

**MEETING DATE:** 09/11/06

**AGENDA ITEM :** Adoption of an Ordinance Amending and Repealing various Sections of the Culver City Municipal Code due to the Electorate's Adoption of a Revised City Charter.

**ATTACHMENTS**

|                       | <b><u>Pages</u></b> |
|-----------------------|---------------------|
| 1. Proposed Ordinance | 1-7                 |

ORDINANCE NO. 2006-\_\_\_\_\_

AN ORDINANCE OF THE CITY OF CULVER CITY,  
CALIFORNIA, AMENDING AND REPEALING VARIOUS  
SECTIONS OF THE CULVER CITY MUNICIPAL CODE DUE TO  
THE ELECTORATE'S ADOPTION OF A REVISED CITY  
CHARTER

**WHEREAS**, at the April 11, 2006, General Municipal Election the voters  
adopted a revised City Charter;

**WHEREAS**, the revised City Charter became effective on July 1, 2006;

**WHEREAS**, as a result, various sections of the Culver City Municipal  
Code are not consistent with the revised Charter.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER  
CITY, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** Sections 1.01.065, 3.01.010, 3.01.015, 3.01.025, 3.01.030,  
3.01.105, 3.01.155, 3.05.065 and 3.07.305 of the Culver City Municipal Code are  
hereby repealed in their entireties.

**SECTION 2.** The opening phrase of Section 1.01.010 of the Culver City  
Municipal Code is hereby amended to read:

"In addition to the definitions set forth in Section 200 of the Charter, the  
following definitions shall apply to this Code, unless the context clearly requires  
otherwise:"

**SECTION 3.** Section 1.01.010 is further hereby amended by deleting the  
following terms and definitions, thereof, contained in that section:

"CITY, THE CITY, THIS CITY;" "CITY COUNCIL, COUNCIL;" "STATE,  
THE STATE, THIS STATE."

1           **SECTION 4.** Section 3.01.100 of the Culver City Municipal Code is  
2 hereby amended by deleting the third sentence, thereof, in its entirety.

3           **SECTION 5.** Section 3.01.120 of the Culver City Municipal Code is  
4 hereby amended by deleting the first sentence, thereof, in its entirety, and by changing  
5 the title of that section to read:

6                   "ABSENT MEMBERS".

7           **SECTION 6.** Section 3.01.125 of the Culver City Municipal Code is  
8 hereby amended by deleting the second sentence, thereof, in its entirety.

9           **SECTION 7.** Section 3.01.160 of the Culver City Municipal Code is hereby  
10 amended in its entirety to read:

11                   "§ 3.01.160 MISLEADING STATEMENTS UNDER OATH PROHIBITED.

12                   "It shall be unlawful for any person, willfully, to make or file, on his own  
13 behalf or for any other person, a false or misleading application or statement  
14 under any form of oath to the City Council or any City officer in relation to any  
15 matter or issue in which the City has an interest in the protection of the public  
16 welfare or interest."

17           **SECTION 8.** Section 3.02.010 of the Culver City Municipal Code is  
18 hereby amended in its entirety to read as follows:

19                   "§ 3.02.010 CITY MANAGER.

20                   A. Appointment; compensation.

21                           1. The City Manager shall be appointed by the City Council  
22 solely on the basis of his executive and administrative qualifications  
23 and ability to serve in the unclassified service under the supervision  
24 of the City Council.

1                   2. The City Manager shall receive such compensation as  
2 the City Council shall from time to time determine and fix by  
3 resolution.

4           B.     Duties and powers. In addition to those set forth in the  
5 Charter, the City Manager shall have the following duties and  
6 powers:

7                   1. Recommendations to City Council. To conduct studies  
8 and to make recommendations to the City Council concerning all  
9 functions of City government following analysis thereof; to  
10 recommend ordinances for adoption by the City Council, subject to  
11 the prior approval of the City Attorney as to the form thereof;

12                   2. Investigation of complaints. To investigate all complaints  
13 in relation to matters concerning the administration of the City  
14 government and to take appropriate measures to obtain compliance  
15 with the obligations of permits, franchises and privileges granted by  
16 the City;

17                   3. Supervision of public property. To exercise general  
18 supervision over all public buildings, parks, and all other property  
19 which is subordinate to the control of the City Council;

20                   4. Public Relations Officer. To serve as Public Relations  
21 Officer of the City and to cooperate with all organizations which  
22 advance the interests of the City and its residents;

23                   5. Inventory control. To prepare and keep current an  
24 inventory of personal property owned by the City and to  
25 recommend the acquisition, transfer or disposition of City property;  
26 and

1                                 6. Personnel Officer. To serve as Personnel Officer  
2                                 personally or by delegation, and to recommend in all matters  
3                                 pertaining thereto."

4                                 **SECTION 9.** Section 3.02.015 of the Culver City Municipal Code is  
5 hereby amended in its entirety to read as follows:

6                                 "§ 3.02.015 CITY ATTORNEY.

7                                 A. Duties. In addition to those set forth in the Charter, the City  
8 Attorney shall have the following powers and duties:

9                                 1. Improvement act work. To perform such legal work in  
10 connection with street, sidewalk, sewer, and lighting improvement  
11 districts as required by the City Council;

12                                 2. Attorney for Police Department. To serve as attorney for  
13 the Police Department in all matters pertaining to law enforcement.  
14 The City Council may assign the duties of prosecution of State  
15 misdemeanors to either the District Attorney or the City Attorney by  
16 resolution;

17                                 3. Drafting agreements. To draft all contracts and  
18 agreements to which the City of Culver City may be a party and to  
19 advise the City Council and/or any City Officer in connection  
20 therewith; and

21                                 4. Attendance at meetings. To attend all meetings of the  
22 City Council, unless excused, with the duty of reporting on or  
23 discussing the legal aspect of any matters before the Council at  
24 such meeting, and giving his advice or opinion in writing when  
25 requested by the City Council or by any Board or Officer of the City.

1 B. Hours of work. The City Attorney shall be required to devote  
2 himself to his duties with the City of Culver City a minimum of forty  
3 (40) hours per week, and shall not be eligible for overtime  
4 compensation."

5 **SECTION 10.** Section 3.03.230 (A) of the Culver City Municipal Code is  
6 hereby amended by substituting "General Plan" for "Master Plan" when it appears,  
7 therein.

8 **SECTION 11.** Section 3.05.015 of the Culver City Municipal Code is  
9 hereby amended so that (i) subdivision D. is deleted, (ii) Subdivisions E through H are  
10 re-lettered D through G, respectively, and (iii) new subdivision D is amended in its  
11 entirety to read as follows:

12 "D. Assistant City Managers, Assistants to the City Manager, the  
13 Personnel and Employee Relations Director, Public Works Director/City Engineer  
14 and such staff assistants to any of said employees as the City Council may  
15 authorize."

16 **SECTION 12.** Section 3.05.020 of the Culver City Municipal Code is  
17 hereby amended by (i) substituting "City Manager" for "Chief Administrative  
18 Officer when it appears, therein; and (ii) deleting the phrase "subject to the  
19 approval of the City Council" from Subdivision A, thereof.

20 **SECTION 13.** Section 3.05.040 of the Culver City Municipal Code is  
21 hereby amended by substituting "two years" for "one (1) year" when it appears in the  
22 last sentence, thereof.

23 **SECTION 14.** Section 3.07.005 (B) of the Culver City Municipal Code is  
24 hereby amended by (i) substituting "City Manager" for "Chief Administrative Officer;" and  
25 (ii) deleting the phrase "approved by the City Council."



1 11.10.025, 11.10.030, 11.10.060, 11.10.330, 11.13.125, 11.14.035, 11.20.020,  
2 11.20.025, 11.21.010, 11.21.105, 11.21.140, 11.21.170, 11.21.200, 11.21.205,  
3 11.21.220, 11.21.225, 11.21.230, 11.21.240, 11.21.245, 11.21.300, 11.21.310,  
4 11.21.315, 11.26.025, 11.26.030, 13.03.140, 13.03.145, 15.10.100, 15.10.245 and  
5 17.250.030.

6 **SECTION 23.** Pursuant to Section 619 of the City Charter,  
7 this Ordinance shall take effect thirty (30) days after the date of its adoption. Pursuant  
8 to Sections 616 and 621 of the City Charter, prior to the expiration of fifteen (15) days  
9 after the adoption, the City Clerk shall cause this Ordinance, or a summary thereof, to  
10 be published in the Culver City News and shall post this Ordinance or a summary  
11 thereof in at least three places within the City.

12 **SECTION 24.** The City Council hereby declares that, if any provision,  
13 section, subsection, paragraph, sentence, phrase or word of this ordinance is rendered  
14 or declared invalid or unconstitutional by any final action in a court of competent  
15 jurisdiction or by reason of any preemptive legislation, then the City Council would have  
16 independently adopted the remaining provisions, sections, subsections, paragraphs,  
17 sentences, phrases or words of this ordinance and as such they shall remain in full  
18 force and effect.

19 APPROVED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

20  
21 \_\_\_\_\_  
22 GARY SILBIGER, Mayor  
City of Culver City, California

23 ATTEST:

24  
25 \_\_\_\_\_  
26 CHRISTOPHER ARMENTA,  
City Clerk

27 APPROVED AS TO FORM

28 *for* \_\_\_\_\_  
CAROL A. SCHWAB,  
City Attorney