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City Attorney

TO: Jeremy Green, Deputy City Clerk/City Elections Official for the City of Culver City

Pursuant to California Elections Code and as directed by the City Council of the City of Culver City, I am providing you with an Impartial Analysis of the Proposed Measure ____ regarding amendments to Sections 607 and 700 of the Charter of the City of Culver City, to change the appointing authority and the reporting responsibilities of the Fire Chief and Police Chief from the City Council to the City Manager. The City Council placed this Measure on the ballot of the November 8, 2016, Special Municipal Election.

**CITY ATTORNEY'S IMPARTIAL ANALYSIS OF
MEASURE**

The Culver City City Council has placed Measure ____ on the ballot, which would amend Culver City Charter Sections 607 and 700 to change the appointing authority and reporting responsibilities of the Fire Chief and Police Chief from the City Council to the City Manager.

Existing law, as set forth in Charter Section 607 "Powers of the City Council," gives the City Council the power to appoint, suspend and remove the City Manager, Fire Chief, Police Chief and City Attorney, by a vote of at least three City Council Members. The proposed Measure ____, if adopted by the voters, would amend Section 607 to delete the Fire Chief and Police Chief from the listed positions that are appointed, suspended or removed by the City Council. The City Council would still appoint the City Manager and City Attorney.

Existing law, as set forth in Charter Section 700 "Powers and Duties of City Manager," gives the City Manager the power to appoint, suspend and remove all City employees, including all Department Heads, the City Clerk and the City Treasurer, except the City Attorney, Fire Chief and Police Chief, as those positions are currently appointed by the City Council under Section 607. Section 700 further provides the City Manager with the authority to direct and supervise the administration of all City departments, except as otherwise provided by the Charter. Since Charter Section 607 gives the City Council authority over the Fire Chief and the Police Chief, the City Manager does not currently have the same authority regarding administration of the Fire and Police Departments.

Culver City Employees take pride in effectively providing the highest levels of service to enrich the quality of life for the community by building on our tradition of more than seventy-five years of public service, by our present commitment, and by our dedication to meet the challenges of the future.

The proposed Measure _____, if adopted by the voters, would amend Section 700 to add the Fire Chief and Police Chief to the listed positions that are appointed, suspended or removed by the City Manager. In addition, the administration of the Fire and Police Departments would be directed and supervised by the City Manager.

To be adopted, State law requires that this Measure be approved by a simple majority of the voters. A "Yes" vote on Measure ____ would mean, after the effective date of this Charter amendment: (1) any individual currently holding the position of Fire Chief and Police Chief would immediately act under the direction and supervision of the City Manager; (2) any individual currently holding the position of Fire Chief and Police Chief could be suspended or removed by the City Manager; and (3) any individual assuming the position of Fire Chief or Police Chief would be appointed by the City Manager. A "No" vote would mean the Fire Chief and Police Chief will continue to be appointed, suspended or removed by and report to the City Council.

Dated: August 12, 2016



Carol A. Schwab
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City of Culver City