

MEMORANDUM

Date: 10-28-03

To: City Council

From: Councilmember Dona Spring

Subject: Preferential Voting—response to issues raised at Oct. 21, 2003 Council meeting

1. The issue is about the having the *option* of using instant runoff voting. Berkeley currently does not have the option, which means they have to pay for and wait for a separate runoff election when needed.
2. In practice, the proposed charter amendment would only kick in when it's feasible to consolidate Berkeley's IRV election with the Alameda County election, because even IRV proponents don't think Berkeley should spend lots of money and suffer the lower turnout that would result from Berkeley holding its municipal election at a different time.
3. Compared to a separate runoff election, IRV is in fact cheaper and quicker. Berkeley saves the cost of the runoff election (\$200,000 or so) and get preliminary IRV election results on election night. You do not have to wait for 3 weeks to get IRV results; you can run them on election night. That's what San Francisco is going to do: they're going to release all the voting data on election night and run a preliminary IRV tally. After counting all the absentee votes, the results could change,

but that's the case in the current system. It's an instant runoff because voters vote once and get preliminary (unofficial) runoff results on the same day.

4. The Alameda County Registrar has made a policy decision of not running IRV elections for any jurisdiction, and he has falsely claimed that it's not possible to mix IRV races on a ballot with non-IRV races. However, we don't believe his policy decision is legally defensible, and if a city like Berkeley passes an IRV-enabling charter amendment and works with the county to implement it, I'm confident that Brad Clark's tune will change. However, if Clark won't run an IRV election in November, it's effectively not feasible for Berkeley to run an IRV election, so the IRV charter amendment wouldn't take effect, because it only takes effect when the city council judges that it's feasible.

5. To the best of my knowledge, in the over 100 years that people have been promoting instant runoff voting in the US, no one has ever proposed mandatory rankings. There are dozens of examples of legislation adopted, introduced and proposed, and there's not a single case where ranking all candidates was mandatory. No one is proposing mandatory rankings, especially not in Berkeley.