



City of Culver City

City Hall
9770 Culver Blvd.
Culver City, CA 90232
(310) 253-5851

Staff Report

File #: 15-670, Version: 1

CC - (1) Adoption of Resolutions (A) Calling and Giving Notice of the Holding of a Special Municipal Election to be Consolidated with the Statewide General Election to be Held on Tuesday, November 8, 2016 for the Purpose of Submitting to the Voters Four (4) Measures Relating to Proposed Charter Amendments; and (B) Requesting the Board of Supervisors of the County of Los Angeles Render Specified Services Related to the Conduct of said Election; (2) Discussion and (If Desired) Adoption of a Resolution Authorizing the City Council and/or Certain Council Members to Submit Ballot Arguments Regarding the Measures; and (3) Potential Creation and Appointment of Members to an Ad-Hoc Subcommittee to Draft and/or Submit Such Ballot Argument(s).

Contact Person/Dept: Martin R. Cole, Assistant City Manager/City Clerk
Phone Number: 310-253-5851

Fiscal Impact: Yes ☒ No ☐

General Fund: Yes ☒ No ☐

Public Hearing: ☐

Action Item: ☒

Attachments: Yes ☒ No ☐

Commission Action Required: Yes ☐ No ☐ Date:

Commission Name:

Public Notification: (E-Mail) Meetings and Agendas - City Council (03/11/16)

Department Approval: Martin R. Cole, Assistant City Manager/City Clerk
(03/10/16)

RECOMMENDATION:

Staff recommends the City Council:

1. Adopt a resolution calling and giving notice of the holding of a Special Municipal Election to be consolidated with the Statewide General Election to be held on Tuesday, November 8, 2016 for purposes of submitting to the voters four (4) measures which are proposed Charter Amendments which would, if adopted by the voters:
 - a. change the appointing authority and the reporting responsibilities of the Fire Chief and Police Chief from the City Council to the City Manager
 - b. provide for the ineligibility of a person who has resigned from the City Council to run for the Office of City Council Member for a period of four years from the date of such resignation

- c. change term limits for City Council Members from the current two full terms to three full terms with such change becoming effective for City Council Members assuming office after November 8, 2016; and,
 - d. authorize the City Council to determine the dates of Regular Meetings of the City Council.
- 2. Adopt a resolution requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a Special Municipal Election; and,
 - 3. Discuss and, if desired, adopt a resolution authorizing the City Council and/or certain Council Members to submit primary arguments regarding the ballot measures.

BACKGROUND:

At its Regular Meeting held on January 13, 2014, the City Council considered a need for a comprehensive review of the City Charter as required by Section 1900 of said Charter. After providing for an opportunity for public input and discussing the subject, the City Council provided consensus to have an item return at a future City Council meeting for the City Council's consideration of the formation and appointment of members to a City Council Ad Hoc Subcommittee to consider any necessary amendments to the City Charter.

At its Regular Meeting held on May 12, 2014, the City Council created the Ad Hoc Charter Review Subcommittee (Subcommittee) and appointed Mayor O'Leary and Vice Mayor Weissman to said Subcommittee. At its Regular Meeting held on February 8, 2016, the City Council received the recommendations of the Subcommittee and, after providing for an opportunity for public input and discussing the subject, the City Council directed the City Manager to bring back to the City Council for its consideration the necessary resolutions for the calling of an election on November 8, 2016 for the submission of such proposed Charter Amendments to the voters.

DISCUSSION

To effectuate the placement of the proposed Charter Amendments on the ballot of the November 8, 2016 election, the City Council is requested to:

- (1) Adopt resolutions (a) calling and giving notice of the holding of a Special Municipal Election to be consolidated with the Statewide General Election to be held on Tuesday, November 8, 2016 for the purpose of submitting to the voters four (4) measures relating to proposed Charter Amendments; and (b) requesting the Board of Supervisors of the County of Los Angeles render specified services related to the conduct of said Election; and,

- (2) Discuss and, if desired, adopt a resolution authorizing the City Council and/or certain Council Members to submit Ballot Argument(s) regarding the measures; and,
- (3) Discuss and, if desired, create and appoint Council Members to an Ad-Hoc Subcommittee to draft and/or submit such Ballot Argument(s).

Calling of the Special Election

Should the City Council wish to proceed with the Special Municipal Election, staff recommends the City Council adopt the proposed resolution calling and giving notice of the holding of a Special Municipal Election to be consolidated with the Statewide General Election on November 8, 2016.

Requesting the County to Conduct the Election

In accordance with Section 10002 of the Elections Code of the State of California, the governing body of any city or district may, by resolution, request the Board of Supervisors of the county to permit the County Elections Official to render specified services to the city or district relating to the conduct of an election. Pursuant to the Elections Code, since one of the proposed Charter Amendments alters a procedural or substantive protection, right, benefit, or employment status of any local government employee or retiree or of any local government employee organization, such proposal shall be submitted to the voters at the next established statewide general election pursuant to Section 1200 of the California Elections Code occurring not less than 88 days after the date of the order of election. The next established statewide general election occurring not less than 88 days after the date of the order of election shall be held on Tuesday, November 8, 2016. Staff recommends the proposed Special Municipal Election be consolidated with the Statewide General Election and recommends the City Council adopt the proposed resolution which requests the Board of Supervisors render specified services to the City relating to the conduct of said election.

Authorizing the City Council and/or Certain Council Members to Submit Arguments

The City Council, authorized members of the City Council, citizen associations and private citizens may submit arguments for or against the proposed Measure. Only one ballot argument for and one ballot argument against each measure and rebuttals to each may be printed in the sample ballot. The Elections Code gives preference to the arguments submitted by the City Council, as a body, or by Council Members authorized to submit arguments by the City Council.

Should the City Council decide to submit an argument as a body, it is automatically placed in the sample ballot. If the City Council decides to have some of its members submit an argument, those members need to be designated by the City Council in order for their argument(s) to receive priority.

The City Council should decide whether it will submit initial and rebuttal arguments for or against the measure as a body or designate individual Council Members to submit those arguments. If individual members are to be designated, then the City Council should make those designations at this meeting. Please note, that if more than two City Council Members will be working together to write, or

intend to give comments on the same argument, then, pursuant to the Brown Act, the discussions and comments among those Council Members can only occur during a duly noticed public meeting of the City Council.

Based on the calendar in the Los Angeles County Measure Information Booklet for the November 8, 2016 election, primary arguments are due to the City Clerk's Office **no later than the close of business (5:30 PM) on August 19, 2016** and shall not exceed 300 words in length. Should the City Council determine that this City Council wishes to review and approve the primary argument, staff recommends such review and approval be agendaized for the March 28, 2016 City Council Meeting.

Rebuttal arguments are due 10 days after the primary arguments are due and shall not exceed 250 words. The deadline for submission of rebuttal arguments to the City Clerk's Office would be **no later than close of business (5:30 PM) on August 29, 2016**. Should a rebuttal argument be needed and deemed desired by the City Council, and the City Council should determine that it wishes to review and approve the rebuttal argument, then such review and approval would need to be conducted by the City Council holding office on August 19, 2016. Should the City Council determine to call the Special Municipal Election and rebuttal arguments are appropriate, then staff will present information to the City Council around the August 19, 2016 deadline for submission of primary arguments.

FISCAL ANALYSIS:

The estimated cost to consolidate the election with Los Angeles County is \$100,000. Should the City Council adopt the proposed resolution calling the election, then the City Clerk would include this estimate in the City Manager's Proposed Budget for Fiscal Year 2016/2017.

ATTACHMENTS:

1. Proposed Resolution Calling and Giving Notice of the Holding of a Special Municipal Election to be Held on Tuesday, November 8, 2016 Submitting Four (4) Questions Relating to proposed Charter Amendments.
2. Proposed Resolution Requesting the Board of Supervisors of the County of Los Angeles to Render Specified Services to the City of Culver City Relating to the Conduct of a Special Municipal Election to be consolidated with the Statewide General Election to be Held in the City on Tuesday, November 8, 2016.
3. Proposed Resolution Authorizing the City Council and/or Certain Council Members to Submit Arguments Regarding the Four (4) Questions Related to proposed Charter Amendments on the Ballot for the November 8, 2016 Election.

RECOMMENDED MOTION(S):

That the City Council:

- 1) Adopt the proposed resolution Calling and Giving Notice of the Holding of a Special Municipal Election to be Consolidated with the Statewide General Election to be held on Tuesday, November 8, 2016; Submitting Four (4) Questions Relating to Proposed Charter Amendments to the Voters with Exhibit A, the text of the proposed Charter Amendments; and,
- 2) Adopt the proposed resolution requesting the Board of Supervisors of the County of Los Angeles to Render Specified Services to the City of Culver City Relating to the Conduct of a Special Municipal Election to be Held in the City on Tuesday, November 8, 2016; and,
- 3) Adopt a Resolution Authorizing the City Council and/or Certain Council Members to Submit Arguments Regarding the Four (4) proposed Charter Amendments;

OR

- 4) (If the City Council determines to Designate Certain Members to submit such arguments) Designate the following Council Members to submit ballot arguments regarding four (4) proposed Charter Amendments:
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OR

- 5) Discuss the formation of an Ad Hoc Subcommittee and appoint members thereto for the drafting of the primary argument and, if the subcommittee is created, require the subcommittee to complete its work in time to present the City Council with a draft primary argument on March 28, 2016.

1 RESOLUTION No. 2016- R 018

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 CULVER CITY, CALIFORNIA, CALLING AND GIVING NOTICE OF
5 THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE
6 HELD IN THE CITY ON TUESDAY, NOVEMBER 8, 2016, FOR
7 THE SUBMISSION OF FOUR (4) QUESTIONS TO THE VOTERS
8 RELATING TO PROPOSED AMENDMENTS TO THE CHARTER
9 OF THE CITY OF CULVER CITY.

10 WHEREAS, at its duly noticed Regular Meeting held on January 13,
11 2014, the City Council considered the need for a comprehensive review of the City
12 Charter as required by Section 1900 of said Charter; and,

13 WHEREAS, after full consideration of the matter, including comments
14 received from the public, the City Council directed the City Manager to place an item
15 on a future City Council meeting agenda to discuss the formation of and appointment
16 of members to a City Council Ad Hoc Subcommittee to consider any necessary
17 amendments to the City Charter; and,

18 WHEREAS, at its duly noticed Regular Meeting held on May 12, 2014,
19 the City Council created the Ad Hoc Charter Review Subcommittee (Subcommittee)
20 and appointed Mayor O'Leary and Vice Mayor Weissman thereto; and,

21 WHEREAS, at its duly noticed Regular Meeting held on February 8,
22 2016, the City Council received the Subcommittee's recommendations for proposed
23 Charter Amendments and, after full consideration of the matter, including comments
24 received from the public, the City Council directed the City Manager to bring back to
25 the City Council for its consideration the necessary resolutions for the calling of an
26 election on November 8, 2016 for the submission of such proposed Charter
27 Amendments to the voters; and,

28 WHEREAS, in compliance with the Elections Code, since one of the
proposed Charter Amendments alters a procedural or substantive protection, right,
benefit, or employment status of any local government employee or retiree or of any

2016-R018

1 local government employee organization, such proposal shall be submitted to the
2 voters at the next established statewide general election pursuant to Section 1200 of
3 the California Elections Code occurring not less than 88 days after the date of the order
4 of election; and,

5 WHEREAS, the next established statewide general election occurring not
6 less than 88 days after the date of the order of election shall be held on Tuesday,
7 November 8, 2016; and,

8 WHEREAS, Section 1501 of the City Charter of the City of Culver City
9 provides that the City Council may, at its discretion, call an election for any reason
10 sanctioned by law at any time it deems necessary and that such election shall be
11 known as a Special Municipal Election; and,

12 WHEREAS, the City Council has determined to submit to the voters at
13 such Special Municipal Election four (4) questions relating to proposed Charter
14 Amendments.

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16 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER
17 CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS
18 FOLLOWS:

19 SECTION 1. Pursuant to the requirements of the Charter of the
20 City of Culver City related to Special Municipal Elections, there is called and
21 ordered to be held in the City of Culver City, California, on Tuesday, November 8,
22 2016, a Special Municipal Election.

23 SECTION 2. That the City Council, pursuant to its right and
24 authority, does order submitted to the voters at said Special Municipal Election
25 the following four (4) questions related to proposed Charter Amendments:

1 **Measure _____:**

2 Shall Section 607 and Section 700 of the Charter of the City YES _____
3 of Culver City be amended to change the appointing authority
4 and the reporting responsibilities of the Fire Chief and Police
5 Chief from the City Council to the City Manager?

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8 NO _____

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11 **Measure _____:**

12 Shall Section 602 of the Charter of the City of Culver City be YES _____
13 amended to provide for the ineligibility of a person who has
14 resigned from the City Council to run for the Office of City
15 Council Member for a period of four years from the date of
16 such resignation?

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18 NO _____

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20 **Measure _____:**

21 Shall Section 601 of the Charter of the City of Culver City be YES _____
22 amended to change term limits for City Council Members
23 from the current two full terms to three full terms, with such
24 change becoming effective for City Council Members
25 assuming office after November 8, 2016?

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27 NO _____
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Measure _____:

Shall Section 608 of the Charter of the City of Culver City be YES _____
amended to authorize the City Council to determine the dates
of Regular Meetings of the City Council?

NO _____

SECTION 3. That the proposed complete text of the four (4) measures submitted to the voters, amending specific provisions of the Charter of the City of Culver City, is attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 4. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 5. That the City Clerk is, directly or through consolidation with the County of Los Angeles (as such consolidation may be authorized by the City Council), authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 6. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Elections Code § 10242, except as provided in § 14401 of the Elections Code of the State of California.

1 SECTION 7. That in all particulars not recited in this resolution, the
2 election shall be held and conducted as provided by law for holding special
3 municipal elections.


4 SECTION 8. That notice of the time and place of holding the election is
5 hereby given and the City Clerk is authorized, instructed and directed to give
6 further or additional notice of the election, in time, form and manner as required
7 by law.

8 SECTION 9. That the City Clerk shall certify to the passage and adoption
9 of this Resolution and enter it into the book of original Resolutions.

10 SECTION 10. That pursuant to the City Charter, the City Clerk is
11 empowered to administer said election and all reasonable and actual election
12 expenses shall be paid by the City upon presentation of a properly submitted bill.

13 SECTION 11. That the City Clerk is directed to forward copies of all
14 measures to be voted on at the Special Election to the City Attorney for the
15 preparation of impartial analyses in compliance with applicable law.

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17 PASSED, APPROVED and ADOPTED ON this 14th day of March, 2016.

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20 MICHEAL O'LEARY, MAYOR
21 City of Culver City, California

22 ATTEST

23 
24 MARTIN R. COLE, City Clerk

25 *Jeremy Green, Deputy City Clerk*

26 APPROVED AS TO FORM

27 
28 CAROL A. SCHWAB, City Attorney

A16-00201

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R___; 2016-R___; and 2016-R___

Measure _____:

Shall Section 607 and Section 700 of the Charter of the City of Culver City be amended to change the appointing authority and the reporting responsibilities of the Fire Chief and Police Chief from the City Council to the City Manager, as follows (deletions indicated by strikethrough text; additions indicated by underlined text):

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.

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R____; 2016-R____; and 2016-R____

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, the Fire Chief, and Police Chief, 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.

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R____; 2016-R____; and 2016-R____

Measure _____:

Shall Section 602 of the Charter of the City of Culver City be amended to provide for the ineligibility of a person who has resigned from the City Council to run for the Office of City Council Member for a period of four years from the date of such resignation, as follows (additions indicated by underlined text):

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.

Residents who have resigned from an elective City office shall not be eligible to hold an elective City office nor be eligible for candidacy for election until four years have elapsed from the date of resignation.

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R____; 2016-R____; and 2016-R____

Measure _____:

Shall Section 601 of the Charter of the City of Culver City be amended to change term limits for City Council Members from the current two full terms to three full terms, with such change becoming effective for City Council Members assuming office after November 8, 2016, as follows (deletions indicated by ~~striketthrough~~ text; additions indicated by underlined text):

SECTION 601. TERM LIMITS.

No person shall serve more than ~~two-three~~ 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.

Council Members holding office on or before November 8, 2016 shall not 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.

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R___; 2016-R___; and 2016-R___

Measure _____:

Shall Section 608 of the Charter of the City of Culver City be amended to authorize the City Council to determine the dates of Regular Meetings of the City Council, as follows (deletions indicated by ~~strikethrough~~ text):

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.

1 RESOLUTION No. 2016- R 019

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 CULVER CITY, CALIFORNIA, REQUESTING THE BOARD OF
5 SUPERVISORS OF THE COUNTY OF LOS ANGELES TO
6 CONSOLIDATE A SPECIAL MUNICIPAL ELECTION TO BE HELD
7 ON TUESDAY, NOVEMBER 8, 2016, WITH THE STATEWIDE
8 GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT
9 TO §10403 OF THE ELECTIONS CODE.

10 WHEREAS, the City Council of the City of Culver City called a Special
11 Municipal Election to be held on November 8, 2016 for the purpose of submitting to the
12 voters four (4) questions relating to proposed Charter Amendments; and,

13 WHEREAS, pursuant to the Elections Code, one of the proposed Charter
14 Amendments must be submitted to the voters at a statewide general election; and,

15 WHEREAS, it is also desirable that the Special Municipal Election be
16 held on the same date as the statewide general election and that within the City the
17 precincts, polling places and election officers of the two elections be the same, and that
18 the election department of the County of Los Angeles canvass the returns of the
19 Special Municipal Election and that the election be held in all respects as if there were
20 only one election.

21 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER
22 CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS
23 FOLLOWS:

24 SECTION 1. That pursuant to the requirements of §10403 of the
25 Elections Code, the Board of Supervisors of the County of Los Angeles is hereby
26 requested to consent and agree to the consolidation of a Special Municipal
27 Election with the statewide general election on Tuesday, November 8, 2016.

28 SECTION 2. That the four (4) measures to appear on the ballot as
contained in Exhibit "A" hereof and summarized as follows:

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Measure _____:

Shall Section 607 and Section 700 of the Charter of the City of Culver City be amended to change the appointing authority and the reporting responsibilities of the Fire Chief and Police Chief from the City Council to the City Manager? YES _____

NO _____

Measure _____:

Shall Section 602 of the Charter of the City of Culver City be amended to provide for the ineligibility of a person who has resigned from the City Council to run for the Office of City Council Member for a period of four years from the date of such resignation? YES _____

NO _____

Measure _____:

Shall Section 601 of the Charter of the City of Culver City be amended to change term limits for City Council Members from the current two full terms to three full terms with such change becoming effective for City Council Members assuming office after November 8, 2016? YES _____

NO _____

1 **Measure _____:**

2 Shall Section 608 of the Charter of the City of Culver City be YES _____
3 amended to authorize the City Council to determine the dates
4 of Regular Meetings of the City Council?

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8 NO _____

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10 SECTION 3. That the County election department is authorized to
11 canvass the returns of the Special Municipal Election. The election shall be held
12 in all respects as if there were only one election, and only one form of ballot shall
13 be used.

14 SECTION 4. That the Board of Supervisors is requested to issue
15 instructions to the County election department to take any and all steps
16 necessary for the holding of the consolidated election.

17 SECTION 5. That the City of Culver City recognizes that additional
18 costs will be incurred by the County by reason of this consolidation and agrees to
19 reimburse the County for any costs upon presentation of a duly submitted and
20 accurate bill.

21 SECTION 6. That the City Clerk is authorized to file a certified
22 copy of this resolution with the Board of Supervisors and the county election
23 department of the County of Los Angeles.

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1 SECTION 7. That the City Clerk shall certify to the passage and
2 adoption of this resolution and enter it into the book of original resolutions
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4 PASSED, APPROVED and ADOPTED ON this 14th day of March, 2016.
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8 MICHEAL O'LEARY, MAYOR
 City of Culver City, California
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11 ATTEST

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13 MARTIN R. COLE, City Clerk

14 Jeremy Green, Deputy City Clerk

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 APPROVED AS TO FORM


 CAROL A. SCHWAB, City Attorney

For

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R___; 2016-R___; and 2016-R___

Measure _____:

Shall Section 607 and Section 700 of the Charter of the City of Culver City be amended to change the appointing authority and the reporting responsibilities of the Fire Chief and Police Chief from the City Council to the City Manager, as follows (deletions indicated by strikethrough text; additions indicated by underlined text):

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.

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R___; 2016-R___; and 2016-R___

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, the Fire Chief, and Police Chief, 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.

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R____; 2016-R____; and 2016-R____

Measure _____:

Shall Section 602 of the Charter of the City of Culver City be amended to provide for the ineligibility of a person who has resigned from the City Council to run for the Office of City Council Member for a period of four years from the date of such resignation, as follows (additions indicated by underlined text):

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.

Residents who have resigned from an elective City office shall not be eligible to hold an elective City office nor be eligible for candidacy for election until four years have elapsed from the date of resignation.

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R____; 2016-R____; and 2016-R____

Measure _____:

Shall Section 601 of the Charter of the City of Culver City be amended to change term limits for City Council Members from the current two full terms to three full terms, with such change becoming effective for City Council Members assuming office after November 8, 2016, as follows (deletions indicated by ~~striketrough~~ text; additions indicated by underlined text):

SECTION 601. TERM LIMITS.

No person shall serve more than ~~two~~three 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.

Council Members holding office on or before November 8, 2016 shall not 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.

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R___; 2016-R___; and 2016-R___

Measure _____:

Shall Section 608 of the Charter of the City of Culver City be amended to authorize the City Council to determine the dates of Regular Meetings of the City Council, as follows (deletions indicated by ~~strikethrough~~ text):

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.

RESOLUTION No. 2016- R _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, AUTHORIZING THE CITY COUNCIL OR CERTAIN COUNCIL MEMBERS TO SUBMIT ARGUMENTS REGARDING FOUR (4) MEASURES RELATING TO PROPOSED CHARTER AMENDMENTS ON THE BALLOT FOR THE NOVEMBER 8, 2016 SPECIAL MUNICIPAL ELECTION.

WHEREAS, a Special Municipal Election (the "Election") is to be held in the City of Culver City on November 8, 2016, at which time there will be submitted to the voters the following four (4) questions (the "Measures"):

Measure _____:

Shall Section 607 and Section 700 of the Charter of the City of Culver City be amended to change the appointing authority and the reporting responsibilities of the Fire Chief and Police Chief from the City Council to the City Manager?

YES _____
NO _____

Measure _____:

Shall Section 602 of the Charter of the City of Culver City be amended to provide for the ineligibility of a person who has resigned from the City Council to run for the Office of City Council Member for a period of four years from the date of such resignation?

YES _____
NO _____

Shall Section 601 of the Charter of the City of Culver City be amended to change term limits for City Council Members from the current two full terms to three full terms with such change becoming effective for City Council Members assuming office after November 8, 2016?

Measure _____:

Shall Section 608 of the Charter of the City of Culver City be amended to authorize the City Council to determine the dates of Regular Meetings of the City Council? YES _____

NO _____

NOW, THEREFORE, the City Council of the City of Culver City,
California, DOES HEREBY RESOLVE, as follows:

1. The City Council hereby authorizes Council Member(s) _____ to prepare and file (a) written argument(s) regarding the Measures as specified above, and as set forth in their entirety in Exhibit "A" attached hereto.

2. In accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California, changes to the arguments may be made until and including the date fixed by the Elections Official after which no

1 arguments for or against the Measures may be submitted to the Elections
2 Official.

3 3. The arguments shall be filed with the Elections Official,
4 signed, with the printed name(s) and signature(s) of the author(s) submitting the
5 written arguments. The arguments shall be accompanied by the Form of
6 Statement to Be Filed by Author(s) of Argument.

7
8 APPROVED and ADOPTED this 14th day of March, 2016.

9
10 MICHEAL O'LEARY, MAYOR
11 City of Culver City, California

12
13 ATTEST

14 APPROVED AS TO FORM

15 MARTIN R. COLE, City Clerk

16 
CAROL A. SCHWAB, City Attorney

17 A16-00203

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R____; 2016-R____; and 2016-R____

Measure _____:

Shall Section 607 and Section 700 of the Charter of the City of Culver City be amended to change the appointing authority and the reporting responsibilities of the Fire Chief and Police Chief from the City Council to the City Manager, as follows (deletions indicated by ~~striketthrough~~ text; additions indicated by underlined text):

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.

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R____; 2016-R____; and 2016-R____

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, the Fire Chief, and Police Chief, 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.

EXHIBIT "A"

TO RESOLUTION NOS. 2016-R____; 2016-R____; and 2016-R____

Measure _____:

Shall Section 602 of the Charter of the City of Culver City be amended to provide for the ineligibility of a person who has resigned from the City Council to run for the Office of City Council Member for a period of four years from the date of such resignation, as follows (additions indicated by underlined text):

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.

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