CITY OF GLENDALE, CALIFORNIA
REPORT TO THE CITY COUNCIL

AGENDA ITEM

Report: Mayor Selection Process

1) Motion Directing Staff

2) Motion to Note and File Report

COUNCIL ACTION

Item Type: Action Item

Approved for January 12, 2021 **calendar**

ADMINISTRATIVE ACTION

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RECOMMENDATION

Staff recommends that the City Council review possible selection processes for the nomination and appointment of the position of Mayor, and provide direction to staff. Staff is also seeking direction on aligning the Mayor selection date with City Council swearing in.

BACKGROUND

City Council requested a report addressing options for establishing a formalized process for selection of Mayor, including reviewing best practices found in a wide variety of cities.

In Glendale, five Councilmembers are elected at-large and serve four-year terms. City Council elections occur over two-year cycles with one cycle electing three Councilmembers and the next cycle electing two Councilmembers. In April of each year, the City Council appoints one of their own members to serve as Mayor for the following year as specified by Article IV, Section 5(4) of the City Charter (Exhibit 1):

> *"The Council Shall… Choose one (1) of its members as presiding officer, to be called mayor… When the Mayor is absent from any meeting of the Council, the mayor pro tem shall be selected monthly by alphabetical rotation. The mayor pro tem shall act as mayor if the mayor is absent or unavailable."*

The only formal policy guiding the selection of the Mayor is Glendale Municipal Code Section 2.04.20 (Exhibit 1), which gives preference to candidates with prior experience serving on City Council:

> *"In the selection of the Mayor, preference is to be given to members of Council who have had the benefit of experience as Council members prior to the time of selection."*

In 2008, the City Council received a staff report that reviewed the Mayor selection process of 16 California cities (Exhibit 2). After consideration, Council concluded that it may utilize any selection process as long as a preference is given to Councilmembers with prior experience:

> *"This Council is free to utilize any procedure (other than a process or procedure which would offend the Constitution) to select a Mayor so long as the Council is cognizant of the strong suggestion that a council member with experience is to be given preference."*

It should also be noted that the Council follows an unwritten practice in which a Councilmember will not be selected as Mayor if he or she will be up for reelection during the Mayoral term.

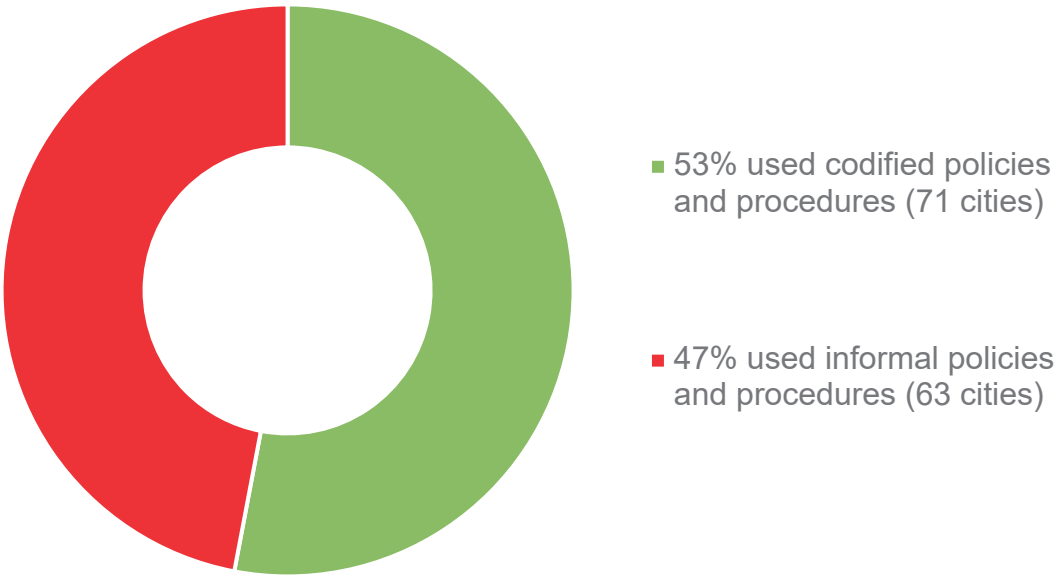
Current Mayor Vrej Agajanian was selected to serve as mayor for this year's term on April 14, 2020. Mayor Agajanian's term will end in April 2021. In Glendale, the Mayor Pro Tem is selected on a consecutive, monthly basis by alphabetical rotation.

ANALYSIS

Staff surveyed 134 municipalities across 7 states in order to collect a broad range of best practices. Surveyed cities were selected based on characteristics similar to Glendale, including cities with Council-Manager forms of government, council-appointed mayors, and similar population sizes. Population size was later expanded to find more examples of council-appointed mayors, as the majority of cities with a similar population sizes to Glendale were found mostly to have at-large mayors elected by the public.

Of the 134 cities surveyed, 71 cities (53%) had codified policies and procedures that outlined specific methodologies for how their mayors shall be selected. The other 63 cities (47%) had informal policies and procedures with little or no codified details as to how their mayors shall be selected.

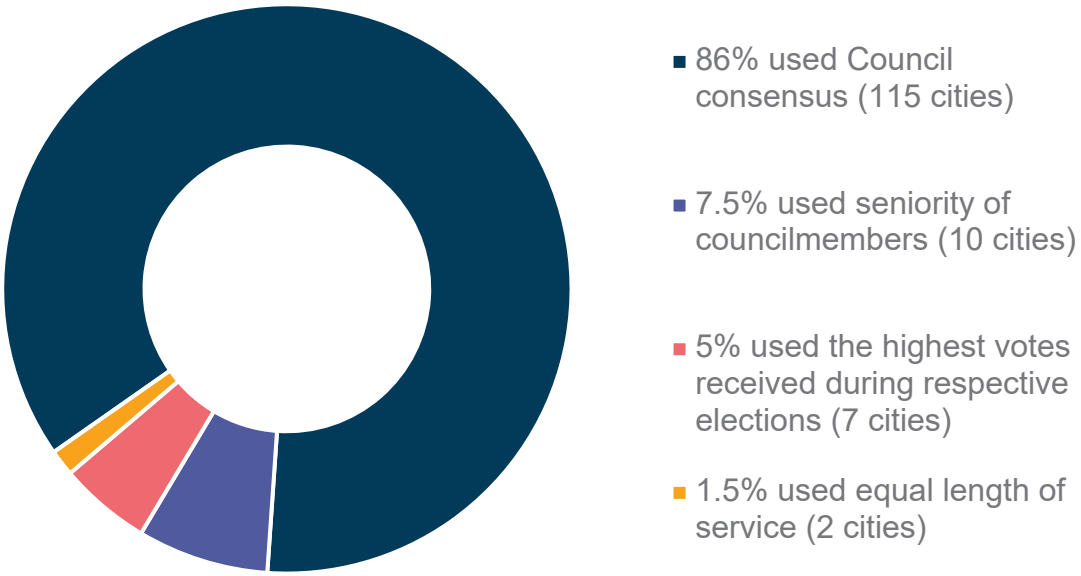
Codified Versus Informal Policy and Procedures Amongst 134 Surveyed Cities.



The selection methods found across all surveyed cities can be summarized into the following four categories:

1. Council Consensus
2. Seniority of Uninterrupted Service
3. Highest Collective Votes
4. Equal Length of Service

Primary Mayor Selection Methods from 134 Surveyed Cities



1. **Council Consensus**

Selection by Council consensus allows the rotation of the mayor to be determined by a majority of sitting Councilmembers during each term period. Cities using this rotation method have annual meetings whereby a nomination is made for the mayor and a majority vote rule must follow in order to officially appoint the mayor. Some cities, such as Beaumont, CA, were observed using council consensus in combination with other methods, like seniority and highest collective votes, to informally help Council come to a decision.

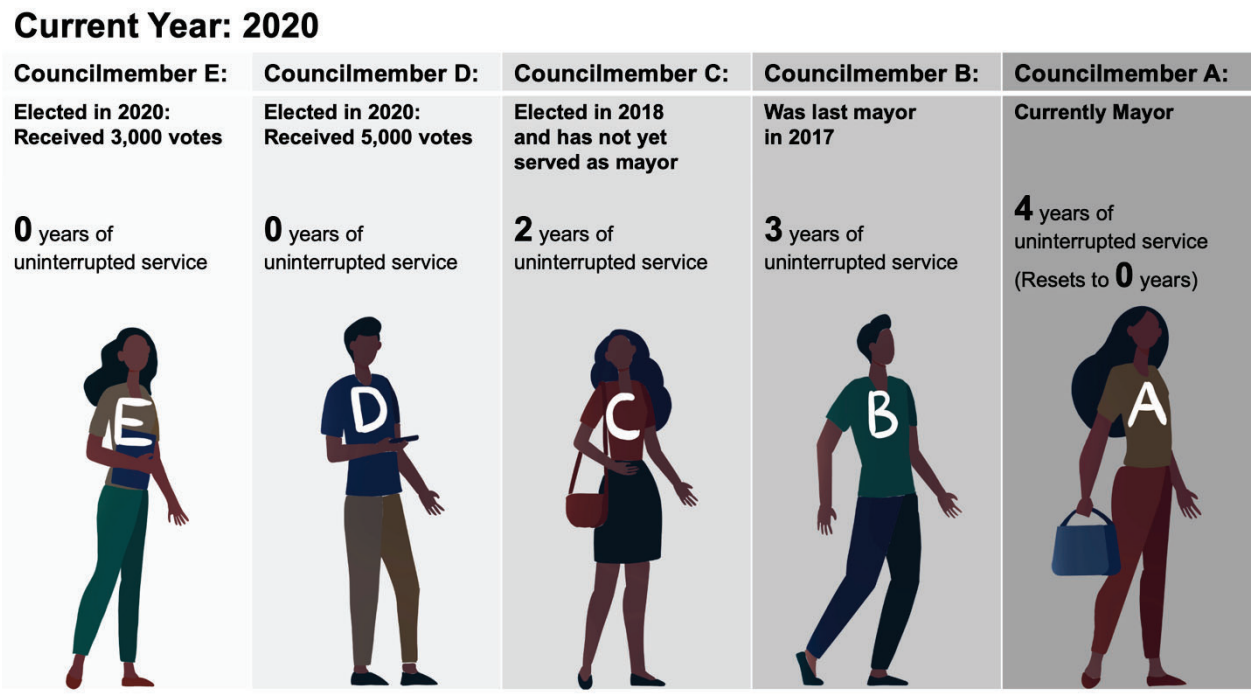
This was the most commonly used method of rotation from our surveyed cities, with a total of 115 of 134 cities (86%) utilizing Council consensus as their primary form of mayor selection (Exhibit 3, Table 1). *This is the method currently being used by the City of Glendale.*

2. **Seniority of Uninterrupted Service**

Selection by seniority of uninterrupted service considers Councilmembers' length of service since their last turn as mayor to determine the order in which they serve. Councilmembers with the longest time since serving as mayor will be given priority over those who have recently served. Serving as a mayor "resets the clock" and sends a Councilmember to the back of the line of succession. Newly elected councilmembers also join the back of the line. If two or more new councilmembers are elected together, and thus have equal lengths of uninterrupted service, a tiebreaker can determine who amongst them will serve first. A common tiebreaker observed in surveyed cities is to

count highest collective votes (which is explained in item #3) received by each new councilmember, with the member receiving the highest votes getting priority. Seniority was used by some cities to appoint mayor pro terms and vice mayors alongside the mayor position.

Illustration of Seniority of Uninterrupted Service Method



The above figure shows an example of the seniority of uninterrupted service methodology at work. Councilmember A is currently serving as mayor, which sets their length of uninterrupted service to 0. When Councilmember A is done serving as mayor, they will join the back of the line behind all other councilmembers in this Figure. Councilmember B was last mayor in 2017, giving them 3 years of uninterrupted service in the current year (2020). This is the longest length of uninterrupted service, and thus allows them the position in the front of the line of succession. They will serve as mayor next. Councilmember C was elected in 2018 and has not yet served as mayor, giving them 2 years of uninterrupted service. They are in the line of succession after Councilmember B. Councilmembers D and E were elected during the current year, and are both new to council. Since they are joining at the same time, they have equal lengths of uninterrupted service (0 years). A tiebreaker will consider their highest collective votes received in order to determine the order in which they join the line of succession. Councilmember D received 5,000 votes and Councilmember E received 3,000 votes during their election, allowing Councilmember D to join the line in front of Councilmember E.

Selection by seniority of uninterrupted service was the second most commonly used method of rotation amongst the surveyed cities, with a total of 10 of 134 cities (7.5%) utilizing it as their primary form of mayor selection (Exhibit 3, Table 2).

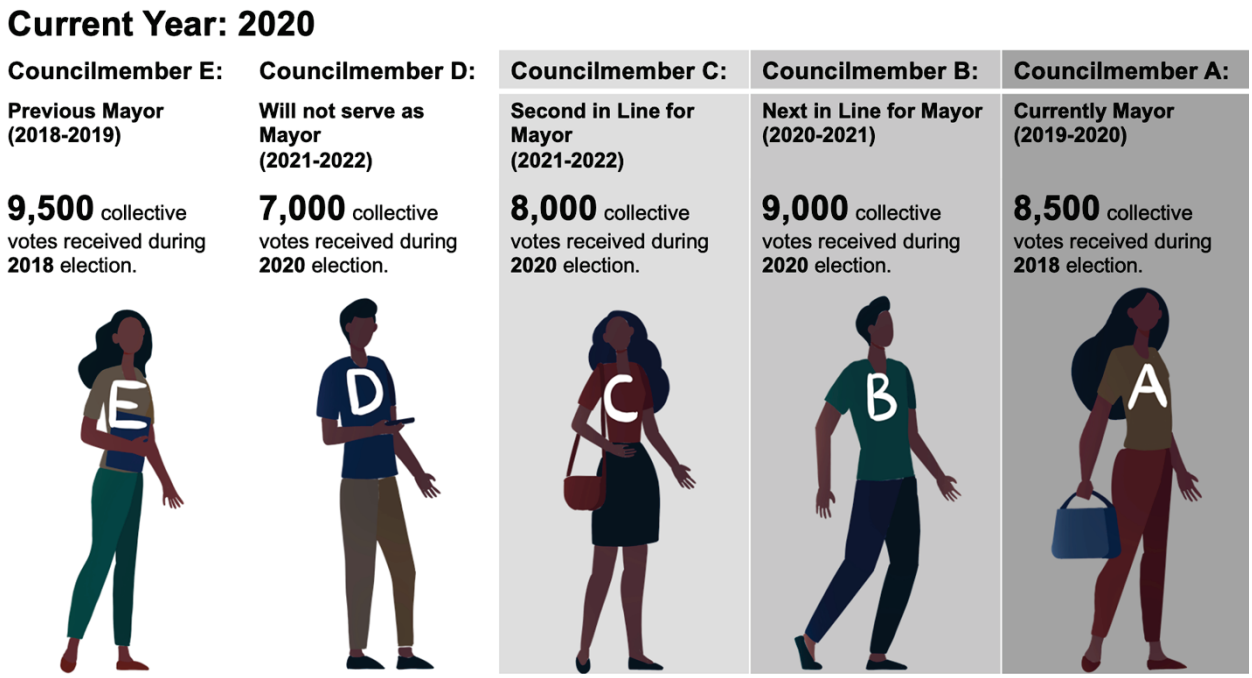
3. Highest Collective Votes

Selection by highest collective votes received bases the rotation of mayor on the number of eligible votes each Councilmember received during their respective elections. The Councilmember that receives the highest collective votes during their election is given preference as mayor, and the rotation order following them is based on descending vote count. Votes are not carried over if a Councilmember is elected more than once.

Some cities, like Agoura Hills, CA, have newly elected Councilmembers join the back of the line of succession in order of votes received. Others, like Mill Valley, CA, dynamically re-order the line after every election using each councilmember's respective percentage of votes received to determine the order. This method enables newly elected Councilmembers to potentially "cut" in front of sitting Councilmembers if the new Councilmember received more votes. Under this example, it is possible for Councilmembers with lower collective votes to never serve as mayor during their tenure on Council.

Other selection methods, such as seniority of uninterrupted service, drawing lots, and flipping coins, were observed as potential tiebreakers in the event that Councilmembers are elected with the same number of votes.

Illustration of Highest Collective Votes Method



The above figure shows an example of the highest collective vote methodology at work *immediately after an election has taken place*. Councilmembers B, C, and D just won the most recent election for three open seats on Council. Councilmembers A and E are

currently 2 years into their 4-year terms, with Councilmember A serving as the current Mayor. The number of votes received by each newly elected member are counted and ranked in descending order: Councilmember B had the highest collective votes at 9,000; Councilmember C had the second highest collective votes at 8,000; and Councilmember D had the third highest collective votes at 7,000. Based on the vote count, Councilmembers B will serve as mayor first followed by Councilmember C. Since only two mayors can serve until the next election cycle two years from now, Councilmember D will not have an opportunity to serve as Mayor.

Selection by highest collective votes received was the third most common method of rotation found amongst surveyed cities, with a total of 7 of 134 cities (5%) utilizing it as their primary form of mayor selection (Exhibit 3, Table 3).

If Council were to select highest collective votes received as a new method for mayor selection going forward, an initial calculation would be made to determine the rotation order for all sitting councilmembers (Exhibit 4). In order to account for disparities in votes across election systems (municipal election in 2017 vs. consolidated Countywide election in 2020), a percentage of votes received from each respective election could be utilized for this initial rank order instead of exact vote count. Rank order by votes received would then be utilized for every election cycle going forward.

4. **Equal Length of Service**

Selection by equal length of service guarantees each councilmember the same amount of time as mayor, and ensures that all members serve once per elected term. Priority is given to councilmembers who will term out sooner.

2 of the 134 surveyed cities (1.5%) were observed implementing equal length of service to select their Mayors (Exhibit 3, Table 4). Manhattan Beach, California and Alhambra, California make a calculation after each election to determine how much time is required to give each councilmember exactly one rotation as mayor. Mayor rotations in these cities were observed to fluctuate between 9 and 10 months based on schedules and holidays. The first rotation is typically given to the candidate with the highest collective votes received, but councilmembers who are scheduled to term out sooner are also given priority.

It should be noted that if Council chooses to adopt this option it would require an amendment to the Glendale Municipal Code §2.04.020 (Exhibit 1). This section defines mayor rotations as occurring annually and this option would reduce them to less than 12 months:

> *"..The council shall annually select one of its members to be the mayor."*

Hybrid Models

It should be noted that cities often used a combination of two or more of these methods. In most cases, a primary method was observed alongside a secondary method available to break ties (Exhibit 3, Table 5). For example, the City of Redwood, CA primarily uses seniority of uninterrupted service to select their mayor, but will resort to highest collective votes received when two or more Councilmembers are elected at the same time and thus have equal seniority. These processes were followed with varying degrees of complication across cities. Cities with no written selection policy were sometimes found to be fluid and unspecific with their selection methodology, even when they had a primary method identified. Cities with mayor pro tems often used their chosen selection method to rotate pro tems along with mayors.

Change of Date of Selection of Mayor

Staff also seeks direction to amend the Glendale Municipal Code to coordinate the date for selecting the Mayor with date of the swearing in of newly elected or reelected councilmembers during election years. Glendale Municipal Code §2.04.020 (Exhibit 1) provides that:

> *"The times for appointment [of the Mayor] shall be the second Monday of April in each year in which a general election is held."*

In previous years, this date coincided with the date that the election returns were canvassed and the new councilmembers were sworn in. With the City's general municipal election consolidated with the County of Los Angeles and occurring in March, the new Councilmembers were sworn in before the date of the Mayor changeover. Staff suggests amending the Code to tie the councilmember swearing in and Mayoral appointment dates once again. Council can also amend the Code for the Mayoral changeover during non-election years, but staff would recommend that any amendment provide that the change in non-election years occur after the next general municipal election.

FISCAL IMPACT

There is no applicable fiscal impact associated with this report.

CAMPAIGN DISCLOSURE

N/A

ALTERNATIVES

With respect to Mayor selection process:

Alternative 1: City Council may choose one of the alternative selection procedures.

Alternative 2: City Council may choose a combination of the selection procedures.

Alternative 3: City Council may note and file the report with no changes to the current process.

Alternative 4: City Council may consider any other alternative not proposed by staff.

With respect to aligning Mayor selection date with Council swearing in:

Alternative 1: City Council may choose to coordinate the date for selecting the Mayor with the date of the swearing in of councilmembers.

Alternative 2: City Council may choose to note and file the report and leave the current process as is without aligning the dates of Mayor Selection and Councilmember swearing in.

Alternative 3: City Council may consider any other alternative not proposed by staff.

EXHIBITS

Exhibit 1: City Charter and Glendale Municipal Code Sections on Mayor Selection

Exhibit 2: 2008 Staff Report on Mayor Selection

Exhibit 3: Summary of Results of Surveyed Cities

Exhibit 4: City Council Summary of Election Dates, Votes Received and Mayor Service