



CITY COUNCIL VOTING PROCESS FOR CERTAIN APPOINTED POSITIONS

City Council
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Current Process - City Council Vacancy

Charter Section 31 (a) provides either:

- Appointment by the Council; or
- Council may call a special election to fill the vacancy.

If vacancy is not filled within 60 days, Council must call a special election.

Current Process - City Council Vacancy (Policy 000-23)

Where Council will appoint to fill a Council vacancy, Council Policy 000-23 provides that, following an application and interview process, Council may vote to appoint one of the applicants by resolution.

The Policy does not currently provide a process for how council will make the appointment if no applicant receives a majority vote.

If a majority of the Council cannot agree on the appointment of one of the applicants, the Council may adopt such other procedures to fill the vacancy as it deems appropriate, but the process must be completed within the sixty-day time period provided by City Charter Section 31.

Current Process - Appointments to Boards, Commissions and Committees

Section XVII of the Manual of Procedures and Protocols sets forth that all appointments to City boards, commissions, and advisory committees shall be made in accordance with the Charter and Council Policy 000-06 – Appointments to Boards/Commissions/Committees.

Council Policy 000-06 sets forth the process for appointments by the full Council to boards, commissions and committees. These include:

- Design Review and Preservation Board
- Personnel Board
- Board of Building Regulation Appeals
- Housing Authority
- Santa Rosa Tourism Business Improvement Area Advisory Board
- Waterways Advisory Board
- Two members of the Bicycle and Pedestrian Advisory Board.

Current Process - Appointments to Boards, Commissions and Committees

The process for appointment is as follows:

Appointments may be made by a process of elimination or by motion.

If by process of elimination:

- Each Council member votes for the number of applicants = number of vacant positions + 2. If there are insufficient number of applicants, the Council votes for a fewer number as recommended by the City Attorney.
- Those applicants receiving 0-1 votes are eliminated.
- Subsequent votes are taken with each Council member voting for 1 fewer applicants than in the previous round. Only applicants not eliminated may be voted upon.

There is no process governing how Council moves forward where the elimination rules end. For example, 3-2-2 vote.

Current Process - Appointment of Mayor and Vice Mayor (Charter)

Charter Sections 4 and 15 provide:

- Council elects one member to serve a two-year term as Mayor following the swearing in of new Council members.
- Council annually elect one member to serve as Vice Mayor for a one-year term.

Current Process - Appointment of Mayor and Vice Mayor (Section XII)

Section XII of the City Council Manual of Procedures and Protocols process for election of Mayor/Vice Mayor:

- a. Call for nominations.
- b. Each nomination requires a second and acceptance.
- c. If only 1 nominee accepts, that nominee is elected by unanimous consent.
- d. If 2 or more nominees accept, election is by process of elimination:
 - Each Council Member votes by ballot for 1 fewer than total number of nominees.
 - Nominees receiving 0-1 votes are eliminated.
 - Subsequent votes are taken by roll call with each Council Member voting for 1 fewer nominee than in previous round. (only nominees not eliminated may be voted upon.)
- e. Once a single nominee receives a majority, the nominee is elected.

As with appointments by the full Council to boards, commissions and committees, there is no process specified about how Council moves forward with selecting a Mayor/Vice mayor in the event of a 3-2-2 vote.

Recommendation

The City Attorney recommends that Council choose the same process for each of the three types of appointment processes:

- The Presiding Officer calls for nominations and seconds.
- If only one nominee with a second, the Presiding Officer declares the nominee selected by unanimous consent.
- If only two nominees with seconds, Council Members vote, by ballot, for one of the two nominees. If Council gets stuck (3-3 or 2-3 vote), use random selection.
- The City Attorney recommends that Council consider one of the following section process options when there are three or more nominees with seconds:
 1. Ranked-Choice Voting (RCV) + tie breaker
 2. Process of elimination + tie breaker
 3. By motion

Ranked Choice Voting (RCV)

Each Council Member ranks applicant preferences to fill a vacant Council seat from first to last choice.

If one applicant does not have a majority vote as first choice:

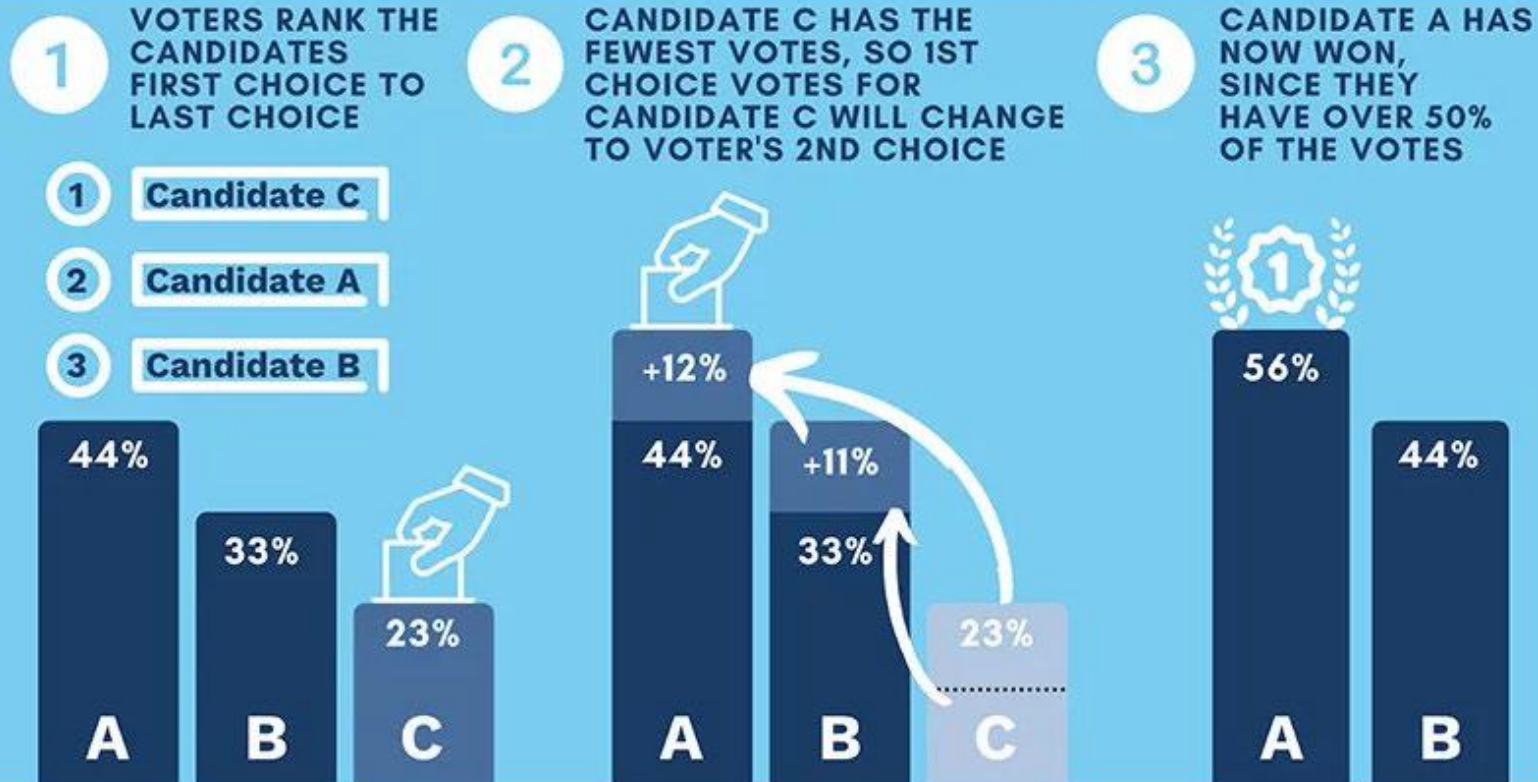
- Applicants with the lowest votes are eliminated
- Second choices of the Council Members voting for the eliminated applicants are reapplied to the remaining applicants
- Process of elimination and retallying continues until one applicant has a majority vote as the retallied first choice.

Should Council decide to use RCV, staff suggests that the City's IT department assist by developing a systematic way to facilitate a real-time, ranked-choice voting process that provides transparency for the public and Council.

Ranked Choice Voting

RANKED CHOICE VOTING: HOW IT WORKS

ROCK^{THE}VOTE



Ranked Choice Voting: Breaking a Tie

RCV can still result in a tie that cannot be resolved through RCV. For example, 3-2-2 vote.

Staff recommends adopting a rule to use with RCV to break a tied vote that remains after RCV.

Options:

- 1) Run-off vote by ballot to eliminate one of lowest vote getters and then proceed with RCV.

OR

- 2) Random selection
 - Mirrors random selection process the Charter requires for resolving ties when voters elect Council Members.

Ranked Choice Voting: How to Break a Stubborn Tie?

If using a run-off voting to break a tie, there may still be times when RCV and run-off voting leaves Council stuck.

When might this happen?

Council vacancy or absence may result in a 3-3 vote RCV cannot resolve.

Recommended Stubborn Tie Breaker?

Use random selection.

Process of Elimination

Council may wish to make appointments by a process of elimination.

Elimination would require successive rounds of voting, with 1 nominee eliminated each round until a winner is selected.

Like with RCV process, elimination does not resolve every case (3-2-2 tie for example).

Process of Elimination

Breaking a Tie

To break a tie, Council can pick from the same options as with RCV:

- a) Conduct a run-off vote, by ballot, to eliminate one nominee tied with the lowest votes, and then proceed with elimination.

OR

- b) Select from remaining nominees by random selection.

Recommended Stubborn Tie Breaker Rule?

Use random selection.

By Motion

Council may wish to consider making appointments by motion, by ballot.

Motions are taken one at a time, nominee-by-nominee.
Under Rosenberg's Rules of Order, motions are voted on in the reverse order made.

Potential downside: The order motions are taken may impact outcome.

- Some may view appointment by motion as giving the Mayor too much influence over the selection.

May result in lost motions (no majority for or against) if there are only 6 Council Members present. For example, 3-3 or 2-3.

- Recommendation: Use elimination process to select from nominees not rejected by a majority.

Appointment Type	Current Process	Recommendation and Options
Vacant Council Seat (when no special election is called)	<ul style="list-style-type: none"> No selection process specified following application and interview process. No method to get unstuck. 	<p>If 1 nominee = Appointed</p> <p>If 2 nominees = By Motion (Ballot) +</p> <ul style="list-style-type: none"> If stuck with tied/lost motions, use random section
Boards, Commissions & Committees	<ul style="list-style-type: none"> By Motion <u>OR</u> Process of Elimination by ballot No method to get unstuck 	<p>Select one of three processes to use if 3+ nominees:</p> <p>1. <u>RCV +</u></p> <ul style="list-style-type: none"> Break ties RCV cannot resolve by run-off vote <u>OR</u> random selection Break stubborn ties by random selection <p>2. <u>Elimination (Ballot) +</u></p> <ul style="list-style-type: none"> Break ties elimination cannot resolve by run-off vote <u>OR</u> random selection Break stubborn ties by random selection <p>3. <u>By Motion (Ballot) +</u></p> <ul style="list-style-type: none"> If stuck with tied/lost motions, use elimination (above) to select from all nominees not rejected by majority.
Mayor/Vice Mayor	<ul style="list-style-type: none"> Process of Elimination by ballot No method to get unstuck 	

Questions and Feedback?