



# Sandy City Council Office

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## Memorandum

April 13, 2021

To: City Council Members

CC: Mike Applegarth, Council Executive Director  
Lynn Pace, City Attorney  
Wendy Downs, City Recorder

From: Dustin Fratto, Council Office Assistant Director  
Liz Theriault, Council Communications and Policy Analyst

Subject: Ranked Choice Voting

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With the State Legislature and Salt Lake County making Ranked Choice Voting (RCV) available as an option for municipal elections, and at the request of Chairperson Sharkey, Council staff has prepared this memorandum pertaining to RCV and the decision the Council faces regarding whether to adopt RCV for Sandy municipal elections. This memorandum will cover the following topics:

1. What is RCV and how does it work in Utah?
2. What decisions does the Council need to make?
3. Outline of RCV education and outreach.
4. Cost estimates for administering and implementing RCV.
5. Academic research and other resources in brief

### What is RCV and how does it work in Utah?

RCV is a voting format that allows voters the option to rank candidates (for each race) in order of preference: one, two, three, and so forth. The idea in ranking candidates is that if a voter's top choice does not win, then their vote counts for their second choice, third choice, and so on. FairVote, a non-partisan proponent of RCV and other electoral reforms, describes the RCV process in this way:

*In races where voters select one winner, if a candidate receives more than half of the first choices, that candidate wins, just like in any other election. However, if there is no majority winner after counting first choices, the race is decided by an "instant runoff." The candidate with the fewest votes is eliminated, and voters who picked that candidate as 'number 1' will have their votes count for their next choice. This process continues until there's a majority winner or a candidate won with more than half of the vote ([fairvote.org](https://www.fairvote.org)).*

Each of the 25 states that use RCV, in one form or another, does so with its own twist, and Utah is no different. During the 2018 legislative session the Utah Legislature enacted the "[Municipal Alternate](#)



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[Voting Methods Pilot Project](#) ” which was amended during the most recent legislative session through [HB75](#). We will refer to this project, as well as the amendments made through HB75, as the “Pilot.” The Pilot requires that county election officers statewide make RCV available as an alternative voting method in municipal elections, giving Cities like Sandy an opportunity to participate in RCV during the pilot period.

The first election under the Pilot occurred in 2019. Only a handful of municipalities participated, and even fewer election officials made RCV an available option. With the passage of HB75 including the requirement that County election officials offer RCV, more municipalities have already officially signed on to the pilot. As of April 7, 2021, these municipalities include: Draper, Lehi, Payson, Riverton, Springville, Vineyard, and Heber.

The Pilot relies upon a process referred to as Instant runoff voting. This method will be used in every multi-candidate race where one office is available, and more than two candidates are running for that office. There are a few versions of this process, the simplest version will apply to each Sandy Mayoral race, each Council district race, and the Council at-large race for 2021 and 2025. The Election Officer who administers Sandy elections (The SLCo Clerk) follows this process:

- Phase 1: Conduct a first ballot-counting phase by counting the first preference votes for each candidate. If after Phase 1 any candidate receives more than 50% of the first preference votes, then that candidate is declared the winner. If after Phase 1, no candidate has received more than 50% of the first preference votes the Election Officer moves on to Phase 2.
- Phase 2: Conduct a second ballot-counting phase by excluding the candidate who received the fewest first preference votes in Phase 1 and adding to the first preference votes counted for the remaining candidates, the second preference votes cast for the remaining candidates by the voters who cast a first preference vote for the excluded candidate. If after Phase 2 any remaining candidate receives more than 50% of the first and second preference votes, then that candidate is declared the winner. If after Phase 2, no candidate has received more than 50% of the first and second preference votes the Election Officer moves on to Phase 3.
- Phase 3: Conduct subsequent ballot-counting phases by continuing the same process until a candidate receives more than 50% of the votes counted.
- Notes: If ever there is a tie between two or more candidates for elimination, the Election Officer will eliminate one of the tied candidates by lot.

A vote is valid for a particular phase only if the voter indicates their preference for that and all previous phases.

A vote is invalid for a particular phase, and all subsequent phases, if the voter indicates the same rank for more than one candidate for that phase.



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The election officer may choose to exclude candidates via “batch elimination.” Instead of excluding a single candidate in a ballot-counting phase the election officer may instead exclude multiple candidates, who after the phase, no longer have the mathematical possibility of meeting the “more than 50%” threshold that would allow them to win the race.

Example of an instant runoff: Follow this [link](#) to watch a short video.

In every multi-candidate race where more than one seat is available for a specific office (ex. Council at-large), and the number of candidates exceeds the total number of seats to be filled for the office, the Instant Runoff Voting process described above will still be followed, with a few additional steps. In Sandy, this method will only apply to the Council at-large race for 2023. The Election Officer will follow this process:

Phases 1-3: The same process described in Phases 1-3 above will be followed until the first candidate is declared a winner and the first vacant seats is filled.

Phase 4: After the first winner is declared the election officer will repeat the process in Phases 1-3 to identify a second winner filling the second vacant seat, adding to the vote totals the next valid preference vote of each voter whose vote was counted for a candidate already declared elected.

Phase 5: The process described in Phase 4 will be repeated to fill all subsequent vacant seats.

Example of an instant runoff where more than one seat is available for a specific office: Follow this [link](#) to watch a short video.

Regardless of the race, method, or ballot counting phase recounts may still occur during an instant runoff. The requirement to hold a recount is met when the difference in votes is equal to or less than the product of the total number of voters who cast a valid vote (that are counted in the applicable ballot-counting phase of the race); and the recount threshold as established in the pilot.

*Total number of voters who cast a valid vote \* (((total number of candidates – 2) \* 0.0002)) + (0.0011 to 0.0021 depending on the number of counted votes in the applicable ballot-counting phase)) Rounded up to the nearest whole number*

A recount would be ordered by the election official any time that:

1. One candidate appears to have won the race, but the number of votes that candidate has received is equal to or less than the result from the requirement to hold a recount formula (as visualized above), when compared to any other candidate in the race.
2. A candidate is to be excluded, but the number of votes that candidate has received is equal to or less than the requirement to hold a recount formula, when compared to any other candidate in the race.



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Recount example: Three candidates (A, B, C) are running for Mayor. There are a total of 1000 voters who each cast a valid vote, ranking each of the three candidates. Candidate A received 501 votes, Candidate B received 498 votes, and Candidate C received 1 vote.

$$1000 * (((3 - 2) * 0.0002)) + (0.0015)) = 1.7 \text{ (round up to the nearest whole number)} = 2$$

Using the formula above we calculate that a spread of 2 or less votes will require a recount. As the spread between Candidates A and B is 3, a recount is not required for this race and Candidate A has won the election following the first ballot-counting phase.

### What decisions does the Council need to make?

To participate in RCV, the legislative body (City Council) needs to make a series of decisions, as outlined below in Exhibit "A."

#### Exhibit "A"

##### Decision 1, Deadline: May 10, 2021

Does Sandy want to participate in RCV?

1. If Sandy doesn't want to participate, then there is nothing else to discuss.
2. Should the City decide to participate, the legislative body must vote to do so (via resolution) prior to the second Monday in May of the year of participation.
3. Send letter to Lt. Governor's office expressing intent to participate in pilot program for the year 202X prior to the second Monday in May of the year of participation.

##### Decision 2, Deadline: April 27, 2021

Does Sandy City want to continue holding a primary election?

1. Council, Mayor, and Staff should have a discussion and decide whether or not to hold a primary election.

##### Decision 3, Deadline: May 10, 2021; May 8, 2023; May 12, 2025

Which years should Sandy City participate?

1. Council, Mayor, and Staff should have a discussion and decide which years of the pilot project Sandy City will participate (2021, 2023, 2025)

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### Decision 4, Deadline: May 10, 2021

Should Salt Lake County continue to administer Sandy elections, or should the City contract with a third party political subdivision of the State?

1. Council, Mayor, and staff should have a discussion regarding which political subdivision will administer RCV for Sandy City. Will SLCo continue administering Sandy elections?
2. Should the City decide to have a political subdivision of the state (other than SLCo) administer Sandy elections the City must get approval from that political subdivision.
3. Should the City decide to have a political subdivision of the state (other than SLCo) administer Sandy elections the City must get approval from the Lt. Governor's Office.
4. Should the City decide to have a political subdivision of the state (other than SLCo) administer Sandy elections the City must negotiate and enter into a cooperative agreement that includes the political subdivision who will be administering Sandy elections, Salt Lake County, and Sandy City
5. Regardless of who administers Sandy elections, a written notice must be sent to the Clerk of the political subdivision administering Sandy elections stating that Sandy intends to participate in the RCV pilot program, and which years.

### Decision 5: Deadline (Unknown)

How many rankings should appear on the ballot?

1. Council, Mayor, Staff, and Clerk of the political subdivision that will be administering Sandy elections should determine how many rankings will appear on Sandy ballots. If no choice is made SLCo will automatically set the maximum number of rankings at 10, which is the physical limit for SLCo ballots.

### Decision 6, Deadline: May 10, 2021; May 8, 2023; May 12, 2025

Should the City withdraw its intent to participate?

1. The City may decide to withdraw from the pilot project for any election year any time prior to the Second Monday in May of the election year in question.

## Education and Outreach

Ranked Choice Voting is an entirely new voting system for many individuals. If the Council moves forward with RCV, specific education and voter outreach will be needed to ensure a successful election for both election staff and voters. Below is a brief summary of what an education and outreach plan might look like. The Administrations Communication's team has already been briefed on RCV and has agreed to take the lead on outreach measures. In Exhibit "B" you'll see how the possible questions identified in the education and outreach plan might be answered.



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The RCV Education and Outreach Plan will focus on:

1. What is RCV?
2. How does it work?
3. How do you fill out an RCV ballot?
4. What are common mistakes?
5. What to expect after voting and the process of counting the ballots.
6. What are important dates and deadlines?
7. What are the options for ways to vote? What are options for accessible voting?

## Exhibit “B”

### Digital Outreach

Specific and targeted social media, e-mail, website and video materials.

1. Regularly scheduled social media posts to both Council and City social media pages focusing on RCV education. (What is RCV? How does it work? etc).
2. Paid and sponsored social media posts to specifically target voters in Sandy City.
3. Creation of short, clear videos on how RCV works, to be shared to social media sights and used as an education tool. Follow this [link](#) for an example video.
4. Email campaigns for all of those subscribed to Sandy City and City Councils’ e-newsletters.
5. Updates to the City websites to create a one-stop location for Sandy RCV resources, Frequently Asked Questions, and contact information.

### Print Outreach

Various flyers, postcards, and brochures, distributed through mail or other outreach. Press release for local news outlets.

1. Inform residents of the city’s intent to use RCV in the upcoming election (if that is so decided).
2. Voter guides with all necessary information voters need to navigate the new ballot, and important election dates and deadlines.
3. An official press release for any news outlets inquiring about the switch to RCV, that also includes information on intent to use RCV and the basics of it’s process.

### In-Person Outreach

Final education efforts at polling stations.

1. Extra training for polling and election workers to be ready to answer any questions voters have on the ballots or RCV process.



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## Paid and Unpaid Outreach Options

1. Paid
  - Running ads on social media
  - Post card mailers
  - Video creation
2. Unpaid
  - Email campaigns
  - Unsponsored social media
  - Press releases
  - Website presence

## Cost Estimates for Administering and Implementing RCV

The costs below, as shown in Exhibit “C,” are estimates for the 2021 election year. They include the estimated costs of contracting with an election administrator (Salt Lake or Utah County), the estimated cost of RCV software, and estimated costs of outreach and education as related to RCV. These estimated expenses do not take into account an increase or decrease in staff hours spent on elections.

### Exhibit “C”

**Administrative Cost Estimates:** Includes official quotes from Salt Lake County and a verbal quote from Utah County.

	<i>Quoted Amount</i>
Salt Lake County: Traditional (Primary & General)	\$119,579
Salt Lake County: RCV (Primary & General)	\$120,218
Salt Lake County: RCV (General Only)	\$72,387
Utah County: RCV (General Only)	\$128,650

**Mandatory Software Costs:** This expense exists only for Salt Lake County participants and will be split between every municipality in the County that Participates in the RCV pilot program.

	<i>Minimum</i>	<i>Maximum</i>
Salt Lake County: Traditional (Primary & General)	\$0.00	\$0.00
Salt Lake County: RCV (Primary & General)	\$1.00	\$10,000
Salt Lake County: RCV (General Only)	\$1.00	\$10,000
Utah County: RCV (General Only)	\$0.00	\$0.00

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**Estimated Additional Voter Outreach and Educational Expenses:** These expenses are highly tentative and depend fully on the level of outreach and education (OE) the City decides to conduct. The minimum cost includes NO additional OE, while the maximum includes estimates for the direct expenses of a digital campaign as well as direct mailings to every active voter. This estimate does not include indirect expenses, such as additional staff time. It should also be noted that these expenses would be temporary in nature. Eventually voters will no longer require a high level of OE on RCV as it would become the normal method for Sandy elections.

	<i>Minimum</i>	<i>Maximum</i>
Salt Lake County: Traditional (Primary & General)	\$0	\$0
Salt Lake County: RCV (Primary & General)	\$0	\$19,600
Salt Lake County: RCV (General Only)	\$0	\$19,600
Utah County: RCV (General Only)	\$0	\$19,600

**Estimated Total Expense:** Includes an estimated minimum and maximum cost for both administering and implementing RCV in Sandy City. The actual cost will likely be somewhere within this range.

	<i>Minimum</i>	<i>Maximum</i>
Salt Lake County: Traditional (Primary & General)	\$119,579	\$119,579
Salt Lake County: RCV (Primary & General)	\$120,219	\$149,818
Salt Lake County: RCV (General Only)	\$72,388	\$101,987
Utah County: RCV (General Only)	\$128,650	\$148,250

## Academic Research and other Resources in Brief

### Important takeaways

1. In many studies Ranked Choice Voting tended to result in an increase in voter turnout for numerous elections. Ranked Choice Voting tends to provide voters with more choice, is usually paired with an increase in voter outreach and education and has been shown to discourage negative campaigning. These factors tend to result in higher voter participation.
2. Some ballots may become “exhausted” throughout the RCV process. Ballot exhaustion occurs when all candidates a voter ranked on his or her ballot have been eliminated in various rounds, even though two or more candidates remain. This occurs when individuals do not rank all candidates, or physical space on the ballot does not allow the ranking of all candidates.
3. Most typically, exit polls and surveys of voters who participated in RCV elections have reported it as easy to understand. Multiple studies have shown that there are similar levels of understanding reported by white voters and minority groups. However, education and outreach are still vital in ensuring a successful and accessible election process.



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## Sources:

FairVote: Voter Experience with Ranked Choice Voting in San Francisco. Pedro Hernandez, J.D. Jennifer Pae, Madeline Brown, and Theodore Landsman, May 2018.

<https://fairvote.app.box.com/v/SanFranciscoReport>

Ballot (and voter) “exhaustion” under Instant Runoff Voting: An examination of four ranked-choice elections. Craig Burnett and Vladimir Kogan, March 2015.

<https://reader.elsevier.com/reader/sd/pii/S0261379414001395?token=7D334961F7BE73FC956EF5FBAE8E2669927DF32450E05A4318C06C3457B7462DC53CA8AFEBF1551AB1961E6CD55C1BE0&originRegion=us-east-1&originCreation=20210331163953>

Self-Reported Understanding of Ranked-Choice Voting. Todd Donovan, Caroline Tolbert and Kellen Gracey, April 2019. <https://onlinelibrary.wiley.com/doi/full/10.1111/ssqu.12651>

Rating Rankings: Effect of Instant Run-off Voting on participation and civility. Eamon McGinn, August 2020. [http://eamonmcginn.com.s3-website-ap-southeast-2.amazonaws.com/papers/IRV\\_in\\_Minneapolis.pdf](http://eamonmcginn.com.s3-website-ap-southeast-2.amazonaws.com/papers/IRV_in_Minneapolis.pdf)

Voter Participation with Ranked Choice Voting in the United States. David C. Kimball and Joseph Anthony, October 2016. <https://www.umsl.edu/~kimballd/KimballRCV.pdf>

Factional Voting in Local Elections: The Case of Cambridge, MA. Jack Santucci, February 2019. <https://urbanaffairsreview.com/2019/02/07/factional-voting-in-local-elections-the-case-of-cambridge-ma/>

More resources and research:

<https://www.voteguy.com/rcv-academic/>

<https://www.rcvresources.org/>

[https://www.fairvote.org/data\\_on\\_rcv#links\\_to\\_research](https://www.fairvote.org/data_on_rcv#links_to_research)

[https://www.fairvote.org/data\\_on\\_rcv#links\\_to\\_research](https://www.fairvote.org/data_on_rcv#links_to_research)

<https://utahrcv.com/>

[Which municipalities are participating in the pilot project?](#)