



Local Ballot Measure: W

Impartial Analysis of Measure W

The City Council of the City of Monterey unanimously approved placing this measure on the ballot.

Current law: Under current law, the term of office of a councilmember who files for the office of Mayor automatically expires on the date the next municipal election is held after filing. In 2022, this resulted in a vacancy for a mid-term councilmember seat from November 9, 2022 until December 12, 2022 when the City Council appointed a representative to the vacant seat. This left only three members of the City Council to conduct City business until the newly elected Mayor was sworn in and the Councilmember appointee was selected and sworn in.

In addition, under current law, when a mid-term councilmember seat is vacated the appointed councilmember is treated as an incumbent who chose not to run in the election and provides an extra five days for potential candidates to submit nomination papers.

Proposed law: If approved, this measure specifies that the term of office for a councilmember filing for Mayor expires when their successor is appointed or 40 days after the election, whichever occurs first. The amendment increases the likelihood of having a full composition of the City Council in office to conduct City business in the period following an election until the new Council is installed.

This measure removes the five extra days for the candidate filing period when an appointed Councilmember seat is up for election. That is, the appointed Councilmember is treated as an incumbent.

The proposed law makes other clerical, non-substantive changes to sections regarding the Mayor and City Councilmembers.

The Charter amendment proposed by this measure will only become effective if approved by a majority of voters voting on the measure. The measure would be effective until repealed by voters.

A “yes” vote will authorize the measure.

A “no” vote will not authorize the measure.

Date: 8/08/24

By: /s/ M. Christine Davi
Monterey City Attorney