

## MEASURE J

### CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE J

State law requires all general law cities, like the City of Morgan Hill, to have a City Clerk. The position may be appointive or elected. In Morgan Hill, voters elect a City Clerk every four years. The term of the current City Clerk ends in 2020. If this measure is adopted, a new City Clerk will be appointed after the term of the current City Clerk expires.

Under state law, there are only three qualifications for the position of elected City Clerk: 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 responsibilities of the City Clerk include keeping records of Council proceedings and ordinances, acting as the custodian of the City Seal, receiving claims against the City and maintaining the financial disclosure statements of the City's public officials. In addition, the City Clerk is also responsible for providing notices of council meetings, compiling the council agenda packets, and serving as the City's primary records manager. The majority of these duties have already been delegated to the Deputy City Clerk and/or other full-time City employees.

If this Measure is approved, the City will save up to approximately \$30,000 annually in stipends and benefits paid to the elected City Clerk as well as up to \$15,000 per candidate every four years in election costs.

A "yes" vote on Measure J will make the position of City Clerk appointive.

A "no" vote on Measure J means the City Clerk will continue to be elected by a majority vote of the electorate.

/s/ Donald A. Larkin  
City Attorney

## ARGUMENT IN FAVOR OF MEASURE J

Your "YES" vote on Measure J ensures that the selection of the City Clerk of the City of Morgan Hill will be based on qualifications and experience.

When Morgan Hill was incorporated in 1906, the City Clerk was established as an elected position, as was common at the time. The only requirements to run for the elected position are: 1) be at least 18 years old, 2) a resident of the City, and 3) a registered voter within the City. As an elected position, there are no minimum educational or professional requirements.

As the City has grown and the management of City government has become more complex, the duties, responsibilities, and requirements of this position have significantly expanded and become more technical. Today, the City Clerk is responsible for implementing critical and complex laws regarding elections, official documents, public records, open meetings, financial disclosures, and ethics. Due to these complex responsibilities, the vast majority of cities within the state have transitioned to appointed City Clerk positions.

A Yes vote on Measure J saves money on personnel and election costs. An appointed City Clerk position saves the City up to \$32,000 every year and at least \$7,500 every four years. The savings here can be utilized to support other important City services that benefit the community.

Vote Yes on Measure J. The duties and responsibilities of the City Clerk are too important to leave to chance. Knowledge and experience must be the most important criteria. Measure J allows the City to appoint and set minimum qualifications for the City Clerk position.

/s/ Steve Tate  
Mayor, City of Morgan Hill

/s/ Rich Constantine  
Mayor Pro Tempore, City of Morgan Hill

/s/ Larry Carr  
Councilmember, City of Morgan Hill

/s/ Caitlin Robinett Jachimowicz  
Councilmember, City of Morgan Hill

/s/ Rene Spring  
Councilmember, City of Morgan Hill

**NO ARGUMENT AGAINST MEASURE J WAS SUBMITTED**