

MEASURE C

City of Eureka Impartial Analysis

The following impartial analysis of Measure C was prepared by the Eureka City Attorney:

I. WHY IS THIS A CHARTER AMENDMENT AND NOT AN ORDINANCE?

In California only charter cities have the legal authority to implement Ranked Choice Voting (RCV). Eureka is a charter city but we do not have a charter provision authorizing the City Council to enact RCV. A Charter amendment is necessary if the voters want to have RCV in Eureka. Measure C amends the City Charter to both authorize and direct the City Council to adopt an ordinance implementing RCV.

II. HOW DOES RANKED CHOICE VOTING WORK?

RCV is an alternative to the standard methods of conducting municipal elections in California. These are either (a) a primary election followed by a *separate* run-off election with a 50%+1 winner or (b) a single election with the highest (not necessarily majority) vote-getter being elected. The second is Eureka's current method of choosing Councilmembers and The Mayor.

When there are more than two candidates for one seat, RCV allows voters to rank candidates for that seat in order of preference when marking their ballots. Only one candidate can represent each of the voter's first, second, or third, etc., choices.

Functionally, when electing a single candidate using RCV – as in a race for mayor or ward representative with more than two candidates – all first choices are initially tallied. If any candidate receives a majority of the first choices, that candidate is elected. If no candidate receives a majority, the “instant run-off” process is triggered. The candidate receiving the fewest first choices is eliminated, and the voters for that eliminated candidate now have their second choices counted. The ballots are again tallied and the process continues until one candidate wins a majority.

RCV is also called “instant runoff” because it allows a *majority* winner to be determined in just one election. It is a substitute both for a separate runoff election and for a method in which a contest with more than two competitors can be won with the highest vote-getter having less than a majority.

III. IF MEASURE C PASSES, WHAT HAPPENS NEXT?

Measure C is a charter provision to be implemented by a later ordinance that the City Council would adopt, which will lay out the details of how RCV will work in the City of Eureka. The ordinance will only affect elections for public office and will have no effect on ballot measures or any Federal, State, County or District elections. In order to provide a

more complete picture of what RCV would mean for the City, a *draft* ordinance for discussion purposes has been developed and posted on the City's website.

If Measure C passes, the first regular election to be conducted using RCV would be in November 2022.

/s/ Robert N. Black
City Attorney
City of Eureka