

Lemos, June

From: Scott Menzies <scott.m.menzies@gmail.com>
Sent: Friday, October 23, 2020 1:50 PM
To: Lemos, June
Cc: Morsell-Haye, Jessica; Albin-Smith, Tess
Subject: Comment: Consent Calendar 5B: ESRC Resolution
Attachments: image20201023_125212596.jpg; Eureka Reporter Article_2005-05-1_1_Header.jpg; Eureka Reporter Article_2005-05-1_2_Article Body.jpg

Dear Mayor Lee and the members of the Fort Bragg City Council,
While I appreciate the removal of the financial barrier to running for City Council (which, were it not for COVID, would have resulted in more candidates this election, not fewer), this resolution is not enough.

1. As far as I understand, this resolution still does not shield the City from any further lawsuits based on the California Voting Rights Act. Has any municipality, as of this date, yet been successful fighting a CVRA lawsuit?
2. This resolution does not address the Throwaway Lukewarm Upset phenomenon for which our current voting system is at high risk, and which can turn the will of the voters right on its head (see attachment). I, in the first iteration of the ESRC, brought evidence of this phenomenon (see the first attachment) to be part of the discussion. Unfortunately, the final report makes no mention of this very serious issue. And because we don't check our system with local exit polls, we have no idea how many times democratically unrepresentative upsets by lukewarm candidates have occurred.

In other words, our system still has serious problems. The ESRC should have analyzed and addressed ALL issues and proposed the best all around voting system for Fort Bragg. It should have addressed, as the report states (and as I attempted to do while on it), the "desire to establish a more democratic and fair voting method" as part of its efforts, rather than punting that idea to the indefinite future. Genuine support by the Mayor and full City council for an authentic analysis beyond the CVRA lawsuit would have been helpful to that end.

The report is also incomplete in its statement that the implementation of RCV would "cost an estimated \$300,000". We have the legal right to hand-count our votes, and organizations like Californians for Election Reform (cfer.org) will send volunteers to help. So while the County may threaten to charge \$300,000 for RCV as a way to stonewall our right to accurate representation, Don Rowe (of CfER, who presented to the ESRC) and myself stated that we could hand-count for free. This should have been included in the report.

That said, how much is your vote being accurately represented worth? Can you really put a cost on that? I can't. Regardless, cost is still used to force us to compromise our most precious piece of political capital: our vote.

I also want to share that I recently learned that, in June, the [Eureka City Council voted unanimously \(5-0\) to put Ranked Choice Voting on the November ballot](#). I guess the seeds I planted in 2005 finally paid off (see attached article on our Town Hall, co-hosted by Democrat and Republican Council members). I, of course, hope that it wins:

https://www.fairvote.org/eureka_ca_city_council_votes_to_put_ranked_choice_voting_on_november_ballot

And Albany, CA is working to pass Proportional Representation RCV (<https://www.voterchoicealbany.org/>). If it does, it will join Cambridge, MA, which has used it successfully for 80 years. On the topic of minority representation: The other cities that used Proportional Representation RCV historically with Cambridge repealed it because women and black folk were running *and getting elected* - i.e., **it was working**. Cambridge

was the only city to hold out against the racist/sexist backlash (<https://www.fairvote.org/a-brief-history-of-ranked-choice-voting>).

For a small town like Fort Bragg, Proportional Representation RCV is the best option: It would eliminate issues with vote-splitting and issues with Throwaway Lukewarm Upsets. It would bring under-represented groups together as a bloc (like the Latinos spread across Fort Bragg), who could then vote as such and gain their rightful proportional representation. It would allow people to vote authentically instead of strategically, increasing voter engagement. It, with the numerous other towns using or proposing RCV, would be setting the stage for reforms to our state and federal systems (like has happened in Maine). And for a town our size hand-counting would not be difficult, so "cost" is moot.

And if bodies like this Council wrote letters to state officials in support of allowing alternative voting systems to fulfil CVRA requirements, RCV could even shield us from another CVRA lawsuit.

Summary: Our local voting system, with its non-majority winners, vote-splits, confounding/combining multiple seats' votes, and Throwaway Lukewarm Upsets, is a problem. The ESRC should have addressed these realities in their report and proposed the best voting system for Fort Bragg, not just the "preferred" one (whatever that means), regardless of cost (especially, again, because it's moot if we hand-count). So, again, while I believe the ending of the filing fees is huge, and I appreciate the time and energy put in by the members of the ESRC, this is a missed opportunity to work toward a voting system that more reliably reflects the will of Fort Bragg's voters.

In the meantime, there needs to be an effort towards exit or similar polls that can give us a way of confirming/elucidating our final election results. Back in 2005, my group ran "Parallel Elections" (as an exit poll) in Arcata using RCV. It made for an interesting comparison. I'm exploring options for this in Fort Bragg and would be happy to talk to any of you about it.

Also, if you need some help interpreting the worksheet I attached, I'm happy to talk about it with any of you. At the very least, just note that ***each system used comes up with a different result***, which means we really should understand how these systems work. I believe all candidates elected under our system should know how to hand-count the most common systems used in this country and worldwide. It's the foundation of our voting Democracy.

Thanks for your work,
Scott Menzies

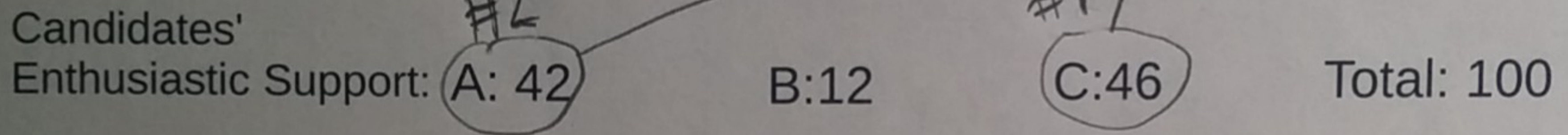
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Comparison of Voting System Results

Voter Behavior Premises: Candidates A and C are polar political opposites. Voters will not vote for both. Candidate B is a lukewarm second choice candidate acceptable to both sides, so gets all of A and C's second votes/ranks. Candidate B has instructed their enthusiastic supporters to vote for candidate A, so A gets all B's second votes/ranks.

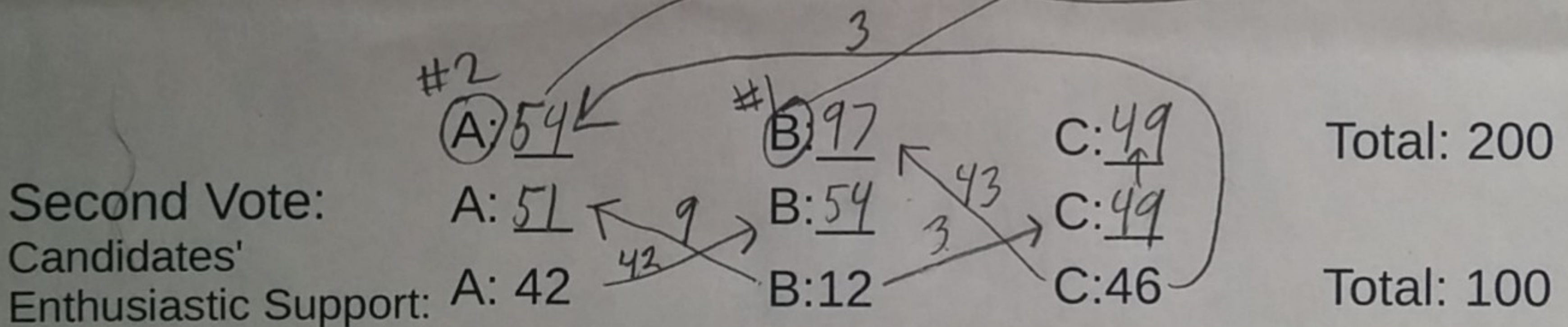
Limited Voting, At-Large

Votes fewer than seats (one vote per voter in this case).
Top votes wins, with or without majority.



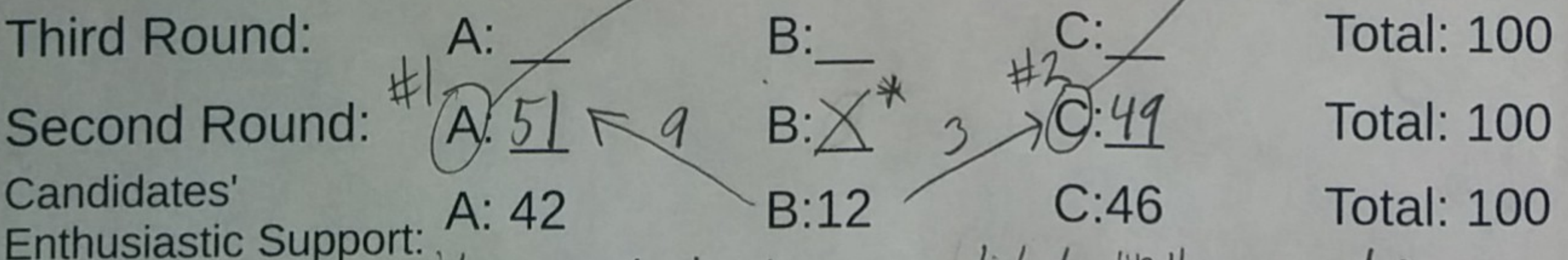
Plurality Voting, At-Large

Votes equal to number of open seats (two votes per voter in this case). Top votes wins, with or without majority.



Proportional Representation Voting, At-Large

One Ranked-Choice Voting ballot. Everyone may rank as many candidates as they wish. In this case: 1, 2, 3. If no majority the candidate with the least votes is removed and another "instant runoff" election is held. 50% takes an open seat. Further rounds as necessary.



* no majority, so last place candidate "B" removed from runoff.



THE EUREKA R

Sunday, May 1, 2005

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SEN. MCCLINTOCK TO V

RANKED-CHOICE

VOTING

IN EUREKA?

Eureka councilmembers, voter committee
present educational forum

By WENDY BUTLER, THE EUREKA REPORTER

Betty Boon

Eureka councilmembers, voter committee present educational forum

By Wendy Butler, THE EUREKA REPORTER

Betty Boop garnered the most votes, but overall **Yogi Bear** garnered the majority of support and he won.

This was the Voter Confidence Committee's lighthearted way of educating those attending its Thursday night forum about ranked-choice voting, also known as instant runoff voting, which was held in Eureka's Wharfinger Building.

Ranked-choice voting is designed to give voters the option of ranking candidates in order of preference, instead of placing one candidate on a ballot.

First choices are tallied. If no candidate has received a majority of support — 50 percent-plus-one — the candidate with the least number of votes is eliminated. Then a second round of counting takes place, with the votes of supporters of the eliminated candidate now counting for each voter's second-choice candidate.

The tallying goes on until, ideally, one candidate garners enough votes to qualify as one who has received more than 50 percent, said committee member Scott Menzies.

Eureka City Councilmen Mike Jones and Chris Kerrigan introduced the forum, which included a PowerPoint Presentation delivered by Menzies.

Before the presentation, Menzies and his fellow committee members distributed ranked-choice ballots, on which attendees were to vote for the "Mayor of Cartoonland."

In the committee's opinion, no vote is wasted with ranked-choice voting.

"Your opinions about all the candidates reflect your opinions about the issues the candidates stand for," Menzies said.



It's time to stand up for your votes, and for your chocolate. Voting forum attendees line up to vote for their favorite ice-cream flavor. Wendy Butler/The Eureka Reporter



The goal is to be "explicitly clear" with one's voting, said Scott Menzies of the Voter Confidence Committee, during his committee's PowerPoint presentation and community discussion. Wendy Butler/The Eureka Reporter

Menzies said that Eureka is an example of a city with a "plurality" system — the candidate with the most votes wins. He used as an example the last city mayoral election which Mayor Peter La Vallee won with 38.65 percent of the vote.

"What about the other 61 percent?" Menzies said. "What were they thinking? What were they feeling?"

Menzies said not only do the voters feel satisfied but so do the candidates if they win through the ranked-choice system.

"Well, I would feel pretty good, because I know the candidate that is in office has demonstrated majority support," he said.

He also said that the system has a "track record."

It is used from Major League Baseball to the Academy Awards to the American Political Science Association. He added that the San Francisco Board of Supervisors introduced it

into its elections last year.

Following the PowerPoint show, attendees were asked to participate in another activity to demonstrate ranking voting. They were told to take their places in line to vote for their favorite flavor of ice cream.

Chocolate won.

Attendees inquired about why it is necessary to change a system that already works.

"Some people think it doesn't," Menzies said. "Part of what we want to do is encourage voters to get involved and count."

Other attendees said ranked-choice voting did not make sense, if a third-choice candidate could win an election.

"It allows it to be a true reflection of what people feel," Menzies said. "The majority of people actually preferred Yogi, if you go through the (ranked-choice) processes. ... How much is your vote worth?"