

1 RESOLUTION No. 2017- R _____

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3 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF**
4 **CULVER CITY, CALIFORNIA, ADOPTING A PLAN TO**
5 **CONSOLIDATE THE CITY'S GENERAL MUNICIPAL ELECTION**
6 **WITH STATEWIDE GENERAL ELECTIONS**

7 **WHEREAS**, Section 1500 of the City Charter of the City of Culver City
8 provides that general municipal elections for the filling of all elective offices, other
9 than the Board of Education, shall be held in the City on the second Tuesday in
10 April in each even-numbered year; and

11 **WHEREAS**, the California Legislature enacted the California Voter
12 Participation Rights Act (SB 415) in 2015; and

13 **WHEREAS**, SB 415 provides that political subdivisions may not hold an
14 election on a date other than a statewide election date, if holding an election on a
15 non-statewide election date has resulted in a significant decrease in voter turnout,
16 defined as more than 25% below the statewide voter turnout, when averaged over
17 the last 4 elections; and

18 **WHEREAS**, Culver City's general municipal elections are held on a date
19 other than a statewide election date, and the turnout for such elections is more
20 than 25% below the turnout for statewide elections, when averaged over the last
21 4 elections; and

22 **WHEREAS**, in July, 2017, the California Attorney General issued an opinion
23 stating that SB 415 applies to charter cities and to local school districts whose
24 elections are governed by city charters; and

25 **WHEREAS**, SB 415 allows a political subdivision to temporarily continue to
26 hold an election on a date other than a statewide election date if, by January 1,
27 2018, the political subdivision has adopted a plan to consolidate a future general
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1 municipal election with a statewide election date not later than the November 8,
2 2022 general statewide election; and

3 **WHEREAS**, at a duly noticed Special Meeting held on November 6, 2017,
4 the City Council approved proposed language for a charter amendment for
5 placement on a special municipal election ballot to be held on November 6, 2018,
6 which would align the City Charter general municipal election date with the
7 general statewide election date; and

8 **WHEREAS**, the City Council desires to adopt a Plan, as set forth in this
9 Resolution, to comply with SB 415.

10 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER**
11 **CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER**
12 **AS FOLLOWS:**

13 **SECTION 1.** The City Council hereby finds and determines that the
14 foregoing recitals are true and correct.

15 **SECTION 2.** The City will submit a measure to the voters of the City of
16 Culver City at a special municipal election to be held on November 6, 2018,
17 proposing to amend Section 1500 of the City Charter relating to the date of the
18 general municipal election, so as to comply with the California Voter Rights
19 Participation Rights Act, codified in Elections Code section 14050-14057.

20 **SECTION 3.** If, prior to the deadline for placing a measure on the ballot for
21 the November, 2018 special municipal election, there is a judicial determination
22 that SB 415 is not binding on charter cities, or, if there is a judicial determination
23 that the City need not amend its charter because its charter provision setting the
24 date of its general municipal election is superseded by SB 415, the City Council
25 reserves the right to amend this Plan to submit the charter amendment measure
26 to the voters, as set forth in this Resolution.

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SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED and ADOPTED ON _____, 2017.

JEFFREY COOPER, MAYOR
City of Culver City, California

ATTEST

APPROVED AS TO FORM

JEREMY GREEN, City Clerk


CAROL A. SCHWAB, City Attorney