

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 12-03-07		Item Number: <u>A-4</u>	
AGENDA ITEM: Adoption of a Resolution Authorizing Certain Councilmembers to Submit Arguments Regarding the Modernization of the Existing Utility Users Tax Measure on the Ballot for the April 8, 2008 Municipal Election; and Directing the City Attorney to Prepare an Impartial Analysis of the Question.			
Contact Person/Dept.: Ela Valladares		Phone Number: 310-253-5851	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Master Notification List (11/28/07)			
Department Approval: Christopher Armenta		City Attorney Approval: Carol Schwab (11/28/07)	
Fiscal Impact Review: Marlee Chang (11/28/07)		City Manager Approval: Jerry B, Fulwood (11/28/07)	
<u>RECOMMENDATION:</u> Staff recommends the City Council adopt the resolution authorizing certain Councilmembers to submit arguments regarding the Modernization of the Existing Utility Users Tax Measure; and also direct the City Attorney to prepare an impartial analysis of the question. <u>BACKGROUND:</u> The City Council, authorized members of the City Council, citizen associations and private citizens may submit arguments for or against the Modernization of the Existing Utility Users Tax Measure the City Council placed on the April 8, 2008 ballot. Only one ballot argument for and one ballot argument against each measure and rebuttals to each may be printed in the sample ballot. The law gives preference to the arguments submitted by the Council, as a body, or by Councilmembers authorized to submit arguments. If the City Council decides to submit an argument as a body, it is automatically placed on the ballot. If the City Council decides to have some of its members submit an argument, those members need to be designated in order for their argument(s) to receive priority.			

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The City Council should decide whether it will submit initial and rebuttal arguments for or against the measure as a body or designate individual Councilmembers to submit those arguments. If individual members are to be designated, then the City Council should make those designations at this meeting. Please note that if more than two City Councilmembers will be working together to write, or intend to give comments on the same argument, then, pursuant to the Brown Act, those discussions and comments among those members can only occur during a duly noticed public meeting.

Primary arguments are due fourteen days after the City Council calls the election and shall not exceed 300 words in length. The deadline for primary arguments would be December 17, 2007 if the City Council calls the election at this meeting. 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 December 27, 2007.

The resolution also formally directs that an impartial analysis of the Modernization of the Existing Utility Users Tax Measure be prepared by the City Attorney and filed with the City Elections Official. The impartial analysis shall not exceed 500 words in length. The impartial analysis shall be filed by the date set by the City Elections Official for the filing of the primary arguments (which is December 17, 2007).

FISCAL ANALYSIS:

The estimated cost of the election is included in the FY 07-08 budget. The Election budget is \$80,000.00.

ATTACHMENTS:

Resolution

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MOTION:

That the City Council:

- 1a. Submit ballot arguments and rebuttals regarding the Modernization of the Existing Utility Users Tax Measure as a body;

or
- 1b. Designate the following Councilmembers to submit ballot arguments and rebuttals regarding the Modernization of the Existing Utility Users Tax Measure:

and
2. Direct the City Attorney to prepare an impartial analysis of the Modernization of the Existing Utility Users Tax Measure to be filed with the City Elections Official.