

# Aspen voters to vote on how they vote — again

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ASPEN — Aspen voters will be asked this November if they liked the way they voted this past May for mayor and City Council members, which involved Instant Runoff Voting — or if there should be a different kind of election all together.

The Aspen City Council on Tuesday agreed to put an advisory question to voters on the fall ballot on whether the IRV election method — a system never tried before in Aspen until this past May — should be scrapped or kept in place.

If the majority of voters want to do away with IRV, the council will have to explore alternatives, which could include going back to the previous method of the mayor getting 50 percent plus one of the vote, and council members getting 45 percent plus one of the vote. If candidates don't reach that threshold, a runoff election would be held in June as it's been done in the past. Another option could be winner take all, with no majority needed, which was done many years ago in Aspen municipal elections.

Some council members said they didn't have enough confidence in, or an understanding of, the IRV process. As a result, it has opened the city up for liability and voter confusion.

While listening to the nuances of the complex IRV system and the problems associated with tabulating votes, Councilman Steve Skadron questioned whether he understood the process well enough to make an informed decision on choosing the best tabulation method. And if he didn't understand, did the voters? he asked rhetorically.

“This is a level of detail here that I am not connecting,” Skadron said, adding that because different IRV tabulation methods can produce different outcomes, there is a level of subjectivity in analyzing the results. “I'm not confident in this system.”

That's despite City Clerk Kathryn Koch and the city's special counsel, Jim True, telling the council that the IRV method used this past May worked exactly as it was designed to, and closely mimicked the runoff system that voters had been accustomed to. Koch and True, who spent hundreds of hours researching and devising Aspen's system, recommended IRV be used in the 2011 municipal election.

However, True said public education could be improved upon because many voters didn't know how to rank their candidates, or didn't rank all of them, thus reducing their chances to participate in an instant runoff.

“A lot of lessons were learned on those types of issues,” True told the council. “They will only be improved upon.”

Other council members said they think a runoff election with fewer candidates in June after the May vote gives voters a chance to learn more about their choices and the issues confronting the city.

“I've been anti-IRV for a long time,” said Councilman Torre. “The extra month of campaigning gives the voter a chance to figure out the make-up and representation on the board.”

Councilman Dwayne Romero agreed, saying the day after the May 5 election, he had an empty feeling because the results were final and there wasn't enough discourse among candidates to fully understand them or their positions. Another month of campaigning would have satisfied that, he added.

“A lot of people have come up to me and said they also missed out on that discourse,” Romero said.

The majority of Aspen residents in November 2007 voted to adopt the IRV election method in an effort to save time, money and energy that comes with a second election a month after the municipal vote was counted.

Aspen resident Don Davidson said he doesn't think IRV worked as it was intended to, nor did he have a chance to fully grasp candidates' positions.

“A lot of people, including myself, didn't understand the intricacies of IRV when we were voting for it,” he said. “And I wasn't able to get enough information on the candidates ... I viewed the [May election] as a primary and [another month] to have the issues discussed more in-depth.”

After a specific IRV method – the first of its kind in the United States because it incorporated multiple candidates for multiple seats – was chosen by an election committee made up of city staff and citizens, the council adopted it.

But IRV critics and City Hall observers decried the process in which IRV was administered and the lack of a full-blown audit of the results.

Election commissioner Elizabeth Miliias said the election commission that oversaw the IRV process, which included local attorney Chris Bryan, didn't certify the May 5 results because they didn't have confidence in the security and stewardship of the ballots, as well as the auditing and testing of the tabulation system.

“It was squirrely at best,” Miliias said.

Their questions and criticisms have raised enough doubt among some council members that they want voters to decide whether IRV should continue as the official election method in Aspen.

“I think the voters should have a crack at voting on this again,” said Mayor Mick Ireland.

True and Koch will craft draft ballot language and bring it back to the council for consideration. The deadline to place a measure on the November ballot is Aug. 24.

If the majority of Aspen residents decide to do away with IRV, the council will have to choose an alternate election system and present that to voters, which would require a change to the city charter. That could occur in the November 2010 election.

Torre and Ireland voiced support for moving the municipal election to June, when more residents are back in town from their offseason excursions. That also would require a public vote. Ireland noted that the mayor's seat should be a four-year term instead of two, which also could be put to voters in the future.

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