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Election Process Clarified...or Not

By Sophie Braccini

An unwritten tradition is like a gentlemen's agreement. It works as long as everyone finds it beneficial. The unwritten tradition that defined who would become the vice mayor of Moraga each year-based on the number of votes received in the general election- and subsequently serve as mayor the following year recently came to an end and will not be replaced by a written policy.

The Moraga Town Council elects its mayor and vice mayor, and the only written rules for ascending to a leadership role are general. The mayor and vice mayor must receive at least three affirmative votes, they are appointed for one-year terms, and a council member may not succeed himself/herself as mayor or vice mayor.

Early last month the Moraga Town Council charged Town Manager Jill Keimach with finding out how Lafayette's mayoral seat is filled (read the details in our archive at www.lamorindaweekly.com/archive/issue0604/Moraga-Town-Councils-Cohesiveness-Shaken.html.) Although its written procedures are similar to Moraga's, the Lafayette City Council has an unwritten tradition that gives every elected council member an opportunity to wield the mayor's gavel.

Keimach returned to the Council on April 25 with a written proposal that reflected the Lafayette tradition. Had it been adopted, whoever had been on the council for the longest period of time without serving as mayor or vice mayor would be nominated next.

"I was never one to want to limit the Council's discretion to choose its mayor and vice mayor, but the people have expressed their desire to have fairness and clarity," said Mayor Mike Metcalf. "What the Town Manager has drafted corresponds to that request and I'm prepared to vote for it." His motion to approve the policy failed, as it received support only from Council Member Dave Trotter.

This debate began with Council Member Karen Mendonca's December, 2011 nomination of Council Member Howard Harpham as vice mayor instead of Trotter; under the old tradition, Trotter would have received the nod. Mendonca stated, "The people elect the Council members, not the mayor. The Council needs to retain the discretion to choose the person that is best suited to lead the Council at the time." Council Member Ken Chew added, "I just didn't have a problem with Howard (Harpham) becoming the vice mayor. The question is who can provide the leadership? It's like on a sports team-the most senior or the player who scored the most points is not necessarily the captain, it's the one who can work with everybody."

Trotter, who served as mayor in 2009 after being elected by the same Council, reiterated his opposition to not having a rule, written or not, for passing the gavel. "This is the way to keep the process non-political," he said. At Metcalf's suggestion the Council approved, on a four-to-one vote (Trotter opposed), a non-binding notation: "The Town desires to fairly rotate the offices of Mayor and Vice Mayor of the Town Council among the five members of the Council."

New Rules for Public Participation

The Town Council also approved changes regulating public participation at the meetings, including the use of recording, videotaping or television equipment, which is now permitted only in the back row or side aisles; turning off electronic devices such as cell phones; keeping certain areas clear; and rules regarding disruptive behavior.

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