


Office of the City Manager

ACTION CALENDAR  
November 4, 2003

To: Honorable Mayor and  
Members of the City Council

From:  Kamlarz, Acting City Manager


Subject: CHARTER AMENDMENT – INSTANT RUNOFF VOTING

Supplemental Report:

This supplemental report provides revised language as prepared by the City Attorney for a proposed charter amendment to allow for instant runoff voting should the Council wish to consider the placement of such measure on the March 2, 2004 ballot. The proposed charter amendment would permit the Council to approve such runoff voting once it becomes technically feasible as recommended by the League of Women Voters.

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Approved

  
Sherry, Kelly, City Clerk

TEXT OF CHARTER AMENDMENT TO PROVIDE FOR INSTANT RUNOFF  
VOTING

The People of City of Berkeley hereby amend of the Charter of the City of Berkeley as follows:

Section 1. Article III, Section 5 shall be amended to add subsection (12) to read as follows

**(12) Use of instant runoff voting in lieu of run-off election**

a) For purposes of this Charter “instant runoff voting” shall refer to a voting system which, in a single election, determines the candidate supported by a majority of voters, by allowing voters to rank candidates in order of choice through the utilization of a preferential or ranked ballot as further described in this paragraph. Under instant runoff voting, if a candidate receives a majority of the first choices, that candidate shall be declared elected. If no candidate receives a majority, the candidate who received the fewest first choices shall be eliminated and each vote cast for the eliminated candidate shall be counted for the voter’s next-ranked candidate who has not been eliminated. The process of eliminating the candidate with the fewest votes and re-tallying vote totals shall continue until there are two candidates remaining. At that point, the candidate with the most votes shall be declared elected. All candidates with less than 1% of the total number of first choices may be eliminated in a single step.

b) Notwithstanding any section of this Charter to the contrary, upon finding that the voting equipment and procedures are technically ready to handle instant runoff voting in municipal elections, the City Council may approve the use of such a system for the election of, the Mayor, City Council and Auditor. The City Clerk shall conduct voter and community education to familiarize voters with instant runoff voting.

Section 2 The fourteenth paragraph of section 9 of Article V shall be amended to read as follows:

**Section 9. Election.**

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The candidate receiving the highest number of votes for the offices, respectively, of Mayor, Auditor and Councilmembers of the City shall be elected to such offices, provided that such candidate receives at least 45% of the votes cast for each such office. In the event that no candidate for Mayor, Auditor and Councilmember for one or more Council offices receives at least 45% of the votes cast for that office, then there shall be a runoff election between the two candidates receiving the most votes, which runoff election shall be held four weeks after the initial election. No other issues shall appear on the ballot of any runoff election. If the election is conducted as an instant runoff election pursuant to Article III section 12 of this Charter, for any such election, the number of votes necessary to elect the Mayor, Auditor and Councilmembers shall be a majority of the votes cast.