

CITY OF YUBA CITY
STAFF REPORT

Date: May 17, 2022
To: Honorable Mayor & Members of the City Council
From: Administration Department
Presentation By: Diana Langley, City Manager

Summary

Subject: Mayor/Vice Mayor Rotation Policy Update to address By-District Elections
Recommendation: Provide initial direction regarding updates to the Council's current process for selecting the Mayor and Vice Mayor positions given the City's change to election of Councilmembers by District
Fiscal Impact: None

Purpose:

To receive initial direction regarding updates to the Council's process of selecting the Mayor/Vice Mayor positions given the recent change to election of Council members by Districts.

Background:

Members of the current City Council were elected at-large based on a city-wide vote. Recently, the City converted to a district-based system of elections, where the City is divided into Districts. Candidates may only run for the seat representing the District in which they are registered to vote, and voters may only vote for a candidate from their division.

The conversion to a District-based system of elections can affect the current practice of selecting the Mayor and Vice Mayor as the order of finish between Districts potentially inhibits an "apples to apples" comparison of the order of finish as compared to a city-wide vote. Currently, the Mayor and Vice Mayor are elected by a majority vote of a quorum of the City Council for one-year terms. The position of Mayor has traditionally followed a sequence based on (a) election date and (b) order of finish within each city-wide election. The Vice-Mayor is also selected based on the same criteria, and traditionally the Mayor at the end of the Mayor's term. However, none of the Districts are the same exact size, which can create challenges in determining the order of finish under the traditional method.

Staff are requesting initial direction from the City Council as to whether to update the selection process, and if so, what criteria should be used for the election of the Mayor and Vice Mayor given the upcoming transition to elections by Districts. Once direction is provided, Staff will return with a policy for Council consideration for final approval.

Analysis:

Role and Authority of the Council

The City of Yuba City is a Council-Manager form of government, which means the City Council controls the selection of the Mayor and Vice Mayor and may choose to update its policies at any time.

The Council acts as a body and speaks with one “corporate voice.” No member has any extraordinary powers beyond those of other members. While the Mayor has additional ceremonial and presiding officer responsibilities, when it comes to establishing policies, voting, and in other significant responsibilities, all members of the Council are equal.

Fundamentally, the powers of the City Council are to be utilized for the good of the community and its residents and to provide for the health, safety and general welfare of the citizenry, no matter what District may have elected them. Likewise, in systems involving by-District elections, both the Mayor and Vice Mayor also have the role to continue to act for the good of the entire community.

Procedures for Selecting Mayor/Vice Mayor

There are essentially two basic methods for electing the Mayor and Vice Mayor given the City’s transition to by-District elections: the “ad hoc” procedure, and the “rotation” procedure.

“Ad hoc” Procedure

The “ad hoc” procedure is where a city does not have a formal rotation policy or has limited criteria for the selection of the Mayor and Vice Mayor. Instead, the Mayor and Vice Mayor are selected by a majority vote of the Council from time to time. Proponents of this system point to an advantage in providing flexibility for selection of the Mayor and Vice Mayor, and that the Mayor will likely have the support of the majority. Critics of this system point to how it can lead to political divisiveness during the selection process, result in appointment of a single person for multiple terms (or turn over mid-term if a simple majority is lost), and prevents Council members in the minority from ever having an opportunity to serve.

The “Rotation” Procedure

This procedure essentially provides for a system of selection based on a rotating basis. There are many variations of this method, but it can include items such as:

1. An intent to set up a process so that each Council member will have the opportunity to become either Vice Mayor, Mayor, or both.
2. Term of office. One year is common.
3. Mayor eligibility criteria. This could include having served at least two years on Council.
4. Vice Mayor eligibility criteria. This could include having served at least one year on the Council.
5. Presumption that the Vice Mayor will be selected for the next Mayor position.
6. A rotation schedule that is easy to understand. For example, the Mayor’s selection process could start with District 1, then 2, 3, 4, and 5 in order, then repeat. The Vice Mayor rotation schedule could start with the next highest number (i.e., District 2, 3, 4, 5, and then to 1, etc.)
7. Provide a transition from the current system to the new system. For example, the system could start when initial elections have been completed for all Districts (2024). To allow for an initial transition, the existing Vice Mayor appointed in December of 2023 could become the next Mayor starting in December of 2024, and the Councilmember from District 1 would then become the new Vice Mayor if eligible.
8. Provisions for selecting a backup. For example, if a Councilmember from the District does not meet the eligibility criteria, resigns, is recalled, declines the appointment, etc., then that District is skipped for that office until the next turn in the rotation.

9. Provisions for vacancies and terms. For example, if a sitting Mayor resigns or is recalled before the scheduled selection of the new Mayor's rotation, upon appointment by the Council the partial term does not count toward the new-Mayor (or new Vice-Mayor's) originally scheduled one-year term.
10. Provisions for declining to appoint due to unusual circumstances. This can include issues such as i) a violation of law or City policy, or pending investigation for the same; ii) intemperate, rude, or disparaging remarks toward the public, staff, or City Council; iii) lack of leadership or communication skills; iv) excessive absenteeism as a Council member; or v) any other conduct that would be considered to be unprofessional or unbecoming of the position of Mayor or Vice Mayor.

All appointments would be approved by a majority vote of the City Council.

Proponents of this method generally point to advantages including certainty, ensuring experienced leadership, allowing all members to potentially have the opportunity to serve, and that all Districts will eventually have the opportunity to be served by the Mayor or Vice Mayor. Critics of this system generally argue that this system potentially limits the flexibility to appoint a potentially exceptional leader for multiple years, or may result in a Mayor who is in the minority.

Recommendation:

Provide initial direction regarding updates to the Council's current process for selecting the Mayor and Vice Mayor positions given the City's change to election of Councilmembers by District.

Alternatives:

1. Decline to start the process and maintain the traditional practice of selection to the extent feasible.

Attachments:

None

Prepared By:
Shannon Chaffin
City Attorney

Submitted By:
Diana Langley
City Manager