



City of Culver City

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Staff Report Details (With Text)

File #: 19-63 **Version:** 1 **Name:**
Type: Resolution **Status:** Action Item
File created: 7/12/2018 **In control:** City Council Meeting Agenda
On agenda: 7/23/2018 **Final action:**
Title: CC - Adoption of a Resolution Approving the Arguments in Favor of Questions Relating to One (1) Tax Measure and One (1) Proposed Charter Amendment to be Considered by the Voters at the Special Municipal Election of November 6, 2018.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ATT-RESO_Arguments in favor.pdf

Date	Ver.	Action By	Action	Result
7/23/2018	1	City Council Meeting Agenda		

CC - Adoption of a Resolution Approving the Arguments in Favor of Questions Relating to One (1) Tax Measure and One (1) Proposed Charter Amendment to be Considered by the Voters at the Special Municipal Election of November 6, 2018.

Meeting Date: July 23, 2018

Contact Person/Dept: Jeremy Green, City Clerk

Phone Number: (310) 253-5851

Fiscal Impact: Yes ☐ No ☐

General Fund: Yes ☐ No ☐

Public Hearing: ☐ **Action Item:** ☒ **Attachments:** ☒

Commission Action Required: Yes ☐ No ☒ **Date:**

Public Notification: (E-Mail) Meetings and Agendas - City Council (07/18/18);

Department Approval: Serena Wright, Administrative Services Director (07/17/18)

RECOMMENDATION

Staff recommends the City Council Adopt a Resolution Approving the Arguments in Favor of Questions Relating to One (1) Tax Measure and One (1) Proposed Charter Amendment to be considered by the voters at the Special Municipal Election of November 6, 2018.

BACKGROUND/DISCUSSION

At the City Council meeting of July 9, 2018, the City Council considered (and unanimously approved) a proposal to place before the voters two ballot measures which, if approved by a majority of the voters, would 1) establish a Transactions and Use Tax in the City of one-quarter of one percent (0.25%); and 2) amend the City Charter to change the City's municipal election date, effective in 2020, to comply with the California Voter Participation Rights Act (CVPRA).

At the same meeting, the City Council created and appointed two Council Members (Council Members Fisch and Lee) to the Ad-Hoc Subcommittee on Drafting the Argument in Favor/Rebuttal to Argument Against the Two Measures (Questions). The Subcommittee has prepared an Argument in Favor of each of the Measures for the City Council's consideration and approval.

The City Council is requested to discuss, make desired changes if any, and approve the argument in favor of the Questions.

Consideration of the Ad-Hoc Subcommittee's Argument in Favor of the Measure

Pursuant to the Elections Code, 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.

On July 9, 2018, the City Council adopted Resolution 2018-R062, which designated all five Council Members as authorized to sign the argument. Pursuant to the Elections Code, up to five signatures may appear with the argument(s) as printed in the sample ballot. A rebuttal argument would only be needed in the case a primary argument against the measure is filed. Section 9285 of the Elections Code states that "the author or a majority of the authors of an argument relating to a city measure may prepare and submit a rebuttal argument or may authorize in writing another person or persons to prepare, submit, or sign the rebuttal argument." On July 9, 2018, City Council determined that if a rebuttal argument is necessary, then the Ad-Hoc Subcommittee would be retained and exercise its existing authority to draft and submit to the City Clerk a rebuttal argument.

Section 9286(a) of the Elections Code provides, in pertinent part:

"...the city **elections** official shall fix a date 14 days from the calling of the election as a deadline, after which no arguments for or against any city **measure** may be submitted..."

Section 9285(a)(4) provides, in pertinent part:

"...A rebuttal argument relating to a city **measure** shall be filed with the **elections** official no later than 10 days after the final filing date for primary arguments..."

Pursuant to Resolution 2018-R069 adopted by the City Council on July 9, 2018 and the Elections Code, the City Clerk has fixed August 16, 2018 at 5:30 PM as the deadline for submission of

arguments for or against the measure (Primary Arguments) to meet the Los Angeles County deadline of August 17, 2018. Primary Arguments shall not exceed 300 words in length. Rebuttal arguments are due 10 days after the primary arguments are due and shall not exceed 250 words. The deadline for rebuttal arguments would be August 27, 2018 at 5:30 PM and only be applicable if an argument against the measure is timely filed. All arguments must be submitted to the City Clerk's Office no later than the date and time announced in order to be considered. Late filings are not accepted.

FISCAL ANALYSIS

Approval of this item does not create a fiscal impact to the City.

ATTACHMENTS

1. Proposed Resolution

MOTION

That the City Council:

Adopt a Resolution Approving the Arguments in Favor of Questions Relating to One (1) Tax Measure and One (1) Proposed Charter Amendment to be considered by the voters at the Special Municipal Election of November 6, 2018.