



MEMORANDUM

To: Mayor and City Councilors

From: Rich Olson, City Manager

Date: April 3, 2013

Re: Discussion – Adoption of Policy Change with regard to Hold Over Positions

BACKGROUND:

During the City Council meeting held on February 25, 2013, Councilman Brooks introduced discussion regarding the City's procedures with regard to hold over positions on Council made necessary by election issues. During that meeting, staff and the City Attorney were instructed to investigate the issue and bring it back to Council for discussion.

The City Attorney reported back to the Council during the March 11, 2013 and March 25, 2013 meetings and provided information regarding his research on the issue. After Council's discussion of this information, the City Attorney was directed to draft an additional proposal for the Council to consider as a possible amendment to Council's Rules of Procedure that would address the hold over issue.

ANALYSIS:

Attached is a suggested revision to City Council's Rules of Procedure, which has been prepared by the City Attorney for Council's discussion and consideration.

STAFF RECOMMENDATION:

As Council directs.

SUGGESTED REVISION TO CITY COUNCIL RULES OF PROCEDURE

In any situation in which two incumbent Councilors from a Ward seek to serve as a hold over Councilor, and only one of those Councilors has sought re-election, the Councilor who has sought re-election shall serve as hold over.

If, applying regular and established principles of election law, a determination can not be made as to which of two otherwise qualified incumbent Councilors should serve as hold over, the incumbent Councilor who has received the higher number of votes in the most recent election shall serve as hold over.