



CITY COUNCIL AGENDA REPORT



DEPARTMENT: City Attorney

MEETING DATE: June 15, 2021

PREPARED BY: Craig Steele, City Attorney

AGENDA LOCATION: AR-1

TITLE: Discussion and Possible Direction to Staff Regarding the Concept of an Elected Mayor as Opposed to a More Conventional Annual Rotating Choice of a Mayor from Among the Members of the City Council

OBJECTIVE: To discuss the possible methods of selecting Monrovia's Mayor in the future

BACKGROUND: In the course of discussions in April about changing the date of the City's regular municipal election to the statewide primary election date, a change imposed by the State Legislature's actions, City Councilmembers directed staff to place on a future agenda a discussion about whether to continue with Monrovia's process of directly-electing the City's mayor. Currently, the Mayor is elected every two years but has no additional power or authority by virtue of being elected.

ANALYSIS: Like most general law cities in California, Monrovia is governed by a council/manager form of government, where a five member City Council hires a City Manager to manage the affairs of the City with policy direction from the City Council. The City Manager reports directly to the five members of the City Council, and the employees of the City all report (through a structure) to the City Manager. A "strong mayor" system of government, with which some members of the public may be familiar, is a different system of governance that is only available to charter cities. In that system, mostly used by larger cities, political powers are concentrated in the mayor, who typically has authority to present a budget, hire and fire staff, and direct the day-to-day management of the city.

Monrovia has a directly-elected mayor system, which is permitted for general law cities, but the directly-elected mayor has no authority over the operation of the City that is greater or different than any other member of the City Council, given the council-manager form of government. It is unusual for a general law city in California, especially one the size of Monrovia, to have a directly-elected mayor. In most general law cities the title of mayor, which is largely a ceremonial position, rotates among the members of the city council through a system, formal or informal, that is conducted by the members of the city council. This allows those city council members to share the ceremonial and public duties of the mayor, and emphasizes different perspectives in preparing meeting agendas and building the culture of the city organization. Under Government Code sections 36801-36803, the mayor and mayor pro tem are generally chosen from among the five members of the council, and have no additional authority or power other than running the city council meetings.

The City switched from a traditional rotating mayor system to the directly-elected mayor system through a ballot measure in 1976. Staff have been unable to find much in the way of historical documentation of the reasons for making that change. However, an argument in favor of the ballot measure, prepared by then-City Councilmember Richard Mountjoy, stated that the proposal for a directly-elected mayor would allow the voters the opportunity to make sure that the Mayor has the "necessary abilities, time, energy and leadership qualities for such an important office." Further, Mr. Mountjoy argued that an

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elected Mayor will be more responsive to the voters. A copy of that ballot argument is attached to this report.

A more traditional mayoral rotation also provides accountability to the voters, since City Councilmembers all are elected Citywide. In some ways, having a directly-elected mayor can be confusing to constituents in a general law city, since they assume that an elected mayor has more authority than other city councilmembers.

Under Government Code Section 34902, since the office of elected mayor has been established, only the voters can decide to revert to the rotational mayor system. To put the question before the voters, the City Council must order an election on the issue at a regular municipal election or a special election called for the purpose. If the voters were to approve the measure, the office of mayor would revert to a standard four-year City Council seat at the following regular municipal election. So, for example, if the voters approved a change at the regular municipal election in 2022, the person elected as mayor in 2022 would serve 21 months in that office and then there would be an election for a four-year City Council seat in 2024.

FISCAL IMPACT: The direct fiscal impact of changing the office of elected Mayor to a City Council seat would be minimal. There would be a cost to hold an election on the issue, however, which staff cannot estimate at this time. Costs would be reduced if the City conducts the election in connection with the regular municipal election and not at a special election.

RECOMMENDATION: Staff recommends that the City Council discuss the issue and, if deemed appropriate, provide further direction to staff.

COUNCIL ACTION REQUIRED: Pleasure of the City Council.

**ARGUMENT FOR ELECTION OF MAYOR
AND FOUR CITY COUNCILMEN**

The complexity of societal problems has forced citizens to re-evaluate their rules in the democratic process.

Today, more than ever, governmental decisions affect the daily lives of all of our citizens. In such an environment, it becomes necessary for society to take steps to insure that their elected officials exert greater leadership and become responsive to the majority will. The Mayor, as the titular head of the community, is in the best position to reflect majority opinion, although the powers and general duties of an elected mayor and councilmen are the same, his responsibilities and opportunities for exerting leadership are greater by virtue of the position he occupies. In this light, many neighboring cities have gone to an elected mayoral system so that citizens may be able to insure that their Mayor has the necessary abilities, time, energy and leadership qualities for such an important office. Responsiveness is also mandated by the people, for the Mayor will have to answer to those who directly elected him.

Our present system, council selection of Mayor, does not adequately provide for Mayor responsiveness, nor does it insure us that such an important position will be filled by a person possessing all of the desirable qualities. Without proper democratic controls, citizens cannot be certain that a council selected Mayor will truly represent the wishes of the people.

The election of Mayor will not cause a change in our present council manager form of government, but it will provide our citizens with a meaningful choice and not leave such an important selection open to chance. An elected Mayor will become directly responsive and responsible to the people. Only by this method can we be certain to gain the community leadership needed in a complex society.

VOTE YES

R. L. DICK MOUNTJOY

**ARGUMENT AGAINST ELECTION OF MAYOR
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(None Filed)