



City of San Leandro
Staff Report for City Council
Direction – City Clerk’s Office

meyers | nave
A Professional Law Corporation

Richard D. Pio Roda, City Attorney

Dec. 5, 2022

Introduction

- A. City Council Referral for First Reading of Ordinance to Effectively Bring City Clerk Position Under Council
- B. Background
- C. Meet & Confer
- D. Questions Presented and Direction

City Clerk and City Council

Section 435: CITY CLERK.

(a) The Council shall appoint a City Clerk, who shall serve at the pleasure of the Council, and shall perform such duties consistent with this Charter as may be required by the Council.

(b) The Council by ordinance may consolidate the office and functions of the City Clerk with that of the City Manager.



City Clerk and City Manager

Ordinance No. 2002-027 | Muni Code Sec. 1-2-110

- Officer in City Manager's office assigned to City Clerk duties
- Assignment approved by City Council
- Authenticate and certify official acts, documents, records, and election results
- Deposit and custody of resolutions, ordinances, minutes, disclosure statements, petitions and other official documents.

Duties: Government Transparency Laws

Brown Act and Public Records Act

- Administer and manage open meeting requirements
- Administer and manage City's records
 - Assist Departments to comply with California Public Records Act
 - Records Retention Policies
 - Form 700 disclosure statements and ethics trainings
 - Accept service of process upon City (subpoenas, claims, summons)

Meet & Confer

Meyers-Milias-Brown Act

Govt. Code Sec. 3505: City must meet and confer in good faith with representatives of its represented employee organizations before making a determination of policy or course of action that involves a mandatory subject of bargaining.

- City Clerk: San Leandro
Management Organization

- Deputy City Clerk &
Admin Assistants: San
Leandro City Employees
Association

- Wages
- Hours
- Terms and conditions of employment.

Meet & Confer

Staff time and consulting services are necessary:

- To determine terms and conditions, policies and procedures of City Clerk Department employees.



- Failure to meet and confer is an unfair labor practice (Govt. Code Sec. 3506.5)

Direction Requested

- Compliance with the law requires meet and confer
- Staff resources and consulting work to determine details for meet and confer and standing up a City Clerk's office under City Council management will be significant.
 - Will require City Manager's Office's assistance, especially with labor negotiations.
 - Urgency status of referral
 - Referral to City Council priority session in February