

## IMPARTIAL ANALYSIS PREPARED BY THE CITY ATTORNEY

Measure \_\_ was placed on the ballot by the City Council in order to ask the voters to make the city clerk an appointive position.

State law requires general law cities like Hermosa Beach to have a city clerk, either elective or appointive. Hermosa Beach has historically had an elected city clerk who serves a four year term. The current term ends in November 2019. Under State law an elected city clerk must be (1) a resident of the City, (2) registered to vote in the City, and (3) at least 18 years old. State law does not require, or allow the City to require, any minimum educational requirements, professional qualifications or minimum city clerk experience.

The city clerk manages the City's official records, prepares City Council agendas, prepares meeting minutes, publishes and posts official notices, accepts service of claims, lawsuits and official documents on behalf of the City, processes initiatives and referenda, manages compliance with the State conflict of interest filings and manages City elections.

If this measure is approved, the City Council may appoint a city clerk or may by ordinance delegate that function to the City Manager. The City Council may establish minimum educational requirements and professional qualifications for the city clerk. An appointed city clerk need not be a City resident.

If Measure \_\_ is approved, the position of city clerk will become appointive effective immediately. Candidates running for city clerk in the November 2019 election will not take office.

If Measure \_\_ is not approved, the city clerk will continue to be an elective position and the candidate receiving a majority of votes in the November 2019 election will be elected to a four year term.

A YES vote on Measure \_\_ is to make the city clerk an appointive office. A NO vote is to retain an elected city clerk. A majority vote is required for the Measure to pass.

Michael Jenkins  
City Attorney