The Measure HH campaign has shared complete information about the proposal in a variety of forms, including project renderings, fly-through videos, brochures and more. The campaign has also been meeting regularly with Beverly Hills residents almost daily since the summer to answer questions and share project information. When the veracity of the Measure HH campaign was challenged in court by the Wanda Group, the court sided completely with the Measure HH campaign, finding that statements by the campaign were 100% accurate. Unfortunately, the credibility of the chief opponent of Measure HH, the Wanda Group is suspect as they have been found by a court to have brought a frivolous lawsuit intended to stifle free speech. The City's credibility on this point is also in question due to the fact a superior court judge found the City's original Measure HH ballot question was false and misleading.

Opponent

No, as the developer has never shown a full rendering of its tower. In addition, their marketing materials contradict the materials from 2008, in which the developer promised a 1.3 acre public garden along Wilshire. The developer has also misled the community by claiming they will be environmentally sustainable and use graywater, which is recycled water. Measure HH specifically eliminates their graywater requirement in the Waldorf-Astoria and condominium tower.

6. Has the City done any studies or had any discussions on the aesthetic impact of such a huge high-rise? It seems such a structure would remove Beverly Hills' iconic views of open skies and Palm trees, that

this structure would darken this entrance to Beverly Hills.

Proponent

The City conducted an independent study-- a 9212 report-- to examine impacts of Measure HH, including its aesthetic. The city study found no significant impacts from the shade and shadow of the building, and importantly, no change in impacts compared to the approved project. The City Council and the voters approved the 18-story building in 2008 after significant examination, many studies and 19 public hearings. In return for an additional eight stories in a building bordering Century City, the public will enjoy a smaller overall building footprint and a beautiful, 1.7-acre garden at the gateway to Beverly Hills. The campaign was pleased that, in endorsing Measure HH, former USC School of Architecture Dean Robert S. Harris said that “nearby from the boulevards, the height of the building will be insignificant unless pedestrians look more at the sky than at the space in which they find themselves.” Measure HH does not remove the city’s views of open skies and palm trees.

Opponent

The General Plan represents the City’s study of height and its impacts on the character of the City. The General Plan does not contemplate skyscrapers in Beverly Hills. There are no shade and shadow studies on the Condo Tower, so no really knows what it will look like and how far the shadow will stretch across the El Rodeo playground or homes in the North and Southwest. Furthermore, HH specifically eliminates any discretionary architectural review for the Hilton’s proposed skyscraper, so the City will have no aesthetic input.

7. How many stories is the new apartment building next to the Beverly Hills High School and how far is it from the Beverly Hilton Hotel? What is the reputation of the developer of the Hilton Initiative?

Proponent

The new apartment building next to Beverly Hills High School, called Ten Thousand, is 40 stories tall and located approximately 200 yards from the Beverly Hilton. Measure HH will be developed by the owner of the Beverly Hilton, a beloved Beverly Hills icon and one of the most respected names in the hospitality industry across the country. The Beverly Hilton has been the largest taxpayer and a trusted partner of the City of Beverly Hills for over 60 years.

Opponent

It’s not a relevant question because that building is in Los Angeles, which does

not have development restrictions to protect the character of their community as Beverly Hills does. Discussing the apartment building in Los Angeles only distracts from discussing Measure HH's avoidance of the environmental review process of Beverly Hills. Beverly Hills doesn't allow billboards in our City, even ones which are directly across the street from billboards in other jurisdictions.

The reputation of the developer of the Hilton Initiative or any other project is wholly and completely irrelevant to any discussion about whether the Measure HH skyscraper and the avoidance of the City's standard development process is the best choice for our City.

8. Is there a difference between the approved plan and the initiative as relates to gray-water use?

Proponent

The 2008 project approved by voters required that recycled graywater be used to irrigate green space on the property. That requirement does not change under Measure HH. Under Measure HH, 100% of the park and open space will be irrigated by recycled graywater provided by the residential building – a leading-edge, innovative system that exceeds anything currently in use in the city. Measure HH confirms the City's ability to require recycled water to be used in the building for flushing toilets or in the air conditioning system if the City chooses to do so. Already, the developer has installed the City's first commercial graywater system at the Waldorf Astoria, making it the undisputed leader in Beverly Hills in water conservation, surpassing even the City of Beverly Hills itself.

Opponent

Yes, HH reduces the graywater requirements from the approved plan. The clear wording of HH shows the elimination of the graywater requirements from the Waldorf-Astoria and the Condominium Tower. Eliminating graywater uses means the project is less environmentally friendly and has a bigger water footprint at a time the rest of us are being asked to cut back our own water usages.

9. What are the consequences of removing the requirement for discretionary architecture review?

Proponent

To be clear, the project will be reviewed by the Beverly Hills Architectural Commission, which will review the final design, materials, finishes, and

landscaping for conformance with the project's specific plan. This is no different than what the Architectural Commission does today under the current rules.

From an architectural standpoint, Measure HH is a far better design than the plan approved in 2008. Experts agree. In comments published in the *Beverly Hills Courier*, Robert Harris, a USC Emeritus Professor of Architecture, wrote "The choice between the earlier and current proposals is clear from both urban planning and architecture standpoints. The choice is between two bulky buildings and very little community benefit, versus one taller building within a landscape garden and walks that create an improved gateway experience for residents and passersby. Considering the two alternatives, I would encourage Beverly Hills residents to vote yes for Measure HH on November 8th."

Opponent

This means that the developer can build whatever they want without any public or Commission input on its design. The ONLY requirement is that it fits within the building envelope as shown in HH.

10. Please give an actual representation of what the entire lot will look like under both scenarios.

Proponent

If Measure HH fails, two buildings will be built on the site of the Beverly Hilton: one 8-story building on Wilshire and Merv Griffin Way, and one 18-story building on Santa Monica and Merv Griffin Way. There will be no dedicated park open to the public.

If Measure HH passes, there will be one 26-story building built on Santa Monica and Merv Griffin Way, and a large, publicly-accessible park totaling 1.7-acres on Wilshire and Merv Griffin Way. Measure HH totally eliminates an approved 8-story building to make room for the park, which will also provide free community activities and two hours of free parking for residents.

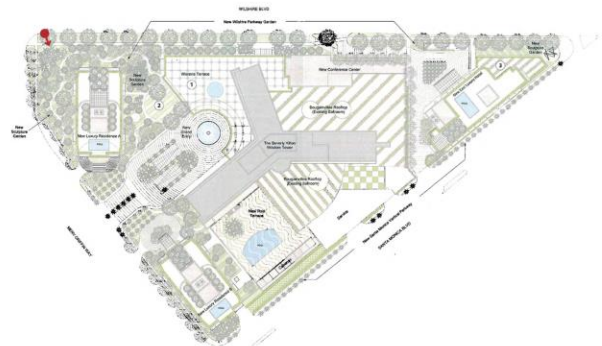
(See rendering below)

Opponent

Only the developer can show us what the entire 9 acres will look like fully built out. They have declined to do so, even after spending more than \$6 million on this campaign so far.



2016 PROPOSED PLAN



2008 APPROVED PLAN



11. I am told that there were some 109 conditions and 32 pages of mitigations in the 2008 plan that will still apply to the Measure HH plan, if voters approve it. First, is that true? And secondly, can you summarize what those conditions and mitigations entail?

Proponent

Yes, it is true that the 109 conditions and 32 pages of mitigations from the 2008 plan will continue to apply to the project if Measure HH passes. These requirements resulted from a lengthy public review process that included 19 public hearings, a City Council approval and a vote of the people. Measure HH reorganizes the existing approvals to create a better plan that delivers a new 1.7-acre park for public use, and a single condo building on Santa Monica Boulevard near Century City. Measure HH will not add any additional building square footage to the site compared to the approved 2008 plan.

The conditions cover a multitude of issues including parking requirements, signage, safety, loading dock rules, environmental requirements, landscaping and irrigation and construction management. The mitigation measures cover a variety of technical issues including air quality, noise abatement, fire protection, and construction monitoring.

Opponent

Yes, but there will be no mitigations or conditions on the new Condominium Tower, no conditions on the new Hilton Pool on top of the 20-foot Conference Center on Wilshire across from homes in the North and no traffic study and mitigation measures for the huge new outdoor event space they call the park. They were approved by the voters in 2008 and pertain to the original design that has significantly changed with this rewriting of the Hilton Specific Plan, so we can't detail what is still applicable and what is not.

12. Proponents of Measure HH claim that the proposed plan adds no square footage of building to the plan approved in 2008. Is that true? Is it also true that the Beverly Hilton owner will be limited to building the same number of condos - 110 - as outlined in the 2008 approved plan?

Proponent

Yes, it is true that Measure HH does not add any additional square footage of building to the approved 2008 plan. And to the second part of the question, yes, it is true that Measure HH proposes the same number of condos – 110 – as called for in the 2008 approved plan. Measure HH adds 10 staff units, which will be used solely in conjunction with a residential unit, do not include kitchens, and do not exceed 500 square feet.

Opponent

The square footage remains the same. However, they are massively changing the plan. There will be 10 new "staff" units in the condo tower. They have been designed to avoid the City's definition of a "dwelling unit" because the only thing they don't have is a kitchen. There is nothing to stop someone from bringing in a refrigerator and other appliances later. Measure HH also creates a destination restaurant that the developer described as a "Tavern on the Green". There is no traffic study for that. The huge new outdoor event spaces will bring more traffic for private events. The Hilton Pool is moving to the top of the 20-foot-high Conference Center on Wilshire, directly across the street from homes in the North. There'll be no restrictions on amplified music or hours of operation. The 2008 plan is being completely rewritten.

13. Does the measure reduce Measure HH's gray-water commitment from the 2008 voter approved plan?

Proponent

The 2008 project approved by voters required that recycled graywater be used to irrigate green space on the property. That requirement does not change under Measure HH. Under Measure HH, 100% of the park and open space will be irrigated by recycled graywater provided by the residential building – a leading-edge, innovative system that exceeds anything currently in use in the city. Measure HH confirms the City's ability to require recycled water to be used in the building for flushing toilets or in the air conditioning system if the City chooses to do so. Already, the developer has installed the City's first commercial graywater system at the Waldorf Astoria, making it the undisputed leader in Beverly Hills in water conservation, surpassing even the City of Beverly Hills itself.

Opponent

Yes, HH reduces the graywater requirements from the approved plan. The clear wording of HH shows the elimination of the graywater requirements from the Waldorf-Astoria and the Condominium Tower, meaning the HH skyscraper is less environmentally friendly than the 2008 plan.

14. Does the owner of the Beverly Hilton property currently have the right to build an 18-story building on Santa Monica Boulevard as well as an 8-story building on Wilshire Boulevard, with a total of 110 residential units? Does the owner retain the right to build those buildings even if Measure HH fails?

Proponent

Yes, the 2008 approvals for the property – 110 units divided between an 18 story building on Santa Monica Boulevard and an 8 story building on Wilshire Boulevard – will continue to stand if Measure HH does not pass. No matter the result on November 8, 110 condominium units will be built on the Beverly Hilton property. The only question is whether they will be built in two buildings, or in one single building along with a large new park.

Opponent

Yes, he currently has that right, and retains that right even if Measure HH fails. And there will still be a 1.3 acre garden on Wilshire and Merv Griffin Way.

15. The covenant says that they will be allowed to build, ". . . permanent non-habitable structures and improvements." Doesn't that mean they can build a restaurant or other permanent structure, just as long as it isn't a condo building?

Proponent

No. The garden's features are limited to what has been established in the project's specific plan, which lays out a series of attractive elements that have been clearly communicated by the Measure HH campaign, such as a lemon arbor, walking paths, terraced gardens, etc. The covenant separately prohibits any features that are not in keeping with the character of an outdoor park. So, no, you couldn't build a building in the middle of the park.

Opponent

Yes, there are no restrictions other than it be non-habitable. It can be a restaurant, office facility, or more conference space. It is completely unclear how the covenant would be enforced since the City is not a party to it. The Hilton made the covenant with themselves.

16. How many guests will the new event space identified on the Hilton's plans accommodate?

Proponent

There is no change in the number of guests that the outdoor event spaces can accommodate. The current approved plan has outdoor event spaces, and Measure HH identifies the same outdoor event spaces. There is no increase in the maximum number of guests under Measure HH – 300 guests, in an area representing less than 15% of the park's total area. Further, because Measure HH does not increase the number of guests the outdoor event spaces can accommodate, the initiative will have no impact on traffic.

Opponent

Unlike the 2008 plan, the number of guests allowed in the new event spaces is unlimited and the potential traffic impacts of the new outdoor event spaces has not been studied, as the developer is avoiding the full environmental review process which would include such information.

Outdoor Use

17. Our landscape is one of our City's best features, including the nearby beautiful Roxbury Park? Will more non-stop traffic make it more difficult to enjoy Beverly Hills Parks?

Proponent

No. An independent city study confirmed that Measure HH will not add any additional traffic to the project already approved for the site in 2008. As a reminder, there will be no additional condominium units or building square footage in Measure HH versus the original plan.

Opponent

Since Measure HH avoids any independent traffic studies of the new outdoor event spaces, the new Hilton Pool party space or any other aspect of the new project, we don't know

18. Does the covenant also provide for two hours of free parking for people visiting the park?

Yes. The legally-binding covenant ensures residents will receive two hours of free parking when visiting the garden.

Opponent

The covenant provides for two hours of free parking for Beverly Hills residents from 6:00 a.m. to 6:00 p.m. only. It does not say the parking will be available 7 days a week. It has no provisions for what occurs if parking is full. HH provides for no new parking spaces from the 2008 plan, which Former Mayor Bob Tanenbaum stated was not enough parking spaces for that proposed project.

19. How much will the Hilton be charging residents for parking to use their garden after 6 pm?

Proponent

Residents using the park will receive free, validated parking for two hours from 6a to 6p. After 6pm, parking validation will be provided for guests using the services of the hotel.

Opponent

Current Hilton self-parking rates are \$10 for the first hour, \$6 for each additional hour, with a maximum of \$42. That means 4 hours for a movie screening could

cost \$28 in parking.

20. The opponents of Measure HH claim that the entire park can be closed for special events, yet proponents say the special event space is only 15% of the park's total size. Is it true that the special events, like Bat Mitzvahs, would be limited to a small area of the park, and the rest would remain open to the public? Are there limits on the number of people who can attend a special event?

Proponent

This is an important question, especially given the misinformation that has been disseminated by the opposition campaign, funded by an out-of-town developer, against Measure HH. The park will be open to the public all day, every day, all year long. The area designated for special events is located at the edge of the park, next to the Hilton entryway, and totals less than 15% of the park's total area. It will be limited to 300 people, maximum. Even when events are taking place in this one area, the rest of the park – almost 1.5 acres – will be open for the public to enjoy.

Opponent

There is nothing in Measure HH or in any covenant that prevents the entire private garden area from being closed at any time. According to Exhibit B-1 and B-2 of HH, there was a limit of 750 people total at all event spaces. Now, there is no limit to the number of people who can attend at all event spaces.

21. The original proposal that was approved by voters included a slightly smaller "public" park. Now, you are saying that if we do not approve the large single tower, there will be NO public park at all. What happened to the original park?

Proponent

The 2008 plan includes landscaping and sculptures wrapped around the 8-story building and NOT an active, programmed public park 3 times the size of Beverly Canon Gardens, as Measure HH provides. A Superior Court judge confirmed this, ruling that Measure HH will create a brand new, publicly accessible garden for residents. Discussing the 2008 plan, the judge also said he “couldn't find any requirement” for the creation of a garden “of any particular size or even location.”

Opponent

All marketing materials for the 2008 plan stated there would be a 1.3 acre public garden along Wilshire. Either they were not telling the truth in 2008 or there should still be a 1.3 acre public garden and 4.5 acres of open space if Measure HH fails. Notwithstanding the above, the garden under HH would still be subject to the restrictions of the developer and access could be closed and/or restricted at their sole discretion.

22. Is the garden truly a public space (e.g. like the one in the Montage) or is it a private space open to the public subject to the developer's whim?

Proponent

The garden is open to the public. It's privately maintained by the Beverly Hilton, at no cost to taxpayers, but required to be open to the public. A Superior Court judge confirmed this, ruling that Measure HH will create a brand new, publicly accessible garden for residents.

Opponent

It is not a real public space like the Beverly Canon Gardens, which is owned and controlled by the City. The Court has ruled that it is "private garden generally open to the public subject to property owner's reasonable restrictions." It can be closed whenever the owner wants to close it for private events. Private property is private property. In contrast to a municipal park, for example, smoking could be allowed.

23. Does this plan change outdoor event space use?

Proponent

No. Both the current plan and Measure HH have designated areas that allow amplified music to be used in concert with outdoor events, subject to the City's noise ordinance. These areas are subject to the same capacity and use limitations under Measure HH and the approved plan and are generally in the same location. Further, beyond private events, the new 1.7-acre park will offer a variety of free activities for residents. This community programming includes yoga in the park, outdoor movie nights in the summer, and an outdoor ice skating rink in the winter. The park has been designed to be a one-of-a-kind gathering space for Beverly Hills residents.

Opponent

Yes, it adds new event spaces that were not previously studied or approved,

including event spaces right at Wilshire Blvd, overlooking El Rodeo School which would serve liquor. Because the garden is private, the developer could also choose to allow smoking there, as well.

24. How much more green-space is there in the new project?

Proponent

Measure HH adds a 1.7-acre park for public use, bringing the total open space and garden area on the property to nearly four acres. The 1.7-acre park is a new addition to the plan that was not included in the 2008 approval. A Superior Court judge confirmed this, ruling that Measure HH will create a brand new, publicly accessible garden for residents. The opponents' attempt to compare Measure HH's 1.7-acre park to the 2008 plan is terribly misleading. It's a bit like suggesting that the landscaping along a freeway is the same as a large public park. They may both be green, but one is designed to be used and enjoyed by the public. The other is not.

Opponent

According to the 2008 marketing materials for Measure H, there was to be 4.5 acres of new green space. Measure HH only appears to provide 0.61 of an acre of new open space to the garden on Wilshire and Merv Griffin Way. The "public garden" touted by the Hilton only increases from 1.3 acres in 2008 to 1.7 acres.

25. Will the green-space be like our current public parks?

Proponent

This will be the most beautiful public space in all of Beverly Hills. It will be privately maintained by the Beverly Hilton, rising to the standards of the Hilton's property, all at no cost to taxpayers. The park will include walking paths, a rose garden, a lemon arbor, an indoor-outdoor restaurant inspired by New York City's Tavern on the Green, fountains, backgammon and chess tables, and more. Additionally, the garden will offer community programming including yoga in the park, outdoor movie nights in the summer, and an outdoor ice skating rink in the winter. The park has been designed to be a one-of-a-kind gathering space for Beverly Hills residents.

Opponent

No. All current public parks are operated by the City. The Court ruled that this green-space is private property that can be closed at any time by the developer.

In contrast to a municipal park, for example, the developer could choose to allow smoking.

26. Is there public green-space in the currently approved project?

Proponent

Yes. The 2008 plan includes landscaping and sculptures wrapped around the 8-story building and NOT an active, programmed public park 3 times the size of Beverly Canon Gardens, as Measure HH provides. A Superior Court judge confirmed this, ruling that Measure HH will create a brand new, publicly accessible garden for residents.

Opponent

Yes. According to the 2008 mailers for Measure H, there will be 4.5 acres of open and green space, with a 1.3 acre public garden along Wilshire.

27. Will there be 2-hour free parking for everyone the same as in our municipal garages?

Proponent

Yes. Just like the city's municipal garages, visitors of the garden will have two hours of free parking from 6 a.m. – 6 p.m. This is guaranteed by a legally binding covenant the owner of the Beverly Hilton recorded with LA County.

Opponent

The probably unenforceable covenant provides for 2-hour free parking from 6:00 a.m. to 6:00 p.m. for Beverly Hills residents. It does not say that the parking will be available 7 days a week. All municipal garages provide 2 hours of free parking for everyone 7 days a week. Free 2-hour municipal lots also offer two hours of free parking for anyone entering before 6:00 p.m.

28. What guarantees are there that the park will stay public and parking 2-hours free?

Proponent

If passed, Measure HH is the law of the land and requires that the park be a park. Additionally, the owner of the Beverly Hilton has recorded a legally-binding covenant that ensures the new 1.7-acre garden will be permanently off-limits to development and will remain a garden forever. The covenant also states that Beverly Hills residents will have two hours of free parking when visiting the

garden. The covenant's requirements run with the land, and will apply to the property no matter who owns it in the future. The covenant has been filed with the County of Los Angeles.

Opponents

There are no guarantees, other than a possibly unenforceable covenant that was filed without the input or approval of the City. There is no party that has standing to enforce the one-sided covenant.

Sponsors and Endorsers

29. Who is/are the actual sponsors of the initiative, and what is/are their background(s)?

Proponent

Measure HH is sponsored by two well-respected, long-term Beverly Hills residents. Linda Briskman is a former Beverly Hills Mayor and Planning Commissioner, and Bruce Corwin is Chairman of the Board of the Metropolitan Theatres Corporation. Both are well-established civic leaders with long track records of service to Beverly Hills.

Opponent

Oasis West Realty. Oasis Realty is the owner of the Beverly Hilton. Oasis West Realty was the owner during the 2008 referendum that promised a 1.3 acre garden for the community. Whether Measure HH passes or not, according their promises from 2008, there will be a garden of more than an acre on Wilshire and Merv Griffin Way.

30. Did the North Beverly Hills Homeowners Association endorse Measure HH? The Measure HH proponents claim that the police officers' and firefighters' associations in Beverly Hills endorsed the initiative. Is that true?

Proponent

Yes. Measure HH is proud to have earned the endorsement of the Beverly Hills North Homeowners Association, along with the Beverly Hills Police Officers Association and the Beverly Hills Firefighters' Association. These respected organizations understand that Measure HH will improve the quality of life for our neighbors and the entire city, both now and for future generations, while creating substantial new resources to fund essential public services over the long term.

Opponent

After removing board members that were opposed to Measure HH, the president of the association appointed new board members that endorsed HH.

31. Does the Chairman of Wanda Group have any ties to the government of China?

Proponent

Yes. The New York Times has written extensively on the Chairman's close ties to the Chinese government and the Communist Party in China ("Wang Jianlin, a Billionaire at the Intersection of Business and Power in China," April 28, 2015). The New York Times has also reported on several Communist Party insiders whose relatives have profited greatly from investments in Wanda ("Justice Dept. Is Asked to Review Chinese Company's Hollywood Purchases," October 7, 2016).

Opponent

The Wanda Group is not part of this election. The group that is opposing Measure HH is not funded by the Wanda Group. The frivolous complaint filed with FPPC was dismissed by the FPPC as being baseless. Wanda Beverly Hills Property, LLC is an American company, just as Sony Pictures is an American company.

32. Does or has Wanda ever received financial backing (e.g., direct investment, tax breaks, etc.) from the Chinese government?

Proponent

Yes. This week Wanda announced a major initiative to lure entertainment business away from the United States to China by offering unprecedented production incentives to film movies in China. That initiative is in partnership with a state government agency in China.

Opponent

The Wanda Group is not part of this election. Wanda Beverly Hills Properties, LLC is an American company. The attacks on the Wanda Group are an attempt to distract from Measure HH's defects and flaws. It is an attempt to distract from the 375-foot high condo tower and Measure HH's disregard for the City's environmental review process.

33. Are the reports true that Mayor Mirisch had a private meeting with the Wanda's Chairman in China- a meeting that only came to light after an investigative journalist uncovered it?

Proponent

Yes. The mayor had an undisclosed meeting in Beijing with the Chairman of the Wanda Group this summer that was not publicly known until it came to light in the news media.

Opponent

Just like Mayor Garcetti in Los Angeles, the elected officials in Beverly Hills regularly meet with potential investors in our City from around the world. Mayor Mirisch has been consistent about his openness to meet with groups, individuals and companies, including the Hilton, Wanda and anyone else, who wishes to contribute to Beverly Hills's economy. Mayor Mirisch also met with the Hilton group in an attempt to reach a compromise which could have avoided this divisive and unprecedented initiative campaign, but the Hilton rejected any compromise suggestions.

34. While it is clear why Oasis Realty/Hilton wants the community to pass Measure HH, why is the Wanda Group and its subsidiaries so invested in defeating the measure? Is it for altruistic reasons or is there a hidden agenda?

Proponent

Frankly, we do not know. However, it does not appear that there is any commercial rationale for its unprecedented opposition. Wanda's own proposed condominiums would benefit greatly from the removal of the 8-story building across from its own condominium building. The Los Angeles Times has investigated this exact question. Wanda's motivations are unknown and they will have to answer for themselves.

Opponent

Opponents of Measure HH, which includes the Municipal League, the Southwest Homeowners Associations and former board members of the Beverly Hills North HOA, all oppose HH for a number of reasons, including HH's attempt to avoid the City's review and approval process which protects the quality of life for every resident by controlling development.

Initiative Spending

35. Why is a Chicago-based real estate LLC spending over \$1 million to engage in a political campaign in Beverly Hills? Can you provide specifics on how much money this Chicago-based LLC has contributed so far to the No on HH campaign?

Proponent

This is a question Wanda itself should answer. Why would a Chicago-based entity, in which Wanda has a major ownership stake, and with no purpose other than to develop a project in Chicago do such a thing? The company has no presence whatsoever in Beverly Hills, no investments at all.

Opponent

From what we understand, and based on the FPPC's decision to not even investigate the Yes on HH's complaint, all campaign funds are in the form of a loan to Beverly Hills Residents and Businesses to Preserve Our City. Anyone can review these report on the City's website. According to filing reports, this committee has contributed about a million dollars to the No on HH campaign, about 1/10 of what the Hilton is expected to spend on this campaign.

36. How much has Yes on Measure HH spent on this election? Has any ballot measure ever spent this much in Beverly Hills?

Proponent

Measure HH spending reports are public, and detailed information can be found on the city of Beverly Hills' website. The campaign feels it's critical to educate residents about the choice between the plan approved in 2008 and Measure HH, which is why it has invested significant resources to do so. The Measure HH campaign's primary goal has always been to ensure residents have complete information so they can make the decision they feel is best. That's what Beverly Hills residents deserve.

Opponent

As of October 9, Yes on HH has spent 6,394,745.17. This is not only the most spent in Beverly Hills, but the most spent on a per capita basis anywhere in California.

The Initiative

37. What fundamental problem is being solved by a yes vote on HH?

Proponent

Beverly Hills suffers from a lack of open space and gardens. Measure HH will reduce the development footprint and building intensity on the property and provide much-needed open space and a beautiful, landscaped garden for residents at the Wilshire gateway to the City – all at no expense to taxpayers. In fact, the garden will boost revenue to the City by \$33 million as compared to the currently approved plan, which consists of two buildings rather than one and will be built if Measure HH is not approved.

Opponent

None. The only problem being solved is how the developer behind Measure HH can increase the value of his already approved project by tens of millions of dollars without having to follow the City's review and approval process. Measure HH solves that by building a 375 foot tall condo tower without giving the City any public benefits.

38. The proponents of Measure HH say that a signed covenant has been filed with the county that ensures the new garden will stay a garden in the future. Is that true and what does the covenant say? Is it legally binding on whoever may own the property in the future?

Proponent

The owner of the Beverly Hilton has signed a legally-binding covenant that ensures the new 1.7 acre garden will be permanently off-limits to development and will remain a garden forever. The covenant also states that Beverly Hills residents will have two hours of free parking when visiting the garden. The covenant's requirements run with the land, and will apply to the property no matter who owns it in the future. The covenant has been filed with the County of Los Angeles, and an L.A. County Superior Court Judge has validated that the covenant is legally enforceable.

Opponent

The covenant is probably unenforceable, as the City is not a party to it, did not sign it and did not negotiate with the developer for it. There doesn't seem to be any one or any authority who can monitor and enforce it. How it could restrict a future owner is entirely unclear.

39. How will the City monitor and enforce the Hilton's Covenant?

Proponent

The City has a full staff employed to enforce land use and other regulations in the City. Enforcement of laws, rules and regulations is an everyday occurrence in the Beverly Hills. Enforcement of the covenant is the type of thing that City staff monitors and enforces on a daily basis.

Opponent

The City probably won't be able to enforce the covenant. The City does not appear to have any legal standing since the City did not enter into it with the Hilton.

40. Is this "initiative" precedent setting?

Proponent

Measure HH is not proposing a new project. It is proposing a revision of an existing, approved project. The initiative process is widely used in California, as set forth in the state's Constitution for more than 100 years, including for land use decisions. This proposal is unique in that it simply reorganizes the approvals previously secured on the property following years of close review, including an EIR, 19 hearings, City Council approval and a referendum. Ultimately, this is a choice about what residents prefer – the project approved in 2008, or the reconfigured project offered through Measure HH that includes a smaller development footprint, a slightly taller building (18 stories vs. 26 stories), and a large new park for the public.

Opponent

Absolutely. If HH passes, any developer can attempt to bypass the City's process and try to buy the votes of residents to avoid all environmental review and not have to share any of the windfall with the public or our schools.

41. Is the initiative process advantageous or disadvantageous to the development of a project?

Proponent

The initiative gives voters a clear choice, and voters in the city have a long and proud history of voting on projects like this. Residents voted to approve the 2008 Beverly Hilton Revitalization Plan. Residents also voted to approve the Montage Hotel, which has become a beloved community asset. The campaign trusts the

Beverly Hills residents to make the right decision on Measure HH, as well.

Opponent

For the developer behind HH, it is a big advantage. They avoid any independent environmental review that might reduce the project to protect the quality of life for the residents. It means the project cannot be sued if there are potential impacts. And they do not have to negotiate any additional money for the City in return for the enormous height of the condo tower or huge new outdoor event spaces that will be rented for private parties.