



**CHARTER REVIEW COMMITTEE
REGULAR MEETING
MONDAY, April 23, 2012
7:30 – 9:00 p.m.
City Hall Conference Room, 1000 San Pablo Avenue**

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

3-1. March 26, 2012

4. PUBLIC COMMENT

For persons desiring to address the Committee on an item that is not on the agenda please note that each speaker is limited to three (3) minutes. The Brown Act limits the Committee's ability to take and/or discuss items that are not on the agenda; therefore, such items are normally referred to staff for comment or to a future agenda.

5. ANNOUNCEMENTS/COMMUNICATIONS

5-1. Welcome Committee Member Prins

6. DISCUSSIONS AND POSSIBLE ACTIONS ON MATTERS RELATED TO THE FOLLOWING ITEMS:

6-1. Review letter to City Council regarding update to Charter Section 3.19 (Attachment 1) **(10 minutes)**

6-2. Discuss concept of removing the Board of Education from the Charter, identify pros and cons **(15 minutes)**

6-3. Continue review of election methods utilizing criteria for judging methods as selected by the Committee **(60 minutes)**

a. Review draft table summarizing election methods & review criteria (Attachment 2)

b. Review identified responses to questions raised by City Council Member Thomsen (Attachment 3)

- Election methods

- 1) Plurality at large (Albany's current election method);
- 2) Cumulative at large;
- 3) Limited at large;
- 4) Ranked Choice Voting at large (RCV);

- Judging criteria:

- Cost of administration
- Voter turnout
- Diversity of representation
- More candidates/competitive elections and sufficient range of voter choice
- Simplicity/ease of use by voters
- Stable/effective government

7. FUTURE AGENDA ITEMS

Committee member announcement of requests for future agenda items.

8. ADJOURNMENT

Attachments

1. Draft letter to City Council regarding update to Charter Section 3.19 (Baty)
2. Draft Election Methods Review Table (Baty)
3. Draft CRC Report April 23, 2012 Voting Methods Questions from Council Member Thomsen (O'Keefe)

Please note that if you provide your name and address when speaking before the Committee it will become part of the official public record, which will be posted on the Internet. Any writings or documents provided to a majority of the Committee regarding any item on this agenda will be made available for public inspection at the City Clerk's Office at City Hall located at 1000 San Pablo Avenue, Albany during normal business hours.

ATTACHMENT 3

DRAFT for REVIEW

City of Albany Charter Review Report April 23, 2012

Voting Methods Questions from Council member Peggy Thomsen

Note: the term “RCV” for Ranked Choice Voting is used in some replies because it has a track record in some cities, even though it is not the only alternate voting method, nor is RCV itself a single method.

Some responses are general but, wherever possible, become specific to Albany. While responses are based on research and sources are cited, qualitative responses are subject to the difficulties of finding objective information useful in drawing conclusions.

1. Who benefits? Why? How?

Current voting methods in Albany are perceived to benefit residents who believe the current system works, incumbents, the Democratic party, and other political action groups. There is for many comfort, stability, and predictability.

Proponents of alternate voting methods promise benefits such as increased voter turnout, more consensus-building among candidates and political parties, less negative campaigning, fewer “strategic” voting tactics (such as bullet voting), and reduced election costs.

It is challenging to determine how, or whether, alternate voting methods might benefit Albany. At a first cut, there are few functioning alternate systems for elections with multiple winners such as Albany’s Council and School Board elections. More generally, Albany experiences few of the problems found in other jurisdictions. Voter turnout is high (70% in 2010), most elections are civil, term limits promote a mix of stability and new faces, most elections are “consolidated” with general elections promoting voter participation and saving money, “gaming” the system is subtle. Albany does not require runoff elections so RCV would not reduce election costs. RCV offers no guarantee to eliminate strategic voting and negative campaigning: analysis of the last San Francisco RCV elections revealed both. **Insert voter turnout info**

2. What are the costs? Political? Financial?

Political costs of traditional systems in Albany are less evident than in other cities, see above. Some are concerned about the appearance of “tyranny of the majority” especially when slates are elected. Financial costs have escalated due to Registrar of Voter charges.

Political costs of alternate methods include uncertainty, as illustrated in the recent Oakland and San Leandro mayoral races. Some voters resist any change, and/or cannot comprehend RCV voting methodology (although objective analysis of SF RCV found only 1% ballots indicating inability to comprehend RCV.) Another political cost is the sometimes-visceral reaction to the RCV “majority” winner not actually receiving a majority, and/or having received substantially fewer first round votes than a loser.

Financial costs of RCV in Albany would be greater than traditional election method costs. The exact amount is not known because, as noted before, there is not multi-seat winners system to price. Very rough estimates of costs based on other cities’ experiences run in the hundreds of thousands for initial system and education costs, then maybe another \$7K per election for ongoing costs on top of current Registrar charges. The system purchased by Berkeley, Oakland and San Leandro works only for single winners of an election. They chose RCV to reduce election costs from runoff elections. Albany does not require runoff elections, so it cannot offset higher costs.

3. Does the system allow candidates to manipulate the election so results of the majority of voters are thwarted?

Both traditional and RCV methods allow for candidates to be elected with less than majority vote, though for varying reasons.

Traditionally, with elections such as Albany’s Council and School Board races in which multiple candidates win, and many candidates may run, some winners receive less than a majority of votes cast. This can happen because the number of candidates dilutes the shares of total votes. Another influence affecting the will of the majority can be strategic voting methods such as bullet voting (to increase the share held by a desired candidate), or pseudo “split-ticket” voting. (The latter is intended to direct votes away from the strongest opponent, and towards the weakest of the supported candidates, so the objective is actually to promote one ticket.) The impact is hard to quantify.

Under RCV, in elections with many candidates, RCV sometimes results in a winner who received fewer than 50% of the voters’ first/second/third choices, if there are many “exhausted” ballots (ones with none of the ranked candidates surviving all rounds of runoff). Races with many candidates where voters can rank only 3 candidates can increase the amount of “exhausted” ballots. Political expert Bruce Cain of UC observes

that large numbers of candidates in RCV races overwhelm voters, precluding voters from making very many real ranking distinctions. And as with traditional methods, there are indications of strategic voting in some RCV contests (UCSF study)

4. What size cities utilize each method?

5. What kind of system does each CA city use? What is the population of the city?

Unfortunately there is no master compendium of cities, sizes, and election methods to answer these questions fully. A Public Policy Institute of CA study, Municipal Elections in California, provides general information as of 2002 based on a survey of 350 CA cities (there were then 474 cities; the sample of 350 was determined to be representative of various size cities). About one quarter used district elections, typically large cities with some distinct neighborhoods. The remainder held at-large elections, either plurality or majority-required.

Currently four CA cities use RCV, to reduce election costs according to Alameda County's Deputy Registrar of Voters: Berkeley, Oakland, San Francisco, San Leandro. San Leandro is the smallest of the four, with a 2010 Census population of 84,950. Berkeley has 112,580 residents, Oakland has 390,724, San Francisco has 805,235.

Wikipedia lists other US cities using RCV as Cambridge MA, population 105,162; Portland ME, Minneapolis and St Paul, Takoma Park MD. [Add populations](#)

6. What cities have changed to a method other than plurality at-large electoral system and then returned (or are in the process of voting on return) to that voting method? With which system did the cities experiment?

Two US cities/counties are reported to have repealed Instant Runoff voting: Burlington VT and Pierce County WA. The reasons cited most often were voter confusion or misunderstanding. Both San Francisco and Oakland are considering actions to repeal RCV.

7. Would any state laws impact a possible change in the voting system in Albany, or would a change in the city charter be all that is needed?

The charter (5.01) states "Except to the extent otherwise provided by ordinance hereinafter enacted, all elections shall be in accordance with the provisions of the Elections Code of the State of California.." It also calls for both municipal (2.01) and School Board elections (6.01a) to be "at-large".

So changing from “at large” to “district” would require charter amendment. Some note that some alternate voting methods such as RCV are “at-large” method. (***Committee opinion on ordinance vs charter change for “at-large” RCV etc***)

The State has not certified alternate voting methods other than by-district elections, although it has given permission for selected cities to use RCV under certain circumstances.

CVRA (California Voting Rights Act) has influenced other jurisdictions to move from at-large to by-district elections (the only “safe-harbor” option under CVRA), in locations where polarized voting is alleged.

8. Given that voters in Albany do not seem to be clamoring for a change in the current voting system, what is driving the committee’s desire to pursue the current study?

Charter Review undertook a study of various election systems solely to explore the pros and cons – for Albany – of another system.

Answer Sources:

<http://sjsc.ca.lwvnet.org/StudyofInstantRunoffVoting.html>

Wikipedia

Municipal Elections in CA 2002, Hajnal et al

http://www.usfca.edu/uploadedFiles/Destinations/Institutes_and_Centers/McCarthy//11%20RCV%20Analysis.pdf (UCSF analysis SF election)