

## 2024 Proposed Amendments to Eugene City Charter, Sections 20 and 24:

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [italic and bracketed] is existing law to be omitted.

### Section 20. Election.

(1) Immediately after the votes at any municipal election have been canvassed **and tallied as provided in subsection (4) of this Section**, the city manager or designee shall issue a certificate of election to each person declared by the canvassers to have been elected. The certificate shall be prima facie evidence of the facts therein stated, but the city council shall be the judge of the election and qualifications of the mayor and councilors, and in case of a contest between two or more persons claiming to be mayor or councilor, shall determine the contest.

(2) **Commencing January 1, 2026, election of municipal officers shall be conducted according to STAR Voting as described in subsections (3) and (4) of this Section. The election of such officers shall occur at a November general election or at any special election and shall not include a primary election.**

(3) **A ballot shall be delivered to each registered elector, regardless of party affiliation.**

(4) **Method of STAR Voting.**

(a) **The voting method described below is known as STAR Voting and shall be referred to by the name "STAR Voting."**

(b) **For each seat up for election by means of STAR Voting, votes shall be tallied using a two-round process which consists of a scoring round and an automatic runoff round. The scoring round shall calculate the sum total of the scores received by each candidate and determine the two candidates who received the greatest total scores. Those two candidates shall be the finalists and shall advance to the automatic runoff round, where the finalist preferred by more voters wins.**

(c) **Characteristics of the ballot:**

1. **The ballot shall specify the number of winners in each race, if the number is more than one.**

2. **The ballot shall provide each elector the option to score each candidate for an office from zero to five stars.**

3. **The scoring scale shall be labeled "worst" (0 stars) to "best" (5 stars).**

4. **Each elector may score each candidate for an office from zero to five, independently of how the elector scores any of the other candidates for the elected office. An elector may give the same score to multiple candidates in the same race.**

**5. If the elector does not specify a score for a candidate, the score assigned is zero.**

**6. The ballot shall include instructions which convey the following information in clear and accessible language:**

- Give your favorite(s) five stars.
- Give your last choice(s) zero stars.
- Score other candidates as desired.
- Equal scores indicate no preference.
- Candidates left blank receive zero stars.

**7. The ballot shall include an explanation of how votes will be tallied as described under subsection (4) of this section in clear and accessible language such as the following:**

**STAR Voting races are tallied as follows: Scores given are totaled and the two highest scoring candidates overall advance as finalists to the automatic runoff. In the runoff, your vote goes to the finalist you scored higher. The finalist with the most votes wins.**

**(d) Vote tallying is conducted in two rounds:**

**1. Scoring round:**

**The vote tally system or counting board shall add the total scores given to each candidate from all ballots.**

**For each office, the two candidates who have the highest total scores shall be the finalists and advance to an automatic runoff round.**

**2. Automatic Runoff round:**

**Each elector's vote shall be considered cast in favor of the finalist to whom that elector gave the higher score. If an elector gave both finalists the same score, that elector's ballot will be considered a vote of "no preference" between the finalists.**

**The finalist in whose favor a greater number of votes are cast shall be the winner.**

**(e) If more than one seat is to be filled for a given office, the following STAR Voting multi-winner method shall be used:**

**The first winner, as determined pursuant to paragraphs (b) - (d) of this subsection, is removed from the calculations.**

**The two remaining candidates who have the highest total scores shall be the finalists for the second seat and shall advance to an automatic runoff round, which shall be conducted as specified in paragraph (d) of this subsection in order to determine the next winner.**

**This process of removing winners from the calculations, advancing the two highest-scoring remaining candidates to the runoff round, and determining the additional winner as**

specified in paragraph (d) of this subsection shall be repeated as many times as necessary to fill the available seats.

(f) The winner of each automatic runoff shall be entitled to a certificate of election to office and shall be considered the person who received the highest number of votes cast for purposes of ORS 254.065.

(g) Ties in STAR Voting that affect the outcome of the election shall be resolved as follows:

1. A tie in the scoring round shall be determined in favor of the candidate or candidates who were preferred (scored higher) by more voters than any other of the tied candidates, if possible.

2. A tie in the automatic runoff round shall be determined in favor of the candidate with the highest overall score in the scoring round, if possible.

3. If the above methods do not resolve a tie, it may be resolved under rules adopted by the City Council not later than 60 days prior to the date of the election.

4. If a tie is not resolved by any of the above methods, the election shall be declared to be a tie and shall be resolved pursuant to ORS 254.575 or applicable local government law.

(h) The City Council shall, by ordinance, establish rules for the orderly administration of the election using STAR Voting.

Section 24. Vacancies - Filling.

(1) The Eugene Water & Electric Board shall fill a vacancy on the board by appointment within ninety days after the vacancy occurs.

(2) The council shall fill a vacancy in any other elective city office by appointment within ninety days after the vacancy occurs. A person so appointed shall hold office until the successor to the office is duly elected and qualifies therefor.

(3) If the position of a city councilor or mayor becomes vacant more than 100 calendar days prior to the [May] **November** election of any year, an election to fill that vacancy shall be conducted in the same year. If the position of city councilor or mayor becomes vacant less than 100 days prior to the [May] **November** election of any year, the election to fill that vacancy shall be conducted the next year. [*If a candidate for election to a vacated position achieves a majority of all votes cast for that position in the May election, that candidate shall assume office the following July 1, notwithstanding Section 21 of this charter.*] The term of office of any person elected to fill a vacancy shall expire when the term of the vacated position expires.

(4) Notwithstanding subsection (3), if the election required by this Section 24 would occur in the fourth year of the term of the vacated position, then no election to fill the vacancy will be held. Instead, the individual appointed under subsection (2) will remain in office through the expiration of the term of the vacated position.