

1 WHEREAS, sustaining a lower level of services and deferring
2 infrastructure maintenance until the local economy recovers will erode the progress
3 the City has made over time in meeting community needs; and

4 WHEREAS, the City is working with the community's businesses,
5 employers, and other stakeholders to discuss an economic recovery plan, but it is
6 expected that it will take time for national, state and local economies to recover; and
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8 WHEREAS, a new, locally controlled revenue source is needed to
9 preserve Culver City's essential city services; and

10 WHEREAS, increasing the City Real Property Transfer Tax rate on
11 certain real property sales or transfers by adding 1.5% on sales amounts from
12 \$1,500,000 to \$2,999,999; 3% on amounts from \$3,000,000 to \$9,999,999; and 4%
13 on amounts equal to or over \$10,000,000, would partially fill the revenue gap created
14 by COVID-19 and help preserve Culver City's essential city services; and
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16 WHEREAS, the current City Real Property Transfer Tax rate is set at
17 \$4.50 per \$1,000.00 of consideration or property value transferred for all sales and
18 transfers of commercial and residential properties, and has not been increased since
19 1991; and
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21 WHEREAS, an incremental increase on the one-time tax for each time
22 a property with a consideration of \$1,500,000.00 or higher is sold or otherwise
23 transferred will only impact approximately 27%-30% of the sales and transfers in the
24 City; and
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26 WHEREAS, the proposed incremental increase would help provide new,
27 ongoing revenue to help preserve essential services, including: keeping public
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1 spaces such as parks facilities clean and safe; homelessness prevention planning
2 and programs; afterschool and other support programs for youth; senior programs,
3 emergency response; economic recovery programs; and infrastructure
4 maintenance; and

5 WHEREAS, the proposed real property transfer tax increase would not
6 apply to newly constructed multi-family housing that results in a net increase in the
7 number of dwelling units on the property, or to affordable housing units; and

8
9 WHEREAS, under applicable law, the City Council of the City of Culver
10 City must present any proposed increase to the City Real Property Transfer Tax to
11 the electorate of the City of Culver City for adoption by majority vote of the electorate;
12 and

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14 WHEREAS, a General Municipal Election has been called for November
15 3, 2020, for the purpose of, among other things, electing three City Council seats
16 and submitting ballot measures to the voters; and

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18 WHEREAS, at its duly noticed Special Meeting held on August 3, 2020,
19 the City Council determined to submit the proposed ordinance to the voters of the
20 City pursuant to Elections Code section 1405.

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22 NOW, THEREFORE, the City Council of the City of Culver City, DOES
23 RESOLVE, as follows:

24 SECTION 1. The City Council hereby finds and determines that the
25 foregoing recitals are true and correct.

26 SECTION 2. Pursuant to Elections Code section 1405, a ballot measure
27 amending the Culver City Municipal Code Section 3.08.400 to increase the Real
28 Property Transfer Tax on properties sold or transferred with consideration of

1 \$1,500,000 or greater, with certain exceptions, shall be submitted to the voters of the
2 City at the November 3, 2020 Election.

3 SECTION 3. The question submitted by Section 2 of this Resolution
4 shall appear on the ballot as follows:
5

6 Measure ____:

7 **Real Property Transfer Tax for Essential Services.**

8 YES ____

9 Shall the measure to maintain essential services, including deferred
10 parks/facilities/street maintenance, addressing homelessness, after-
11 school/senior services, and economic recovery, by increasing the one-
12 time 0.45% tax on real property sales, adding 1.5% on amounts from
13 \$1,500,000 to \$2,999,999, 3% on amounts from \$3,000,000 to
14 \$9,999,999, and 4% on amounts \$10,000,000 and above, except for NO____
15 sales under \$1,500,000, affordable housing, and first transfer of new
16 multi-family properties, and providing \$6,000,000 annually until
17 repealed, be adopted?
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20 SECTION 4. The complete text of the Proposed Ordinance to be
21 submitted to the voters is attached hereto as Exhibit "A."

22 SECTION 5. Pursuant to Section 2(b) of Article XIII A of the California
23 Constitution, the measure requires approval by a majority of those casting ballots on
24 the measure.

25 SECTION 6. The City of Culver City recognizes that additional costs
26 may be incurred by the County of Los Angeles by reason of the addition of this measure
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1 to the ballot and agrees to reimburse the County for any additional costs performed
2 upon presentation of a bill pursuant to Elections Code Section 10002.

3 SECTION 7. The City Clerk is directed to forward a copy of the measure
4 to be voted on at the Election to the City Attorney for the preparation of an impartial
5 analysis in compliance with applicable law, which shall not exceed 500 words in
6 length. The impartial analysis shall be filed by the date set by the City Clerk for the
7 filing of primary arguments.
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9 SECTION 8: The City Council authorizes its members, as follows, to
10 file written arguments for or against the ballot measure:

11 FOR: _____

12 AGAINST: _____

13 SECTION 9. All written arguments filed by any person in favor of or
14 against the ballot measure, including any rebuttal arguments, shall be accompanied
15 by the names and signatures of the persons submitting the arguments as required by
16 applicable law, and any names, signatures and arguments may be filed until the time
17 and date fixed by the City Clerk in accordance with applicable law, after which no
18 change may be submitted to the City Clerk unless permitted by law.
19

20 SECTION 10. The City Clerk shall cause the text of the ballot measure,
21 which is contained in Exhibit "A", together with the City Attorney's impartial analysis,
22 and any arguments for or against the measure, as well as any rebuttal, to be mailed
23 to all qualified voters with the Voter Information Guide. In addition to other notices
24 and publications required by law, the City Clerk, not less than forty (40) days and not
25 more than sixty (60) days before the statewide general election, shall cause the text
26 of the ballot measure to be published once in the official newspaper and in each
27 edition thereof during the day of publication. The City Clerk is authorized to give such
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1 notice and to fix such times and dates as are required by law or which are appropriate
2 to conduct properly the election.

3 SECTION 11. The provisions of Resolution Nos. 2020-R063 and
4 2020-R064, adopted on June 22, 2020, are referred to and incorporated into this
5 Resolution. Those Resolutions provide necessary particulars concerning the General
6 Municipal Election to be held on November 3, 2020, and among other things, address
7 the placing on the ballot of this and other measures as well as the conduct,
8 consolidation and coordination of the General Municipal Election with the General
9 Statewide Election, which will also be conducted on November 3, 2020. In all
10 respects, the election shall be held and conducted as provided for by applicable law,
11 including but not limited to the above referenced Resolutions.
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13 SECTION 12. The City Clerk shall certify to the passage and adoption
14 of this Resolution and enter it into the book of original Resolutions.

15 SECTION 13. The City Clerk is hereby directed to deliver a certified
16 copy of this Resolution to the Board of Supervisors of the County of Los Angeles and
17 to transmit an electronic copy to the Board of Supervisors and the Registrar-
18 Recorder/County Clerk of the County of Los Angeles.
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20
21 APPROVED and ADOPTED on this ____ day of August, 2020.

22
23 _____
24 GÖRAN ERIKSSON, MAYOR
25 City of Culver City, California

26 ATTEST

27 APPROVED AS TO FORM

28 

JEREMY GREEN, City Clerk
A20-00284

for CAROL A. SCHWAB, City Attorney

EXHIBIT "A"

ORDINANCE NO. 2020 –

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2
3 AN ORDINANCE OF THE PEOPLE OF THE CITY OF CULVER CITY,
4 CALIFORNIA, AMENDING SECTION 3.08.400 OF THE CULVER CITY
5 MUNICIPAL CODE TO INCREASE THE REAL PROPERTY TRANSFER
6 TAX RATES ON TRANSFERS OR SALES OF \$1,500,000 OR GREATER,
7 WITH EXCEPTIONS FOR AFFORDABLE HOUSING AND FIRST
8 TRANSFER OF CERTAIN NEWLY CONSTRUCTED MULTI-FAMILY
9 DWELLING UNITS.

10 THE PEOPLE OF THE CITY OF CULVER CITY, CALIFORNIA, DO
11 HEREBY ORDAIN AS FOLLOWS:

12 SECTION 1. Section 3.08.400 of Culver City Municipal Code is hereby
13 amended to read as follows (underline denotes addition, ~~strike-through~~ denotes
14 deletion):

15 § 3.08.400 TAX IMPOSED.

16 A. There is hereby imposed on each deed, instrument, or writing by
17 which any lands, tenements, or other realty sold within the City shall be
18 granted, assigned, transferred, or otherwise conveyed to, or vested in, the
19 purchaser or purchasers, or any other person or persons, by his or their
20 direction, when the consideration or value of the interest or property conveyed
21 (including ~~exclusive~~ of the value of any lien or encumbrances remaining
22 thereon at the time of sale) exceeds One Hundred Dollars (\$100.00) a tax at
23 the rate of ~~Two Dollars and Twenty-Five Cents (\$2.25) for each Five Hundred
Dollars (\$500.00) or fractional part thereof~~ on such consideration or value at
the rates set forth below:

- 24 1. 0.45% of the amount of consideration or value of \$1,499,999
25 or less; and
- 26 2. 1.5% of the amount of consideration or value from
\$1,500,000 to \$2,999,999; and
- 27 3. 3.0% of the amount of consideration or value from
28 \$3,000,000 to \$9,999,999; and

EXHIBIT "A"

accessory dwelling units, and meets all of the following conditions:

- a. At least one or more of the dwelling units was newly constructed within the last five years prior to the transfer of the real property, based on the date of the issuance of the certificate of occupancy for such newly constructed dwelling units ("newly constructed" shall not include the remodel or renovation of an existing unit);
- b. The newly constructed dwelling units must have resulted in a net increase in the total number of dwelling units on the real property; and
- c. The transfer of real property is the first transfer following the issuance of the certificate of occupancy for such newly constructed dwelling units

D. The City Council is authorized to establish rules and procedures that are necessary and desirable for implementation of this Section 3.08.400 and may amend any aspect of this Subchapter 3.08.400, et seq. as long as the amendment does not result in an increase in the authorized tax rate.

SECTION 2. This Ordinance shall be effective only if approved by a majority of the voters voting thereon and shall go into effect on April 1, 2021.

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EXHIBIT "A"

1 I hereby certify that the foregoing Ordinance was PASSED, APPROVED
2 and ADOPTED by the People of the City of Culver City voting on the 3rd day of
3 November 2020.

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5 _____
GÖRAN ERIKSSON, MAYOR
6 City of Culver City, California

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8 ATTEST

APPROVED AS TO FORM

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10 _____
JEREMY GREEN, City Clerk

11 _____
CAROL A. SCHWAB, City Attorney

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