

IMPARTIAL ANALYSIS OF MEASURE ____

Measure ____ proposes adoption of a charter for the City of Rancho Palos Verdes.

Cities in California fall into two categories--general law cities and charter cities. Rancho Palos Verdes is currently a general law city.

As a general law city, Rancho Palos Verdes is controlled by the laws adopted by the State Legislature. If the residents adopt the charter, Rancho Palos Verdes would become a charter city and would be able to adopt ordinances on matters of local concern without regard to state law.

Areas of local concern include public bidding and contracting requirements, some zoning matters, establishment of election dates and procedures and establishing the procedures for adopting city ordinances.

The City's current council term limit ordinance, which was approved previously by the City's voters, would not be affected by adoption of the charter.

Conflict of interest, environmental, and open meeting laws are examples of matters of statewide concern that would still apply to the City after adoption of a charter. The California Constitution and the United States Constitution apply both to general law cities and to charter cities.

The charter includes the following provisions and limitations:

- The current city council/city manager form of government shall remain in place.
- The monthly salary paid by the City to council members and City reimbursement of council members' expenditures shall continue to be limited by the state laws that are applicable to general law cities.
- The charter states that no additional compensation shall be paid to council members for attendance at other meetings of City or City-affiliated commissions, committees, subcommittees, and boards of directors, including the Rancho Palos Verdes Redevelopment Agency and the Rancho Palos Verdes Improvement Authority.
- The charter states that the compensation provided to City staff shall continue to be approved in a transparent manner at duly noticed city council meetings.
- The charter does not permit the City to make gifts of public funds.
- The charter states that the City's General Plan is the paramount land use document and expressly requires that the City's Zoning Ordinance must remain consistent with the General Plan.

Adoption of the charter would have no immediate effect on the City's finances or on the laws and ordinances of the City. In most cases, the city council would need to adopt ordinances in order to vary from state laws. These ordinances would be subject to referendum and could be repealed by the City's voters. Because Rancho Palos Verdes residents cannot repeal state laws, adoption of the charter, in many cases, would have the indirect effect of giving residents greater control over matters of local concern than they have at present.

Future amendments of the charter would require voter approval. Thus, the City's voters would have ultimate control over the content of the charter.

A “yes” vote will be in favor of adopting the charter. A “no” vote will be opposed to adopting the charter.

Carol W. Lynch
City Attorney, City of Rancho Palos Verdes