



LOCAL BALLOT MEASURE L

L
City of Nevada City

BALLOT QUESTION

Shall the offices of City Clerk and City Treasurer be appointive?

IMPARTIAL ANALYSIS

MEASURE L – CITY OF NEVADA CITY

State law requires all general law cities, like the City of Nevada City, to have a clerk and treasurer. The positions may be appointed or elected. In the City of Nevada City, the offices of City Clerk and City Treasurer are elected by the City voters to a four year term. The term of the current City Clerk ends in March 2024. The term of the current City Treasurer ends in March 2022. Pursuant to state law, there are three qualifications for the positions of elected clerk and elected treasurer: 1) the individual must be a resident of the City, 2) the individual must be registered to vote in the City, and 3) the individual must be at least 18 years old. As an elected position, there are no minimum educational requirements or professional qualifications.

The City Clerk keeps records of the City Council meetings, ordinances, and resolutions, manages city elections, causes collection, publication and updating of the City's municipal code, and maintains custody of and preserves city records. The City Treasurer is the custodian of and responsible for all moneys, bonds, and securities of the city, and keeps the accounting of receipts and disbursements pertaining to all funds and other property in his or her custody. In Nevada City, the elected City Clerk and City Treasurer do not actually perform these services; the duties of City Clerk and City Treasurer are currently performed by administrative staff.

The City of Nevada City has placed a Measure on the ballot asking voters to decide whether these positions should be appointive. This Measure asks the following question:

MEASURE L

Shall the offices of City Clerk and City Treasurer be appointive?

If a majority of voters vote yes on the above Measure, then the offices of City Clerk and City Treasurer will become appointive offices and such offices will no longer be elected by the City voters. As appointive offices, the City Council would appoint a person to such offices at the expiration of the term of the officer now in office, which is March 2024 for the City Clerk and March 2022 for the City Treasurer, or upon a vacancy in either office. As appointive offices, the City Council may, by ordinance, vest in the City Manager its authority to appoint such officers. Otherwise, the appointed individuals will hold office at the pleasure of the City Council. As appointed officers, the City Clerk and City Treasurer would not be required to be City residents or electors but may be required to satisfy minimum educational or professional qualifications.

If this Measure is approved, the City could save on expenses associated with these positions, including, election costs every four years and the salaries of \$100 per month paid to the City Clerk and City Treasurer. If a majority of voters do not approve the above Measure, the offices of City Clerk and City Treasurer will continue to be elected.

The above statement is an impartial analysis of Measure L. If you desire a copy of the measure, please call the city of Nevada City at (530) 265-2496 and a copy will be mailed at no cost to you.

Argument in Favor of Measure L

Arguments in support or opposition of the proposed laws are the opinions of the authors.

Nevada City currently has an elected City Clerk and City Treasurer. Over the past 55 years, most California cities have moved from elected City Clerks and Treasurers to appointed staff. More than 75% of California cities have an appointed City Clerk and more than 65% have an appointed City Treasurer.

Today, municipal government and regulations have become more complex. Independent audits and internal controls provide necessary oversight and accountability for the City's administration and finances.

City Clerk responsibilities require professional skills and expertise in Election and Fair Political Practice Laws, the Brown Act and Records Retention Management. The City Treasurer function requires professional skills and expertise in municipal fund accounting, government report requirements, investment regulations and debt management.

The essential and important tasks of the Clerk and Treasurer are often time-sensitive and require daily attention. The City does not have a Clerk and Treasurer that are present in City Hall on a daily basis. Hence, staff that have been deputized to perform duties have already absorbed the primary functions of the Clerk and Treasurer. These functions are intermeshed with other City day- to-day operational duties that fall within the prevue of the Finance and Administration Department accountable to the City Manager. This has proven to be the most effective and efficient structure.

The public expects and deserves that the duties of the Clerk and Treasurer will be performed with professionalism and efficiency. This can best be accomplished by selecting persons to serve based on technical skill, education and relevant experience.

A yes vote guarantees that minimum qualifications are established, ensuring that qualified professionals with the required expertise are selected as City Clerk and Treasurer with daily accountability to the City Manager for performing these functions.

Measure K Signers

Erin Minett, Nevada City Mayor
 Duane Strawser, Nevada City Vice-Mayor and Business Owner
 Valerie Moberg, Former Nevada City Council Member and Business Owner
 Niel Locke, Nevada City, City Clerk

Argument Against Measure L

(No argument was submitted)