

# Structure of an Election to the City Council



**Presentation to the Newburgh City Charter Commission**  
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# Things to Consider in Structuring a City Council

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- 1. Size of the Council – Number of Members**
- 2. Selection of Council Leadership**
- 3. Electoral System for Selecting Members**
- 4. Term Length and Limits**
- 5. Staggered or Simultaneous Election of Members**
- 6. Partisan v. Non-Partisan Election**

# The Practical Range for Number of Council Members in a Mid-sized NYS City is – 5 to 11 members

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- **For the 18 cities in New York State with populations between 18,000 and 50,000:**
  - 6 (including Newburgh) have five council members
  - 6 have seven council members
  - 1 has eight council members
  - 4 have nine council members\*
  - 1 has 11 council members

\* The Council President in Kingston is not counted as a voting member, as he has only a casting vote

# 1. Size of the Council: Things to Consider

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- An odd number of members usually produces an “automatic majority” when the body votes
- The more council members there are, the more votes it takes to achieve a majority
- A relatively small size precludes working in committees
- Where districts are used for electing council members, the more members there are the smaller the population size of districts
- More generally, choices on council size are linked to electoral system choices

## 2. Selection of the Council Leadership

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- At-large election for the specific post, with the person chosen having voting rights as a council member (Mayor, Council President: e.g. Newburgh)
- At-large election for the specific post, with limited voting rights – (e.g. Kingston)
- Selection by elected council members at organizing meeting, after general election(e.g. Poughkeepsie, Long Beach)
- Automatic designation from among elected members (e.g. Troy – leading vote getter from among 3 at-large members presides)

# Cities With Professional Managers Tend to Have Smaller Councils and Use At-Large Elections, Not Districts (Wards)

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- **Of the 6 NYS Cities with Council Manager Systems among the 18 considered for this report:**
  - 5 have councils with 5 members (1 had 7)
  - 5 elected all council members at large, not from districts (one used six districts, and elects a mayor – who sits on the council – at large)

### 3. Electoral Systems: At-Large Elections

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- **Those who favor say:**
  - Avoid restricting the recruitment base for candidates
  - Advances consideration of the general interest. All members are elected in the whole city and represent the whole city
  - Gives women a better chance to win
- **Those who oppose say:**
  - Disconnect people in neighborhoods from their representatives
  - May result in all or most members being from a small part of the city
  - Is suspect under the Federal Voting Rights Act in places with protected, geographically concentrated racial or ethnic minority populations as a way of denying them power – Lawsuit risk

# Electoral Systems: District (Ward) Elections

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- **Those who favor say:**
  - Makes sure that the interests of every geographic part of the city is represented
  - Is most familiar to and preferred by voters
  - If minorities are geographically concentrated, assures their representation by a person of their choice
- **Those who oppose say:**
  - Produces no voice for the general, citywide interest
  - In districts with low turnout, may result in a council member being elected with very few votes

# District (Ward) Elections Are Widely Used in New York Cities

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- **Of the 18 cities studied, 10 elected at least some council members from districts (wards)**
- **But only one council-manger city used districts (wards)**

# Current Wards in the Newburgh City Charter

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- There are nine wards provided for in the current Newburgh charter, designed for the selection of “Supervisors” to represent the city in county government under the former Board of Supervisors system. The county now has a legislature system. These wards have no county function.
- These nine wards were never used to elect the city council.
- These nine wards cannot be used for electing council members as they are not “substantially equal in population” and therefore their use would violate the one person/one vote U.S. Constitutional standard.

# Electoral Systems: Hybrids

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- Mixed systems made up of at-large and district based council members seek the advantages of both.
- If at-large election is used, ***nominations*** on a district basis may reduce system's disadvantages. May be charter-based, or based on informal agreement or traditional practice.

# Places with Larger Councils Often Use Mixed Systems

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- **For example both Jamestown and Troy have a 9 member council with:**
  - 6 members elected from districts (wards) and
  - 3 members elected at-large

## Places With Larger Councils Sometimes Use Multi-Member Districts for Some Seats and At-Large Elections For Others

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- **Ithaca has five districts, each of which is used to elect two council members. The mayor, who has a vote on the council, is elected at-large.**
- **Middletown has four districts, each of which is used to elect two council members, with a council president elected at-large.**

# Multi-Member Districts

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- **Allows each person to have “more” representation**
- **An alternative way to rebalance district and council size**
- **But may diminish the easy connection by voters with members that is a benefit of the district system**
- **But may raise some risk under the Voting Rights Act**

## 4. Term Lengths

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- **Two or four years terms are used. Some places have a mix:**
  - **Manager systems in cities studied tend to have four year terms**
  - **Two year terms**
    - **Enhance accountability to voters**
    - **But result in “continuous campaigning”**
  - **Four-year terms**
    - **May make hard decisions easier for council members**
    - **But diminish accountability**

## 5. Stagger Terms

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- Staggering is sometimes used with four year terms
- Those who favor argue that this assures some stability and continuity in legislature
- Those who oppose say that staggering is too complex, automatically builds in change-resistance and makes redistricting after the decennial census too difficult.
- Ithaca's council has two member districts, with four year staggered terms. Thus a member is elected in each district in every odd numbered election year.
- Long Beach uses a unique system that incorporates staggered elections (see below) and results at any one time in four council members serving 4 year terms and one serving a 2 year term.

# Term Limits

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- **Term limits arrangements vary, for example are:**
  - Number of terms
  - Absolute, or “stopping out”
- **Those who favor:**
  - They prevent entrenchment of individuals in office and advance competition by removing incumbent advantage.
- **Those who oppose:**
  - They remove experienced people and weaken the Council relative to the executive. Regular elections are enough.

# Electoral Systems: Partisan vs. Non-Partisan Election

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- **Partisan election:**
  - Is most common in New York cities
  - Increases turnout
  - Eases voter choice, by reducing information requirement
  - Provides an “automatic” basis for organizing the Council
- **Non-partisan election:**
  - Is rarely used in NYS cities (exception: Watertown)
  - “There is no Democratic or Republican way to run a city”
  - Advantages the city’s smaller political party
  - Tends to depress voter turnout

## 6. Voting Systems: Decision Rules

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- **First past the post – plurality winner**
  - In an at-large system, or if multi-member districts are used, the candidates are ranked by their number of votes, and as many are seated as there are seats under contest
  - In a single-member district (ward) system, the person who gets the most votes (a plurality) wins
- **Minimum vote requirement – Candidates must reach a minimum vote, sometimes a majority of those voting**
  - In single member district systems, runoff elections might then be necessary
  - Proportional representation or transferable vote systems may be used in at-large or multi-member district systems. Those in favor say that better representation results. But this requires behavior unfamiliar to most U.S. voters, and therefore significant efforts at voter education

# Questions?

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