

CITY OF ALBANY
CITY COUNCIL
AGENDA REPORT

Agenda Date: February 2, 2009

SUBJECT: CUMULATIVE VOTING METHOD FOR CITY COUNCIL AT-LARGE
COMMITTEE APPOINTMENTS

REPORT BY: Beth Pollard, City Administrator

COUNCIL MEMBER JAVANDEL RECOMMENDATION

That Council consider adoption of the Cumulative Voting method for appointment of at large committee members by the Council, before appointing any more at large committee members.

BACKGROUND

Most positions on City Commissions, Committees, and Boards are filled by one appointee per each Council Member. However, the City Council appoints at-large members to these City committees:

- Charter Review Committee: Two (2)
- Waterfront Committee: Two (2)
- Sustainability Committee: One (1)

The method the City Council used when appointing two members to the Waterfront Committee on January 21, 2009 was that each Council Member was given the opportunity to vote for up to two applicants; the vote was written down by each Council Member and submitted to the City Clerk. The City Clerk read aloud the names of the person(s) that each Council Member had selected, noting the name of the Council Member making that selection. By using this method, no Council Member is put in the position of voting first or last, and no applicant's name is voted on first or last.

DISCUSSION

When the appointment methodology was discussed at the last Council meeting, Council Member Javandel expressed a concern that the current methodology of at-large appointments gives the majority of the City Council an amplified majority of appointments on committees. A suggestion was raised that the Council consider a method called "cumulative voting" in an effort to weigh the appointments in a manner that reflects the full spectrum of the City Council. This method would be applicable when there are two or more positions to be filled.

The mechanism for cumulative voting is defined by Council Member Javandel as follows:

- 1) Each Council member may cast as many votes as there are vacant positions to be filled.
- 2) A Council member may cast all their votes for one candidate or distribute their votes to multiple candidates.
- 3) All votes are cast by means of written ballots, which will be read by the City Clerk.
- 4) Vacant positions will be filled by the candidates with the most votes.
- 5) In the event that a tie must be broken, the entire voting process is repeated until the tie is resolved.

The first four steps should be fairly obvious, but the reason for the last step (repeating the entire vote to break ties) is to protect the integrity of the cumulative voting process. Without this rule, there could be scenarios where a simple majority of the Council could cast all their votes for one candidate, declare that person appointed, and then hold a second vote to fill the remaining position again using a simple majority and thus nullifying the purpose of cumulative voting.

The significant ramifications of implementing cumulative voting can be summarized as follows:

- Distribution of committee members will more closely match the distribution of Council members.
- The majority of Council members will retain the majority of positions on any committee.
- The minority of Council members will NOT be able to achieve the majority of positions on any committee through cumulative voting.
- Council members retain the ability to discuss their voting intent at the public meeting prior to actually casting votes. This alleviates possible concern over surprise outcomes if there are many more candidates than open positions.

STAFF ANALYSIS

The current appointment method for at-large members does conceptually provide the majority of the City Council with a greater majority of appointment authority than if there were only one appointment by each Council Member. One alternative is the cumulative voting methodology, although it is not without its complications in the event of tied votes. Another alternative is to eliminate the at-large members. One issue to consider in this alternative is that generally speaking, a City committee is distinctive from a commission in that it is expected to be involved in ongoing activities to meet the purpose of the group. Therefore, it can be helpful for those groups involved in hands-on activities to have more than five members in order to accomplish the group's work.

A third alternative is to ask the School Board to appoint members, but this option does not appear to be applicable to the purposes of the Waterfront Committee or the Charter Review Committee. A fourth alternative is to expand the size of the committee to two appointees

per Councilmember; this would result in a 10-member group unless an additional member is appointed by the School Board or by other means.

Another reason to provide at-large appointments is that it offers the City Council the opportunity to appoint members that bring an area of expertise or perspective that the committee is lacking in the composition of the five City Council appointments. Therefore, there is also the alternative of the City Council to consider including a full spectrum of perspectives and/or the particular needs of the group when making the appointments. This is the approach that staff has expected the City Council to take in filling at-large positions.

SUSTAINABILITY IMPACT

None in particular, although having efficient and effective City advisory and participatory groups contributes to the quality of life in the community.

FINANCIAL IMPACT

None in particular; there is a minor administrative overhead cost involved in each position that is established for city commissions and committees;

CONCLUSION

The options available to Council include:

- Maintain the current methodology for at-large appointments
- Establish cumulative voting
- Eliminate at-large positions
- Modify the composition to include two appointees per Council Member and/or School Board appointees
- Refer the matter to the Charter Review Committee as a City governance issue for recommendation to the City Council at a later date, with implementation of change, if any, in the next appointment cycle
- Consider the skills, knowledge, abilities, and perspectives of the membership when making appointments