

**RESOLUTION NO. 5190**

**A RESOLUTION ADDING A PROPOSITION TO THE BALLOT FOR THE PREVIOUSLY CALLED MARCH 3, 2020 ELECTION PURSUANT TO GOVERNMENT CODE §§ 36508-36510**

- A. The City Treasurer of the City of El Segundo is currently an elective position that can only be filled by a resident elector of the City, willing to stand for election to the position;
- B. The position is an important function within the City requiring substantial technical expertise and time commitment;
- C. Government Code section 36508 authorizes the City of El Segundo to submit to the electors the question of whether the office of City Treasurer should be made an appointive office;
- D. Government Code section 36510 provides that if a majority of the votes cast on the proposition is for it, either the City Council or the City Manager (if authorized by ordinance) shall appoint such officer at the expiration of the term of the officer then in office; and
- E. The City Council of the City of El Segundo has determined that it is in the best interest of the City and its citizens that its voters be asked to make the position of City Treasurer appointive and if that measure does not pass, to having the voters to elect a City Treasurer in order to ensure that this position is filled.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL SEGUNDO DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: Pursuant to Government Code § 36508, the City Council submits to the electors the following question to be placed before the voters at the March 3, 2020 election:

Shall the office of City Treasurer be appointed, with the first appointment to be made upon the earlier of (i) the expiration of the term of office of the person elected to serve as City Treasurer at the March 3, 2020 General Municipal Election; or (ii) a vacancy in such office?	<b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/>
---	---

SECTION 2: If the measure receives a majority of the votes cast on it at the election, the City Council shall enact the ordinance attached as Exhibit "A," and incorporated by

reference, which is approved by the City Council through adoption of this Resolution. The ordinance is to be printed with the ballot materials.

SECTION 3: The ballot measure will be designated as Measure T on the ballots, unless it must be otherwise designated to accommodate the consolidation of the City's election with other elections.

SECTION 4: Pursuant to Election Code section 10403, the City Council requests the Los Angeles County Board of Supervisors to permit the Registrar-Recorder's office assist in all required election services in the conduct of this election and authorizes the City Manager to enter into an agreement for compensation of those services.

SECTION 5: The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 6: The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 7: This Resolution will become effective immediately upon adoption.

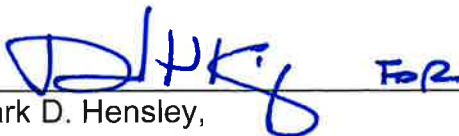
PASSED AND ADOPTED RESOLUTION No. 5190 this 19<sup>th</sup> day of November, 2019.

  
\_\_\_\_\_  
Drew Boyles  
Mayor

ATTEST:

  
\_\_\_\_\_  
Tracy Weaver  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Mark D. Hensley,  
City Attorney

## CERTIFICATION

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    )     SS  
CITY OF EL SEGUNDO            )

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution No. 5190 was duly passed, approved, and adopted by said City Council at a regular meeting held on the 19<sup>th</sup> day of November, 2019, approved and signed by the Mayor, and attested to by the City Clerk, by the following vote:


AYES:            Mayor Boyles, Mayor Pro Tem Pirsztuk, Council Member Brann, Council Member Pimentel, and Council Member Nicol

NOES:           None

ABSENT:       None

ABSTAIN:       None

WITNESS MY HAND THE OFFICIAL SEAL OF SAID CITY this 4<sup>th</sup> day of December, 2019.



Tracy Weaver, City Clerk  
of the City of El Segundo,  
California

Exhibit A

**Article C. City Treasurer.**

**Sec. 1-5C-1. Appointment of City Treasurer.**

- A. *As authorized under Government Code Section 36510, the power to appoint the City Treasurer shall be vested in the City Manager and such appointee shall serve at the pleasure of the City Manager. The foregoing notwithstanding, the City Council, by subsequent ordinance, reserves the right to vest all authority to appoint the City Treasurer in itself to the fullest extent authorized under Government Code Section 36510.*
  
- B. *Pursuant to Government Code Sections 36508 through 36510, El Segundo voters at the City of El Segundo General Municipal Election of March 3, 2020 approved a City-initiated ballot measure which converted the elected office of City Treasurer to an appointive office. In so far as the voters of the City of El Segundo also elected a City Treasurer at the City's General Municipal Election of March 3, 2020, the first appointment to the office of City Treasurer as authorized under subsection (A), above, shall be made upon the earlier of the following: (i) upon the expiration of the term of office of the person elected to serve as City Treasurer at the March 3, 2020 General Municipal Election; or (ii) a vacancy of such office.*

**Sec. 1-5C-2. Appointee Qualifications.**

- A. *Any person appointed to serve in the capacity of City Treasurer must be an employee of the City who meets such professional qualifications as may be established and, from time-to-time, modified by the City Manager acting in consultation with the City Council.*
  
- B. *As provided under Government Code Section 36510, the person appointed to serve as City Treasurer need not be a resident of the City of El Segundo.*

**Section 1-5C-3. Duties of City Treasurer.**

- A. *The City Treasurer shall perform all such duties as may be imposed by State law or by this Code.*

Exhibit A

- B. Pursuant to Government Code Section 36518, the City Treasurer shall execute a bond in an amount to be fixed by resolution of the City Council.

**SECTION 3.** El Segundo Municipal Code section 1-4A-1 is amended as follows:

**1-4A-1: GENERAL MUNICIPAL ELECTIONS:**

Beginning in March 2020, general Municipal elections for the election of Council members, **and** the City Clerk ~~and the City Treasurer~~, and for such purposes as the City Council may prescribe, will be held in the City on the first Tuesday after the first Monday in March in each even-numbered year.

**SECTION 4.** Subsection (E) of El Segundo Municipal Code section 1-5A-7 is amended as follows:

“E. Appointment And Demotion Duty: It shall be the duty of the City Manager to and he shall appoint, remove, promote and demote any and all officers and employees of the City except the City Clerk; **and the** City Attorney ~~and City Treasurer.~~”

**SECTION 5.** Pursuant to Government Code Section 36510, the City Council by approval of this Ordinance by both the El Segundo voters and the City Council exercises the City Council’s right to vest authority in the City Manager to appoint the City Treasurer. The foregoing notwithstanding, voters of the City of El Segundo and the City Council approve this ordinance subject to the right of the City Council to later vest the appointment authority back to the City Council by subsequent ordinance of the City Council.

**SECTION 6.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

**SECTION 7.** The Mayor will sign this Ordinance and the City Clerk will attest and certify to the passage and adoption of this Ordinance if a majority of the voters voting in the City’s general election on March 3, 2020 approve the proposition asking whether the City Treasurer office shall be made appointed. The City Clerk shall timely cause the same to be published once in the official newspaper.

**SECTION 8.** This Ordinance shall become effective upon the certification of an affirmative majority vote of the City voters at the March 3, 2020 General Municipal Election.

Exhibit A

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Drew Boyles, Mayor

ATTEST:

\_\_\_\_\_  
Tracy Weaver, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Mark D. Hensley, City Attorney