

## Impartial Analysis of Measure D

The Tracy City Council has placed Measure D on the ballot to ask the voters of Tracy if the position of City Clerk should be an appointed rather than an elected position. The City Clerk position is now an elected position with a term of four years. If Measure D is approved, beginning in December, 2012 (after expiration of the current City Clerk's term), the position of City Clerk would be appointed by the City Council unless the City Council vests such appointing power in the City Manager by ordinance.

**Duties of the City Clerk.** By state statute, the City Clerk is responsible for keeping an accurate record of the proceedings of the City Council and of all City ordinances. The City Clerk is the custodian of the City seal, and is authorized to administer oaths and acknowledge certain legal documents. The City Clerk may appoint deputies.

In practice, the City Clerk position is more complex. In addition to the above duties, the City Clerk: prints, assembles and distributes City Council agenda packets; administers City elections; maintains the City's filing system and records retention program; oversees the document imaging system; serves as the Election Official for municipal elections; receives and maintains candidate campaign forms; serves as the filing officer for City officials' Statements of Economic Interest required by state law; revises the City's conflict of interest code; prepares, mails and publishes all official notices in a timely manner; supervises office staff; and conducts recruitments for vacancies on the City's various boards and commissions. The City Clerk must be familiar with: the California Elections Code; the Public Records Act; the Political Reform Act; the Brown Act and certain other state laws governing City business and open government.

**City Clerk qualifications.** An elected City Clerk need only be a resident and registered voter of the City. An appointed City Clerk would be appointed based on experience and qualifications related to the position.

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## Official Measure D Ballot Question

Shall the office of the City Clerk be appointed?	YES
	NO



**MEASURE D  
is on  
Your Local Ballot  
VOTE NOV. 2**

## Impartial Analysis of Measure E

The Tracy City Council has placed Measure E on the ballot to ask the voters of Tracy if the City should enact a 1/2 cent sales tax for five years. The sales tax is also referred to as a transactions and use tax. If approved by a majority of the voters, the 1/2 cent sales tax would become operative on April 1, 2011. The proposed increased City of Tracy sales tax would be collected at the same time and in the same manner as existing sales taxes.

If Measure E is approved, the proposed increased sales tax will expire five years after it starts being collected.

This 1/2 cent sales tax would be a general tax, meaning that the revenue raised from the tax would go into the City's general fund and could be used for any municipal governmental purpose. Municipal governmental purposes include: police (patrol, 911, command, gang and narcotics enforcement, crime investigations, other police services); fire protection, emergency services, and other fire services; park and sports field maintenance; support services; senior, teen, and youth services; art programs; and other general functions and services.

If Measure E is approved, the City's independent auditors will be required to complete a financial audit report, by no later than December 31st of each year, which will include the revenue raised and expended by this tax. Also, if Measure E is approved, the Tracy City Council will establish a Residents' Oversight Committee to review the expenditure of the revenue from this tax prior to any collection of the tax. The Committee will consist of five members to be appointed by the Mayor and approved by the City Council. The terms of the Committee members and their specific duties will be established by resolution of the City Council.



## Official Measure E Ballot Question

To help prevent additional budget cuts and maintain City services, including: police (patrol, 911, command, gang/narcotics enforcement, crime investigations, other police services); fire protection, emergency services, and other fire services; park/sports field maintenance; support services; senior, teen, and youth services; art programs; and other general services, shall the City of Tracy enact a 1/2 cent sales tax expiring in five years, with resident oversight, annual independent audits, and all funds used for City of Tracy services only?

YES

NO

**MEASURE E  
is on  
Your Local Ballot  
VOTE NOV. 2**

Dear Resident,

The Tracy City Council voted to place two measures on the November 2, 2010 ballot, Measures D & E.

As cities have grown and become more complex, the duties of the City Clerk have become more technical and now require skill and expertise in election law, federal and state law, records management and conflict of interest regulation. The California Government Code requires each city to have a City Clerk who is either elected or appointed. Measure D allows the residents to decide whether the position should be elective or appointed.

Council felt strongly about placing a sales tax measure on the ballot. This ½ cent sales tax measure offers Tracy residents the opportunity to give Council direction on whether they should maintain the current levels of service, like police, fire, 9-1-1 emergency response times and other general fund services or whether the City should cut \$4.8 million dollars.

If adopted by voters, the Measure requires the establishment of a Residents' Oversight Committee by March 1, 2011 to monitor how funds are spent when new revenue is collected later in 2011. This Measure expires in 5 years.

Sincerely,

Leon Churchill, Jr.  
City Manager

## Speakers Bureau Program

In an effort to continuously communicate with residents, businesses, and visitors, the City of Tracy invites you to participate in our Speakers Bureau Program. To date, staff has given several presentations on the topics of:

- Budget Status & Services
- Economic Development
- Code Enforcement
- Crime & Fire Prevention
- Public Safety
- Sustainability Efforts
- Youth Services

Invite a City speaker to your neighborhood, organization, church, business, school or club, call 831-6113.



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# City of Tracy



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## Voter Education Information

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