

CITY ATTORNEY'S IMPARTIAL ANALYSIS

MEASURE K

Under California law, general law cities like Capitola are required to have a city council, city manager, city clerk and city treasurer. The position of a city treasurer was initially an elected position at many cities throughout the state. However, California law allows cities, with voter approval, to make the city treasurer an appointed position.

As professionally trained staffs have become commonplace, many cities have switched to appointing a treasurer, usually the current finance director, rather than electing one. The City of Capitola took a similar approach to the city clerk position, with voters approving making that position an appointed office in 1994. Today, all of Santa Cruz County's other jurisdictions and approximately two-thirds of the state's cities have appointed treasurers.

At the June 28, 2018, regular meeting, current elected Treasurer Peter Wilk proposed transitioning his position from elected to appointed. At its July 26, 2018, meeting, the City Council ordered that this Measure be placed on the November 6, 2018, ballot which, if approved by the voters, would change the position of city treasurer from an elected to an appointed position. Appointments would be made by the City Council. The Measure requires a simple majority to pass.

/s/ Anthony Condotti, Capitola City Attorney