City of Hermosa Beach

Staff Report

File #: REPORT 18-0688, **Version:** 1

Honorable Mayor and Members of the Hermosa Beach City Council
Regular Meeting of November 13, 2018

POLICY ON VOTING PROCEDURE FOR
BOARD/COMMISSION APPOINTMENTS
(Continued from meeting of October 13, 2018)
- Report has been Revised -
(City Clerk Elaine Doerfling)

Recommended Action:

City Clerk recommends that the City Council approve one of the following policies:

1. Paper voting procedure (developed in 2012 by Council subcommittee and staff);
2. Voice vote procedure (specify formal motion, consensus); or
3. Paper weighted voting procedure with numbered ranking system.

Background:

Past voting procedures for board/commission appointments have included:

- Formal motion for each appointment (from at least 1990 - 2006)
- Voice vote by consensus (2007 - 2011)
- Paper vote for single or multiple appointments (2012 - 2018)
- Weighted paper vote for multiple appointments (2013 - 2018)

Previous City Council directions/actions regarding voting procedures include:

- June 12, 2012 - Consensus for a Council subcommittee (comprised of then-Mayor Jeff Duclos and then-Councilmember Michael DiVirgilio) to work with staff to develop a consistent voting policy for making board/commission appointments.
- July 24, 2012 - City Attorney Jenkins presented the (above-directed) voting policy calling for Councilmembers to mark their selection(s) on paper (City Clerk to read aloud and tally votes).
- July 9, 2013 - Then-Mayor Kit Bobko introduced a weighted voting system for Councilmembers to mark their selection(s) on paper, using a numbered ranking system (City Clerk to read aloud and tally votes).
- July 14, 2015 - Then-Councilmember Michael DiVirgilio expressed concern about the confusion created by employing different voting systems at different meetings and, with the consensus of the City Council, directed staff to report back (when feasible according to work flow) with a policy statement on a voting procedure to ensure consistency with

board/commission appointments.

To facilitate the paper-ballot policy established in 2012, the City Clerk prepared voting sheets on which Councilmembers mark their selections, appropriately altered in 2013 to allow for weighted voting, and has made both versions (samples attached) available at all subsequent meetings to accommodate whichever system is employed at the time.

<u>Analysis</u>:
While a formal motion, which either passes or fails with up-or-down votes, is a straight-forward decision-making process, it is not necessarily ideal for board/commission appointments, where it is understandably preferable to vote in favor of, rather than against, individual residents who volunteer to serve our community. That discomfort may be one of the key reasons that the Council moved in 2007 to a consensus voice vote process which, while still requiring majority approval, eliminated negative votes.

After at least 30 years using voice voting (either formal motion or consensus), a Council subcommittee was established June 12, 2012 and directed to work with staff to develop and present a new voting process before the Council has to make upcoming Planning Commission appointments. Under the voting system presented at the July 24, 2012 meeting, Councilmembers marked their selection(s) on paper, at the same time, to be read aloud and tallied by the City Clerk, creating a more level playing field for each individual applicant and eliminating any of the real or perceived problems of voice-voting (such as by whom and in what order motions were made or voice votes were cast).

Under the weighted vote system, which was introduced in 2013, the applicant with the highest number of points would be the top choice, but the ranking of applicants has nearly always created confusion. For example, with six applicants vying for three seats, Councilmembers are instructed to mark three points for their first choice, two points for their second choice, and one point for their third choice, which is counter-intuitive for those who instinctively view their first choice as #1.

Tie votes, which may occur under any system, and with any number of Councilmembers present, have always been resolved by simply re-voting until consensus is reached. If a tie vote occurs when a Councilmember is absent, the appointment is typically continued to the next meeting to allow for voting by all five members.

Depending on the action taken by Council, a resolution, if needed, reflecting Council's action would be prepared for presentation at the next meeting as a consent calendar item.

<u>Attachments</u>:
1. Voting sheet sample #1 (paper ballots)
2. Voting sheet sample #2 (paper ballots)

Submitted by: Elaine Doerfling, City Clerk
Concur: Suja Lowenthal, City Manager