



## REPORT TO CITY COUNCIL

**To:** Honorable Mayor and Members of the City Council

**From:** Jason Simpson, City Manager

**Prepared by:** Candice Alvarez, MMC, City Clerk

**Date:** March 12, 2024

**Subject:** Appointment of City Treasurer to Complete the Current Term and Receive Additional Information Regarding Whether the Position of City Treasurer Should Be Elective or Appointive

### **Recommendation**

1. Approve the Budget Subcommittee's recommendation to appoint Edwin Castro as the City Treasurer to complete a term ending in December 2024; and
2. Direct staff to prepare a Resolution with proposed ballot measure wording to change the City Treasurer position from elective to appointive to be submitted to the Riverside County Registrar of Voters for inclusion on the November 5, 2024 General Municipal Election ballot.

### **Background**

At its Regular meeting on February 13, 2024, the City Council unanimously directed staff to solicit applications until March 1, 2024, directed the Budget Subcommittee to review applications and make a recommendation to be presented to the City Council at its meeting on March 12, 2024.

Additionally, the City Council requested additional information regarding changing the elected City Treasurer position from elective to appointive.

## **Discussion**

Two applications were received during the application period. After reviewing applications, the Budget Subcommittee is recommending appointment of Edwin Castro for formal appointment by the full City Council.

Regarding changing the elected City Treasurer position from elective to appointive, the California Government Code addresses the election process for this ballot question for a General Law city.

Section 36508. "At any municipal election, or a special election held for that purpose, the city council may submit to the electors the question whether the elective officers, or any of them except council members, shall be appointed by the city council; provided, however, that the city council shall not submit such question to the electors more often than once in an 11-month period."

Section 36509. "The question shall be printed on the ballots used at the election substantially in one of the following forms:

(c) "Shall the office of City Treasurer be appointive?"

The words "yes" and "no" shall be so printed on the ballots that the voters may express their choice."

Section 36510. "If a majority of the votes cast on the proposition is for it, the city council shall appoint such officers at the expiration of the terms of the officers then in office and on a vacancy in any such office. Such officers shall hold office during the pleasure of the city council and, notwithstanding Section 36502 to the contrary, are not required to be residents or electors in the city. The City Council may, by ordinance, vest in the City Manager its authority to appoint such officers."

To place a ballot measure before the electorate, the City Council must adopt a resolution that:

- Submits proposed ballot measure wording (including whether the full text will be printed) to the Riverside County Registrar of Voters;
- Authorizes City Council Members and other individuals (up to five) to file a written argument regarding the measure, including providing for the filing of rebuttal arguments to the measure in accordance with filing deadlines; and
- Directs the City Attorney to prepare an impartial analysis of the measure.

## **Elective Versus Appointive City Treasurer**

On April 12, 1988, the City Council submitted a measure to the Lake Elsinore electorate to ask, "Shall the office of City Treasurer be appointive?" The electorate voted 1,025 to 683 to keep the City Treasurer an elected position. Furthermore, Elected City Treasurer Baldwin strongly advocated changing the position from elective to appointive to ensure that a qualified and experienced municipal finance and municipal accounting professional fills the position.

## City Treasurer

A survey of nine surrounding Cities resulted in seven having an appointed City Treasurer and the remaining two having an elected position. The Cities with the appointed City Treasurer are also their Finance or Administrative Services Director who fulfill the treasurer duties within their director classification.

### Ballot Measure Timing

The Resolution calling for the Municipal Election must be adopted at least 88 days before the election, which for the November 5, 2024 election would be by August 9, 2024. The last regular City Council meeting before the 88-day deadline is July 23, 2024.

The appointed City Treasurer will fulfill the position's duties until the November 5, 2024 Municipal Election. Should the measure pass, the position will become appointive as of December 2024.

### Fiscal Impact

There is no fiscal impact associated with this item. However, should the Council direct staff to prepare the Resolution to place the measure on the ballot, the cost to the City to place this question on the November 2024 ballot will vary depending on the number of words in the measure and the amount of information included in the voter information pamphlet. Riverside County Registrar of Voters Office has advised that the estimated cost is approximately \$38,000 for the measure, which will need to be budgeted in the General Fund.

### Attachments

Attachment 1 - Application – Edwin Castro