

Q&A on the Voter Voices = Majority Choices Charter Amendment

By Denver City Council Members Flynn, Sawyer, Alvidrez, Watson, and Gilmore



To: **Denver City Council Members and Election Stakeholders**
From: **Council Members: Kevin Flynn (D-2), Amanda Sawyer (D-5),
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Subject: **Answers to Questions from Budget and Policy Committee and Stakeholder Meetings**
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ANSWERS TO QUESTIONS ABOUT VOTER VOICES=MAJORITY CHOICES

What is the "Voter Voices = Majority Choices" Charter Amendment?

It is a proposal to modernize how Denver elects its two at-large council members. Instead of voting for both members on a single ballot position, voters would select them on two separate ballot positions, At-Large A and At-Large B. The amendment ensures winners secure a majority of the votes, just like every other Denver elected official is required to do.

What problem is the "Voter Voices = Majority Choices" Charter Amendment solving?

The Voter Voices = Majority Choices Charter Amendment addresses two concerns.

First, the at-large seats are the only elected positions in city government that do not require a majority of the vote. This is out of alignment with other elected officials. Importantly, the plurality method was not the intent when the at-large seats were established. Rather, the voter-approved plan was that they be chosen with a primary election followed by a general election. This proposal restores the original intent for the seats.

Second, having all candidates for both seats on a single ballot increases the number of wasted votes, caused when voters are concerned that using their second vote might undermine their favorite candidate. This “single-shot” voting dilemma is eliminated by our proposal, allowing those voters to confidently cast all their allowable votes.

Will Denverites vote on this charter amendment?

Yes. If passed by the City Council, the amendment will appear on the November 2025 ballot for voters.

Is this change consistent with Denver’s original election goals?

Absolutely. Denver voters initially intended for the at-large seats to have a two-round voting system. Due to legal challenges in 1971, the city defaulted to the current plurality system. This amendment aligns the at-large seats back with all other elected offices and with their original democratic intent.

Of the 33 cities (among the 100 largest cities) that have at-large council members, how many have entirely at-large councils?

Five of the 33 cities with at-large members have only at-large members: Chandler, AZ; Cincinnati, OH; Columbus, OH; Hialeah, FL; and Scottsdale, AZ.

Notably, 4 of those 5 cities elect their at-large members through a two-election process, consisting of a primary and general election, similar to the Voter Voices = Majority Choices Charter Amendment.

Only Cincinnati elects its nine-member at-large council on a single ballot in which the top nine vote-getters are elected.

Of the six cities that use single-ballot plurality voting for at-large offices, how many of those have all at-large members?

Only Cincinnati, which elects all nine council members on a single ballot on which voters can choose up to nine, with no order of preference.

How many cities with at-large seats on separate ballots require winners to have a majority of the vote?

Nine of the 11 cities that have at-large seats on separate ballots require a majority vote to win. One of them, Oakland, has only one at-large member and uses ranked-choice voting, so the winner must reach a majority only of the remaining active ballots.

How many of the 33 cities with at-large members use two-round elections rather than a single election?

25 of those 33 cities use a two-round election process, either general election/runoff election like Denver, or a primary election/general election, making majority winners more likely.

How many of the 25 cities that use a two-round election system to elect at-large members place their candidates on separate ballots?

Nine of the 25 cities that use a two-round election system place their at-large candidates on separate ballots.

How do we know that single-shot voting occurs?

Since the addition of the at-large positions in 1971, some campaigns have strategically urged supporters to use single-shot voting. Even in Denver's former ranked-voting system, which was in use from 1913 to 1935 and voters could rank up to three candidates, single-shotting was widely publicized. This proposal eliminates the incentive for voters to not cast all of their allowable votes.

Was polling conducted to understand why voters voted only for one candidate in previous elections?

No, the Council Sponsors leveraged historical voting records instead of conducting a poll. Those records consistently show significantly higher undervoting rates in at-large races compared to all other city elected offices – mayor, district council member, auditor, and clerk and recorder. This is a clear indicator that strategic single-shot undervoting is a significant contributor to at-large undervoting, apart from all other factors.

What are the reasons for single-shot voting, and is there data on the reasons?

There is only one reason for intentional single-shot voting, and that is to waste one's second vote to avoid contributing to another candidate finishing ahead of one's preferred candidate. Other reasons for undervoting, such as insufficient information on the candidates or lack of interest, are present in all races. But intentional single-shot voting can occur only in the at-large race, and contributes to the higher rate of undervoting.

The data show that undervoting in the at-large race averages 12 times the amount in the mayoral race, triple the amount in the district council races, 84% higher than in the auditor race and 61% higher than the clerk and recorder race. This statistical gap demonstrates that single-shot voting is a real issue. This proposal creates more room for voters to express all of their choices and increases participation in democracy.

Is there a similar undervote in single candidate races?

No, the data show that even in uncontested single candidate races, which historically have a higher rate of undervoting because the winner is a foregone conclusion, at-large undervoting is significantly higher. In the last three elections there were nine uncontested district council races. In those districts, the undervoting in the at-large race was 25% higher than in the unopposed district races. That is a significant difference that highlights the single-shot effect this proposal aims to eliminate.

How does putting the seats on separate ballot positions reduce undervoting?

Using two separate ballot positions reduces undervoting by preventing single-shotting only one vote, a strategy that has been around as long as the vote-for-two single ballot was introduced in 1971.

Does the Charter Amendment eliminate undervoting?

No, but the amendment eliminates the only source of undervoting that is within our control. Voters may still choose not to cast their single vote in any race—whether for mayor, at-large council members, or district council members—due either to a lack of interest or a lack of information on the candidates. Only the candidates' campaigns can address these factors.

Isn't single-shot voting a legitimate voter preference?

Certainly, but only because our current system needlessly presents this dilemma to voters. It incentivizes electors to consider wasting their choices. Why should Denver maintain a system in which voters even have to consider it? Putting the seats on separate ballot positions eliminates the dilemma of making that choice, allowing voters to fully utilize their vote.

How do we know how much undervoting is due to single-shot voting versus voter confusion, apathy, or lack of information on candidate choices?

The historical voting data summarized above show a significant disparity in at-large undervoting compared to all other city races. It is plainly evident that single-shot voting is a discrete factor in the at-large races versus other races. Separate ballot positions for the two seats will reduce this gap by eliminating the only factor contributing to undervoting that falls within our control, and put all elections on equal footing.

Would staggered elections for the city council solve this problem?

Staggered elections would be much more expensive and create other problems. For example, a staggered off-year election without a mayoral race at the top of the ballot would likely result in significantly lower voter turnout. Half of the council would be chosen by a smaller electorate, raising equity concerns about which districts would be in the off-year and benefit from a smaller turnout, where special interest supporters would have more influence. This Charter Amendment is a simple, common-sense change to separate the two seats in a single election, at no extra cost and with much greater clarity.

Do most jurisdictions that have at-large stagger their terms?

No. Only two of the 32 cities (other than Denver) that have a mix of at-large and district members stagger the at-large terms: Aurora and Washington, D.C.

Eight other cities with a mix of district and at-large members have staggered election cycles, but they are staggered so that all the at-large members are elected in one cycle and all district members are elected in the other.

Three other cities have councils composed entirely of at-large members and use staggered cycles, with half of the members elected in one cycle and the other half in the next.

Does the amendment reset the clock for term limits?

No, because term limits apply to an individual's consecutive years of service on the body, not to a specific seat on the body.

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Would the Council Sponsors consider delaying implementation to take effect after the two current at-large seats are term limited?

No, delayed implementation is inadvisable because there is no way to predict when the next election with two open at-large seats will occur. Consider that the field of candidates isn't set until the ballot filing deadline, when it would be too late to implement the amendment. Importantly, only four of the 13 elections over the past 50 years have had two open seats.

Will this facilitate gamesmanship among candidates?

No, the separate ballot system is designed to encourage voters to make clear, intentional choices for each seat. Additionally, gamesmanship is inherent in politics and already is present in every election including at-large. Candidates may enter any race or not, district or at-large, based on their assessment of their chances against the existing field, and once in, may target one or more opponents. This happens in every election, and this proposal neither increases nor decreases this gamesmanship.

Where do at-large races currently appear on the ballot?

Currently, both at-large positions appear together on a single ballot at the top of the city council races.

Should candidates file to run at-large and then have the clerk and recorder randomly assign them to Seat A and Seat B?

No. As the clerk stated at the committee, this would insert politics into the Elections Division. Candidates should be the ones to choose the seat for which they are running.

Will the amendment make Denver elections more complicated?

No, quite the opposite, it simplifies voter choices. Each voter clearly picks one candidate per seat, resulting in straightforward outcomes and reducing voter confusion. The amendment also ensures every candidate for every Denver office is elected by the same election rules and wins with support of the majority of voters.

Which election advocacy organizations did the sponsors connect with on the proposed amendment?

The sponsors contacted the elections stakeholders on the list maintained by the Denver Clerk and Recorder's Office. The sponsors have reached out to the representatives of the following organizations. A presentation was made to the League of Women Voters Colorado Alternate Voting Methods Task Force.

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| • Acceso Advisory Board | • Colorado Criminal | • Fair Vote |
| • APIA Colorado Vote | Justice Reform Coalition | • League of Women |
| • Aurora Mental Health & Recovery | • Colorado Black Women | Voters of Colorado |
| • Clean Slate Action Now | for Political Action | • Metropolitan State |
| • CLLARO | • Common Cause | University of Denver |
| • COLOR | • Denver Democratic | • NAACP Denver |
| • Colorado Civic | Party | • New Era Colorado |
| Engagement Roundtable | • Denver Republican | • Re: Vision |
| | Party | |