CITY of ALBUQUERQUE
TWENTY THIRD COUNCIL

COUNCIL BILL NO. _____P-19-3_____ ENACTMENT NO. _____

SPONSORED BY: Don Harris

1   CHARTER AMENDMENT PROPOSAL

2   ADOPTING A PROPOSITION TO BE SENT TO THE VOTERS AT THE

3   NOVEMBER 5, 2019 REGULAR LOCAL ELECTION PROPOSING TO AMEND

4   ARTICLE II, SECTION 8, OF THE ALBUQUERQUE CITY CHARTER

5   CONCERNING RANKED CHOICE VOTING.

6   WHEREAS, the City of Albuquerque City Charter includes an election

7   provision requiring elected office holders to receive at least 50% of the total

8   number of votes cast for their respective office in order to be elected, stating:

9   "Those persons who are candidates for Mayor or Councillor and

10   receive the largest number of votes cast for the office in question

11   are elected, provided the number of votes equals or exceeds 50%

12   of the total number of votes cast for the office;" and

13   WHEREAS, at present, if no candidate for office meets the 50% threshold

14   required by the Charter, a runoff election must be held within 45 days where

15   the two candidates with the highest number of votes cast are placed on the

16   ballot; and

17   WHEREAS, since the runoff provisions have been in place, the City has

18   been required to hold two runoff elections, including a runoff election in 2013

19   for Council District 7 (which resulted in a city-wide election in order to also

20   accommodate a ballot initiative), and a Mayoral runoff election in 2017, which

21   cost the City $667,045 and $840,890 respectively ($1,507,935 combined); and

22   WHEREAS, in contrast to the City's current post-election runoff system, a

23   ranked choice voting system is an electoral system in which voters rank

24   candidates by preference on their ballots. If a candidate wins a majority of

25   first-preference votes, he or she is declared the winner. If no candidate wins a

26   majority of first-preference votes, the candidate with the fewest first-

1   preference votes is eliminated. First-preference votes cast for the failed

2   candidate are eliminated, lifting the second-preference choices indicated on

3   those ballots. A new tally is conducted to determine whether any candidate

4   has won a majority of the adjusted votes. The process is repeated until a

5   candidate wins an outright majority. This system is sometimes referred to as

6   an instant runoff voting system; and

7   WHEREAS, A ranked choice voting system which is also commonly

8   referred to as an "instant runoff" would help eliminate costly separate runoff

9   elections in the City, would help minimize administrative and staffing burdens,

10   would be more respectful of the time and resources of City voters, and would

11   also be consistent with the City Charter's 50% requirement.

12   BE IT PROPOSED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY

13   OF ALBUQUERQUE:

14   SECTION 1. The City Clerk shall place the summary, title and text of the

15   following proposition on the ballot at the November 5, 2019 regular local

16   election, and City of Albuquerque voters shall be permitted to vote "for" or

17   "against":

18   SUMMARY

19   Proposing to implement a ranked-choice voting system, an electoral system in

20   which voters rank candidates by preference on their ballots.

21   PROPOSITION

22   Proposing to amend the City Charter of the City of Albuquerque by amending

23   Article II, Section 8, as follows:

24   "Section 8. [RUNOFF ELECTIONS.

25   (a) If no candidate receives 50% of the votes cast for the particular office in

26   question, a runoff election shall be held within forty-five days after

27   certification of the results of the election in question as now provided by law

28   and as amended and supplemented from time to time. Unless otherwise

29   specified in this Charter, the two candidates who receive the highest number

30   of votes cast for the office in question shall automatically become the

31   candidates at the runoff election and the filing of declarations of candidacy is

32   dispensed with.

1   (b) The Council shall by resolution fix the date of the runoff election and

2   specify the offices to be filled and the names of the candidates therefor. The

3   resolution shall be published once, at least seven days before the runoff

4   election date. Otherwise, no publications are required in connection with

5   runoff elections.

6   (c) Only such voting precincts and procedures will be reactivated for a

7   runoff as will be required, on a city-wide basis if officials to be voted on by the

8   entire city electorate are involved, otherwise only such District Councillor

9   districts as may be involved.][RANKED CHOICE VOTING.

10   Commencing with the regular municipal election in November 2019, the Mayor

11   and City Councilors shall be elected using a ranked choice voting system

12   allowing voters to rank in order of their preference the candidates for each

13   office appearing on the ballot. If after counting all voters' first preference

14   votes listed on their ballots for an office, no candidate receives a total number

15   of votes cast equaling or exceeding 50% of the total number of votes cast for

16   the office, the candidate with the fewest first preference votes shall be

17   eliminated. Each ballot shall then be tallied again for that office counting the

18   first and second preference votes from each ballot for the remaining

19   candidates for that office who have not been eliminated. If still no candidate

20   for that office receives a total number of votes cast equaling or exceeding 50%

21   of the total number of votes cast for the office, the process shall be repeated

22   until a candidate receives at least 50% of the total number of votes cast for

23   that office.]"

24   SECTION 2. TIME OF FILING WITH THE CITY CLERK. The Director of City

25   Council Services, or designee, shall file this Charter amendment proposal with

26   the City Clerk within 90 days of the November 5, 2019 regular local election.

27   SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, word or

28   phrase of this proposition is for any reason held to be invalid or unenforceable

29   by any court of competent jurisdiction, such decision shall not affect the

30   validity of the remaining provisions of this proposition. The Council hereby

31   declares that it would have passed this proposition and each section,

32   paragraph, sentence, clause, word or phrase thereof irrespective of any

33   provision being declared unconstitutional or otherwise invalid.

1 **SECTION 4. COORDINATION WITH BERNALILLO COUNTY. The City Clerk**
2 **shall coordinate with the Bernalillo County Clerk to prepare and file any**
3 **necessary documents and agreements to facilitate the placement of this**
4 **proposed Charter amendment on the November 5, 2019 regular local election**
5 **ballot.**
6 **SECTION 5. EFFECTIVE DATE. This proposition is effective immediately.**
7 **The Charter Amendment described in Section 1 of this proposition shall take**
8 **effect immediately following the certification of the election if approved by the**
9 **voters.**
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