



Charter Change Committee Meeting ***Remote***, Monday, October 3rd, 2022, at 5:30 pm 10/3/2022

CHARTER CHANGE COMMITTEE

Monday, October 3, 2022

Via Zoom (Remote)

DRAFT MINUTES

Members Present: Councilor Bergman (Chair), Councilor Carpenter, Councilor Traverse

Staff Present: Kim Sturtevant (Acting City Attorney)

Others in Attendance: Mary Cox, Terrill Bouricius, Robert Bristow-Johnson, Sam McGinty, Danielle Stone, Sinead Murray, Sam Hartnett, Nick B, Bob Hooper

Meeting called to order at 5:45 PM.

1.0 Agenda

1.01 Motion to adopt/amend agenda

Motion to Adopt Agenda as is.

Motion by Councilor Traverse, Seconded by Councilor Carpenter

Final Resolution: Motion Passes

Yes: Unanimous

2.0 Adopt Minutes from 9/13/2022

Motion to Adopt Minutes from 9/13/2022 without changes.

Motion by Councilor Traverse, Seconded by Councilor Carpenter

Final Resolution: Motion Passes

Yes: Unanimous.

3.0 Public Forum

Jack Hanson: Emphasis on getting RCV to voters because the voters want RCV. In the last three years this has been a hot topic of debate, but has only made it voters once. Majority of Council has always supported RCV, but there's been weird vetoing/decision making in the past, but the point is it's only been to voters once, so they should get another opportunity to address, especially ahead of the next mayoral election.

Mary Cox: Spoke in favor of RCV for mayoral elections, it makes sense and should be supported.



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Terrill Bouricius: Former City Councilor and Legislator, also worked as an Election Reform Policy Analyst. Self-described expert on voting methods having studied them for over a decade. RCV has been used in thousands of elections over hundreds of years – the main thing is to allow for greater opportunity to elect the top choice amongst all voters. Current voting system is the worst, RCV is the one used most around the world.

Robert Bristow-Johnson: Rep. Bob Hooper will be joining the group later in the meeting to address the specific reason why House Government Ops removed RCV method out of the charter change language last April. The point of RCV is to 1. Get majority candidate elected 2. Prevent the 'spoiler effect' (i.e. the losing candidate takes away votes from the would-be winner, grants victory to another candidate). Other issues have arisen but they'll be discussed later during the deliberative agenda.

Sam McGinty: Resident of Ward 2 and rep of VPIRG. VPIRG has strongly supported RCV for 20 years, voters can rank candidates in order of preference. Eliminating the spoiler effect and allowing for more interpretation of which candidate is preferred best (i.e. eliminate strategic voting) is the best route forward for an accurate read of Burlingtonians' preferences.

Danielle Stone: Resident of Ward 1 and is in favor of RCV.

Sinead Murray: Resident of Ward 1 and is in favor of RCV. Played a video from Emma Mulvaney-Stanak promoting the effectiveness of RCV.

Sam Hartnett: Resident of Ward 6 and is in favor of RCV. It is important that our democracy represents what people want.

Nick B: Resident of Ward 7 and is in favor of RCV. It is better capable of representing the will of the broader public.

4.01 Discussion of Ranked Choice Voting

Terri, Sam, and Robert joined the quorum during the deliberative session on RCV.

On the Mayoral RCV resolution recommended to committee

Councilor Carpenter: Robert Bristow-Johnson has spoken about that the Condorcet methodology is the better of the bunch, it lends to less of a likelihood of error and would help with the problems related to precinct summability. Poses the question to the panel who joined: why or why not should the City use the Condorcet method and the issues around that with precinct summability? Councilor Bergman distinguishes he wants to address each question individually to avoid confusion.

- Terri: Precinct summability does not matter. With a recount using RCV, you create multiple stacks of ballots based on first choice, then take those piles and redistribute based on their next best preference on each ballot. It becomes impractical if there are many candidates because each candidate's vote tally needs to be measured against the other (i.e. Candidate A v Candidate B, A v C, A v D, B v C, etc.). Precinct summability will give results faster in a recount on election night versus the manual recount method. The key thing is there are no voting machines ready to handle RCV, it is not a voting system recognized by the voting experts around the world. The key issue with the voting method, if voters do not know candidates well, voters could inadvertently elect the 'compromise candidate' and no one is truly satisfied with the outcome.



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- Jack: The change in voting methodology isn't happening in time for the upcoming elections, this methodology was approved by voters in 2021 so we're really just reviving a method already agreed upon by Burlington voters. Thinks there should be one true RCV method that applies to both mayoral and council elections, utilizing separate systems for mayoral and council does not make sense.
- Sam: The Condorcet methodology has been around for hundreds of years, but is not used in any capacity around the world. This is because it's very mathematical theoretical – RCV has a much higher standard than the Condorcet. The Condorcet method elects whomever gets the broadest support, this means candidates won't run on any clear policy choices because they don't want to alienate any of the potential voters. RCV requires candidates to earn a higher level of support.
- Robert: On precinct summability – the polling machine yields a list with vote totals for each candidate. This is an excellent way of cross-checking the official results announced by the government. Very distinct difference between Hare RCV and Condorcet RCV, Hare is not precinct summable whereas Condorcet is. Precinct summability is getting more attention at the Legislature level because of the amount of time it takes for official results to be tallied. The consequence of not preventing the spoiler effect is it incentivizes tactical voting - if a voter's first choice candidate cannot win, they will vote for their second favorite *second* hoping that it will elect one of their two choices when it actually only gives the illusion, the third least favorite candidate could win based the tally of candidate order.
- Bob: In the VT Legislature at the committee level, they had concerns regarding the election results, it seemed as though RCV was an unreliable voting system. Then-City Attorney Dan Richardson had given assurance to the Gov. Ops committee that he would have parameters established in place prior to RCV becoming the adopted system. Logistically it is concerning, and the committee agreed that the system in place in 2009 was suspect and could not be adopted statewide.
- Councilor Traverse: Indicated he wasn't prepared to take action on the RCV resolution before them due to the amount of information received throughout the meeting. Noted there is a legitimate argument for both plurality voting and RCV, but has come around to receiving RCV in a better light. Question: What should be said to the voters concerned about the exhausted ballot? RCV results in the majority candidate winning, but it's not a majority candidate for total ballots kept, as some exhaust prior to the final round. There is research that seems to demonstrate exhausted ballots from the elderly and less-informed voters are typically greater than that of other demographic groups, what can be said to this data as well? Personally has reservations around the timing of setting RCV as the method for mayoral elections.
- Councilor Carpenter: Also gets a lot of questions around the exhausted ballot issue. Also believes more discussion is necessary before passing through resolution through.
- Councilor Bergman: Believes a report is necessary to provide to the Council to reflect the conversation had during the meeting. Notes that more discussion time is available but cautions as they quickly approach the December 12



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deadline to enact this voting methodology. Believe the cut-off should be 50 percent plus one instead of the 40 percent as it more accurately accounts for the true election preference. Rejects the 2009 election was faulty, doesn't think Kurt was a spoiler, and believes the voters did turn out to vote for him in the run-off and had accurate representation. Thinks the current proposed system makes the most sense and is simplest. Precinct summability will not work for mayoral elections, the ballots need to be brought to City Hall for tabulation.

- Sam: Regarding exhausted ballots, Vermont has strong voter intent laws to ensure that the ballot best reflects the will of the voter. On Bristow-Johnson's transparency point, with the Condorcet method the results only show the total amount of votes in that ward, it does not reflect the rankings of the candidates. Municipalities will report 'first-choice' votes on election night, but won't call the election until everything is certified.
- Terri: On summability, no voting machine can produce the matrix needed to display the election results the night of, it needs to be done manually. On the exhausted ballot, in a plurality, if a voter votes for the fifth place candidate, it's essentially an exhausted ballot in itself, without the ability to express their second choice candidate. Exhausted ballot is a red herring, it is not a unique problem to RCV.
- Bob: On voter education, people who voted for RCV last time had little awareness of what they were actually voting for.
- Robert: Condorcet applies the final round to every pair of candidates.

Scheduling of future meetings:

Wednesday, October 19th at 6:30PM

5.0 Adjournment

Motion to Adjourn.

Motion by Councilor Bergman, Seconded by Councilor Traverse

Final Resolution: Motion Passes

Yes: Unanimous

The meeting was adjourned at 7:44 PM.



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