

**Report of the
Charlottesville Elections Study Task Force
December 2004**

Signed and endorsed by:

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OVERVIEW

It's About the People

At the public hearings conducted by the Charlottesville Elections Study Task Force¹, many speakers said “If it ain’t broke, don’t fix it.”

So why are we exploring the possibility of change?

While many thought the City should “leave well enough alone,” others expressed a variety of concerns regarding the government of Charlottesville.

It was such concerns (reported in detail below) that led to the creation of the Task Force by City Council. This report describes a number of the concerns expressed by the citizens of Charlottesville, with full recognition that just because some people perceive a problem, this does not necessarily mean that significant changes are required. Nevertheless, we report on a number of possible changes to City Government that may serve to alleviate some of the perceived problems.

Given the level of agitation among some City residents about the study we were conducting, and the widespread advertising and reporting surrounding the work of the Task Force, we anticipated a larger turnout at the public hearings than actually attended the hearings. While on any given night of a public hearing, a conflicting event could be found, the general low turnout at all the meetings indicated a general lack of interest among the citizens of Charlottesville.

On the other hand, we heard comments such as, “many of my neighbors just didn’t see any point in coming.” And one person expressed the opinion that the low turn-out of African-Americans at the hearings could be attributed to the sentiment that “we’ve tried to change the system so many times; we’ve just grown tired of trying.” Whether these feelings are justified is immaterial; the perceptions alone are dangerous. In terms of government and public policy, the perception of a problem may indicate that some action must be taken.

The City Council first raised the idea of creating the Charlottesville Elections Study Task Force in April 2004 to address public concerns about citizens feeling unrepresented by the current system. In this report, we outline the primary concerns articulated by the citizens at the public hearings as well as those identified by the members of the Task Force and City Council. We also discuss a number of possible “solutions” that could be used to address the problems. Again, the solutions were suggested by the citizens, by the members of the Task Force, or were contained in the charge to the Task Force.

¹ *Task Force* and *we* will be used to identify the Charlottesville Elections Study Task Force. *Citizens* and *residents* will be used interchangeably to identify people living in the City of Charlottesville. Unless specifically identified otherwise, the term *City Government* will be used to refer to the City Council as a body together with the staff of the City of Charlottesville.

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By way of background, the current election system in Charlottesville has the five members of City Council elected in staggered, citywide elections, with each Councilor serving a four-year term. Currently, these officials are selected in spring municipal elections, three in even-numbered “presidential” years and two in even-numbered “off” years (for example, three members were in 2004, two will be elected in 2006). Beginning in 2007, this cycle will shift to odd-numbered years with the municipal election occurring concurrently with the November general election (thus, three new members will be elected in Nov. 2007 and two in Nov. 2009).

To be listed on the ballot for City Council, candidates must either be nominated by one of the two recognized political parties, or file a petition with the signatures of 125 registered City voters. Candidates may also seek election through “write-in” ballots.

In a survey of cities across Virginia, we found that many cities hold at-large elections; many hold elections by wards, and some have a mixed system. Some cities directly elect their Mayor, while others select their Mayor from within Council. There was no obvious pattern of election systems—that is, cities in all parts of the Commonwealth and of all sizes used all kinds of election systems.

While Charlottesville, and seven other cities allow parties to nominate candidates to the ballot, most cities require candidates to obtain petition signatures as the only means to be listed on the ballot. Some people hold that these cities have “non-partisan” elections; in fact, there is neither a prohibition against the parties endorsing candidates, nor a prohibition against candidates declaring their party affiliation.

In analyzing these findings and others, members of the Task Force had disagreements with other members; in the end, all of the members reached consensus to create this report, which is unanimously endorsed by the members of the Task Force as being unbiased, balanced, and representative of the work we have done with the input we received from the citizens of Charlottesville.

The Task Force, while explicitly including Democrats, Republicans and other interest groups, worked together in a nonpartisan way. In fact, many times Task Force members expressed opinions that seemed to be in opposition to the perception of the interest of the group they represented. As evidence of the spirit in which the work we did was conducted and of the nature of this report, the Chairman offers excerpts from several internal communications that were written without the expectation that these comments would be publicly highlighted (the comments have been paraphrased/modified to remove any indication of the identification or party affiliation of the author):

- I am bothered by your question “how does the ward system help [Democrats/Republicans] get elected?” ...[M]y view is that the purpose of this task force is not to get either more [Republicans, Democrats or others] elected. I believe our purpose is to create as representative and responsive City Council as possible. ... My real goal is to elect the BEST possible council from whichever party.

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- I am convinced that good government is marked by diversity: that is political, geographical, racial, economic, and possibly several other forms of diversity.

The Task Force was charged by City Council as follows:

- 1) Explore the concept of directly electing the Mayor.
 - Evaluate any relevant data that has been assembled by jurisdictions that have considered, gone to or have systems where Mayors are directly elected.
- 2) Explore the concept of restructuring the Council election by wards or a combination of wards and at-large.
 - Evaluate any relevant data that has been assembled by jurisdictions that have considered, gone to or have a ward system.
- 3) Explore the concept of enlarging the number of Council members.
 - Evaluate any relevant data that has been assembled by jurisdictions that have considered, gone to or have increased their numbers of Council members.
- 4) Explore other best practices relating to the representation of citizens, including but not limited to remuneration and term limitation.

The Task Force included the following members:

- Democratic party representative (Tom Vandever)
- Republican party representative (Leroy Hamlett)
- NAACP representative (Cindy Stratton)
- Chamber of Commerce representative (Sue Lewis)
- Quality Community Council representative (Karen Waters)
- Representative from Ward 1—Recreation and Clark (David RePass)
- Representative from Ward 2—Walker and Carver (Sean O'Brien)
- Representative from Ward 3—Jefferson Park and Tonsler (Heather Walker)
- Representative from Ward 4—Venable and Alumni Hall (John Pfaltz)

Resource Staff for the Task Force included:

- Ken Stroupe from the UVa Center for Politics
- Sheri Iachetta, Registrar of Voters, City of Charlottesville
- S. Craig Brown, City Attorney, City of Charlottesville

The Task Force would like to extend a special thank you to the members of the City staff who provided us with volumes of information. In particular, Jim Herndon, Zoning Administrator of Neighborhood Development Services, and his colleagues provided tremendous service to the Task Force. Saphira Baker, of the Charlottesville/Albemarle Commission on Children and Families provided the Task Force with an excellent overview of the demographics of the City. Tony Gardner and Nancy Gansneder of the Weldon Cooper Center for Public Service and Donna Klepper of the School of Professional and Continuing Studies at the University of Virginia provided facilitation services for the public hearings. Their assistance was extremely helpful to the success of those meetings. Finally, Edith Good accepted the challenge of working with the

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Task Force as a substitute for Cindy Stratton when Ms. Stratton was not able to attend several meetings.

In addition to the City staff mentioned above, Sheri Iachetta and Craig Brown provided invaluable assistance to the Task Force; Ken Stroupe had an uncanny knack for finding the right comment to make sure the Task Force was on track; and the Task Force would like to give special thanks to Ryan Yanovich, a student intern in the Registrar's Office for tireless good-natured hours of assistance on a variety of tasks.

The Task Force had several debates about the meaning of the words "explore" and "evaluate." In the sections that follow you will find much exploration and evaluation, but few if any recommendations. While we make no specific recommendations, we believe that the discussions do reflect important concerns of citizens about City Government that need to be addressed by City Government.

We ask the citizens of the City of Charlottesville and the members of City Council to explore and evaluate the work of the Task Force and develop recommendations for improvements to City Government. We ask the reader to use this information to move beyond identifying problems to generating and advocating solutions. After all, this report is about you, the people of Charlottesville, your future and your quality of life.

Why Are We Doing This?

The extreme perceptions are:

- I think Charlottesville City government works just fine, the evidence is in the low unemployment, rising property values, thriving business climate, and multiple rankings as one of the best places in the country to live.
- Things may seem great where you live, but in my neighborhood, people don't have jobs, the sidewalks, where they exist, are in disrepair, and nobody in the City Government pays attention to the concerns of my neighborhood.

We heard comments from the public at both ends of this spectrum and at all points between. Can these perceptions of the state of the City of Charlottesville be reconciled? Is radical reform needed? What unintended consequences of change might we experience?

The Task Force identified several common themes among the complaints about Charlottesville City Government. Similarly, we identified possible solutions or methods for alleviating the problem(s). The Task Force generated some solutions, others were stimulated by public comments, and others came from research into academic literature and best practices in other cities in Virginia and elsewhere.

It is important to note that throughout our discussions we recognized that the problems listed below are perceived problems; this does not mean that the problem does not exist, but that not every person agrees that this is a problem. We are also not saying that if it was true it would not be a problem, but that some people simply do not have the experience, or perception, that there is a problem as described. On the other hand, the perception of the problem, in terms of politics and public policy, may indicate a real problem. In the discussion below, no counter arguments are presented.

1) City government is not responsive to the needs and inquiries of the citizens

There is a feeling that the City Government is disconnected from the concerns of the City's citizens and the City Government does not respond well to concerns raised by citizens. This has also been described as "a disconnect between citizens and a public bureaucracy." Specific comments related to this include: "I have approached many Councilors, but they just seem to have their own agenda" and "I just don't feel as if my vote counts."

In a self-fulfilling argument, it was suggested that the reason there were not more people, particularly African-Americans, at the public hearings was that there was no point—nothing is going to happen (just like last time these issues were studied). Similarly, low voter turnout in municipal elections may be viewed as a symptom of this problem.

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2) All of the City Councilors come from one part of the City

In fact, most of the Councilors in the past 44 years have come from Recreation, Walker, Carver and Venable precincts—31 Councilors in all. One Councilor has been elected from Tonsler, three from Jefferson Park, and two Alumni Hall precincts in this same time period. One Councilor elected in Walker subsequently moved to Clark and won reelection in Clark. In the public meetings it was called a “north--south” divide with those who live in the southern precincts being underrepresented.

The lack of geographic diversity in where Councilors live was cited as a reason for the lack of responsiveness of City Government. It was argued that Councilors from the north side of town are not sensitive to the concerns of people in parts of the City unrepresented by locally elected officials. This concern is related to issue number one above.

3) City Government does a poor job communicating with the citizens

Many citizens expressed the feeling that the City Government does not communicate well with City residents. For example, people referred to the sudden appearance of bulldozers in their neighborhood, when they were not aware that any development was approved.

Other specific examples include the initiation of construction of the Best Buy without much public input; a delay in notification of the residents of the Lewis Mountain Road area of the University of Virginia’s plans to build a parking garage on Ivy Road; and the decision to build a sewage treatment plant for UVa dormitories.

4) Civic participation and voter turnout is declining

City Council has expressed concern about low voter turnout. In the 20 years from 1972 to 1992, voter turnout exceeded 40% and was as high as 51% in 1978. Since 1996, voter turnout has been below 30% and in 2002 it was only 22%.

It is worrisome that so few people make the effort to vote. A variety of possible explanations exist: people feel that the outcome is predetermined, a perception strongly held by Republicans in the City; voters are uninformed regarding the candidates; or citizens are satisfied with the system as it is.

5) Democrats have the upper hand

Many citizens feel powerless and unrepresented because Democrats have won every Council seat (except one) since 1988. Being a Democratic Party nominee almost ensures election. Even though the Democratic nomination takes place in an open caucus attended by hundreds of rank-and-file Democrats, some feel that it’s a closed system that makes it difficult for outsiders to win the nomination. This perception combined with the cost of running at-large, has made it very difficult for people not affiliated with the Democratic Party to run for City Council (see number six below).

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With little opposition at election time, there may be a tendency for Democratic Councilors to become less attentive to citizens than they would be if elections were more competitive. Many citizens feel they are not listened to. Republicans, especially, have cited instances when City administrators and Councilors have turned a deaf ear to them.

Further, the dominant electoral strength of the Democrats may have an effect on turnout with some citizens thinking, “What’s the use? The Democrats always win.” This issue is related to 4) above.

6) There is a lack of socio-economic diversity among Councilor members

It is costly and time consuming to run a citywide campaign. Moreover, most Councilors have been self-employed or have jobs with very flexible schedules. In the last election the three Democratic candidates, running as a team, spent more than \$32,000 while the two losing Republicans spent a total of approximately \$20,000. In local elections, candidates are expected to go door-to-door; this is extremely difficult in a city of 40,000 residents for any candidate who has a 9 to 5 job.

Moreover, some citizens feel that Councilors more sensitive to the concerns of average residents may give greater attention to economic concerns, such as taxes, jobs or social service needs.

7) There is an imbalance of power between City Council and the City’s administration

At the August 16 City Council Session, the Task Force was specifically asked to investigate whether there is a “problem with the balance of power [between Mayor and City Manager] and if so, what would help.” Moreover, at several public hearings there was discussion of the “strong” Mayor, such as that now being used in Richmond, compared to the “weak” Mayor, or Council-manager form of government used in Charlottesville, and most cities in the country.

Discussion of these issues led to two important questions: First, is the City staff responsive to the needs of City Council? And second, related to number one above, is the City Government responsive to the needs of the citizens?

Solutions

In thinking about these problems, the Task Force evaluated several potential changes to the City Government that might help address the problems. We outline below the various solutions discussed along with several supporting and detracting comments/arguments for each. Figure 1 shows the matrix of problems and solutions we used to help us think about how and why each solution should be considered. A ✓ under a “solution” indicates that the Task Force felt that changing City Government according the proposal in the pages that follow would help remedy the perceived problem(s) listed on the left. Note: the lack of ✓ under “Maintain the current system” does not necessarily mean that the current system has all of the problems listed, just that the proposed changes in the other columns are suggested as responses to the perceived problems listed across from the ✓.

Possible Solutions

<i>Perceived Problems</i>	Maintain the current system	Direct Election of the Mayor	Mixed ward and At-Large Elections	Provide Support Staff for Councilors	Increase Pay for Councilors	Empower Neighborhood Associations	Non-Partisan Elections	Alternative Voting Systems
City Government is not responsive to the needs of citizens		✓	✓	✓		✓		
All of the City Councilors come from one part of the City			✓					
City Government does a poor job communicating with citizens			✓	✓		✓		
Civic participation and voter turnout is declining		✓	✓				✓	✓
Democrats have the upper hand							✓	✓
There is a lack of socio-economic diversity among council members			✓		✓			
There is an imbalance of power between City Council and the City’s administration		✓		✓				

Things Are Working Just Fine

Charlottesville's Current System or, "If It Ain't Broke, Don't Fix It"

Proposal: Keep the current system with no changes.

Since 1970, Charlottesville has elected Councilors 43 times. Of this total, 21% (9) were African-American, 26% (11) were women; 14% (6) were Republican, 86% (37) were Democratic, and none were independents. Since 1980, the representation for African-Americans is 23% and for women it is 29%. Republican representation since 1980 has declined to 10% and since 1990 Republicans have had held only 5% of the City Council seats.

In the 34 years since 1970, Councilors have been elected from every precinct in the City, although 40% lived the Recreation precinct when they were elected. Since 1980, 63% of Councilors have resided in either Recreation or Carver precincts, but since 1990, 45% of Councilors have resided in Carver, Tonsler, Clark, and Jefferson Park. Of Republican Councilors elected since 1970, 100% have resided in either Recreation or Walker precincts.

One concern raised as the public hearings was the cost of citywide campaigns. Since 1992 the winning campaign organizations for City Council spent between approximately \$4,300 and \$18,100. In the most recent City Council election (2004), while the Democrats and Republicans together spent a total of approximately \$50,000 (including individual campaign spending and party spending), four candidates did not spend any of their own money, one contributed \$200 to their party's election efforts, and the Independent candidate spent approximately \$770. Appendix Six of this report includes a candidate-by-candidate listing of the total expenditure for all campaigns since 1992, the earliest year for which we could obtain official data.

Pros: Supporters of our current system argue

- Charlottesville has prospered under its current governmental structure and that the system of five Councilors with equal responsibility for the entire City has allowed the municipality to thrive and has ensured that issues throughout the City receive attention.
- The current system has seen continuous representation of minorities since 1980, and has produced minority representation for 32 of the past 34 years on City Council. Minority representation (as a percentage) on City Council has approximated the minority population in the City.
- Numerous polls of the Charlottesville citizenry during the 1990's indicated high levels of citizen satisfaction with the local governmental system, and the eight public hearings conducted in the fall of 2004 indicated no significant public sentiment for change. Even with the extraordinary publicity and effort to garner public comment for change, little public outcry was revealed.
- The existing party structure recruits good candidates and provides a mechanism for developing consensus around critical issues. The party structure has in fact allowed individuals to seek office who might otherwise have been unable to do so.
- Charlottesville is viewed by many independent organizations as a well-run City and a highly desirable place to live.

Things Are Working Just Fine

Cons: Critics of the current system argue

- Significant geographic segments of the City have not been represented on council.
- The partisan involvement of political parties limits the ability of independents to gain election.
- The cost and time required to run a citywide campaign restricts the ability of independents to win election.
- Participation in City elections has decreased from an average of 42% in 1970 to 1992 to an average of 24% in 1996 to 2004.
- The City's budget has grown faster than the rate of inflation, with resulting increases in taxes and fees perceived to be a burden to some citizens.

Related Issues

There appears to be a common sentiment that better communication between City Government and the citizens of Charlottesville could improve citizen understanding of why certain things are happening, or not happening, in the city.

Take Me to Your Leader

Charlottesville Needs an Elected Mayor

Proposal: Hold at-large elections for Mayor. The Mayor would have a four-year term, but her or his official responsibilities would remain the same as in the current system. Sitting members of City Council will be able to run for Mayor.

Pros: Supporters of a directly elected Mayor argue

- Directly electing the Mayor mirrors election systems used in a majority of cities around the country with council-manager systems of government.
- Giving the Mayor a four-year term allows for stability of leadership and pursuit of a vision. Service as Mayor for more than two years could lead to more efficient government.
- A directly elected Mayor could have more of a mandate to lead and to pursue a vision.
- A directly elected Mayor could be held accountable by the citizens of Charlottesville rather than by City Council, and thus may be more responsive to the needs and priorities of citizens.
- An elected Mayor would not be given the post as a courtesy for past service, as may be the case with a Mayor chosen by council.
- Direct election of the Mayor might attract career politicians to the post, which may bring greater experience in public service and policy-making to the position than an appointed Mayor.
- Directly electing the Mayor may increase voter turnout.

Cons: Critics of a directly elected Mayor argue

- Longer and repeated terms for Mayor might lead to cronyism and stagnation.
- The presence of the position of elected Mayor might attract career politicians who might put their own interests ahead of the interests of the City.
- Fellow City Council members may have personal knowledge of the qualities of prospective candidates for Mayor, allowing them to make a decision based on the qualifications rather than political skill of the candidates.
- A directly elected Mayor may have more conflicts and disputes with City Council than an appointed Mayor, which could lead to gridlock.
- In the current political climate, it is likely that only Democrats would be competitive candidates for Mayor.

Related Issues

Pay of the directly elected Mayor may need to be increased. If a Councilor successfully runs for Mayor midway through their term, a special election will need to be held to fill the vacant seat.

This would require enabling legislation from the Virginia General Assembly and approval from the U.S. Department of Justice.

Mix It Up

A Mixed Ward and At-Large Council

Proposal: Replace the current at-large only elections with a City Council composed of both ward and at-large representatives. The proposal is for a seven person City Council composed of three members elected at-large and four members elected from wards.

Note: The Elections Study Task Force was asked to explore a ward-based or a mixed ward and at-large election system for Charlottesville. While several citizens asked for ward-based elections at the public hearings, the Task Force eliminated the strict ward-based election system because it was felt that this system would create more problems than it would solve. On the other hand, the possibility of a system that includes a combination of Councilors elected at-large and Councilors elected from wards was explored in-depth.

Pros: Supporters of the mixed ward system argue

- A mixed ward Council may offer a way to increase African-American, or other minority, representation because one minority group member may be elected at-large (as in recent years) and one, or more, may be elected from wards.²
- By more closely connecting a neighborhood area with at least one Councilor, the perception of a disconnection between City Government and the citizens may be reduced.
- At-large Councilors, who are responsible to all the voters, would be able to represent the interests of the City as a whole, while the ward-based Councilors would be able to represent their area of the City. With a mixed ward system, the at-large Councilors could, as needed, assume a mediating role evaluating competing demands by ward Councilors.
- A mixed ward system mirrors the composition of the School Board, this Task Force and other City Council created committees.
- Campaigns for the ward seats may be less expensive and time-consuming to run, enabling a greater diversity of candidates to run for office. Some argue it would be much easier for candidates to reach out the 10,000 citizens of a single ward than to the 40,000 residents of the City (Charlottesville has approximately 20,000 registered voters and approximately 40,000 residents). This may improve the chances that people not representing the major parties can get elected.
- Independents on City Council might help reduce partisanship.
- May increase voter turnout and civic participation if citizens have greater familiarity with the candidates and Councilors from their ward.
- Many important issues are specific to individual neighborhoods.
- May improve communication between the City Council and the citizens. Similarly, wards may improve access to Councilors. Regardless of the “approachability” of Councilors, some citizens find it difficult to contact a Councilor. If a Councilor lives nearby, attends

² The U.S. Supreme Court has written: “This Court has long recognized that multimember districts and at-large voting schemes may operate to minimize or cancel out the voting strength of racial [minorities in] the voting populations.” *Thornburg v. Gingles*, 478 U.S. 30 (1986)

Mix It Up

the local church, shops at neighborhood stores, walks to the neighborhood park, this barrier is lowered.

- With a larger City Council there may be a greater chance that one Councilor would be sympathetic to an individual citizen's concerns.
- It might be easier to replace a ward-based Councilor who is out-of-step with their ward than an at-large Councilor.

Cons: Opponents of the mixed ward system argue

- Increasing the size of Council from five to seven members will add to salary costs.
- Drawing of district boundaries might lead to partisan gerrymandering. The process of drawing the lines could be expensive and politically difficult.
- Neighborhood interests are not the only ones that need representation. Many issues coming before City Council are citywide in nature or involve groups of citizens who live throughout the City.
- With a majority of Councilors representing wards, balkanization or parochialism might occur as Councilors compete for scarce resources for their home ward. At the same time, some issues coming before City Council are city-wide in nature while other issues that may affect the whole City may be met with a NIMBY ("not in my back yard") attitude by ward representatives.
- May have a decrease in competition in elections for the at-large seats on Council. If it is easier for candidates to run for a ward-elected seat there may be a shortage of candidates willing to run for an at-large seat.
- Conversely, because ward-based elections draw from smaller populations, ward elections might not attract enough candidates for a competitive election, that is, there may not be more than one candidate running in a given ward.
- May reduce the number of Councilors representing each citizen. Presently each citizen has five Councilors who vie for that citizen's vote. That would be reduced to four under the mixed ward system: three at-large and one ward representative.
- Charlottesville has had fairly consistent representation by African-Americans on Council. A mixed ward system might be retrogressive by establishing a single predominately African-American ward that may be seen as the one (and only) avenue for African-American opportunity for elective office.
- Just because a Councilor is from a certain geographic part of the City does not mean she/he will represent the concerns of that area more effectively than a candidate from another part of the City. Similarly, an at-large Councilor may not act in the best interests of the City as a whole.

Related Issues

This would require enabling legislation from the Virginia General Assembly and approval from the U.S. Department of Justice.

Help! Help! We Need Help

Councilors Are Too Busy To Do It All Themselves

Proposal: Provide administrative staff for Council - in addition to the Clerk of Council. This staff would be independently hired by the City Council and could be supervised by the Clerk of Council or the Mayor. These full-time staffers would provide independent research and analysis regarding issues and initiatives facing the Council, including the budget, and would provide oversight of the bureaucracy on behalf of Council.

Pros: Supporters of providing support staff to Councilors argue

- Could help balance the relative power between the City Manager and the Council.
- Staff could improve Councilors' constituent service by providing follow-up to ensure that Councilors' intervention on behalf of citizens is actually accomplished.
- Support staff might reduce the time commitment required of Councilors, and thus might allow for a more diverse council. People who might otherwise not be able to afford the time to be on Council or people who are in occupations which have inflexible day-time schedules could consider serving on City Council if administrative staff were provided.

Cons: Critics of providing support staff to Councilors argue

- Additional salary costs.
- Could create another layer of bureaucracy.

Related Issues

Supervision of the new staff might be a burden for the Mayor or Clerk of Council. The hiring and firing of these staff will need to be managed. Should this staff work for a specific Councilor or for City Council as a whole?

Can You Afford to Serve?

Increase Pay for Councilors

Proposal: Increase Councilors' pay to a level commensurate with their responsibilities and the time they put into the job. If they are fulfilling the full range of their duties, Councilors spend, on the average, more than 20 hours a week on City business. Currently, Councilors in Charlottesville earn \$10,000/year for service on Council. The Mayor currently earns an additional \$2,000 a year. If salaries for Councilors were increased and no additional duties were given to the Mayor, that pay differential would remain the same.

Pros: Supporters of increasing pay for Councilors argue

- If Councilors were paid at a higher level, people from more diverse backgrounds might be able to afford to serve on Council. In particular, increased pay could lead to an increase in diversity of socio-economic status among candidates and Councilors. Most Councilors in the past 40 years have come from a limited range of occupations - those allowing for very flexible work schedules. As a result, some citizens feel that their socio-economic group is not well represented.
- With increased pay for Councilors, citizens from areas of Charlottesville that have traditionally not been represented on Council might be able to serve on Council.

Cons: Opponents of increasing pay for Councilors argue

- There will be additional costs for these salaries.
- With a fairly good salary, some people might try to make the position of Councilor a career.
- Considerations other than salary may be more important to potential candidates in making a decision to run for City Council.

Related Issues:

Under current state statute (§15.2-1414.6), cities of Charlottesville's size can pay Councilors up to \$18,000 (\$20,000 for the Mayor). To increase salaries beyond that, the City would need to ask the General Assembly to pass enabling legislation.

Neighborhoods Are Where The Action Is

Empowering Neighborhood Associations

Proposal: Give neighborhood associations a formal, institutionalized role in City Government by establishing bimonthly meetings between the City Council and representatives of each of the 20 to 30 neighborhood associations. The meetings would inform neighborhood representatives of proposed development projects and other issues facing the City. At the same time, the neighborhood associations would be able to express concerns about various issues and provide the City with timely feedback.

The City Manager and key department heads (such as, Neighborhood Development Services, Police, Public Works, Parks and Recreation, etc.) would participate in these meetings. One of the existing assistant city managers would be assigned to serve as a liaison for the neighborhood associations. Some financial support from the City would need to be provided to the neighborhood associations for administration and organizing expenses. An organization, such as the Quality Community Council, could provide administrative and technical support for the neighborhood associations. Finally, a common set of by-laws would need to be provided to each neighborhood association to ensure that they are operating under the same rules and are held accountable for their activities and expenditures of public funds.

Pros: Supporters of empowering the neighborhood associations argue

- Neighborhood associations represent compact and contiguous communities of interest.
- Neighborhood associations would become more important and powerful. This might encourage dormant neighborhood associations to become active and improve communication between the City Government and the citizens.
- City staff and the Council might become more responsive to citizen concerns because they would have regular communication with citizens from all parts of the City.
- Neighborhood associations might give a voice to people who do not consider themselves members of the majority party.
- With a more formal role in City Government, many apathetic neighborhood associations may be reinvigorated

Cons: Opponents of empowering the neighborhood associations argue

- This would be another set of meetings for Councilors and staff to attend
- The boundaries of the neighborhoods as recognized in the comprehensive plan do not always represent the neighborhoods as the residents see them.
- It may be difficult to find citizens willing to lead every one of the neighborhood associations.
- Additional cost to the City.
- Meetings with representatives from all neighborhood associations and appropriate City staff may be unwieldy in size.

Related Issues:

Careful attention would need to be given to the following concerns when drawing boundaries of neighborhoods every five years when the Comprehensive Plan is updated.

According to City maps, the number of official neighborhoods recognized in the Comprehensive Plan is 20; however, contact information is available from the City for at least 30 neighborhood associations, though this information is often out-of-date.

Residents will need to be consulted to learn their perceptions of what neighborhood they belong to.

Some neighborhoods are very large and include many people, while others are very small and have small populations, and other have a more transient population than others. Therefore, some residents may feel they are not getting as much representation as others and the distribution of resources by neighborhood would need to be carefully considered.

Who Cares What Party You're In? I Need a Sidewalk

Non-Partisan Elections

Proposal: Change Charlottesville's City Charter to require all candidates for City Council to qualify to be on the ballot by collecting the valid signatures from 125 registered voters within the time limits established by law. Unlike now, candidates would not be able to get on the ballot simply by gaining the nomination of the Democratic or Republican party. This would have the effect of eliminating the role of political parties in choosing candidates by caucus, mass meeting, primary, or other methods. However, political parties could still publicly endorse any of the candidates. Currently, only seven other cities in Virginia use the partisan nominating process for City Council elections.

Pros: Supporters of non-partisan elections argue

- More citizens, of all political persuasions, might run for office if freed from the political party nominating process.
- There is a perception that the party nominating process, especially for the party in power, determines the election. If that were eliminated, more independents and others might feel that they had more of a chance to be elected.
- Councilors might be more independent and partisanship among Councilors might be reduced.
- There is some perception that the current system makes Councilors less able to go against their party since they are beholden to it for their nomination. If that were removed, Councilors might be more likely to develop their own agenda.
- Might increase voter participation because voters would feel freer to vote for the best person, rather than for the party ticket.
- Could lead to less emphasis on party affiliation in political appointments.

Cons: Opponents of non-partisan elections argue

- The role of political parties at the local level would be reduced and voters would not have as much information about the core political principles of the candidates.
- Involvement in local party politics has been a training ground for many persons who go on to run for office. This change could reduce the role of parties in the recruitment of candidates and in the funding of campaigns.
- Non-partisan elections could lead to more single-issue candidates.
- Without party efforts to get out the vote in support of their candidates, fewer voters could turn out.
- Could drive the candidate recruiting process "underground," exacerbating the perception that the parties are controlled by insiders.
- May reduce development of platforms and a vision for the City by the political parties.

Does Your Vote Count?

Counting Votes and Making Votes Count

An Overview of Alternative Voting Systems

At our public hearings, a number of citizens asked the Task Force to consider alternative voting systems such as preference voting, instant run-off, weighted voting and proportional representation. One citizen felt so strongly that her vote “doesn’t really count” that she came to all eight public hearings to urge us to consider alternative voting methods.

The Task Force considered several voting systems and compiled an explanation of each. There is confusion in the literature about definitions and terminologies regarding each of these various methods, and we worked hard to create clear, concise explanations of each system considered.

The Task Force also considered a new method of voting - a hybrid of proportional representation and preference voting - that might work in Charlottesville. Several Task Force members were intrigued by this new Proportional-Preference Voting system, but there was not enough time to explore it fully. The Task Force believes that Proportional-Preference Voting is worthy of further study. A brief explanation of this system is provided in the Addendum.

At-Large Voting

All candidates run in one large multi-member district—usually an entire city. Voters have the same number of votes as the number of seats to be filled. Voters do not have to use all their votes, that is, they may vote for fewer candidates than there are seats available. Voters cannot vote for any one candidate more than one time. The candidates with the highest numbers of votes (whether a majority or a plurality) win. This is the system currently being used in Charlottesville.

Two-Round Runoff Voting

This is used to ensure that the winning candidate has majority (rather than plurality) support. In the first round of voting, if no candidate achieves a majority, a second election is held in which the top two candidates from the first round run against each other. This requires two separate elections.

Instant Runoff Voting

This method is also used to insure that the winning candidate has majority support. It utilizes preference voting to avoid a second, separate election. Preference voting is a ranking system in which the voter casts a ballot by ranking, in descending order (1,2,3...) their preference among the candidates on the ballot. The voter may rank all the candidates or only some of them.

The “runoff” occurs in the counting process. The first stage of the count determines the total number of “first-preference” votes for each candidate. If any candidate receives a majority of

Does Your Vote Count?

first-preference votes, she/he is elected. If there is no majority candidate after the first stage of the count, the candidate with the fewest first-preference votes is eliminated and that candidate's ballots are examined to see whom those voters marked as their second choice. These second-preference votes are then added to the votes of the remaining candidates. If no candidate achieves a majority with these added votes, there is a third stage of counting. This process of eliminating the lowest candidate at each stage and transferring the votes of the defeated candidate's voters to their next most preferred candidate continues until one candidate achieves majority support.

Although this system allows voters to indicate their "next most preferred" candidates at the time of voting and this preference order is used to determine the final winner, it does not allow voters to make the same kind of choice as a Two-Round Runoff would. In a Two-Round Runoff, voters know who the top two candidates are and have an opportunity to reassess the situation before they vote again.

Instant Runoff voting can be used to avoid situations where a candidate could win a seat with less than majority support. If, for example, there were four candidates and the vote was fairly evenly divided among them, the winner could take office with only 26% support.

Cumulative Voting (or Weighted Voting)

Every voter has as many votes as there are seats to be filled. The voter may cast all of his/her votes for one candidate, or distribute them to several candidates. For example: In a race for three seats, the voter may cast all three votes for one candidate, cast two for one candidate and one for another, or cast one vote for each of three different candidates.

This system could be challenged on Constitutional grounds based on the "one man, one vote" principle established by the Supreme Court. This principle was probably best expressed by Justice Black in *Hadley v Junior College District of Metropolitan Kansas City*: "This Court has consistently held in a long series of cases that, in situations involving elections, the States are required to insure that each person's vote counts as much, insofar as it is practicable, as any other person's."

In a Cumulative voting system, if one voter strongly favored three candidates, and another voter strongly favored only one candidate, the second voter would have three times the voting strength as the first voter. The first voter could not make his votes "count as much" for the candidates he supported as the second voter who could vote 3 times for one candidate.

Proportional Representation

This is the system used to elect parliaments in many countries such as Sweden and Germany. It is a party-based system where each party nominates a list of candidates in a ranked order and voters vote for the party of their choice. The number of seats each party wins is based on the proportion of the total vote that the party receives. If there were 100 members in the legislature, and a party won 40% of the vote, the first 40 candidates on that party's list would be seated. This

Does Your Vote Count?

system allows minority parties to gain seats in the legislature. For example, the Green Party has a number of seats in the German Bundestag. It is a system that can more fully represent a variety of political points of view than can a winner-take-all system.

It should be noted that a proportional representation voting system could be used to elect any type of legislature chosen at-large. It is not limited to parliamentary systems with prime ministers (chief executives) chosen by the legislature, but could be used with governmental systems having a separate executive such as a governor or city manager.

Related Issues

Any changes to the City's voting system would require enabling legislation from the Virginia General Assembly and approval from the U.S. Department of Justice.

Addendum

Proportional-Preference Voting System

Note: This addendum describes a novel voting system that the Task Force felt was worthy of further study. Given that this is a newly devised system we did not feel we could study this idea carefully enough under this charge to fully vet the system. Proportional-Preference Voting in Charlottesville would entail expanding the Council to seven members. The entire Council would be elected at-large and at the same time. (The Council election could be every two years, or every four years, whichever seems most desirable.) Each major political party would nominate a list of from four to seven candidates. Minor parties could nominate fewer than that. Any individual who wanted to run as an independent candidate could petition to be on the ballot with 125 signatures (as is currently provided).

The ballot format is shown on the next page.

There would be two stages of voting on this ballot. In the first (principle) stage, each voter would have one vote. Voters would make a choice of one of the parties or one of the independent candidates. In the second stage, all voters could express their preferences for individual candidates on each party's list. They would use preferential voting (1, 2, 3...) for candidates within each of the party blocks, starting with 1 (for their first choice) on each of the party lists. This preference voting will be used to determine the rank order of candidates on the party lists when seats are allotted.

The proportion of votes for each party and each independent candidate will be determined by dividing the number of first stage votes for each party or independent candidate by the total number of first stage votes. These proportions will determine how many seats each party has earned and whether independent candidates have earned a seat. Which individual candidates have been elected will be determined by their rank order on the party lists as determined by the preference voting described above. (A party that has won x number of seats will seat the top x candidates on their rank ordered party list.)

Example: Suppose that in a hypothetical election, the Democratic Party gets 55% of the vote, the Republican Party gets 35% and an Independent gets 10%. The Democrats would have elected 4 Councilors ($.55 \times 7 = 3.85$ which rounds to 4), the Republicans would have elected 2 Councilors ($.35 \times 7 = 2.45$ which rounds to 2) and the Independent would be seated as well ($.10 \times 7 = .7$ which rounds to 1). The first 4 nominees on the Democratic Party rank-ordered list and the first 2 on the Republican rank-ordered list would be the actual individuals seated.

This system would likely provide representation of all major segments of political views in the City. Voters would be able to express their choices as completely as possible and feel their vote will count. Independent candidates and third party candidates would have a chance of being elected. In short, it is a step toward a more representative and democratic government.

Step 1

Vote for one:

- Republican Party
- Democratic Party
- James High (Independent)

Step 2

Vote for Preferred Candidates

(You can vote in both boxes below regardless of how you voted in Step 1)

Republican Party Candidates

You may indicate your preferences for the following candidates.

Place a "1" in front of the candidate you most prefer; a "2" in front of the candidate who is your 2nd choice, a "3" in front of the 3rd choice and so forth.

You do not need to rank all candidates.

- Les Spending
- Bee Careful
- Val Hughes
- Frank Speekin

Democratic Party Candidates

You may indicate your preferences for the following candidates.

Place a "1" in front of the candidate you most prefer; a "2" in front of the candidate who is your 2nd choice, a "3" in front of the 3rd choice and so forth.

You do not need to rank all candidates.

- Ben Blue
- Maud Dolin
- Akin Hart
- Chad Willhang
- Libby Rall

Appendices

Opportunities for Further Reading

1) Excerpts from City Council Minutes, August 15, 2004

2) Notes from the public hearings

3) City Attorney Opinions

- a. Term limits, campaign finance and non-partisan elections
- b. Qualifications to hold office
- c. Politics of drawing ward boundaries
- d. Background material on the Department of Justice and the Voting Rights Act

4) Election systems in other Virginia cities

5) Survey of neighborhood associations

6) City Council election campaign expenditures since 1992

7) Maps

- a. Neighborhoods
- b. Precincts
- c. Census data
- d. Election Maps
 - i. All City Council candidates, 1960-2004
 - ii. City Council Winners only, 1960-2004
 - iii. All City Council candidates, 1992-2004
 - iv. City Council Winners only, 1992-2004

1. Note: on all maps the triangles represent the address of the person at the time they ran for City Council the first time. Reelections are not included on these maps.