



Legislation Text

File #: 22-0355, **Version:** 1

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Quinn Barrow, City Attorney
Alexandria Latragna, Policy and Management Analyst

SUBJECT:

Consideration of Adopting an Urgency Ordinance and Introducing an Ordinance to Amend the Existing Prohibition on the Use of City Resources for Political Activity in and on City Facilities (City Attorney Barrow).

A) ADOPT URGENCY ORDINANCE NO. 22-0007-U

B) ADOPT ORDINANCE NO. 22-0007

RECOMMENDATION:

Staff recommends that the City Council adopt Urgency Ordinance No. 22-0007-U and Ordinance No. 22-0007.

FISCAL IMPLICATIONS:

There are no fiscal implications associated with the recommended action.

BACKGROUND/DISCUSSION:

On August 2, 2022, the City Council directed staff to return with an urgency ordinance and an ordinance revising MBMC Section 4.120.055 which prohibits the use of resources for political activities.

The Ordinance would not be effective through the regular process - first and second reading, effective 30 days after second reading until after campaigning is likely to have begun for City candidates. As a result, staff recommends the adoption of an urgency ordinance with identical operative provisions to the non-urgency ordinance. Accordingly, the ordinances will be referred to as "the ordinance" herein. If adopted tonight, the urgency ordinance would be effective today, and in place before campaign commences for local candidates.

The proposed ordinances addresses the use of City resources by anyone for political activity and restricting political activity in and on City facilities. The following amendments are included in the draft ordinance tonight:

- Adding a definition of "political activity".
- Clarifying an exception for situations where City officials are conveying the position of the City

Council as adopted at an open public meeting in response to a request for information.

- Streamlining provisions prohibiting the use of City resources (including facilities) for political activity.
- Adding Marine Avenue Rocketship Hall and Manhattan Heights Community Center to the list of City facilities where reservations will not be accepted within the 90-day period prior to any election in which a resident of Manhattan Beach can vote.
- Removing section 4.120.055(D), as it is no longer applicable.

Please note that the existing ordinance and the proposed ordinance prohibit election related activity, such as candidate forums, in the listed City facilities in the proposed ordinance.

Staff recommends that the City Council adopt Urgency Ordinance No. 22-0007-U and Ordinance No. 22-0007.

PUBLIC OUTREACH:

After analysis, staff determined that public outreach was not required for this issue.

LEGAL REVIEW:

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

ATTACHMENTS:

1. Urgency Ordinance No. 22-0007-U
2. Ordinance No. 22-0007