



April 22 2020
Submitted via email

Office of the City Clerk
Attn: Elizabeth Maland
202 C St., Second Floor
San Diego, CA 9210
cityclerk@sandiego.gov

Re: Submission of ‘Top-Four’ Ranked Choice Voting Ballot Proposal

Dear City Clerk,

As provided for in City Council Policy 000-21, we as residents and voting members of the City of San Diego are submitting to the City Council the following ballot proposal to amend Article II Section 10 of the City Charter to advance the top four candidates, instead of two, to the general election and adding a Section 10.5 to provide Ranked Choice Voting in the general election.

If no candidate receives a majority of all the first-choice votes in the general election, then the candidate with the fewest votes is eliminated. If a voter’s first choice is eliminated, their vote transfers to their next choice. This process repeats until one candidate has the support of the majority of voters. This change will provide voters more choice in the general election, promote more diverse ideas, encourage more civil campaigns, and assure the final winner has the support of the majority of voters.

Additions are single-underline italics Times New Roman.

Deletions are ~~strikethrough italics Times New roman~~.

The proposed Charter Amendment shall become effective at the 2022 Primary Municipal Election and reads as follows:

Section 10: Elections

Elective officers of the City shall be nominated and elected by all of the electors of the City except that City Council members shall be nominated and elected by the electors of the district for which elective office they are a candidate.

Commencing with the year 1996, the municipal primary elections to the office of Council member for Districts 1, 3, 5, and 7 shall be held on same date in each election year as the California State primary election, and the general municipal election for these offices shall be held on the same date as the California State general election for that year.

Commencing with the year 2012, the election to the office of Council member for District 9 shall be held on the same date as the election to the office of Council member for Districts 1, 3, 5, and 7.

Commencing with the year 1998, the municipal primary elections to the offices of Council member for Districts 2, 4, 6, and 8 shall be held on same date in each election year as the California State primary election, and the general municipal election for these offices shall be held on the same date as the California State general election for that year.

Commencing with the next municipal primary and general elections following the redistricting occurring after the 2010 national decennial census, and every four years thereafter, the municipal primary and general elections to the office of Council District 9 shall be held.

Commencing with the year 1984 the elections to the offices of Mayor and City Attorney shall be held every four (4) years. The municipal primary election for the offices of Mayor and City Attorney shall be held on the same date in each election year as the California State primary election, and the general municipal election for these offices shall be held on the same date as the California State general election for that year. All other municipal elections which may be held under this Charter shall be known as special municipal elections.

All elective officers of the City shall be nominated at the municipal primary election. The ~~two~~four candidates receiving the highest number of votes for a particular elective office at the primary shall be the candidates, and only candidates, for such office and the names of only those ~~two~~four candidates shall be printed upon the ballots to be used at the general municipal election. In the event only one candidate has qualified for the ballot in the municipal primary election for a particular elective office, the sole qualified candidate receiving votes in the municipal primary election shall be deemed to be, and declared by the Council to be, elected to such office after the primary election results are certified.

At the general municipal election held for the purpose of electing Council members, the electors of each Council district shall use ranked choice voting pursuant to Section 10.5 to select from among the candidates chosen at the primary election in that district one candidate for the office of the Council member whose term expires the succeeding December. At the general municipal election held for the purpose of electing any other elective officer, there shall be chosen by all of the electors of the whole City shall use ranked choice voting pursuant to Section 10.5 to select from among the candidates chosen at the primary one candidate to succeed any other elective officer whose term expires in December succeeding the election.

After the result of an election for any office is declared, or when an appointment is made, the City Clerk, under his or her hand and official seal, shall issue a certificate therefor, and shall deliver the same immediately to the person elected or appointed, and such person must within ten days after receiving such certificate file his official bond, if one be required for his office, and take and subscribe to the oath of office required of him by this Charter, which oath must be filed with the City Clerk.

Section 10.5: Ranked Choice Voting

A. Ranked choice voting is a method of casting and tabulating votes in which voters rank the candidates for office in order of preference. Elections conducted by ranked choice voting are tabulated in rounds, as specified in this division. General elections for the Mayor, City Attorney, and Council Members shall be conducted by ranked choice voting.

B. Definitions. For purposes of this division, the following terms have the following meanings

1. “Continuing candidate” means a candidate who has not yet been designated as elected or defeated.
 2. “Continuing ballot” means a ballot that contains at least one continuing candidate and has not reached an overvote.
 3. “Majority of votes” means more than fifty percent of the votes coming from continuing ballots.
 4. “Exhausted ballot” means a ballot that is not an undervote that does not contain a continuing candidate, or that has reached an overvote, making the ballot unable to be transferred to another continuing candidate.
 5. “Overvote” means an instance in which a voter has ranked more than one candidate at the same ranking.
 6. “Ranking” means the number assigned to a candidate that establishes the order in which a ballot is transferred to that candidate. The ranking with the lowest numerical value indicates the voter’s highest-ranked continuing candidate, with the rankings increasing in numerical value for the voter’s lower-ranked continuing candidates.
 7. “Skipped ranking” means a voter has left a ranking order unassigned but ranks a candidate at a subsequent ranking order.
 8. “Undervote” means a ballot that does not contain any candidates at any ranking order in a particular contest.
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- C. Ballot. The ranked choice voting ballot shall allow voters to rank as many choices as there are candidates.
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- D. Tabulation. In any election conducted by ranked choice voting, each ballot shall count as one vote for the highest-ranked continuing candidate on that ballot. tabulation proceeds in rounds as follows:
1. The number of votes cast for each candidate are counted. If any continuing candidate has more than fifty percent of the votes cast on continuing ballots, that candidate is declared the winner of the election. If no candidate has more than fifty percent of the votes cast on continuing ballots, tabulation proceeds as described in paragraph (2).
 2. The candidate with the fewest votes is defeated and votes for the defeated candidates are transferred to each ballot’s next-ranked continuing candidate.
 3. Once candidate elimination and vote transfers are complete, a new round starts again pursuant to paragraph (1).
- E. If a ballot contains a skipped ranking, the ballot shall be transferred to the highest-ranked continuing candidate.
- F. If two or more candidates are tied with the fewest number of votes, the candidate to be defeated shall be determined by lot.
- G. Reports.
1. Summary, ballot image, and comprehensive reports shall be made available after each ranked choice voting election, as follows: (1) The “summary report” for a race shall mean a report that lists the candidate vote totals in each round, along with the cumulative numbers of undervotes, overvotes, and exhausted ballots in each round. (2)

The "ballot image report" for a race shall mean a report that lists, for each ballot, the candidate or candidates indicated at each ranking, the precinct of the ballot, and whether the ballot was cast absentee. In the report, the ballots shall be listed in an order that does not permit the order in which they were cast in each precinct to be reconstructed. (3) The "comprehensive report" for a race shall mean a report that breaks the numbers in the summary report down by precinct. The report shall list for each round the number of ballots cast in each precinct (a) that count as votes for each candidate in that round, (b) that have been declared undervotes, (c) that have been declared overvotes up to that point, and (d) that have been declared exhausted up to that point. (4) Mode and manner of release. Preliminary versions of the summary report and ballot image report shall be made available as soon as possible after the ballots have begun to be processed and counted. The summary report, ballot image report, comprehensive report, and preliminary versions of the summary report and ballot image report shall be made available to the public during the canvass via the internet and by other means. The ballot image report and preliminary versions of the ballot image report shall be made available in a plain text electronic format.

2. After a candidate is declared the winner, tabulation may continue to be run until only two candidates remain and the results of the additional rounds of tabulation, if any, shall be included in the summary report
- H. Manual Tally. Prior to the selection of precincts for the public one percent manual tally, as provided by State law, a report shall be made available to the public that lists, for the ballots subject to the manual tally, the number of those ballots in each precinct that counted in each round as undervotes, overvotes, inactive ballots, and as votes for each candidate. The public manual tally shall check those vote totals in each of the randomly selected precincts.
- I. General Provisions. Ranked choice voting elections for city offices shall be conducted according to the procedures in this section. The City shall conduct a voter education campaign to familiarize voters with ranked choice voting. The use of ranked choice voting shall commence with the 2022 General Municipal Election.

[Statement of Reasons and Signatures Below]

STATEMENT OF REASONS

San Diegans for More Voter Choice in City Elections

A statement of the reasons for the proposed action as contemplated in said amendment is as follows:

Purpose: is to modify the election process in the City to provide voters more choice, more voice, more diverse ideas, and more civility in elections:

1. **More choice.** Voters get more choice in elections and ensure that winners are supported by a majority.
2. **More voice.** Voters can vote for the candidate they like the best without worrying that they will help the candidate they like the least.
3. **More diversity.** Candidates from underrepresented populations or smaller parties are more likely to advance to the general election.
4. **More civility.** Voters can reward candidates who engage in positive campaigning by ranking them ahead of other candidates.

Voters will still cast their ballot for one candidate in the primary, but now the top-four vote getters advance to the general election instead of just two. As a voter you can still vote for only 1 candidate in the November General election or you can rank the four candidates in order of preference (first choice, second choice, and so on). If any candidate receives the majority of votes they are declared the winner. If no candidate receives a majority, the candidate with the least number of votes is defeated. If that candidate was your first choice your vote is automatically transferred to your second choice. This process is repeated until a candidate has 50%+1 of the vote.

Offices: All elective officers of the City

Ranked Choice Voting is not new. It has been enacted or used for some elections in 25 states, 18 U.S. cities, and the State of Maine.

Sincerely,



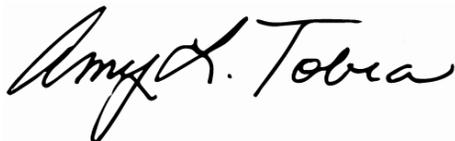
Ed Chaplin
Representative, MoreChoiceSD Team



Lori Thiel
President, San Diego League of Women Voters



S. Chad Peace
Legal Advisor, Independent Voter Project



Amy Tobia
Local Representative of Represent.us

This proposed measure is also supported by state and national organizations including FairVote and the Committee for Ranked Choice Voting.



Cara McCormick
co-Founder, Committee for Ranked Choice Voting



Pedro Hernandez
Senior Policy Coordinator, FairVote

cc: San Diego City Councilmembers, Mayor, and City Attorney