

1 [Instant Runoff Voting]

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3 **Resolution invoking section 19211 of the California Elections code to experimentally**
4 **adopt the use of modified voting equipment, and urging the Department of Elections**
5 **and Elections Commission to begin all preparations for using instant runoff voting this**
6 **November 2004 and to immediately commence public education and outreach.**

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8 WHEREAS, San Francisco voters passed Proposition A in March 2002 by a vote of
9 55% to 45% which enacted instant runoff voting to be used for electing all local offices; and

10 WHEREAS, the charter amendment stipulated that the implementation date for using
11 instant runoff voting was November 2002, with a one-year extension permitted to November
12 2003 if necessary to ready the voting equipment; and

13 WHEREAS, the Department of Elections and Elections Commission was not able to
14 ready the existing voting equipment or to produce another procedure for counting the ballots
15 by November 2003; and

16 WHEREAS, the City and County of San Francisco was sued in the Superior Court of
17 California for failure to implement the voters' will, resulting in the court finding that the
18 Department of Elections, the Elections Commission, and the City and County of San
19 Francisco are in violation of the law; and

20 WHEREAS, Election Systems and Software (ES&S), the voting equipment vendor for
21 the City and County of San Francisco, has modified San Francisco's existing voting
22 equipment so that it can count ranked ballots like those used for instant runoff voting; and

23 WHEREAS, Section 19211 of the California Elections code permits the Board of
24 Supervisors to enact an experimental adoption of a voting system like ES&S' modified voting
25 equipment; and

1 WHEREAS, invoking section 19211 will allow the Department of Elections to use the
2 modified voting equipment to count ballots for the November 2004 election for the Board of
3 Supervisors; and

4 WHEREAS, invoking section 19211 will allow the City and County of San Francisco,
5 the Department of Elections and the Elections Commission to comply with the law and avoid
6 another lawsuit; and

7 WHEREAS, invoking section 19211 will allow community education and outreach to
8 immediately begin for educating the public about the use of instant runoff voting in November
9 2004; now, therefore be it

10 RESOLVED, The San Francisco Board of Supervisors invokes section 19211 of the
11 California Elections code to experimentally adopt the use of the modified voting equipment,
12 and urges the Department of Elections and Elections Commission to begin all preparations for
13 using instant runoff voting this November 2004, to count the ballots on the modified voting
14 equipment, and to commence immediately public education and outreach that will alert and
15 educate the public about the use of instant runoff voting this November 2004.

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