



## Legislation Details (With Text)

**File #:** O-19-54  
**Type:** Ordinance  
**Status:** Failed  
**File created:** 4/1/2019  
**In control:** City Council  
**Final action:** 6/17/2019  
**Enactment date:**  
**Enactment #:**  
**Title:** Amending The Municipal Elections Ordinance To Implement Ranked Choice Voting (Benton, Davis, Winter)  
**Sponsors:** Isaac Benton, Pat Davis  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. O-54.pdf

Date	Ver.	Action By	Action	Result
6/17/2019	1	City Council	Passed as Amended	Fail
6/17/2019	1	City Council	Amended	Pass
5/20/2019	1	City Council		
4/8/2019	1	Finance & Government Operations Committee	Amended	Fail
4/8/2019	1	Finance & Government Operations Committee	Postponed	Pass
4/1/2019	1	President	Referred	
4/1/2019	1	City Council	Introduced and Referred	

## CITY of ALBUQUERQUE TWENTY THIRD COUNCIL

COUNCIL BILL NO. O-19-54 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Isaac Benton, Patrick Davis, Brad Winter

### ORDINANCE

**Amending The Municipal Elections Ordinance To Implement Ranked Choice Voting  
(Benton, Davis, Winter)**

**WHEREAS, the City of Albuquerque City Charter includes an election provision  
requiring elected office holders to receive at least 50% of the total number of votes cast for  
their respective office in order to be elected, stating:**

**“Those persons who are candidates for Mayor or Councillor and receive the largest number of votes cast for the office in question are elected, provided the number of votes equals or exceeds 50% of the total number of votes cast for the office;” and**

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

**WHEREAS, since the runoff provisions have been in place, the City has been required to hold two runoff elections, including a runoff election in 2013 for Council District 7 (which resulted in a city-wide election in order to also accommodate a ballot initiative), and a Mayoral runoff election in 2017, which cost the City \$667,045 and \$840,890 respectively (\$1,507,935 combined); and**

**WHEREAS, in contrast to the City’s current post-election runoff system, a ranked choice voting system is an electoral system in which voters rank candidates by preference on their ballots. If a candidate wins a majority of first-preference votes, he or she is declared the winner. If no candidate wins a majority of first-preference votes, the candidate with the fewest first-preference votes is eliminated. First-preference votes cast for the failed candidate are eliminated, lifting the second-preference choices indicated on those ballots. A new tally is conducted to determine whether any candidate has won a majority of the adjusted votes. The process is repeated until a candidate wins an outright majority. This system is sometimes referred to as an instant runoff voting system; and**

**WHEREAS, A ranked choice voting system which is also commonly referred to as an “instant runoff” would help eliminate costly separate runoff elections in the City, would help minimize administrative and staffing burdens, would be more respectful of the time and resources of City voters, and would also be consistent with the City Charter’s 50% requirement.**

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

**SECTION 1. Chapter 2, Article 4, Section 7 of the Municipal Elections Ordinance is hereby amended as follows:**

**“§ 2-4-7 POSITION OF CANDIDATES ON THE BALLOT[; RANKED CHOICE VOTING].**

**(A) The names of all certified candidates for office shall be listed on the ballot**

without party or other designation. The order, on the ballot, of the names of the candidates for each office shall be determined by lot, that is, the name of each candidate for an office or position shall be drawn in a impartial and fair public drawing administered by the City Clerk in accordance with the Municipal Election Code [as set forth in division (B) below]. The City Clerk shall notify, in writing, each candidate for an office or position of the time and place of the public drawing. Such notice shall be given to the candidate or the candidate's authorized representative at the time of filing of the candidate's declaration of candidacy.

(B) The City Clerk, at the time and place of the public drawing, shall place the names of each certified candidate for an office or position on separate pieces of paper which shall be placed in a container. The City Clerk shall then cause the pieces of paper to be drawn from the container one at a time. The positions of the candidates on the ballot shall be determined by the order in which the names of the candidates are drawn from the container.

[(C) Commencing with the regular municipal election in November 2019, the mayor and city councilors shall be elected using a ranked choice voting system allowing voters to rank in order of their preference the candidates for each office appearing on the ballot. If after counting all voters' first preference votes listed on their ballots for an office, no candidate receives a total number of votes cast equaling or exceeding 50% of the total number of votes cast for the office, the candidate with the fewest first preference votes shall be eliminated. Each ballot shall then be tallied again for that office counting the first and second preference votes from each ballot for the remaining candidates for that office who have not been eliminated. If still no candidate for that office receives a total number of votes cast equaling or exceeding 50% of the total number of votes cast for the office, the process shall be repeated until a candidate receives at least 50% of the total number of votes cast for that office.]”

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

**SECTION 3. COMPILATION.** The changes within Section 1 of this ordinance shall amend, be incorporated in, and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall take effect five days after publication by title and general summary.