November 2, 2004 General Election

Total Yes Votes: 4,983 51.1%
Total No Votes: 4,774 48.9%

CITY OF TULARE
(required to pass: majority of votes cast)
Measure W

Shall the City Charter be amended changing position titles; clarifying Council can attend joint meetings hosted by other public entities; revising some requirements for ordinances; allowing printing of ordinance summaries after introduction; naming Finance Director as Purchasing Agent; separating City Engineer and Director of Public Works; changing Public Works Director's authority; allowing Council to designate the business week and hours; and removing the term limit on park concession leases?

IMPARTIAL ANALYSIS BY CITY ATTORNEY
MEASURE W

This analysis of the City of Tulare Measure W, proposing amendments to the Charter of the City, is prepared and submitted to the voters as required by Section 9280 of the Elections Code.

If approved by the voters, Measure W will amend Sections 14, 15, 17, 20, 23, 34, 45, 46, 49, 52, 52b, 52e, 53b, 55, 55a, 68, 69 and 71 of the Charter of the City of Tulare. The amendments make non-substantive revisions not materially altering the home rule powers of the City.

The proposed amendment to Section 14 clarifies the City Council's authority, consistent with applicable state law, to have closed sessions and also to conduct joint meetings with other public agency governing bodies, under appropriate legal circumstances, outside the City limits.

The proposed amendment to Section 15 makes technical changes to the methods by which the City Council may take action and allows for the printing of a summary of an ordinance for publication and posting.

The proposed amendment to Section 20 removes the requirement that the City Manager act as Purchasing Agent for the City.

The proposed amendment to Section 23 assigns the duties of the Purchasing Agent to the Finance Director rather than the City Manager.

The proposed amendment to Section 34 would provide that the Finance Director is the designated staff person who shall receive accountings for all moneys received and collected by the City, rather than the City Clerk.

The proposed amendment to Section 45 allows for the separation of the positions of City Engineer and Director of Public Works and removes the responsibility for public buildings from Public Works.

The proposed amendment to Section 49 eliminates the limitation on the length of time for leases of City park facilities and concessions. It further changes the position title for the head of the Department of Parks and Recreation.

The proposed amendment to Section 71 gives the City Council the authority and flexibility to designate the business week and hours of operation of City offices.

The proposed amendments to Sections 17, 20, 45, 46, 52, 52b, 52e, 53b, 55, 55a, 68 and 69 make changes to the titles of various City heads of departments to be consistent with the current organizational structure and assignment of duties and responsibilities of the administrative staff of the City.

s/ S.L. KABOT
City Attorney
City of Tulare

THE ABOVE STATEMENT IS AN IMPARTIAL ANALYSIS OF MEASURE W. IF YOU DESIRE A COPY OF THE MEASURE, PLEASE CALL THE CITY CLERK'S OFFICE AT (559)684-4206 AND A COPY WILL BE MAILED AT NO COST TO YOU

ARGUMENT IN FAVOR OF MEASURE W

The City of Tulare is fortunate to have a City Charter, approved in 1923. It gives the city more "home rule" discretion and authority than general law cities, which must rely exclusively on state law.

Like any organization's rules, periodic updates are required to keep the Charter current. The City Charter has been reviewed for needed updates by all of the city's advisory committees. The City Council then approved these amendments for the ballot.

All of the amendments are considered technical updates. They update employee titles, allow meetings and hours for city offices to be set the same as in other cities, change some duties and titles of appointed officials to improve work flow, and permit more cost effective publication of notices of pending Council items.

The Charter is intended to promote cost effective and responsive local government. By approving these changes, voters will assure that it does. **Vote YES on Measure W**

Tulare City Council
David Macedo, Mayor
Brenda Hastings, Vice Mayor
William Cooke, Council Member
Richard Ortega, Council Member

NO ARGUMENT AGAINST THIS MEASURE WAS SUBMITTED.