



IMPARTIAL CITY ATTORNEY ANALYSIS
(California Elections Code § 9280)

MEASURE E

CONCERNING WHETHER THE OFFICE OF PLYMOUTH CITY CLERK SHALL BE APPOINTIVE

The office of city clerk is one of the offices required for California general law cities. City clerks perform numerous administrative functions including keeping records of all city council meetings, ordinances and resolutions; publishing and updating the municipal code; overseeing city elections; and administering compliance with numerous state laws and city requirements, including conflict of interest and records retention requirements.

City clerks may be either appointed or elected. By state law, elected city clerks must reside and be registered to vote in the city where they hold office. Appointed city clerks are not subject to state law residency requirements. No minimum training or experience qualifications apply to elected city clerks. California Elections Code section 36508 permits a city council to submit to the electors the question of whether an elective office, other than that of city council member, shall be made appointive. The office of City Clerk for the City of Plymouth is currently an elected office.

By Resolution No. 2022-17 adopted July 14, 2022, the Plymouth City Council directed that a measure be submitted to Plymouth voters pursuant to Elections Code section 36508 concerning whether the office of Plymouth City Clerk shall be made appointive.

A “yes” vote on this measure would approve of making the office of Plymouth City Clerk appointive. If a majority of Plymouth voters approve this measure, the office of Plymouth City Clerk will thereafter be an appointive position, holding office at the pleasure of the City Council and be subject to City terms of employment and personnel policies and procedures.

A “no” vote on this measure would disapprove of making the office of Plymouth City Clerk appointive. If a majority of Plymouth voters reject the measure, the office of Plymouth City Clerk will remain an elective office subject to state law terms of office and other requirements.

/s/Frank A. Splendorio
Plymouth City Attorney