

---

**MEASURE A**

---

**PROPOSAL TO MAKE TOWN CLERK AN APPOINTIVE POSITION**

---

**SHALL THE OFFICE OF TOWN CLERK BE APPOINTIVE?**

**YES**   

**NO**   

---

**TOWN ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE A**

California law requires that all general law towns have a Town Clerk, and establishes the basic functions and duties of the Town Clerk. The Town Clerk administers local processes and municipal services such as elections and access to Town records, ensuring that all local legislative action is properly executed, recorded, and archived. The Town Clerk prepares the meeting agendas and minutes for Town Council meetings as well as for other Town committees and commissions, verifies legal notices have been posted or published, accepts service of claims, lawsuits and official documents on behalf of the Town, manages compliance with California conflict of interest filings regulations, and performs other duties required by law. The position of Town Clerk may be either an elected position or an appointed position.

Under state law, the only qualifications for holding office as an elected Town Clerk are that the officeholder must: 1) be a resident of the Town of Loomis; 2) be registered to vote in the Town of Loomis; and 3) be at least 18 years of age. No other requirements or minimum experience qualifications apply to elected Town Clerks. Appointed Town Clerks are not required to be residents or voters in the town in which they serve, and the Town Council may establish minimum professional qualification requirements for appointed Town Clerks.

The office of Town Clerk for the Town of Loomis has been an elected office since the Town was incorporated. California Elections Code section 36508 authorizes a town council to submit to the voters the question of whether an elected office, such as Town Clerk, will be made an appointed office. The Loomis Town Council directed that this question be submitted to the voters of the Town of Loomis concerning whether the Town Clerk shall be made an appointed position. Approximately 73% of California cities have appointed Clerks.

A "yes" vote on Measure A is a vote in favor of making the Town Clerk of the Town of Loomis an appointed position. A "no" vote on Measure A is a vote against making the Town Clerk of the Town of Loomis an appointed position. If a majority of the voters voting on Measure A vote "yes", then the Town Clerk will become an appointed position, and the Town Council will appoint a Town Clerk at the expiration of the term of the Town Clerk now in office, or upon a vacancy in the office of Town Clerk, whichever comes first.

/s/ Jefferey Mitchell  
Loomis Town Attorney

---

## ARGUMENT IN FAVOR OF MEASURE A

Since incorporation, the 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, providing access to information, and ensuring transparency of the governing process.

The Town Clerk is responsible for understanding and implementing State Laws relating to the Public Records Act, Brown Act, Maddy Act, Conflict of Interest and Campaign Law under the Political Reform Act and the Fair Political Practices Commission, Election Law, amongst others. The Town Clerk is the custodian of Town records, including Town Council and Commission minutes, ordinances, resolutions, agreements, contracts, bonds and deeds. The Town Clerk must also be an experienced Elections Official who conducts the Municipal Elections for Town Council and for Town ballot measures.

It is unreasonable to expect an elected Town Clerk to have or be able to quickly obtain the specialized professional skills and training necessary to do the technical job of Town Clerk. Furthermore, a future elected Town Clerk may be unable to or be unwilling to spend the number of hours necessary to properly perform all the important duties of an effective Town Clerk.

Please vote "YES" on Measure A, making the office of the Town Clerk an appointive position! For more facts and answers to Frequently Asked Questions (FAQs), please see <https://loomis.ca.gov/documents/measure-a-faq/>

s/ Charleen (Crickett) Strock,  
Loomis Town Clerk

---

### RESOLUTION 23-37

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS CALLING A MUNICIPAL ELECTION TO BE HELD ON MARCH 5, 2024, FOR THE PURPOSES OF CALLING FOR THE SUBMISSION TO THE VOTERS A QUESTION RELATING TO THE OFFICE OF TOWN CLERK; REQUESTING THAT THE PLACER COUNTY BOARD OF SUPERVISORS CONSOLIDATE THE ELECTION WITH THE STATEWIDE ELECTION; AUTHORIZING THE MAYOR TO PREPARE A WRITTEN ARGUMENT IN SUPPORT OF THE MEASURE; AND DIRECTING THE TOWN ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE**

**WHEREAS**, currently the position of Town Clerk of the Town of Loomis is elective; and

**WHEREAS**, Government Code Sections 36508-36510 provide that the position of clerk may be made appointive rather than elective upon approval of the voters at a regular or special election; and

**WHEREAS**, the next available municipal election date will be March 5, 2024 (the "2024 Primary Election"), and the Town wishes to submit to the voters, at that election, the question of whether the Town Clerk should be made an appointive position.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of the Town of Loomis hereby resolves, declares, determines and orders as follows:

**Section 1.** The foregoing recitals are true and correct, and hereby incorporated by reference.

**Section 2.** That the Town Council, pursuant to its right and authority, does order submitted to the voters at the 2024 Primary Election the following question/measure, relating to whether the office of Town Clerk shall be appointive (the "Measure"):

<b>MEASURE A: APPOINTIVE TOWN CLERK</b>	Yes
Shall the Office of Town Clerk be Appointive?	No

**Section 3.** In the event the proposition receives approval by a majority of the votes cast, the proposition is adopted, and the Town Council shall appoint such officer at the expiration of the term of the current Town Clerk, or upon a vacancy in such office. The Town Council may by ordinance vest in the Town Manager its authority to appoint such officer.

**Section 4.** That the vote requirement for the measure specified above to pass is a majority (50%+1) of the votes cast.

**Section 5.** The Town Clerk is authorized, instructed and directed to work with the Placer County Registrar of Voters, as needed, in order to properly and lawfully conduct the election. The ballots to be used in the

election shall be in the form and content as required by law. The Placer County Registrar of Voters is authorized to canvass the return of the municipal election. In all Particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**Section 6.**

The Board of Supervisors is requested to instruct its Registrar of Voters to provide such services as may be necessary for the holding of the consolidated election. The election shall be held in all respects as if there were only one election. The Town of Loomis recognizes that the county will incur additional costs because of this consolidation and agrees to reimburse the county for those costs. The Town Manager is hereby authorized and directed to expend the necessary funds to pay for the Town's cost of placing the Measure on the election ballot. Such services provided by the county may include, but are not limited to, the following:

- Publication of notices calling the election
- Publications of notices calling for ballot arguments
- Provision of voter lists
- Obtaining and staffing polling places
- Provision and delivery of precinct supplies
- Counting of ballots and certification of election
- Other election activities authorized by law
- All aspects of election not specified above may be agreed upon by the County Clerks and the Town Manager

**Section 7.**

- a. Pursuant to California Elections Code section 9282, on behalf of the Town Council, the Mayor is hereby authorized to prepare a written argument in favor of the proposed Measure, not to exceed three hundred (300) words each. At the Mayor's discretion, the arguments may also be signed by members of the Town Council or a bona fide association of citizens, or by individual voters who are eligible to vote on the Measure. In the event that an argument is filed against the Measure, the Mayor is also authorized to prepare rebuttal

argument(s) on behalf of the Town Council, which may also be signed by members of the Town Council or bona fide association of citizens, or by individual voters who are eligible to vote on the Measure.

- b. Pursuant to California Elections Code section 9280, the Town Council hereby directs the Town Clerk to transmit a certified copy of the Measure to the Town Attorney. The Town Attorney shall prepare an impartial analysis of the Measure, each not to exceed five hundred (500) words in length, showing the effect of the Measure on the existing law and the operation of the Measure, and transmit the impartial analyses to the Placer County Registrar of Voters.
- c. Pursuant to California Election Code section 9285, when the Town Clerk has selected the arguments for and against the Measure, which will be printed and distributed to the voters, the Town Clerk is directed to send copies of the arguments in favor of the Measure to the authors of the arguments against, and copies of the arguments against to the authors of the arguments in favor.

**Section 8.** The Town Clerk is directed to file certified copies of this resolution with the Board of Supervisors and the Registrar of Voters of the County of Placer, together with the attached ballot measure.

**Section 9.** The jurisdictional boundaries of the Town of Loomis have not changed since the last General Municipal Election.

**Section 10.** This resolution shall become effective immediately upon its passage and adoption.

