

Staff Report

TO: Honorable Mayor and Members of the Town Council
FROM: Sean Rabé, Town Manager
Jeff Mitchell, Town Attorney
DATE: April 18, 2023
RE: Filling Town Treasurer Vacancy

Recommendation

It is recommended that the Town Council:

1. Decide to fill the vacancy in the Town Treasurer position by appointment, using the process outlined in this report.
2. Appoint the Town Manager as acting Treasurer until the position is filled.

Issue Statement and Discussion

Following the tragic death of Roger Carroll on April 8, the Town Council needs to decide how to fill the vacancy in the position of Town Treasurer. As the Council knows, Town Treasurer is an elected position. The current term ends in November 2024.

Under State law (Gov't Code §36512), the Council has until June 7 to either:

1. Appoint to fill the vacancy. Since the vacancy occurred in the last half of the term of office, an appointee would hold office until the next municipal election in November 2024.
2. Call a special election to fill the vacancy. The special election would be held on November 14, 2023 (the next regularly established election date not less than 114 days from the call of the special election), and the person elected would hold office until the November 2024 election.

Staff recommends that the Council fill the vacancy by appointment. The cost of a special election is estimated to be \$60,000.00, and the individual elected would only hold the office for one year. If the Council decides to fill the vacancy by appointment,

the Council will need to decide on a process. There is no specific process required by State law; however, staff recommends the following process:

1. Town Manager posts a notice of vacancy on the Town's website, through the Town's social media, and provides the notice to local media.

2. Individuals interested in being appointed to the position complete an application and provide it to the Town no later than May 1, 2023.

3. At the Town Council's May 9 regular meeting, Council considers all applications and makes an appointment.

Attachment A to this report is a list of the provisions in State law and the Loomis Municipal Code that describe the duties of the Town Treasurer. A proposed Notice of Vacancy and a proposed Application are also included as Attachments B and C to this staff report, in the event that Council decides to fill the position by appointment. If the Council decides to fill by special election, a resolution calling the election would be brought back for Council approval at the May 9 meeting.

Finally, as an interim measure until the vacancy is filled, staff recommends that the Council appoint the Town Manager as Acting Treasurer.

CEQA Requirements

None. This is not an action that could have any possible environmental impacts.

Financial and/or Policy Implications

Appointing an interim Treasurer would have no financial implications. Calling a special election would cost an estimated \$60,000.00.

Attachments

- A. Laws Governing Position of Town Treasurer
- B. Proposed Notice of Vacancy
- C. Proposed Application

Laws Governing Position of Town Treasurer

Government Code Sections 41001 - 41007

CHAPTER 3. City Treasurer

41001. The city treasurer shall receive and safely keep all money the treasurer receives.

41002. (a) The city treasurer shall comply with all laws governing the deposit and securing of public funds and the handling of trust funds in his or her possession.

(b) If the city has issued bonds, the city treasurer shall use a system of accounting and auditing that adheres to generally accepted accounting principles.

41003. The city treasurer shall pay out money only on warrants signed by legally designated persons.

41004. Regularly, at least once each month, the city treasurer shall submit to the city clerk a written report and accounting of all receipts, disbursements, and fund balances. The city treasurer shall file a copy with the legislative body.

41005. The city treasurer shall perform such duties relative to the collection of city taxes and license fees as are prescribed by ordinance.

41006. The city treasurer may appoint deputies.

41007. The deputies shall hold office at the pleasure of the city treasurer and receive such compensation as is provided by the legislative body.

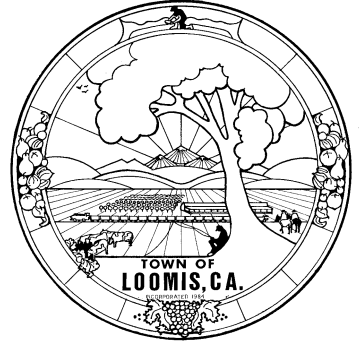
Loomis Municipal Code Section 2.20.010

2.20.010 Duties.

The town treasurer shall perform the following duties:

- A. Receive and safely keep all money coming into his or her hands as treasurer;
- B. Comply with all laws governing the deposit and securing of public funds and the handling of trust funds;
- C. Pay out money only on warrants signed by legally designated persons;
- D. Regularly, at least once each month, the town treasurer shall submit to the town clerk a written report and accounting of all receipts, disbursements and fund balances, a copy of which shall be filed with the town council;
- E. The town treasurer may also have other duties assigned by job description for the position.

TOWN OF LOOMIS



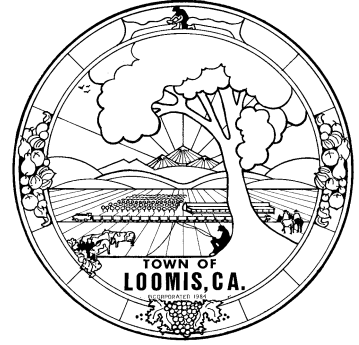
NOTICE OF VACANCY TOWN TREASURER, TOWN OF LOOMIS

NOTICE IS HEREBY GIVEN that a vacancy exists in the position of Town Treasurer for the Town of Loomis, which is an elected position. On April 18, 2023, the Town Council decided to fill this vacancy by appointment. The individual appointed will hold office until the next Town election in November, 2024.

The Town Council invites parties interested in being appointed to fill this vacancy to request an application by contacting the Carol Parker, Deputy Town Clerk at (916) 652-1840, or by email at cparker@loomis.ca.gov, or by requesting an application in person at Town Hall (3665 Taylor Rd, Loomis.) Completed applications must be received by the Town no later than 5:00 p.m. on May 3, 2023.

By: _____
Carol Parker,
Deputy Town Clerk

TOWN OF LOOMIS



TOWN TREASURER

APPLICATION FORM

All applications must be received no later than 5:00 p.m. on _____, 2023.

Prospective candidates for the position of Town Treasurer should use the following form to apply to the Loomis Town Council. The appointment will be made at the Regular Meeting of the Town Council to be held on May 9, 2023. The meeting will commence at 7:00 p.m., at the Loomis Train Depot 5775 Horseshoe Bar Road, Loomis. Applications can be mailed, faxed or e-mailed to:

Mail: Town of Loomis
3665 Taylor Rd.
Loomis, CA 95650

Fax: (916) 652-1847

email: cparker@loomis.ca.gov

Applications may also be returned to Town Hall, 3665 Taylor Rd., Loomis. For additional information, please call Deputy Town Clerk Carol Parker at (916) 652-1840.

Name: _____

Home Address: _____

Daytime Phone: _____ Cell Phone: _____

email address: _____

Please answer the following questions:

1. Why do you want to serve as Town Treasurer?
2. How much time per month can you commit to the Town Treasurer activities?

3. What is your profession/occupation?

4. Do you have other experience that would be beneficial to the Town Treasurer position?

Please attach a current resume.

Thank you for your interest in serving the community.