City of Culver City

Staff Report

File #: 21-140, **Version:** 1   **Item #:** A-3.

CC - Adoption of a Resolution Approving the Primary Argument Against One Initiative Measure to be Considered by the City's Electorate at the General Municipal Election of November 3, 2020, Requiring Voter Approval of Any Ordinance Establishing Rent Control or Prohibition on Residential Rent Increases,.

Meeting Date: August 10, 2020

Contact Person/Dept: Jeremy Green, City Clerk

Phone Number: (310) 253-5851

Fiscal Impact: Yes []   No []   **General Fund:** Yes []   No []

Public Hearing: []   **Action Item:** [X]   **Attachments:** [X]

Commission Action Required: Yes []   No [X]   **Date:**

Public Notification: (E-Mail) Meetings and Agendas - City Council (08/05/2020)

Department Approval: Serena Wright, Assistant City Manager (08/05/2020)

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RECOMMENDATION

Staff recommends the City Council Adopt a resolution approving the primary argument against one initiative measure to be considered by the City's electorate at the General Municipal Election of November 3, 2020, requiring voter approval of any ordinance establishing rent control or prohibition on residential rent increases, including any such ordinance adopted after January 1, 2019.

BACKGROUND/DISCUSSION

At the City Council meeting of June 22, 2020, the City Council considered and adopted a resolution to place on the ballot one initiative measure to amend Culver City Municipal Code Chapter 15.09, to require voter approval of any ordinance establishing interim or permanent rent control or prohibition on residential rent increases, including any such ordinance adopted after January 1, 2019 ("Measure").

At the same meeting, the City Council created and appointed two Council Members (Vice Mayor

Fisch and Council Member Sahli-Wells) to an Ad-Hoc Subcommittee to draft the primary argument against the Measure. The City Council also directed the Subcommittee to complete its work in time to present the primary ballot argument to the City Council for review and approval at the August 10, 2020 City Council meeting. The argument against the Measure is attached to the Proposed Resolution (Attachment 1).

The City Council is requested to discuss, make desired changes if any, and approve the primary argument against the Measure.

Consideration of the Ad-Hoc Subcommittee's Argument Against 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 by the City Council to submit arguments.

On June 22, 2020, the City Council adopted Resolution 2020-R065, which designated all five Council Members as authorized to sign the argument against the Measure. 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 be needed in the case a primary argument *in favor* of the Measure is filed. Elections Code Section 9285 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 June 22, 2020, 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.

The last day to submit primary arguments "FOR" or "AGAINST" any City measure to the Los Angeles County is August 14, 2020. Because City Hall is closed on August 14, the deadline to provide the arguments with wet signatures of all authors is August 13, 2020 before 5:30 p.m. (Elections Code §§ 9282 and 9286.) Primary Arguments shall not exceed 300 words in length.

Rebuttal arguments, pursuant to Elections Code Section 9285(a)(4), are due 10 days after the primary arguments are due and shall not exceed 250 words. The deadline for rebuttal arguments is August 24, 2020 at 5:30 PM and will only be applicable if an argument in favor of and/or 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. 2020-08-10__ATT - Proposed Resolution to Approve the Primary Argument Against One Initiative Measure

MOTION

That the City Council:

1. Adopt a Resolution Approving the Primary Argument against one initiative measure to be considered by the City's electorate at the General Municipal Election of November 3, 2020, requiring voter approval of any ordinance establishing rent control or prohibition on residential rent increases.