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**Title:** CONSIDER INTRODUCTION AND FIRST READING OF ORDINANCE NO. 19-1928 REPEALING ORDINANCE NO. 18-1801, AND CONSIDER AMENDING THE CITY OF CARSON'S COUNCIL POLICY AND PROCEDURES TO REPEAL AND REPLACE 1.1.02 (FORMALLY SMP 1.56) RELATED TO CITY COUNCIL COMMUNICATIONS (CITY COUNCIL)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance No. 19 - 1928 to repeal Ordinance No. 18-801 re Council Communications, 2. SMP 1.56 (2013)

Date	Ver.	Action By	Action	Result
3/19/2019	1	City Council		
3/19/2019	1	City Council		

**Report to Mayor and City Council**

Thursday, March 19, 2015

Consent

**SUBJECT:**

**CONSIDER INTRODUCTION AND FIRST READING OF ORDINANCE NO. 19-1928 REPEALING ORDINANCE NO. 18-1801, AND CONSIDER AMENDING THE CITY OF CARSON'S COUNCIL POLICY AND PROCEDURES TO REPEAL AND REPLACE 1.1.02 (FORMALLY SMP 1.56) RELATED TO CITY COUNCIL COMMUNICATIONS (CITY COUNCIL)**

**I. SUMMARY**

This item is on the agenda at the request of Councilmember Lula Davis-Holmes and was discussed by the full Council on February 5, which gave direction to return with these changes.

Currently, printed materials prepared or distributed using City staff or resources are governed by the mass mailing prohibition of the Political Reform Act (Government Code Sections 89001 through 89003), Carson Municipal Code Section 2419, and Council Policy and Procedures 1.1.02 (formally Standard Management Procedure ("SMP") 1.56). Councilmember Lula Davis-Holmes requests that the City Council consider:

- (1) Repealing Ordinance No. 18-1801, which added Section 2419 to the Carson Municipal Code and repealed SMP 1.56; **and**
- (2) Repealing and replacing Council Policy and Procedure 1.1.02 (formerly SMP 1.56).

## II. RECOMMENDATION

1. ADOPT the attached Ordinance No. 19-1928 repealing Ordinance No. 18-1801.
2. REPEAL Council Policy and Procedure 1.1.02, with such repeal being automatically effective as of the effective date of Ordinance No. 19-1928.
3. ADOPT the former Standard Management Policy/Procedure 1.56 (effective May 1, 2012) as the new Council Policy and Procedure 1.1.02, which shall be automatically effective as of the effective date of Ordinance No. 19-1928.

## III. ALTERNATIVES

1. Take NO ACTION on this agenda item;
2. DIRECT the Office of the City Attorney to revise Ordinance No. 19-1928 and/or Council Policy and Procedure 1.1.02 and return the same to a future Council meeting for further consideration;
3. Take such action as the Council deems appropriate consistent with the requirements of law.

## IV. BACKGROUND

The Political Reform Act (Government Code Section 81000 *et seq.*) includes a mass mailing prohibition. In brief, Government Code Section 89001 prohibits newsletters or mass mailings at the public's expense. Section 89002 describes what is considered a prohibited mass mailing.

The City of Carson added Section 1.56 to its Standard Management Practices (SMP) to *complement* the Political Reform Act's mass mailing prohibitions and establish a policy regarding the use of City staff and resources for the preparation and dissemination of flyers, handouts, invitations, and other printed communications, regardless of whether the materials were mailed, distributed door-to-door, or left in public places to be picked up.

On January 23, 2018, the City Council introduced for first reading Ordinance No. 18-1801 repealing SMP 1.56 and adding Carson Municipal Code Section 2419 prohibiting the sending of any mail or advertising on billboards at the City's expense by the Mayor or a Councilmember. Along with the Council's consideration and discussion of Ordinance No.

18-1801, the Council considered revisions to SMP 1.56, which was previously amended in May 2012. The Council approved the introduction and first reading of Ordinance No. 18-1801, and provided further direction to staff on SMP 1.56.

During the following months, the City was in the process of dividing its SMPs into two sets of Policies and Procedures: 1) City Council Policies and Procedures; and 2) Administrative Policies and Procedures. As a result, SMP 1.56 was moved to City Council Policy and Procedure 1.1.02.

On March 6, 2018, the City Council adopted Ordinance No. 18-1801, which amended the Carson Municipal Code to add Section 2419 regarding prohibited mass mailings by Councilmembers and to repeal SMP 1.56 (which was by then located at City Council Policies and Procedures 1.1.02). On April 17, 2018, the City Council approved amendments to Policy and Procedure 1.1.02 for consistency with Ordinance No. 18-1801 and Council's additional direction. Among other provisions providing guidance on materials prepared or distributed using City staff or resources, the amended Policy and Procedure 1.1.02 established templates for communications and also established standards for billboard communications.

Councilmember Lula Davis-Holmes requests that the Council consider the following:

1. Adopting Ordinance No. 19-1928 to repeal Ordinance No. 18-1801 approved on March 6, 2018;
2. Repealing City Council Policy and Procedure 1.1.02 that was approved on April 17, 2018 for consistency with Ordinance 18-1801; and
3. Adopting the provisions of SMP 1.56 effective May 1, 2012 as the new City Council Policy and Procedure 1.1.02.

## **V. FISCAL IMPACT**

Potential Savings in an amount which cannot be ascertained at the time of writing this staff report.

## **VI. EXHIBITS**

1. Ordinance No. 19-1928, repealing Ordinance No. 18-1801. (pp. 4-5)
2. Standard Management Policy Number 1.56, effective Aug. 7, 2013. (pp.6-8)

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