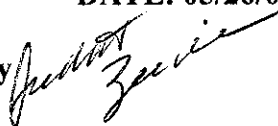


2009 CHARTER REVIEW

SUPPLEMENTAL STAFF MEMORANDUM

TO: 2009 Charter Review Committee DATE: 05/26/09
FROM: Judith Zeider, Chief Assistant City Attorney 
SUBJECT: Ward or District System for Electing Councilmembers

This is to supplement the materials provided to the Committee for its May 12, 2009, meeting.

Specifically, I am providing background information regarding some of the questions which Charter Review members have posed to Tim Likness, Clark County Auditor's Elections Office.

In addition, attached are materials related to wards and districts from the Municipal Research Services Center (MRSC), the 1994 Charter Review Committee and the 1996 Citizens Advisory Committee on Representation (CACOR).

Questions to Tim Likness:

Information regarding the subject matter of a few of the questions forwarded to Tim Likness is provided immediately after the questions.

1. **What's broken with our current form of government? Since election by wards/districts has popped up for 25 years of charter review but never been adopted, it appears the present form of government meets our constituents needs.**
2. **What benefit would our city gain by changing to a ward system similar to Spokane?**

As indicated in materials previously provided to the Committee for its meeting of May 12, 2009, Spokane both nominates (in the primary) and elects (at the general election) by district.

Whether Vancouver would gain by changing to this system or some other ward and district system for electing councilmembers is a political and policy question for the Committee to evaluate.

3. What's the downside/challenge of the ward system?

There are a number of commonly cited pros and cons for ward and district systems. Attachments B and C are materials from MRSC and National League of Cities (NLC) which set forth some of these. These are provided as information, without comment on the validity of these viewpoints.

By way of legal background, there are some basic legal requirements for ward and district systems. RCW 29A.76.010 sets forth the time frames and other details on redistricting by local governments. In brief, cities with ward and district systems must prepare a redistricting plan at least every ten years after the federal decennial census is completed. The governing body of the city (i.e. council) must prepare a plan for redistricting its internal districts or wards. The plan must be consistent with the following criteria:

- (a) Each district shall be as nearly equal in population as possible to each and every other such district comprising the municipal corporation, county, or special purpose district.
- (b) Each district shall be as compact as possible.
- (c) Each district shall consist of geographically contiguous area.
- (d) Population data may not be used for purposes of favoring or disfavoring any racial group or political party.
- (e) To the extent feasible and if not inconsistent with the basic enabling legislation for the municipal corporation, county, or district, the district boundaries shall coincide with existing recognized natural boundaries and shall, to the extent possible, preserve existing communities of related and mutual interest.

The process for adoption of the plan must provide for "full and reasonable public notice" of actions on the plan, and there must be at least one public hearing on the redistricting plan, which must be held at least one week before adoption of the plan.

The statute also provides for a process by which any registered voter residing in an area affected by the redistricting plan may seek review in superior court to challenge the plan's compliance with the criteria of the statute.

4. If we were to switch, what would you recommend as a structure and why?

5. Are all residents of the city eligible to run for Council in any district under the ward system or is this limited to the area in which they reside?

This will depend upon the structure selected for a ward or district system.

Yakima, for example, has four council districts, with one council member elected from each, and three councilmembers who run at large without regard to where they reside in the city. See Attachment A, MRSC's brief description of the ward and district systems in Washington cities.

In regard to *legal* limitations on how a ward or district system is designed, at the time of the 1999 Charter Review, we dealt with a question concerning a state statute which provides that cities with a council manager form of government must allow voters throughout the city to vote on all the council candidates at the general election. Only such cities, which limited voters to voting within their wards at the general election prior to 1994, were allowed to continue this system. RCW 35.18.020(2).

I concluded then and continue to advise now that RCW 35.18.020(2) does not apply to Vancouver as a charter city. For charter cities, RCW 35.22.200 provides that "the mayor and *council* and such other elective officers as may be provided for in such charter *shall be elected* at such times and *in such manner* as provided in Title 29 RCW." (Emphasis added) (Title 29 was repealed and/or recodified 2003 and elections are now governed by Title 29A RCW). RCW 35.22.200 gives charter cities such as Spokane and Vancouver authority to establish ward systems that differ from those of non-charter cities as long as they conform to the general election laws of the state in Title 29A. Thus, Vancouver could, like Spokane, establish a ward system in which voters may only vote for candidates who reside in their wards at both the primary and general elections.

6. **How difficult is it to redraw the ward lines every four years if that is necessary?**
7. **What would redrawing the lines cost? If we change to wards, can we limit the redistricting to every 10 years based on the census as a way to limit the costs?**

As noted the May 12, 2009, staff memorandum on wards/districts, the population of wards and districts must be equally apportioned, so if the population of districts changes more frequently than every ten years, the districts must be rebalanced. Mayor Dennis of Camas alluded to this in his presentation on May 12th – i.e. that Camas had to redraw district lines more frequently as annexations brought in more residents. I will forward another copy of that memorandum for ease of reference.

Additional materials:

In addition to the Attachments mentioned before, I have attached materials from two earlier studies of wards or districts in Vancouver in 1994 and 1996.

There is a wealth of information compiled by other cities which have studied ward or district systems, including Seattle and Vancouver B.C. For now, I hope what is attached will be of assistance for your present needs.

ATTACHMENTS:

- A. Council Ward or Council District Systems Use by Washington Cities - Prepared by MRSC, May 14, 2009.
- B. Email of May 15, 2009, from Joe Levan, MRSC Legal Consultant (which had the above list as one attachment).¹ This sets forth pros and cons commonly given for ward or district systems.
- C. At-Large, District and Mixed-System Elections, National League of Cities, About Cities: Cities 101: Local elections. (*Also one of the references from Mr. Levan*) taken from the NLC website. This is a two page summary of types of city election systems by city size; brief summary of common arguments given by proponents of each system.
- D. From 1996 Citizens Advisory Committee on Representation (CACOR), Staff Report 231-96 to City Council. CACOR was appointed in 1996, prior to the Cascade Park Annexation, to evaluate whether the existing system of electing city councilmembers should be modified. Their proposal to appoint two non-voting ad hoc members to City Council was adopted by Council and implemented. Their proposal to amend the Charter to adopt, among other things, a combined district and at-large system for election of councilmember was not.
- E. From 1994 Charter Review Committee – 8/1/09 – Three Options for District Nomination and/or Election of City Council Members. This has draft resolutions for each of the three options that the 1994 Charter Review Committee was considering at the time. Ultimately, the 1994 Committee voted not to forward a proposal to council.

1. Members may access other materials referenced in Mr. Levan's email via the Internet, or contact staff to provide copies if they do not have Internet access.

Council Ward or Council District System Use by Washington Cities

Prepared by MRSC, May 14, 2009

Current Cities with Ward/District Systems

First Class Cities:

- Aberdeen - 12 councilmembers, 6 wards - two councilmembers elected from each ward.
- Bellingham - 7 councilmembers, 6 wards - one councilmember elected from each ward and one councilmember elected at-large.
- Bremerton - 9 councilmembers, 9 districts - one councilmember elected from each district.
- Spokane - 7 councilmembers, 3 districts - two councilmembers elected from each of three districts - the council president is elected at-large.
- Tacoma - 8 councilmembers, 5 districts - five councilmembers elected to district positions and three at-large.
- Yakima - 7 councilmembers, 4 districts - 1 councilmembers elected to each of 4 district positions, three councilmembers elected at-large.

Second Class Cities:

- Colville - 7 councilmembers, 3 wards - presumably 2 councilmembers elected from each of 3 wards and one elected at-large.
- Ritzville - 7 councilmembers, 5 wards - presumably 1 councilmember elected from each of 5 wards and 2 elected at-large.

Optional Municipal Code Cities:

- Anacortes - 7 councilmembers, 3 wards - 1 councilmember elected from each of 3 wards, 4 councilmembers elected at-large.
- Bainbridge Island - 7 councilmembers, 3 wards - 2 councilmembers elected from each ward, one councilmember elected at-large.
- Blaine (Council-Manager) - 7 councilmembers, 3 wards - 2 councilmembers elected from each ward, 1 councilmember elected at-large.

- Bonney Lake - 7 councilmembers, 5 wards - 1 councilmember elected from each of 5 wards, 2 councilmembers elected at-large.
- Burlington - 7 councilmembers, 6 wards - 1 councilmember elected from each ward, 1 councilmember elected at-large.
- Camas - 7 councilmembers, 3 wards - 2 councilmembers elected from each ward, 1 councilmember elected at-large.
- Centralia (Council-Manager) - 7 councilmembers, 4 wards - 1 councilmember elected from each of 4 wards, 3 council positions elected at-large.
- Chelan - 7 councilmembers, 2 wards - presumably 3 elected from each ward, with one elected at-large.
- Hoquiam - 12 councilmembers, 6 wards - 2 council seats represent each ward.
- Kennewick - 7 councilmembers, 3 wards - 2 councilmembers elected from each ward, one councilmember elected at-large.
- Mount Vernon - 7 councilmembers, 2 wards - 3 councilmembers elected from each ward, 1 councilmember elected at-large.
- Pasco (Council-Manager) - 7 councilmembers, 5 wards - 1 councilmember elected from each ward, 2 councilmembers elected at-large.
- Pullman - 7 councilmembers, 3 wards - 2 councilmembers elected from each ward, 1 elected at-large.
- Puyallup (Council-Manager) - 7 councilmembers, 3 districts - 2 councilmembers elected from each district, 1 councilmember elected at-large.
- Sedro Woolley - 7 councilmembers, 6 wards - 1 councilmember elected from each of 6 wards, 1 councilmember elected at-large.

Ld - 5/14/09

From: Joe Levan [jbl@mrsc.org]
Sent: Friday, May 15, 2009 12:51 PM
To: Zeider, Judy
Cc: Lynne De Merritt
Subject: Research Request

Attachments: Ward-District Systems.doc; Picture (Device Independent Bitmap) 1.jpg

You requested an updated list of Washington cities with ward or district systems. I asked Lynne De Merritt, our Senior Research Consultant, to research this and attached is a list based on information she provided. Lynne also indicated that the only "recent" city that appears to have changed from ward to all at-large election for councilmembers was Snohomish which looks like it might have done so in 2002. Lynne also came across a 1999 Vancouver resolution (M-3241) proposing a nonbinding advisory ballot on a ward system election. Note also the following:

Additional information:

* AT-LARGE, DISTRICT AND MIXED-SYSTEM ELECTIONS, National League of Cities, About Cities: Cities 101: Local elections - http://www.nlc.org/about_cities/cities_101/168.aspx

* Campaign begun to get Seattle council members elected by districts, By SCOTT SUNDE, SEATTLEPI.COM STAFF (May 13, 2009) - http://www.seattlepi.com/local/406159_council13.html

* Seattle should stick with electing council members citywide, editorial - The Seattle Times (May 13, 2009) - http://seattletimes.nwsourc.com/html/editorialsopinion/2009216830_edita14council.html

With respect to your request for information evaluating the pros and cons of election by district or ward vs. at-large, the following information was compiled by Byron Katsuyama, our Public Policy Consultant:

* Seattle - Citizen Advisory Panel on Council Elections - Final Report<<http://www.mrsc.org/govdocs/s42elections.pdf>>, (388 KB) Seattle, WA, August 11, 2003. This report and its appendices document the panel's outreach and efforts to identify and explain a range of electoral options for electing members of the City Council. Included in their study are pros and cons of at-large vs. district elections. A majority of the citizen advisory panel recommended keeping Seattle's current at-large system of electing members of the Seattle City Council.

* "Rationalizations and Repercussions: Evaluating a Hybrid At-Large and Ward Electoral System<http://www.accessmylibrary.com/coms2/summary_0286-33251477_ITM>," National Civic Review, September 22, 2007, by John T. Spence and Michael Margolis - Although this article's main thrust is a "hybrid" system, much of the information is useful.

* "Ward Electoral Systems in Oregon Cities<<http://www.orcities.org/Portals/17/A-Z/wards.Rehfuss.pdf>>," by John Rehfuss, September 2003

**05/26/09 - ATTACHMENT B
WARDS/DISTRICTS
CHARTER REVIEW 2009**

* Hybrid

Elections<<http://www.ncl.org/npp/charter/memos/hybridelections.html>> - National Civic League - Model Charter Revision Project

*

"Should City Councilors be elected by wards? Should Councilors be elected at-large, or by specific position? Pros and Cons<<http://www.ashland.or.us/Page.asp?NavID=2818>>," Ashland, OR, Charter Review Committee

* "Recommendation from the District Representation Committee<<http://209.85.165.104/search?q=cache:kZxllXhHFNsJ:www.ci.atlantic-beach.fl.us/archives/60/DRSC%2520Report%2520to%2520Commission%2520on%2520July%25209%25202007%2520Final%2520add%2520Appendices%2520and%2520Table%2520of%2520Contents.doc+hybrid+elections+civic>>," City of Atlantic Beach, FL

The following pro and con arguments have been drawn from a variety of sources and do not necessarily represent the views of MRSC:

At-Large - Pros

- * Provides city councilmembers with a broad perspective, allowing citywide interests and regional goals to be considered.
- * Under this system, residents from all parts of the city who want access to a councilmember can choose from among all of the members whose election they can influence directly.
- * Provides elected officials with a geographically broad perspective, allowing citywide interests and regional goals to be considered.
- * May mute the affects of parochial interests influencing elected officials.
- * Citywide campaigns offer an excellent education for service as a councilmember.
- * May provide the largest pool from which to select candidates.
- * Helps maintain an appropriate balance of power and separation of powers between the mayor and the city council (mayor-council cities).
- * Most voters have historic experience with this system, and they understand how it works.
- * Having all members of the council elected by the whole constituency better ensures attaining the "public interest"
- * Employs "universalistic" criteria for candidate recruitment, conduct of the campaign, and public policy.

At-Large - Cons

- * May result in elected officials who pay less attention to, and have less familiarity with, some neighborhood concerns.
- * May unduly enhance the influence of downtown business interests and other special interests.
- * May contribute to the higher cost of elections.
- * May reduce the accountability of elected officials by broadening the constituency served.
- * May result in less representation of minority groups and/or views (for example, racial and ethnic groups, women, sexual minorities, and economic/political groups).
- * Creates large role for special interests organized city-wide.

- * Less campaign activity. Fewer contested elections. More costly campaigns.
- * Advantages "name familiar" candidates.
- * Reduces access. Less direct link to citizens.

District - Pros

- * Better representation for some groups than in at-large systems because the potential pool of constituents is smaller.
- * May result in less costly campaigns for some candidates due to the small geographic area to be covered.
- * May allow elected officials to be more responsive to their constituents.
- * Simple for voters to understand and administer.
- * Depending on housing patterns, may result in greater representation of ethnic and racial minorities.
- * Substitutes "particularistic" for "universalistic" interests of the city.
- * Argues that the interests of the "city as a whole" usually redound to the benefit of the central business district at the expense of diverse communities of interest composing the city.

District - Cons

- * May lead to a focus on smaller parochial issues, at the expense of broad, regional issues.
- * May increase the influence of moneyed special interests.
- * Requires that districts be drawn.
- * Raises issues of gerrymandering.
- * The city may not divide into seven "natural neighborhoods" of equal population.
- * Constituencies that are not defined geographically may not be served.
- * Electing Councilmembers by district could result in councilmembers becoming mini-mayors for their district.
- * Voters can influence the election of only one Councilmember.
- * May eliminate highly qualified candidates when more than one lives in the same district.
- * Tendencies toward cronyism.
- * Replaces the "public interest" with "partial, parochial interests."

Mixed District/At-Large (Primary Nomination by District/General Election Citywide) - Pros

- * Universal and parochial interests are represented, allowing citywide interests and regional goals to be advanced as well as neighborhood interests.
- * Some campaigns may be less costly.
- * May affect a balance between the influence of moneyed special interests and neighborhood interests.
- * May provide for greater representation of minority groups and/or views (for example, racial and ethnic groups, women, sexual minorities, and economic/political groups)
- * Better representation for some groups than in at-large systems because the potential pool of candidates is more representative of neighborhoods.
- * May allow elected officials to be more responsive to their constituents.

- * Provides elected officials with a geographically broad perspective, allowing citywide interests and regional goals to be considered as well as neighborhood interests.
- * Residents from all parts of the city who want access to a councilmember can choose from seven councilmembers whose election they can directly influence.
- * Citywide campaigns offer an excellent education for service as a councilmember.
- * Helps maintain an appropriate balance of power and separation of powers between the mayor and the city council.

Mixed District/At-Large (Primary Nomination by District/General Election Citywide) - Cons

- * May create two classes of elected officials - at-large and district-based councilmembers; the at-large councilmembers may be perceived as more important than the district councilmembers.
- * District elected officials may focus on parochial issues.
- * Political and monetary costs are associated with defining districts.
- * Because an at-large councilmember will also live in a district represented by another district Councilmember, some neighborhoods would have "double" representation and may enjoy a disproportionate amount of power relative to other parts of the city.
- * May allow well-funded groups to more easily target candidates they wish to defeat.
- * May eliminate highly qualified candidates when more than one lives in the same district.
- * May unduly enhance the influence of downtown business interests and other special interests.

Best Regards,

Joe Levan
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The form of local elections varies from city to city, with several common variations. Some cities elect their local representatives by district, some have at-large elections, and some have both.

AT-LARGE, DISTRICT AND MIXED-SYSTEM ELECTIONS

Election systems in American cities are determined by the nature of the council members' constituency and by the presence or absence of party labels on the ballot (see Partisan vs. Non-partisan Elections). With regard to the first feature, there are two types of constituencies for city council members -- at-large and district.

Breakdown of types of city council elections by city size (2001)*

	Small (25,000-69,999)	Medium (70,000-199,999)	Large (200,000 and up)
At-Large	48.9%	43.7%	16.4%
Mixed-System	25.0	25.4	38.2
District	26.1	31.0	45.5
n=649	100.0	100.0	100.0

*Study based on a mail questionnaire completed by a random sample of 664 council members in cities with population of 25,000 and higher (Svara).

At-Large

All at large members are elected to serve the same constituency -- the population of the city as a whole. At-large election proponents favor having council members elected by the entire city because:

- Council members in an at-large system can be more impartial, rise above the limited perspective of the ward and concern themselves with the problems of the whole community;
- Vote trading and logrolling are minimized; and
- Better-qualified individuals are elected to the council (broader base of candidates).

However, at-large elections can weaken the representation of particular groups, especially if the group does not have a citywide base of operation or is an ethnic/racial group concentrated in a specific ward.

Nearly two-thirds (64%) of all municipalities use at-large elections in some way. At-large elections tend to be more popular in small cities and more affluent areas.

District

District elections select a single council member from a geographical section of the city, or ward. District election proponents favor having council members elected to represent individual wards because:

- District elections give all legitimate groups, especially those with a geographic base, a better chance of being represented on the city council (namely minority groups);
- Ward council members are more sensitive to the small but frequently important problems that people have (i.e.: needed stop signs, trash pick up); and
- District elections reduce voter alienation by bringing city government closer to the people.

However, councils elected by district elections may experience more conflict and be less efficient because of ward specific vs. broader constituency perspective.

Only 14% of all municipalities use strictly district elections. Cities with populations of 200,000 or more are more likely to use district elections.

In addition, quite a few courts have forced jurisdictions to switch from at-large elections to district elections and in most cases the reason was to allow more representation by specific ethnic/racial groups (see Springfield, IL 1987 and Dallas, TX 1990; see also amendments by the U.S. Congress to the Voting Rights Act, 1982).

Mixed-System

Some cities combine these two methods and elect some council members at large and some from districts (21% of municipalities use this approach). An individual council member will either occupy a district or at-large seat on the council. Mixed systems are most likely to be found in parts of the south and central city jurisdictions.

Sources:

MacManus, Susan A. and Charles S. Bullock, III. "The Form, Structure, and Composition of America's Municipalities in the New Millennium." In *Municipal Year Book 2003*. Washington, DC: International City/County Management Association 2003, p.15-16.

Morgan, David and Robert England. *Managing Urban America*, 5th Edition. 1999.

Renner, Tari and Victor S. DeSantis. "Municipal Form of Government: Issues and Trends." In *Municipal Year Book 1998*. Washington, DC: International City/County Management Association, 1998, p. 38.

Svara, James H. *Two Decades of Continuity and Change In American City Councils*. Commissioned by the National League of Cities, September, 2003.

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STAFF REPORT NO. 231-96

TO: Mayor and City Council
FROM: Vernon E. Stuper, City Manager

DATE: 11/18/96

Subject: Public Meeting on City Council Representation.

Summary:

Appointed by the City Council, the Citizens Advisory Committee on Representation was charged with evaluating whether, given the pending city annexation(s), the existing system of electing City councilmembers should remain unchanged or be modified. Recognizing the potential implications of a proposed annexation which could virtually double the size of the City, City Council appointed a thirteen-member committee to evaluate the current process for electing City Council members. The committee was comprised of broad-based group of citizens from throughout the greater Vancouver Urban Area. City Council appointed eight members to the committee; the remaining five members were selected by various interest groups. The members were:

Arch Miller, Chair	1994 Charter Review Commission
Tom Burkholder, Vice Chair	1994 Charter Review Commission
Steve Dearborn	1994 Charter Review Commission
Ceci Ryan- Smith	1994 Charter Review Commission
John Gear	At-Large City Representative
Barb Davis	Cascade Park Business Association
Charles Hoover	East County Neighborhood Advisory Comm.
Sandy Leach	Evergreen School District
Jack Burkman	At-Large Representative
Brian Carlson	At-Large Representative
Lee Kurokawa	Governance Choices Committee
Steve Sanders	New City Committee
Roger Bieber	At-Large Representative

Prior to the first meeting, Mr. Bieber indicated that he could not attend the scheduled meetings. Given the timelines, no replacement was proposed. The committee continued as a twelve-member committee.

The Process:**Assumptions:**

Several overriding assumptions were part of committee discussions:

- Annexation would result in an estimated population of 128,000;
- Elections would continue to be non-partisan;
- No changes in the Council/Manager form of government would be proposed;
- No changes in the election of the Mayor; and
- Any proposed changes should work both in the short- and long-term and be consistent with future annexations.

Public Involvement:

Four public meetings were held with convenient access to citizens throughout the urban area. Meeting locations included:

City Hall Council Chambers
Riverview Elementary
Ben Franklin Elementary
City Hall Council Chambers

All meetings were taped by CVTV and shown on Channel 47. The first and last were broadcast live with a live call-in held as part of the final meeting. Advertising was inserted into *The Columbian* prior to each meeting. Attendance at all four meetings was sparse; there were no attendees at the first meeting. The second meeting had nine attendees, which was the largest turnout of the four. Total attendance for all four meetings was 18. Public comment on the existing structure and the need to change was fairly evenly split.

A newsletter was prepared following each meeting and distributed to a mailing list of approximately 175 contacts. Two members of the committee, Ms. Smith and Mr. Dearborn, appeared on KVAN radio. Committee members also participated in the INTERACT FORUM on Governance Issues. Both *The Columbian* and *The Oregonian* did feature articles on the committee's work. In addition, a presentation was given to the East County Neighborhood Advisory Group, coordinated by Mr. George Burkhart.

Options:

The committee evaluated the current election system and received background from former City Attorney Jerry King as part of the first two meetings. At the third meeting, the committee reviewed a series of alternatives (SEE ATTACHMENT) and voted to eliminate several options. A subcommittee comprised of Tom Burkholder, Jack Burkman and Charles Hoover was selected to refine the options and present them to the entire committee. At the final meeting the options were presented to and voted on by the committee. The committee eliminated alternatives by voting one option against another and eliminated all but:

District/At-Large Option
Increasing the size of the council from six to eight
Temporary expansion of the Council

Recommendation:

Based on results of the voting and associated public input, the Citizen's Advisory Committee developed an integrated set of advisory recommendations for consideration by City Council. The recommendations are described as follows.

1. That City Council appoint two ad hoc members to City Council from the newly-annexed areas as soon as possible, with appointments effective through December 1997. The positions would be non-voting but would allow for otherwise full Council participation. This action does not require amending the existing City Charter.
2. Propose the following Charter Amendment(s) for citywide election in early (February) 1997, scheduled to allow for such changes to be made for the November 1997 election. The proposed amendments and their votes include:
 - Permanent expansion of City Council from the existing six-member council to an eight-member council.
Passed 8-3
 - A combined district and at-large system for the election of councilmembers with four at-large and four district positions.
Passed 6-5
 - Amend charter to create a special districting committee to implement and maintain district boundaries.
Passed Unanimously

Transition:

The committee discussed how to actually implement the proposed changes and developed the following transition scenario:

1997 Election: Five (5) Council positions and Mayor elections — four, four year Districted Council positions and one, two year at-large Council position.

Mayoral election — no change.

1999 Election of four, four-year at large Council positions.

Future elections would alternate district (2001,2005) and at large positions (1999,2003).

Action Requested:

Accept public comment on recommendations for City Council representation.

Attachments: • Alternatives for Representation

Citizens Advisory Committee on Representation Alternatives for Representation

Purpose: This committee has been chartered to develop a recommendation for representation as part of the Annexation process. The recommendation will go to the City Council, but is not binding. If accepted by the Council, a majority vote by current City residents would be required to modify the City Charter. Such an election would be held in 1997, following annexation.

The alternatives listed below were presented to the committee at their first meeting on May 22, 1996. All are based on the Council-Manager form of city government.

ALTERNATIVE	DESCRIPTION	COMMENTS
Present, At Large system, (Vancouver City Charter, Sections 2.01 and 2.02)	The council consists of seven members including a mayor. All are nominated and elected at large. The mayor is elected for a two year term and council members for four year terms. Three council members are elected at each biennial municipal election.	The next biennial election is in 1997 when the terms of three council-members and the mayor will expire. Terms of the remaining three council members do not expire until 1999 and cannot be terminated prior to that time..
Temporary/Permanent Expansion of Council	Increase the number of council members from the current level of 6 members. The increase could be temporary during the transition period and revert to the original size upon completion or there could be a permanent increase.	<ul style="list-style-type: none"> • Could provide improved access to newly annexed areas without permanently changing the current system. • Potential to address community oriented focus and address transitional needs. • Could be combined with any of the systems below.
Full Ward system, election by ward	The City would be divided into a number of districts with substantially-equal population. Candidates would be required to be a residents of their district. Nomination and election would be by district. The mayor would be nominated and elected at large. Council members moving out of their district would forfeit office.	<ul style="list-style-type: none"> • Believed to favor those candidates with a narrower, less community oriented focus • The number of districts and terms of office would be a part of the recommendation. By State law, districts must be: <ul style="list-style-type: none"> • Geographically contiguous • Not to favor or disfavor any racial group or political party • And, to the extent possible <ul style="list-style-type: none"> ☑ Have boundaries which follow existing, recognized, natural boundaries ☑ Preserve existing communities of related and mutual interest

ALTERNATIVE	DESCRIPTION	COMMENTS
Full Ward system, election at large	Similar to Full Ward, election by ward. In this system, nomination is by district and election is at large for each councilmember.	Believed to favor those nominees with a more community oriented focus
Partial Ward system	Districts would be established for a portion of the council positions (say 3 or 4 with the present 6 positions). Nomination would be by district or at large based on the position. Election would normally be at large for all nominees.	Some believe that this offers a degree of direct representation while still favoring candidates and nominees with a strong community orientation
Temporary Ward system	Establish either a full or partial ward system, but provide in the Charter amendment for the system to be temporary and revert to a full at large system after a certain number of years	Could assure representation for newly annexed areas until they become fully integrated into the City
"Proportional Representation" or "Preference Voting" system	System where nominees receiving the most votes are elected to the positions being filled..	Avoids the usual winner-take-all approach to elections. <u>However, State law currently requires that Council members have to (run for and) be elected to a specific position. To proceed with proportional representation, the City would have to request that the legislature amend the current law.</u>

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Review

M E M O R A N D U M

TO: 1994 City Charter Review Committee
FROM: Judith Zeider, Chief Assistant City Attorney
RE: Three Options for District Nomination and/or Election of City Council Members
DATE: August 1, 1994

Judith Zeider

The Committee continued discussion of three options for a ward/districting system for electing City Councilmembers to its August 2, 1994, meeting.

All of the options would continue to have the Mayor nominated and elected at-large.

Attached are numbered, draft resolutions for each of the proposed three options. They are as follows:

Option 1: All Councilmembers would be nominated from three districts, but continue to be elected at large. This was the "B-1" option passed out by John Caton at the July 26th meeting.

Option 2: Three Council positions would be nominated by district, three would continue to be nominated at-large, and all would continue to be elected at-large. This was formerly the "B-2" option passed out by John Caton July 26th.

Option 3: Four Council positions would be nominated and elected by district and two would continue to be nominated and elected at-large. This option was proposed by Arch Miller but not voted on by the Committee.

One issue to be dealt with any of the three options is how to schedule establishment of the districts so as to coincide with the municipal general elections held, by state law, in odd-numbered years. RCW 29.13.020(1). The next two such elections will be in 1995 and 1997, respectively.

If the district system is to be implemented for the 1995 November election, the council district committee will be on a tight timeline, and districts will need to be in place by June 29, 1995. (The filing period for city elective offices is from the fourth Monday in July to the following Friday, i.e. July 25-29, 1995. RCW 29.15.020.)

However, Tim Likeness of the Elections Office advises that in order

for his office to make the necessary adjustments to precinct boundaries for the 1995 election, they would need to have the City's district designations by late April or early May of 1995. Likeness indicates that if the district designations are not adopted until later (say, by the first of June, 1995), the elections office can still prepare ballots, etc., for the primary and general elections, and leave adjusting precinct boundaries until later, but that the process will be more time-consuming for his staff. The City would bear the cost of this. RCW 29.13.045.

I have therefore drafted the resolutions with alternate timelines for a 1995 and 1997 implementation schedule.

If the districting plan is to be in place for the 1995 election, the commission members should be appointed as early as possible and have their district map prepared and submitted to City Council by March 31, 1995. Council would need to adopt the map by ordinance by April 30, 1995. This timeline is reflected in the first, bracketed date shown at each place in the drafts where a deadline is relevant.

If the districting plan is to be in place for the 1997 election, a less tight timeline is possible. A proposed timeline for this is shown in the second bracket at each deadline point in the resolutions.

I hope that these materials are of assistance to the Committee in its continued discussions August 2nd.

Attachments:

cc John F. Fischbach, City Manager
Ted Gathe, City Attorney
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Option #1

08/01/94

(All Council candidates nominated from three districts, but continue to be elected at large. Mayor continue to be nominated and elected at large.)

RESOLUTION NO. M- _____

A RESOLUTION and proposal to add a new Section 2.17 to the City Charter to provide for a citizen's Districting Committee to form the City into three "Council Districts", and to provide that beginning in [1995][1997] candidates for City Council shall be nominated by the voters of the "Council District" in which the candidate is a resident, but for all general elections for councilmember to continue to be city-wide, at-large, elections.

BE IT RESOLVED BY THE CITY OF VANCOUVER:

Section 1. That as recommended by the Charter Review Committee in its report of _____, it is hereby proposed that a new Section 2.17 be added to the City Charter to read as follows:

"The City Council shall have seven members including the Mayor, as provided in Section 2.01. The term for Councilmember shall be four years. Beginning with the [1995][1997] municipal election, all city councilmembers other than Mayor shall be nominated to such office by the voters of the "Council District" in which the candidate is a resident.

"Such Council Districts shall be established as follows: No later than [December 15, 1994][March 1, 1995] the Mayor and City Council shall appoint a panel of five persons to constitute a citizen "Districting Committee". By no later than [March 31, 1995][October 31, 1995], the Committee shall prepare a map showing the City divided or formed into three "Council Districts". Such Districts shall be substantially equal population, and the map shall take account, insofar as reasonably possible, of factors such as topography and neighborhoods. No later than [April 30, 1995][December 31, 1995], the City Council shall adopt such map by an appropriate ordinance which establishes such three Council Districts and whici provides for nominations and elections consistent with this section.

"Thereafter beginning with the municipal election of [1995][1997], any candidate for City Council shall at the time of filing for office be a resident of the district from which he or she seeks to be nominated. At the municipal primary election each voter in such district shall vote for one candidate nad the two persons receivingthe most votes shall be thereby nominated.

"The names of the two persons thus nominated by the voters of each district at the primary election shall be placed upon the general municipal election ballot to be voted upon by the voters of the entire City, and the one of the two who receives the greater vote shall be elected to City

Council.

"The member so elected shall remain a resident of the district from which nominated during his or her term of office in order to remain eligible to hold such office.

"The Districting Committee herein provided for shall be composed of City residents and each member shall serve a five year term; provided, the first appointments shall be for one, two, three, four and five year terms respectively. No member shall be appointed to a succeeding term. The committee shall meet upon call of its chairperson or of the Mayor, but shall meet no less often than every two years to determine whether changes in City population should cause there to be any changes in Council District boundaries. If it does so determine, the Committee shall prepare a new map, as above provided, to be submitted to City council no later than March 31 of any year in which there will be a municipal election, and such new map shall be adopted by City ordinance no later than the following April 30, to be effective for the next municipal election.

"This section shall supersede Section 2.01 of the City Charter but only insofar as Section 2.01 provides for at large nomination and election of City Councilmembers."

ADOPTED at regular session of the Council of the City of Vancouver, at _____ day of _____, 1994.

Bruce E. Hagensen, Mayor

Attest:

H. K. Shorthill, City Clerk

Approved as to form:

Theodore H. Gathe, City Attorney

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Option #2

08/01/94

(Three Council positions to be nominated by district, three continue to be nominated at-large, but all general elections for councilmember to continue be at large. Mayor continue to be nominated and elected at large.)

RESOLUTION NO. M- _____

A RESOLUTION and proposal to add a new Section 2.17 to the City Charter to provide for a citizen's District Committee to form the City into three "Council Districts", and to provide that beginning [1995][1997], three positions for City Council shall be nominated by the voters of the "Council District" in which the candidates for such positions are residents, three positions for City Council and the Mayor shall continue to be nominated at large, but for all general elections for Councilmember to continue to be city-wide, at-large, elections, and the Mayor to continue to be nominated and elected at-large.

BE IT RESOLVED BY THE CITY OF VANCOUVER:

Section 1. That as recommended by the Charter Review Committee in its report of _____, it is hereby proposed that a new Section 2.17a be added to the City charter to read as follows:

"The City Council shall have seven members including the Mayor, as provided in Section 2.01. The term for Councilmember shall be four years. Beginning with the [1995][1997] general municipal election, three city councilmembers other than the Mayor shall be nominated to such

office by the voters of the "Council District" in which the candidate is a resident.

"Such Council Districts shall be established as follows: No later than [December 15, 1994][March 31, 1995] the Mayor and City Council shall appoint a panel of five persons to constitute a citizen "Districting Committee". By no later than [March 31, 1995][October 31, 1995], the Committee shall prepare a map showing the City divided or formed into three "Council Districts". Such Districts shall be of substantially equal population, and the map shall take account, insofar as reasonably possible, of factors such as topography and neighborhoods. No later than [April 30, 1995][December 31, 1995], the City Council shall adopt such map by an appropriate ordinance which establishes such three Council Districts and which provides for nominations and elections consistent with this section.

"Thereafter there shall be three members of Council and the Mayor nominated and elected at-large and three members of Council nominated by district but elected also at-large. Three members shall be nominated by district beginning with the municipal election of [1995][1997] and candidates for such district positions shall at the time of filing for office be a resident of the district from which he or she seeks to be nominated.

"At the municipal primary election each voter in such district shall vote for one candidate and the two persons

receiving the most votes shall be thereby nominated.

"The names of the two persons thus nominated by the voters of each district at the primary election shall be placed upon the general municipal election ballot to be voted upon by the voters of the entire City, and the one of the two who receives the greater vote shall be elected City Council.

"The member so elected shall remain a resident of the district from which nominated during his or her term of office in order to remain eligible to hold such office.

"Beginning in [1995][1997], the remaining three positions for Council shall be nominated and elected at-large, as shall the Mayor.

"The Districting Committee herein provided for shall be composed of City residents and each member shall serve a five year term; provided, the first appointments shall be for one, two, three, four and five year terms respectively. No member shall be appointed to a succeeding term. The committee shall meet upon call of its chairperson or of the Mayor, but shall meet no less often than every two years to determine whether changes in City population should cause there to be any changes in Council District boundaries. If it does so determine, the Committee shall prepare a new map, as above provided, to be submitted to City council no later than March 31 of any year in which there will be a municipal election, and such new map shall be adopted by City ordinance no later than the following April 30, to be effective for the next

municipal election.

"This section shall supersede Section 2.01 of the City Charter but only insofar as Section 2.01 provides for at-large nomination and election of all City Councilmembers."

ADOPTED at regular session of the Council of the City of Vancouver, at _____ day of _____, 1994.

Bruce E. Hagensen, Mayor

Attest:

H. K. Shorthill, City Clerk

Approved as to form:

Theodore H. Gathe, City Attorney

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Option #3

08/01/94

(Four Council positions to be nominated and elected by district, two Council positions to be nominated and elected at large. Mayor to continue to be nominated and elected at large.

RESOLUTION NO. M- _____

A RESOLUTION and proposal to add a new Section 2.17 to the City Charter to provide for a citizen's District Committee to form the City into four "Council Districts", and to provide that beginning [1995][1997], four positions for City Council shall be nominated and elected by the voters of the "Council District" in which the candidates for such positions are residents, but for the elections for the two remaining Council positions and the Mayor to continue to be city-wide, at-large, elections.

BE IT RESOLVED BY THE CITY OF VANCOUVER:

Section 1. That as recommended by the Charter Review Committee in its report of _____, it is hereby proposed that a new Section 2.17 be added to the City charter to read as follows:

"The City Council shall have seven members including the Mayor, as provided in Section 2.01. The term for Councilmember shall be four years. Beginning with the [1995][1997] general municipal election, four city councilmembers other than the Mayor shall be nominated and elected to such office by the voters of the "Council District" in which the candidate is a resident.

"Such Council Districts shall be established as

follows: No later than [December 15, 1994][March 31, 1995] the Mayor and City Council shall appoint a panel of five persons to constitute a citizen "Districting Committee". By no later than [March 31, 1995][October 31, 1995], the Committee shall prepare a map showing the City divided or formed into four "Council Districts". Such Districts shall be of substantially equal population, and the map shall take account, insofar as reasonably possible, of factors such as topography and neighborhoods. No later than [April 30, 1995][December 31, 1995], the City Council shall adopt such map by an appropriate ordinance which establishes such four Council Districts and which provides for nominations and elections consistent with this section.

"Thereafter there shall be four members of Council nominated and elected by District and two members nominated and elected in city-wide, at-large elections. Four members shall be nominated by district beginning with the municipal election of [1995][1997] and candidates for such district positions shall at the time of filing for office be a resident of the district from which he or she seeks to be nominated. At the municipal primary election each voter in such district shall vote for one candidate and the two persons receiving the most votes shall be thereby nominated.

"The names of the two persons thus nominated by the voters of each district at the primary election shall be placed upon the general municipal election ballot to be voted upon by the voters of the district from which the two persons

were nominated, and the one of the two who receives the greater vote shall be elected City Council.

"The member so elected shall remain a resident of the district from which nominated and elected during his or her term of office in order to remain eligible to hold such office.

"Beginning in [1995][1997], the two remaining positions for Council shall be nominated and elected at-large, as shall the Mayor.

"The Districting Committee herein provided for shall be composed of City residents and each member shall serve a five year term; provided, the first appointments shall be for one, two, three, four and five year terms respectively. No member shall be appointed to a succeeding term. The committee shall meet upon call of its chairperson or of the Mayor, but shall meet no less often than every two years to determine whether changes in City population should cause there to be any changes in Council District boundaries. If it does so determine, the Committee shall prepare a new map, as above provided, to be submitted to City council no later than March 31 of any year in which there will be a municipal election, and such new map shall be adopted by City ordinance no later than the following April 30, to be effective for the next municipal election.

"This section shall supersede Section 2.01 of the City Charter but only insofar as Section 2.01 provides for at-large nomination and election of all City Councilmembers."

ADOPTED at regular session of the Council of the
City of Vancouver, at _____ day of _____, 1994.

Bruce E. Hagensen, Mayor

Attest:

H. K. Shorthill, City Clerk

Approved as to form:

Theodore H. Gathe, City Attorney

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