

DRAFT for REVIEW

City of Albany Charter Review Report July 19, 2012

Voting Methods Questions from Council member Peggy Thomsen

Terms and Definitions

Four voting methods that are mentioned in this report include plurality, limited, cumulative and ranked choice, described below:

Plurality (at large), the current method

Limited, where each voter has fewer votes than there are seats (for instance one vote in an election to fill three seats)

Cumulative, in which each voter has a number of votes equal to the number of seats, like in plurality, but can cast more than one vote for a candidate.

Ranked choice voting (RCV), where each voter has one vote, but indicates the rank order – currently up to 3 - in which candidates should receive the vote. RCV vote counting is done in rounds that simulate a series of runoff elections until the seat is filled. (Voting systems for RCV currently are not available for elections in which multiple candidates are elected, like Albany’s Council and BOE elections.)

1. Who benefits? Why? How?

The current plurality voting method in Albany is perceived by many to benefit residents and groups which see few problems, and prefer familiarity and predictability. Under plurality voting, the largest group of voters by shared political perspective can garner a larger share of the available representation, even if this group is not a majority. It only has to be the largest group. For instance in a fairly even three-way split in the electorate, a group constituting a bit more than a third of the electorate can garner 100% of the available representation.

Proponents of alternate voting methods anticipate, in general, benefits including increased voter turnout, more consensus-building among candidates and political parties, less negative campaigning, fewer “strategic” voting tactics (such as bullet voting or other strategic voting), and in some instances reduced election costs. Under ranked choice voting

a group constituting about a third of the electorate will garner about a third of the representation. Outcomes from limited and cumulative voting tend to be between plurality and RCV.

2. What are the costs? Political? Financial?

Political costs of current plurality system in Albany is, for some, the appearance of “tyranny of the majority” especially when slates are elected. Financial costs have escalated due in part to Registrar of Voters charges, which are beyond control of Albany. The City has budgeted \$35,000 for Registrar of Voters to run the 2012 election. Candidates now pay almost \$1000 to get a ballot statement in the Voters pamphlet.

Political costs of alternate methods include the potential for less predictability in outcome, as illustrated in the recent Oakland mayoral race using RCV. However, in the past, Oakland conducted runoff elections and sometimes a candidate with fewer votes in the first election won in the runoff.

Concerns that voters cannot comprehend RCV voting methodology are unlikely based on recent objective analysis of SF RCV which found only 1% ballots indicating inability to comprehend RCV, comparable to spoiled ballot experience in plurality elections. http://www.usfca.edu/uploadedFiles/Destinations/Institutes_and_Centers/McCarthy/'11%20RCV%20Analysis.pdf .

Financial costs of alternative methods in Albany would be greater than traditional election method costs. The exact amounts are not known because there is not yet an RCV system that allows election of multiple winners in one election.

Table 1. Higher end cost estimates using the four methods under consideration

Voting method	First election cost	Sources of cost increase compared to plurality	Later election cost	Sources of cost increase compared to plurality
plurality	\$ 35,000		\$ 35,000	
limited	\$ 45,000	voter education	\$ 35,000	
cumulative	\$ 45,000	voter education	\$ 40,000	ongoing education
RCV- Registrar only	\$ 65,000	one-time equipment charge, voter education, additional work by Registrar, tally by vendor (\$7,500 less if the count can be done by Registrar)	\$ 45,000	ongoing charge by Registrar, ongoing education
RCV – Registrar with tally by vendor	\$ 75,000	one-time equipment charge, voter education, additional work by Registrar, tally by vendor	\$ 55,000	ongoing charge by Registrar, ongoing education, tally by vendor

The current software used by the County cannot perform a ranked choice count for a multi-seat election. There is a possible option for implementing RCV for these elections using the County's current system. This system generates an electronic file containing the preferences marked on each individual ballot. This County file can be input into any one of various other available software systems that can perform the multiple-seat ranked choice count. One vendor of such services is TrueBallot. This firm estimated the cost of providing such a count for Albany would be between \$5,000 and \$10,000 per election. Taking the upper end of this estimate combined with the Registrar's first time charge yields the estimated \$40,000 for the first ranked choice election. The TrueBallot software is not in use and has not been certified by the Secretary of State for use.

The next version of the system currently used by the County, which is produced by Dominion, will have the capability to tally a multi-set ranked choice election. It is not known if or when Alameda County will acquire this upgrade, and it is not known if the one time and ongoing cost for Albany to use the RCV capability of that system would be the same as the cost to opt in to the current system. Use of this system by Albany, if and when available, could reduce the first time cost to \$30,000 and ongoing costs to \$10,000.

The Limited voting method could be implemented with only education as an additional financial cost. Cumulative would require some staff work as well as education costs.

(review note for Sept 24 – verify numbers in table match numbers in text)

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, for varying reasons. Both traditional and RCV methods are challenged when there are so many candidates that voters are overwhelmed trying to determine best candidates – some voters give up and vote for the first 3, or none at all. There appears to be no voting system that prevents all manipulation and always assures the voice of the majority.

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 "split-ticket" voting. Some estimate 20% or more have bullet voted in Albany.

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. See next to last paragraph:
<http://oaklandnorth.net/2010/11/12/after-election-ranked-choice-voting-gets-mixed-reviews/>. And as with traditional methods, there are indications of strategic voting in some RCV contests (see Usfca study pasted at end of item 1)

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, 2002, Hajnal et al, 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. No city in the State uses cumulative or limited to elect its representatives.

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.

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. It is possible the information sources were not objective; some sound like objections to the outcomes. Some legislators in both San Francisco and Oakland have talked about repeal of RCV, but there has been no real action to do so.

Other cities in the US have used RCV for single-seat votes. These include Minneapolis, Saint Paul, Portland, Maine (population about 66,000), Takoma Park, Maryland (population about 17,000), and Telluride, Colorado (population about 2,000).

The only city in the United States that currently uses multiple-seat ranked choice to elect its governing bodies is Cambridge, Massachusetts. It uses this method to elect a nine-member Council and a six-member School Committee. It has been using the method since 1941. The population of Cambridge is about 105,000.

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 School Board elections from “at large” to “district” would require charter amendment. Some alternate voting methods, such as RCV and limited, are “at-large” methods.

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 named “safe-harbor” option in CVRA) where policy makers were concerned about the presence or appearance of “polarized” voting.

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 to explore the pros and cons – for Albany – of another system.