

RESOLUTION NO. 96-24

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND TO SUBMIT TO THE CITY OF RICHMOND ELECTORATE AT THE NOVEMBER 5, 2024 GENERAL ELECTION, A MEASURE TO ADOPT A PROPOSED CITY OF RICHMOND CHARTER AMENDMENT TO AUTHORIZE IMPLEMENTATION OF AN INSTANT RUNOFF VOTING (IRV) SYSTEM TO REPLACE PLURALITY VOTING FOR CITY ELECTIONS UPON OFFICES OF MAYOR AND CITY COUNCIL; AND SETTING OF ADMINISTRATIVE DIRECTION, BALLOT ARGUMENTS AND IMPARTIAL ANALYSIS

WHEREAS, the Richmond City Council has determined to submit to the voters at the November 5, 2024, General Election, a measure to adopt a proposed City of Richmond Charter Amendment to authorize implementation of an Instant Runoff Voting (IRV) system to replace plurality voting for City elections upon the elected offices of Mayor and City Councilmembers; and

WHEREAS, in addition to fairness of process, transparency and security, a strong voting system accurately captures the intent of the voters. This means not only ensuring that the logistical processes of voting are error-free, but also that the system itself does not distort voter preferences; and

WHEREAS, as opposed to “plurality voting,” the IRV system, which is also known as ranked choice voting, avoids or minimizes extra election costs and the low turnout issues of a primary, and has already been adopted by such neighboring cities as Albany, Oakland, and San Francisco. Under an IRV system, there is only one municipal election, and it takes place in November: voters rank the candidates in order of preference, instead of picking just one candidate. If a candidate gets more than 50% of the votes, that candidate wins. But if no one gets more than 50% of the vote, an instant runoff happens. Using election software, whoever is in last place is automatically eliminated, and the voters who had their first choice eliminated will have their votes go to their second-choice candidate. Such process of elimination continues for subsequent rounds of ballot counting until a candidate receives a majority of the votes cast.

WHEREAS, in accordance with the provisions of Section 10002 and 10403 of the California Elections Code, the Contra Costa County Clerk Recorder-Elections Division has been requested to consolidate the City of Richmond General Election with the General Election to be held November 5, 2024; and

WHEREAS, the Council desires to submit this initiative measure to be placed upon the ballot at said consolidated election.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richmond, as follows:

Section 1. The foregoing recitals are true and correct, and the City Council so finds and determines.

Section 2. At the General Election to be held in the City on Tuesday, November 5, 2024, the following initiative measure shall be submitted:

“Shall the City of Richmond Charter be amended to authorize use of instant runoff voting, also known as ranked choice voting, to allow Richmond voters to rank Mayor and City Council election candidates in order of preference on their ballots, intended for implementation for the November 2026 election, and upon adoption of an implementing ordinance by the Richmond City Council?”

Section 3. The City Clerk of the City of Richmond is hereby ordered and directed to cause said proposed measure to be printed and to mail a copy of said measure to all registered voters in the City of Richmond with their sample ballots in substantially the form set forth in **Exhibit A**, attached hereto.

Section 4. The City Clerk is ordered to have the full text of the measure available for review in the Office of the City Clerk and at the City of Richmond’s webpage.

Section 5. The City Clerk of the City of Richmond is hereby authorized to sign a Notice of Measure To Be Voted On in a form substantially similar to that attached hereto as **Exhibit B**. The Clerk of the City is hereby authorized and directed to publish said Notice of Measure To Be Voted On in the EAST BAY TIMES, a newspaper of general circulation circulated within the City of Richmond, in accordance with the provisions of Section 12114 of the Elections Code of the State of California.

Section 6. The Clerk of the City is hereby authorized and directed to cause to be delivered, no later than August 9, 2024, (which date is not fewer than 88 days prior to the date set for the General Election), one copy of this Resolution to the Registrar of Voters of the County.

Section 7. The City Council hereby directs the City Clerk to transmit a copy of the measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of the measure, and transmit such impartial analysis to the City Clerk within ten (10) days of the adoption of this resolution.

Section 8. The Finance Director of the City is hereby authorized and directed to prepare and file with the Registrar of Voters an impartial analysis of the measure contained in Section 2 hereof covering its financial impact upon the City government in accordance with Section 2.16.070 of the Municipal Code of the City, within the time established by the Registrar of Voters.

Section 9. Pursuant to Section 9282 of the Elections Code of the State of California, the legislative body of the City of Richmond, or any member or members of the legislative body authorized by the body, or any individual voter who is eligible to vote on the measure or bona fide association of citizens, or any combination of voters and associations, may file a written argument, not to exceed 300 words in length, accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers, for or against the City measure.

Section 10. The proposed initiative called by this Resolution shall be deemed to conflict in its entirety with any other measure on the same ballot that would change the method of elections for the City of Richmond City Council and/or Mayor seats. Should more than one such measure pass pertaining to Richmond municipal elections, the measure receiving the most votes shall pass and the other measure shall be void in its entirety.

Section 11. This resolution shall take effect immediately upon its adoption.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held July 2, 2024, by the following vote:

AYES: Councilmembers McLaughlin, Robinson, Willis, Zepeda, and Mayor Martinez.
NOES: None.
ABSTENTIONS: None.
ABSENT: Councilmember Bana and Vice Mayor Jimenez.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

EDUARDO MARTINEZ
Mayor

Approved as to form:

DAVE ALESHIRE
City Attorney



State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 96-24**, finally passed and adopted by the Council of the City of Richmond at a regular meeting held on July 2, 2024.

Pamela Christian
Pamela Christian, Clerk of the City of Richmond

EXHIBIT A

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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CITY OF RICHMOND CHARTER AMENDMENT INITIATIVE

"Instant Runoff Voting (IRV) Election Reform Act"

INITIATIVE TEXT

The people of the City of Richmond do ordain as follows:

SECTION 1. Title

This Act shall be known and may be cited as "**Instant Runoff Voting (IRV) Election Reform Act**" and amends the City of Richmond Charter to assure that elected officers must be elected by majority vote.

SECTION 2. Purpose and Intent

This initiative seeks to reform the election process in the City of Richmond to improve accountability, governance, and representation. Currently, a candidate for City Council or Mayor can be elected to office with less than a majority of the vote cast. To represent the will of at least the majority of the voters, City Councilmembers and the Mayor should not be elected to office without receiving a majority of the vote cast for that elective office.

This Charter amendment will cause City Councilmembers to be elected by a majority of the vote using an Instant Runoff Voting system ("IRV") also known as ranked choice voting. Under IRV, voters rank the candidates, and if a candidate has more than 50% of the votes, that candidate wins. If no one gets more than 50%, an "instant run-off" is held, in which the candidate in last place is eliminated and the 2nd choice of those voters are counted. Thus, if your first-choice candidate gets eliminated, your vote goes to your next choice. If there is still no candidate with more than 50%, the process is repeated until someone gets a majority (more than 50%) of the votes.

The Instant Runoff Voting method functions just like any runoff election, only with IRV, the runoff takes place instantly as part of the general election. This provides the advantages of a runoff without the time and expense for the City and candidates of adding a city primary election in March or June of election years. Also, primaries always have lower voter participation – for instance the 2022 federal primary election in Richmond had about a third fewer voters than the November general election that year. The fact that all voting in IRV continues to take place during the November general election ensures that more voters will have a voice in choosing city leaders.

Instant Runoff Voting maximizes representation because candidates must have the support of a majority of voters in order to be elected.

Instant Runoff Voting maximizes voter participation because all voting takes place during the General Election in November, which always has the largest turnout of any election.

Because building connections and coalitions is rewarded in Instant Runoff Voting, candidates are incentivized to campaign in a positive, issue-oriented manner that will help maintain Richmond's community spirit during and after each election season.

SECTION 3. The following sections are added to Article V, Elections, of the Richmond City Charter:

Sec. 3. Instant Runoff Voting. Each City elective office (including City Councilmembers and Mayor) shall be elected by an Instant Runoff Voting (IRV) system in each election, including

special elections. A majority (more than half), of the votes cast for all candidates, or a majority of the operative votes on continuing ballots in subsequent rounds, is required for the election of a candidate to each such office as determined by the IRV system. At each round of counting, the candidate with the fewest votes is eliminated, and those voters who have had their first choice eliminated will have their votes go to their second-choice candidate, which is then considered the operative vote, and continues in subsequent rounds if needed.

Sec. 4. Enabling Ordinance. Consistent with the purpose and intent expressed herein, the City Council is hereby authorized to adopt an implementing ordinance ("IRV Ordinance") setting forth the details of the IRV process to establish any necessary specific procedures to be utilized in the IRV to provide clarity and assure the will of the majority prevails.

Sec. 5. Implementation. This ballot measure will be implemented and effective for the November 2026 election, unless the voting equipment is not ready, in which case the County elections official may opt out for one election cycle.

SECTION 4. Conflicting Measures. The People of the City find and declare that the provisions of this initiative may conflict with one or more provisions of other initiative measures. This measure shall be deemed to conflict in its entirety with any other measure at the same election that would change the method of elections for the City of Richmond Council and/or Mayor. Should more than one such measure pass pertaining to Richmond municipal elections, the measure receiving the most votes shall pass and the other measure shall be void in its entirety.

EXHIBIT B

Notice of Election and Measure To Be Voted On

CITY OF RICHMOND

NOTICE OF A MUNICIPAL ELECTION AND MEASURE TO BE VOTED ON

NOTICE IS HEREBY GIVEN that a General Election will be held in the City of Richmond on Tuesday, November 5, 2024, at which time there will be submitted to the voters the following measure:

“Shall the City of Richmond Charter be amended to authorize use of instant runoff voting, also known as ranked choice voting, to allow Richmond voters to rank Mayor and City Council election candidates in order of preference on their ballots, intended for implementation for the November 2026 election, and upon adoption of an implementing ordinance by the Richmond City Council?”

The Initiative Election has been consolidated with the General Election to be held in the City of Richmond, November 5, 2024. The election precincts within the City of Richmond for the Initiative Election shall be the regular election precincts established for said General Election, and the polling places and officers of election within the City of Richmond for the Initiative Election shall be the same as those selected and designated or to be selected and designated for said General Municipal Election.

NOTICE IS FURTHER GIVEN pursuant to Article 4, Section 9282 of the Elections Code of the State of California, the legislative body of the City of Richmond, or any member or members of the legislative body authorized by the body, or any individual voter who is eligible to vote on the measure or bona fide association of citizens, or any combination of voters and associations, may file a written argument, not to exceed 300 words in length, accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers, for or against the City measures.

NOTICE IS FURTHER GIVEN that, based upon the time reasonably necessary to prepare and print the arguments and sample ballots for the election, the City Clerk has fixed Wednesday, August 21, 2024, during normal office hours, 8:30 a.m. to 5:00 p.m., as the date after which no arguments for or against the City measures may be submitted to the Clerk for printing and distribution to the voters as provided in Article 4. Arguments shall be submitted to the City Clerk, accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument, at the Richmond City Hall, 450 Civic Center Plaza, Suite 300, Richmond, California. No more than five signatures may appear on the argument.

NOTICE IS FURTHER GIVEN that the City Council of the City of Richmond has determined that rebuttal arguments, not to exceed 250 words in length, as submitted by the authors of the opposing direct arguments, may be filed with the City Clerk by Monday, August 26, 2024, during normal office hours, 8:30 a.m. to 5:00 p.m., accompanied by the printed names (s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers. No more than five signatures may appear on the rebuttal.

NOTICE IS FURTHER GIVEN that any ordinance, impartial analysis, or direct argument filed under the authority of the Elections Code 9295 will be available for the 10-calendar-day public examination in the City Clerk's office from Tuesday, August 27, 2024, to Thursday, September 5, 2024. Any rebuttal argument filed under the authority of the Elections Code will be available for public examination in the City Clerk's Office Tuesday, August 27, 2024, to Thursday, September 5, 2024.

The polls will be open on Election Day, November 5, 2024, between the hours of 7:00 a.m. and 8:00 p.m.

Pamela Christian
Clerk of the City of Richmond
City Elections Official

NOTA:

Si desea obtener informacion en Espanol de este aviso legal, puede llamar a la Oficina de la Secretaria Municipal, (510) 620-6513, Ext. 9.

Dated:
Publish: