

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: TERESA STRICKER, CITY ATTORNEY
SUBJECT: REVISIONS TO CITY COUNCIL VOTING PROCESS FOR
MAYOR AND VICE MAYOR

AGENDA ACTION: RESOLUTION

RECOMMENDATION

The City Attorney recommends that the Council, by resolution, revise the City Council Manual of Procedures and Protocols to modify the voting procedure the City Council uses to elect the Mayor and Vice Mayor. This item has no impact on current fiscal year budget.

EXECUTIVE SUMMARY

The City Council held a study session on September 9, 2025, to discuss and provide direction to staff about possible changes to current Council policies related to voting processes Council uses to appoint (1) individuals to vacant Council seats outside of an election cycle, (2) members of certain boards, commissions and committees, and (3) Mayor and Vice Mayor. Given the upcoming election of a new Vice Mayor in November, staff has prioritized updating the Mayor and Vice Mayor election process first. Staff will bring the updates to policies for appointing individuals to boards, commissions, committees, and to fill vacant Council seats outside of an election cycle, at a future date.

GOAL

This item is not directly tied to a Council goal but promotes good government by providing Council an opportunity to consider new rules for greater efficiency and transparency in how Council selects a Mayor and Vice Mayor.

PRIOR COUNCIL REVIEW

On September 10, 2024, Council held a Study Session to provide Council an opportunity to review the voting processes City Council uses to appoint individuals to vacant Council Members seats outside of an election cycle, members of boards,

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commissions and committees appointed by the full Council, and Mayor and Vice Mayor. No direction was provided by Council at that time.

On December 17, 2024, the City Attorney and City Clerk presented recommendations to Council during the selection of a new Mayor and Vice Mayor. The presentation included recommended additional procedures if Council ran into a tie that could not be resolved using existing rules.

On September 9, 2025, City Council held another study session and provided substantive feedback and direction regarding the voting processes City Council uses to appoint individuals to vacant Council Members seats outside of an election cycle, members of boards, commissions and committees appointed by the full Council, and Mayor and Vice Mayor.

BACKGROUND

1. Current Process for Appointment of Mayor and Vice Mayor

Under Sections 4 and 15 of the Charter, the Council elects one of its members to serve a two-year term as Mayor following the swearing in of new Council Members. Charter Section 15 also provides that Council annually elect one of its members to serve as Vice Mayor for a one-year term.

Section XII(C)(2) & (3) of the City Council Manual of Procedures and Protocols provides the following process for the election of Mayor and Vice Mayor:

Nominations:

At the same meeting and immediately following the installation of newly- elected Councilmembers, the Presiding Officer shall call for nominations from the floor for Mayor. The nomination must receive a second and be accepted by the nominee prior to a vote on the nomination.

Voting:

If only one Councilmember has been nominated, the Presiding Officer shall declare that individual to be elected Mayor by unanimous consent. If two or more Councilmembers have been nominated, election of the Mayor will be by process of elimination. Each Councilmember shall vote by ballot for a number of nominees that equals one less than the total number of nominees. For transparency purposes, ballots will be read after all votes are cast for each successive vote. Those nominees receiving one vote or less shall be eliminated. Subsequent votes shall be taken by ballot with each Councilmember voting for one less nominee than voted for in the previous round. Only nominees not eliminated may be voted upon. Once a single nominee receives a majority vote, the Presiding Officer shall declare that individual to be elected Mayor. The

Presiding Officer shall then pass the gavel to the newly-elected Mayor, who shall assume the role of Presiding Officer. Immediately following election of the Mayor and during each November in odd numbered years, the same procedure shall be followed for election of the Vice Mayor.

There is no process specified about how Council moves forward with selecting a Mayor/Vice Mayor in the event of a tie that cannot be resolved using existing rules.

2. Proposed New Process for Election of Mayor and Vice Mayor

Staff recommends that the City Council update Section XII(C) of the City Council Manual of Procedures and Protocols based on the feedback provided during the September 9, 2025 study session.

Updating the election process for Mayor and Vice Mayor is intended to clarify the rules so that they are understood and established prior to voting. This ensures fairness and transparency during the process. Additionally, the procedure proposed provides guidance if multiple voting rounds are required, and includes a process for run-off voting and for breaking a tie that could not be resolved with existing rules.

Per Council direction at the study session of September 9, 2025, staff recommends the following substantive changes to the procedure for electing Mayor and Vice Mayor:

- 1. Limit on the Number of Nominees:** Under the current system, there is no limitation on the number of nominations each Councilmember can make or second which means that a single Councilmember could nominate or second as many as six Councilmembers to fill a vacant Mayor or Vice Mayor seat. Under the new rules, each Councilmember may make only one nomination or second only one nomination, but may not both nominate and second a nomination. Additionally, the new rules prohibit a Councilmember from nominating themselves but allows a Councilmember to second a nomination for themselves. The new rule has the effect of limiting the number of possible nominees to a maximum of three.
- 2. No Change to Rule If Only One Nominee:** The current rule states if there is only one nominee, that nominee is declared the winner, and that rule remains under the proposed rules.
- 3. Modified Process of Elimination If Two or More Nominees:** The proposed rules, like the current rules, uses a process of elimination, by written ballot, where there are two or more nominees. But under the new rule each Councilmember may vote for only *one* nominee rather than “a number of nominees that equals one less than the total number of nominees.” Like the current rule, the new rule provides that once a nominee receives a majority vote, that person is declared elected. But if no nominee receives a majority vote, under the new rule, nominees receiving zero votes (or if no nominee receives zero votes, nominees

receiving one vote) are eliminated. If any nominee is eliminated, Council votes again by written ballot.

4. **New Rules to Get Unstuck:** The existing rules do not have a procedure in place to assist when, during the election process, the Council gets stuck. In particular, under the current rules, there may be situations where the elimination rules have been exhausted and no nominee received a majority vote. For example, there may be a 3/2/2, 3/3 or 2/2/2 vote. The new rules lay out two new processes to handle such situations:

- **Run-Off Vote:** Where there is a tie among the low-vote getters, such as a 2/1/1 or 3/1/1 vote, a run-off vote is used to eliminate one of the nominees tied with the low votes. Then, after any discussion, Council votes again using the same elimination by ballot process.
- **Random Selection:** If there is a completely tied vote (such as a 3/3 or 2/2/2 vote) -- or other circumstance where there is no established process for moving forward exists -- following discussion Council must *either* take another vote to try to break the tie *or* decide, by motion, to use a random selection process to select from the remaining nominees.

A draft updated Section XII of the City Council Manual of Procedures and Protocols is attached.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

Pursuant to CEQA Guidelines Section 15378, the recommended action is not a “project” subject to the California Environmental Quality Act (CEQA) because it does not have a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. In the alternative, the recommended action is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the recommended action may have a significant effect on the environment.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Attachment 1 – Redlined Manual of Procedures and Protocols
- Resolution/Exhibit A – Revised (Clean version) Manual of Procedures and Protocols

PRESENTERS

Teresa Stricker, City Attorney
Dina Manis, City Clerk