

City of Alexandria, Virginia

MEMORANDUM

DATE: OCTOBER 29, 2009

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER *J*

SUBJECT: CITY CHARTER AMENDMENTS REGARDING COUNCIL ELECTIONS WHICH MAY BE CONSIDERED AS A PART OF THE LEGISLATIVE PACKAGE FOR THE 2010 GENERAL ASSEMBLY SESSION

ISSUE: City Charter amendments regarding Council elections which may be considered as a part of the Legislative Package for the 2010 General Assembly Session.

RECOMMENDATION: That City Council:

- (1) Determine what, if any, Charter amendments Council wishes to propose for public hearing and inclusion in the 2010 Legislative Package with respect to City Council elections;
- (2) Schedule a public hearing on any proposed amendment for either Tuesday, November 24, or Saturday, December 12; and
- (3) Make a final decision on which, if any, Charter amendments to include in the 2010 Legislative Package after the public hearing but no later than Saturday, December 12.

DISCUSSION: Council's Legislative Subcommittee met with the General Assembly delegation on October 1 to discuss the preliminary legislative package. Based on the recommendation of Council's Legislative Subcommittee, 24 proposals for the 2010 Legislative Package will be docketed for public hearing on Saturday, November 21. Although Council also considered an additional item, pertaining to Charter amendments on Council elections, it deferred action on this until the November 10 Council meeting. If Council agrees on any proposed Charter amendments with respect to elections at the November 10 meeting, it must hold a public hearing on the proposal on November 24 or December 12 (the State Code requires a public hearing, preceded by 10 days' newspaper notice of any proposed Charter amendment prior to its submission to the General Assembly). Since Council has not agreed on any proposed Charter amendment, this item will not be discussed with the City's Legislative Delegation at the November 10 Work Session on the City Package.

CHARTER AMENDMENTS ON COUNCIL ELECTIONS. Last June, Council voted to move City Council (and School Board) elections from May to November. If no further action is taken, the next Council election will take place in November 2012, and every three years

thereafter. Current Council terms will be extended by six months, through December 31, 2012, and the new Council will take office on January 1, 2013. When Council made this change, it also indicated that it would consider other changes to the election process, such as extending Council terms to four years, initiating staggered terms, and having elections in odd-numbered years to avoid presidential elections.

Many people do not wish to have Council elections at the same time as Presidential elections, fearing that the Council elections would be overshadowed and residents would pay little attention to local issues. Unless a change is made to the Alexandria election cycle, Council elections will be held at the same time as the Presidential election every 12 years.

Councilmen Krupicka and Fannon proposed Charter changes to avoid this situation. Council's Legislative Subcommittee considered the various scenarios that they suggested, and also developed an option that incorporated features of these scenarios for consideration by Council. The Chart below compares proposals by Councilman Fannon (Scenario A); Councilman Krupicka (Scenario B—although Councilman Krupicka proposed other scenarios, the Legislative Subcommittee believes this scenario includes most of the features of his various options); and the Legislative Subcommittee (Scenario C). It also includes a proposal by Councilwoman Pepper (Scenario D). In addition, Councilwoman Hughes has proposed that any change in the election process be put before the City's voters in a referendum before the General Assembly is asked for a Charter change.

Scenarios for Elections Charter Amendments

Issue	Scenario A	Scenario B	Scenario C	Scenario D
Next Election	November 8, 2011	November 6, 2012; Mayor and 3 members elected for 3-year terms; 3 members elected for 1-year terms	November 8, 2011; Mayor and Council seats all up for election; Mayor and top 3 finishers elected for 4-year terms; 3 members elected for 2-year terms	November 6, 2012, for 3-year terms
Subsequent elections	Every 4 years	Every two years, beginning in 2013 for four year terms	Every 2 years in November of odd years for 3 Council seats (and the Mayor every 4 years starting in 2011)	November 2015 for 4 year terms, and November of every four years afterwards
Staggered terms	No	Yes—half in each odd year, beginning in 2013	Yes—half in each odd year, beginning in 2013	No
How to initiate staggered terms	Not needed since there are no staggered terms	Possibilities: A-Draw straws B-3 top finishers serve 4 years C-adopt another procedure	Mayor and top 3 finishers in 2011 elected for 4-year terms; 3 remaining members elected for 2-Year terms	Not needed since there are no staggered terms
Next Swearing in	July 1, 2012; January 1 in 2016 and every 4 years thereafter	January 1, 2013	July 1, 2012; the first business day after January 1 in 2016 and every 4 years thereafter	January 2013, followed by January 2016, and January of every four years afterwards
Vice Mayor selection	Not addressed	Select after each election (as is done in Charlottesville)	Select after each election	Council chooses at every swearing-in; can choose the highest vote-getter if it wishes

Council needs to determine which, if any, of these options it wishes to incorporate into the City's Charter bill for the 2010 Session. It may, if it wishes, develop a new option. In order to meet the General Assembly's 2010 deadlines, as well as the Virginia Code requirements for a public hearing on Charter amendments, Council must determine no later than December 12 what, if any, amendment it wishes to seek in the 2010 Session.

If Council does make changes to the election cycle, it should also affirm the election cycle for the School Board, which staff assumes would be to continue with the current three districts of three members each; with four-year terms if Council changes to four-year terms; and the School Board election cycle coinciding with the Council election cycle. Under state general law, school board elections are to be held at the same time as Council elections.

Council may wish to consider the following questions in determining any Charter amendments it wishes to pursue with respect to City Council elections:

1. Should Council terms be staggered? If so, how (e.g., 3 slots every other year, and Mayor every other election)?
2. Should Council change to 4-year terms?
2. If 4-year terms, should elections be held in odd or even years? If even years, beginning in which year?
4. Should the current Council serve out its entire 3-year term?
5. How should Vice Mayor be selected? For how long a term?
6. What date should Council take office?
7. Should the School Board change to four-year terms? If so, in what years should its members be elected?

STAFF: Bernard Caton, Legislative Director