

Bonnet Shores Charter Commission Presentation

Propose the committee recommend a
weighted or balanced voting approach
as BSFD Charter voting solution



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What is Weighted Voting?

Weighted voting is a commonly-used **voting method** modifier that allows certain individuals more or less influence over voting outcomes.

This is accomplished by assigning voters different levels of influence or "weights".

The amount of influence given is typically related to the level of importance individuals hold within the organization.

Weighted Voting System Examples – eBallot.com

Here are three examples of everyday scenarios where weighted voting is relied upon:

- ✓ In a corporate setting, a stockholder with more shares is able to make more of an impact on company policy and decision-making than a stockholder with fewer shares.
- ✓ On a condo or HOA board, someone who owns multiple residences in the building totaling up to 10,000 square feet is able to influence decisions more significantly than the person with one 1,000 square feet apartment.
- ✓ At a charitable organization, the person who made a one-time \$100 donation is given less influence than the person who routinely gives \$500,000 each year.



From eballot.com

Weighted Voting System Example in the US Government

House of Representatives

The number of voting representatives in the House is fixed by law at no more than 435, proportionally representing the population of the 50 states.

US Electoral College

The number of votes for each state is based upon that state's population

For example:

- California - 54
- Rhode Island - 4
 - 7.4% of California



Weighted Voting Example in our Local District

From Bonnet Shores Beach Club Public Offering Statement

EXHIBIT D BONNET SHORES BEACH CLUB CONDOMINIUM REALLOCATION OF PERCENTAGE INTERESTS UPON ADDITION OF UNITS			
Each type of unit in the condominium has been assigned a relative value as set forth below:			
Deluxe living unit	= 8	double bathhouse	= 3
living unit	= 6	mini-double bathhouse	= 2.5
cabana	= 4	bathhouse	= 2
		tray	= 1
In order to properly allocate percentage interests, the total number of each type of unit (both existing and new) must be multiplied by the assigned value; the products obtained must be added together to get the "Total Value of Interests".			

BSBC Voting Model in Practice

UNIT	VOTES		
DL-2	8	444	4
27	4	447	4
38	4	448	4
41	4	B-14	2
44	4	B-20	2
45	4	B-39	2
47	4	C-10	2
49	4	C-42	2
50	4	D-3	2
51	4	D33	2
52	4	D-42	2
53	4	E-2	2
61	4	E-31	2
75	4	F-2	2
85	4	F-21	2.5
93	4	F-23	2.5
98	4	I-03	2
205	4	I-22	2
215	4	I-29	2
229	4	I-45	2.5
231	4	J-9	2
232 / 233	8	J-12	2
242	4	J-16	2
243	4	J-28	2
257	4	K-12	2
300	4	K-15	2
302	4	K-30	2.5
311	4	K-33	2.5
344	4	L-13	2.5
347	4	L-24	2.5
351	4	L-22	2.5
352	4	L-27	2.5
355 / 356	8	L-36	2.5
360	4	M-13	3
361	4	M-25	3
365	4	N-26	2.5
368	4	N-37	2.5
371	4	P-34	2.5
372	4	PN-24	2
373	4	PW-32	2
377	4	QW-8	2.5
380	4	T-2	2
393	4	V-5	2.5
394	4	W-4	2
395	4	W-16	2
429	4		

The Specific Weighted Voting Recommendation

Weigh BSFD votes on percentage of BSFD Taxes
paid by the constituency groups



The Recommendations Key Consideration Criteria

“The Magic 7”



1. Solve for the Voter Dilution issue in fact based and defensible way
2. Solve for the Judge's substantial interest's criteria
3. Follow the core principals agreed to by the committee
4. Disenfranchise no one
5. Solve for quality of life including all getting the same benefits and protections of the BSFD Charter
6. Uses a proven simple and manageable approach
7. Provide a solution that stands the test of time

Criteria #1

Solve for the Voter Dilution issue in fact based and defensible way



1. Weight is based on taxes paid. This is:
 - Fact based and defensible
 - Follows a common approach used in weighted voting today by:
 - US Government, Corporations, HOA's, Charitable Organizations, etc.
2. Weighted Voting is done in our district today!!
 - At BSBC

Criteria #2

Solve for the Judge's substantial interest's criteria

The second reason Judge Taft-Carter reserved on this question has to do with the applicable law. The parties had briefed the question at the heart of Count IV—whether BSFD could lawfully *extend* the franchise to non-resident property owners—by extending the well-known cases discussing *restrictions* on the franchise and schemes to dilute votes through *malapportionment* (e.g., creating one legislative district with 100 voters and another with 10,000 voters). *See id.* at p. 35-39. However, Judge Taft-Carter rejected this approach, and instead applied a line of less well-known cases which *specifically* deal with extending the franchise to non-residents. *See id.* These cases have almost universally held that while the Constitution creates a hard *floor* for voting rights—requiring that governmental entities *at minimum* extend the vote to adult citizen residents—that floor does not necessarily represent the *ceiling* of whom a governmental entity may enfranchise. *See id.* at p. 35-36. **Instead, most courts asked to determine whether a governmental entity may enfranchise a class of voters beyond the constitutional floor have focused on whether the class of enfranchised voters have a “substantial interest” in the governance of that entity.** *See id.* at p. 40-42. In turn, the “substantial interest” test relies on two questions:

1. The degree to which the non-resident voters finance the governmental entity, and;
2. The voting power of the non-resident voters, relative to the power of the residents.

Criteria #2 -- (continued)

1. The degree to which the non-resident voters finance the governmental entity, and;
2. The voting power of the non-resident voters, relative to the power of the residents.

1. Weighting based on Paid taxes specifically answers to "the degree in which non-resident voters finance the government entity (in this case the BSFD)"
2. Paid taxes was a significant discussion topic in the first meeting
3. BSBC units are not residential units so voting power of non-resident to resident is aligned

Criteria #3

Follows the Charter Commission agreed core principals



Defined in the initial meeting agenda

1. Supported by the majority of the Charter Committee
2. Benefit the majority of the BSFD Population
3. BSFD is a Quasi-municipality so has more flexibility in defining voter eligibility
4. Risks reviewed for probability and impact
5. Financial (Fiscally responsible)
6. Quality of Life
7. Uses Facts & Data

Added during the initial, January 15, 2025 committee meeting

1. Disenfranchises no one
2. Viable and Open Minded
3. Compromise
4. Stands the test of time

Criteria # 4 & 5

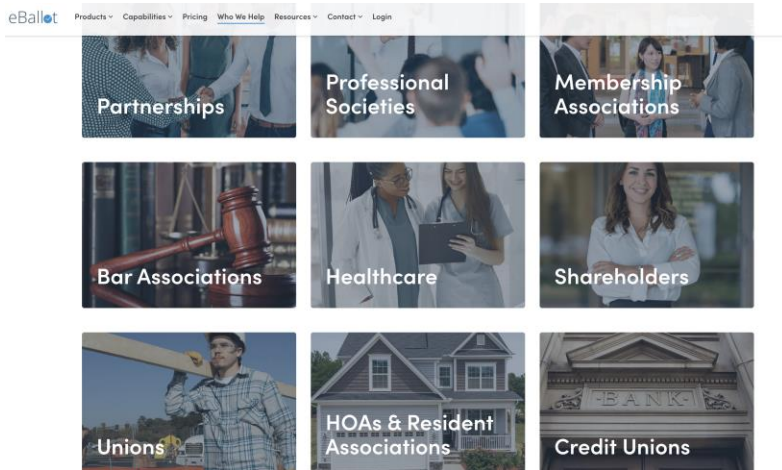
Disenfranchises no one! Defensible solution and all get the same BSFD Charter benefits and protections



1. Simple -- All voters eligible under the current BSFD Charter are eligible under this recommendation.
2. Based on a proven approach commonly in use today. Since all are in the district, all get the same benefits and protections of the supporting district charter

Criteria #6

Uses a Proven, Simple, and Manageable Approach



1. Solution is in use at all levels of government, and commercial and non-commercial entities today
 - It doesn't matter if we are quasi municipality or not
2. Solution is in use in our district - at the BSFD
3. 3rd party support in using and/or setting up the approach available if needed – eBallot.

Criteria #7 – Discussion

Provides a solution that stands the test of time

From Bonnet Shores Beach Club Public Offering Statement

3. Number of Units

The first phase of the condominium contains 106 cabana units, two deluxe living units, and four living units. Phase II which as presently constituted consists of 25 double bathhouses, 7 cabanas, and 208 bathhouses. Phase II is subject to Development Rights, specifically the right to add additional units to said contemplated new construction is shown on Exhibit A-2, Phase II sheets as new construction, but nothing therein shall be deemed to limit or control the Declarant's reserved rights. The final number of units that the condominium will contain, as Phases are completed and added to the Condominium, will not exceed 1737 and the number of units added in Phases II, III and IV will not exceed 1625 but none of said Phases must be added and the Declarant is not obligated to build said Phases.

Avoids explicit numbers that change context over time. For example:

- \$400 of property ownership
- 930 Units at the BSBC

930 units at BSBC can change

- Original BSBC public offering was approved for 1,737 units
- Phase 1 was 112 units

Weighted Solution Recommendation Benefits

Solves for the recommendations Key Consideration Criteria -- “The Magic 7”



1. Solves for the Voter Dilution issue in a fact based and defensible way
2. Solves for the Judge's “substantial interest's” criteria
3. Follows the core principals agreed to by the committee
4. Disenfranchises no one
5. Solves for quality of life - including all getting the same benefits and protections of the BSFD Charter
6. Uses a proven, simple and manageable approach
7. Provides a solution that stands the test of time

INITIAL thoughts on comparing to the initial 4 scenarios

The ONLY recommendation solving for the “Magic 7”
Key Considerations shared in this presentation

