



City of Culver City

Mike Balkman Council
Chambers
9770 Culver Blvd.
Culver City, CA 90232

Staff Report

File #: 18-0469, **Version:** 1

Item #: A-2.

CC - (1) Approval of Proposed Charter Amendment Language and Ballot Measure Language for Inclusion on the April 10, 2018 General Municipal Election; and (2) Direction to the City Clerk, as Deemed Appropriate.

Meeting Date: November 6, 2017

Contact Person/Dept: Jeremy Green, City Clerk; Lisa Vidra, Sr. Deputy City Attorney

Phone Number: (310) 253-5859; (310) 253-5660

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 (11/01/17);

Department Approval: Serena Wright, Administrative Services Director (11/01/17);
Carol Schwab, City Attorney (11/01/17)

RECOMMENDATION

Staff recommends the City Council (1) approve the proposed charter amendment and ballot measure language for inclusion on the April 10, 2018 General Municipal Election ballot; and (2) provide direction to the City Clerk, as deemed appropriate.

BACKGROUND

The City's election date is set forth in the City's Charter, Section 1500, which provides as follows:

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

At the October 9, 2017 City Council meeting, the City Council considered the California Voter Participation Rights Act (CVPRA) requirement that, if certain low voter turnout parameters are met, then a City must consolidate the date of its general municipal election with the date of either the statewide primary or statewide general election (both held in even numbered years). Under the CVPRA, as interpreted by the California Attorney General, Culver City must consolidate its general municipal election date by 2022 at the latest. *(Note: Other than the City of Whittier, which was mentioned during the October 9th meeting, staff has not found another California charter city that is challenging the Attorney General's opinion.)*

Since the City general municipal election date is set out in the City Charter, and the Charter by law may only be changed by a vote of the people, the matter must be put to the voters of Culver City. After discussion at the October 9th meeting, the City Council voted to place a measure on the ballot of the April 10, 2018 general municipal election regarding changing the City's municipal election date from April to November, beginning in 2022. At that time, City Council also directed Council Members Clarke and Sahli-Wells to meet with staff and prepare proposed ballot measure language and Charter amendment language for City Council consideration.

DISCUSSION

Pursuant to Council's direction, staff met with Council Members Clarke and Sahli-Wells on October 25th to discuss proposed ballot measure language (as discussed further below). During the meeting, a discussion also occurred about whether voters, themselves, should be given the choice of the specific year that the consolidation goes into effect. This option would be different than what the City Council directed at the October 9th meeting, which was to consolidate in the year 2022. Pursuing that option would require that two different questions be proposed to the voters: (1) whether to consolidate in 2020; or (2) whether to consolidate in 2022. Council Members Clarke and Sahli-Wells discussed the pros and cons of the procedural complexities of giving voters the choice to decide if the change in election date should be effective in 2020 or 2022. One of the concerns expressed was the potential unintentional result that neither measure receives a majority vote. If the City Council would like to consider giving the voters the option of choosing the specific year of consolidation (2020 or 2022), it would require further direction.

To comply with the CVPRA and City Council's October 9th direction, Council Members Clarke and Sahli-Wells, and staff, provide the following proposed ballot measure for City Council consideration:

Proposed Question to the Voters to be placed on the April 10, 2018 ballot:

CHARTER AMENDMENT: NEW GENERAL MUNICIPAL ELECTION DATE TO ALIGN WITH DATE OF STATEWIDE GENERAL ELECTIONS, BEGINNING IN 2022

Shall Section 1500 of the Culver City Charter be amended to change the date of the City's general municipal election for City Council Members, effective in 2022, from April of even-numbered years to the date of the statewide general election, currently held in November of even-numbered years, in accordance with the California Voters Participation Rights Act?

Yes or No?

Proposed Amended Charter Language:

SECTION 1500. GENERAL MUNICIPAL ELECTIONS.

Until 2022, general municipal elections for City Council Members shall be held in the City on the second Tuesday in April in each even-numbered year.

Effective 2022, general municipal elections for City Council Members shall be held in the City on the date of the statewide general election.

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.

FISCAL ANALYSIS

None.

ATTACHMENTS

None.

MOTION

That the City Council:

1. Approve the proposed language to be used for the charter amendment and ballot measure for inclusion on the April 10, 2018 General Municipal Election ballot; and/or
2. Provide other direction to Staff, as deemed appropriate.