ORDINANCE NO. 9512-21

AN ORDINANCE OF THE CITY OF CLEARWATER FLORIDA, SUBMITTING TO THE CITY ELECTORS A PROPOSED AMENDMENT TO THE CITY CHARTER AMENDING SECTION 8.05 TO PROVIDE FOR RANKED CHOICE VOTING FOR CITY COUNCIL ELECTIONS; PROVIDING FOR A REFERENDUM ELECTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council proposes to amend the charter to allow for Ranked Choice Voting. The purpose for this section is to describe the method by which all city councilmembers will be elected; and

WHEREAS, amending the charter to include Ranked Choice Voting ensures city officials are elected by a majority vote in an efficient and cost-effective process, fostering broad and diverse participation; and

WHEREAS, "Ranked Choice Voting" (RCV) means a method of casting votes that stimulates the ballot counts which occurs when all voters participate in a series of runoff elections with one candidate eliminated after each round of counting. The RCV method of voting allows for voters to rank their candidates in order of preference.

WHEREAS, Ranked Choice Voting is not currently approved by the Secretary of State for use in Florida city elections; and

WHEREAS, a referendum election will be called at the regular city election for the consideration of the voters of the City of Clearwater; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEARWATER, FLORIDA

Section 1. The foregoing prefatory clauses are hereby fully incorporated herein as findings of the City Council.

Section 2. It is hereby proposed that Section 8.05(a) of the City Charter be amended as follows:**Section 8.05. - Elections.**

(a) *Council positions.* All members of the city council shall be elected at large. The candidate receiving the largest number of votes among the candidates for that seat shall be elected, until such time as Ranked Choice Voting (RCV) is able to be implemented under the necessary state approvals and regulations. RCV shall be conducted as follows:

.(1). When two or more persons qualify as candidates for one of the seats on the city council, the qualifiers shall have their names placed on the ballot for the city election to be held on the second Tuesday in March. The

initial round of counting shall be a count of the first choices marked on each ballot.

(2) If no candidates receive the majority of first choices, there shall be a second round of counting where the candidate with the fewest number of votes shall be eliminated. At this time, all the continuing ballots shall be recounted. Each continuing ballot will be counted as one vote for that ballot's highest ranked advancing candidate.

(3) If no candidate receives a majority of votes of continuing ballots at the second round of counting there shall be a third round of counting. The candidate with the fewest number of votes shall be eliminated, and all the continuing ballots shall be recounted. Each continuing ballot shall be counted as one vote for that ballot's highest ranked advancing candidate.

(4) The process of eliminating the candidates with the fewest number of votes and recounting all the continuing ballots shall continue until one candidate receives a majority of the votes of continuing ballots in a round. The candidate who receives a majority of the votes of continuing ballots in a round shall be deemed and declared to be elected.

(5) When a ballot becomes an exhausted ballot it shall not be counted in that round or any subsequent round.

(6) When only one (1) person qualifies as a candidate for a seat on the city council, the name of such person shall not appear on the ballot, and such person shall be declared elected and shall assume office at the same time and in the same manner as if elected in the regular city election.

(b) *Regular elections.* Regular city elections shall be held on the second Tuesday in March of each year in which a council term expires.

(c) *Special elections.* Special municipal elections may be called by the council at any time for such purposes as are authorized by law.

(d) The Pinellas County Canvassing Board shall serve as the City of Clearwater's canvassing board, unless otherwise provided by ordinance.

Section 3. A referendum election is hereby called and will be held on March 15, 2022, at the regularly scheduled City election for the consideration of the voters of the City of Clearwater for the proposed question. The question to appear on the referendum ballot shall be as follows:

Implementation of Ranked Choice Voting for Election of City Council

Shall City Charter Section 8.05(a) be amended as provided in Ordinance 9512-21 to provide for candidates for City Council to be elected by the Ranked Choice Voting method which provides for electors to rank candidates in order of preference and for the candidate with the fewest votes to be eliminated and the ballots to be recounted for the remaining candidates until one candidate remains with a majority of votes.

Yes_____ For amendment to City Charter

No_____ Against amendment to City Charter

Section 4. The City Clerk is directed to notify the Pinellas County Supervisor of Elections that the referendum item provided above shall be considered at the general election to be held on March 15, 2022.

Section 5. This Ordinance shall take effect immediately upon adoption. The amendments to the City Charter provided for herein shall take effect after approval of a majority of the City electors voting at the referendum election on these issues and the filing of the Amended Charter with the Secretary of State, and one year after state certification of a voting system capable of running a ranked choice election.

PASSED ON FIRST READING _____

PASSED ON SECOND AND FINAL READING AND ADOPTED _____

_____
Frank Hibbard, Mayor

Approved as to form:

_____
Pamela K. Akin, City Attorney

Attest:

_____
Rosemarie Call, City Clerk