

## **Responses to Member Questions/Concerns**

During this process, the board received a few questions and concerns about ranked-choice voting. The governance committee has prepared answers and responses, below.

### **Benefits of Ranked-choice Voting**

Some members asked what problem ranked-choice voting (RCV) solves. The problem is that a plurality system can elect a set of candidates who do not adequately represent the diversity of perspectives of our membership. For example, a well-organized slate of candidates can dominate the election, even if they don't have corresponding support and particularly if some other candidates are running independently. Plurality systems reward bloc voting and thus provide a strong incentive to push candidates into opposing, polarizing slates. These effects were especially evident with the opposing slates in the 2015 board election.

RCV reduces the effectiveness of slates, placing more emphasis on individual candidates. With multi-winner RCV, a majority of voters will elect a majority of the board, but other voters are able to elect their fair share of representation as well. In this way RCV can promote diversity on a multi-seat board – whether a diversity of political perspectives, backgrounds, or demographics.

The main difference you'll see on the ballot with RCV is that you'll get to rank candidates in order of preference. If your first-choice candidate doesn't win, your vote will be transferred to your second-choice candidate, and so on. Because your vote won't be wasted, you can focus on expressing your sincere preferences. In contrast, plurality voting does not allow you to distinguish between your favorite candidate and your last-choice candidate, but enables a vote for your last-choice candidate to help defeat your favorite candidate! The only way to avoid this is to vote for fewer than  $N$  candidates, which wastes your voting power. RCV avoids this problem entirely.

With more than one candidate running for each seat, using RCV assures fairer representation for more members to strengthen the SF Bicycle Coalition as an advocacy organization. Our ongoing strategic planning process has made clear the need for our organization to be more inclusive and to widen our tent, and RCV aligns with this goal.

Finally, we are an advocacy organization based in San Francisco, a city that uses RCV in our local elections. By using RCV for our board elections, we will be supporting and reinforcing our community's efforts to ensure fairer and more representative elections. By having our members participate in a ranked-choice election, even on the small scale of our board election, we will be directly and indirectly educating our members about both how to vote in a ranked-choice election and the importance of such a system.

### **Cost of RCV**

The executive director, working with staff, has estimated that implementation of an RCV system will cost, if designed and fully administered by staff, approximately \$6660 in staff time. Of these costs, approximately half are required for our past election system, meaning that an RCV system represents an additional expenditure of approximately \$3300 in staff time for the first year. This figure is expected to drop in successive years as it includes one-time costs for the design and setup of the system.

The executive director has also secured three quotes for outsourcing administration of some or all of an RCV election. The quotes range from \$500 to \$22,000, depending on how much of the operation is outsourced. Using such a service to set up an election interface and for the tabulation of results could reduce our staff time commitment by 20 to 30 percent, with a correlated reduction in costs. The executive director has expressed interest in outsourcing some or all of election administration, whether RCV is implemented or not, to reduce the burden on staff.

Members of the governance committee met with operations staff to discuss election administration. Working with staff to weigh the costs and benefits of various combinations of in-house and third-party work will be a primary goal of the governance committee's work on RCV going forward, and will likely be an ongoing, evolving discussion.

### **The Board Works on More than Just Governance**

Some members expressed concern that the board was spending too much time talking about governance issues; the [board meeting minutes](#) indeed report lengthy discussions about election issues. These discussions were necessary to ensure that we are doing the best thing for governance of the organization. But governance is only part of the board's overall work; there is so much more!

Most of the board's work is done in committees. There are eight committees: fundraising, personnel, audit, finance, board development, membership, strategic planning, and governance. All of these hard-working committees meet outside board meeting times and provide updates at board meetings. These updates, while typically brief, usually represent significant effort on the part of each committee. The work of the board involves a broad spectrum of activities, and some members may be surprised to learn that talking about bikes is not necessarily the dominant topic at board meetings.

One of our biggest projects this year is our in-depth and robust [strategic planning process](#). The strategic planning committee is working very hard to update our five-year strategic plan to guide the future of the organization. A [blog post](#) was published on June 23 that compiled member input and reported that the board has conducted over 40 stakeholder interviews and community listening sessions for strategic planning. At the strategic planning member open house in April, members placed high priority on "improve/change how our board is elected and run," showing member support for focusing on governance matters.

### **Use of RCV by Nonprofit Organizations**

While many member-based nonprofits do not use RCV, it is notable that the League of American Bicyclists uses RCV. In fact, SF Bicycle Coalition used RCV in the past. See the SF

Bicycle Coalition's endorsement of San Francisco's adoption of single-winner RCV (also known as instant runoff voting) in the March, 2002 [voter information pamphlet](#) at the bottom right of page 42 (pdf page 44), which includes the statement:

"We have used instant runoff voting for our Board elections and it works."

RCV is rapidly gaining acceptance as the preferred voting method in [government, university, and corporate elections](#). RCV is common sense, good governance reform and will make our organization stronger and more vibrant in the long term.

### **RCV Can Increase Member Engagement**

Giving members a better chance at seeing their chosen representatives on the board can increase member engagement, more accurately reflect the diversity of the cycling community in SF, and likely help increase membership. More member buy-in will help SF Bicycle Coalition draw on the vast pool of energy and talent that can be directed toward innovative projects and outreach. As we know, in order to work toward our goals, legislators need to see that a broad cross-section of their constituents support better cycling before they'll act effectively to achieve that.

### **Justification for Amending the Bylaws without a Member Referendum**

The governance committee and board discussed at length the possibility of putting the bylaws amendment to a member referendum. Our bylaws permit the board to make bylaws amendments so long as these changes do not materially and adversely affect member voting rights. While conducting a member vote might best demonstrate our members' will on the subject, provide for member engagement and education about RCV, and could prevent a legal challenge to the decision, it would also come at considerable cost in terms of money, time, and focus. It could be a distraction from our more direct bicycle advocacy, could lead to internal conflicts, and could result in unwanted public drama.

Before the June 27 board meeting, the board considered two legal opinions regarding the impact of RCV on member voting rights, both of which concluded that a member referendum would not be required. In response to requests from some directors and members, the board solicited an additional assessment from outside counsel specializing in nonprofit law. This opinion was delivered in August 2017 and considered by the board before its September 26 meeting. The opinion concurred with the earlier opinions that the proposed bylaws amendments did not require a member vote.

One concern raised at the June 27 board meeting was that the ranked-choice voting amendment could conflict with state law that prohibits nonprofit boards from infringing on the possible use of cumulative voting for directors. Because the ranked-choice voting amendment establishes ranked-choice voting as the default method for conducting elections, but still permits

the board to decide to use any other legal method prior to an election, our bylaws' provisions regarding cumulative voting remain intact and unfringed.

After carefully considering all angles, the board determined that a member referendum was not required and voted to approve the bylaws amendments.

**Member Input Always Welcome**

If you still have concerns or questions about the bylaws amendments, please write to [board@sfbike.org](mailto:board@sfbike.org).