

**MEASURE K
THE CITY OF AUBURN**

Appointment Of City Clerk. Shall the office of city clerk be appointive?

YES

NO

IMPARTIAL ANALYSIS BY THE COUNSEL OF THE CITY OF AUBURN MEASURE K

BACKGROUND. State law requires general law cities like Auburn to have city clerks. The position may be elected or appointed. Most California cities have appointed city clerks. Currently, Auburn's City Clerk is a part-time employee elected to a four-year term, with the current term expiring just after this election. Currently, the duties of the Auburn City Clerk are performed by an elected, part-time City Clerk and an appointed, full-time Assistant City Clerk who has been certified by the International Institute of Municipal Clerks as a Certified Municipal Clerk. The City Clerk publishes notices, takes oaths and maintains City Council minutes and other records of the City, but the City contracts with Placer County to conduct elections, leaving only a few, ministerial election duties for the City Clerk.

MEASURE K. The Auburn City Council placed Measure K on the ballot to allow voters to decide whether to make the City Clerk an appointed position. If a majority of voters approve Measure K, the City Council will appoint future City Clerks. It is likely that all City Clerk duties will be performed by a single appointed City Clerk and that two positions will no longer be required.

A "yes" vote allows the Auburn City Council to appoint the City Clerk.

A "no" vote maintains the City Clerk as an elected position.

Michael G. Colantuono
Auburn City Attorney

The above statement is an impartial analysis of Measure K. If you desire a copy of the ordinance or measure, please call the Elections Division at (530) 886-5650 and a copy will be mailed at no cost to you.

Argument in favor of Measure K

The elected City Clerk has been an office for well over 100 years, but no longer serves a meaningful purpose. It is a 19th century structure in a 21st century world and we strongly urge you to make it an appointive position! The position has stayed the same all these years, while the actual work required and role of a City Clerk's Office has been dramatically transformed and defined by legislation, case law, and technology. Knowledge, skills and professional training are now absolutely necessary for accurately and legally safeguarding the electorate's records, access to information and transparency of the governing process.

The great news is that our City has kept up with this evolution and ensures our citizens today receive an extraordinarily high level of service in processing public information requests, scheduling and noticing public meetings, preparing official minutes, documenting compliance with required political practices, and managing records, codification of City laws, and elections. This desired and important level of service will NOT change if Measure K is approved -- the work is already done by City staff.

Our precious right to representative government will also still be intact if Measure K is approved. There are *other* elected officials whose roles and responsibilities demand that they seek our thoughts and deliberate on our behalf. We will still be able to choose real policy makers if we let this outdated elected City Clerk position go, and we will save public funds.

Please vote "YES" on Measure K, making the office of the City Clerk an appointive position!

For more facts and answers to Frequently Asked Questions (FAQs), please see www.auburn.ca.gov/424/Elections.

Stephanie Snyder
Auburn City Clerk

Brenda W. Roper
Business Owner

Kathy Sands
Former Auburn Mayor

Matthew Spokely
Auburn Vice Mayor

Radley G. McCord
Montanarad

Argument against Measure K

No argument against Measure K was filed.

Full text of Measure K

ORDINANCE NO. ___

AN ORDINANCE OF THE PEOPLE OF THE CITY OF AUBURN AS APPROVED BY THE CITY'S QUALIFIED ELECTORS AT THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2016 TO MAKE THE OFFICE OF CITY CLERK APPOINTIVE

The People of the City of Auburn do ordain as follows:

SECTION 1. The city clerk shall hereby be appointed by the City Council.

SECTION 2. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 3. ELECTION. Voter approval of this ordinance shall have the effect of making the office of city clerk appointive rather than elective. If the measure is defeated, the Municipal Code remains unchanged.

SECTION 4. ADOPTION. If a majority of qualified electors vote in favor of the ballot measure regarding this Ordinance, this Ordinance shall be adopted upon the date the vote therefor is declared by the City Council.

SECTION 5. EFFECTIVE DATE. If approved by a majority of qualified electors vote in favor of the ballot measure regarding this Ordinance, the amendment to Section 33.040 as specified in Section 1, above, shall be effective January 1, 2017.

SECTION 6. EXECUTION. The People of the city of Auburn hereby authorize the Mayor and City Clerk of the city to execute this Ordinance to reflect its adoption at the November 8, 2016 election.

I hereby certify that the foregoing ordinance was duly adopted by a majority of the voters of the City casting votes on the question on November 8, 2016.