

August 21, 2012

Dear Lemoore City Council,

I have been contacted by many within the City of Lemoore who are concerned about the City Clerk position. I have also received calls asking about procedures for several processes that fall under the purview of the City Clerk, such as public hearing noticing requirements, processing of ordinances, filing and recording of official documents and so on. After reviewing the agenda for tonight, I am concerned those fears might be correct.

Traditionally the City of Lemoore has looked at the City Clerk as a clerical/secretarial position. I worked hard to show that is not the function of the City Clerk. What was considered in Lemoore as doing more than my job was actually fulfilling the position/profession properly. The City Clerk is the local official who administers democratic processes such as elections, access to city records, and all legislative actions ensuring transparency to the public. The City Clerk acts as a compliance officer for federal, state, and local statutes including the Political Reform Act, the Brown Act, and the Public Records Act. The City Clerk manages public inquiries and relationships and arranges for ceremonial and official functions. The City Clerk oversees and participates in administrative work that is technical in nature and requires a high degree of precision and accuracy. This class is unique because the City Clerk has authority and responsibility for the City's statutory City Clerk functions.

Additionally, the City Clerk is given management responsibilities for executing the following duties, which are mandated by and performed in accordance with various provisions of State law and local ordinances:

- 1) Oversee the functions of the City Clerk's Office and ensures that they are effectively carried out; prepares City Council and other agency and authority agendas for review by the City Administrator; prepares meeting notices, proclamations, and certificates, and coordinates with recipient for scheduling on Council agenda.
- 2) Publishes ordinances, resolutions, and notices of public hearings; posts and mails notices of public hearing and Council actions affecting local residents; and ensures compliance with the Brown Act.
- 3) Oversees the receipt and maintenance of official City documents and records; summarizes Council actions and

- instruction to City staff; prepare Local Appointments List; and provides for codification of the Municipal Code. Administers the electronic imaging system; coordinates Records Management tasks across departments.
- 4) Assist in the development and preparation of the annual preliminary budget for the Department; review and evaluate budgetary and financial data; monitor and control income and expenditures in accordance with established limitations.
  - 5) Oversees the City's bidding process by ensuring compliance with bidding procedures, scheduling bid openings.
  - 6) Serves as the Elections Official; coordinate resources and communication with the County to assure smooth and efficient election activities; oversee campaign disclosure and conflict of interest filings according to established procedures. Manages the receipt and processing of petitions relating to initiatives, recalls and referendums; acts as filing officer for local campaigns.
  - 7) Performs legislative analysis; coordinates legislative communication and lobbying efforts; tracks legislation.
  - 8) Certifies/Attest documents, researches records, and retrieves information for staff members and the general public.
  - 9) Monitors compliance with State and local campaign finance, ethics, and conflict of interest laws; notifies filers of their obligations; provides assistance to filers, and maintains logs of all FPPC required filings.
  - 10) Administers the commission application process and coordinates the interview process; prepares certificates of appointment and appreciation of services awards, and administers oath of office for City commissions/committees.
  - 11) Accepts and processes legal claims, liability claims, accepts all subpoenas and summons for city records, and lawsuits.
  - 12) Administers the oath of office to new employees.
  - 13) Plans, assigns, supervises and reviews the work of office support staff on a day-to-day basis; establishes and trains staff in office procedures.
  - 14) Maintains custody of City Seal.

With all due respect, the City Manager is not familiar with all of the requirements for the position. While it is true he has served as City Clerk in the past, he did not perform the duties of the City Clerk. I performed the majority of those duties as one of the Deputy City Clerks. A clerk must know the law that she/he is following and stay current in the law and best practices.

The current interim City Clerk is doing the best she can, but she does not know everything that is required of the position. It would be impossible to split the duties among staff if you are not aware of or proficient in those duties.

I sat on the oral board panel for the City Clerk's position and there were two candidates who could learn the job quickly and at the current salary. This would require the support of the City to ensure that they received the proper training which includes Nuts & Bolts and all four series of Technical Track for Clerk (TTC), yearly attendance at a minimum to the New Law and Election Seminar. You cannot competently perform the duties of the City Clerk by following the files or trying to create a paper trail, laws change constantly and continuing education is the only way to learn the responsibilities and the laws.

I respectfully request the Council consider maintaining the position as an independent position and select one of the top two outside applicants from the recruitment. I truly believe doing so is in the City's best interest.

Respectfully,



Nanci C. O. Lima, MMC