

# Fresno City Council members have change of heart on ‘ghost votes’

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Two Fresno City Council members who cast absentee votes at council meetings this month apparently have had a change of heart.

District 7 Councilman Clint Olivier said Monday during a radio interview on KMJ News 580 AM/105.9 FM that he will ask the council to ban the practice when it meets Jan. 7. District 2 Councilman Steve Brandau said he will co-sponsor the change.

Sal Quintero is one of three Fresno City Council members who have used absentee votes when they did not stay for the whole discussion of an item.  
ERIC PAUL ZAMORA Fresno Bee file

Both men, along with District 5 Councilman Sal Quintero, have used absentee votes when they did not stay for the whole discussion.

“People expect integrity from their public officials,” Olivier said in an interview with The Bee. “I don’t believe it is something that has been abused, but it could be abused by future councils.”



The move comes after [The Bee published a story over the weekend](#) noting that Olivier and Quintero were not present during two votes at the Dec. 17 meeting but still cast votes on the items.

Olivier, who was feeling ill, told City Clerk Yvonne Spence to put him down as a yes vote on both items. Quintero said Monday that he could not be present because he was attending the Fresno Fire Department’s Christmas party. He registered a yes vote for a minor development code issue but withheld his vote from a spending plan for the \$7.9 million the city had left over this fiscal year, which he believed would be under intense debate.

Based on the public discussion, the council body should change the way it does business.

Councilman Clint Olivier

Brandau registered a vote and excused himself from a meeting earlier in December due to illness.

The resolution proposed by Olivier and Brandau would ban ghost voting. Council members who are sick or must leave for another reason would be counted as absent during any vote they aren’t physically present for. Representatives would still be allowed to telecommute to council meetings during vacations or out-of-town business, provided they follow current Brown Act state open-meeting rules regarding formal public notice.

Brandau believes a vote banning the practice would be “a simple fix” for an issue currently in question.

Olivier said that The Bee’s story and subsequent “public interest” pushed him to change his views. Both he and Brandau said they were on the fence about the issue when asked last week.

The practice also drew criticism from experts on California political policy.

“This seems wildly inappropriate and not what voters have in mind when they elect (council members) to vote on their behalf,” said Melissa Michelson, a political science professor at Menlo College in the Bay Area.

City Attorney Doug Sloan said the practice is unusual but not illegal. He had been preparing an agenda item for Jan. 7 that would have formally allowed council members to register absentee votes for legislative matters. Absentee votes would not have been allowed for judicial matters in which the council rules after public testimony.

Sloan said Monday that he advised the council to formalize a policy – regardless of which side they favored. He drafted the resolution banning absentee voting once council members expressed opposition to the practice.

Quintero, the third absentee voter in December, said a formal ban isn’t necessary.

“I don’t believe it happens that often,” Quintero said. “I think our council members are pretty conscientious.”

It has never been a blatant issue.

Councilman Sal Quintero, who also served two council terms in the 1990s

District 6 Councilman Lee Brand, the only outspoken critic of ghost voting last week, doubled down on Monday.

“I never liked it to begin with,” he said. “Things might look good during the proposal stage, but testimony can change your mind.”

Brand said that debate among council members is also important when deciding which way to vote. He said he probably will support the ban, adding that he “can’t think of too many cases where you can justify it.”

Council President Oliver Baines and Councilman Paul Caprioglio could not be reached for comment Monday. Both said last week they favor allowing absentee voting.

District 1 Councilwoman Esmeralda Soria said Monday that she was not in favor of absentee voting but would have to see the resolution before knowing her vote.

She elaborated on her stance in a [Facebook post](#) on Sunday.

“Having a public debate is quintessential to a democracy,” the post said. “There are existing mechanisms in place to allow council members to vote on an item if they will not be present.”

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