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Office Memorandum

To: Rena
From: Adam A. Ripple
Direct Dial: 257-3868
Re: Reduced Council Size
Our File: 16642.064
Date: June 7, 2010

As I understand it, the Rockville City Council desires to reduce the size of the council from 6 councilors and a mayor to 4 councilors and a mayor. (A table of the current Council roster is attached.) The Council intends to submit the reduction of two councilors to the voters in the November 2010 election. It is my understanding that 3 of the council members' terms expire this year. You have asked several questions related to the reduction process.

SUMMARY

1. **When does the reduction take effect?**
Anytime after the first Monday in January.
2. **Can terms be staggered based on the number of votes each candidate garners in the 2010 general election?**

The terms can be staggered any way the Council determines, so long as the end result is that two council positions are up for election every two years.

3. **What is the process for reducing the size of the Council?**

The Council must adopt an ordinance that sets a schedule of elections and terms for the Council positions and sets the language for the ballot question that will be submitted to the voters. If a majority of the voters approve the reduction, the schedule set in the ordinance takes effect immediately.

ANALYSIS

1. The Council has the authority to adopt an ordinance reducing the council size, which must then be approved by a majority of the voters. The ordinance must be adopted at least 60 days before the next regular election. However, earlier adoption may be necessary to accommodate the preparation of ballots. The earliest the reduction could take effect is after the expiration of the current terms– the first Monday in January 2011. The Council could also adopt an ordinance that sets the reduction for any later date.

2. The Council is free to propose whatever schedule it deems appropriate for reducing the Council size. The only requirement is that the final schedule results in 4-year terms where two council positions are up for election every two years. There appear to be three reasonably straight forward options for the reduction, but the Council is free to consider other means to put the reduction into effect.

Option #1 (See Table Below)

The Council could choose to eliminate two of the positions effective at the end of the year 2012. This would mean that three candidates would be seated in January 2011. (Councilors A1, A2, and A3 in the table below). To correct the staggering of terms, the candidate with the third highest number of votes (Councilor A3) would have a 2-year term, while the two candidates with the most votes (Councilors A1 and A2) would have 4-year terms. In the 2012 election, five councilors would be up for re-election, but only two council positions would be open (Councilors B1 and B2). All future elections would involve two council positions with 4-year terms. This option provides two years of notice to the community and potential candidates.

Option #1 (after 2010 election)

<u>Position</u>	<u>Holder</u>	<u>Term</u>	<u>Expiration</u>
Councilor A1	TBD*	4	2014
Councilor A2	TBD*	4	2014
Councilor A3	TBD**	2	2012
Councilor B1	Becker	4	2012
Councilor B2	Schmitt	4	2012
Councilor B3	Willenbring	4	2012
Mayor	Hagen	4	2012

* two candidates with the first and second highest number of votes

**candidate with third highest number of votes

Option #1 (after 2012 election)

<u>Position</u>	<u>Holder</u>	<u>Term</u>	<u>Expiration</u>
Councilor A1	TBD	4	2014
Councilor A2	TBD	4	2014
Councilor B1	TBD	4	2016
Councilor B2	TBD	4	2016
Mayor	TBD	4	2016

The 2014 election, and all subsequent elections, would have two councilor positions on the ballot, each with four-year terms.

Option #2 (See Table Below)

The Council could choose to eliminate two of the positions effective at the end of the year 2010. This would mean that only the candidate with the most votes in the 2010 election would be seated in January 2011. (Councilor A1 in the table below). To correct the staggering of terms, the 2012 election would have three open council seats, but one would have a 1 year term. The two candidates with the most votes (Councilors B1 and B2) would have 4-year terms. The candidate with the third highest votes (Councilor A2) would have the one year term. All future elections would involve two council positions with 4-year terms. This option provides for the quickest implementation of the Council reduction.

Option #2 (after 2010 election)

<u>Position</u>	<u>Holder</u>	<u>Term</u>	<u>Expiration</u>
Councilor A1	TBD*	4	2014
Councilor B1	Becker	4	2012
Councilor B2	Schmitt	4	2012
Councilor B3	Willenbring	4	2012
Mayor	Hagen	4	2012

* candidate with the greatest number of votes

Option #2 (after 2012 election)

<u>Position</u>	<u>Holder</u>	<u>Term</u>	<u>Expiration</u>
Councilor A1	TBD	4	2014
Councilor A2	TBD*	1	2014
Councilor B1	TBD**	4	2016
Councilor B2	TBD**	4	2016
Mayor	TBD	4	2016

* candidate with third highest number of votes

** two candidates with the first and second highest number of votes

The 2014 election, and all subsequent elections, would have 2 councilor positions on the ballot, each with 4-year terms.

Option #3 (See Table Below)

The Council could choose to eliminate one of the positions effective at the end of the year 2010 and the second position at the end of the year 2012. This would mean that the two candidates with the most votes in the 2010 election would be seated in January 2011 (Councilors A1 and A2 in the table below). Then the two candidates with the most votes in the 2012 election would be seated in January 2013 (Councilors B1 and B2). This option would not require any abbreviated terms of office, but would result in there being a 6-person City Council for two years.

Option #3 (after 2010 election)

<u>Position</u>	<u>Holder</u>	<u>Term</u>	<u>Expiration</u>
Councilor A1	TBD*	4	2014
Councilor A2	TBD*	4	2014
Councilor B1	Becker	4	2012
Councilor B2	Schmitt	4	2012
Councilor B3	Willenbring	4	2012
Mayor	Hagen	4	2012

* top two candidates with the highest number of votes

Option #3 (after 2012 election)

<u>Position</u>	<u>Holder</u>	<u>Term</u>	<u>Expiration</u>
Councilor A1	TBD	4	2014
Councilor A2	TBD	4	2014
Councilor B1	TBD*	4	2016
Councilor B2	TBD*	4	2016
Mayor	TBD	4	2016

* two candidates with the highest number of votes

The 2014 election, and all subsequent elections, would have 2 councilor positions on the ballot, each with 4-year terms.

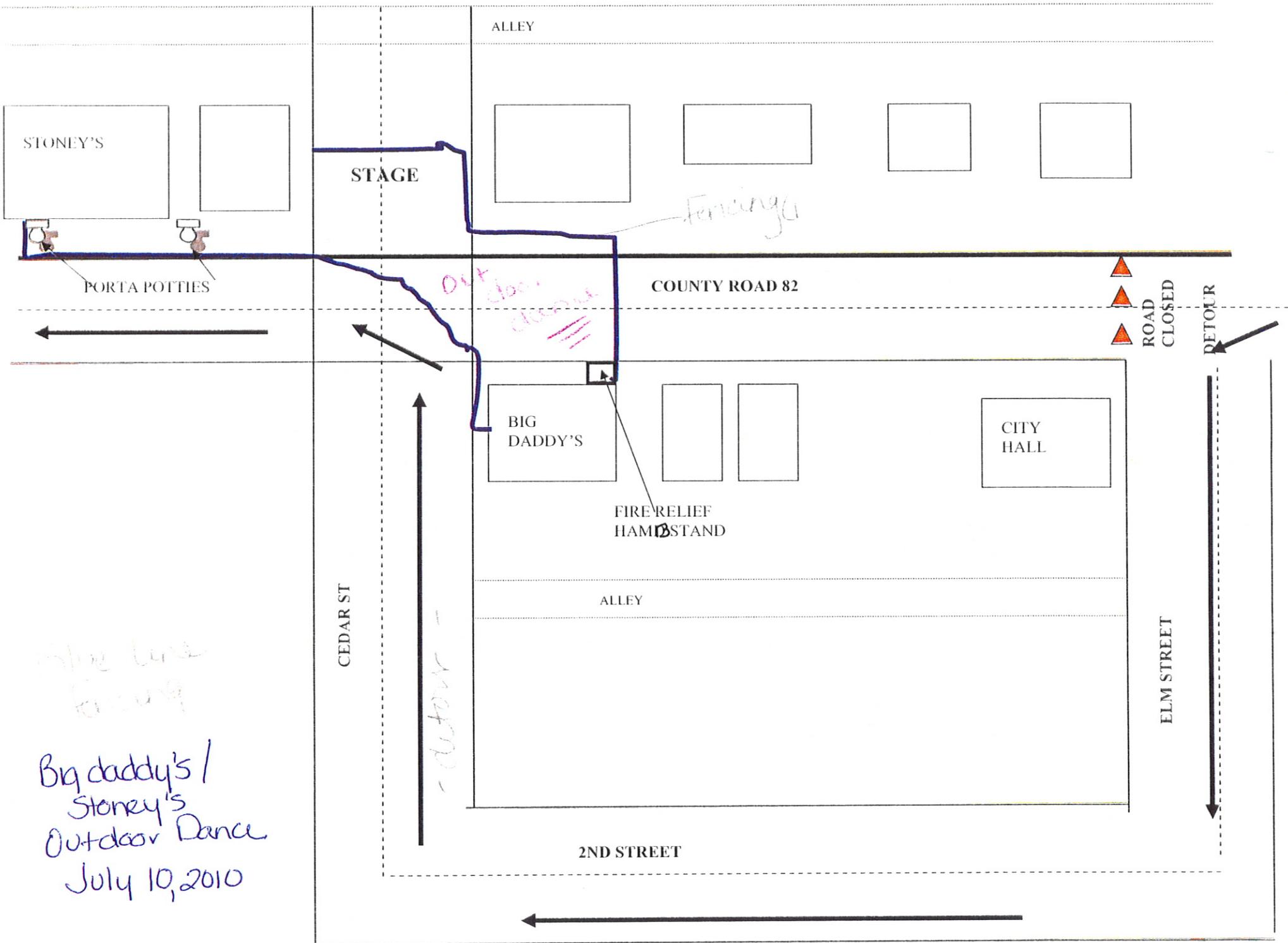
The three options described in this memo are not the only options, but represent my recommendations as the most straight forward options to understand, explain to the public, and implement. Option #3 is perhaps the best option because it does not require abbreviated terms and eliminates one position from each of the four-year election cycles.

3. The Council must adopt an ordinance that sets a schedule of elections and terms for the Council positions similar to what I have outlined in the tables. The City, consistent with its policies, should conduct a public hearing before the Council takes action on the ordinance. The ordinance only needs a majority vote of the Council for adoption. The ordinance must set the language that will be printed on the ballots submitted to the voters at the next regular election. We can assist the City in preparing the proposed ordinance once the Council determines which option to utilize. If a majority of the voters approve the reduction, the schedule set in the ordinance takes effect immediately. If the voters do not approve the ordinance, three Council members will be seated in January and the current schedule of terms will continue as shown in the attached current Council roster.

CURRENT COUNCIL ROSTER

<u>Position*</u>	<u>Holder</u>	<u>Term</u>	<u>Expiration</u>
Councilor A1	Koerber	4	2010
Councilor A2	Palmer	4	2010
Councilor A3	Volkmoth	4	2010
Councilor B1	Becker	4	2012
Councilor B2	Schmitt	4	2012
Councilor B3	Willenbring	4	2012
Mayor	Hagen	4	2012

*Assignment of position for demonstration purposes.



Along line
fencing

Big daddy's /
Stoney's
Outdoor Dance
July 10, 2010

ALLEY

STONEY'S

STAGE

PORTA POTTIES

COUNTY ROAD 82

ROAD
CLOSED

DETOUR

BIG
DADDY'S

CITY
HALL

FIRE RELIEF
HAM STAND

ALLEY

CEDAR ST

ELM STREET

2ND STREET

Fencing

*Out door
cleanup*

- detour -