



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Elizabeth Gibbs, City Manager

PREPARED BY: Elizabeth Gibbs, City Manager

MEETING DATE: August 25, 2026

SUBJECT: Discussion and Direction on a Proposed Ordinance Modifying Banning Municipal Code Section 2.04.070 - Appointment of Mayor and Mayor Pro Tem

STAFF RECOMMENDATION:

Discussion and direction to staff on preparing a draft ordinance setting an annual rotation for Mayor and Mayor Pro Tempore

BACKGROUND:

The City of Banning is a general law city with a five-member City Council. Consistent with California Government Code Section 36801 et seq., the Mayor is not directly elected by the voters; rather, the Mayor and Mayor Pro Tempore are selected annually by and from among the members of the City Council. This process is currently governed by Banning Municipal Code Section 2.04.070 (Appointment of Mayor and Mayor Pro Tem).

Banning's approach to this selection has changed over time. Prior to 2013, the City Council followed an informal rotation practice under which Council members moved into the Mayor position in turn, regardless of length of service on the Council. In 2013, the Council moved away from automatic rotation in favor of an annual appointment decided by majority vote of the Council at the reorganization meeting. In practice, this vote-based approach has at times resulted in closely divided outcomes (for example, a 3-2 vote in December 2015), which can create the perception – accurate or not – that the selection of Mayor is influenced by shifting Council alliances rather than an objective, predictable standard.

At the request of Mayor Pro Tem Barrington, staff is bringing this item forward to give the Council an opportunity to discuss whether returning to a rotation-based system – this time using a defined, seniority-based order rather than the pre-2013 informal practice – would better serve the City's interests in predictability, continuity, and reduced potential for political division over an annual procedural matter. A number of California general law cities with at-large or by-district council elections and an appointed (rather than directly elected) Mayor use a codified seniority-based rotation for this purpose. Some examples from Riverside County include:

Rancho Mirage - Longest-serving member without prior mayoral service becomes Mayor; second-longest becomes Mayor Pro Tem; ties broken by vote total from the most recent election; selection occurs at the second regular November meeting (or at installation of new members in election years).

Indian Wells - Same formula, same tiebreaker; members need at least one year of service to be eligible; selection at the first December meeting.

Cathedral City - Codified rotation, but using a standing list rather than a "longest service" formula: outgoing Mayor Pro Tem automatically becomes Mayor, the outgoing Mayor drops to the bottom of the list, new members are inserted by a card draw if tied, and the Council can override the list with a 3/4 vote.

Calimesa - a formal seniority rotation (one year of service before eligibility, no consecutive terms unless everyone else declines, outgoing member to the back of the line), but adopted by resolution rather than confirmed as a standalone Municipal Code ordinance.

Beaumont - Selection occurs at the Council's first regular December meeting in a year when no seat is up for election, or at the second regular or special December meeting in a year when seats are up for election. The Council member with the most years in office is next in line for Mayor; the second-most-senior is next for Mayor Pro Tem. After a term as Mayor, that member moves to the back of the rotation and everyone else advances one spot, so the sitting Mayor Pro Tem becomes Mayor and the next member in line becomes the new Mayor Pro Tem. A newly elected or appointed member is inserted in the fourth position — after all incumbents but ahead of the outgoing Mayor; if two or more new members arrive together, they're ordered by votes received, fewest votes placed last (still ahead of the outgoing Mayor). Re-elected incumbents keep their existing spot, and if a member leaves the rotation for any reason, everyone behind them moves up.

Perris, Moreno Valley, Menifee, Desert Hot Springs, Coachella, La Quinta, and Riverside all have directly elected Mayors.

JUSTIFICATION:

Any ordinance ultimately drafted would need to be reviewed by the City Attorney and adapted, as necessary, to Banning's election sequencing (district-based elections), the current Council's actual seniority order, and any other provisions of Banning Municipal Code Chapter 2.04 the Council wishes to retain.

If Council so chooses, staff requests direction on the following questions so that a formal draft ordinance can be prepared for a future meeting:

1. Does the Council wish to direct staff and the City Attorney to prepare a formal ordinance amending BMC Section 2.04.070 or does the Council wish to pursue a different approach?
2. Should the rotation be adopted by ordinance so that it is binding on future Councils, or by Council policy/resolution, which would be easier to revisit but carry less legal weight?
3. Should the three-affirmative-votes ratification threshold be retained for Banning's five-member Council, or adjusted?
4. How should the initial rotation sequence be established for the current City Council when the ordinance first takes effect, and should any current Council member's prior mayoral service be credited or disregarded in setting that initial order?
5. Does the Council wish to retain a differentiated December meeting timing (the first Council meeting in December in a non-election year, versus the second regular or special meeting in December in an election year), or would the Council prefer a single fixed date each year?
6. What is the desired effective date, and should the new procedure first apply beginning with the December 2026 reorganization meeting or a later one, to allow time for adoption and any required noticing?

FISCAL IMPACT:

None.

ATTACHMENTS:

1. [BMC Chapter 2.04.070.pdf](#)