**2019 Proposed Amendments to Eugene City Charter, Sections 20 and 24:**

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) Election of municipal officers under this Section shall be held at the November election according to STAR Voting as described in subsections (3) and (4) of this Section.**

**(3) A ballot shall be delivered to each registered elector, regardless of party affiliation. The ballot shall direct the elector to score each candidate appearing on the ballot on a scale of zero to five, with zero being the lowest score possible and five being the highest score possible. If an elector leaves a candidate’s score blank, the elector’s score for that candidate shall be counted as zero. An elector may give the same score to multiple candidates in the same race. The ballot shall inform the elector of how votes are to be cast and how votes will be tallied under subsections (3) and (4) of this Section, respectively. These instructions shall contain, at a minimum, the information presented in subsection (5) of this Section.**

**(4) STAR Voting elects the majority favorite between the two highest-scoring candidates, determined as follows:**

**(a) For each office for which a candidate appears on the ballot, the vote tally system shall calculate the sum total of the scores received by each candidate and then determine the two candidates who received the greatest total scores. Those two candidates will be deemed the “finalists” for that office.**

**(b) Of the two finalists identified under subsection (4)(a) of this Section, the vote tally system shall determine in whose favor each elector’s ballot was cast, as follows: Each elector’s vote will be considered cast in favor of the finalist whom that elector gave the greater 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.**

**(c) The finalist in whose favor a greater number of votes are cast as determined under subsection (4)(b) of this Section shall be entitled to a certificate of election to office.**

**(5) The following basic information shall be included in the ballot’s instructions, presented in clear and accessible language:**

**In STAR Voting, each voter, or “elector,” scores each candidate appearing on the ballot on a scale from zero (worst) to five (best).**

**If an elector leaves a candidate’s score blank, the elector’s score for that candidate is counted as zero.**

**An elector wishing to express no preference between two or more candidates may do so by giving them the same score.**

**The Electors’ scores are summed, and the two highest-scoring candidates are deemed finalists. The finalist that a greater number of electors preferred will be elected to office.**

**(5) The City Council shall, by ordinance, establish rules for the orderly administration of the election using STAR Voting as described in subsections (3) and (4) of this Section, including rules to determine the prevailing candidate in cases of a tie-vote at any stage of 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.