

MEETING DATE: October 22, 2007

AGENDA ITEM : Discussion and Introduction of an Ordinance Adding Section 1.02.006 to the Culver City Municipal Code Restricting the Use of the City Seal to Official City Business unless Otherwise Approved by City Council.

ATTACHMENTS

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City History

City of Culver City

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Culver City History - Section 15: The City Seal-City Flower

"Curious
Citizen's"
Questions



The current seal of the City of Culver City was adopted in August of 1936. Prior to that, two "Notary" type seals were used, according to the City Clerk's records.

The first city seal was a circle containing the words INCORPORATE(sic) SEPTEMBER 20, (sic) 1917" on three lines, the word INCORPORATE being uppermost and slightly curved. Around this seal is a rim, with "CULVER CITY" at the top, and "CALIFORNIA" at the bottom. There were two five-point stars between them. The inner rim was beaded, but the outer rim looked like a rope. That seal was used from incorporation until about 1921.

The second city seal was a circle containing the word "SEAL" at the center of the inner circle in large ornate letters, with three five-point stars above and three below. In that same circle, but rounded above is the word "INCORPORATED," with "SEPT. 20, 1917" below, curved in the lower border. That circle was also beaded, and there was the same outer circle as in the first seal.

On August 3, 1936, by Ordinance No. 453, the City adopted the current official city seal. The ordinance required that "the imprint thereof shall hereafter be impressed upon all official documents in place of the Seal heretofore used, and an enlarged copy of said Seal shall be placed on all motor equipment owned and operated by the City of Culver City." This ordinance also stated "Around the outer edge shall appear the words, City of Culver City, Incorporated 1917", and in the center thereof shall appear the inscription "Heart of Screenland," which inscription shall run through the center of a Shield; in the upper left hand corner shall be depicted motion picture camera equipment indicative of the present major industry in the City of Culver City; in the lower left hand corner of said Shield, shall be depicted a representation of the Golden Bear, emblematic of the State of California; in the upper right hand corner a representation of the rising sun; and in the lower right hand corner shall be depicted a sprig of lantana, the official flower of the City of Culver City."

That ordinance, signed by Mayor Frank H. Dobson, also included a further description of the seal. It called for unequal sized sections of the shield, with the upper left and lower right being about double the size of the others. It even specified that "the motion picture camera equipment in the upper left hand quarter includes a cameraman upon a wheeled camera dolly, a klieg light turned on, and a reflector screen. The stylized sun in the upper right hand quarter is about 2/3 risen above ground level, and



displays seven rays." The colors are also defined, calling for the upper left illustration "in powder blue and white with the linework in black." The golden sun is to be upon a "dark blue field." The city flower, the lantana, was to be illustrated in red with green leaves.

On November 12, 1940, Mayor Randall and Members of the City Council adopted ordinance No. 528, which called for the adoption of the official City Flag. The ordinance described the flag as follows: "On a background of white shall appear a blue facsimile of the official seal of the City, and at the upper left-hand corner a red five-point star. Below said seal, in large letters shall appear the name Culver City."

There are a number of seals visible in town. The most accessible are located at Fire Station 1 Downtown, which has a tile version of the seal, and the metal one at the entry to the Culver City Council Chambers, as well as the bronze one over the dais within the chambers. The old painted seal which was mounted in the 1928 Council Chambers is now above the stage at the Veterans Memorial Auditorium. There is also a seal on the "Filmstrip U.S.A." which is a part of the stainless steel sculpture in front of the Veterans Memorial Building. Look for the flags, too!

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ATTACHMENT 2

CULVER CITY MUNICIPAL CODE

§ 1.02.005 OFFICIAL SEAL; DESCRIPTION.

A. *Official seal.* The seal hereafter described is hereby adopted as the Official Seal of the City of Culver City and the imprint thereof shall hereafter be impressed upon all official documents and an enlarged copy of said seal shall be placed on all motor equipment owned and operated by the City.

B. *Description.* Around the outer edge shall appear the words, "City of Culver City, Incorporated 1917," and in the center shall appear the inscription "Heart of Screenland," which inscription shall run through the center of a shield; in the upper left hand corner shall be depicted motion picture camera equipment indicative of the present major industry in the City of Culver City; in the lower left hand corner of said shield shall be depicted a representative of the Golden Bear, emblematic of the State of California; in the upper right hand corner a representation of the rising sun; and in the lower right hand corner shall be depicted a sprig of lantana, the official flower of the City of Culver City.

1 RESOLUTION NO. CS- 5839

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY,
3 CALIFORNIA, AUTHORIZING THE USE OF THE CITY SEAL ON ANY RESO-
4 LUTION, PROCLAMATION, CERTIFICATE, OR OTHER INSTRUMENT
5 APPROVED BY THE CITY COUNCIL OR WHEN EXECUTED BY THE MAYOR.

6 THE CITY COUNCIL OF THE CITY OF CULVER CITY,
7 CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

8 SECTION 1. That the City Clerk is hereby authorized to use the City
9 Seal on any resolution, proclamation, certificate, or other instrument approved
10 by the City Council or when executed by the Mayor.

11 APPROVED and ADOPTED this 22nd day of May, 1967.

12
13 DAN PATACCHIA

14 MAYOR of the City of Culver City, California

15 ATTEST:

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17 Virginia Leet
18 VIRGINIA LEET
19 DEPUTY CITY CLERK

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21 APPROVED

22 City Attorney
23 CITY ATTORNEY

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ORIGINAL IS IN
CITY CLERK'S FILES

BILL JONES
CALIFORNIA SECRETARY OF STATE
BUSINESS PROGRAMS DIVISION



"In California the Secretary of State Means Business"

As Secretary of State, it is my pleasure to notify you that the mark you submitted has been registered in this office.

Please be advised that Section 14220(f) of the Business and Professions Code specifies that a mark shall not be registered if it so resembles a mark or trade name already registered or used in this state by another and not abandoned, as to be likely, when applied to the goods or services of the applicant, to cause confusion or mistake or to deceive.

My office has conducted a search of California trademark and service mark registrations. Your mark does not appear to resemble any previous registration.

Please be advised, however, that there may be unregistered marks or California trade names used by corporations and partnerships, fictitious names, and names, under which individuals conduct business which may resemble your registration. A check for such names is beyond the scope of the review of this office in registering marks.

Effective January 1, 1989 California trademark law no longer requires the Secretary of State to notify trademark owners of approaching expiration dates. Your trademark is valid for ten years and it is your responsibility to renew it within the six months prior to the expiration date.

BILL JONES
Secretary of State

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SECRETARY OF STATE

Service Mark Reg. No. 056047 Class No. Int. 42
CERTIFICATE OF REGISTRATION OF SERVICE MARK

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That in accordance with the application filed in this office the **SERVICE MARK** described below has been duly registered in this office on behalf of:

Name of Applicant: City of Culver City
Business Address: 9770 Culver Blvd. Culver City, CA 90232
Date First Used in California: October, 2001
Date First Used Anywhere: October, 2001
Description of Service Mark: Culver City: The city name "Culver" is spelled out in a unique, stylized letterform (based on the marquee of the Culver Theatre). This is combined with the modern typeface of "City". The word "Culver" is in red, while "City" is grey.
Description of Services with Which the Service Mark is Used: General Municipal City Services.
A copy, specimen, facsimile, counterpart or a reproduction of the mark is attached
Date of Registration: April 2, 2002
Term of Registration Extends to and Includes: April 2, 2012

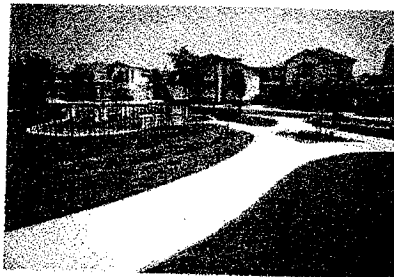


IN WITNESS WHEREOF, I execute
this certificate and affix the Great
Seal of the State of California this
8th day of April, 2002

Bill Jones
BILL JONES
Secretary of State

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A COPY, SPECIMEN, FACSIMILE, COUNTERPART OR
REPRODUCTION OF SERVICE MARK REG. NO. **056047**

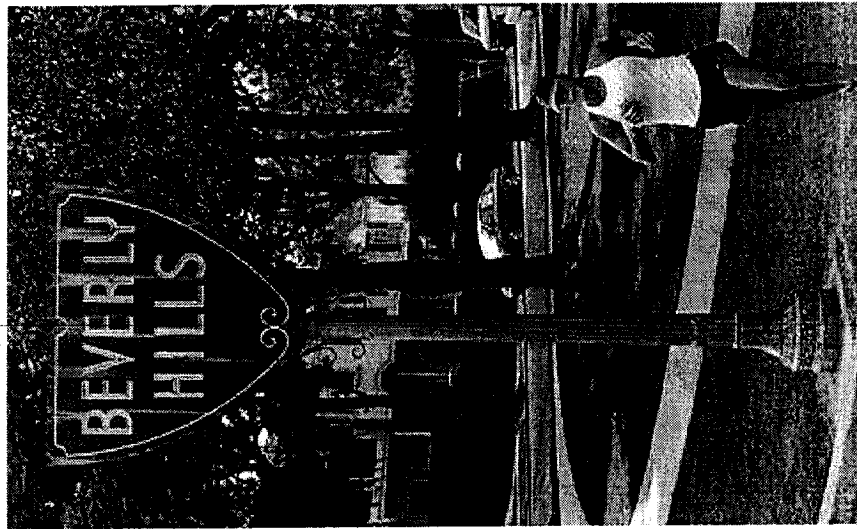


30 years

Culver CITY
REDEVELOPMENT AGENCY



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Leaders are hoping to make money by licensing the use of the Beverly Hills shield design on various products, but a first-year profit of \$54,000 has not met their expectations.
(Robert Gauthier / LAT)

LOS ANGELES TIMES
OCTOBER 5, 2005

ATTACHMENT 6 CITY SEAL COMPARISON CHART

City	Seal Use Policy or Use Restriction/Prohibition Language
Culver City	§1.02.005 describes the City Seal and imprint upon all official documents and on all motor vehicles owned and operated by the City.
Beverly Hills	City Council Policy adopted on December 19, 2006, regulates the use of City stationery, seal/shield for personal correspondence; and California Government Code §34500, et seq. ¹ cites prohibitions.
El Segundo	Municipal Code §1-3-3: It is unlawful for any person to make or use the Seal of the City or any cut, facsimile or reproduction of the Seal, or to make or use any seal or any design which is an imitation of the Seal, or the design thereof, or which may be mistaken for the Seal of the City, or the design thereof, for any purpose other than for City purposes, or for the purposes of any board, officer or department thereof. Additionally, §1-3-5, prohibits display of the seal on any privately owned vehicle, unless by express written permit from the City Council.
Glendale	Municipal Code §1.12.020 Prohibited use. A. No person or entity shall maliciously or for commercial purpose make or use the seal of this city, or any cut, facsimile or reproduction of the seal or make or use any seal or any design which is an imitation of the seal or of the design thereof, or which may be mistaken for the seal of this city or the design thereof, for any purpose other than for city purposes or for the use of any city board, officer or division. B. The city council may authorize the use or reproduction thereof for commercial purposes or for any other use.
Long Beach	The City Seal is described in §1.12.010 of the Long Beach Municipal Code, but no prohibition language is in the code.
Los Angeles	Description of the Corporate Seal in §1.5 of the Administrative Code, no prohibition language is in this code.
Redondo Beach	<u>2-5.02 Use of City seal for political purpose prohibited.</u> It shall be unlawful to place the City seal or any copy, facsimile, imitation or reproduction thereof on any written or printed material supporting or opposing any candidate or candidates for any elective public office or any local or statewide referendum, initiative or other ballot measure, except upon the approval of the City Council. <u>2-5.03 Use of City seal for private or commercial purposes prohibited.</u> It shall be unlawful for any person to use the City Seal, or any copy, facsimile, imitation or reproduction thereof, for any private or commercial purpose, except upon the approval of the City Council.

¹ The provisions of California Government Code Section 34500, et seq. does not apply to charter cities such as Culver City. Section 34501.5 states (a) Any person who uses or allows to be used any reproduction or facsimile of the seal of the city in any campaign literature or mass mailing, as defined in Section 82041.5, with intent to deceive the voters, is guilty of a misdemeanor. (b) For purposes of this section, the use of a reproduction or facsimile of a seal in a manner that the document is authorized by a public official is evidence of intent to deceive.

ATTACHMENT 6 **CITY SEAL COMPARISON CHART**

Redondo Beach (continued)	<u>2-5.04 Imitation of City seal prohibited.</u> No person shall place any imitation of the City seal on any written or printed material which is designed, calculated, intended or likely to confuse, deceive or mislead the public or cause the reader of such written or printed material to believe it to be an official City publication, and no person shall circulate or distribute any such written or printed material in the City of Redondo Beach.
Santa Monica	2.32.020 Use of the City Seal. (a) The purpose of this Section is to restrict use of the City Seal to official City business. (b) The City Clerk shall have charge of the City Seal and shall affix the City Seal to all certificates required by law, by this Code, or by ordinance of the City. (c) Except as provided for in this Section, no person, other than the City of Santa Monica, shall reproduce, use, give away, sell, or distribute any seal, or facsimile thereof, purporting to be or represented to be the City Seal of the City of Santa Monica. (d) City officers, City employees, members of the City Council, and members of City Boards and Commissions, may use stationery and printed materials with the City Seal, or facsimile thereof, while acting within the scope of their office or employment. (e) No person, including any elected officer of the City, shall use the City Seal, or facsimile thereof, in any correspondence or other printed materials distributed in favor of or against any ballot measure or in favor of or against any candidate for public office. (f) A recognized employee organization may use the City Seal, or facsimile thereof, on stationery and printed materials used in the scope of its representation of City employees and on articles of clothing intended for use by City employees. 4.68.180 Use of City name or logo without authorization. It shall be unlawful for the permittee conducting a community event to use the words "the City of Santa Monica" or "City of Santa Monica," to suggest or indicate that the event is sponsored by the City or to use a facsimile of the seal or logo of the City of Santa Monica in the promotional materials or advertising for the event without the City's authorization.
South Pasadena	2.6-5 Adoption of city seal. (a) USE OF SEAL. The impression of said seal shall be made and used upon all official documents executed by the city or its duly authorized officials. (b) CUSTODIAN. The city clerk shall be the custodian of said seal. (c) Any use of said seal except by or with the consent of the city council or city clerk is unlawful. (d) No person shall use the city seal or any replica, copy, facsimile, or characterization thereof, on any letterhead, document, badge, circular, envelope, or other disseminated material without the consent of the city council. No public officer shall use the city letterhead or seal, or any replica, copy, facsimile, or characterization thereof, except for official city business; and the same shall not be used for the purpose of electioneering or the dissemination of material contrary to or in conflict with any official position of the city council.

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(iii) Using the City seal or any copy, facsimile, imitation or reproduction thereof, on any letterhead, document, badge, circular, envelope, or other disseminated material, except for official City business.

SECTION 2. Pursuant to Section 619 of the City Charter, this Ordinance shall take effect thirty (30) days after the date of its adoption. Pursuant to Sections 616 and 621 of the City Charter, prior to the expiration of fifteen (15) days after the adoption, the City Clerk shall cause this Ordinance, or a summary thereof, to be published in the Culver City News and shall post this Ordinance or a summary thereof in at least three places within the City.

SECTION 3. The City Council hereby declares that, if any provision, section, subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this ordinance and as such they shall remain in full force and effect.

APPROVED AND ADOPTED this ____ day of _____, 2007.

ALAN CORLIN, Mayor
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:

CHRISTOPHER ARMENTA, City Clerk

CAROL A. SCHWAB, City Attorney

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