



V City of San Clemente, Appointive City Treasurer

Shall the office of City Treasurer be appointive?

What your vote means

YES	NO
A “yes” vote on Measure V is a vote in favor of making the City Treasurer of the City of San Clemente an appointed position.	A “no” vote on Measure V is a vote against making the City Treasurer of the City of San Clemente an appointed position.

For and against

FOR	AGAINST
<p>Chris Duncan Council Member, on behalf of the City Council</p> <p>Kathy Ward Council Member, on behalf of the City Council</p>	No argument against this measure was submitted.

Ballot Measures-V

Full Text of Measure V
City of San Clemente

ORDINANCE NO. -----

AN ORDINANCE OF THE PEOPLE OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ENACTING A NEW CHAPTER 2.14 OF TITLE 2 OF THE SAN CLEMENTE MUNICIPAL CODE ESTABLISHING THE APPOINTIVE OFFICE OF CITY TREASURER, SUBJECT TO APPROVAL OF A MAJORITY OF THE ELECTORS VOTING ON THE MEASURE AT THE GENERAL MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 8, 2022

WHEREAS, pursuant to California Government Code Section 36502, the office of San Clemente City Treasurer is currently an elective office; and

WHEREAS, Government Code Section 36508 and Elections Code Section 9222 authorize the City Council to submit to the electors the question of whether the elective City Treasurer shall be an appointive office and, if a majority of voters voting on the measure approve it, the office shall become appointive; and

WHEREAS, an appointive City Treasurer gives the City the ability to recruit candidates for the office of City Treasurer who have the requisite training, skills and experience necessary to fulfill the important responsibilities of the office of City Treasurer; and

WHEREAS, on June 7, 2022, pursuant to State law, the City Council adopted Resolution No. 22-18, submitting this ordinance to the voters at the General Municipal Election on Tuesday, November 8, 2022; and

WHEREAS, all other legal prerequisites to the adoption of this ordinance have occurred.

NOW, THEREFORE, the People of the City of San Clemente do ordain as follows:

Section 1: Chapter 2.14 of Title 2 of the San Clemente Municipal Code is hereby enacted to read as follows:

“Chapter 2.14 – CITY TREASURER

2.14.010 – Office established – Appointment and compensation.

Pursuant to California Government Code Sections 36501 and 36508, there is hereby established the office of City Treasurer. The City Treasurer shall be appointed by, and shall serve at the pleasure of, the City Council and shall not be required to be a resident or elector of the City. The City Treasurer shall receive such compensation as shall be fixed from time to time by resolution or ordinance of the City Council. Notwithstanding the above, pursuant to Government Code Section 36510, the City Council may, by ordinance, vest in the City Manager its authority to appoint the City Treasurer.

2.14.020 – Bond requirement.

Pursuant to California Government Code Section 36518, the City Treasurer shall furnish a corporate surety bond to be approved by the City Council in a reasonable amount recommended by the City Attorney and fixed by the City Council, by resolution, and may be changed during the City Treasurer’s term of office. The bond shall be conditioned upon the satisfactory performance of the duties imposed upon the City Treasurer by statute, ordinance, or resolution. Any premium for such bond shall be a proper charge against the City.

2.14.030 – Powers and Duties

The City Treasurer shall have such powers and perform such duties as are prescribed by Sections 41001 through 41007 of the California Government Code and by any other provisions of law applicable to deposit, investment and safekeeping of public funds of the City.”

Section 2: If this ordinance is passed by a majority of San Clemente voters voting on the matter at the November 8, 2022 General Municipal Election, it shall take effect 10 days after the City Council declares and certifies the results of the election by resolution. The position of City Treasurer shall be filled by appointment thereafter upon the earlier of either a vacancy in the office or at the expiration of the current term of office of the incumbent (i.e., December 2024).

Section 3: If any part of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining parts of the ordinance. The People declare that they would have adopted this ordinance, and each part of it, irrespective of the possibility that some part or parts of it might be declared invalid or unconstitutional.

Section 4: The City Clerk is hereby directed to publish this ordinance at least once, within 15 days after the election results are certified, in a newspaper of general circulation published and circulated in the City of San Clemente.



Ballot Measures-V

Impartial Analysis City of San Clemente Measure V

California law requires all general law cities to have the position of city treasurer. The Government Code provides that the City Treasurer shall, among other duties, receive and safely keep all money the Treasurer receives; comply with all laws governing the deposit and securing of public funds; pay out money on warrants signed by legally designated persons; and perform such duties relative to the collection of City taxes and license fees as are prescribed by ordinance.

The position of city treasurer may be either an elected position or an appointed position. Elected city treasurers must reside and be registered to vote in the city where they hold office. No other requirements or minimum experience qualifications apply to elected city treasurers. Appointed city treasurers serve at the pleasure of their city council, and are not required to be residents or voters in the city in which they serve. A city council may establish minimum qualification requirements for appointed city treasurers.

The office of City Treasurer for the City of San Clemente is currently an elected office. California Elections Code section 36508 authorizes a city council to submit to the voters the question of whether an elected office, other than that of a city council member, shall be made an appointed office. The San Clemente City Council directed that this question be submitted to the voters of the City of San Clemente concerning whether the City Treasurer shall be made an appointed position.

A "yes" vote on Measure V is a vote in favor of making the City Treasurer of the City of San Clemente an appointed position. A "no" vote on Measure V is a vote against making the City Treasurer of the City of San Clemente an appointed position. If a majority of the voters voting on Measure V vote "yes", then the City Treasurer will become an appointed position, and the City Council will appoint a City Treasurer at the expiration of the term of the City Treasurer now in office, or upon a vacancy in the office of City Treasurer, whoever occurs first.



Argument in Favor of Measure V

The selection of the City Treasurer for San Clemente should be based on qualifications and experience, not on the results of a political campaign.

The City Treasurer is responsible for enhancing the City's economic status consistent with the prudent protection of the City's investments.

The City Treasurer's duties include: responsibility for cash flow requirements and money movement, day-to-day responsibility for the investment decisions of the City's portfolio, recommending changes in the City's Investment Policy to the City Council annually, evaluating and recommending changes to the list of financial institutions approved to do business with the City, producing and distributing a quarterly investment report, chairing the Investment Advisory Committee, recommending the selection of an external money manager and evaluating their performance to manage all, or a part, of the City's investment portfolio, and evaluating, recommending and working with municipal securities underwriters in the offering of municipal securities by the City.

California State law requires only that an elected City Treasurer be at least 18 years of age and a resident, registered voter within the city. Because of the technical expertise required and the need for qualified applicants, over two-thirds of California cities now have appointed City Treasurers.

San Clemente residents deserve a qualified, full-time City Treasurer with the experience in government finance necessary to seamlessly execute and comply with City policies and procedures.

If the City Treasurer is appointed, the Treasurer will be a qualified, credentialed person with a municipal finance background and required experience in fixed income investing.

Your YES vote ensures the duties of the City Treasurer are performed by a professional selected based on their knowledge, education, training and qualifications to safeguard the City's financial well-being now and into the future.

s/ Chris Duncan
Council Member, on behalf of the City Council

s/ Kathy Ward
Council Member, on behalf of the City Council

No argument against this measure was submitted.