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| | Approved | Denied |
| Action taken | Postponed on 8/8/05 | to 9/12/05 |
| Other: | No Quorum 9/12/05 | |
| Verified by: | Postponed indefinitely 9/26/05 Smithers | |

WASILLA CITY COUNCIL ACTION MEMORANDUM

AM No. 05-48

TITLE: COUNCIL POLICY ON APPOINTMENT OF A COUNCIL MEMBER

Agenda of: August 8, 2005

Date: August 1, 2005

Originator: Kristie Smithers, City Clerk

As requested by Council Members Bowen and Cox

| Route to: | Department | Signature/Date |
|-----------|---|----------------|
| | Police | |
| | Recreational and Cultural Services Library, Museum | |
| | Public Works Planning | |
| X | Finance *signature required | |
| X | Clerk | Smithers |
| | | |

REVIEWED BY MAYOR DIANNE M. KELLER:

Dianne M. Keller

FISCAL IMPACT: yes or no

Funds Available yes no

Account name/number:

Attachments: none

SUMMARY STATEMENT:

Council Member Straub has worked with me to draft proposed Ordinance Serial No. 05-62. At the same time, Council Members Cox and Bowen expressed the need to also adopt guidelines and discuss the appointment process. Please note Council Member Straub's proposed ordinance is placed under introductions of ordinances at the Regular Council meeting of August 8, 2005. Council Member Straub's proposed ordinance addresses most of the discussion points below, however, Council Members Cox and Bowen have asked for this to come forward.

History:

Since 2002 the Borda Count method has been used to appoint new Council Members when another member resigns. This was first introduced by Council Member Noel Lowe.

The following are discussion points for the council to consider:

- Does the council wish to change the process used to notify the public that a vacancy exists? Currently we place advertisements in both the Frontiersman and the Anchorage Daily News, announcing a vacancy exists and the process for applying for the vacancy.
- Does the council wish to change the interview process at the council meetings? Currently, we give each qualified applicant 3 to 5 minutes to make a verbal presentation to the council. The council is then provided an opportunity to ask questions. Does the council wish to change this process by establishing a list of questions in advance? In this case, all applicants would then be asked the same questions.
- Does the council wish to continue using the Borda Count Method, whereby, the clerk provides a "ranking sheet" to each council member and each member is asked to rank each applicant? The ranking system would remain the same: 1 for your first choice; 2 for your second choice; 3 for your third choice and so on. If the council wishes to continue with this method, Council Member Straub has asked that each council member sign their name to the ranking sheet before submitting it to the clerk for tallying.
- If the council opts to continue with the Borda Count Method, the clerk would gather all ranking sheets, assign the points based on the ranking, and tally the numbers. Once tallied, the clerk would announce on the record the name of the applicant that received the greatest number of points. Council Member Straub has requested that either each council member announce on the record how they ranked each applicant OR the clerk would announce how each applicant was ranked after the points were tallied. How does the council wish to address ranking sheets that are marked incorrectly? In an election, ballots that are marked incorrectly are not counted.
- After the clerk announces who received the highest number of points the applicant would be offered the position. If accepted a motion of appointment would need to be made and voted on as was done on July 25, 2005.
- If declined by the winning applicant the position will then be offered to the person who received the second highest amount of points, etc. In some cases the applicant that was voted on as the first choice by a majority may not be selected based on the amount of points received. If a tie were to occur, then the same method would be used for the two highest applicants.
- If the council wishes to discontinue using the Borda Count Method, they could appoint a seat by making a motion from the floor. Whoever was recognized first by the Mayor, would be allowed to make the following motion: "I move that applicant X (name of applicant) be appointed as Council Member for Seat X

(seat designation).” The motion would be voted up or down. As in all votes it would take four votes to pass a motion. If no applicant was able to receive four votes, the council seat would remain open indefinitely. This is the process that was used in 1996 to fill a vacancy and it proved to be a lengthy process.

- In the past, the Oath of Office has been administered at the same meeting the new Council Member was appointed. Council Member Straub has expressed a desire for appointed members to receive the Oath of Office at the beginning of the next regular or special meeting scheduled.

ACTION: Council to direct the clerk on the process to be used for filling a vacancy on the council with the proper legislation to be presented to council for final approval.