

INTRODUCED: April 11, 2022

AN ORDINANCE No. 2022-119

To determine that the election of the members of the Council to be held on November 5, 2024, shall be conducted by ranked choice voting in accordance with section Va. Code § 24.2-673.1(B).

Patrons – Ms. Jordan, Mr. Addison and Ms. Lynch

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAY 9 2022 AT 6 P.M.

WHEREAS, pursuant to section 24.2-673.1(B) of the Code of Virginia (1950), as amended, “[e]lections of members of . . . a city council may be conducted by ranked choice voting;” and

WHEREAS, section 24.2-673.1(B) of the Code of Virginia (1950), as amended, further provides that “[t]he decision to conduct an election by ranked choice voting shall be made, in consultation with the local electoral board and general registrar, by a majority vote of the . . . city council that the office being elected serves;” and

WHEREAS, the City of Richmond Electoral Board and the City of Richmond General Registrar have been consulted on the decision to conduct the election of the members of the

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: SEP 12 2022

Council to be held on November 5, 2024, by ranked choice voting in accordance with section 24.2-673.1(B) of the Code of Virginia (1950), as amended; and

WHEREAS, the Council believes that it is in the best interests of the citizens of the City of Richmond that the election of the members of the Council to be held on November 5, 2024, be conducted by ranked choice voting in accordance with section 24.2-673.1(B) of the Code of Virginia (1950), as amended, and title 1, agency 20, chapter 100 of the Virginia Administrative Code;

NOW, THEREFORE,

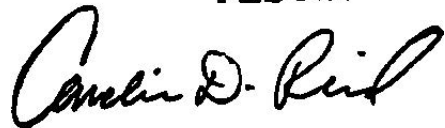
THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, pursuant to section 24.2-673.1(B) of the Code of Virginia (1950), as amended, and in accordance with title 1, agency 20, chapter 100 of the Virginia Administrative Code, the election of the members of the Council of the City of Richmond to be held on November 5, 2024, shall be conducted by ranked choice voting.

§ 2. That the General Registrar is hereby requested to promptly electronically transfer a certified copy of this ordinance to the Virginia Department of Elections in accordance with title 1, agency 20, chapter 100 of the Virginia Administrative Code.

§ 3. This ordinance shall be in force and effect upon adoption.

**A TRUE COPY:
TESTE:**

A handwritten signature in black ink, appearing to read "Camelin D. Reed". The signature is fluid and cursive, written over a white background.

City Clerk



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Haskell Brown, Interim City Attorney

THROUGH Joyce Davis, Interim Council Chief of Staff

FROM Steven Taylor, Council Policy Analyst

COPY Katherine Jordan, 2nd District Council Member
Sven Philipsen, 2nd District Liaison
Tabrica Rentz, Interim Deputy City Attorney

DATE March 17, 2022

PAGE/s 1 of 2

TITLE Adopting Rank Choice Voting for Council Elections for the 2024 General Election

This is a request for the drafting of an **Ordinance** ☒ **Resolution** ☐

REQUESTING COUNCILMEMBER/PATRON

Jordan

SUGGESTED STANDING COMMITTEE

Government Operations

ORDINANCE/RESOLUTION SUMMARY

Patron requests that legislation be drafted to implement rank choice voting for the next City Council elections in 2024, as authorized by the General Assembly.

BACKGROUND

- Chapter 1054 (2020 Acts of Assembly) authorizes localities to use ranked choice voting for the election of members of county boards of supervisors or city councils.
- Chapter 1054 provides that:
 - "Ranked choice voting" means a method of casting and tabulating votes in which (i) voters rank candidates in order of preference, (ii) tabulation proceeds in rounds such

that in each of round either a candidate or candidates are elected or the last-place candidate is defeated, (iii) votes for voters' next-ranked candidates are transferred from elected or defeated candidates, and (iv) tabulation ends when the number of candidates elected equals the number of offices to be filled. "Ranked choice voting" is known as "instant runoff voting" when electing a single office and "single transferable vote" when electing multiple offices.

- As prescribed by § 24.2-673.1 of the Code of Virginia, a county board of supervisors or city council may elect by majority to conduct an election for its members by ranked choice voting.
- The 2nd enactment clause of Chapter 1054 (2020 Acts of Assembly) requires the Virginia Department of Elections to recover any costs that it incurs to implement rank choice voting:

“2. That any costs incurred by the Department of Elections related to changes in technology that are necessary for the implementation of this act, including changes to technology for receiving the results of elections conducted pursuant to this act, shall be charged to the localities exercising the option to proceed with ranked choice voting.”

- The Virginia State Board of Elections has promulgated regulations for implementation of Ranked Choice Voting in local elections and has made them available on its website. <http://register.dls.virginia.gov/details.aspx?id=9721> Provisions of the regulations include requirements that:
 - Any ordinance to conduct an election by ranked choice voting must be enacted no later than 90 days prior to the date of the specified election.
 - The adoption for ranked choice voting shall only be valid for the election specified in the ordinance signed by the governing body. Application of Ranked Choice voting to subsequent elections would require adoption of a separate ordinance.
 - Vote reallocation shall be conducted with the Inclusive Gregory Method of Reallocation. The Virginia Register of Regulations, Vol. 37 Iss 24, July 19, 2021 provides that:
 - "Inclusive Gregory Method of Reallocation" means vote counts are transferred fractionally. When a candidate wins a seat, votes for that candidate are reweighted, multiplying their current weight by the quotient of their surplus vote divided by their total vote.”

FISCAL IMPACT STATEMENT

Fiscal Impact Yes ☐ No ☒

Budget Amendment Required Yes ☐ No ☒

Estimated Cost or Revenue Impact \$ TBD

- The impact statement prepared by the Virginia Department of Planning and Budget

projected that the State Board of Elections would incur costs of \$1.3 million, or more, for implementation of Chapter 1054:

- The State Board of Elections anticipates five contractors (business analyst, programmers, and a project manager) will be needed at an average cost of \$130 per hour for 2,000 hours each (\$1,300,000) for the systems changes currently identified. This estimate does not include costs for any additional changes that may be required pending further analysis.”
- As of November 30, 2021 only a few localities have contacted the State Board of Elections to inquire about implementation of Ranked Choice Voting. The number of localities that might ultimately opt to implement ranked choice voting is unknown. Therefore, it is not possible to determine if these costs will be shared by multiple localities.
- The State Board of Elections ***has not*** adopted a policy that covers the manner in which costs associated with Ranked Choice Voting will be billed to localities, as required by the 2nd enactment clause of Chapter 1054 (2020 Acts of Assembly).

Attachment/s

Yes ☐ No ☒