

FORMALIZING A PROCESS OF ENCOURAGING PUBLIC ENGAGEMENT AND PARTICIPATION WITH REGARD TO THE CONSIDERATION OF THE OPTIONS OF GOVERNANCE/VOTING METHODS FOR TRUSTEE IN THE VILLAGE ELECTION

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE CECCARELLI, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, in 2006 the United States brought suit against the Village of Port Chester claiming a violation of Section 2 of the Voting Rights Act alleging that the at-large, staggered system of electing Trustees provided for in the Village Charter operated to deny the Hispanic population of the Village an equal opportunity to participate in the political process and to elect representatives of their choice; and

WHEREAS, following an adverse decision and litigation on the remedy, the Village entered into a consent decree providing for the Village's preferred remedy, cumulative voting, to be used in the 2010, 2013 and 2016 Village Elections for Trustee, certain other election processes that deviated from State Law, such as early voting, as well as instituting a comprehensive voter education program to encourage minority participation during those elections; and

WHEREAS, with the expiration of the consent decree on June 22, 2016, the Village has the opportunity to consider its options with regard to governance/voting method to be used in future Trustee elections; and

WHEREAS, the next Village Election for Trustee is on March 19, 2019, at which time the Mayor's seat will also be open; and

WHEREAS, the Board is currently identifying and evaluating possible governance/voting methods for the election of Trustees in future elections; and

WHEREAS, after a public, competitive, nationwide search process, the Board retained Dr. Lisa Handley to research, analyze and advise the Board regarding possible voting methods; and

WHEREAS, on January 2, 2018, Dr. Handley made a public presentation at a Board meeting with regard to her initial reports; and

WHEREAS, as with all non-legally privileged records relative to this matter, all of such expert reports were posted on the Village's web-site and made publicly available upon request; and

WHEREAS, the Village retained a Hispanic interpreter to speakers at the meeting who required language assistance; and

WHEREAS, as it continues to undertake its due diligence, the Board is committed to continuing to inform the residents of the Village as to the relevant facts and considerations; and

WHEREAS, the Board is likewise committed to seeking public input to the fullest extent; and

WHEREAS, formalizing a process with regard to the Board's efforts of public engagement and participation is important to memorialize the Board's commitment in promoting an accurate understanding of the options available to the Village and instilling confidence in the integrity of our electoral process. Now, therefore, be it

RESOLVED, that the Board of Trustees desires the following actions to be undertaken throughout the process of evaluating options for governance and voting method for electing trustees at future Village elections:

- 1) That the Village's web-site shall be kept current and to contemporaneously post all legally non-privileged records with regard to such efforts.
- 2) That the Board shall provide the public the opportunity to engage the Board and provide input through such means as a minimum of two public hearing dedicated to this matter to be held during regularly scheduled meetings.
- 3) That at such meetings the Board shall continue to make available a Hispanic interpreter to provide language assistance without the need of an individual request for same;
- 4) That the Board shall endeavor to make available any retained experts for public presentation of such expert's findings and at such other times as it may deem appropriate.
- 5) That the Board shall post a notice on the Village web-site and other public means to solicit interested citizens to sit on an advisory committee that will be established and members appointed at the next regular meeting. Interested residents should express their interest to the Village Clerk prior to 5:00 p.m. on February 16, 2018. Such committee shall consist of no more than 15 residents of the Village who shall appoint their own chair and conduct meetings at such dates/times at Village Hall as desirable on notice to the public. The Committee is charged with providing the Board a recommended option of governance/voting method for electing trustees with a report due no later than April 2, 2018.

Approved as to Form:

---

Anthony M. Cerreto, Village Attorney

**ROLL CALL**

**AYES:** Trustees Didden, Brakewood, Ferrara, Adams, Ceccarelli, Marino and Mayor Falanka.

**NOES:** None.

**RECUSE:** None.

**ABSENT:** None.

**DATE:** February 5, 2018.