

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 12/10/07		Item Number: <u>A-3</u>	
AGENDA ITEM: Discussion and Selection of those Persons and/or Organizations to Sign the Primary and Rebuttal Arguments Submitted in Relation to the Utility Users' Tax Modernization Ordinance Submitted to the Voters for Consideration at the Election to be Held on April 8, 2008.			
Contact Person/Dept.: Ela Valadares		Phone Number: (310) 253-6000	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒	Attachments: ☒
Public Notification: Master Notification List (12/05/2007)			
Department Approval: Ela Valadares (12/06/07)		City Attorney Approval: Carol Schwab (12/06/07)	
Fiscal Impact Review: Marlee Chang (12/06/07)		City Manager Approval: Jerry B. Fulwood (12/06/07)	
<u>RECOMMENDATION:</u> Staff recommends the City Council determine which signatures will appear on the ballot arguments for the Utility Users' Tax Modernization Ordinance (tentatively designated as Measure W by the City Clerk's Office on December 3, 2007) placed on the ballot for consideration by the voters on April 8, 2008. <u>BACKGROUND:</u> On December 3, 2007, the City Council adopted a resolution that provided for the submittal of primary and/or rebuttal arguments (if rebuttal arguments become necessary or are deemed appropriate) related to Measure W. During discussion of the same item, the City Council designated a Subcommittee comprised of Councilmembers Malsin and Rose to write the primary and/or rebuttal arguments and authorized all five Councilmembers to sign the primary and/or rebuttal arguments. The City Council, however, did not require all five members to sign the primary and rebuttal arguments as individual members and provided (1) that at least one Council representative or the Mayor would sign on behalf of the entire City Council and (2) that up to four additional signature lines could be occupied by up to four different community persons and/or organizations to be selected by the City Council. This item appears on tonight's City Council to allow the City Council an opportunity to select persons and/or organizations to occupy the remaining signature lines for the Primary and Rebuttal Arguments.			

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DISCUSSION:

In accordance with both the Elections Code and the timeline reflected in the Resolution adopted by the City Council on December 3, 2007, the Primary Arguments must be submitted to the Elections Official (the Deputy City Clerk) no later than the close of business (5:30 PM) on Monday, December 17, 2007 (14 days after the date upon which the City called the election (December 3, 2007)). Rebuttal Arguments are due to the Elections Official (the Deputy City Clerk) no later than the close of business (5:30 PM) on Thursday, December 27, 2007 (10 days after the date for submission of Primary arguments).

For the Council's reference, attached are copies of the Primary and Rebuttal Arguments for Measures U and V, which illustrate the practice employed with respect to these Measures—the Primary and Rebuttal Arguments were each signed by five persons and/or organizations, which signatures were not completely comprised of exactly the same persons and/or organizations. Therefore, with respect to Measure W, the City Council may select up to four persons/organizations to sign the Primary Argument and up to four persons/organizations to sign the Rebuttal Argument (given that the first signature line of each argument would be occupied by the Mayor on behalf of the entire City Council). Again, the persons/organizations selected to sign the Primary Argument may be different or the same as those selected for the Rebuttal Argument.

FISCAL ANALYSIS:

There are costs associated with the printing and publication of the Primary and Rebuttal Arguments in accordance with the requirements of the Elections Code. These costs have been included in the existing appropriations under the Election expenditure account in the Adopted Budget for Fiscal Year 2007/2008.

ATTACHMENTS:

1. Argument Against Measure U
2. Rebuttal to Argument in Favor of Measure U
3. Argument in Favor of Measure V
4. Argument Against Measure V
5. Rebuttal to Argument in Favor of Measure V
6. Rebuttal to Argument Against Measure V

MOTION:

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That the City Council:

1. Discuss the subject of which persons and/or organizations should be selected to sign the Primary and Rebuttal Arguments submitted in relation to the Utility Users' Tax Modernization ordinance; and
2. Select up to the following five persons and/or organizations to sign the PRIMARY ARGUMENTS:
 - (1) _____
 - (2) _____
 - (3) _____
 - (4) _____
 - (5) _____
3. Select up to the following five persons and/or organizations to sign the REBUTTAL ARGUMENTS:
 - (1) _____
 - (2) _____
 - (3) _____
 - (4) _____
 - (5) _____