Culver CITY

FINAL REPORT OF THE CULVER CITY CHARTER REVIEW COMMITTEE TO THE CITY COUNCIL

September 15 and 22, 2005

CITY OF CULVER CITY

Charter Review Committee

September 2004 – September 2005

Andrew N. Weissman, Chair
Edward M. Wolkowitz, Vice Chair

Susan Berg
Thomas C. Camarella
Steven Gourley
Robert G. Knopf
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Miriam (Mim) Shapiro
Michael Whitaker
Harriette Williams, Ed.D.

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CHARTER REVIEW COMMITTEE
CITY OF CULVER CITY
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September 15, 2005

Honorable Mayor Vera and Members of the City Council
City of Culver City
9770 Culver Boulevard
Culver City, CA 90232

Dear Mayor Vera and City Council Members:

Last September, the City Council created a ten-member Charter Review Committee to undertake the project of reviewing the entire Charter, a task which had not been done for more than 25 years. The Committee embraced that task with the principal goal of making Culver City government more responsive, accountable and efficient.

At the outset, we do not believe anyone on the Committee fully appreciated the magnitude of the Committee's charge. During the course of its deliberations, the Committee compared Culver City's Charter and practices with the charters and best practices of other charter cities and model charters promulgated by various public agencies such as the League of California Cities, while seeking at all times to propose governance structures particularly suited to our city.

The Committee was asked to deliberate fully on this important task within the timeframe set forth by the City Council. With this report, the Culver City Charter Review Committee presents you with our final report and recommendations.

The Committee's review indicated that the City's governance structure, particularly lines of authority, could be greatly modernized and enhanced. The Charter itself was also in need of clarification, simplification and reorganization. Together, the proposed improvements in these areas would bring the governance of Culver City into the 21st century.

The principal recommendation of the Committee is to implement the "Council-Manager" form of government. The "Council-Manager" form of government places a premium on clear lines of authority, accountability, accessibility and efficiency. The Committee received testimony from City officials, who in part stated that although the current structure has long served the community, the fragmentation of day-to-day decision-making could be inefficient. Times have changed, as has the structure of local governments. Research materials submitted for the Committee's consideration increasingly indicate that the "Chief Administrative Officer" form of government is nearly unique to Culver City and will be harder to sustain in the future.

Once the "Council-Manager" decision was made, the Committee sought consistency in drafting the Charter in order to reinforce the City Manager's authority to carry out the policies set by the City Council. We recommend elimination of civil service status for all department head positions. It was the Committee's view that civil service protection was important for most other levels of employment within the City. It is not, however, necessary for those having achieved the level of a department head.

The Committee has also recommended that the positions of Fire Chief, Police Chief, and City Attorney should continue to be appointed by the City Council. This is a departure from the standard "Council-Manager" form of government which the Committee concluded was, nevertheless, appropriate for our community.

In this comprehensive review of the Charter, the general philosophical view of the Committee was the Charter should provide the City Council with increased flexibility in setting policy by ordinances, resolutions and other actions. The proposed Charter removes dollar limitations in many places; creates contracting provisions and policies by ordinance; authorizes the Council to create and abolish commissions, boards and committees by ordinance; and, removes archaic or ambiguous language. (For some highlights of the proposed Charter revisions, a chart is included in this Report.)

The Committee did not limit itself to making proposals for Charter changes. Because of the need to modernize and improve the language of this Charter, the Committee established a drafting subcommittee consisting of several committee members, city attorney staff, and the Committee's consultant. Over numerous meetings, the subcommittee thoroughly edited the Charter, identifying and adjusting inconsistencies

and other problems. As a result, the Charter we submit to you has been carefully vetted for Charter language, and is ready in its present form.

Through the diverse viewpoints of the Committee, comprehensive review of research materials and deliberation over the complex issues raised in this Charter review process, the Committee reached consensus. This report was unanimously adopted by the Committee at its meeting on August 24, 2005. The Committee stands ready to answer any questions you may have and to assist in any way.

Very truly yours,

CULVER CITY CHARTER REVIEW COMMITTEE

Andrew N. Weissman
Chair

Edward M. Wolkowitz
Vice Chair

Charter Review Committee

The ten-member Charter Review Committee was appointed by the City Council on September 27, 2004, to review the governance of the City through an analysis of the entire Charter with the goals of making City government more responsive, efficient and accountable.

We, the undersigned members of the Culver City Charter Review Committee, endorse the recommendations included in this report for the better governance of the City of Culver City.

Adopted and Executed on August 24, 2005.

_____	_____
Andrew N. Weissman **Chair**	**Edward M. Wolkowitz** **Vice Chair**
_____	_____
Susan Berg	**Thomas C. Camarella**
_____	_____
Steven Gourley	**Robert G. Knopf**
_____	_____
John Kuechle	**Miriam (Mim) Shapiro**
_____	_____
Michael E. Whitaker	**Harriette F. Williams**

Charter Review Committee

Standing: (Left to Right) Dr. Raphael Sonenshein, Consultant;
Committee Members: Bob Knopf, Susan Berg; Steve Gourley; Mim Shapiro; Harriette Williams; Tom Camarella; Mike Whitaker; and John Kuechle.

Seated: (Left to Right) Ed Wolkowitz; Vice Chair; Andy Weissman, Chair;

Committee Members:
Gourley, Camarella, Williams & Shapiro

Committee Members:
Knopf, Kuechle and Whitaker

	Current Charter	Proposed Charter
1	**A. Form of Government**	**A. Form of Government**
2		§300 Council-Manager form of government
3	§600 Chief Administrative Officer	§700 City Manager - who acts as chief executive officer of the City
	§600 City Council appoints & removes all [non-elected] department heads	§700 City Manager appoints and removes most department heads
4		§607 Council appoints and removes City Mgr, City Atty, Fire & Police Chiefs
5		§701 The Council (and individual members) are prohibited from: (a) ordering City Mgr to hire or fire someone, (b) ordering City Mgr. to enter into a municipal contract or buy supplies from a particular person (except as permitted by ordinance or the Charter), or (c) interfering with the performance of the duties of any City employee
6		
7	§501 City Treasurer elected	§700 Treasurer appointed by City Manager
8	§602 Certain duties of City Treasurer specified in Charter	Duties of Treasurer to be established by ordinance
10	§501 City Clerk elected	§700 City Clerk appointed by City Manager
11	§601 Certain duties of City Clerk specified in Charter	Most duties of City Clerk to be established by ordinance
12	Misc. duties of Clerk referenced throughout Charter (§507, 508, 509, 512, 513, 804, 1100, 1311, 1313, 1315, 1400)	Misc. duties of Clerk referenced throughout Charter (§607, 608, 612, 616, 618, 801, 803, 1103, 1400, 1609, 1700)
13		§1502 Clerk is named elections official and directed to supervise City elections
14		§1502 City Council (& individual members) are prohibited from interfering with the performance by the City Clerk of the duties as the City elections official
15		
16	**B. Civil Service**	**B. Civil Service**
17	§900 Whether a particular position is covered by civil service is generally determined by the rules in effect when the Charter was adopted.	§1200 Whether a particular position is covered by civil service is generally determined by the rules in effect when the Charter was adopted
18	Some department heads are covered by civil service, some are not (those covered include Community Development Director; Fire Chief; Parks, Recreation Director; Police Chief, and Transportation Director)	§1201 No department heads are covered by civil service
19	Elected City Clerk and City Treasurer are not covered by Civil Service	§1201 City Manager, City Clerk and City Treasurer are not covered by civil service
20	§900.1 City Attorney is not covered by civil service	§1201 City Attorney is not covered by civil service
21	§900 A person or position cannot be removed from civil service without a 2/3 vote of the electorate	§1200 A person or position cannot be removed from civil service without a majority vote of the electorate
22		

23	**C. Commissions, Boards and Committees**	**C. Commissions, Boards and Committees**
24	§806 Planning, Civil Service and Parks Commissions established in Charter, which specifies their duties	§1100 Council to establish, by ordinance, such commissions and boards as it chooses, with freedom to assign and restructure their duties from time to time
25		§1100 The commissions established by the Council shall include a commission charged with responsibility of maintaining positive human relations
26	No reference is made to committees	§1105 Council may establish such committees as it chooses
27		§1900 Council to consider the need for Charter Review Committee every 10 years
28		
29	**D. Contracting**	**D. Contracting**
30	§1304 All public works contracts over $25,000 to be awarded to lowest responsible bidder	§1604 Council to establish, by ordinance, procedures to insure the integrity of awarding public works contracts - while these need not require accepting the "lowest responsible bid," they generally must require obtaining competitive bids
31	§1304 Council, by 4/5 vote, may award contract without bidding	§1604 Council, by 4/5 vote, may award contract without complying with procedures
32		§1604 Contractor cannot sue the City for failure to comply with bidding procedures
33		
34	**E. Elections**	**E. Elections**
35		§1502 As permitted by the California Elections Code, the Council is given authority to hold elections entirely by mail (i.e., with everyone using absentee ballots)
36	§500.2 Term Limits - 2 consecutive term maximum, ineligible for 2 years	§601 Term Limits - 2 consecutive term maximum, ineligible for 2 years
37		
38	**F. Ethics and Disclosure**	**F. Ethics and Disclosure**
39		§603 Compensation (including benefits) paid to Council members is to be disclosed
40		§1403 City officers and employees are to comply with all laws relating to ethical conduct; Council shall adopt such ordinances & resolutions as it deems necessary to promote same
41		§1404 City officers and employees are not to engage in, and City facilities are not to be used for, improper political activity. The City Council shall have the authority to establish rules and regulations to implement this policy.
42	§504 Council members forfeit office upon conviction of a crime involving moral turpitude	§605 Council members forfeit office upon conviction of a felony or a crime involving moral turpitude

43		
44	**G. Miscellaneous**	**G. Miscellaneous**
45	§508 Detailed provisions, following state law, are made for the giving of notices of special meetings of the Council	§610 All notice provisions for Council Meetings shall be in compliance with State law
46		§610 The Council is to consider whether it should establish additional provisions (consistent with then current technology) for giving cost effective notice
47	§518 No citizen is to be denied the right to present grievances or offer suggestions for betterment of municipal affairs	§611 All persons have the right to address the Council (and Commissions), subject to reasonable rules of decorum and time limits
48	§603 Duties of City Attorney specified	§901 Duties of City Attorney revised
49	§1312 - 1316 Budget process outlined	§800 - 805 Budget process revised
50	§1501 Violation of the Charter is a misdemeanor punishable by up to $500 and 6 months in jail	§2100 Violation of the Charter is a misdemeanor (although it may be prosecuted as an infraction). The Council is to establish the penalties (up to the maximum permitted by State law)
51	**H. Council Voting Requirements**	**H. Council Voting Requirements**
52	No clear statement on effect of abstentions	§612 In general, Council acts by majority vote (specifically excluding abstentions)
53	§503, 504 Declare Council office vacant, fill a vacancy - majority	§604, 605 Declare Council office vacant, fill a vacancy - 3 votes
54	§507 Hold a regular meeting with less than 7 days notice - 4/5	§608 Hold a regular meeting with less than 7 days notice - 3 votes
55	§507 Adjourn meeting to another place or later time - 4/5	§608 Adjourn meeting to another place or later time - majority
56	§507 Change meeting location if unsafe - Mayor or 3 votes	§608 Change meeting location if unsafe - Mayor or majority
57	§510 Introduce or enact an ordinance - 3 votes	§613 Introduce or enact an ordinance - 3 votes
58	§510 Introduce or adopt urgency ordinance - 4 votes	§614 Introduce or adopt urgency ordinance - 4/5
59	§600 Appoint or remove CAO, City Attorney, Police & Fire chiefs - majority	§607 Appoint or remove City Mgr, City Atty, Police & Fire Chiefs - by a vote of at least 3 of its members. Employee contract can specify larger majority.
60	§1315 Adopt a budget - 3 votes	§803 Adopt a budget - 3 votes
61	§1315 Amend a budget - 4 votes	§803 Amend a budget - 4/5
62	§802 Remove a Commissioner - 4 votes	§1100 Remove Commissioner - [Charter does not specify a standard, so action can be taken by majority vote, although a higher standard could be set by ordinance]
63	§1304 Award contract without competitive bid - 4 votes	§1604 After public hearing, award contract without complying with procedures - 4/5
64		
65	**I. Transition**	**I. Transition**
66	§300 - 305 All existing rights, ordinances, contracts, employees, commissions, etc. remain in place	§2001 - 2008 All existing rights, ordinances, contracts, employees, commissions, etc. remain in place

67		§2000 Effective date of new Charter - July 1, 2006 or when accepted & filed by Secretary of State, whichever is later
68		§2009, 2010 Elected City Clerk and City Treasurer serve until April 8, 2008
69		§2011 After a transition section (in Article XX) has become obsolete (e.g., the provisions on the Clerk and Treasurer after April 8, 2008), the City Attorney may recommend, and the Council may choose, to remove the provision from the Charter
70		
71	**J. Technical**	**J. Technical**
72	§503 If there are three concurrent vacancies on the Council, there is no specified procedure to appoint replacements or call a special election to elect replacements	§604 If there are three concurrent vacancies on the Council, the remaining member or members may appoint replacements or call a special election
73	§503 If a replacement Council member is elected in a general election at which Council members are also elected for full terms, there is no specified procedure for determining who serves the full term and who the partial term	§604 If a replacement Council member is elected in a general election at which Council members are also elected for full terms, the candidates with the most votes serve full terms, the one with the next highest number of votes serves partial term
74	§500, 505 If the results of an election are not known within a week, the mayor is nevertheless to be elected the Tuesday following the election	§600, 606 If the results of an election are not known within a week, the start of the terms of the new members and the election of the new mayor is deferred
75	§504 The Charter is not clear when the counting starts to determine if a member has missed 60 days of meetings and thus forfeited his office	§605 This section uses the same method as the Board of Education, and specifies 60 consecutive days and begins counting on the day after the last meeting attended by the member
76	§512 Requires the newspaper publication, in full, of all adopted ordinances	§616 Either the ordinance, or a summary thereof, is to be published in a newspaper
77		§1800, 1801 Other levels of government cannot require Culver City to take specified actions unless they pay the cost thereof
78		
79	**K. Gender Neutral Language**	**K. Gender Neutral Language**
80	§901 "…he shall revert from his former position … as if he …"	§1201 "…employee shall revert from his or her former position … as if he or she ..."
81		
82		
83	**L. Language clean-up [examples]**	**L. Language clean-up [examples]**

84	§1305 Under the control and direction of the Chief Administrative Officer there shall be established a centralized purchasing system for all City departments and agencies. The Chief Administrative Officer shall recommend and the City Council shall consider and adopt by ordinance, rules and regulations governing the contracting for purchasing, storing and distribution of all supplies, materials and equipment required by any office, department or agency of the City government.	§1605 The City Council shall establish procedures for the purchasing, storing and distribution of all supplies, materials and equipment required by any City department. The City Manager shall direct the implementation of such procedures for all City departments.
85	§510 With the sole exception of ordinances which take effect upon adoption, hereinafter referred to, no ordinance shall be adopted by the City Council on the day of its introduction, nor within five days thereafter, nor at any time other than at a regular or adjourned regular meeting.	§613 No ordinance shall be adopted by the City Council on the day of its introduction, nor within five days thereafter, nor at any time other than at a regular or adjourned regular meeting. The foregoing shall not apply to urgency ordinances adopted in the manner provided in this Charter.
86	§515 Violation of an ordinance of the City is a misdemeanor unless by ordinance it is made an infraction and such violation may be prosecuted in the name of the people of the State of California or may be redressed by civil action. The City Council by ordinance may fix the penalty by fine or imprisonment, or both, for misdemeanors and by fine, only, for infractions.	§620 Unless a specific ordinance provides otherwise, a violation of an ordinance of the City shall be a misdemeanor. The City Council, by ordinance, may establish the penalty by fine or imprisonment, or both, for misdemeanors and only by fine for infractions. Violations of City ordinances may be prosecuted in the name of the People of the State of California or may be redressed by the City through any legal or equitable remedies.
87	§304 All Contracts entered into by the City, or for its benefit, prior to the taking effect of this Charter, shall continue in full force and effect. Public improvements for which proceedings have been instituted under laws existing at the time this Charter takes effect, in the discretion of the City Council, may be carried to completion as nearly as practicable in accordance with the provisions of such existing laws or may be contained or perfected hereunder.	§2007 All contracts entered into by the City, or for its benefit, before the effective date of this Charter, shall continue in full force and effect according to their terms. The procedures for awarding contracts for public works existing at the time this Charter takes effect, will continue to be followed until such time as the City Council establishes, by ordinance, different required procedures.
88	§300 The City of Culver City, as successor in interest of the municipal corporation of the same name, heretofore created and existing, shall own, possess, control, and in every way succeed to and become the owner of rights and of property of every kind and nature by said existing municipal corporation owned, possessed or controlled and shall be subject to all the debts, obligations, liabilities and duties of said existing corporation.	§2001 The City shall continue to own, possess and control all rights and property of every kind and nature owned, possessed or controlled by it at the time this Charter takes effect and shall continue to be subject to all its debts, obligations, liabilities and contracts.

89	§302 Nothing in this Charter contained, except as specifically provided, shall affect or impair the civil service, pension, and retirement rights or privileges of officers or employees of the City, or of any office, department or agency thereof, existing at the time this Charter takes effect.	§2006 The present employees of the City shall continue to perform their duties without interruption, subject to this Charter and all applicable provisions of any existing or future ordinance, resolution, rules or law relating to the removal, duties or control of such employees.
90	§200 The territory of the City shall be that contained in the boundaries established as of January 21, 1947, and as changed since that date in the manner provided by law.	§400 The boundaries of the City shall be those boundaries existing as of the effective date of this Charter. The boundaries may later be changed in the manner authorized by State law.

The Clean Version of the Proposed Charter, Strike-Out Version of the Proposed Charter and Current Charter follow.

CHARTER OF THE CITY OF CULVER CITY

Preamble

Article I. Name and Charter Status
Section 100. Name and Charter Status.

Article II. Definitions
Section 200. Definitions.

Article III. Form of Government
Section 300. Form of Government.

Article IV. Boundaries
Section 400. Boundaries.

Article V. Powers of the City
Section 500. Powers of the City.

Article VI. City Council
Section 600. Number, Election and Term of Office.
Section 601. Term Limits.
Section 602. Eligibility.
Section 603. Compensation.
Section 604. Vacancy.
Section 605. Forfeiture of Office.
Section 606. Mayor and Vice Mayor.
Section 607. Powers of the City Council.
Section 608. City Council Meetings.
Section 609. Special Meetings.
Section 610. Notice of Public Meetings.
Section 611. Public Participation.
Section 612. Council Proceedings.
Section 613. Adoption of Ordinances and Resolutions.
Section 614. Urgency Ordinances.
Section 615. Ordinances: Enactments.
Section 616. Ordinances: Publication.
Section 617. Ordinances: Amendments.
Section 618. Ordinances: Codification.

Section 619. Ordinances: When Effective.
Section 620. Ordinances: Violation and Penalty.
Section 621. Publishing of Legal Notices.

Article VII. City Administration
Section 700. Powers and Duties of City Manager.
Section 701. Non-Interference by City Council.

Article VIII. Annual Budget
Section 800. Budget Preparation.
Section 801. Submission to City Council.
Section 802. Public Hearing.
Section 803. Further Consideration and Adoption.
Section 804. Appropriations.
Section 805. Amendments.

Article IX. City Attorney
Section 900. Eligibility.
Section 901. Duties.

Article X. Board of Education
Section 1000. Number and Term.
Section 1001. Eligibility.
Section 1002. Vacancies.
Section 1003. Forfeiture of Office.
Section 1004. Organization of the Board of Education.
Section 1005. Special Elections.

Article XI. Commissions, Boards and Committees
Section 1100. In General.
Section 1101. Appropriations.
Section 1102. Chairperson and Vice Chairperson.
Section 1103. Meetings.
Section 1104. Oaths and Affirmations.
Section 1105. Committees.

Article XII. Civil Service
Section 1200. Merit Principle.
Section 1201. Classification.
Section 1202. Appointments from Civil Service Positions.

Section 1203. Prohibitions.

Article XIII. Retirement System
Section 1300. Public Employees' Retirement System.

Article XIV. General Provisions Relating to Officers and Employees
Section 1400. Official Bonds.
Section 1401. Oath of Office.
Section 1402. Financial Interest.
Section 1403. Ethical Conduct.
Section 1404. Improper Political Activity.

Article XV. Elections.
Section 1500. General Municipal Elections.
Section 1501. Special Municipal Elections.
Section 1502. Elections Official.
Section 1503. Procedure for Holding Elections.
Section 1504. Initiative, Referendum and Recall.
Section 1505. Elections by Mail.

Article XVI. Financial and Fiscal Matters
Section 1600. Fiscal Year.
Section 1601. Tax System.
Section 1602. Tax Limits.
Section 1603. Bonded Debt Limit.
Section 1604. Contracts for Public Works.
Section 1605. Purchasing of Supplies, Materials and Equipment.
Section 1606. Reserve Funds.
Section 1607. Capital Funds.
Section 1608. Claim Required for Actions Against City.
Section 1609. Independent Audit Required.

Article XVII. Franchises
Section 1700. Franchises.

Article XVIII. Revenue Retention
Section 1800. Reductions Prohibited.
Section 1801. Mandates Limited.

Article XIX. Charter Review Committee
Section 1900. Charter Review Committee.

Article XX. Succession and Transition
Section 2000. Effective Date of Charter.
Section 2001. Rights and Liabilities.
Section 2002. Existing Laws, Regulations and Policies.
Section 2003. Rights of Officers and Employees Preserved.
Section 2004. Continuance of City Council and Board of Education.
Section 2005. Existing Commissions, Boards and Committees.
Section 2006. Existing Employees of City.
Section 2007. Existing Contracts and Contracting Procedures.
Section 2008. Pending Actions and Proceedings.
Section 2009. Continuance of City Treasurer.
Section 2010. Continuance of City Clerk.
Section 2011. Elimination of Transition Provisions.

Article XXI. Miscellaneous
Section 2100. Violations.
Section 2101. Validity.

PREAMBLE

The People of the City of Culver City, by popular vote, have enacted this Charter to establish a responsive, efficient, effective and accountable government through which all voices in our diverse community can be heard; to ensure fair representation and distribution of government resources; to provide a safe and harmonious environment for our mutual well-being; and to promote the principles of liberty, equality and home rule.

ARTICLE I. NAME AND CHARTER STATUS

SECTION 100. NAME AND CHARTER STATUS.

The municipal corporation now existing and known as the “City of Culver City” shall continue to exist, under the same name, as a charter city and a municipal corporation organized and existing under the Constitution and laws of the State of California.

ARTICLE II. DEFINITIONS

SECTION 200. DEFINITIONS.

As used in this Charter:

(a) “Board of Education” shall mean and refer to the Board of Education of the Culver City Unified School District.

(b) “City” shall mean and refer to the City of Culver City.

(c) “Constitution” shall mean and refer to the Constitution of the State of California.

(d) “City Council” shall mean and refer to the City Council of the City of Culver City.

(e) “Council Member” shall mean and refer to a member of the City Council of the City of Culver City.

(f) The term “days” shall mean calendar days.

(g) "Department Head" shall mean and refer to a person appointed by either the City Council or the City Manager to exercise management and control of a City department.

(h) The term “officers” shall mean and refer to the members of the City Council and all persons appointed by the City Council to serve on a commission, board, committee or other governmental body.

(i) “School District” shall mean and refer to the Culver City Unified School District.

(j) “State” shall mean and refer to the State of California.

ARTICLE III. FORM OF GOVERNMENT

SECTION 300. FORM OF GOVERNMENT.

The municipal government established by this Charter shall be the “Council-Manager” form of government, under which the City Council sets policy and the City Manager administers the government.

ARTICLE IV. BOUNDARIES

SECTION 400. BOUNDARIES.

The boundaries of the City shall be those boundaries existing as of the effective date of this Charter. The boundaries may later be changed in the manner authorized by State law.

ARTICLE V. POWERS OF THE CITY

SECTION 500. POWERS OF THE CITY.

The City shall have all of the rights, powers and privileges which may be granted to a charter city under the Constitution and laws of the State, as fully and completely as though they were specifically enumerated in this Charter.

Without limiting the preceding provisions, the City shall have the power to make and enforce all laws and regulations with respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter and in the Constitution.

The enumeration in this Charter of any particular power shall not be held to exclude other powers, nor to be any limitation upon this general grant of power.

ARTICLE VI. CITY COUNCIL

SECTION 600. NUMBER, ELECTION AND TERM OF OFFICE.

The City Council shall consist of five members elected at-large, at the times and in the manner provided in this Charter. A full term of office shall be four years, commencing at the meeting at which the election results are certified, and continuing until a successor is elected and certified. Any ties in voting shall be settled by the casting of lots.

SECTION 601. TERM LIMITS.

No person shall serve more than two consecutive full terms as a Council Member. If a person serves a partial term in excess of two years, it shall be considered a full term for the purpose of this provision. Nothing in this provision shall act to bar service as a Council Member after at least two years have elapsed from the Council Member's last full term.

SECTION 602. ELIGIBILITY.

Only residents of the City who are lawfully registered voters of the City shall be eligible to hold an elective City office. Candidates for election to any such office must have been lawfully registered voters of the City for the 30 days immediately preceding the filing of their nomination papers.

SECTION 603. COMPENSATION.

Council Members shall receive compensation for their services in accordance with the provisions of State law.

The City shall maintain records of the total annual compensation, including benefits, received by individual Council Members in their capacities as elected public officials of the City, including all compensation received for services on the Culver City Redevelopment Agency and any other boards or agencies. Individual Council Members shall provide information that the City requires in order to comply with this section. Such information shall be made available to the public in accordance with State law.

SECTION 604. VACANCY.

The City Council, by a vote of at least three of its members, may appoint a replacement to fill any vacancy on the City Council. Such appointee shall hold office until a successor is elected and certified. If the vacancy occurs before the first day to file nomination papers for the next general municipal election, a Council Member shall be elected at that election as the successor to any appointee, or to fill the vacancy if it has not previously been filled by appointment, and such newly elected Council Member shall serve the remainder of the unexpired terms and until a successor is elected and certified.

If a vacancy is not filled by appointment within 30 days after its occurrence, the City Council shall immediately call a special election to fill the vacancy. The special election shall be held not later than 120 days after the vacancy occurs, except that no special election shall be called to fill the vacancy if it cannot be held

at least 180 days before the next general municipal election. A person elected at a special election shall hold office for the remainder of any unexpired term and until a successor is elected and certified.

If there is an election to fill one or more full terms and one or more unexpired terms, then the candidates who receive the highest number of votes shall serve the full terms, and of the candidates remaining, those who receive the next highest number of votes shall serve the unexpired terms.

At any time when there are three or four vacancies on the City Council, the remaining Council Member or Members shall constitute a quorum for the purpose of holding a meeting to consider taking action pursuant to this section, and such action may be taken by the unanimous vote of the remaining Member or Members.

SECTION 605. FORFEITURE OF OFFICE.

The grounds for forfeiture of the office of a Council Member are the following:

(a) The Council Member is absent, without the consent of the City Council, from all regular City Council meetings for a period of 60 consecutive days from and after the last regular City Council meeting attended by such Council Member;

(b) The Council Member is convicted of a felony or a crime involving moral turpitude; or

(c) The Council Member ceases to be a resident and lawfully registered voter of the City.

After the occurrence of any of the foregoing events, the office of the Council Member shall be declared vacant by the City Council by a vote of at least three of its members. At the request of the affected Council Member, the City Council shall hold a public hearing before declaring the office vacant.

SECTION 606. MAYOR AND VICE MAYOR.

At the same meeting and immediately following the certification of election results for any general or special municipal election at which Council Members are elected and at the second meeting in April in odd numbered years, the City Council shall elect one of its members as its presiding officer, who shall have the title of Mayor and one of its members as Vice Mayor. Both shall serve at the pleasure of the City Council.

The Mayor shall have a voice and a vote in all City Council proceedings, shall be the official head of the City for all ceremonial purposes, and shall perform

such other duties as may be prescribed by this Charter or as may be imposed by the City Council consistent with the office of Mayor. The Vice Mayor shall perform the duties of the Mayor during the absence or incapacity of the Mayor.

A Council Member who has held the office of Mayor or Vice Mayor for one year shall not be eligible for reelection to that same office until one year has elapsed.

SECTION 607. POWERS OF THE CITY COUNCIL.

All powers of the City shall be vested in the City Council, subject to the provisions of this Charter and the Constitution. The City Council shall have the power to:

(a) Appoint, suspend, remove and fix the compensation of the City Manager, Fire Chief, Police Chief and City Attorney, by a vote of at least three of its members;

(b) Create, modify or abolish any City department, and to prescribe the powers and duties of such departments and their Department Heads;

(c) Review and certify the results of all City elections;

(d) Control all legal business and proceedings, including, but not limited to, the authority to employ other attorneys to take charge of any litigation or other legal matters or to assist the City Attorney in connection with any legal matter, which authority, in whole or in part, may be delegated to the City Attorney; and

(e) Compel the attendance of witnesses, examine them under oath, and compel the production of evidence before it. The City Council may cause subpoenas to be issued in the name of the City and be attested to by the City Clerk. Disobedience of such subpoenas, or the refusal to testify, upon other than constitutional grounds, shall constitute a misdemeanor. Council Members, and any City staff members designated by the City Council, shall have the power to administer oaths in any investigation or proceeding before it.

Additionally, the City Council shall have all other powers consistent with this Charter and the Constitution.

SECTION 608. CITY COUNCIL MEETINGS.

The City Council shall hold regular meetings at least twice each month, at such times as it shall fix by ordinance or resolution and may adjourn any regular meeting to a date certain, which shall be specified in the order of adjournment and when so adjourned, each adjourned meeting shall be a regular meeting for all purposes.

The Council Chambers of City Hall shall be the primary place of all City Council meetings.

By a vote of at least three of its members, the City Council may order a regular meeting to be held not less than seven days after that date at a place within the City other than the Council Chambers.

The City Council may, upon making a finding that the public interest requires it, order a meeting adjourned to another location within the City and to a time during the same day on which the order is made.

If for any reason it shall be unsafe to meet in the Council Chambers, meetings may be held for the duration of the unsafe condition at a place within the City designated by the Mayor, or by the City Council.

Whenever an order is made to hold a meeting at a place other than the Council Chambers, the City Clerk shall immediately post a copy of the order at a conspicuous location near the outside of the main entrance to the Council Chambers. The order shall remain posted until the meeting is held.

SECTION 609. SPECIAL MEETINGS.

A special meeting of the City Council may be called at any time by the Mayor, or by a majority of the Council Members.

SECTION 610. NOTICE OF PUBLIC MEETINGS.

The City Council shall comply with the applicable provisions of State law regarding the giving of notice for regular and special meetings. The City Council shall consider whether it should establish additional procedures to provide efficient, timely and cost-effective notice in a manner consistent with currently available technology.

SECTION 611. PUBLIC PARTICIPATION.

During any public meeting, all persons shall have the right to address the City Council, and any City commission, board or committee, subject to reasonable rules of decorum and time limits established by ordinance or the presiding officer.

SECTION 612. COUNCIL PROCEEDINGS.

Three members of the City Council shall constitute a quorum to do business, but a lesser number may declare a meeting adjourned.

Except as otherwise provided in this Charter, actions of the City Council shall be decided by a majority of the members present and voting on a matter, excluding abstentions.

The City Clerk shall keep a correct record of all proceedings of the City Council. At the request of any Council Member or upon the adoption of any ordinance or resolution, or upon the adoption of any order for the payment of money, the City Clerk shall record the vote taken on the question, and enter the result in the minutes of the meeting.

SECTION 613. ADOPTION OF ORDINANCES AND RESOLUTIONS.

No ordinance shall be adopted by the City Council on the day of its introduction, nor within five days thereafter, nor at any time other than at a regular or adjourned regular meeting. The foregoing shall not apply to urgency ordinances adopted in the manner provided in this Charter. A resolution adopted by the City Council shall become effective in accordance with its terms.

At the time of adoption of an ordinance, it shall be read in full, unless, after the reading of the title, the further reading thereof is waived by unanimous consent of the Council Members present. In the event that any ordinance is altered after its introduction, it shall be reintroduced and not finally adopted except at a regular or adjourned regular meeting, held not less than five days after the date upon which such ordinance was so reintroduced. The correction of typographical or clerical errors shall not constitute the making of an alteration within the meaning of the foregoing sentence.

The votes of at least three members of the City Council shall be required for the introduction or enactment of any ordinance or resolution, or for the making or approving of any order for the payment of money.

No order for the payment of money shall be adopted or made at any time other than at a regular or adjourned regular meeting.

SECTION 614. URGENCY ORDINANCES.

Any ordinance declared by the City Council to be necessary as an urgency measure for preserving the public peace, health or safety and containing a statement of the reasons for its urgency may be introduced and adopted at any regular, adjourned, or special meeting if passed by a vote of at least four-fifths of its members.

SECTION 615. ORDINANCES: ENACTMENTS.

In addition to all other acts of the City Council that are required by State law or by this Charter to be enacted by ordinance, every act of the City Council establishing a fine or other penalty or granting a franchise shall be enacted by ordinance.

The enacting clause of all ordinances shall be substantially as follows: “The City Council of the City of Culver City does ordain as follows:”.

SECTION 616. ORDINANCES: PUBLICATION.

The City Clerk shall record the full text of all ordinances and resolutions adopted by the City Council in a properly indexed book. The City Clerk shall also cause each ordinance, or a summary of such ordinance, to be published not later than 15 days after its adoption in a newspaper circulated in the City and designated by the City Council.

SECTION 617. ORDINANCES: AMENDMENTS.

Any provision of an existing ordinance may be amended without reenactment and republication of the entire original ordinance.

SECTION 618. ORDINANCES: CODIFICATION.

The City Council shall periodically provide for the preparation of a general codification, compilation, consolidation, revision, indexing or arranging of all City ordinances and resolutions then having the force and effect of law.

The codification of City ordinances may be accomplished by reference to the passage of previously adopted ordinances. Such codifications need not be published in the manner required for other ordinances, but prior to adoption, at least

three copies of the Code shall be filed in the office of the City Clerk, where they shall be available for public inspection.

Detailed regulations pertaining to any subject, such as fire, building, plumbing, electrical and mechanical codes, as well as codes on other subjects that require extensive regulations, may be adopted by reference, and without the necessity of publication, in the manner provided above. One copy of such codes shall be filed in the office of the City Clerk, prior to their adoption, where they shall be available for public inspection.

Subsequent amendments to sections of the general codification of City ordinances, or the regulatory codes, shall be enacted in the same manner required by this Charter for the amendment of ordinances generally.

SECTION 619. ORDINANCES: WHEN EFFECTIVE.

In order to allow the People to exercise their referendum power, no ordinance shall become effective until 30 days from and after the date of its adoption, except, the following, which shall take effect upon adoption:

(a) An ordinance calling for or otherwise relating to an election;

(b) An improvement proceeding ordinance adopted under some law, or procedural ordinance;

(c) An ordinance declaring the amount of money necessary to be raised by taxation, or fixing the rate of taxation; or

(d) An urgency ordinance adopted in the manner provided in this Charter.

SECTION 620. ORDINANCES: VIOLATION AND PENALTY.

Unless a specific ordinance provides otherwise, a violation of an ordinance of the City shall be a misdemeanor. The City Council, by ordinance, may establish the penalty by fine or imprisonment, or both, for misdemeanors and only by fine for infractions.

Violations of City ordinances may be prosecuted in the name of the People of the State of California or may be redressed by the City through any legal or equitable remedies.

SECTION 621. PUBLISHING OF LEGAL NOTICES.

The City Council shall designate one newspaper circulated in the City for the publication of all notices and other matters required to be published in a newspaper. When possible, a change to another newspaper shall not be made until a notice of the intention to change is published in the previously designated newspaper.

The charges for such publications in the designated newspaper shall not exceed the rates charged to the general public for similar publications.

All legal notices or other matters required to be published shall also be posted in at least three public places within the City.

Posting of legal notices in three public places shall be sufficient, without publication if the designated newspaper is unavailable and a suitable replacement cannot be designated.

ARTICLE VII. CITY ADMINISTRATION

SECTION 700. POWERS AND DUTIES OF CITY MANAGER.

The City Council shall appoint the City Manager who shall be the chief executive officer of the City, responsible to the City Council for the management of all City affairs placed in the City Manager's charge by or under this Charter, by ordinance, resolution or other action of the City Council. The City Manager, or his or her designee, shall:

(a) Appoint, suspend and remove all City employees, including Department Heads, the City Clerk and the City Treasurer, except as otherwise provided by State law or this Charter;

(b) Direct and supervise the administration of all City departments, except as otherwise provided by this Charter;

(c) Attend all City Council meetings, at which the City Manager shall have the right to take part in discussion, but shall not vote;

(d) Prepare and submit to the City Council an annual budget pursuant to this Charter, and implement the final budget approved by the City Council; and

(e) Perform such other duties as are specified in this Charter, or by ordinance, resolution or other action of the City Council.

SECTION 701. NON-INTERFERENCE BY CITY COUNCIL.

Neither the City Council, nor any Council Member shall:

(a) Order or direct the City Manager to appoint or remove any person to or from any position of employment with the City;

(b) Except as otherwise permitted by this Charter or by ordinance, order or direct the City Manager to enter into a municipal contract or make a purchase of supplies from any particular person or entity;

(c) Interfere in any way with the performance of the duties of any City employee; or

(d) Interfere in any way with the duties of the City's elections official in the conduct of elections.

Nothing in this section shall prevent the City Council, or any of its members, from advising the City Manager of any information which might assist the City Manager in the discharge of the City Manager's duties; or contacting City employees for the purpose of inquiry, obtaining information or advising employees of citizen complaints.

ARTICLE VIII. ANNUAL BUDGET

SECTION 800. BUDGET PREPARATION.

All Department Heads shall, upon request, provide the City Manager with estimates of revenues and expenditures for their departments, detailed in the manner prescribed by the City Manager. The City Manager shall review the estimates, hold conferences with department personnel, and prepare a proposed budget.

SECTION 801. SUBMISSION TO CITY COUNCIL.

At least 45 days prior to the beginning of each fiscal year, the City Manager shall submit a proposed budget to the City Council. After reviewing the proposed budget, the City Council shall set the date and time for a public hearing on the proposed budget and, at least 10 days prior to its scheduled date, shall cause notice of such public hearing to be published in a newspaper circulated in the City and designated by the City Council.

Copies of the proposed budget shall be available for public inspection in the office of the City Clerk at least 10 days prior to the public hearing.

SECTION 802. PUBLIC HEARING.

The City Council shall hold a public hearing on the proposed budget at the time so advertised, or at any time to which the public hearing shall be adjourned from time to time, where interested persons shall be given an opportunity to be heard.

SECTION 803. FURTHER CONSIDERATION AND ADOPTION.

At the conclusion of the public hearing, the City Council shall further consider the proposed budget, make any revisions that it may deem advisable, and, on or before June 30th, adopt the budget by a vote of at least three of its members. Upon adoption, the budget shall be in effect for the ensuing fiscal year. A copy of the budget, certified by the City Clerk, shall be filed with the City Manager. An additional copy shall remain on file in the office of the City Clerk where it shall be available for public inspection. Copies of the adopted budget shall be made available for the use of City departments.

SECTION 804. APPROPRIATIONS.

After adoption of the budget, the amounts allocated in the budget as proposed expenditures shall be appropriated to the specified City departments, for the objects and purposes named in the budget. All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered.

SECTION 805. AMENDMENTS.

After the adoption of the budget, the City Council may amend or supplement the budget only by a vote of at least four-fifths of its members.

ARTICLE IX. CITY ATTORNEY

SECTION 900. ELIGIBILITY.

The City Attorney shall be an attorney-at-law, licensed and authorized to practice in all of the courts of the State.

SECTION 901. DUTIES.

The City Attorney, or his or her designee, shall:

(a) Serve as the chief legal adviser to the City Council, City Manager, and all City departments in all matters pertaining to the business of the City;

(b) Represent and appear for the City in all legal actions in which the City is concerned or is a party. In the course of performing such duties, the City Attorney shall have the authority to employ other attorneys to handle litigation or provide other assistance as required by the City Attorney, subject to the provisions of this Charter;

(c) Attend all meetings of the City Council, unless excused;

(d) Prepare or approve the language of all City ordinances, resolutions and of any amendments to such ordinances or resolutions, and approve the form of City contracts and bonds;

(e) Prosecute on behalf of the People criminal cases for violations of this Charter, of City ordinances or of State laws, which in the opinion of the City Attorney warrant prosecution; and

(f) Perform such other duties as are specified in this Charter, or by ordinance, resolution or other action of the City Council.

ARTICLE X. BOARD OF EDUCATION

SECTION 1000. NUMBER AND TERM.

The Board of Education shall consist of five members, elected at-large from the School District, for a term of four years.

SECTION 1001. ELIGIBILITY.

Only residents of the School District who are lawfully registered voters of the School District shall be eligible to hold office as a member of the Board of Education. Candidates for election to such office must have been lawfully registered voters of the School District for the (30) days immediately preceding the filing of their nomination papers.

SECTION 1002. VACANCIES.

The Board of Education shall fill any vacancy by appointment. Such appointee shall hold office until a successor is elected and certified. If the vacancy occurs before the first day to file nomination papers for the next regular Board of Education election, a Board Member shall be elected at that election as successor to any appointee, or to fill the vacancy if it has not been previously filled before appointment, and such newly elected Board Member shall serve for the remainder of any unexpired term and until a successor is elected and certified.

If a vacancy is not filled by appointment within 60 days after its occurrence, the Board of Education shall immediately call a special election. The special election shall be held not later than 120 days after the vacancy occurs, except that no special election shall be called to fill the vacancy if it cannot be held at least 180 days before the next regular Board of Education election. A person elected at a special election shall hold office for the remainder of the unexpired term and until a successor is elected and certified.

If there is an election to fill one or more full terms and one or more unexpired terms, then the candidates who receive the highest number of votes shall serve the full terms, and of the candidates remaining, those who receive the next highest number of votes shall serve the unexpired terms.

SECTION 1003. FORFEITURE OF OFFICE.

The grounds for forfeiture of the office of a member of the Board of Education are the following:

(a) The Board Member is absent, without the consent of the Board of Education, from all regular Board meetings for a period of 60 consecutive days from and after the last regular Board meeting attended by such Board Member;

(b) The Board Member is convicted of a felony or a crime involving moral turpitude; or

(c) The Board Member ceases to be a resident and lawfully registered voter of the School District.

After the occurrence of any of the foregoing events, the office of the Board Member shall be declared vacant by the Board of Education, by a vote of at least three of its members. At the request of the affected Board Member, the Board of Education shall hold a public hearing before declaring the office vacant.

SECTION 1004. ORGANIZATION OF THE BOARD OF EDUCATION.

At the annual organizational meeting of the Board of Education, the members shall elect a president, vice-president and clerk. No Board Member shall serve more than two consecutive years in such office.

SECTION 1005. SPECIAL ELECTIONS.

The Board of Education may, at its discretion, call an election for any reason sanctioned by law at any time it deems appropriate.

ARTICLE XI. COMMISSIONS, BOARDS AND COMMITTEES

SECTION 1100. IN GENERAL.

The City Council may, by ordinance, establish and abolish such commissions and boards as it may determine, from time to time, to be necessary for the effective and efficient governance of the City, and to encourage citizen participation in local government, including a commission charged with the responsibility of maintaining positive human relations in the community.

SECTION 1101. APPROPRIATIONS.

The City Council shall appropriate sufficient funds for the efficient and proper functioning of all City commissions and boards.

SECTION 1102. CHAIRPERSON AND VICE CHAIRPERSON.

As soon as practicable, following the first day of July of every year, each commission or board of the City shall organize by electing one of its members to serve as its presiding officer, with the title of Chairperson, and electing one of its members as Vice Chairperson. The Chairperson and Vice Chairperson shall each serve at the pleasure of the commission or board.

The Chairperson shall have a voice and vote in all proceedings of the commission or board, shall be the official head of the commission or board for all ceremonial purposes, and shall perform such other duties as may be prescribed by this Charter or by ordinance. The Vice Chairperson shall perform the duties of the Chairperson during the absence or incapacity of the Chairperson.

SECTION 1103. MEETINGS.

The City Manager shall designate City staff, as necessary, to assist each commission or board, and to keep a record of its proceedings and transactions. Each commission or board may prescribe its own rules and regulations, which shall be consistent with this Charter and applicable ordinances, resolutions and other City Council actions. Such rules and regulations shall be subject to the approval of the City Council and shall be kept on file in the office of the City Clerk where they shall be available for public inspection.

SECTION 1104. OATHS AND AFFIRMATIONS.

Any commission or board, and the designated City staff, shall have the power to administer oaths and affirmations in any investigation or proceeding pending before the commission or board.

SECTION 1105. COMMITTEES.

The City Council, by ordinance, resolution or other action, may establish and abolish committees for a specified purpose, and shall appropriate sufficient funds for the efficient and proper functioning of such committees.

ARTICLE XII. CIVIL SERVICE

SECTION 1200. MERIT PRINCIPLE.

Appointments and promotions in the administrative service of the City shall be made according to merit and fitness, to be ascertained, so far as practicable, by competitive examination.

The Civil Service System adopted by the City Council pursuant to State law and in effect prior to the effective date of this Charter, shall continue in full force and effect unless changed by ordinance of the City Council or by amendment to the rules and regulations approved by the City Council. As provided in the State enabling act referred to above, the City Council shall not have the authority to withdraw any departments or employees, including Department Heads, placed in Classified Service, from the operation of such system, either by outright repeal of the Civil Service ordinance or otherwise, unless and until its withdrawal shall have been submitted to the voters of the City at a regular or special municipal election held in the City and shall have been approved by majority vote at a City election.

SECTION 1201. CLASSIFICATION.

All Department Heads shall be in the Unclassified Service.

The City Manager, City Attorney, City Clerk and City Treasurer shall be in the Unclassified Service.

SECTION 1202. APPOINTMENTS FROM CIVIL SERVICE POSITIONS.

In the event an employee of the City holding a position in the Classified Service is appointed to a position in the Unclassified Service, and within two years is removed or resigns from that position, the employee shall revert to his or her former position in the Classified Service upon the same terms and conditions as if he or she had continuously remained in that position.

SECTION 1203. PROHIBITIONS.

No person shall willfully make any false statements, certificate, mark, rating or report in regard to any application, test certification or appointment held or made under the Civil Service System or in any manner commit or attempt any fraud preventing the impartial execution of such Civil Service System or its rules and regulations.

ARTICLE XIII. RETIREMENT SYSTEM

SECTION 1300. PUBLIC EMPLOYEES' RETIREMENT SYSTEM.

Plenary authority and power are hereby vested in the City, its City Council and its several officers, agents and employees, to do and perform any act or exercise any authority granted, permitted or required under the provisions of the Public Employees' Retirements Law, as it now exists or hereafter may be amended, to enable the City to continue as a contracting City under the Public Employees' Retirement System. The City Council may terminate the contract with the Board of Administration of the Public Employees' Retirement System, whereby all employees are members of the System, only under authority granted by ordinance adopted by majority vote at a City election.

ARTICLE XIV. GENERAL PROVISIONS RELATING TO OFFICERS AND EMPLOYEES

SECTION 1400. OFFICIAL BONDS.

The City Council shall fix the amounts and terms of the official bonds of all employees who are required to give such bonds. All bonds shall be executed by a responsible corporate surety, shall be approved as to form by the City Attorney, and shall be filed with the City Clerk. Premiums on official bonds shall be paid by the City.

SECTION 1401. OATH OF OFFICE.

Before entering upon the duties of their respective offices, all officers and employees of the City shall take and subscribe to the following oath or affirmation:

"I ....., do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter."

SECTION 1402. FINANCIAL INTEREST.

Except as provided by State law, officers and employees of the City shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members.

Officers and employees of the City shall not be purchasers at any sale or vendors at any purchase made by them in their official capacity.

The office and employment of an officer or employee shall be forfeited upon a judicial finding of a violation of this section.

SECTION 1403. ETHICAL CONDUCT.

It is the policy of the City that all officers and employees of the City shall observe the highest standards of ethics. City officers and employees shall comply with all federal, State and City statutes, laws, ordinances, rules, regulations and policies relating to conflicts of interest, campaign disclosure and ethical conduct,

including, but not limited to, those relating to decision-making where the official has a private financial interest; acceptance of gifts and other items of value; acceptance of campaign contributions; use of confidential information; and use of public property and resources. The City Council shall adopt such ordinances and resolutions as it deems necessary to promote ethical conduct in government.

SECTION 1404. IMPROPER POLITICAL ACTIVITY.

The officers and employees of the City shall not engage in, nor shall the facilities of the City be used for, improper political activities. The City Council shall have the authority to establish rules and regulations to implement this policy.

ARTICLE XV. ELECTIONS

SECTION 1500. GENERAL MUNICIPAL ELECTIONS.

General municipal elections for the filling of all elective offices, other than the Board of Education, shall be held in the City on the second Tuesday in April in each even numbered year.

The election of members of the Board of Education shall be held in accordance with State law. Expenses for Board of Education elections shall be paid by the School District.

SECTION 1501. SPECIAL MUNICIPAL ELECTIONS.

The City Council may, at its discretion, call an election for any reason sanctioned by law at any time it deems necessary. Such election shall be known as a special municipal election.

SECTION 1502. ELECTIONS OFFICIAL.

The City Clerk shall be the City's elections official, and as such shall supervise the conduct of City elections and shall perform all other duties assigned by State law to the City's elections official. In all such matters, the City Clerk shall act in a fair and impartial manner, in accordance with all applicable provisions of this Charter, State law and City ordinances. Neither the City Council, nor individual Council Members shall interfere with the City Clerk in the performance of the duties assigned by this section.

SECTION 1503. PROCEDURE FOR HOLDING ELECTIONS.

Unless otherwise provided by this Charter, all City elections shall be held in accordance with applicable provisions of the then current State law.

SECTION 1504. INITIATIVE, REFERENDUM AND RECALL.

The rights of the initiative, referendum and recall are reserved to the voters of the City. All applicable provisions of the then current State law governing the initiative, referendum and recall processes shall apply, insofar as such provisions are not in conflict with this Charter.

SECTION 1505. ELECTIONS BY MAIL.

The City Council may, by ordinance, authorize the conduct of elections wholly by mail, under which all votes shall be cast in the manner of absentee ballots.

ARTICLE XVI. FINANCIAL AND FISCAL MATTERS

SECTION 1600. FISCAL YEAR.

The fiscal year of the City government shall begin on the first day of July of each year and end on the thirtieth day of June of the following year.

SECTION 1601. TAX SYSTEM.

Unless otherwise provided by ordinance, the City shall continue to use, for the purpose of ad valorem municipal taxation, the County system of assessment and tax collection, as such system is now in effect or may hereafter be amended and insofar as such provisions are not in conflict with this Charter.

If the City Council fails to fix the rate and levy taxes on or before August 31st in any year, the rate for the next preceding fiscal year shall thereupon be automatically adopted and a tax at such rate shall be deemed to have been levied on all taxable property in the City for the current fiscal year.

SECTION 1602. TAX LIMITS.

Exclusive of special levies permitted by this Charter, the City Council shall not levy a property tax in excess of one percent of the assessed value of taxable property in the City for municipal purposes, unless authorized by a two-thirds vote at a City election.

There shall be levied and collected at the time and in the same manner as other property taxes for municipal purposes are levied and collected as additional taxes, if no other provision for payment thereof is made:

(a) A tax sufficient to meet all liabilities of the City for principal and interest of all bonds or judgments due and unpaid, or to become due during the ensuing fiscal year; and

(b) A tax sufficient to meet all obligations of the City to the Public Employees' Retirement System, or other system for the retirement of City employees due and unpaid or to become due during the ensuing fiscal year.

Special levies, in addition to the above, may be made annually, based on City Council approved estimates, for the following specific purposes: parks, recreation, refuse disposal, city planning, libraries, advertising and promotion. The proceeds of any such special levy shall be used for no other purpose than that specified.

SECTION 1603. BONDED DEBT LIMIT.

The bonded indebtedness of the City may not exceed the sum of 15 percent of the total assessed valuation of all the real and personal property within the City.

SECTION 1604. CONTRACTS FOR PUBLIC WORKS.

The City Council shall, from time to time, establish, by ordinance, procedures to ensure the integrity of awarding all contracts for the construction or improvement of public works, buildings, streets, drains, sewers, utilities, parks and playgrounds. Subject to such exceptions as the City Council may establish, these procedures shall call for soliciting multiple bids for all contracts. The procedures shall be reviewed periodically by the City Council at a public hearing.

The City Council may award a contract without complying with the procedures then in place by a vote of at least four-fifths of its members after a public hearing.

This Charter has been enacted for the collective benefit of the People of the City of Culver City, and is not intended to confer legal rights or remedies upon individual persons or entities that elect to do business with the City. In furtherance of this intention, it is specifically declared that no contractor, person or entity shall be entitled to bring any legal or equitable action against the City alleging that the City failed to perform its obligations under this section or under any ordinance enacted to establish the procedures for awarding public works contracts. Nothing in this paragraph shall prohibit or restrict the City from adopting ordinances or entering into contracts that grant legally enforceable rights to one or more contractors, persons or entities.

SECTION 1605. PURCHASING OF SUPPLIES, MATERIALS AND EQUIPMENT.

The City Council shall establish procedures for the purchasing, storing and distribution of all supplies, materials and equipment required by any City department. The City Manager shall direct the implementation of such procedures for all City departments.

SECTION 1606. RESERVE FUNDS.

The City Council shall maintain sufficient cash reserves for the purpose of placing the payment of operating expenses of the City on a cash basis. The reserves shall be built from any available sources, and in combination with anticipated revenues shall be sufficient to meet all lawful demands against the City. Transfers may be authorized by the City Council from one fund to another fund or funds in such amounts as may be required to place those funds as nearly as possible on a cash basis. In case of such transfers, monies shall be returned to the fund from which they were transferred as they become available.

SECTION 1607. CAPITAL FUNDS.

The funds for capital improvements, previously created, are hereby continued in existence. The City Council by ordinance may create a special fund or funds for a special capital improvement purpose. Subject to the restrictions of the Constitution, the City Council may levy and collect taxes for capital improvements and may include in the annual tax levy a levy for such purposes in which event it must apportion and appropriate to any such fund or funds the money derived from such levy. It may not, in making such levy, exceed the maximum tax rate provided for in this Charter, unless authorized by majority vote at a City election. The City Council may transfer to any such fund any unencumbered surplus funds remaining on hand in the City at any time.

Once established, such fund shall be restricted to only the purposes for which it was created, unless the assent of the voters is expressed to the use of such fund for some other purpose by majority vote at a City election.

SECTION 1608. CLAIM REQUIRED FOR ACTIONS AGAINST CITY.

No suit may be brought on any claim for money or damages against the City, the City Council, or any City commission, board, committee, officer or employee until a claim has been presented and rejected in whole or in part in accordance with procedures adopted by the City Council for the regulations of claims, subject to the provisions of State law.

SECTION 1609. INDEPENDENT AUDIT REQUIRED.

At the beginning of each fiscal year, the City Council shall employ an independent, certified public accountant or firm of such accountants who, at such time or times as may be specified by the City Council, shall examine the books, records, inventories and reports of the City and of all officers and employees of the City who receive, handle or disburse public funds and of all such other City officers, employees and departments as the City Council may direct. As soon as practicable after the end of the fiscal year, a final audit and report shall be submitted by such accountant or firm to the City. Copies of such audit and report shall be provided to each Council Member; and copies shall be placed on file in the office of the City Clerk and made available for inspection by the general public. Such accountant or firm shall have no direct or indirect personal interest in the fiscal affairs of the City or of any of the officers of the City.

ARTICLE XVII. FRANCHISES

SECTION 1700. FRANCHISES.

The City Council may, by ordinance, grant a franchise to furnish the City and its inhabitants with any public utility or service and to use the public streets for that purpose. The exercise by any person, firm or corporation of any privilege for which a franchise is required without procuring such franchise from the City is prohibited.

Before granting any franchise, the City Council shall adopt a resolution declaring its intention to grant the same, stating the name of the proposed grantee, the character of the franchise and the terms and conditions upon which it is proposed to be granted. Such resolution shall set forth the time and place at which any person may appear before the City Council and be heard. The City Council shall direct the City Clerk to publish the resolution at least once within 15 days of its

passage in a newspaper circulated in the City and designated by the City Council. The date and time fixed for the public hearing shall be not less than 20, nor more than 60 days after the adoption of the resolution.

At the hearing, the City Council shall consider all protests and comments. Thereafter, the City Council may amend, grant or deny the franchise. Such decision shall be final and conclusive, subject to the right of referendum of the People.

ARTICLE XVIII. REVENUE RETENTION

SECTION 1800. REDUCTIONS PROHIBITED.

With regard to municipal affairs and areas not preempted by the State, any revenues raised and collected by the City shall not be subject to subtraction, retention, attachment, withdrawal or any other form of involuntary reduction by any other level of government.

SECTION 1801. MANDATES LIMITED.

No other level of government shall have the right to require any person acting on behalf of the City to perform any function unless and until the mandating authority provides sufficient funds for the performance of such function. The City Council may instruct any department, commission, board, committee, officer or employee of the City to disregard any mandate for which adequate funding has not been provided.

ARTICLE XIX. CHARTER REVIEW COMMITTEE

SECTION 1900. CHARTER REVIEW COMMITTEE.

Beginning in January 2014, and in January every 10 years thereafter, the City Council shall hold a public hearing to consider the need for a comprehensive review of the existing Charter and shall determine whether or not to appoint a Committee to consider and propose amendments to the existing Charter. Within 12 months after its creation, or such other time period as may be specified by the City Council, the Committee shall present to the City Council any proposed amendments to the Charter. The City Council shall act upon the recommendations of the Committee before the last day to place the proposed amendments on the ballot at the next regular municipal election. The City Council may, at its discretion, appoint a Charter Review Committee at any time.

ARTICLE XX. SUCCESSION AND TRANSITION

SECTION 2000. EFFECTIVE DATE OF CHARTER.

This Charter shall be effective on the later of July 1, 2006, or the date it is accepted and filed by the Secretary of State.

SECTION 2001. RIGHTS AND LIABILITIES.

The City shall continue to own, possess and control all rights and property of every kind and nature owned, possessed or controlled by it at the time this Charter takes effect and shall continue to be subject to all its debts, obligations, liabilities and contracts.

SECTION 2002. EXISTING LAWS, REGULATIONS AND POLICIES.

All lawful ordinances, resolutions, policies, rules and regulations in force at the time this Charter takes effect, and that are not in conflict or inconsistent with this Charter, are hereby continued in force until they have been duly repealed, amended, changed or superseded by proper authority.

SECTION 2003. RIGHTS OF OFFICERS AND EMPLOYEES PRESERVED.

Except as specifically provided, nothing in this Charter shall affect or impair the civil service, pension and retirement rights or privileges of officers or employees of the City, or of any City department existing at the time this Charter takes effect.

SECTION 2004. CONTINUANCE OF CITY COUNCIL AND BOARD OF EDUCATION.

The members of the City Council and of the Board of Education of the Culver City Unified School District in office at the time this Charter takes effect shall continue in office until the expiration of their respective terms and until their successors are elected and certified.

SECTION 2005. EXISTING COMMISSIONS, BOARDS AND COMMITTEES.

Commissions, boards and committees previously established by the City Council shall continue to exist and exercise the powers and perform the duties conferred upon them; provided, however, that the City Council may abolish any or all of said commissions, boards or committees and may alter their structure, membership and duties.

The members of the commissions and boards holding office when this Charter takes effect shall continue to hold office until their respective terms of office shall expire and until their successors shall be appointed, or until such time as the body is abolished by action of the City Council.

The members of Committees existing when this Charter takes effect shall continue to remain members until they are replaced or removed by the City Council or until the Committee is abolished.

SECTION 2006. EXISTING EMPLOYEES OF THE CITY.

The present employees of the City shall continue to perform their duties without interruption, subject to this Charter and all applicable provisions of any existing or future ordinance, resolution, rule or law relating to the removal, duties or control of such employees.

SECTION 2007. EXISTING CONTRACTS AND CONTRACTING PROCEDURES.

All contracts entered into by the City, or for its benefit, before the effective date of this Charter, shall continue in full force and effect according to their terms.

The procedures for awarding contracts for public works existing at the time this Charter takes effect, will continue to be followed until such time as the City Council establishes, by ordinance, different required procedures.

SECTION 2008. PENDING ACTIONS AND PROCEEDINGS.

No civil or criminal action or proceeding that has been brought by or against the City, or any City department and that is pending as of the effective date of this Charter, shall be affected or abated by the adoption of this Charter. All such actions or proceedings may be continued, even if the functions, powers or duties of any City department that is a party to such action or proceeding have been assigned or transferred under this Charter to another City department. In that event, such actions may be prosecuted or defended by the head of the City department to which

such functions, powers and duties have been assigned or transferred under this Charter.

SECTION 2009. CONTINUANCE OF CITY TREASURER.

The previously elected City Treasurer shall continue to serve until April 8, 2008. Prior to such date, the elected City Treasurer shall exercise all of the duties and functions assigned to the City Treasurer by the Charter in effect immediately prior to the adoption of this Charter, including the supervision and direction of the City's investment function. Should the office of City Treasurer become vacant prior to April 8, 2008, the City Council shall appoint a replacement to serve until April 8, 2008.

SECTION 2010. CONTINUANCE OF CITY CLERK.

The person elected to the office of City Clerk at the April 11, 2006, general municipal election shall serve until April 8, 2008. Prior to such date, the elected City Clerk shall exercise all of the duties and functions assigned to the City Clerk by the Charter in effect immediately prior to the adoption of this Charter. Should the office of City Clerk become vacant prior to April 8, 2008, the City Council shall appoint a replacement to serve until April 8, 2008.

SECTION 2011. ELIMINATION OF TRANSITION PROVISIONS.

If, in the judgment of the City Attorney, any of the sections included in this Article become obsolete by virtue of the completion of all acts required under those sections, the City Attorney shall so advise the City Council. Upon the adoption by the City Council of a resolution to such effect, the obsolete sections shall be deemed to have expired, and the City Clerk shall then remove those sections from the next printing of this Charter.

ARTICLE XXI. MISCELLANEOUS

SECTION 2100. VIOLATIONS.

A violation of any provision of this Charter shall be a misdemeanor, except that such violation may be prosecuted as an infraction at the discretion of the prosecuting authority. The City Council shall, by ordinance, establish the penalties for a violation of this Charter, but in no event shall such penalties exceed the maximum penalties permitted under State law.

Any violation of this Charter may be prosecuted in the name of the People of the State of California or may be redressed by the City through any legal or equitable remedies.

SECTION 2101. VALIDITY.

If any provision of this Charter, or the application of any Charter provision to any person or circumstance, is held invalid, the remainder of this Charter, and the application of such provision to other persons or circumstances, shall not be affected.

CHARTER OF THE CITY OF CULVER CITY

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PREAMBLE

The People of the City of Culver City, by popular vote, have enacted this Charter to establish a responsive, efficient, effective and accountable government through which all voices in our diverse community can be heard; to ensure fair

representation and distribution of government resources; to provide a safe and harmonious environment for our mutual well-being; and to promote the principles of liberty, equality and home rule.

ARTICLE I. NAME AND CHARTER STATUS

SECTION 100. NAME AND CHARTER STATUS.

The municipal corporation now existing and known as the “City of Culver City” shall continue to exist, under the same name, as a charter city and a municipal corporation organized and existing under the Constitution and laws of the State of California.

ARTICLE II. DEFINITIONS

SECTION 200. DEFINITIONS.

As used in this Charter:

(a) “Board of Education” shall mean and refer to the Board of Education of the Culver City Unified School District.

(b) “City” shall mean and refer to the City of Culver City.

(c) “Constitution” shall mean and refer to the Constitution of the State of California.

(d) “City Council” shall mean and refer to the City Council of the City of Culver City.

(e) “Council Member” shall mean and refer to a member of the City Council of the City of Culver City.

(f) The term “days” shall mean calendar days.

(g) "Department Head" shall mean and refer to a person appointed by either the City Council or the City Manager to exercise management and control of a City department.

(h) The term “officers” shall mean and refer to the members of the City Council and all persons appointed by the City Council to serve on a commission, board, committee or other governmental body.

(i) "School District" shall mean and refer to the Culver City Unified School District.

(j) "State" shall mean and refer to the State of California.

ARTICLE III. FORM OF GOVERNMENT

SECTION 300. FORM OF GOVERNMENT.

The municipal government established by this Charter shall be the "Council-Manager" form of government, under which the City Council sets policy and the City Manager administers the government.

ARTICLE IV. BOUNDARIES

SECTION 400. BOUNDARIES.

The boundaries of the City shall be those boundaries existing as of the effective date of this Charter. The boundaries may later be changed in the manner authorized by State law.

ARTICLE V. POWERS OF THE CITY

SECTION 500. POWERS OF THE CITY.

The City shall have all of the rights, powers and privileges which may be granted to a charter city under the Constitution and laws of the State, as fully and completely as though they were specifically enumerated in this Charter.

Without limiting the preceding provisions, the City shall have the power to make and enforce all laws and regulations with respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter and in the Constitution.

The enumeration in this Charter of any particular power shall not be held to exclude other powers, nor to be any limitation upon this general grant of power.

ARTICLE VI. CITY COUNCIL

SECTION 600. NUMBER, ELECTION AND TERM OF OFFICE.

The City Council shall consist of five members elected at-large, at the times and in the manner provided in this Charter. A full term of office shall be four years, commencing at the meeting at which the election results are certified, and continuing until a successor is elected and certified. Any ties in voting shall be settled by the casting of lots.

SECTION 601. TERM LIMITS.

No person shall serve more than two consecutive full terms as a Council Member. If a person serves a partial term in excess of two years, it shall be considered a full term for the purpose of this provision. Nothing in this provision shall act to bar service as a Council Member after at least two years have elapsed from the Council Member's last full term.

SECTION 602. ELIGIBILITY.

Only residents of the City who are lawfully registered voters of the City shall be eligible to hold an elective City office. Candidates for election to any such office must have been lawfully registered voters of the City for the 30 days immediately preceding the filing of their nomination papers.

SECTION 603. COMPENSATION.

Council Members shall receive compensation for their services in accordance with the provisions of State law.

The City shall maintain records of the total annual compensation, including benefits, received by individual Council Members in their capacities as elected public officials of the City, including all compensation received for services on the Culver City Redevelopment Agency and any other boards or agencies. Individual Council Members shall provide information that the City requires in order to comply with this section. Such information shall be made available to the public in accordance with State law.

SECTION 604. VACANCY.

The City Council, by a vote of at least three of its members, may appoint a replacement to fill any vacancy on the City Council. Such appointee shall hold

office until a successor is elected and certified. If the vacancy occurs before the first day to file nomination papers for the next general municipal election, a Council Member shall be elected at that election as the successor to any appointee, or to fill the vacancy if it has not previously been filled by appointment, and such newly elected Council Member shall serve the remainder of the unexpired terms and until a successor is elected and certified.

If a vacancy is not filled by appointment within 30 days after its occurrence, the City Council shall immediately call a special election to fill the vacancy. The special election shall be held not later than 120 days after the vacancy occurs, except that no special election shall be called to fill the vacancy if it cannot be held at least 180 days before the next general municipal election. A person elected at a special election shall hold office for the remainder of any unexpired term and until a successor is elected and certified.

If there is an election to fill one or more full terms and one or more unexpired terms, then the candidates who receive the highest number of votes shall serve the full terms, and of the candidates remaining, those who receive the next highest number of votes shall serve the unexpired terms.

At any time when there are three or four vacancies on the City Council, the remaining Council Member or Members shall constitute a quorum for the purpose of holding a meeting to consider taking action pursuant to this section, and such action may be taken by the unanimous vote of the remaining Member or Members.

SECTION 605. FORFEITURE OF OFFICE.

The grounds for forfeiture of the office of a Council Member are the following:

(a) The Council Member is absent, without the consent of the City Council, from all regular City Council meetings for a period of 60 consecutive days from and after the last regular City Council meeting attended by such Council Member;

(b) The Council Member is convicted of a felony or a crime involving moral turpitude; or

(c) The Council Member ceases to be a resident and lawfully registered voter of the City.

After the occurrence of any of the foregoing events, the office of the Council Member shall be declared vacant by the City Council by a vote of at least three of its members. At the request of the affected Council Member, the City Council shall hold a public hearing before declaring the office vacant.

SECTION 606. MAYOR AND VICE MAYOR.

At the same meeting and immediately following the certification of election results for any general or special municipal election at which Council Members are elected and at the second meeting in April in odd numbered years, the City Council shall elect one of its members as its presiding officer, who shall have the title of Mayor and one of its members as Vice Mayor. Both shall serve at the pleasure of the City Council.

The Mayor shall have a voice and a vote in all City Council proceedings, shall be the official head of the City for all ceremonial purposes, and shall perform such other duties as may be prescribed by this Charter or as may be imposed by the City Council consistent with the office of Mayor. The Vice Mayor shall perform the duties of the Mayor during the absence or incapacity of the Mayor.

A Council Member who has held the office of Mayor or Vice Mayor for one year shall not be eligible for reelection to that same office until one year has elapsed.

SECTION 607. POWERS OF THE CITY COUNCIL.

All powers of the City shall be vested in the City Council, subject to the provisions of this Charter and the Constitution. The City Council shall have the power to:

(a) Appoint, suspend, remove and fix the compensation of the City Manager, Fire Chief, Police Chief and City Attorney, by a vote of at least three of its members;

(b) Create, modify or abolish any City department, and to prescribe the powers and duties of such departments and their Department Heads;

(c) Review and certify the results of all City elections;

(d) Control all legal business and proceedings, including, but not limited to, the authority to employ other attorneys to take charge of any litigation or other legal matters or to assist the City Attorney in connection with any legal matter, which authority, in whole or in part, may be delegated to the City Attorney; and

(e) Compel the attendance of witnesses, examine them under oath, and compel the production of evidence before it. The City Council may cause subpoenas to be issued in the name of the City and be attested to by the City Clerk. Disobedience of such subpoenas, or the refusal to testify, upon other than constitutional grounds, shall constitute a misdemeanor. Council Members, and any City staff members designated by the City Council, shall have the power to administer oaths in any investigation or proceeding before it.

Additionally, the City Council shall have all other powers consistent with this Charter and the Constitution.

SECTION 608. CITY COUNCIL MEETINGS.

The City Council shall hold regular meetings at least twice each month, at such times as it shall fix by ordinance or resolution and may adjourn any regular meeting to a date certain, which shall be specified in the order of adjournment and when so adjourned, each adjourned meeting shall be a regular meeting for all purposes.

The Council Chambers of City Hall shall be the primary place of all City Council meetings.

By a vote of at least three of its members, the City Council may order a regular meeting to be held not less than seven days after that date at a place within the City other than the Council Chambers.

The City Council may, upon making a finding that the public interest requires it, order a meeting adjourned to another location within the City and to a time during the same day on which the order is made.

If for any reason it shall be unsafe to meet in the Council Chambers, meetings may be held for the duration of the unsafe condition at a place within the City designated by the Mayor, or by the City Council.

Whenever an order is made to hold a meeting at a place other than the Council Chambers, the City Clerk shall immediately post a copy of the order at a conspicuous location near the outside of the main entrance to the Council Chambers. The order shall remain posted until the meeting is held.

SECTION 609. SPECIAL MEETINGS.

A special meeting of the City Council may be called at any time by the Mayor, or by a majority of the Council Members.

SECTION 610. NOTICE OF PUBLIC MEETINGS.

The City Council shall comply with the applicable provisions of State law regarding the giving of notice for regular and special meetings. The City Council shall consider whether it should establish additional procedures to provide efficient,

timely and cost-effective notice in a manner consistent with currently available technology.

SECTION 611. PUBLIC PARTICIPATION.

During any public meeting, all persons shall have the right to address the City Council, and any City commission, board or committee, subject to reasonable rules of decorum and time limits established by ordinance or the presiding officer.

SECTION 612. COUNCIL PROCEEDINGS.

Three members of the City Council shall constitute a quorum to do business, but a lesser number may declare a meeting adjourned.

Except as otherwise provided in this Charter, actions of the City Council shall be decided by a majority of the members present and voting on a matter, excluding abstentions.

The City Clerk shall keep a correct record of all proceedings of the City Council. At the request of any Council Member or upon the adoption of any ordinance or resolution, or upon the adoption of any order for the payment of money, the City Clerk shall record the vote taken on the question, and enter the result in the minutes of the meeting.

SECTION 613. ADOPTION OF ORDINANCES AND RESOLUTIONS.

No ordinance shall be adopted by the City Council on the day of its introduction, nor within five days thereafter, nor at any time other than at a regular or adjourned regular meeting. The foregoing shall not apply to urgency ordinances adopted in the manner provided in this Charter. A resolution adopted by the City Council shall become effective in accordance with its terms.

At the time of adoption of an ordinance, it shall be read in full, unless, after the reading of the title, the further reading thereof is waived by unanimous consent of the Council Members present. In the event that any ordinance is altered after its introduction, it shall be reintroduced and not finally adopted except at a regular or adjourned regular meeting, held not less than five days after the date upon which such ordinance was so reintroduced. The correction of typographical or clerical errors shall not constitute the making of an alteration within the meaning of the foregoing sentence.

The votes of at least three members of the City Council shall be required for the introduction or enactment of any ordinance or resolution, or for the making or approving of any order for the payment of money.

No order for the payment of money shall be adopted or made at any time other than at a regular or adjourned regular meeting.

SECTION 614. URGENCY ORDINANCES.

Any ordinance declared by the City Council to be necessary as an urgency measure for preserving the public peace, health or safety and containing a statement of the reasons for its urgency may be introduced and adopted at any regular, adjourned, or special meeting if passed by a vote of at least four-fifths of its members.

SECTION 615. ORDINANCES: ENACTMENTS.

In addition to all other acts of the City Council that are required by State law or by this Charter to be enacted by ordinance, every act of the City Council establishing a fine or other penalty or granting a franchise shall be enacted by ordinance.

The enacting clause of all ordinances shall be substantially as follows: “The City Council of the City of Culver City does ordain as follows:”.

SECTION 616. ORDINANCES: PUBLICATION.

The City Clerk shall record the full text of all ordinances and resolutions adopted by the City Council in a properly indexed book. The City Clerk shall also cause each ordinance, or a summary of such ordinance, to be published not later than 15 days after its adoption in a newspaper circulated in the City and designated by the City Council.

SECTION 617. ORDINANCES: AMENDMENTS.

Any provision of an existing ordinance may be amended without reenactment and republication of the entire original ordinance.

SECTION 618. ORDINANCES: CODIFICATION.

The City Council shall periodically provide for the preparation of a general codification, compilation, consolidation, revision, indexing or arranging of all City ordinances and resolutions then having the force and effect of law.

The codification of City ordinances may be accomplished by reference to the passage of previously adopted ordinances. Such codifications need not be published in the manner required for other ordinances, but prior to adoption, at least three copies of the Code shall be filed in the office of the City Clerk, where they shall be available for public inspection.

Detailed regulations pertaining to any subject, such as fire, building, plumbing, electrical and mechanical codes, as well as codes on other subjects that require extensive regulations, may be adopted by reference, and without the necessity of publication, in the manner provided above. One copy of such codes shall be filed in the office of the City Clerk, prior to their adoption, where they shall be available for public inspection.

Subsequent amendments to sections of the general codification of City ordinances, or the regulatory codes, shall be enacted in the same manner required by this Charter for the amendment of ordinances generally.

SECTION 619. ORDINANCES: WHEN EFFECTIVE.

In order to allow the People to exercise their referendum power, no ordinance shall become effective until 30 days from and after the date of its adoption, except, the following, which shall take effect upon adoption:

(a) An ordinance calling for or otherwise relating to an election;

(b) An improvement proceeding ordinance adopted under some law, or procedural ordinance;

(c) An ordinance declaring the amount of money necessary to be raised by taxation, or fixing the rate of taxation; or

(d) An urgency ordinance adopted in the manner provided in this Charter.

SECTION 620. ORDINANCES: VIOLATION AND PENALTY.

Unless a specific ordinance provides otherwise, a violation of an ordinance of the City shall be a misdemeanor. The City Council, by ordinance, may establish the penalty by fine or imprisonment, or both, for misdemeanors and only by fine for infractions.

Violations of City ordinances may be prosecuted in the name of the People of the State of California or may be redressed by the City through any legal or equitable remedies.

SECTION 621. PUBLISHING OF LEGAL NOTICES.

The City Council shall designate one newspaper circulated in the City for the publication of all notices and other matters required to be published in a newspaper. When possible, a change to another newspaper shall not be made until a notice of the intention to change is published in the previously designated newspaper.

The charges for such publications in the designated newspaper shall not exceed the rates charged to the general public for similar publications.

All legal notices or other matters required to be published shall also be posted in at least three public places within the City.

Posting of legal notices in three public places shall be sufficient, without publication if the designated newspaper is unavailable and a suitable replacement cannot be designated.

ARTICLE VII. CITY ADMINISTRATION

SECTION 700. POWERS AND DUTIES OF CITY MANAGER.

The City Council shall appoint the City Manager who shall be the chief executive officer of the City, responsible to the City Council for the management of all City affairs placed in the City Manager's charge by or under this Charter, by ordinance, resolution or other action of the City Council. The City Manager, or his or her designee, shall:

(a) Appoint, suspend and remove all City employees, including Department Heads, the City Clerk and the City Treasurer, except as otherwise provided by State law or this Charter;

(b) Direct and supervise the administration of all City departments, except as otherwise provided by this Charter;

(c) Attend all City Council meetings, at which the City Manager shall have the right to take part in discussion, but shall not vote;

(d) Prepare and submit to the City Council an annual budget pursuant to this Charter, and implement the final budget approved by the City Council; and

(e) Perform such other duties as are specified in this Charter, or by ordinance, resolution or other action of the City Council.

SECTION 701. NON-INTERFERENCE BY CITY COUNCIL.

Neither the City Council, nor any Council Member shall:

(a) Order or direct the City Manager to appoint or remove any person to or from any position of employment with the City;

(b) Except as otherwise permitted by this Charter or by ordinance, order or direct the City Manager to enter into a municipal contract or make a purchase of supplies from any particular person or entity;

(c) Interfere in any way with the performance of the duties of any City employee; or

(d) Interfere in any way with the duties of the City's elections official in the conduct of elections.

Nothing in this section shall prevent the City Council, or any of its members, from advising the City Manager of any information which might assist the City Manager in the discharge of the City Manager's duties; or contacting City employees for the purpose of inquiry, obtaining information or advising employees of citizen complaints.

ARTICLE VIII. ANNUAL BUDGET

SECTION 800. BUDGET PREPARATION.

All Department Heads shall, upon request, provide the City Manager with estimates of revenues and expenditures for their departments, detailed in the manner prescribed by the City Manager. The City Manager shall review the estimates, hold conferences with department personnel, and prepare a proposed budget.

SECTION 801. SUBMISSION TO CITY COUNCIL.

At least 45 days prior to the beginning of each fiscal year, the City Manager shall submit a proposed budget to the City Council. After reviewing the proposed budget, the City Council shall set the date and time for a public hearing on the

proposed budget and, at least 10 days prior to its scheduled date, shall cause notice of such public hearing to be published in a newspaper circulated in the City and designated by the City Council.

Copies of the proposed budget shall be available for public inspection in the office of the City Clerk at least 10 days prior to the public hearing.

SECTION 802. PUBLIC HEARING.

The City Council shall hold a public hearing on the proposed budget at the time so advertised, or at any time to which the public hearing shall be adjourned from time to time, where interested persons shall be given an opportunity to be heard.

SECTION 803. FURTHER CONSIDERATION AND ADOPTION.

At the conclusion of the public hearing, the City Council shall further consider the proposed budget, make any revisions that it may deem advisable, and, on or before June 30th, adopt the budget by a vote of at least three of its members. Upon adoption, the budget shall be in effect for the ensuing fiscal year. A copy of the budget, certified by the City Clerk, shall be filed with the City Manager. An additional copy shall remain on file in the office of the City Clerk where it shall be available for public inspection. Copies of the adopted budget shall be made available for the use of City departments.

SECTION 804. APPROPRIATIONS.

After adoption of the budget, the amounts allocated in the budget as proposed expenditures shall be appropriated to the specified City departments, for the objects and purposes named in the budget. All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered.

SECTION 805. AMENDMENTS.

After the adoption of the budget, the City Council may amend or supplement the budget only by a vote of at least four-fifths of its members.

ARTICLE IX. CITY ATTORNEY

SECTION 900. ELIGIBILITY.

The City Attorney shall be an attorney-at-law, licensed and authorized to practice in all of the courts of the State.

SECTION 901. DUTIES.

The City Attorney, or his or her designee, shall:

(a) Serve as the chief legal adviser to the City Council, City Manager, and all City departments in all matters pertaining to the business of the City;

(b) Represent and appear for the City in all legal actions in which the City is concerned or is a party. In the course of performing such duties, the City Attorney shall have the authority to employ other attorneys to handle litigation or provide other assistance as required by the City Attorney, subject to the provisions of this Charter;

(c) Attend all meetings of the City Council, unless excused;

(d) Prepare or approve the language of all City ordinances, resolutions and of any amendments to such ordinances or resolutions, and approve the form of City contracts and bonds;

(e) Prosecute on behalf of the People criminal cases for violations of this Charter, of City ordinances or of State laws, which in the opinion of the City Attorney warrant prosecution; and

(f) Perform such other duties as are specified in this Charter, or by ordinance, resolution or other action of the City Council.

ARTICLE X. BOARD OF EDUCATION

SECTION 1000. NUMBER AND TERM.

The Board of Education shall consist of five members, elected at-large from the School District, for a term of four years.

SECTION 1001. ELIGIBILITY.

Only residents of the School District who are lawfully registered voters of the School District shall be eligible to hold office as a member of the Board of

Education. Candidates for election to such office must have been lawfully registered voters of the School District for the (30) days immediately preceding the filing of their nomination papers.

SECTION 1002. VACANCIES.

The Board of Education shall fill any vacancy by appointment. Such appointee shall hold office until a successor is elected and certified. If the vacancy occurs before the first day to file nomination papers for the next regular Board of Education election, a Board Member shall be elected at that election as successor to any appointee, or to fill the vacancy if it has not been previously filled before appointment, and such newly elected Board Member shall serve for the remainder of any unexpired term and until a successor is elected and certified.

If a vacancy is not filled by appointment within 60 days after its occurrence, the Board of Education shall immediately call a special election. The special election shall be held not later than 120 days after the vacancy occurs, except that no special election shall be called to fill the vacancy if it cannot be held at least 180 days before the next regular Board of Education election. A person elected at a special election shall hold office for the remainder of the unexpired term and until a successor is elected and certified.

If there is an election to fill one or more full terms and one or more unexpired terms, then the candidates who receive the highest number of votes shall serve the full terms, and of the candidates remaining, those who receive the next highest number of votes shall serve the unexpired terms.

SECTION 1003. FORFEITURE OF OFFICE.

The grounds for forfeiture of the office of a member of the Board of Education are the following:

(a) The Board Member is absent, without the consent of the Board of Education, from all regular Board meetings for a period of 60 consecutive days from and after the last regular Board meeting attended by such Board Member;

(b) The Board Member is convicted of a felony or a crime involving moral turpitude; or

(c) The Board Member ceases to be a resident and lawfully registered voter of the School District.

After the occurrence of any of the foregoing events, the office of the Board Member shall be declared vacant by the Board of Education, by a vote of at least

three of its members. At the request of the affected Board Member, the Board of Education shall hold a public hearing before declaring the office vacant.

SECTION 1004. ORGANIZATION OF THE BOARD OF EDUCATION.

At the annual organizational meeting of the Board of Education, the members shall elect a president, vice-president and clerk. No Board Member shall serve more than two consecutive years in such office.

SECTION 1005. SPECIAL ELECTIONS.

The Board of Education may, at its discretion, call an election for any reason sanctioned by law at any time it deems appropriate.

ARTICLE XI. COMMISSIONS, BOARDS AND COMMITTEES

SECTION 1100. IN GENERAL.

The City Council may, by ordinance, establish and abolish such commissions and boards as it may determine, from time to time, to be necessary for the effective and efficient governance of the City, and to encourage citizen participation in local government, including a commission charged with the responsibility of maintaining positive human relations in the community.

SECTION 1101. APPROPRIATIONS.

The City Council shall appropriate sufficient funds for the efficient and proper functioning of all City commissions and boards.

SECTION 1102. CHAIRPERSON AND VICE CHAIRPERSON.

As soon as practicable, following the first day of July of every year, each commission or board of the City shall organize by electing one of its members to serve as its presiding officer, with the title of Chairperson, and electing one of its members as Vice Chairperson. The Chairperson and Vice Chairperson shall each serve at the pleasure of the commission or board.

The Chairperson shall have a voice and vote in all proceedings of the commission or board, shall be the official head of the commission or board for all ceremonial purposes, and shall perform such other duties as may be prescribed by

this Charter or by ordinance. The Vice Chairperson shall perform the duties of the Chairperson during the absence or incapacity of the Chairperson.

SECTION 1103. MEETINGS.

The City Manager shall designate City staff, as necessary, to assist each commission or board, and to keep a record of its proceedings and transactions. Each commission or board may prescribe its own rules and regulations, which shall be consistent with this Charter and applicable ordinances, resolutions and other City Council actions. Such rules and regulations shall be subject to the approval of the City Council and shall be kept on file in the office of the City Clerk where they shall be available for public inspection.

SECTION 1104. OATHS AND AFFIRMATIONS.

Any commission or board, and the designated City staff, shall have the power to administer oaths and affirmations in any investigation or proceeding pending before the commission or board.

SECTION 1105. COMMITTEES.

The City Council, by ordinance, resolution or other action, may establish and abolish committees for a specified purpose, and shall appropriate sufficient funds for the efficient and proper functioning of such committees.

ARTICLE XII. CIVIL SERVICE

SECTION 1200. MERIT PRINCIPLE.

Appointments and promotions in the administrative service of the City shall be made according to merit and fitness, to be ascertained, so far as practicable, by competitive examination.

The Civil Service System adopted by the City Council pursuant to State law and in effect prior to the effective date of this Charter, shall continue in full force and effect unless changed by ordinance of the City Council or by amendment to the rules and regulations approved by the City Council. As provided in the State enabling act referred to above, the City Council shall not have the authority to withdraw any departments or employees, including Department Heads, placed in Classified Service, from the operation of such system, either by outright repeal of the Civil Service ordinance or otherwise, unless and until its withdrawal shall have

been submitted to the voters of the City at a regular or special municipal election held in the City and shall have been approved by majority vote at a City election.

SECTION 1201. CLASSIFICATION.

All Department Heads shall be in the Unclassified Service.

The City Manager, City Attorney, City Clerk and City Treasurer shall be in the Unclassified Service.

SECTION 1202. APPOINTMENTS FROM CIVIL SERVICE POSITIONS.

In the event an employee of the City holding a position in the Classified Service is appointed to a position in the Unclassified Service, and within two years is removed or resigns from that position, the employee shall revert to his or her former position in the Classified Service upon the same terms and conditions as if he or she had continuously remained in that position.

SECTION 1203. PROHIBITIONS.

No person shall willfully make any false statements, certificate, mark, rating or report in regard to any application, test certification or appointment held or made under the Civil Service System or in any manner commit or attempt any fraud preventing the impartial execution of such Civil Service System or its rules and regulations.

ARTICLE XIII. RETIREMENT SYSTEM

SECTION 1300. PUBLIC EMPLOYEES' RETIREMENT SYSTEM.

Plenary authority and power are hereby vested in the City, its City Council and its several officers, agents and employees, to do and perform any act or exercise any authority granted, permitted or required under the provisions of the Public Employees' Retirements Law, as it now exists or hereafter may be amended, to enable the City to continue as a contracting City under the Public Employees' Retirement System. The City Council may terminate the contract with the Board of Administration of the Public Employees' Retirement System, whereby all employees are members of the System, only under authority granted by ordinance adopted by majority vote at a City election.

ARTICLE XIV. GENERAL PROVISIONS RELATING TO OFFICERS AND EMPLOYEES

SECTION 1400. OFFICIAL BONDS.

The City Council shall fix the amounts and terms of the official bonds of all employees who are required to give such bonds. All bonds shall be executed by a responsible corporate surety, shall be approved as to form by the City Attorney, and shall be filed with the City Clerk. Premiums on official bonds shall be paid by the City.

SECTION 1401. OATH OF OFFICE.

Before entering upon the duties of their respective offices, all officers and employees of the City shall take and subscribe to the following oath or affirmation:

"I ....., do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter."

SECTION 1402. FINANCIAL INTEREST.

Except as provided by State law, officers and employees of the City shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members.

Officers and employees of the City shall not be purchasers at any sale or vendors at any purchase made by them in their official capacity.

The office and employment of an officer or employee shall be forfeited upon a judicial finding of a violation of this section.

SECTION 1403. ETHICAL CONDUCT.

It is the policy of the City that all officers and employees of the City shall observe the highest standards of ethics. City officers and employees shall comply with all federal, State and City statutes, laws, ordinances, rules, regulations and policies relating to conflicts of interest, campaign disclosure and ethical conduct,

including, but not limited to, those relating to decision-making where the official has a private financial interest; acceptance of gifts and other items of value; acceptance of campaign contributions; use of confidential information; and use of public property and resources. The City Council shall adopt such ordinances and resolutions as it deems necessary to promote ethical conduct in government.

SECTION 1404. IMPROPER POLITICAL ACTIVITY.

The officers and employees of the City shall not engage in, nor shall the facilities of the City be used for, improper political activities. The City Council shall have the authority to establish rules and regulations to implement this policy.

ARTICLE XV. ELECTIONS

SECTION 1500. GENERAL MUNICIPAL ELECTIONS.

General municipal elections for the filling of all elective offices, other than the Board of Education, shall be held in the City on the second Tuesday in April in each even numbered year.

The election of members of the Board of Education shall be held in accordance with State law. Expenses for Board of Education elections shall be paid by the School District.

SECTION 1501. SPECIAL MUNICIPAL ELECTIONS.

The City Council may, at its discretion, call an election for any reason sanctioned by law at any time it deems necessary. Such election shall be known as a special municipal election.

SECTION 1502. ELECTIONS OFFICIAL.

The City Clerk shall be the City's elections official, and as such shall supervise the conduct of City elections and shall perform all other duties assigned by State law to the City's elections official. In all such matters, the City Clerk shall act in a fair and impartial manner, in accordance with all applicable provisions of this Charter, State law and City ordinances. Neither the City Council, nor individual Council Members shall interfere with the City Clerk in the performance of the duties assigned by this section.

SECTION 1503. PROCEDURE FOR HOLDING ELECTIONS.

Unless otherwise provided by this Charter, all City elections shall be held in accordance with applicable provisions of the then current State law.

SECTION 1504. INITIATIVE, REFERENDUM AND RECALL.

The rights of the initiative, referendum and recall are reserved to the voters of the City. All applicable provisions of the then current State law governing the initiative, referendum and recall processes shall apply, insofar as such provisions are not in conflict with this Charter.

SECTION 1505. ELECTIONS BY MAIL.

The City Council may, by ordinance, authorize the conduct of elections wholly by mail, under which all votes shall be cast in the manner of absentee ballots.

ARTICLE XVI. FINANCIAL AND FISCAL MATTERS

SECTION 1600. FISCAL YEAR.

The fiscal year of the City government shall begin on the first day of July of each year and end on the thirtieth day of June of the following year.

SECTION 1601. TAX SYSTEM.

Unless otherwise provided by ordinance, the City shall continue to use, for the purpose of ad valorem municipal taxation, the County system of assessment and tax collection, as such system is now in effect or may hereafter be amended and insofar as such provisions are not in conflict with this Charter.

If the City Council fails to fix the rate and levy taxes on or before August 31st in any year, the rate for the next preceding fiscal year shall thereupon be automatically adopted and a tax at such rate shall be deemed to have been levied on all taxable property in the City for the current fiscal year.

SECTION 1602. TAX LIMITS.

Exclusive of special levies permitted by this Charter, the City Council shall not levy a property tax in excess of one percent of the assessed value of taxable property in the City for municipal purposes, unless authorized by a two-thirds vote at a City election.

There shall be levied and collected at the time and in the same manner as other property taxes for municipal purposes are levied and collected as additional taxes, if no other provision for payment thereof is made:

(a) A tax sufficient to meet all liabilities of the City for principal and interest of all bonds or judgments due and unpaid, or to become due during the ensuing fiscal year; and

(b) A tax sufficient to meet all obligations of the City to the Public Employees' Retirement System, or other system for the retirement of City employees due and unpaid or to become due during the ensuing fiscal year.

Special levies, in addition to the above, may be made annually, based on City Council approved estimates, for the following specific purposes: parks, recreation, refuse disposal, city planning, libraries, advertising and promotion. The proceeds of any such special levy shall be used for no other purpose than that specified.

SECTION 1603. BONDED DEBT LIMIT.

The bonded indebtedness of the City may not exceed the sum of 15 percent of the total assessed valuation of all the real and personal property within the City.

SECTION 1604. CONTRACTS FOR PUBLIC WORKS.

The City Council shall, from time to time, establish, by ordinance, procedures to ensure the integrity of awarding all contracts for the construction or improvement of public works, buildings, streets, drains, sewers, utilities, parks and playgrounds. Subject to such exceptions as the City Council may establish, these procedures shall call for soliciting multiple bids for all contracts. The procedures shall be reviewed periodically by the City Council at a public hearing.

The City Council may award a contract without complying with the procedures then in place by a vote of at least four-fifths of its members after a public hearing.

This Charter has been enacted for the collective benefit of the People of the City of Culver City, and is not intended to confer legal rights or remedies upon individual persons or entities that elect to do business with the City. In furtherance

of this intention, it is specifically declared that no contractor, person or entity shall be entitled to bring any legal or equitable action against the City alleging that the City failed to perform its obligations under this section or under any ordinance enacted to establish the procedures for awarding public works contracts. Nothing in this paragraph shall prohibit or restrict the City from adopting ordinances or entering into contracts that grant legally enforceable rights to one or more contractors, persons or entities.

SECTION 1605. PURCHASING OF SUPPLIES, MATERIALS AND EQUIPMENT.

The City Council shall establish procedures for the purchasing, storing and distribution of all supplies, materials and equipment required by any City department. The City Manager shall direct the implementation of such procedures for all City departments.

SECTION 1606. RESERVE FUNDS.

The City Council shall maintain sufficient cash reserves for the purpose of placing the payment of operating expenses of the City on a cash basis. The reserves shall be built from any available sources, and in combination with anticipated revenues shall be sufficient to meet all lawful demands against the City. Transfers may be authorized by the City Council from one fund to another fund or funds in such amounts as may be required to place those funds as nearly as possible on a cash basis. In case of such transfers, monies shall be returned to the fund from which they were transferred as they become available.

SECTION 1607. CAPITAL FUNDS.

The funds for capital improvements, previously created, are hereby continued in existence. The City Council by ordinance may create a special fund or funds for a special capital improvement purpose. Subject to the restrictions of the Constitution, the City Council may levy and collect taxes for capital improvements and may include in the annual tax levy a levy for such purposes in which event it must apportion and appropriate to any such fund or funds the money derived from such levy. It may not, in making such levy, exceed the maximum tax rate provided for in this Charter, unless authorized by majority vote at a City election. The City Council may transfer to any such fund any unencumbered surplus funds remaining on hand in the City at any time.

Once established, such fund shall be restricted to only the purposes for which it was created, unless the assent of the voters is expressed to the use of such fund for some other purpose by majority vote at a City election.

SECTION 1608. CLAIM REQUIRED FOR ACTIONS AGAINST CITY.

No suit may be brought on any claim for money or damages against the City, the City Council, or any City commission, board, committee, officer or employee until a claim has been presented and rejected in whole or in part in accordance with procedures adopted by the City Council for the regulations of claims, subject to the provisions of State law.

SECTION 1609. INDEPENDENT AUDIT REQUIRED.

At the beginning of each fiscal year, the City Council shall employ an independent, certified public accountant or firm of such accountants who, at such time or times as may be specified by the City Council, shall examine the books, records, inventories and reports of the City and of all officers and employees of the City who receive, handle or disburse public funds and of all such other City officers, employees and departments as the City Council may direct. As soon as practicable after the end of the fiscal year, a final audit and report shall be submitted by such accountant or firm to the City. Copies of such audit and report shall be provided to each Council Member; and copies shall be placed on file in the office of the City Clerk and made available for inspection by the general public. Such accountant or firm shall have no direct or indirect personal interest in the fiscal affairs of the City or of any of the officers of the City.

ARTICLE XVII. FRANCHISES

SECTION 1700. FRANCHISES.

The City Council may, by ordinance, grant a franchise to furnish the City and its inhabitants with any public utility or service and to use the public streets for that purpose. The exercise by any person, firm or corporation of any privilege for which a franchise is required without procuring such franchise from the City is prohibited.

Before granting any franchise, the City Council shall adopt a resolution declaring its intention to grant the same, stating the name of the proposed grantee, the character of the franchise and the terms and conditions upon which it is proposed to be granted. Such resolution shall set forth the time and place at which any person may appear before the City Council and be heard. The City Council shall direct the City Clerk to publish the resolution at least once within 15 days of its passage in a newspaper circulated in the City and designated by the City Council. The date and time fixed for the public hearing shall be not less than 20, nor more than 60 days after the adoption of the resolution.

At the hearing, the City Council shall consider all protests and comments. Thereafter, the City Council may amend, grant or deny the franchise. Such decision shall be final and conclusive, subject to the right of referendum of the People.

ARTICLE XVIII. REVENUE RETENTION

SECTION 1800. REDUCTIONS PROHIBITED.

With regard to municipal affairs and areas not preempted by the State, any revenues raised and collected by the City shall not be subject to subtraction, retention, attachment, withdrawal or any other form of involuntary reduction by any other level of government.

SECTION 1801. MANDATES LIMITED.

No other level of government shall have the right to require any person acting on behalf of the City to perform any function unless and until the mandating authority provides sufficient funds for the performance of such function. The City Council may instruct any department, commission, board, committee, officer or employee of the City to disregard any mandate for which adequate funding has not been provided.

ARTICLE XIX. CHARTER REVIEW COMMITTEE

SECTION 1900. CHARTER REVIEW COMMITTEE.

Beginning in January 2014, and in January every 10 years thereafter, the City Council shall hold a public hearing to consider the need for a comprehensive review of the existing Charter and shall determine whether or not to appoint a Committee to consider and propose amendments to the existing Charter. Within 12 months after its creation, or such other time period as may be specified by the City Council, the Committee shall present to the City Council any proposed amendments to the Charter. The City Council shall act upon the recommendations of the Committee before the last day to place the proposed amendments on the ballot at the next regular municipal election. The City Council may, at its discretion, appoint a Charter Review Committee at any time.

ARTICLE XX. SUCCESSION AND TRANSITION

SECTION 2000. EFFECTIVE DATE OF CHARTER.

This Charter shall be effective on the later of July 1, 2006, or the date it is accepted and filed by the Secretary of State.

SECTION 2001. RIGHTS AND LIABILITIES.

The City shall continue to own, possess and control all rights and property of every kind and nature owned, possessed or controlled by it at the time this Charter takes effect and shall continue to be subject to all its debts, obligations, liabilities and contracts.

SECTION 2002. EXISTING LAWS, REGULATIONS AND POLICIES.

All lawful ordinances, resolutions, policies, rules and regulations in force at the time this Charter takes effect, and that are not in conflict or inconsistent with this Charter, are hereby continued in force until they have been duly repealed, amended, changed or superseded by proper authority.

SECTION 2003. RIGHTS OF OFFICERS AND EMPLOYEES PRESERVED.

Except as specifically provided, nothing in this Charter shall affect or impair the civil service, pension and retirement rights or privileges of officers or employees of the City, or of any City department existing at the time this Charter takes effect.

SECTION 2004. CONTINUANCE OF CITY COUNCIL AND BOARD OF EDUCATION.

The members of the City Council and of the Board of Education of the Culver City Unified School District in office at the time this Charter takes effect shall continue in office until the expiration of their respective terms and until their successors are elected and certified.

SECTION 2005. EXISTING COMMISSIONS, BOARDS AND COMMITTEES.

Commissions, boards and committees previously established by the City Council shall continue to exist and exercise the powers and perform the duties conferred upon them; provided, however, that the City Council may abolish any or all of said commissions, boards or committees and may alter their structure, membership and duties.

The members of the commissions and boards holding office when this Charter takes effect shall continue to hold office until their respective terms of office shall expire and until their successors shall be appointed, or until such time as the body is abolished by action of the City Council.

The members of Committees existing when this Charter takes effect shall continue to remain members until they are replaced or removed by the City Council or until the Committee is abolished.

SECTION 2006. EXISTING EMPLOYEES OF THE CITY.

The present employees of the City shall continue to perform their duties without interruption, subject to this Charter and all applicable provisions of any existing or future ordinance, resolution, rule or law relating to the removal, duties or control of such employees.

SECTION 2007. EXISTING CONTRACTS AND CONTRACTING PROCEDURES.

All contracts entered into by the City, or for its benefit, before the effective date of this Charter, shall continue in full force and effect according to their terms.

The procedures for awarding contracts for public works existing at the time this Charter takes effect, will continue to be followed until such time as the City Council establishes, by ordinance, different required procedures.

SECTION 2008. PENDING ACTIONS AND PROCEEDINGS.

No civil or criminal action or proceeding that has been brought by or against the City, or any City department and that is pending as of the effective date of this Charter, shall be affected or abated by the adoption of this Charter. All such actions or proceedings may be continued, even if the functions, powers or duties of any City department that is a party to such action or proceeding have been assigned or transferred under this Charter to another City department. In that event, such actions may be prosecuted or defended by the head of the City department to which such functions, powers and duties have been assigned or transferred under this Charter.

SECTION 2009. CONTINUANCE OF CITY TREASURER.

The previously elected City Treasurer shall continue to serve until April 8, 2008. Prior to such date, the elected City Treasurer shall exercise all of the duties

and functions assigned to the City Treasurer by the Charter in effect immediately prior to the adoption of this Charter, including the supervision and direction of the City's investment function. Should the office of City Treasurer become vacant prior to April 8, 2008, the City Council shall appoint a replacement to serve until April 8, 2008.

SECTION 2010. CONTINUANCE OF CITY CLERK.

The person elected to the office of City Clerk at the April 11, 2006, general municipal election shall serve until April 8, 2008. Prior to such date, the elected City Clerk shall exercise all of the duties and functions assigned to the City Clerk by the Charter in effect immediately prior to the adoption of this Charter. Should the office of City Clerk become vacant prior to April 8, 2008, the City Council shall appoint a replacement to serve until April 8, 2008.

SECTION 2011. ELIMINATION OF TRANSITION PROVISIONS.

If, in the judgment of the City Attorney, any of the sections included in this Article become obsolete by virtue of the completion of all acts required under those sections, the City Attorney shall so advise the City Council. Upon the adoption by the City Council of a resolution to such effect, the obsolete sections shall be deemed to have expired, and the City Clerk shall then remove those sections from the next printing of this Charter.

ARTICLE XXI. MISCELLANEOUS

SECTION 2100. VIOLATIONS.

A violation of any provision of this Charter shall be a misdemeanor, except that such violation may be prosecuted as an infraction at the discretion of the prosecuting authority. The City Council shall, by ordinance, establish the penalties for a violation of this Charter, but in no event shall such penalties exceed the maximum penalties permitted under State law.

Any violation of this Charter may be prosecuted in the name of the People of the State of California or may be redressed by the City through any legal or equitable remedies.

SECTION 2101. VALIDITY.

If any provision of this Charter, or the application of any Charter provision to any person or circumstance, is held invalid, the remainder of this Charter, and the application of such provision to other persons or circumstances, shall not be affected.

PART I
THE CHARTER

The Charter is established by the people of the City of Culver City as the organic law of the City under the Constitution of the State.

The Revised Charter of the City of Culver City was approved by the voters on November 6, 1979. Filed with the Secretary of State April 9, 1982, as Charter Chapter No. 9.

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ARTICLE I. NAME OF CITY

SECTION 100. NAME.

The municipal corporation now existing and known as the "City of Culver City" shall remain and continue to exist a body politic and corporate, as at present, in fact and in law.

ARTICLE II. BOUNDARIES

SECTION 200. BOUNDARIES.

The territory of the City shall be that contained in the boundaries established as of January 21, 1947, and as changed since that date in the manner provided by law.

ARTICLE III. SUCCESSION

SECTION 300. RIGHTS AND LIABILITIES.

The City of Culver City, as successor in interest of the municipal corporation of the same name, heretofore created and existing, shall own, possess, control, and in every way succeed to and become the owner of rights and of property of every kind and nature by said existing municipal corporation owned, possessed or controlled and shall be subject to all the debts, obligations, liabilities and duties of said existing corporation.

SECTION 301. ORDINANCES CONTINUED IN EFFECT.

All lawful ordinances, resolutions, rules and regulations, or portions thereof, in force at the time this Charter takes effect, and not in conflict or inconsistent herewith, are hereby continued in force until the same have been duly repealed, amended, changed or superseded by proper authority.

SECTION 302. RIGHTS OF OFFICERS AND EMPLOYEES PRESERVED.

Nothing in this Charter contained, except as specifically provided, shall affect or impair the civil service, pension, and retirement rights or privileges of officers or employees of the City, or of any office, department or agency thereof, existing at the time this Charter takes effect.

SECTION 303. CONTINUANCE OF PRESENT OFFICERS AND EMPLOYEES.

The present officers and employees shall, without interruption, continue to perform the duties of their respective offices and employments for the compensation provided by the existing ordinances, resolutions, rules or laws, until the appointment and qualification of their successors under this Charter and subject to such removal and control as is herein provided.

The members of the City Council and of the Board of Education of the Culver City Unified School District, the City Clerk and City Treasurer in office at the time this Charter takes effect shall continue in office until the expiration of their respective terms and until their successors are elected and qualified.

SECTION 304. CONTINUANCE OF CONTRACTS AND PUBLIC IMPROVEMENTS.

All Contracts entered into by the City, or for its benefit, prior to the taking effect of this Charter, shall continue in full force and effect. Public improvements for which proceedings have been instituted under laws existing at the time this Charter takes effect, in the discretion of the City Council, may be carried to completion as nearly as practicable in accordance with the provisions of such existing laws or may be contained or perfected hereunder.

SECTION 305. PENDING ACTIONS AND PROCEEDINGS.

No action or proceeding, civil or criminal, pending at the time when this Charter takes effect, brought by or against the City or any office, department or agency thereof, shall be affected or abated by the adoption of this Charter or by anything herein contained: but all such actions or proceedings may be continued notwithstanding that functions, powers and duties of any office, department or agency party thereto, by or under this Charter, may be assigned or transferred to another office, department or agency, but in that event, the same may be prosecuted or defended by the head of the office, department or agency to which such functions, powers and duties have been assigned or transferred by or under this Charter.

SECTION 306. EFFECTIVE DATE OF CHARTER.

This Charter shall be effective when accepted and filed by the Secretary of State.

ARTICLE IV. POWER OF CITY

SECTION 400. POWERS OF CITY.

The City shall have the power to make and enforce all laws and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter and in the State Constitution. The enumeration in this Charter of any particular power shall not be held to exclude other powers nor to be any limitation upon this general grant of power.

Additionally, the City shall have the power to:

1. Constitute, regulate, and govern the City police force.

2. Provide for subgovernment in all or any part of the City, and

3. Shall have plenary authority subject only to the restrictions of this Charter and Article XI of the State Constitution to provide the manner in which, the method by which, the times at which, and the terms for which the several municipal officers and employees

whose compensation is paid by the City shall be elected or appointed, and for their removal and for their compensation, and for the number of deputies, clerks and other employees that each shall have, and for the compensation, method of appointment, qualifications, tenure of office and removal of such deputies, clerks and other employees.

It shall also have the power to exercise any and all rights, powers and privileges heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise under the State Constitution.

SECTION 401. PROCEDURES.

The City shall have the power to act in accordance with any lawful procedure.

ARTICLE V. THE CITY COUNCIL, CITY CLERK AND CITY TREASURER

SECTION 500. CITY COUNCIL, CLERK AND TREASURER TERMS.

The City Council shall consist of five members elected from the city at large, at the times and in the manner in this Charter provided, and who shall serve for a term of four years.

The City Clerk and City Treasurer shall be elected from the city at large and shall serve for a term of four years.

The terms of all members of the City Council, City Clerk and City Treasurer shall commence on the first Monday following their election and each shall serve until a successor is elected and qualified. Any ties in voting shall be settled by the casting of lots.

SECTION 500.1.

The City Clerk and City Treasurer shall be elected at alternate elections.

(Amended by Electorate, 4-11-00)

SECTION 500.2. TERMS OF COUNCIL MEMBERS.

No person shall serve more than two (2) consecutive full terms as council member. If a person serves as partial term in excess of two (2) years, it shall be considered full term for the purpose of this provision. This provision shall be effective as of April 1994. All consecutive council member terms shall be counted for elections held after April 1994.

Nothing in this provision shall act as a bar to service as a council member after at least two (2) years have elapsed from the last full term as council member.

(Amended by Electorate, 4-12-94)

SECTION 501. CITY COUNCIL, CLERK AND TREASURER ELIGIBILITY.

Only a resident of the City who is a lawfully registered voter shall be eligible to hold an elective office of the City. Candidates for election to any such office must have been lawfully registered voters of the City for the 30 days immediately preceding the filing of their nomination papers.

A. Candidates for the Office of City Treasurer must meet the following minimum qualifications:

(1) No person shall be eligible for election to the Office of City Treasurer, unless that person has served in a senior financial management position in a county, city or other public agency dealing with similar financial responsibilities for a continuous period of not less than three years; OR,

(2) the person possesses at least an Associate of Arts Degree from an accredited college or university including a minimum of 16 college semester units or equivalent hours in accounting, auditing, cash management, finance, business administration, public administration, economics or a related field.

B. Upon election, the following shall apply to the City Treasurer:

(1) The City shall purchase a bond for the City Treasurer as prescribed by the Culver City Municipal Code; if the successful candidate cannot be bonded, he/she shall forfeit his/her office.

(2) Any duly-elected City Treasurer shall, beginning in the year 2000, complete a valid, continuing course of study as prescribed by this section, and shall, on June 30th of each two-year period, render to the City Council, a certification indicating that the Treasurer has, during that period, successfully completed a continuing education program, consisting of, at a minimum, 24 units of an equivalent amount of continuing education hours, within the discipline of treasury management or public finance, or both, offered by a recognized state or national association, institute or accredited college or university. The willful or negligent failure of the Treasurer to comply with this requirement shall be deemed a violation of this section and shall result in forfeiture of office.

(Amended by Electorate, 4-11-00)

SECTION 502. COMPENSATION OF ELECTED OFFICIALS.

The members of the City Council shall receive compensation for their services in accordance with the provisions of the State law as set forth in the Government Code.

The City Clerk and the City Treasurer shall receive compensation for their services in accordance with an ordinance or resolution adopted by the City Council, which compensation shall not be diminished after their election or during their terms of office except by the affirmative votes of at least four members of the City Council.

SECTION 503. CITY COUNCIL, CLERK AND TREASURER VACANCY.

A vacancy in any elective office of the City shall be filled by appointment by the City Council, such appointee to hold office until a successor is elected and qualified. If the vacancy occurs before the first day to file nomination papers for the next general municipal election and is not filled at a special election before that day, any unexpired term shall be filled at the general election.

If a vacancy is not filled by appointment within 30 days after its occurrence, the City Council shall immediately call a special election to fill the vacancy. The election shall be held not later than 120 days after the occurrence of the vacancy, provided that the election need not be called if it cannot be held at least 180 days before the next general municipal election. A person elected at a special election shall hold office for the remainder of any unexpired term and until a successor is elected and qualified.

SECTION 504. COUNCIL MEMBER FORFEITURE OF OFFICE.

The office of a member of the City Council shall be forfeited upon the happening of any of the following: The Council member is absent from all regular City Council meetings for a period of sixty days without consent of the City Council; or the Council Member is convicted of a crime involving moral turpitude; or the Council Member ceases to be a resident and lawfully registered voter of the City. Upon the happening of any of the foregoing events, the office of said Council Member shall become vacant and be so declared by the City Council.

(Amended by Electorate, 4-11-00)

SECTION 505. SELECTION OF MAYOR: DUTIES.

(a) At the first meeting following any general or special municipal election at which Councilmembers are elected and at the second meeting in April in odd numbered years, the City Council shall elect one of its members as its presiding officer, who shall have the title of Mayor and shall serve at the pleasure of the Council. The Mayor shall have a voice and a vote in all its proceedings, shall be the official head of the City for all ceremonial purposes,

and shall perform such other duties as may be prescribed by this Charter or as may be imposed by the City Council consistent with the office of Mayor.

(b) Selection of Vice Mayor. The City Council shall also elect one of its members as Vice Mayor who shall perform the duties of the Mayor during the absence or disability of the Mayor.

(c) A Councilmember who has held the office of Mayor or Vice Mayor for one year shall not be eligible for reelection to that same office until one year has elapsed.

SECTION 506. POWERS VESTED IN THE CITY COUNCIL.

All powers of the City shall be vested in the City Council, subject to the provisions of this Charter and of the Constitution of the State of California.

SECTION 507. COUNCIL MEETINGS; PLACE; TIME.

The Council Chambers of the City Hall shall be the primary place of all meetings.

The City Council by a four-fifths vote may order a regular meeting to be held not less than seven days thereafter at a place within the City other than the Council Chambers.

Upon making a finding that the public interest requires it, the City Council, by a four-fifths vote, may order a meeting adjourned to another location within the City and to a time during the same day on which the order is made.

If for any reason it shall be unsafe to meet in the Council Chambers, meetings may be held for the duration of the unsafe condition at a place within the City designated by the Mayor, or by three Councilmembers.

At the time an order is made to hold a meeting at a place other than the Council Chambers, the City Clerk shall immediately post conspicuously on or near the outside main entrance of the Council Chambers a copy of the order and shall maintain the notice so posted until the meeting is held.

REGULAR MEETINGS.

The City Council shall hold regular meetings at least twice each month, at such times as it shall fix by ordinance or resolution and may adjourn or readjourn any regular meeting to a date certain, which shall be specified in the order of adjournment and when so adjourned, each adjourned meeting shall be a regular meeting for all purposes.

SECTION 508. SPECIAL MEETINGS OF COUNCIL.

A special meeting of the Council may be called at any time by the Mayor, or by a majority of the Councilmembers, by delivering personally or by mail written notice to each Councilmember and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such notice must be delivered personally or by mail at least 24 hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted; no other business shall be considered at such meeting. Such written notice may be dispensed with as to any Councilmember who at or prior to the time the meeting convenes files with the City Clerk a written waiver of notice. Such waiver may be given by telegram. Such written notice may also be dispensed with as to any Councilmember who is actually present at the meeting at the time it convenes.

SECTION 509. COUNCIL PROCEEDINGS.

Three members of the City Council shall constitute a quorum to do business, but a less number may adjourn from time to time. The City Council shall judge the qualifications of its members as set forth by the Charter and shall judge all election returns. Each member of the City Council shall have the power to administer oaths and affirmations in any investigation or proceeding pending before the City Council.

It shall have the power and authority to compel the attendance of witnesses, to examine them under oath, and to compel the production of evidence before it. Subpoenas may be issued in the name of the City and be attested by the City Clerk. Disobedience of such subpoenas, or the refusal to testify (upon other than constitutional grounds), shall constitute a misdemeanor.

The City Council shall cause the City Clerk to keep a correct record of all its proceedings, and at the demand of any member or upon the adoption of any ordinance, resolution, or order for the payment of money, the City Clerk shall call the roll and shall cause the ayes and noes taken on any question, to be entered in the minutes of the meeting.

SECTION 510. ADOPTION OF ORDINANCES AND RESOLUTIONS.

With the sole exception of ordinances which take effect upon adoption, hereinafter referred to, no ordinance shall be adopted by the City Council on the day of its introduction, nor within five days thereafter, nor at any time other than at a regular or adjourned regular meeting. At the time of adoption of an ordinance or resolution it shall be read in full, unless, after the reading of the title thereof, the further reading thereof is waived by unanimous consent of the Councilmembers present. In the event that any ordinance is altered after its introduction, the same shall be reintroduced and not finally adopted except at a regular or adjourned regular meeting, held not less than five days after the date upon which such ordinance was so reintroduced. The correction of typographical or clerical errors shall not constitute the making of an alteration within the meaning of the foregoing sentence.

The affirmative votes of at least three members of the City Council shall be required for the introduction or enactment of any ordinance or resolution, or for the making or approving of any order for the payment of money.

Requirement for Payment of Money. Order. No order for the payment of money shall be adopted or made at any other than a regular or adjourned regular meeting.

Urgency Ordinances. Any ordinance declared by the City Council to be necessary, as an urgency measure for preserving the public peace, health or safety and containing a statement of the reasons for its urgency may be introduced and adopted at any regular, adjourned, or special meeting if passed by at least four affirmative votes.

(Amended by Electorate 4-11-00)

SECTION 511. ORDINANCES; ENACTMENTS.

In addition to such acts of the City Council as are required by statute or by this Charter to be by ordinance, every act of the City Council establishing a fine or other penalty or granting a franchise shall be by ordinance.

The enacting clause of all ordinances shall be substantially as follows: "The City Council of the City of Culver City does ordain as follows:".

SECTION 512. ORDINANCES; PUBLICATION.

The City Clerk shall cause each ordinance within 15 days after its adoption to be published at least once in a newspaper designated by the City Council.

SECTION 513. CODIFICATION OF ORDINANCES.

Any and all ordinances of the City which have been enacted and published in the manner required at the time of their adoption, and which have not been repealed, may be compiled, consolidated, revised, indexed and arranged as a comprehensive ordinance code, and such code may be adopted by reference by the passage of an ordinance for such purpose. Such code need not be published in the manner required for other ordinances, but not less than three copies thereof shall be filed, for use and examination by the public, in the office of the City Clerk, prior to the adoption thereof. Subsequent amendments to sections of the code shall be enacted in the same manner as herein required for the amendment of ordinances generally.

Detailed regulations pertaining to any subject, such as the construction of buildings, plumbing, wiring or other subjects which require extensive regulations, after having been

arranged as a comprehensive code, may likewise be adopted by reference in the manner herein above provided.

SECTION 514. ORDINANCE; WHEN EFFECTIVE.

No ordinance shall become effective until thirty days from and after the date of its adoption, except, the following, which shall take effect upon adoption:

(a) An ordinance calling or otherwise relating to an election;

(b) An improvement proceeding ordinance adopted under some law, or procedural ordinance;

(c) An ordinance declaring the amount of money necessary to be raised by taxation, or fixing the rate of taxation; or

(d) An emergency ordinance adopted in the manner herein provided.

SECTION 515. ORDINANCES; VIOLATION; PENALTY.

Violation of an ordinance of the City is a misdemeanor unless by ordinance it is made an infraction and such violation may be prosecuted in the name of the people of the State of California or may be redressed by civil action.

The City Council by ordinance may fix the penalty by fine or imprisonment, or both, for misdemeanors and by fine, only, for infractions.

SECTION 516. ORDINANCES; AMENDMENTS.

The amendment of any section or sections of an ordinance may be accomplished solely by the reenactment of such section or sections at length as amended.

SECTION 517. PUBLISHING OF LEGAL NOTICES.

The City Council shall designate one newspaper circulated within the City for the publication of all notices and other matter required to be published in a newspaper. A change to another newspaper shall not be made until a notice of the intention to change is published in the designated newspaper.

Additionally, all legal notices or other matter required to be published shall be posted in at least three public places within the city.

The charges for such publications in the designated newspaper shall not exceed the rates which the general public is charged for similar publications.

In the event the designated newspaper is unavailable then the posting in three public places shall be sufficient.

SECTION 518. CITIZEN PARTICIPATION.

No citizen shall be denied the right personally, or through counsel, to present grievances at any regular or special meeting of the Council, or offer suggestions for the betterment of municipal affairs.

ARTICLE VI. OFFICERS

SECTION 600. OFFICERS TO BE APPOINTED BY THE CITY COUNCIL.

The City Council shall appoint the Chief Administrative Officer and the City Attorney and all other department heads. The powers and duties of department heads shall be prescribed by ordinance or resolution. The City Council by ordinance may create, modify, or abolish any department.

SECTION 601. CITY CLERK, POWERS AND DUTIES.

The City Clerk shall have power and be required to:

(a) Attend or ensure the Deputy City Clerk attends all meetings of the City Council unless excused by the City Council; but in no event shall the City Clerk be absent from Council Meetings for more than sixty (60) consecutive days without the consent of the City Council without forfeiting his/her office. The sixty (60) consecutive day period shall be computed from the last Regular Council Meeting attended by the City Clerk. The City Clerk or Deputy City Clerk shall record and maintain a full and true record of all the proceedings of the City Council in books that shall bear appropriate titles and be devoted to such purposes; Such books shall have a general index sufficiently comprehensive to enable a person readily to ascertain matters contained therein;

(b) Maintain ordinance and resolution books, into which shall be recorded all City ordinances and resolutions with the certificate of the Clerk annexed to each thereof stating the same to be a correct copy giving the number of said ordinances or resolutions and, as to an ordinance requiring publication, stating that the same has been published and posted in accordance with this Charter;

(c) Be the custodian of the seal of the City;

(d) Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs and business of the City and certify copies of official records;

(e) The City Clerk shall have the power to appoint and remove such deputies as are provided for by the City Council subject to the Civil Service System of the City and the rules and regulations promulgated thereunder.

(Amended by Electorate, 4-12-94; Amended by Electorate, 4-11-00)

SECTION 602. CITY TREASURER, POWERS AND DUTIES.

The City Treasurer shall be the custodian of all public funds belonging to or under control of the City, or of any office, department or agency thereof, and shall have power and be required to:

(a) Receive and have custody of all moneys receivable by the City from any source;

(b) Deposit all moneys received in such depositories as may be designated by resolution of the City Council and in compliance with all of the provisions of the State Constitution and laws of the State governing the handling, depositing and securing of public funds;

(c) Disburse moneys on demands properly audited in the manner provided for in this Charter; and

(d) Maintain a general accounting system for the City government and each of its offices, departments and agencies;

(e) Submit to the City Council, through the Chief Administrative Officer, a monthly statement of all receipts and disbursements in sufficient detail to show the exact financial conditions of the City;

(f) Audit and approve before payment all claims and demands or charges against the City government and, with the advice of the City Attorney, when necessary, determine the regularity, legality, and correctness of such claims, demands or charges;

The City Treasurer shall have the power to appoint and remove such deputies as are provided for by the City Council subject to the Civil Service System of the City and the rules and regulations promulgated thereunder.

(Amended by Electorate, 4-12-94; Amended by Electorate, 4-11-00)

SECTION 603. CITY ATTORNEY.

To become eligible for appointment as City Attorney, the appointee shall have been admitted to practice as an attorney in all of the State courts of California. The City Attorney shall have power and be required to:

(a) Represent and advise the City Council and all City officers in all matters of law pertaining to their offices;

(b) Represent and appear for the City and any City officer or employee or former City officer or employee, in any or all actions and proceedings in which the City or any such officer or employee, in or by reason of his official capacity, is concerned or is a party, but the City Council shall have control of all legal business and proceedings and may employ other attorneys to take charge of any litigation or matter or to assist the City Attorney therein;

(c) Attend all meetings of the City Council, unless excused, and give opinions in writing and advice whenever requested to do so by the City Council, or by any of the boards or officers of the City;

(d) Approve the form of all bonds given to and all contracts made by the City, endorsing his approval thereon in writing;

(e) Prepare any and all proposed ordinances or resolutions for the City and amendments thereto; and

(f) Prosecute on behalf of the people such criminal cases for violations of this Charter, of City ordinances and State laws, as in the opinion of the City Attorney or the Chief of Police require his attention.

ARTICLE VII. BOARD OF EDUCATION

SECTION 700. NUMBER AND TERM.

The Board of Education shall consist of five (5) members, elected from the School District at large, for a term of four (4) years.

SECTION 701. BOARD OF EDUCATION: ELIGIBILITY.

Only a resident of the School District who is a lawfully registered voter shall be eligible to hold office as a member of the Board of Education. Candidates for election to such office must be lawfully registered voters of the School District for the thirty (30) days immediately preceding the filing of their nomination papers.

SECTION 702. VACANCIES.

A vacancy in the Board of Education from whatever cause arising shall be filled by appointment by the Board of Education, such appointee to hold office until his/her successor is elected and qualified.

If the vacancy occurs before the first day to file nomination papers for the next Board of Education election, a Board member shall be elected at that election as successor to any appointee, or to fill the vacancy if it has not been filled before said first day, for the remainder of any unexpired term.

If the Board of Education does not fill the vacancy within sixty (60) days after the occurrence of the vacancy, it shall call a special election to fill the vacancy, to be held not later than one hundred and twenty (120) days after the occurrence of the vacancy, provided that such special election need not be called if a regular Board of Education election will be held within one hundred and eighty (180) days from the occurrence of the vacancy.

If a vacancy is to be filled or if a successor to an appointee is to be elected at a regular Board of Education election to fill the remainder of an unexpired term, then of the members elected to the Board of Education at said regular election, that member receiving the lowest number of votes shall be deemed to have been elected to fill the vacancy or to succeed the appointee, if any, to the unexpired term. Those members receiving the highest number of votes shall be deemed to have been elected for the regular four-year term which normally commences in that election year.

If a member of the Board of Education absents himself/herself from all regular meetings of the Board for a period of sixty days, consecutively, from and after the last regular board meeting attended by such member, unless by permission of the Board expressed in its official minutes, or is convicted of a crime involving moral turpitude, or ceases to be a lawfully registered voter and resident of the School District, the members office thereupon shall become vacant and shall be so declared by the Board of Education.

SECTION 703. OFFICERS.

At the annual organizational meeting of the Board of Education, the Board shall elect a president, vice-president and clerk, and no officer of the Board shall see more than two consecutive years in the same office.

SECTION 704. SPECIAL ELECTIONS.

The Board of Education may, at its discretion, call an election for any reason sanctioned by law at any time it deems appropriate.

ARTICLE VIII. APPOINTIVE BOARDS AND COMMISSIONS

SECTION 800. IN GENERAL.

The Council shall by ordinance, establish boards and commissions enumerated in this article, and such additional boards or commissions as in its judgment are required, and may grant to any board or commission such powers and duties as are consistent with the provisions of this Charter.

SECTION 801. APPROPRIATIONS.

The City Council shall appropriate annually sufficient funds for the efficient and proper functioning of such boards and commissions.

SECTION 802. APPOINTMENT; TERM.

The members of each of such boards or commissions shall be appointed by the City Council from the qualified electors of the City, none of whom shall hold any paid office or employment in city government. They shall be subject to removal by motion of the City Council adopted by at least four alternative votes. The members thereof shall serve for a term of four years and until their respective successors are appointed and qualified.

(Amended by Electorate, 4-11-00)

SECTION 803. EXISTING BOARDS.

The members of the boards and commissions holding office when this Charter takes effect shall continue to hold office thereafter until their respective terms of office shall expire and until their successors shall be appointed and qualified.

SECTION 804. MEETINGS; CHAIRMAN.

As soon as practicable, following the first day of July of every year, each of such boards and commissions shall organize by electing one of its members to serve as presiding officer, at the pleasure of the board or commission.

The City Council shall designate a secretary for each of such boards and commissions, who shall keep a record of its proceedings and transactions, and it may provide for additional compensation therefor. Each board or commission may prescribe its own rules and regulations, which shall be consistent with this Charter and shall be subject to the

approval of the City Council. Copies of such rules shall be kept on file in the office of the City Clerk where they shall be available for public inspection.

SECTION 805. OATHS; AFFIRMATIONS.

Each member of any such board or commissions, and the secretary thereof, shall have the power to administer oaths and affirmations in any investigation or proceeding pending before such board or commission.

SECTION 806. CHARTER COMMISSIONS.

A. There shall be a Commission consisting of five members which shall have the power and responsibility, including but not limited to:

(1) After a public hearing thereon, recommend to the City Council the adoption, amendment or repeal of the General Plan, or any part thereof, for the physical development of the City;

(2) Exercise such control over land subdivisions as is granted to it by the governing body of the City and by the laws of the State of California;

(3) Make recommendations concerning proposed public works and for the clearance and rebuilding of blighted or substandard areas within the City; and

(4) Exercise such functions with respect to zoning or building as may be prescribed by ordinance.

B. There shall be a Commission consisting of five members which shall have the power and responsibility, including but not limited to:

(1) Act in an advisory capacity to the City Council on personnel administration;

(2) After a public hearing thereon, recommend to the City Council adoption of amendments or repeal of the civil service rules and regulations;

(3) Make any investigation which it may consider desirable concerning the administration of personnel in the municipal service and report its findings to the City Council;

(4) Provide a procedure for handling the appeals of any employee in the classified service who is suspended, demoted or removed from his employment. Such procedure shall provide for the employee to have the option of a hearing before the Commission, or before a special hearing officer or board composed of person(s) qualified to hear and make findings

and recommendations on such matters. No hearing officer or member of such board shall be a resident, employee or officer of the City.

C. There shall be a Commission consisting of five members which shall have power and responsibility, including but not limited to:

(1) Act in an advisory capacity to the City Council in all matters pertaining to public parks, playgrounds, recreation, music and cultural activities.

ARTICLE IX. CIVIL SERVICE

SECTION 900. MERIT PRINCIPLE.

Appointments and promotions in the administrative service of the City shall be made according to merit and fitness, to be ascertained, so far as practicable, by competitive examination.

The Civil Service System adopted by the City Council pursuant to State law and in effect prior to the effective date of this Charter, shall continue in full force and effect unless changed by ordinance of the City Council or by amendment to the rules and regulations heretofore approved by the City Council. As provided in the State enabling act referred to above, the City Council shall not have the authority to withdraw any departments, officers or employees, heretofore placed in Classified Service, from the operation of such system, either by outright repeal of the Civil Service ordinance or otherwise, unless and until the withdrawal thereof shall have been submitted to the qualified electors of the City at a regular or special municipal election held in the City and shall have been approved by not less than a two-thirds vote of the electors voting on such proposition.

SECTION 900.1. CITY ATTORNEY.

Notwithstanding other provisions of the Charter, the position of City Attorney shall be in the unclassified service.

Editor's Note:

Approved by the Voters on April 13, 1982. Filed with the Secretary of State January 31, 1983, as Charter

Chapter No. 7.

SECTION 901. APPOINTMENTS FROM CIVIL SERVICE POSITIONS.

In the event an employee of the City holding a position in the Classified Service is appointed to a position in the Unclassified Service, and should thereafter within two years be removed or resign therefrom, he shall revert to his former position in the Classified Service upon the same terms and conditions as if he had remained in said position continuously.

SECTION 902. IMPROPER POLITICAL ACTIVITY.

No officer or employee of the City shall engage in political activities during working hours.

No person shall engage in political activities within facilities used by the City for the conduct of government business.

SECTION 903. PROHIBITIONS.

No person shall willfully make any false statements, certificate, mark, rating or report in regard to any application, test certification, or appointment held or made under the Civil Service System or in any manner commit or attempt any fraud preventing the impartial execution of such Civil Service System or rules and regulations made thereunder.

ARTICLE X. RETIREMENT SYSTEM

SECTION 1000. PUBLIC EMPLOYEES' RETIREMENT SYSTEM.

Plenary authority and power are hereby vested in the City, its Council and its several officers, agents, and employees to do and perform any act or exercise any authority granted, permitted or required under the provisions of the Public Employees' Retirements Law, as it now exists or hereafter may be amended, to enable the City to continue as a contracting City under the Public Employees' Retirement System. The Council may terminate the contract with the Board of Administration of the Public Employees' Retirement System, whereby all employees are members of the System, only under authority granted by ordinance adopted by a majority vote of the legally registered voters of the City, voting on such proposition at an election at which such proposal is presented.

ARTICLE XI. GENERAL PROVISIONS RELATING TO OFFICERS AND EMPLOYEES

SECTION 1100. OFFICIAL BONDS.

The Council shall fix by ordinance the amounts and terms of the official bonds of all officers or employees who are required by ordinance or resolution to give such bonds. All bonds shall be executed by a responsible corporate surety, shall be approved as to form by the City Attorney, and shall be filed with the City Clerk. Premiums on official bonds shall be paid by the City.

SECTION 1101. OATH OF OFFICE.

All officers and employees of the City before they enter upon the duties of their respective offices shall take and subscribe to the following oath or affirmation:

"I....., do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter."

SECTION 1102. ILLEGAL CONTRACT, FINANCIAL INTEREST.

Except as provided by State law, officers and employees of the City shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members.

Officers and employees of the City shall not be purchasers at any sale or vendors at any purchase made by them in their official capacity.

The office and employment of an officer or employee shall be forfeited upon conviction of a violation of this section.

SECTION 1103. DUTIES OF OFFICERS AND EMPLOYEES.

The City Council by ordinance may assign additional functions or duties to officers, departments or agencies established by this Charter, but may not discontinue or assign to any other office, department or agency any function or duty assigned by this Charter to a particular office, department or agency.

Where the positions are not incompatible, the City Council may combine in one office the powers and duties of two or more offices, created or provided for in this Charter.

ARTICLE XII. ELECTIONS

SECTION 1200. GENERAL MUNICIPAL ELECTIONS.

General Municipal Elections for the filling of all elective offices, other than the Board of Education, shall be held in said City on the second Tuesday in April in each even numbered year. The election of members of the Board of Education shall be held in accordance with State law.

Expenses for Board of Education elections shall be paid by the School District.

SECTION 1201. SPECIAL MUNICIPAL ELECTIONS.

All other municipal elections that may be held by authority of this Charter, or of any law, shall be known as special municipal elections.

SECTION 1202. PROCEDURE FOR HOLDING ELECTIONS.

Unless otherwise provided by this Charter all elections shall be held in accordance with the provisions of the Elections Code of the State of California, as the same now exist or may hereafter be amended, for the holding of elections in general law cities insofar as the same are not in conflict with this Charter.

SECTION 1203. INITIATIVE, REFERENDUM AND RECALL.

The right of the initiative and referendum and of the recall of elective officers are reserved to the electors of the City, (unless otherwise provided by ordinance, hereafter enacted), the provisions of the Elections Code of the State of California as amended governing the initiative, referendum and the recall of municipal officers, shall apply insofar as such provisions of the Elections Code are not in conflict with this Charter.

(Amended by Electorate, 4-11-00)

ARTICLE XIII. FINANCIAL AND FISCAL MATTERS

SECTION 1300. FISCAL YEAR.

The fiscal year of the City government shall begin on the first day of July of each year and end on the thirtieth day of June of the following year.

SECTION 1301. TAX SYSTEM.

Unless otherwise provided by ordinance, the City shall continue to use, for the purpose of ad valorem municipal taxation, the County system of assessment and tax collection, as such system is now in effect or may hereafter be amended and insofar as such provisions are not in conflict with this Charter.

If the City Council fails to fix the rate and levy taxes on or before August 31, in any year, the rate for the next preceding fiscal year shall thereupon be automatically adopted and a tax at such rate shall be deemed to have been levied on all taxable property in the City for the current fiscal year.

SECTION 1302. TAX LIMITS.

Exclusive of special levies permitted by this Charter, the City Council shall not levy a property tax in excess of One ($1.00) Dollar on each One Hundred ($100.00) Dollars of the assessed value of taxable property in the City for municipal purposes, unless authorized by the affirmative votes of two-thirds of the electors voting on the proposition at any election at which the question of such additional levy for municipal purposes is submitted to the electors.

There shall be levied and collected at the time and in the same manner as other property taxes for municipal purposes are levied and collected as additional taxes, if no other provision for payment thereof is made:

(a) A tax sufficient to meet all liabilities of the City for principal and interest of all bonds or judgments due and unpaid, or to become due during the ensuing fiscal year; and

(b) A tax sufficient to meet all obligations of the City to the Public Employees' Retirement System, or other system for the retirement of City employees due and unpaid or to become due during the ensuing fiscal year.

Special levies, in addition to the above may be made annually, based on City Council approved estimates, for the following specific purposes: parks, recreation, refuse disposal, City planning, libraries, advertising and promotion. The proceeds of any such special levy shall be used for no other purpose than that specified.

SECTION 1303. BONDED DEBT LIMIT.

The bonded indebtedness of the City may not exceed the sum of fifteen (15%) percent of the total assessed valuation of all the real and personal property within the City.

SECTION 1304. CONTRACTS FOR PUBLIC WORKS.

Every public works project to be performed by an independent contractor involving an expenditure of more than Twenty-Five Thousand ($25,000.00) Dollars for the construction or improvement, excluding maintenance and repair, of public buildings, works, streets, drains, sewers, utilities, parks and playgrounds, shall be let to the lowest responsible bidder after notice by publication in the newspaper designated by the City Council pursuant to Section 517 hereof by two or more insertions, the first of which shall be at least ten days before the time for opening bids.

The City Council may reject any and all bids presented and may readvertise in its discretion.

The City Council by four affirmative votes may award such a contract without complying with bidding procedures provided a public hearing is held on the award of the contract. Notice of the public hearing shall be published as provided hereinabove and shall state the name of the proposed contractor, scope of the contract and compensation. Such contract may be let without advertising for bids and without a public hearing if such work shall be deemed by the City Council to be of urgent necessity for the preservation of life, health or property, and shall be authorized by at least four affirmative votes.

SECTION 1305. CENTRALIZED PURCHASING.

Under the control and direction of the Chief Administrative Officer there shall be established a centralized purchasing system for all City departments and agencies. The Chief Administrative Officer shall recommend and the City Council shall consider and adopt by ordinance, rules and regulations governing the contracting for purchasing, storing and distribution of all supplies, materials and equipment required by any office, department or agency of the City government.

SECTION 1306. RESERVE FUNDS.

The City Council shall maintain sufficient cash reserves for the purpose of placing the payment of operating expenses of the City on a cash basis. The reserves shall be built from any available sources which in combination with anticipated revenues shall be sufficient to meet all lawful demands against the City. Transfers may be authorized by the City Council from one fund to another fund or funds in such amounts as may be required to place those funds as nearly as possible on a cash basis. In case of such transfers, monies shall be returned to the fund from which they were transferred as they become available.

SECTION 1307. CAPITAL FUNDS.

The funds for capital improvements, generally, heretofore created, are hereby continued in existence. The City Council by ordinance may create a special fund or funds for a special capital improvement purpose. The Council may levy and collect taxes for capital

improvements and may include in the annual tax levy a levy for such purposes in which event it must apportion and appropriate to any such fund or funds the money derived from such levy. It may not, in making such levy, exceed the maximum tax rate provided for in this Charter, unless authorized by the affirmative votes of a majority of the electors voting on the proposition at any election at which such question is submitted. The Council may transfer to any such fund any unencumbered surplus funds remaining on hand in the City at any time.

Once created, such fund shall remain inviolate for the purposes for which it was created; unless the assent of the voters is expressed to the use of such fund for some other purpose by majority vote of the electors voting in favor thereof at a general or special election at which such proposition is submitted.

(Amended by Electorate, 4-11-00)

SECTION 1308. DEPARTMENTAL TRUST FUND.

The Council may prescribe by ordinance for the setting up of a Treasurer's Departmental Trust Fund into which the collections, by the various departments, may be deposited at frequent intervals during each month, with advice of each deposit being furnished to the City Treasurer. Withdrawals from such fund may be made by the City Treasurer only on order signed by the proper department head and only for purposes set forth in ordinance establishing the Fund.

SECTION 1309. WARRANTS ON TREASURY.

This Section of the Charter is repealed.

(Amended by Electorate, 4-9-96)

SECTION 1310. ACTIONS AGAINST CITY; CLAIM REQUIRED.

No suit may be brought on any claim for money or damages against the City or any Board, Commission, officer or employee thereof until a claim for the same has been presented and rejected in whole or in part in accordance with procedures adopted by the City Council for the regulations of claims, subject to the provisions of State law.

SECTION 1311. INDEPENDENT AUDIT REQUIRED.

The City Council shall employ at the beginning of each fiscal year an independent, qualified public accountant or firm of such accountants who, at such time or times as may be specified by the City Council, shall examine the books, records, inventories and reports of

all officers and employees who receive, handle or disburse public funds and all such other officers, employees, departments, or agencies as the City Council may direct. As soon as practicable after the end of the fiscal year, a final audit and report shall be submitted by such accountant or firm to the City Council, one copy thereof to be distributed to each member, one to the City Attorney and the City Treasurer, respectively, two to the Chief Administrative Officer, and three additional copies to be placed on file in the office of the City Clerk where they may be available for inspection by the general public, and a copy of the financial statements as of the close of the fiscal year shall be published in a newspaper of general circulation. Such accountant or firm shall have no personal interest, direct or indirect, in the fiscal affairs of the City Government or of any of the officers of the City.

SECTION 1312. ANNUAL BUDGET; PREPARATION.

The Chief Administrative Officer, personally, or through the Controller if one exists, shall obtain from each head of any department, office or agency of the City, estimates of revenues and expenditures for such department, office or agency, detailed in such manner as may be prescribed by the Chief Administrative Officer. The Chief Administrative Officer shall review the estimates, hold conferences thereon with the department, office and agency heads, respectively, and prepare such proposed budget as the Chief Administrative Officer deems advisable.

SECTION 1313. BUDGET; SUBMISSION TO CITY COUNCIL.

At least forty-five days prior to the beginning of each fiscal year, the Chief Administrative Officer shall submit to the City Council the proposed budget as prepared by him. After reviewing the proposed budget and making such revisions as it may deem advisable, the City Council shall determine the time for the holding of a public hearing thereon and shall cause to be published a notice thereof not less than ten days prior to said hearing, by at least one insertion in a newspaper of general circulation.

Copies of the proposed budget shall be available for public inspection in the office of the City Clerk at least ten days prior to said hearing.

SECTION 1314. BUDGET; PUBLIC HEARING.

At the time so advertised, or at any time to which said public hearing shall from time to time be adjourned, the City Council shall hold a public hearing on the proposed budget, at which interested persons desiring to be heard shall be given such opportunity.

SECTION 1315. BUDGET; FURTHER CONSIDERATION AND ADOPTION.

At the conclusion of the public hearing the City Council shall further consider the proposed budget and make any revisions thereof that it may deem advisable and on or before June 30, it shall adopt the budget with revisions, if any, by the affirmative votes of at least three members. Upon final adoption, the budget shall be in effect for the ensuing fiscal year. A copy thereof, certified by the City Clerk, shall be filed with the Chief Administrative Officer, and with the Controller if one exists, and a further copy shall be placed, and shall remain on file, in the office of the City Clerk where it shall be available for public inspection. Copies of the adopted budget shall be made available for the use of departments, offices and agencies of the City.

SECTION 1316. BUDGET; APPROPRIATIONS.

From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several departments, offices and agencies for the respective objects and purposes therein named. All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered.

Amendment to Budget. At any meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by the affirmative votes of at least four members.

ARTICLE XIV. FRANCHISES

SECTION 1400. GRANTING OF FRANCHISES.

The City Council by ordinance may grant a franchise to furnish the City and its inhabitants with any public utility or service and to use the public streets therefor.

Before granting any franchise, the City Council shall pass a resolution declaring its intention to grant the same, stating the name of the proposed grantee, the character of the franchise and the terms and conditions upon which it is proposed to be granted. Such resolution shall set forth the time and place when and where any person having any objection to the franchise may appear before the City Council and be heard thereon. Council shall direct the Clerk to publish said resolution at least once within fifteen days of the passage thereof. The time fixed for such hearing shall be not less than twenty nor more than sixty days after the passage of said resolution.

At the hearing, the City Council shall proceed to hear and pass upon all protest and its decision thereon shall be final and conclusive. Thereafter, it may grant, or deny, the franchise, subject to the right of referendum of the people.

SECTION 1401. EXERCISING RIGHTS WITHOUT FRANCHISE.

The exercise by any person, firm or corporation of any privilege for which a franchise is required without procuring such franchise shall be a misdemeanor and each day that such condition continues to exist shall constitute a separate violation.

ARTICLE XV. MISCELLANEOUS

SECTION 1500. DEFINITIONS.

Unless the provisions or the context otherwise requires, as used in this Charter:

(a) "Shall" is mandatory, and "may" is permissive;

(b) "City" is the City of Culver City and "department", "board", "commission", "agency", "officer", or "employee", is a department, board, commission, agency, officer or employee, as the case may be, of the City of Culver City.

SECTION 1501. VIOLATIONS.

The violation of any provision of this Charter shall be deemed a misdemeanor and be punishable upon conviction by a fine of not exceeding Five Hundred ($500.00) Dollars or by imprisonment for a term of not exceeding six months or by both such fine and imprisonment.

SECTION 1502. VALIDITY.

If any provisions of the Charter or the application thereof to any person or circumstance is held invalid, the remainder of the Charter, and the application of such provision to other persons or circumstances, shall not be affected thereby.

ATTACHMENT 2 – APRIL 2006 ELECTION SCHEDULE

General Law and Charter Cities
General Municipal Election
April 11, 2006

Laws in effect in 2005

(Calendar laws updated 10/11/2004)

Tentative until after the 2005 Legislative session ends

Date(s)			E minus	Action
October 21			E-172	Suggested Last Day to File Petitions Regarding Measure
December 5			E-127	Suggested Last Day for Council to Adopt Resolutions
December 5	to	December 19	E-127 to 113	Election Official to Publish Notice of Election - Candidates & Measures
December 12			E-120	Last Day to Adopt Regulations for Candidates Statements
December 19	to	January 13	E-113 to 88	Filing Period for Nomination Papers and Candidate's Statements
				(January 16 if closed on January 13, and January 17 if closed on January 16 / MLK Jr. Day)
December 20			E-112	Suggested Last Day to Call Election For Ballot Measures
December 21			E-111	Suggested Last Day to Post Notice of Deadline for Filing Arguments
January 3			E-98	Suggested Last Day to File Arguments/Must Be 14 days after Council calls Election
January 13			E-88	Suggested Last Day to File Rebuttal Arguments / 10 Days after Arguments
January 13			E-88	Last Day to Call Election For Ballot Measures
January 13	or	January 16	E-88	Last Day to File Nomination Papers
				(January 16 if closed on January 13, and January 17 if closed on January 16 / MLK Jr. Day)
January 18			E-83	Last Day to File Nomination Papers – Extension
January 18			E-83	Last Day to Withdraw Measure(s) from Ballot
January 19			E-82	Secretary of State to Determine Order of Names on Ballot
January 26			E-75	Time to Cancel Election – Insufficient Candidates
January 31				Last Day to File Campaign Expenditure Statements - Semi-Annual Statement
February 9			E-61	Last Day to Submit Precinct Consolidations to County
February 9			E-61	Suggested Last Day to Designate Polling Places
February 10			E-60	Suggested Last Day To Request Postage Check for Mailing of Sample Ballot Pamphlets
February 13	to	March 28	E-57 to 14	Filing Period for Write–in Candidate
March 2			E-40	Last Day to File Campaign Expenditure Statements - 1st Pre-election Statement
March 13			E-29	Last Day to Appoint Election Officers & Polling Places
March 13			E-29	First Day to Mail out Permanent Absent Voter Ballots
March 13	to	April 4	E-29 to 7	Voters May Request Absentee/ Vote by Mail Ballots Regular Applications
March 21			E-21	Last Day to Mail Sample Ballots and Polling Place Notices
March 27			E-15	Last Day to Register to Vote
March 28			E-14	Last Day to File for Write–in Candidate
March 30			E-12	Last Day to File Campaign Expenditure Statements - 2nd Pre-election Statement
March 31			E-11	Suggested Last Day to Post Notice – Absentee Canvass
April 1			E-10	Publish Notice of Central Counting Place
April 1				Last Day to Submit Report on Measures to Secretary of State
April 4			E-7	Last Day for Election Official to Publish Notice of Nominees
April 4			E-7	Last Day to Publish Notice of Election Officers & Polling Places
April 4			E-7	First Day to Process Returned/Voted Absent Voter Ballots
April 5	to	April 11	E-6 to E	Emergency/Late Absent Voting Period
April 10			E-1	Last Day for Council to Adopt Procedures to Resolve Tie Vote
April 11			E	**ELECTION DAY**
April 11			E	Last Day to Receive Absent Voter Ballots
April 11			E	Election Official to Canvass Absent Voter Ballots
No Later Than		May 5	E+24	Election Official to Canvass the Returns and to Declare the Results
April 17	to	May 5	*(At same meeting as Declaration of Results and Installation)*	Reorganize Council and Choose Mayor and Mayor Pro Tem
May 17	to	June 4	*(30 days after Assuming Office)*	Last Day to File Statement of Economic Interests
July 31				Last Day to File Campaign Expenditure Statements - Semi-Annual Statement

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(R12/27/2004)
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