

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. O-22-42 ENACTMENT NO. _____

SPONSORED BY: Isaac Benton and Tammy Fiebelkorn, by request

1 ORDINANCE

2 RANKED CHOICE VOTING DELETING AND REPLACING ARTICLE II,
3 SECTIONS 7 AND 8 OF THE CITY CHARTER.

4 WHEREAS, the City of Albuquerque City Charter includes an election
5 provision requiring elected office holders to receive at least 50% of the total
6 number of votes cast for their respective office in order to be elected stating:
7 “Those persons who are candidates for Mayor or Councilor and
8 receive the largest number of votes cast for the office in question are
9 elected, provided the number of votes equals or exceeds 50% of the
10 total number of votes cast for the office;” and

11 WHEREAS, at present, if no candidate for office meets the 50% threshold
12 required by the Charter, a runoff election must be held within 45 days where
13 the two candidates with the highest number of votes cast are placed on the
14 ballot; and

15 WHEREAS, since the runoff provisions have been in place, the City has
16 been required to hold four runoff elections, including a runoff election in 2013
17 for Council District 7 (which included a city-wide election in order to also
18 accommodate a ballot initiative) which cost the City \$667,045, a Mayoral runoff
19 election in 2017 which cost the City \$840,890, a City Council runoff election in
20 2019 which cost the City \$368,675, and two City Council runoff elections in
21 2021 which cost the City \$610,424; and

22 WHEREAS, in contrast to the City’s current post-election runoff system, a
23 ranked choice voting system would provide voters the opportunity to rank
24 candidates by preference on their ballots during regular local elections; and

25 WHEREAS, a ranked choice voting system, also commonly referred to as
26 an “instant runoff” would help eliminate costly separate runoff elections in the

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1 City, and avoid the runoff in the middle of the winter holiday season for
2 candidates and elected officials.

3 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
4 ALBUQUERQUE:

5 SECTION 1. Article II, Sections 7 and 8 of the City Charter are hereby
6 repealed and replaced with the following:

7 Section 7. RANKED CHOICE VOTING

8 (a) Pursuant to NMSA 1978, Section 1-22-16 the City of Albuquerque
9 adopts a ranked-choice runoff election to allow voters participating in the
10 regular local election to rank the candidates for Mayor and City Council in the
11 order of preference for the voter.

12 (b) The City will begin using ranked-choice voting with the regular local
13 election held in November of 2023 and will continue to do so in all
14 subsequent elections.

15 (c) A ranked-choice runoff election shall be conducted on the same
16 ballot as the regular local election to allow the voter to rank the candidates
17 for office in the voter’s preferred order.

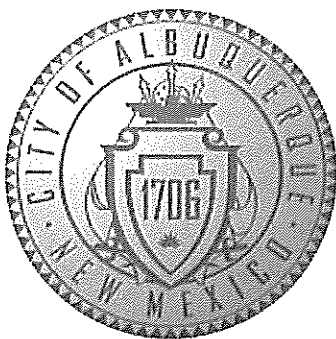
18 (d) The City will adopt and comply with the rules governing ranked-
19 choice runoff elections issued by the New Mexico Secretary of State.

20 SECTION 2. SEVERABILITY CLAUSE. If any section, paragraph, word or
21 phrase of this ordinance is for any reason held to be invalid, or unenforceable
22 by any court of competent jurisdiction, such decision shall not affect the
23 validity of the remaining provisions of this ordinance. The Council hereby
24 declares that it would have passed this ordinance and each section,
25 paragraph, sentence, clause, word or phrase thereof irrespective of any
26 provision being declared unconstitutional or otherwise invalid.

27 SECTION 3. COMPILATION. Section 1 of this ordinance shall amend, be
28 incorporated in, and be made part of the City Charter.

29 SECTION 4. EFFECTIVE DATE. This ordinance shall take effect five (5) days
30 after publication by title and general summary.

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32



CITY OF ALBUQUERQUE
Albuquerque, New Mexico
Office of the Mayor

Mayor Timothy M. Keller

INTER-OFFICE MEMORANDUM

September 23, 2022

TO: Isaac Benton, President, City Council

FROM: Timothy M. Keller, Mayor

SUBJECT: Ranked-Choice Voting

The Ranked Choice Voting Ordinance would repeal Article II, Sections 7 and 8 and replace them with Section 7: Ranked-Choice Voting.

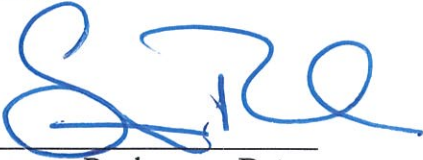
In 2019 the City of Albuquerque paid the County of Bernalillo nearly \$400,000 to administer a runoff election for one city council race. In 2021, the City paid the county almost \$700,000 to administer a runoff election for two city council races. Had the mayoral election gone into a runoff, the cost of the runoff election would have been over \$1,000,000. Both the City of Santa Fe and the City of Las Cruces currently use Ranked-Choice Voting rather than the traditional runoff election for their regular municipal elections.

State Law provides for municipalities to amend their Charter by ordinance to allow for a ranked-choice runoff election. NMSA 1978, § 1-22-16.

This ordinance would provide for a ranked choice runoff by allowing voters to rank the candidates for Mayor and City Council in the order of their preference during the regular local election in November, and a runoff election in December for any race where a candidate did not receive 50% of the vote would no longer be necessary. This ordinance would supersede any reference to a runoff in the Charter or the City Code.


RANKED CHOICE VOTING.

Approved:



Lawrence Rael Date
Chief Administrative Officer

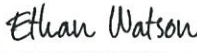
Approved as to Legal Form:

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Lauren Keefe Date
City Attorney

Recommended:

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EH

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Ethan Watson, City Clerk Date

Cover Analysis

- 1. What is it?** An Ordinance to allow for Ranked-Choice Voting in regular local elections.
- 2. What will this piece of legislation do?** This legislation will allow voters to rank their preference for candidates for Mayor and City Council in regular local elections. The Ranked-Choice Voting Ordinance will supersede any traditional runoff election provisions that currently exists in the City Charter.
- 3. Why is this project needed?** In 2018, the City of Albuquerque “opted-in” to the Local Election Act, which allowed the State to manage the City’s regular local elections. In doing so, the City no longer bears the financial burden of the administering most elections in the City of Albuquerque. The City is still financially responsible for runoff elections, and in 2019 and 2021 the City spent \$369,000 and \$610,000 to administer a runoff election for just one and two City Council races respectively. Had the 2021 election included a Mayoral runoff, the cost would have been over \$1,000,000.
- 4. How much will it cost and what is the funding source?** N/A
- 5. Is there a revenue source associated with this contract? If so, what level of income is projected?** N/A
- 6. What will happen if the project is not approved?** The City of Albuquerque will continue to pay for runoff elections administered by the County when there is no candidate that receives over 50% of the vote in a regular local election.
- 7. Is this service already provided by another entity?** No.