



STAFF REPORT

City Council

Date: December 6, 2023
To: Mayor and City Council
From: Michael Chandler, City Manager
Prepared By: Kat Galileo, Assistant City Clerk
Title: City Clerk Ballot Measure – Impartial Analysis and Argument In Favor

Recommendation

Receive and hold discussion regarding the City Attorney's Impartial Analysis; consider a motion approving the draft Argument In Favor regarding the City measure and direct staff to file the Argument in Favor with the County Elections Office.

Background

On November 1, 2023, the City Council directed staff to draft the necessary paperwork for a ballot measure that will make the office of the City Clerk appointive rather than elective, and appointed Vice Mayor Mark Ross and Councilmember Debbie McKillop to an Ad Hoc Subcommittee for the purpose of drafting the Argument in Favor.

On November 15, 2023, City Council approved the proposed ballot measure and adopted Resolution 140-23 (Attachment A) calling for and consolidating a Special Municipal Election with the March 5, 2024 Statewide Primary Election; directing the City Attorney to prepare and submit an Impartial Analysis; and directing the Ad Hoc Subcommittee to prepare and file the Argument in Favor.

Discussion

Impartial Analysis - Pursuant to Elections Code Section 9280, the City Council directed the City Clerk to transmit a copy of the Ordinance to the City Attorney to prepare an Impartial Analysis of the Ordinance which shall not exceed 500 words in length, and which shall be filed within ten days following the adoption of Resolution 140-23. The City Attorney prepared an Impartial Analysis of the measure (Attachment B) showing the effect of the measure on the existing law and the operation of the measure. The Impartial Analysis was received by the City Clerk's Office on November 21, 2023. The Impartial Analysis is for review only, no further action is needed.

Argument In Favor – Pursuant to Elections Code Section 9285, the City Council authorized Vice Mayor Mark Ross and Councilmember Debbie McKillop to file a written argument not exceeding 300 words regarding the City measure. The Councilmembers have prepared a draft Argument In Favor (Attachment C) meeting the requirements as set forth by County Election's office and Elections Code which has been reviewed and verified by the City Clerk's Office and City Attorney's Office.

Upon Council ratification, the Argument will be accepted by the City Clerk and shall include the names, titles and original signatures of each signer. Pursuant to Elections Code Section 9285, Arguments, Rebuttal Arguments, and Analyses are printed in the Voter Information Guide and mailed to all registered voters in the jurisdiction who are eligible to vote for the particular measure.

Fiscal Impact

The Assistant City Clerk's estimate for the impartial analysis is approximately \$1,000. There is no cost associated with the Argument In Favor. Therefore, the total estimate of expenses is approximately \$1,000.

Environmental Analysis

This item is exempt from any California Environmental Quality Act (CEQA) analysis.

Attachments

- Attachment A - Resolution 140-23 City Clerk Ballot Measure
- Attachment B - Impartial Analysis
- Attachment C - Argument In Favor (Draft)