

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

Meeting Date: <u>02/23/15</u>		Item Number: <u>A-2</u>	
CITY COUNCIL AGENDA ITEM: (1) Consideration of a Request by the Mayors for the Freedom to Marry to Support an <i>Amicus</i> (Friend of the Court) Brief Regarding Several Marriage Cases Currently before the United States Supreme Court for Review; and (2) Direction to the City Manager/City Attorney as Deemed Appropriate.			
Contact Person/Dept.: Martin Cole, Asst. Phone Number: (310) 253-6000 City Manager			
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (Email) Meetings and Agendas – City Council (02/17/15).			
Department Approval: Martin Cole (02/17/15)		City Attorney Approval: Carol Schwab (02/17/15)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (02/17/15)		City Manager Approval: John Nachbar (02/17/15)	
 <u>RECOMMENDATION:</u> It is recommended that the City Council (1) consider a request by the Mayors for the Freedom to Marry to support an <i>amicus</i> (friend of the court) brief regarding several marriage cases currently before the United States Supreme Court for review; and (2) provide direction to the City Manager/City Attorney as deemed appropriate. <u>BACKGROUND/DISCUSSION:</u> On February 9, 2015, Mayor Sahli-Wells received an email from Kristin Lance, Federal Program Associate of Freedom to Marry (a member of the Respect for Marriage Coalition), which requested that the City of Culver City support an <i>amicus</i> (friend of the court) brief regarding several marriage cases from four different states (Kentucky, Michigan, Ohio, and Tennessee) which were granted review by the United States Supreme Court and will consider the issue of the freedom to marry. Others signing this request seeking support for the amicus brief include Los Angeles Mayor Eric Garcetti, as well as the mayors of San Diego, Philadelphia, Houston, Atlanta, and Phoenix. A copy of the request is attached to this report as Attachment 1. According to the Freedom to Marry organization, others joining the friend of the court brief will be Mayors for the Freedom to Marry, the U.S. Conference of Mayors, and individual mayors and cities that agree to support the brief. The brief is being drafted by the Los Angeles City Attorney's Office and will explain to the Court "the harm to families and communities resulting from marriage discrimination." The U.S. Supreme Court granted review of the marriage cases on January 16, 2015, and oral			

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argument will likely be held in late April 2015. The deadline for mayors and/or cities to sign onto this *amicus* brief is **Monday, March 2, 2015**. The *amicus* brief must be filed at the Supreme Court on March 6, 2015.

In litigation before the U.S. Supreme Court, *amicus* briefs are used to bring relevant matter not already brought to the Court's attention by the parties but which may be helpful to the Court in reaching its decision. *Amicus* briefs are often filed in appellate cases involving issues of public interest, including social questions or civil liberties.

FISCAL ANALYSIS:

There is no fiscal impact to the City of Culver City for the City Council to support the *amicus* brief.

ATTACHMENTS

February 9, 2015 email from Freedom to Marry

MOTION:

That the City Council:

1. Consider a request by the Mayors for the Freedom to Marry to support an amicus (friend of the court) brief being drafted by the Los Angeles City Attorney's Office regarding several marriage cases currently before the United States Supreme Court for review; and
2. Provide direction to the City Manager and/or City Attorney as deemed appropriate.