

Sandy City Council
Legislative Policies and Procedures

Original Approval Date: New Policy

Revision:

Chapter:

Section:

Date Council Approved: November 17, 2015

SUBJECT: Election of Council Chair

BACKGROUND:

State law requires the City Council to elect one of its members as Council Chair. Specifically, Utah Code Annotated Section 10-3b-203(1)(a)(iv) says:

“The council in a municipality operating under a council-mayor form of government shall elect one of its members to be chair of the council.”

In 2009 the Sandy City Council adopted a policy whereby the chairmanship rotates every six months on a seniority basis. This practice of “election by policy” has come into question for the following reasons:

- It denies a newly elected member of the City Council the right to vote in the election of the Chair and Vice-Chair because he or she could not have voted in the adoption of the current policy which occurred in 2009.
- A majority of Council Members could “vote” against the Member next in line as Chair with no effect as the 2009 Policy mandates the rotation.
- It is inconsistent with what seems to be the plain language of state statute and could be subject to challenge.
- If a majority of the City Council desires the continued leadership of a sitting chair, re-election of such chair is not possible.
- A survey of other cities operating under the council-mayor form of government indicates that Sandy City is the only city where the chairmanship of the Council rotates on a seniority basis.

POLICY:

1. The Election of Council Officers policy adopted on January 13, 2009, as amended on March 31, 2015 and August 18, 2015 is hereby repealed.
2. The City Council will elect a Chair by ballot vote no later than the last regularly scheduled meeting in June to commence a one-year term beginning July 1 and ending June 30 the following year.

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3. The least senior Council Member who has not served as Chair at the time of this policy adoption will serve as Chair in the interim six months before the beginning of fiscal year 2016-17.
4. A majority vote of the entire membership of the Council (four affirmative votes) is required for election of the Chair regardless of absences or abstentions.
5. If, after three ballots at the regularly scheduled annual election for the Chair, no Council Member receives a majority vote, the incumbent will continue to serve as Chair. Any Council Member may compel additional balloting for the election of the Chair at a subsequent, regularly scheduled meeting of the City Council. No more than three ballots for Chair will be taken at any one Council meeting. A Council Member who receives a majority vote for the office of Chair at an election after July 1 shall assume the role and responsibility of Chair immediately at the meeting in which the election occurred and shall serve until June 30 of the fiscal year in which the election occurred.
6. The Chair may be reelected for consecutive terms upon a majority vote of the entire membership of the Council.
7. The Council shall elect a Vice-Chair by ballot vote. The Vice-Chair will ~~also serve as the liaison to the Planning Commission, and~~ chair the Council meetings in the absence of the Chair. The Vice-Chair may choose to serve as the Council's liaison to the Planning Commission. If the Vice-Chair declines to serve as the liaison to the Planning Commission, the position will be filled through an appointment process. If the Planning Commission liaison is unable to attend, the alternate appointed by the Council shall attend in his or her place. There is no presumption that the Vice-Chair will serve as the next Chair. The same voting procedures and requirements outlined in sections 2 through ~~6~~ also apply to the office of Vice-Chair.