

Motion by Councilmember Obagi, seconded by Councilmember Emdee, to approve the City's 2022 Budget Calendar. Motion carried unanimously, with the following roll call vote:

AYES: Nehrenheim, Loewenstein, Horvath, Obagi, Emdee
NOES: None
ABSENT: None

**N.3. DISCUSSION AND POSSIBLE ACTION PERTAINING TO A POSSIBLE CHARTER/ORDINANCE AMENDMENT FOR VOTERS TO APPROVE THE IMPLEMENTATION OF AN ALTERNATIVE VOTING METHOD TO REPLACE SEPARATE OR DELAYED RUNOFF ELECTIONS (AKA INSTANT RUNOFF) FOR CITY ELECTIVE OFFICES)
CONTACT: ELEANOR MANZANO, CITY CLERK**

City Clerk Manzano gave a report and presented videos on STAR Voting and Rank Choice Voting.

In response to Councilmember Obagi and Mayor Brand regarding a tie, City Clerk Manzano noted a resolution available to flip a coin or draw straws.

City Clerk Manzano noted that Rank Choice Voting has numerous resources. She also requested direction from City Council regarding the election dates and the availability.

In response to Mayor Brand, City Clerk Manzano reviewed the costs for each election date. She also said the questions for tonight would include which election and the type of vote to provide to the voters.

Sara Wolk, Executive Director, Equal Vote Coalition, spoke on STAR Voting which she supported and said it can be certified which takes about a year. She also said the municipality would need to request it.

Diane Silver, Fair Vote, stated they advocate for Ranked Choice Voting which has been in use for over a hundred years in many countries and is very effective. She noted concerns about STAR Voting which is not an upgrade to Ranked Choice Voting, doesn't deliver all of the benefits and is a hybrid model with each method being incompatible, which hasn't taken into account actual voter behavior. She suggested voters being able to vote honestly and expressed concern with bullet voting. She also said the runoff ballot would not count if the score is the same. She supported ranking with no strategy involved.

Steve Chessin, President Californians for Electoral Reform, supported Ranked Choice Voting and provided slides illustrating issues with STAR Voting. He also spoke on campaigning and supported strong first choice support from voters.

Ms. Wolk stated that the City's Code requires that a majority of ballots pass for either candidate but the winner has the majority vote. She also said that STAR Voting always counts every ballot but Ranked Choice Voting does not count every ballot in the final round. She said Ranked Choice Voting is not necessarily strategically safe to vote for your favorite.

Councilmember Obagi asked what percentage of ballots in the Ranked Choice Voting elections are disqualified because someone voted incorrectly. Diane Silver stated that nearly 10% of ballots were unable to be counted in the final round in the New York election, and 9% of all ballots were exhausted because the voters chose not to use all of the rankings. She also said the percentage of ballots disqualified because the person put two people in the same ranking was less than 1%.

Councilmember Obagi noted concerns about Star Voting and said manipulation of ballots already exists in the current system because people don't want to vote for a loser. He noted strategic strategy in all voting occurred. He suggested putting this on the March 2023 Election due to incurring the cost if done sooner of a runoff election.

City Clerk Manzano stated a district runoff would be \$20,000 to \$50,000 and citywide would be \$80,000 to \$100,000. She also said the City has until December 6, 2022 to call that election.

Councilmember Obagi suggested giving the residents a choice between Ranked Choice Voting and STAR Voting on the ballot.

Councilmember Loewenstein expressed concern with the choice of STAR Voting and Ranked Choice Voting to the voters which will cause confusion and suggested this take place from Council. He also asked about the cost estimates which seem high. City Clerk Manzano stated the \$515,000 would be the cost to do the first alternative method of voting based on Ranked Choice Voting and is for voter education and outreach.

Councilmember Loewenstein suggested the cost be more clear and when it will be put in the budget. City Clerk Manzano stated there is an estimate of \$300K for the March 2023 ballot for just putting on the measure.

Councilmember Loewenstein stated it will cost less in March 2023 and there will be a more engaged electorate. He supported the motion but suggested coming back earlier than October.

Councilmember Nehrenheim expressed concern with groups competing and suggested putting both voting choices on the election ballot as long as STAR is certified by someone in California. City Clerk Manzano stated the state certifies the equipment and the actual program that tabulates the ballots.

Councilmember Nehrenheim asked about how many municipalities have used the STAR Voting methodology in the United States. Ms. Wolk explained that STAR Voting is new and has been used at the statewide level.

Councilmember Nehrenheim did not support getting into the thought process of the voter. He believed the City has to upgrade the system and supported a simpler system.

Councilmember Emdee explained the vote tonight is to consider on the March '23 Election is just to change the Municipal Code and doesn't have to detail any system. She also believed that STAR not being certified by the Secretary of State is a huge disadvantage. She further noted community partners to help with the transition and outreach, and believed there is money saved by not having the runoff elections.

Councilmember Horvath leaned more toward the RCV point of view and agreed with Councilmember Loewenstein that Council choose the model. He also said RCV has been used in San Francisco since 2004 and has been working. He also asked if Fair Vote does outreach. Ms. Silver stated they do some outreach and education to help people understand what RCV is, but generally there are other organizations that provide implementation education.

Councilmember Horvath supported avoiding runoffs, if possible, and suggested putting this on a general election which provides more turnout. City Clerk Manzano explained that three measures is \$175K, per the County calculator; and one measure on a November statewide general election would cost ~\$170K, and confirmed that it is more than the \$144K set aside, which covers the differential of running the March election with a ballot measure. Councilmember Horvath also supported including in the motion changing the charter and Council choosing which one is used beyond it.

Councilmember Obagi suggested amending the motion to include in the October discussion in "pursuant to the Charter that the power to set the type of election that should occur shall be vested in the City Council by ordinance," as a third option, which can be changed by Council. Councilmember Nehrenheim accepted the amendment.

Ms. Wolk spoke on the advantages and disadvantages of Ranked Choice Voting and STAR Voting, and suggested a committee to look at this in more depth before returning in October.
Mayor Brand called for public comment via Zoom and eComment.

Chief Deputy City Clerk Vickie Kroneberger read the comments submitted via eComment by Peter Aziz and Grace Peng.

There being no further comments, Mayor Brand closed the public comment period.

Councilmember Obagi said it is important to get STAR Voting certified to be considered.

Motion by Councilmember Obagi, seconded by Councilmember Nehrenheim, to come back by next October with a discussion regarding putting a charter amendment on the March 2023 Election to go to Ranked Choice Voting or STAR Voting, and to include as a third option "that the power to set the type of election that should occur shall be vested by the City Council by ordinance." Motion carried unanimously, with the following roll call vote:

AYES: Nehrenheim, Loewenstein, Horvath, Obagi, Emdee
NOES: None
ABSENT: None

O. CITY MANAGER ITEMS – NONE

P. MAYOR AND COUNCIL ITEMS

**P.1. DISCUSSION AND POSSIBLE ACTION REGARDING COUNCIL PARTICIPATION IN FUTURE PUBLIC MEETINGS VIA TELECONFERENCE PURSUANT TO THE BROWN ACT.
CONTACT: CITY MANAGER MIKE WITZANSKY AND CITY CLERK ELEANOR MANZANO**

City Manager Witzansky gave a report and noted the emergency order provides mass flexibility in how to conduct the public meetings, and he did not recommend implementing the former teleconference opportunity until at the tail end of the pandemic and when ready to come back to the City Council Chambers. He believed that the Council would like to make permanent the opportunity to meet via teleconference, but three of the Councilmembers would need to be in the Council Chambers when back to the Brown Act process. He noted there is now the technology in the currently upgraded Council Chambers to accommodate video teleconferencing for the meetings. He also recommended providing two standby laptops. He said if participation takes place remotely, the agenda has to be posted at the location and available to the public. He also noted there is now remote technology available to the public, adding another element of transparency, but this will need to be clarified by City Attorney Webb.

Councilmember Emdee suggested having a limited number of teleconference meetings per Councilmember and how many can be reserved in advance. She also suggested considering if a Zoom meeting would take place during a public hearing.

Councilmember Obagi suggested having a medical exemption available and not being subject to the limitations.

Councilmember Loewenstein suggested expanding, allowing more people to participate with Zoom.

In response to Councilmember Loewenstein, City Manager Witzansky stated that the three members that must be present are members of the Council.

Councilmember Loewenstein expressed concern with people coming to your home.