



CITY OF OXNARD

MEMORANDUM

April 6, 1973

To: Councilman Tolmach

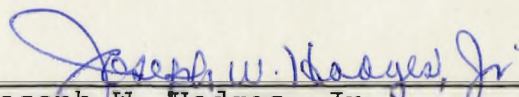
From: City Attorney

SUBJECT: Formation of Charter City

Sections 8 and 8 1/2 of Article 11 of the California Constitution used to set forth the provisions for adoption of charters. These sections have been amended extensively and now are contained in Sections 3 and 5 of Article 11 and in Section 8 of Article 22. In addition Sections 34450 of the Government Code have been adopted to establish the procedure for adopting a charter.

There are two procedures for proposing the charter.

1. The City Council by majority vote may call an election to choose charter commissioners, or a petition signed by 15% of the registered electors may request the election. Two questions are submitted to the voters: (a) Shall a charter commission be elected to propose a new charter? (b) Who shall be the commissioners? If the vote on the first question is favorable by a majority, the 15 persons receiving the highest number of votes are the commissioners. Commissioners are nominated in the same manner as are officers for municipal office or by petition. A majority of commissioners propose a charter and file it with the Clerk. The charter is published once within 15 days of filing. Copies are printed and mailed to each elector. The Commission fixes a date for election not less than 60 days from publication of the charter, or at the next general election following expiration of 60 days.
2. The City Council may propose a charter. It is advertised in the same manner as one proposed by a charter commission. The election can be at a special or general election but must be not less than 40 nor more than 60 days after completion of advertising in the paper.


Joseph W. Hodges, Jr.

JWH:def