



# Memorandum

TO: City Councilors

FROM: Carol Moore, Clerk of the Council

RE: Caucus to elect Council leadership on December 1, 2021, 7pm, Council Chambers/Virtual

DATE: November 24, 2021

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Under the City Charter, the President and Vice-President are formally nominated and elected at Inauguration in January. I am informed, however, that the tradition of the Council is for the Councilors-Elect to convene in an informal Caucus, which is subject to the Open Meeting Law, to choose officers for the upcoming term, with tradition that those are the Officers formally nominated and elected at Inauguration. In addition to the President and Vice-President, the Council Rules also provide for the election of a President Emeritus, who presides in the absence of the other Officers and who undertakes such other duties as the President may prescribe.

The Council Rules that govern the formal election of Officers in January have also traditionally been adopted by the Caucus to govern its procedures. (Attached.) Assuming this adoption happens again, it is important to note that the nomination and election must first occur within a Committee of the Whole, and only if a candidate succeeds in attaining 13 affirmative votes is the result ripe for reporting to the Council sitting in its formal capacity. Otherwise, if less than a full Council is present and voting, the Council leadership could be chosen by less than a majority of the full Council. That is why, on Inauguration Day, the newly convened and sworn Council will go into and then out of Committee of the Whole in a carefully choreographed set of motions, nominations, and elections, as most of you have already experienced two years ago.

Note that while in Committee of the Whole, members are not required to vote, but may abstain, unlike full Council meetings where a member must be absent not to vote. Also, as in a Committee of the Whole in the Council, discussion can occur on the business before the Committee, in this case the election of Officers.

With that background, here is the proposed procedure for the Caucus of the Councilors-elect.

## **Call Meeting to Order and Taking of Attendance**

The Clerk of the Council calls the meeting to order, offers the Pledge of Allegiance, and takes attendance of the Councilors-elect in alphabetical order.

## **Selection of a Temporary Presiding Officer**

The Clerk of the Council calls for election of Temporary Presiding Officer to conduct meeting and announce that it is traditionally the longest serving Councilor, currently Councilor Baker. Motion made and seconded to nominate longest serving member. The Clerk calls for a voice vote to elect the Temporary Presiding Officer.

## **Adopting the Caucus Rules**

The Temporary Presiding Officer calls for the Adoption of the Rules of the Council to govern the Caucus. Motion made and seconded and call for voice vote to accept the Rules.

## **Electing the President**

The Temporary Presiding Officer calls for nominations for President of the Council. Motions made and seconded. When nominations are complete, call for close of nominations. Motion to close nominations made and seconded, then call for voice vote to approve closing nominations.

Each Nominee can have the floor to make a speech, customarily in the order of nomination.

After speeches, discussion, if any, by members of the Caucus-elect, the Temporary Presiding Officer calls for roll call vote in alphabetical order. Councilors-elect state who they are voting for. The nominee that gets at least 13 votes is the winner. If no one gets thirteen votes, and there are three or more candidates, the candidate with lowest total is eliminated and there is a vote again. If a deadlock occurs, the nominees withdraw, and new candidates are offered. (See the Rules.)

## **Electing the Vice-President**

If there is a candidate who achieves at least thirteen votes for President, the Temporary Presiding Officer relinquishes the Chair to the President-elect, who calls for nominations for Vice-President of Council. Motions made and seconded. When nominations are complete, call for close of nominations. Motion to close nominations made and seconded, then call for voice vote to approve closing nominations.

Each nominee can have the floor to make a speech.

After speeches, discussion if any, the Temporary Presiding Officer, or the President-elect, calls for a roll call vote. Councilors-elect state who they are voting for. The Nominee that gets at least 13 votes is the winner. If no one gets thirteen votes, and there are three or more candidates, the candidate with lowest total is eliminated and vote again. (Here, if a President-elect has been chosen, the order of voting would be again alphabetical, but with the President-elect voting last.) If a deadlock occurs, the nominees withdraw and new candidates offered, as with the election of the President.

## **Electing President Emeritus.**

The Temporary Presiding Officer, or President-elect, calls for nomination for President Emeritus of the Council. (Note that only those that have served as President in the past are eligible for nomination). Motions made and seconded. When nominations are complete, call for close of nominations. Motion made and seconded and a call for voice vote to approve closing nominations.

Each nominee can have the floor to make a speech.

After speeches, the Temporary Presiding Officer, or President-elect, calls for a roll call vote. Councilors-elect state who they are voting for, as above. The nominee that gets at least 13 votes is the winner. (If no one gets thirteen votes, and there are three or more candidates, candidate with lowest total is eliminated and vote again. If a deadlock occurs, the nominees withdraw, and new candidates offered. (See the Rules.)

## **Adjourn**

**ARTICLE VII**  
**ELECTION OF OFFICERS<sup>1</sup>**

**Section 1. Meeting for Election.**

After the Council members have been sworn, the Council shall convene to elect a President, Vice-President and President Emeritus. The Mayor shall preside for the purpose of electing a Temporary Presiding Officer whose powers shall be limited to the conduct of the election. In default of the election of such a Temporary Presiding Officer, the former President-Emeritus, if then a member of the Council, and if not, the most senior member then serving shall act as Temporary Presiding Officer to preside over the election of officers until a President is duly elected by the Council and can act as Presiding Officer and the Council can be formally organized. For purposes of this section, the "most senior member" shall mean the Council member with the greatest number of years of service on the City Council. The Council must elect its President before voting can begin for Vice President.

**Section 2. Special Committee of the Whole.**

In order to facilitate the election of officers who command the support of a majority of the full Council, the Council shall entertain nominations and preliminary voting on candidates for office under the procedures hereinafter set forth in a Special Committee of the Whole, Temporary Presiding Officer presiding. No candidate shall be reported to the full Council for subsequent formal election who has not attained a majority of the full Council or thirteen (13) votes.

**Section 3. Voting Procedure.**

After nominations are closed, votes are cast repeatedly for the slate of nominees on the ballot until a candidate receives an absolute majority vote in favor of his or her election (13 or more votes). For the purposes of this Article, "absolute majority" shall mean a majority of the members of the full City Council, or at least thirteen (13) votes. Votes shall be cast in the manner provided in paragraph B until the field is narrowed to 2 candidates.

**B) Narrowing the Field to two candidates:** If more than two candidates remain in the race after votes are cast for the first slate of nominees, then the candidate receiving the fewest votes on that ballot is eliminated as a candidate and may not again become a candidate until such time as an inability to elect (deadlock) is declared. If two or more candidates tie for the lowest vote total and three or more candidates remain in contention, repeat votes are cast until one of the tied candidates is eliminated from contention. After three rounds of votes to break a tie among nominees on a particular ballot, candidates who are tied for the fewest votes shall also be removed if the removal of all such candidates (who are tied) would leave at least two candidates remaining.

**C) Tie-breaking Votes for 2 Remaining Nominees:** If the field is narrowed to 2 candidates, neither of whom receives an absolute majority, then the possibility of opening the field to more candidates is disallowed until three ballots between the two candidates are cast. If no winner emerges during the course of those three votes, then an inability to elect a candidate (deadlock) is declared and both candidates are eliminated from contention. In the event of an inability to elect a candidate (deadlock), then nominations are re-opened, provided, however, that the two candidates who were on the ballot that resulted in the inability to elect (deadlock) cannot be nominated again until such time as a second inability to elect (deadlock) is declared, in which case, the process begins again and any Council member may be nominated.

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<sup>1</sup> *Clerk's note:* This provision appears in the Rules so that it can be used when the Council is organized on the day Councilors are sworn in at the beginning of a new term and as a means of assuring that the President and Vice-President receive the support of at least 13 of the 24 Councilors. By tradition, at an open meeting caucus of Councilors-Elect before the new term begins, the same Rules for election of officers are adopted by the Caucus and govern the informal selection of officers, who are then formally elected at Inauguration after the Rules themselves are adopted by the new Council.