

1 RESOLUTION No. 2016- R _____

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 CULVER CITY, CALIFORNIA, REQUESTING THE BOARD OF
5 SUPERVISORS OF THE COUNTY OF LOS ANGELES TO
6 CONSOLIDATE A SPECIAL MUNICIPAL ELECTION TO BE HELD
7 ON TUESDAY, NOVEMBER 8, 2016, WITH THE STATEWIDE
8 GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT
9 TO §10403 OF THE ELECTIONS CODE.

10 WHEREAS, the City Council of the City of Culver City called a Special
11 Municipal Election to be held on November 8, 2016 for the purpose of submitting to the
12 voters four (4) questions relating to proposed Charter Amendments; and,

13 WHEREAS, pursuant to the Elections Code, one of the proposed Charter
14 Amendments must be submitted to the voters at a statewide general election; and,

15 WHEREAS, it is also desirable that the Special Municipal Election be
16 held on the same date as the statewide general election and that within the City the
17 precincts, polling places and election officers of the two elections be the same, and that
18 the election department of the County of Los Angeles canvass the returns of the
19 Special Municipal Election and that the election be held in all respects as if there were
20 only one election.

21 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER
22 CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS
23 FOLLOWS:

24 SECTION 1. That pursuant to the requirements of §10403 of the
25 Elections Code, the Board of Supervisors of the County of Los Angeles is hereby
26 requested to consent and agree to the consolidation of a Special Municipal
27 Election with the statewide general election on Tuesday, November 8, 2016.

28 SECTION 2. That the four (4) measures to appear on the ballot as
contained in Exhibit "A" hereof and summarized as follows:

1 **Measure _____:**

2 Shall Section 607 and Section 700 of the Charter of the City YES _____
3 of Culver City be amended to change the appointing authority
4 and the reporting responsibilities of the Fire Chief and Police
5 Chief from the City Council to the City Manager?

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8 NO _____

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11 **Measure _____:**

12 Shall Section 602 of the Charter of the City of Culver City be YES _____
13 amended to provide for the ineligibility of a person who has
14 resigned from the City Council to run for the Office of City
15 Council Member for a period of four years from the date of
16 such resignation?

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18 NO _____

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20 **Measure _____:**

21 Shall Section 601 of the Charter of the City of Culver City be YES _____
22 amended to change term limits for City Council Members
23 from the current two full terms to three full terms with such
24 change becoming effective for City Council Members
25 assuming office after November 8, 2016?

26
27 NO _____
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Shall Section 608 of the Charter of the City of Culver City be amended to authorize the City Council to determine the dates of Regular Meetings of the City Council? YES _____

NO _____

SECTION 3. That the County election department is authorized to canvass the returns of the Special Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 4. That the Board of Supervisors is requested to issue instructions to the County election department to take any and all steps necessary for the holding of the consolidated election.

SECTION 5. That the City of Culver City recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs upon presentation of a duly submitted and accurate bill.

SECTION 6. That the City Clerk is authorized to file a certified copy of this resolution with the Board of Supervisors and the county election department of the County of Los Angeles.

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1 SECTION 7. That the City Clerk shall certify to the passage and
2 adoption of this resolution and enter it into the book of original resolutions
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4 PASSED, APPROVED and ADOPTED ON this 14th day of March, 2016.
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7 _____
8 MICHEAL O'LEARY, MAYOR
9 City of Culver City, California
10

11 ATTEST

APPROVED AS TO FORM

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13 _____
14 MARTIN R. COLE, City Clerk

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14 CAROL A. SCHWAB, City Attorney
15 for

16 A16-00202
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EXHIBIT "A"

TO RESOLUTION NOS. 2016-R____; 2016-R____; and 2016-R____

Measure _____:

Shall Section 607 and Section 700 of the Charter of the City of Culver City be amended to change the appointing authority and the reporting responsibilities of the Fire Chief and Police Chief from the City Council to the City Manager, as follows (deletions indicated by ~~striketthrough~~ text; additions indicated by underlined text):

SECTION 607. POWERS OF THE CITY COUNCIL.

All powers of the City shall be vested in the City Council, subject to the provisions of this Charter and the Constitution. The City Council shall have the power to:

(a) Appoint, suspend, remove and fix the compensation of the City Manager, ~~Fire Chief, Police Chief~~ and City Attorney, by a vote of at least three of its members;

(b) Create, modify or abolish any City department, and to prescribe the powers and duties of such departments and their Department Heads;

(c) Review and certify the results of all City elections;

(d) Control all legal business and proceedings, including, but not limited to, the authority to employ other attorneys to take charge of any litigation or other legal matters or to assist the City Attorney in connection with any legal matter, which authority, in whole or in part, may be delegated to the City Attorney; and

(e) Compel the attendance of witnesses, examine them under oath, and compel the production of evidence before it. The City Council may cause subpoenas to be issued in the name of the City and be attested to by the City Clerk. Disobedience of such subpoenas, or the refusal to testify, upon other than constitutional grounds, shall constitute a misdemeanor. Council Members, and any City staff members designated by the City Council, shall have the power to administer oaths in any investigation or proceeding before it.

Additionally, the City Council shall have all other powers consistent with this Charter and the Constitution.

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R____; 2016-R____; and 2016-R____

SECTION 700. POWERS AND DUTIES OF CITY MANAGER.

The City Council shall appoint the City Manager who shall be the chief executive officer of the City, responsible to the City Council for the management of all City affairs placed in the City Manager's charge by or under this Charter, by ordinance, resolution or other action of the City Council. The City Manager, or his or her designee, shall:

(a) Appoint, suspend and remove all City employees, including Department Heads, the City Clerk, and the City Treasurer, the Fire Chief, and Police Chief, except as otherwise provided by State law or this Charter;

(b) Direct and supervise the administration of all City departments, except as otherwise provided by this Charter;

(c) Attend all City Council meetings, at which the City Manager shall have the right to take part in discussion, but shall not vote;

(d) Prepare and submit to the City Council an annual budget pursuant to this Charter, and implement the final budget approved by the City Council; and

(e) Perform such other duties as are specified in this Charter, or by ordinance, resolution or other action of the City Council.

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R____; 2016-R____; and 2016-R____

Measure _____:

Shall Section 602 of the Charter of the City of Culver City be amended to provide for the ineligibility of a person who has resigned from the City Council to run for the Office of City Council Member for a period of four years from the date of such resignation, as follows (additions indicated by underlined text):

SECTION 602. ELIGIBILITY.

Only residents of the City who are lawfully registered voters of the City shall be eligible to hold an elective City office. Candidates for election to any such office must have been lawfully registered voters of the City for the 30 days immediately preceding the filing of their nomination papers.

Residents who have resigned from an elective City office shall not be eligible to hold an elective City office nor be eligible for candidacy for election until four years have elapsed from the date of resignation.

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R____; 2016-R____; and 2016-R____

Measure _____:

Shall Section 601 of the Charter of the City of Culver City be amended to change term limits for City Council Members from the current two full terms to three full terms, with such change becoming effective for City Council Members assuming office after November 8, 2016, as follows (deletions indicated by ~~striketthrough~~ text; additions indicated by underlined text):

SECTION 601. TERM LIMITS.

No person shall serve more than ~~two~~three consecutive full terms as a Council Member. If a person serves a partial term in excess of two years, it shall be considered a full term for the purpose of this provision. Nothing in this provision shall act to bar service as a Council Member after at least two years have elapsed from the Council Member's last full term.

Council Members holding office on or before November 8, 2016 shall not serve more than two consecutive full terms as a Council Member. If a person serves a partial term in excess of two years, it shall be considered a full term for the purpose of this provision. Nothing in this provision shall act to bar service as a Council Member after at least two years have elapsed from the Council Member's last full term.

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R____; 2016-R____; and 2016-R____

Measure _____:

Shall Section 608 of the Charter of the City of Culver City be amended to authorize the City Council to determine the dates of Regular Meetings of the City Council, as follows (deletions indicated by ~~strikethrough~~ text):

SECTION 608. CITY COUNCIL MEETINGS.

The City Council shall hold regular meetings ~~at least twice each month,~~ at such times as it shall fix by ordinance or resolution and may adjourn any regular meeting to a date certain, which shall be specified in the order of adjournment and when so adjourned, each adjourned meeting shall be a regular meeting for all purposes.

The Council Chambers of City Hall shall be the primary place of all City Council meetings.

By a vote of at least three of its members, the City Council may order a regular meeting to be held not less than seven days after that date at a place within the City other than the Council Chambers.

The City Council may, upon making a finding that the public interest requires it, order a meeting adjourned to another location within the City and to a time during the same day on which the order is made.

If for any reason it shall be unsafe to meet in the Council Chambers, meetings may be held for the duration of the unsafe condition at a place within the City designated by the Mayor, or by the City Council.

Whenever an order is made to hold a meeting at a place other than the Council Chambers, the City Clerk shall immediately post a copy of the order at a conspicuous location near the outside of the main entrance to the Council Chambers. The order shall remain posted until the meeting is held.