AGENDA REPORT

DATE:	April 30, 2024
TO:	Mayor Martinez and Members of the City Council
FROM:	Mayor Eduardo Martinez
Subject:	Consideration of a Possible Ballot Measure to Transition Richmond's Municipal Voting Method to Instant Runoff Elections
FINANCIAL IMPACT:	Staff time to examine the issue and draft ballot measure language and related ordinance language for the City Council to consider.
PREVIOUS COUNCIL ACTION:	None
STATEMENT OF THE ISSUE:	The action before the Council is to hear a report on Instant Runoff Voting and consider drafting a ballot measure for the 2024 General Election that upon passage would amend the City Charter to specify Instant Runoff Voting as the election method for Richmond's municipal elections.
RECOMMENDED ACTION:	RECEIVE a presentation on Instant Runoff Voting (IRV) from Cal RCV and DIRECT the City Attorney's Office to draft 1) language for an IRV ballot measure and 2) ordinance language to allow City Council to place that IRV ballot measure language on the 2024 General Election ballot. — Mayor's Office (Mayor Eduardo Martinez 510-620-6502).

DISCUSSION: DISCUSSION:

Who votes, and how, determines the integrity of our democratic system, both nationally and locally. As a city still grappling with the longstanding stranglehold of Chevron on its politics,

Richmond has a particular responsibility to ensure residents are incorporated into its democratic processes. California voters, in particular, feel their contributions to federal elections are negligible; municipal elections are therefore a place where our state's voters are most able to impact politics, their governing bodies, and the decisions that impact their daily lives.

All of this, combined with the trend of relatively low voter turnout in the City of Richmond, demands that we consider a new voting system that more accurately reflects Richmond's electorate.

CURRENT STATUS: Richmond Uses Plurality Voting System to Elect City Leaders.

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.

The City of Richmond's Charter currently mandates that the City fills its City Council Member and Mayoral vacancies by appointment or election. Richmond Mayor/Councilmembers are elected during general elections on a biannual basis in November. Currently, Richmond uses what's known as a "plurality election" system, in which the candidate who receives the most votes in their particular race becomes the elected official for that seat.

While nearly all California cities elect municipal officials using the plurality system, election experts have concluded that this system is not the best way to achieve a truly representative democracy. Problems with plurality voting include:

- In almost every plurality election, many voters are represented by someone who they did not help elect. This may lead to a lack of confidence and less faith in elected leadership. Because voters may feel like they lack power over the outcome, some people choose not to participate in elections at all, and voter turnout is depressed. This dynamic may contribute to the fact that people of color participate in elections at a lower rate than do white residents in Richmond and most other places.

- In plurality elections, candidates are incentivized to campaign against one another, which makes negative campaigning a more appealing strategy. The political polarization that results may last beyond the election season.

- Plurality voting is sensitive to the spoiler effect, a paradoxical situation where a losing candidate has the power to change the winner by siphoning off votes (i.e., "splitting the vote").

- Because of the spoiler effect, plurality voting encourages people to vote for a candidate they think can win even if it is not their favorite candidate in the race. This makes it difficult for new candidates to successfully run for office.

PROBLEM: The Richmond Election Reform Act (RERA) Worsens Representation.

In an effort to address the limitations of the plurality voting system, another election reform ballot measure is forthcoming on Richmond's November ballot. This initiative, entitled "The Richmond Election Reform Act (RERA)," proposes to add another election to each cycle, which would occur during the state primary. In this system, candidates would first face off in April of each

election year. If a candidate has more than 50% of the vote during this primary, they win. If no candidate has more than 50%, the top two vote-getters from the primary will then be voted on in a runoff during the general election. This is similar to the top-two system with open primaries used by the state.

There are two fundamental problems with RERA.

First, it adds a second municipal election to each voting cycle. This means additional costs not only for the City, but also for the candidates who have to run two campaigns— effectively freezing out less well-funded candidates. As previously referenced, the issue of campaign funding and resources is particularly troublesome in Richmond, given that big corporations often interfere in our local politics via their deep pocketbooks. Incumbents who are running for re-election will also necessarily focus on campaigning for a much longer period of time, meaning less attention to constituents and actual governance.

Second, California has a real issue getting people to the polls— and primaries typically have even lower voter turnout than in general elections. In 2022, Contra Costa County recorded that Richmond's primary had 33% fewer voters than in the general election. In March of this year, statewide turnout for the California primaries were at notably low levels. Given that California also has significant issues with voter demographics not being properly representative of the population, adding yet another date for voting threatens to further depress demographic representation in our elections. Because the RERA system would allow primary voters to select a winner without a runoff, those who miss voting in the primary in this scenario are essentially disenfranchised. If the runoff is needed, most voters will not have had a say in who the two runoff candidates are.

SUGGESTED CHANGE: To resolve the problems listed above, Richmond should consider an Instant Runoff Voting (IRV) system to replace plurality voting for city elections.

A better solution to the problems with plurality voting is the system of Instant Runoff Voting (IRV), which is also known as ranked choice voting. This method, which avoids the extra election costs and the low turnout issues of a primary, has already been adopted by such neighboring cities as Albany, Oakland, and San Francisco.

Under IRV, there is only one municipal election, and it takes place in November. It works like this: 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* run-off happens. Using election software, whoever is in last place is automatically eliminated, and the 2nd choice of those voters are counted.

Thus, if your first-choice gets eliminated, your vote goes to your second choice candidate. If there is still no candidate with more than 50%, the process is repeated until someone gets a majority of the votes. In other words, *a voter's preferences will be taken into account every step of the way*. Even if a voter's top candidate does not win, that voter's second (or third, etc) choice candidate might still be elected under this voting system.

There are numerous benefits to this voting method:

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

HISTORICAL VOTER REGISTRATION AND PARTICIPATION IN STATEWIDE PRIMARY ELECTIONS 1914 - 2022

The Public Policy Institute of California's "California's Future: Political Landscape" 2020 report concludes that "Californians who vote regularly tend to be older, white, affluent, college educated, and homeowners, while nonvoters are more likely to be younger, Latino, lower income, less educated, and

- election. This means that many more people will fully participate in the city election process than if Richmond decided to split voting in city races between two separate elections (i.e. a Primary Election in March or June followed by a General Election in November).

- 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.

- Instant Runoff Voting is associated with higher voter turnout rates than plurality elections. Instant Runoff Voting also leads to greater diversity among elected officials; it is associated with a rise in both women and people of color elected.

- Voters and candidates of color benefit from Instant Runoff Voting because it eliminates the "spoiler effect" in which a losing candidate earns enough of the total votes to change the outcome of the race. According to Fair Vote, under IRV "Candidates of color pay no penalty when they run against other candidates of the same race or ethnicity. When a candidate of color is eliminated, ballots are more likely to transfer to other candidates of the same race or ethnicity – meaning candidates of color are consolidating, rather than 'splitting,' their community's vote.

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DOCUMENTS ATTACHED:

Attachment 1 — Cal RCV City Council Presentation Deck_Richmond
Attachment 2 — Fair Vote RCV & Communities of Color Report 2024
Attachment 3 — RERA Initiative text

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