



## **Memorandum**

**TO:** Mayor and Members of Council

**FROM:** James R. True

**THRU:** John Worcester

**DATE:** February 19, 2009

**RE:** IRV Election

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A Charter amendment passed in a November 2007 requires City Council to adopt procedures to implement Instant Runoff Voting. Following the Charter amendment, the City Council designated a committee to consider recommendations for such procedures. The committee recommended various rules for the instant runoff election and a tabulation procedure. Those rules as set forth in the proposed Instant Runoff Voting Procedures Manual were attached to the ordinance presented at first reading.

At first reading, the council addressed several questions regarding the various methods of tabulation. Following such discussions, Council requested that staff prepare two alternative tabulation methods for consideration at second reading.

Attached hereto is the "Primer" prepared by Kathryn Koch and presented at first reading. This explains various rules that have been proposed for the election. Such rules apply to the election regardless of the tabulation method.

Also attached is the proposed ordinance, which if adopted would incorporate and adopt the proposed Instant Runoff Voting Procedures Manual and by reference the Colorado Secretary of State's election manual.

The Instant Runoff Voting Procedures Manual that is attached to the proposed ordinance contains general rules regarding the election and will ultimately designate the chosen tabulation method for City Council. Thus, as you will note, Section 6 of the Manual refers the reader to the alternatives for the tabulation of the City Council seats. There have been other changes in the manual to address

minor concerns that have been raised since first reading. However, no other substantive changes have been made. Specifically, the rules regarding the Mayoral election has not been modified.

The two alternatives for the election of the City Council are also attached. Both alternatives involve ranking candidates by preference first to last. All voters may rank all or as few candidates as he or she wishes.

Alternative One, is designated as the Two Votes Counted – Batch Elimination method. This is the method proposed by the committee and included in the manual at first reading. This tabulation method counts the highest two votes on each ballot in the initial round and in subsequent rounds if more than two candidates move into the subsequent rounds. The batch elimination, which is designed to emulate the most recent City runoff system simply means that if no one receives the threshold in the initial count, the top four vote getters move on. The bottom four, assuming eight candidates, are eliminated in a batch. All votes are then reassigned giving the highest two votes to those candidates remaining in the runoff. The rules set forth in this Alternative One attempt to address all conditions that can be encountered, particularly ties at various stages.

Alternative Two, is designated as One Vote Counted, Sequential Elimination. This method, contemplates an initial count of the highest vote for each candidate. After that tabulation, the candidate with the fewest votes is eliminated and those votes are reassigned to the candidate with the highest ranking who is continuing in the runoff. The elimination of the candidate with the fewest votes continues until a candidate reaches the threshold. That candidate is deemed elected and the voting for the second seat is commenced. In tabulating the voting for the second seat, the winner of the first seat is eliminated and all votes are recounted with any vote given to that candidate then given to the candidate with the next highest ranking. After this tabulation, the candidate with the fewest votes is eliminated and those votes reassigned to the next highest ranked candidate who is continuing in the runoff. This sequential elimination of the candidate with the fewest votes continues until a candidate reaches the threshold.

There are supporting arguments and criticisms of each method. And, in various test ballots, the different methods have led to different results.

On Wednesday, February 18, 2009, staff conducted a public session to demonstrate the two tabulation methods. Approximately twenty citizens, and several members of the press attended. Although no recommendations were submitted by this group, numerous questions were answered and at least one other method was suggested and promoted. That method, which will likely be presented at council, involves counting two votes initially, then conducting a sequential elimination rather than a batch elimination. Further explanation of this method can be provided if necessary.

Based on comments received at this meeting and further consideration of the various methods of tabulation, including some other proposed alternatives and compromises, there is strong possibility that staff will recommend to Council at second reading a compromise for the City Council election. Finally, the Clerk proposes that a computer specialist be utilized who will provide a program that scans all ballots then tabulates the count using the rules that are chosen by Council. The Clerk will certify this process consistent with State Statute prior to the election. It is anticipated that members

of the public will request the Council to require that the votes be hand counted, either solely or in addition to the computer count. Staff opposes this request. Certification of the counting method if electronic tabulation is used is a standard process and staff believes that it will be conducted fairly and openly.

ACTION REQUESTED: A Motion to approve Ordinance No. \_\_\_\_\_, Series of 2009.

CITY MANAGER'S COMMENTS: \_\_\_\_\_  
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cc: City Manager