

## **CHANGING THE CITY CLERK FROM ELECTED TO APPOINTED**

Shall the office of the City Clerk be an appointed position?

### **IMPARTIAL ANALYSIS BY CITY ATTORNEY MEASURE I**

State law requires each California city to have a City Clerk. City Clerks may be either elected or appointed. This measure places before the voters the question whether the City Clerk should be an appointed rather than an elected position.

In the City of Oakdale, the City Clerk is currently an elected position and serves a four-year term. State law establishes the qualifications that the person elected to this position must be a registered voter and resident of the City. There are no requirements that candidates for City Clerk have any specific education, certification, or experience.

City Clerks perform limited duties as specified by state law, but are often called on to perform numerous related administrative duties. Some, but not all, of the City Clerk's duties include preparing, indexing, and maintaining accurate minutes of City Council meetings and all City documents and records; printing, assembling, and distributing Council agenda materials; administering municipal elections; receiving and maintaining candidate campaign forms and City officials' statements of economic interest; revising the City's conflict of interest code; preparing, mailing, and publishing all official City notices in a timely manner; and maintaining the Municipal Code.

State law authorizes the City Council to place on the ballot the question whether the position of City Clerk should be made appointive. If a majority of the voters approve making the position of City Clerk appointed, the City Council will have the authority to appoint a person to be City Clerk upon the expiration of the current term of office, or earlier if there is a vacancy. The City Council could establish qualifications such as education, certification and experience, and could appoint the person determined to be best qualified, regardless of that person's place of voter registration or residence. This measure would not change the duties of the City Clerk as established pursuant to state law.

A simple majority of YES votes would approve the measure, making the City Clerk an appointed office.

A majority of NO votes would reject the measure, in which case the City Clerk will continue to be an elected office.

Dated this 20th day of May, 2019

/s/ Tom P. Hallinan  
City Attorney  
City of Oakdale

**The above statement is an impartial analysis of the proposed ordinance amendment. The full text of the "Ordinance of the City Council of the City of Oakdale Amending the Oakdale Municipal Code, Chapter 2, Administration, Adding Article XIV, Appointment of City Clerk, Section 2-55, Changing the City Clerk Position from Elected to Appointed" will be available at no cost from the City Clerk's Office or on the City's website: [www.oakdalegov.com](http://www.oakdalegov.com). If you desire a copy of the proposed ordinance amendment, please call the City Clerk's office at (209)845-3573 and a copy will be mailed to you at no cost.**