



DATE: June 23, 2023

TO: Council Policies and Procedures Committee

FROM: Jennifer Logue, City Attorney

SUBJECT: **Proposed Amendments to Council Policy A-6**

City Council voted to have the Council Policies and Procedures Committee (CPPC) consider clarifying revisions to Council Policy A-6 governing the Mayor and Vice Mayor annual election process. Attached are redline revisions to Council Policy A-6 for the CPPC's consideration based on feedback provided by CPPC Chair Matichak.

Attachments: 1. Council Policy A-6 with redline revisions

CITY COUNCIL POLICY

SUBJECT: ELECTION OF MAYOR AND VICE MAYOR AND DAIS SEATING
ORDER

NO.: A-6

PURPOSE:

To establish a Council Procedure for the annual election of Mayor and Vice Mayor and the Councilmember seating arrangement at the dais.

DEFINITIONS:

For purpose of this policy, councilmember rank and seniority shall be determined as follows:

The “Highest Ranking Member” shall mean the member who has served on City Council for the greatest number of consecutive days in the immediately preceding ten (10)¹ years. For purposes of determining the number of consecutive days served, the first day of service shall be the date the councilmember was *first* sworn in as a councilmember in the immediately preceding ten (10) years.

If two or more councilmembers have served for the same number of consecutive days in the immediately preceding ten (10) years, the “Highest Ranking Member” shall mean the member who has served on City Council for the greatest number of consecutive days in the immediately preceding ten (10) years *and* received the highest number of votes in the election that initiated their current consecutive years of service.

For purposes of this policy, “Seniority” shall be determined by number of consecutive days of service in the immediately preceding ten (10) years and, if necessary to break a tie, then by the number of votes received in the election that initiated the councilmembers’ current consecutive years of service.

POLICY:

1. Election Process

- a. Pursuant to ~~Sections~~ Section 500 and 505 of the City Charter, the Council shall elect one ~~of its~~ members to serve as Mayor and one member to serve as Vice Mayor, both

¹ Ten (10) years rather than eight (8) years has been used to account for the fact the Charter Section 500 permits councilmembers who have been appointed or elected to fill an unexpired term of not more than two years in length to serve two additional consecutive four-year terms, and, therefore, a councilmember appointed to fill a vacancy may serve up to ten (10) consecutive years.

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- for one-year terms, at the first Council meeting in January of each year. The elections shall be listed ~~jointly consecutively~~ on the agenda.
- b. After the Mayor or City Clerk opens the agenda item, the Mayor shall open the floor ~~to~~ for public comment ~~as to~~ on both positions.
 - c. At the close of the public comment period, the floor shall be open for nomination(s) for Mayor. The Mayor shall recognize any Councilmember who wants to make a nomination.
 - d. ~~A motion and second is not in order for this process. At the close of the nominations, a vote will be in order and a member of the Council selected for Mayor each Councilmember shall name the member they are voting for to serve as the next Mayor. The member who receives majority vote of the members present is elected to serve as Mayor. If no member receives a majority vote of the members present, the voting process shall be repeated until a member receives majority vote. a second vote will be taken or, The Council shall have the discretion to re-open the nomination process described in subsection c. above at any time prior to subsequent rounds of voting. at the discretion of the Council, the nomination process repeated.~~ At the close of the nominations, a motion and second is not in order for this process. Each Councilmember shall name the member they are voting for to serve as the next Mayor. The member who receives majority vote of the members present is elected to serve as Mayor. If no member receives a majority vote of the members present, the voting process shall be repeated until a member receives majority vote. A second vote will be taken or, The Council shall have the discretion to re-open the nomination process described in subsection c. above at any time prior to subsequent rounds of voting. at the discretion of the Council, the nomination process repeated.
 - e. After the election of Mayor, the ~~same process shall be used procedure will be repeated~~ for the election of Vice Mayor, beginning with the nomination process described in subsection c. above. ~~Step c above.~~
 - f. The Council may, by majority vote, utilize another procedure for the election of Mayor and Vice Mayor provided the public participation in the process is not diminished.
2. Informal Rotation
- a. The following will provide historical guidance for the rotation of the seats of Mayor and Vice Mayor in the City of Mountain View. The rotation system outlined is not mandatory. Rather, it is designed to provide guidance to the Council in selecting the Mayor and Vice Mayor.
 - b. The Vice Mayor succeeds to the Mayor's position.
 - c. The ~~most senior member~~ Highest Ranking Member of the Council who has not yet served as Mayor in their current consecutive years of service ~~would~~ rotates into the position of Vice Mayor.

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- d. One year of ~~prior~~ service as a past or present member of the Mountain View City Council ~~on the Council~~ is recommended to be eligible for the position of Mayor.
- e. If ~~there is no senior member of the~~ all current Council councilmembers have ~~who has~~ ~~not~~ served as Mayor in their current consecutive years of service, then any incoming (newly elected or appointed) councilmember ~~will be~~ is eligible for election to the Vice Mayor position. If there is more than one incoming councilmember, they will rotate in as Vice Mayor and then Mayor based on Seniority. ~~determined by the current number of consecutive years served the number of votes they received in the election which initiated the first of their current consecutive terms. This ranking establishes the members' seniority for purposes of this policy.~~ Once a councilmember's position in the Mayor/Vice Mayor rotation is established, it does not change regardless of whether a newly elected councilmember receives more votes than a councilmember reelected to a consecutive term. A councilmember who returns to City Council after a break in service of any duration starts over for purposes of determining Seniority.
- ~~f. If a newly elected Councilmember has not served as Vice Mayor or Mayor in their first term and is reelected without a break in service, they will be considered a current Councilmember for purposes of rotation into the Vice Mayor seat. This means that a Councilmember who is reelected and did not serve as the Vice Mayor or Mayor during their first term would have seniority over a newly elected person, notwithstanding that the newly elected Councilmember received more votes than the returning Councilmember.~~
- gf. If the Mayor or Vice Mayor seat becomes vacant during the one-year term for that office, the Council will determine the eligibility for filling the vacancy, taking into consideration the length of time remaining in the term and the wishes of the members in the rotation ~~in line~~ to fill the vacancy.
- ~~h. For the purposes of this policy, "senior member," or seniority in general, refer to the current set of two terms (and any partial term) permitted by the City Charter. For purposes of this policy, the term "senior member" is used to distinguish that member from a "newly elected" member.~~
- ig. Councilmembers elected or appointed to a term of less than four (4) years shall be placed in rotation immediately behind members previously elected or appointed and those elected to a full term at the same election. If more than one member is elected

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or appointed, they shall be placed in the rotation according to the length of term and number of votes, as applicable.

3. Dais Seating Order

- a. After the meeting at which selection of Mayor and Vice Mayor took place, the newly elected Mayor shall be seated in the middle position the dais. The Vice Mayor shall be seated to the Mayor’s right, and the Immediate Past Mayor shall be seated to the Mayor’s left. The remaining Councilmembers shall be seated according to their seniority with the next most senior member sitting to the Vice Mayor’s right, second most senior member sitting to the Immediate Past Mayor’s left and so on.

Audience						
4th Senior	2nd Senior	Past Mayor	Mayor	Vice Mayor	1st Senior	3rd Senior

Revised: _____

Revised: January 3, 2019, Resolution No. 18291

Revised: November 19, 2002, Resolution No. 16749

Effective Date: November 23, 1999, Resolution No. 16428