

# **Instant Runoff Alternative One Two Votes Counted – Batch Elimination**

## **6.1 OVERVIEW**

Instant Runoff voting for City Council is also a majoritarian voting method using ranked choice voting designed to accommodate multiple candidates seeking two open seats. If necessary, the ballots are counted in a series of rounds. Each voter may rank candidates by preference from first choice to last choice. All ballots are counted. Votes are tabulated in Rounds until two candidates who have the most votes also receive the threshold number of votes to be declared the winner.

It should be noted that as in any election there is a mathematical possibility, albeit slight, that voting could be completed following all rounds of voting with two or more candidates tied without achieving the threshold. A tie-break system that is consistent with Colorado State Statute is set forth herein.

## **6.2 TABULATION OF VOTES FOR CITY COUNCIL**

### **6.2.1 Commencement of Tabulation/Threshold Calculation**

#### **6.2.1 a. Initial Threshold.**

At the commencement of the vote tabulation, the City Clerk shall certify the total number of votes cast for City Council and the number required to be elected to a seat on the City Council, which by Charter is defined as fifty percent (50%) of the total ballots casts for city council plus one vote. All ballots with a counted first (1<sup>st</sup>) or second (2<sup>nd</sup>) ranking for a candidate for City Council shall be counted in the total number of votes cast. Blank ballots for City Council shall not be counted in this total. By way of example, if 2000 ballots are cast in the election, including four blank ballots for City Council, then a candidate will need the highest number or second highest number of votes of all the candidates and at least 999 votes in order to be deemed a winner of a council seat.  $((2000-4) / 2) + 1 = 999$ . This number shall be referred to below as the “initial threshold”.

#### **6.2.1 b. Instant Runoff Thresholds.**

If the instant runoff is necessary, the threshold shall be recalculated for each Round of the Instant Runoff. The Clerk shall count all of the ballots that cast a vote for any candidate who is remaining in the Instant Runoff. If a ballot does not cast a vote in the appropriate rounds for any candidate remaining in the Instant Runoff that ballot shall be deemed a blank ballot. Blank ballots for shall not be counted in this threshold total. By

way of example, if 2000 votes were cast in the election with four blank votes for City Council, then the threshold is 999, as set forth above. If after the initial tabulation, 6 additional ballots did not rank any of the remaining candidates for the round being counted, those ballots shall also be deemed blank. Thus, the threshold would be 996.  $((2000-4-6)/2) + 1 = 996$ .

#### 6.2.1 c. Miscellaneous Threshold Rules.

In the event that the number of ballots cast is odd, fifty percent is a fraction. The next whole number shall be deemed the threshold. By way of example. If 2000 votes are cast and five are deemed blank ballots the threshold shall be 998.  $((2000-5)/2) = 997.5$ . The next whole number is 998.)

#### 6.2.2. Round One - Initial Tabulation of Votes

All votes cast for first and second ranked candidates shall be counted in Round One, the initial ballot tabulation. The two candidates who receive the most votes among the first and second ranked votes casts shall be declared the winners, so long as the candidate has received the initial threshold determined by the Clerk pursuant to 6.2.1.a., above. In the event that the two candidates who have received the most votes have both reached the initial threshold in the Round One ballot tabulation, then both candidates shall be declared winners and the election shall be deemed completed.

In the event that one or more of the candidates who have received the highest vote total in the initial tabulation have not reached the initial threshold, then the instant runoff voting procedures set forth below shall commence.

### **6.2.3 Commencement of Instant Runoff Vote**

Instant Runoff Vote shall be conducted under the following circumstances:

1. The candidate with the most votes does not achieve the initial threshold, thus, no candidate is elected in Round One, the initial vote tabulation (See, 6.2.3. a., below.);
2. The candidate with the most votes reaches the initial threshold but the candidate with the next highest vote does not reach the initial threshold; thus, only one candidate is elected in Round One, the initial vote tabulation (See 6.2.3. b., below);
3. The candidate with the most votes achieves the initial threshold, but two candidates with an equal number of votes also achieve the initial threshold,

thus, only the one candidate who has the most votes is elected in Round One, the initial vote tabulation (See 6.2.3. c., below);

4. Three candidates achieve the initial threshold but all three have an equal number of votes in the initial tabulation, thus, no candidate is elected in Round One, the initial vote tabulation (See 6.2.3. c., below).

#### 6.2.3. a. Procedure If No Candidate Receives the Initial Threshold in Round One

In the event that no candidate receives the initial threshold set forth above, and there are more than four candidates in the election, the following instant runoff procedure shall be implemented:

##### Round Two

In the event that no candidate receives the initial threshold in Round One, then the four candidates with the highest vote total shall enter Round Two. In the event that the lowest vote total of the candidates who would enter the instant runoff tabulation is tied, then all candidates with that vote total shall enter the instant runoff tabulation. (In the unlikely event that the number of candidates in the fourth position equal the remaining number of candidates, then the tie break procedure set forth in Section 6.2.4, below, shall be employed so that only one of the candidates with the lowest vote total moves forward into this round.) In this Round Two tabulation, all ballots shall be recounted giving the two highest ranked votes to those candidates who remain in the runoff. By way of example, if a ballot contains a first ranked vote for candidate A, a second ranked vote for candidate B, a third ranked vote for candidate C and a fourth ranked vote for candidate D, but candidates A and C are not in the runoff because of the failure to be one of the top four vote getters in Round One, candidate B and D each receive one vote. In this example if A, B and C have been eliminated then Candidate D receives one vote and the candidate ranked fifth receives a vote. Following a count of all the ballots, the two candidates who receive the most votes shall be declared the winners, so long as the candidate has received the threshold determined by the Clerk pursuant to 6.2.1.b., above. In the event that both of the two candidates who have received the most votes have reached the threshold in this Round Two, then both candidates shall be declared winners and the election shall be deemed completed. In the event that one or more of the candidates who have received the highest vote total in this Round Two have not reached the threshold, then Round Three shall be commenced.

##### Round Three

- a. Round Three - Three Candidates.

In the event that no candidate receives the threshold set forth above for Round Two of the instant runoff tabulation, then the candidate with the least highest vote total shall

be eliminated. In Round Three, if three candidates remain, the votes shall be counted so that the two highest rankings shall be counted. By way of example, if a ballot contains a first ranked vote for candidate A, a second ranked vote for candidate B, a third ranked vote for candidate C and a fourth ranked vote for candidate D, but candidates A and B have been eliminated, then candidates C and D each receive a vote. After completion of the tabulation in Round Three, if the candidate or candidates with the most votes receive the threshold calculated for this Round Three, then that candidate or those candidates shall be deemed the winner or winners. If the two candidates with the highest votes both achieve the threshold, then both shall be deemed the winners and the election shall be completed. If the candidate with the second highest vote total does not achieve the threshold for this Round Three, then the two remaining candidates shall enter Round Four.

b. Round Three - Two Candidates.

In the event that one candidate achieves the threshold set forth in paragraph 6.2.1.b., above, in Round Two of the instant runoff tabulation, then the two candidates with the next highest vote totals shall enter Round Three of the instant runoff tabulation. In the event that the lowest vote total of these positions is tied, then all candidates with that vote total shall enter the instant runoff tabulation. In this Round Three only the highest ranked vote for a candidate still in Round Three shall be counted. By way of example, if candidates A and B are the only candidates remaining in the Round and an elector ranked A as his or her third choice and B as the fourth choice, then A shall receive a vote. The candidate who receives the highest number of votes and achieves the threshold shall be declared the winner of this tabulation and the election shall be deemed completed. If there were more than two candidates in this Round Three, due to a previous tie, if no one is elected in this Round Three, the candidate with the lowest total shall be eliminated and the counting procedure with the recipients of the two highest vote totals shall be conducted in Round Four. In the event of a tie vote between the final two remaining candidates, then the winner shall be determined pursuant to paragraph 6.2.4, below.

Round Four

If a fourth or fifth round is required, the same procedure shall be utilized until the candidate with the highest vote total achieves the threshold set forth for that round.

6.2.3. b. Procedure If One Candidate Is Elected In Round One

In the event that the candidate who receives the most votes also receives the initial threshold in Round One, the initial vote tabulation, then that candidate shall be deemed the winner of one city council seat. The two candidates with the next highest vote totals shall enter the instant runoff tabulation. In the event that the lowest vote total of these two positions is tied, then all candidates with that vote total shall enter Round

Two. The voting procedure set forth in Section 6.2.3.a., Round Three – Two Candidates, above shall continue until the candidate with the highest vote total achieves the threshold for this instant runoff round. That candidate shall be declared the winner of the second council seat. In this case, a third round or subsequent round of voting would only be required in the event that there was a tie between or among one or more candidates with the lowest vote total needed to move on from one round to another. In the event of a tie vote between the final two remaining candidates, then the winner shall be determined pursuant to Section 6.2.4., below.

6.2.3. c. Procedure If Three Candidates Achieve Threshold In Initial Vote Tabulation but All Have Received An Equal Number Of Votes or the Two Candidates with the Lowest Vote Totals have an Equal Number of Votes.

Round Two – Three Candidates

In the event that three candidates have received the threshold but all three have received an equal number of votes in the initial tabulation (Round One, above) then Round Two shall be conducted among the three candidates, with the two highest ranked votes on all ballots counted. Since all candidates met the initial threshold, the two candidates with the highest vote totals in this Round shall be elected. In the event of a tie between the two lowest vote getters, then the Candidate with the highest vote total shall be deemed elected. The two remaining candidates shall enter Round Three.

Round Two – Two Candidates

In the event that three candidates reach the threshold with the candidates with the lower vote total tied, the candidate with the highest vote total shall be deemed the winner. The two other candidates shall enter Round Two, where all votes are recounted with the highest ranked vote for these two remaining candidates counted. If after this count the vote is still tied, then the tie break procedure set forth in Section 6.2.4 below shall determine the winner.

Round Three.

If a Round Three is required due to tie in Round Two – Three Candidates, the procedure set forth for Round Two – Two Candidates shall be conducted.

**6.2.4. Determination of Tie Votes.**

In the event that a tie exists at any level of the proceeding that would prevent moving forward without a resolution of the tie, the tie shall be resolved pursuant to this section.

The first tie-breaker shall be based upon the number first ranked votes, with the candidate with the largest number of first ranked votes being determined the winner of the tie breaker. In the event that that number shall be tied, then the winner shall be determined by lot pursuant to Colorado State Statute, C.R.S. Section 31-10-1204.