CITY COUNCIL VOTING PROCESS FOR CERTAIN APPOINTED POSITIONS

City Council

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Teresa Stricker

City Attorney

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Current Process -
City Council Vacancy

Santa Rosa City Charter Section 31 (a) provides either:

- appointment by the Council; or

- the Council may call a special election to fill the vacancy.

If vacancy is not filled within 60 days, Council must call a special election to be held as soon as practicable.

Current Process -
City Council Vacancy

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 City 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:

- 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:

a. Appointments may be made by a process of elimination <u>or</u> by motion.

b. If selection is by process of elimination, each Council member votes for a number of applicants equal to the number of vacant positions, plus two. In the event there are an insufficient number of applicants to vote for a number of applicants equal to the number of vacant positions plus two, the Council votes for a fewer number as recommended by the City Attorney.

c. Those applicants receiving one vote or no votes are eliminated.

d. Subsequent votes are taken with each Council member voting for one fewer applicant than voted for in the previous round. Only applicants not eliminated may be voted upon.

Current Process - Appointment of Mayor and Vice Mayor

Santa Rosa City Charter Sections 4 and 15 provide:

- Council elects one of its members to serve a two-year term as Mayor following the swearing in of new Council members

- Council annually elect one of its members to serve as Vice Mayor for a one-year term.

Current Process - Appointment of Mayor and Vice Mayor

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

a. The Presiding Officer calls for nominations. be accepted

b. Each nomination requires a second and acceptance.

c. If only one nominee accepts, the Presiding Officer declares that individual to be elected by unanimous consent.

d. If two or more Councilmembers nominees accept, election is by process of elimination:

- Each Council Member votes by roll call for a number of nominees that equals one fewer then total number of nominees.

- Nominees receiving 0-1 votes are eliminated.

- Subsequent votes are taken by roll call with each Council Member voting for one fewer nominee than was voted for in previous round.

- Only nominees not eliminated may be voted upon.

e. Once a single nominee receives a majority vote, the Presiding Officer declares that nominee elected.

Recommended Options – Vacant Council Seats

Council has not delineated a process for how Council selects from among the pool of applicants interviewed for a vacant Council seat when Council decides not to call a special election.

If Council wants to delineate a selection process, staff recommends the following process:

- Presiding Officer calls for nominations and seconds.
- If only one applicant is nominated with a second, Presiding Officer declares that the person appointed by unanimous consent.
- If more than one person is nominated with a second, Council consider whether to adopt one of the following voting options:

  - Ranked-Choice Voting
  - Process of elimination with tied votes decided by lot
  - By motion, in reverse order of nomination.

Ranked Choice Voting

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 applied to the tallies of the remaining applicants
- Process of elimination and retallying continues until one applicant achieves a majority vote as the retallied first choice.

RCV would require the City's IT department to develop a systematic way to facilitate a transparent, real-time ranked-choice voting process.

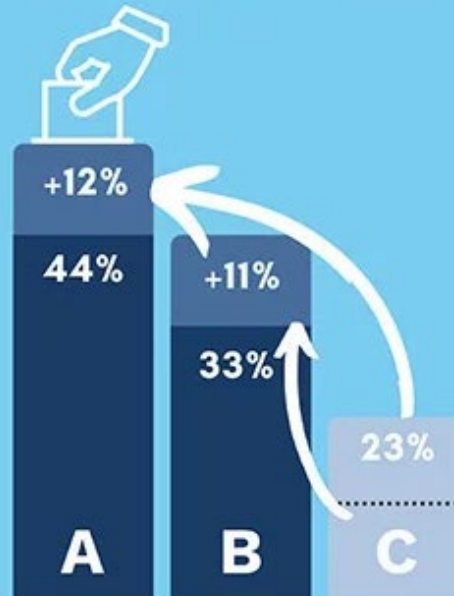# Ranked Choice Voting

RANKED CHOICE VOTING: HOW IT WORKS — ROCK THE VOTE
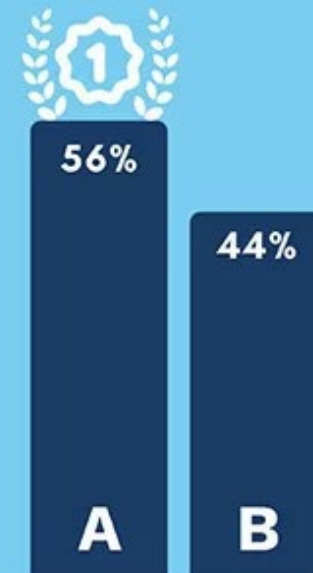
1. VOTERS RANK THE CANDIDATES FIRST CHOICE TO LAST CHOICE
2. CANDIDATE C HAS THE FEWEST VOTES, SO 1ST CHOICE VOTES FOR CANDIDATE C WILL CHANGE TO VOTER'S 2ND CHOICE
3. CANDIDATE A HAS NOW WON, SINCE THEY HAVE OVER 50% OF THE VOTES

Process of Elimination with Tied Votes Decided By Lot

This option is similar to the process currently used for the Council to make appointments to certain boards, commissions and committees.

Elimination would require successive rounds of Council Members voting when there are multiple applicants, with one applicant eliminated each time until a winner is selected.

Council may consider providing that to break a tied vote, the new Councilmember will be selected by lot (random selection) to mirror the process set forth in Charter section 4 for resolving ties when the voters elect Council Members:

> "[i]n the case of a tie vote of the electorate, the person elected [to the Council] shall be decided by lot."

By Motion

Council may wish to consider adopting a rule providing for Council's appointment to fill a Council vacancy by motion.

Motions would be taken one at a time, nominee-by-nominee.

- Some jurisdictions follow Rosenberg's Rules of Order and take motions in the reserve order nominations were received.

- Other jurisdictions take motions in the order nominations were received.

- Staff recommends following Rosenberg's approach.

Recommended Options – Appointments to Boards, Commissions and Committees

Current process is by motion <u>or</u> by elimination.

Should Council wish to modify its process for such appointments, Council may wish to consider:

- establishing that tied votes following a process of elimination will be decided by lot;
- establishing that motions are taken in reverse order of nomination; or
- changing to ranked-choice voting.

Recommended Options – Appointment of Mayor/Vice Mayor

If there is more than one nominee who accepts, the current process for appointing a Mayor/Vice Mayor is by elimination, with one nominee eliminated during each voting round.

If Council wants to adopt a different process, staff recommends that Council consider one of the following options:

- By elimination with any tied vote decided by lot
- By motion, in reverse order of nomination
- Ranked-choice voting.

Questions and Feedback?