

**City of Culver City, California
Agenda Item Report**

Meeting Date: 07/23/12		Item Number: <u>A-2</u>	
CITY COUNCIL AGENDA ITEM: Adoption of a Resolution Approving the Argument in Favor of the Question Designated as Measure Y -- Enactment of a Half-Cent Sales Tax (which Automatically Expires after 10 Years) to be Considered by the Voters at the Special Municipal Election of November 6, 2012.			
Contact Person/Dept.: Martin R. Cole, Assistant City Manager/City Clerk		Phone Number: (310) 253-6000	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Commission Action Required: Yes ☐ No ☐ Date: _____			
Public Notification: (E-Mail) Meetings and Agendas – City Council (07/20/12)			
Department Approval: Martin R. Cole (07/19/12)		City Attorney Approval: Carol Schwab (07/20/12)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (07/20/12)		City Manager Approval: John M. Nachbar (07/20/12)	
<u>RECOMMENDATION:</u> Staff recommends the City Council: Adopt a Resolution approving the argument in favor of the question designated as Measure Y -- Enactment of a Half-Cent Sales Tax (which automatically expires after 10 years) to be Considered by the Voters at the Special Municipal Election of November 6, 2012. <u>BACKGROUND:</u> At the City Council meeting of July 16, 2012, the City Council considered (and ultimately unanimously approved) a proposal to place before the voters a ballot measure which, if approved by a majority of the voters, would enact a half-cent sales tax (which automatically expires after 10 years). At the same meeting, the City Council created and appointed two Council Members (Mayor Weissman and Council Member Clarke) to the Ad-Hoc Subcommittee on Drafting the Argument in Favor/Rebuttal to Argument Against a Measure (Question) to Enact a Half-Cent Sales Tax. The Subcommittee has prepared an Argument in Favor of the Measure for the City Council's consideration and approval. The City Council is requested to discuss, make desired changes if any, and approve the argument in favor of the Question.			

City of Culver City, California
Agenda Item Report

DISCUSSION:

Consideration of the Ad-Hoc Subcommittee's Argument in Favor of the Measure

Pursuant to the Elections Code, the City Council, authorized members of the City Council, citizen associations and private citizens may submit arguments for or against the proposed Measure. Only one ballot argument for and one ballot argument against each measure and rebuttals to each may be printed in the sample ballot. The Elections Code gives preference to the arguments submitted by the City Council, as a body, or by Council Members authorized to submit arguments by the City Council.

On July 16, 2012, the City Council adopted Resolution 2012-R071, which designated all five Council Members as authorized to sign the argument (and rebuttal if necessary and desired). Pursuant to the Elections Code, up to five signatures may appear with the argument(s) as printed in the sample ballot. A rebuttal argument would only be needed in the case a primary argument against the measure is filed. If a rebuttal argument is necessary, then staff recommends the Ad-Hoc Subcommittee be retained and exercise its existing authority to draft and submit to the City Council on August 6, 2012 a rebuttal argument.

Section 9286(a) of the Elections Code provides, in pertinent part:

“...the city **elections** official shall fix a date 14 days from the calling of the election as a deadline, after which no arguments for or against any city **measure** may be submitted...”

Section 9285(a)(4) provides, in pertinent part:

...A rebuttal argument relating to a city **measure** shall be filed with the **elections** official no later than 10 days after the final filing date for primary arguments...”

Pursuant to Resolution 2012-R069 adopted by the City Council on July 16, 2012 and the Elections Code, the City Clerk has fixed July 30, 2012 at 5:30 PM as the deadline for submission of arguments for or against the measure (Primary Arguments). Primary Arguments shall not exceed 300 words in length. Rebuttal arguments are due 10 days after the primary arguments are due and shall not exceed 250 words. The deadline for rebuttal arguments would be August 9, 2012 at 5:30 PM and only be applicable if an argument against the measure is timely filed. All arguments must be submitted to the City Clerk's Office no later than the date and time announced in order to be considered. Late filings are not accepted.

City of Culver City, California
Agenda Item Report

FISCAL ANALYSIS:

Approval of this item does not create a fiscal impact to the City.

ATTACHMENTS:

1. Proposed Resolution

MOTION:

That the City Council:

Adopt a Resolution approving the argument in favor of the Question designated as Measure Y -- Enactment of a Half-Cent Sales Tax (which automatically expires after 10 years) to be Considered by the Voters at the Special Municipal Election of November 6, 2012.