

INITIATIVE ORDINANCE NO. 26-____
(Approved by the Voters on November 3, 2026)

AN ORDINANCE OF THE CITY OF IRVINE, CALIFORNIA,
DIRECTING, TO THE EXTENT TECHNICALLY AND
FINANCIALLY FEASIBLE, THE USE OF RANKED CHOICE
VOTING FOR CITY COUNCIL MEMBER AND MAYORAL
ELECTIONS OCCURRING AFTER JANUARY 1, 2028

THE PEOPLE OF THE CITY OF IRVINE DO ORDAIN AS FOLLOWS

SECTION 1. AMENDMENT TO MUNICIPAL CODE. Title 1 (General Services), Division 2 (City Council), Chapter 6 (Ranked Choice Voting Elections) is added to read in its entirety as follows:

CHAPTER 6. – RANKED CHOICE VOTING ELECTIONS

- Sec. 1-2-601. – Definitions.**
- Sec. 1-2-602. – General Provisions.**
- Sec. 1-2-603. – Ballot.**
- Sec. 1-2-604. – Tabulation.**
- Sec. 1-2-605. – Ties.**
- Sec. 1-2-606. – Skipped Rankings; Multiple Rankings for One Candidate.**
- Sec. 1-2-607. – Elimination of Undervotes, Overvotes, and Exhausted Ballots.**
- Sec. 1-2-608. – Reports.**
- Sec. 1-2-609. – Continuing the Tally to Two Candidates.**
- Sec. 1-2-610. – Manual Tally.**
- Sec. 1-2-611. – Election Procedures if Ranked Choice Voting is Not Feasible.**

Sec. 1-2-601. – Definitions.

The definitions contained in this section shall govern the construction, meaning, and application of words and phrases used in this chapter. Words or phrases used in this chapter that are not specifically defined in this section shall be interpreted in the manner required by Section 1-1-102.

“*Choice*” means an indication on a ballot of a voter’s assigned ranking of candidates (*i.e.*, first choice, second choice, third choice, *etc.*) for any single office according to the voter’s preference.

“*Continuing ballot*” means a ballot that counts towards a continuing candidate.

“*Continuing candidate*” means a candidate that has not been eliminated.

“*Majority of votes*” shall mean more than fifty percent (50%) of the votes cast on continuing ballots.

EXHIBIT A

“Next ranked” means the highest ranked choice for a continuing candidate.

“Ranked choice voting” shall mean an election system in which voters rank the candidates for office in order of preference, and the ballots are counted in rounds that, in the case of a single-winner election, simulate a series of runoffs until one candidate receives a majority of votes. Also known as “instant runoff voting.”

“Round of counting” or *“round”* means a step in the counting process during which votes for all continuing candidates are tabulated for the purpose of determining whether a candidate has achieved a majority of the votes cast for a particular office, and, absent a majority, which candidate or candidates must be eliminated. During the tally of the election, preliminary results of city contests using RCV shall be released at the same time as all other city contests have preliminary results released.

“Skipped ranking” means a ballot contains a higher ranking with no candidate indicated and contains a lower ranking with a candidate indicated for a single office.

“Vote” means a ballot choice that is counted toward the election of a candidate. During each round of counting, each continuing ballot contains one vote. All first choices are votes and lower ranked choices are potential runoff votes that may, in accordance with the requirements of this chapter, be credited to and become votes for a candidate.

“Voting equipment” means all ballots and/or voting devices, vote tabulating systems and/or similar or related systems to be used in the conduct of the City's election, including but not limited to paper ballot systems, optical scan systems, and touchscreen systems.

Sec. 1-2-602. – General Provisions.

- A. Except as specified in Section 1-2-611.A, ranked choice voting elections for single-winner city offices shall be conducted according to the procedures in this Chapter.
- B. Ranked choice voting shall commence with all city council member and mayoral elections from and after January 1, 2028.
- C. Ranked Choice Voting shall not preclude the City from consolidating its municipal elections with the County.

Sec. 1-2-603. – Ballot.

- A. The ranked choice voting ballot shall allow voters to rank at least five choices. The City Council may set a higher number of rankings by resolution.

- B. The ballot shall not interfere with a voter's ability to rank a write-in candidate.
- C. Instructions provided to voters shall conform substantially to the following specifications but may be modified based on ballot design and voting equipment used:

"Vote by ranking candidates in your order of choice. You may rank as many or as few candidates as you choose. Select a different candidate for each ranking. Select only one candidate in each ranking. Ranking more candidates will not hurt your higher ranked candidates. Do not skip rankings. In the event you do skip a ranking, your vote will be given to your next continuing candidate."

Sec. 1-2-604. – Tabulation.

The ballots shall be counted in rounds.

- A. In the first round, every ballot shall count as a vote towards the first-choice candidate; provided, however, that if no first choice candidate is indicated on a ballot, then that ballot shall count as a vote towards its next ranked candidate.
- B. After any round, if any candidate receives a majority of votes from the continuing ballots, that candidate shall be declared the winner.
- C. If no candidate receives a majority, the candidate receiving the fewest number of votes shall be eliminated.
- D. Every ballot counting towards the eliminated candidate shall be advanced to the next ranked continuing candidate. All the continuing ballots for all continuing candidates shall be counted again in each new round.

Sec. 1-2-605. – Ties.

If two or more candidates tie for the fewest number of votes, the candidate to eliminate shall be chosen by lot.

If there are only two candidates in the final round and they are tied, the winner will be the candidate who received the higher number of votes in round one.

Sec. 1-2-606. – Skipped Rankings; Multiple Rankings for One Candidate.

Consistent with Section 1-2-604.D, in the first or any round, if any ballot reaches a ranking with no candidate indicated, that ballot shall immediately be advanced to the next ranking; If a voter ranks a single candidate more than once, only the highest ranking given to that candidate is accepted, and each lower ranking for that same candidate is ignored as if it were a skipped ranking.

Sec. 1-2-607. – Elimination of Undervotes, Overvotes, and Exhausted Ballots.

For purposes of this Section and Section 1-2-608, the following definitions shall apply:

- A. "Undervote" means a ballot that is blank and has no candidates indicated at any ranking.
- B. "Overvote" means a ballot which indicates a vote for more than one candidate in the applicable round of voting.
- C. "Exhausted" means a ballot that cannot be advanced to the next round because no further continuing candidates are ranked on the ballot.

For each round, all ballots that qualify as undervote, overvote, or exhausted shall not count toward any candidate, nor shall such ballots be counted in any further round.

Sec. 1-2-608. – Reports.

The following reports shall be produced for public review.

- A. The "summary report" for a contest shall mean a report that lists the candidate vote totals in each round, and the cumulative numbers of undervotes, overvotes, and exhausted ballots in each round.
- B. The "ballot cast report" for a contest 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 by a vote-by-mail ballot. 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.
- C. The "comprehensive report" for a contest shall mean a report that lists the vote totals in the summary report by precinct. The report shall list, for each round, the number of ballots cast in each precinct that:
 - 1. were tallied as votes for each candidate in that round,
 - 2. have been declared undervotes,
 - 3. have been declared overvotes, cumulatively for all previous rounds and inclusive of the reported round of tabulation, and
 - 4. have been declared exhausted cumulatively for all previous rounds and inclusive of the reported round of tabulation.

- D. 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 commencement of the canvass of votes cast. 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. In any case, preliminary versions of these reports shall be made available to the public prior to the commencement of the manual tally.

Sec. 1-2-609. – Continuing the Tally to Two Candidates.

If a winner is declared when there are three or more continuing candidates (including the winner), and if the vote tabulating system allows for it, additional rounds of tallying shall occur until there are only two candidates left for reporting purposes only.

Sec. 1-2-610. – Manual Tally.

- A. A preliminary version of the comprehensive report shall be made available to the public prior to the selection of precincts for the public one percent manual tally, as provided by state law.
- B. After each round of the manual tally, the second and third choice votes shall be assigned based on the candidate totals in the summary round-by-round report for the entire contest.

Sec. 1-2-611. – Election Procedures if Ranked Choice Voting is Not Feasible.

- A. If the voting equipment cannot feasibly accommodate ranked choice voting, then the City shall continue to use the plurality voting procedures that were used prior to January 1, 2028, until such time as the voting equipment can feasibly accommodate ranked choice voting.
- B. If the voting equipment cannot feasibly accommodate all of the procedures in section 1-2-601 through 1-2-610, the City Clerk may make changes to those procedures provided that ranked choice voting shall still be used and the smallest feasible number of changes made until such time as the voting equipment can accommodate those procedures in their entirety.

C. If the Secretary of State changes its currently adopted Instant Runoff Voting Guidelines (“Instant Runoff Voting in Charter Counties and Charter Cities”) for the conduct of ranked choice voting elections and the voting equipment used to conduct the County of Orange’s elections can accommodate the changes in the State’s guidelines, the City Clerk shall have the option of adopting those guidelines, in whole or in part, in lieu of the ranked choice voting procedures in this section.

D. Managing the Cost of RCV for Irvine

1. For purposes of this sub-section 1-2-611(D) the following definitions shall apply:
 - i. “Estimated Election Cost” means the City’s adopted budget for the next election that will include a single-winner city office.
 - ii. “RCV Cost” means the additional cost to the city above and beyond the latest currently provided Estimated Election Cost for the next non-ranked choice voting election that will include a single-winner city office.
 - iii. “RCV Cost Limit” means 0.23% of the then-current total city general fund budget for the fiscal year within which the general election will be held.
2. The RCV Cost shall be calculated by adding (i) the average of the low and high range estimate from the Orange County Registrar of Voters regarding the County of Orange’s additional costs that will be billed to the city for the use of ranked voting at the next scheduled election that includes a single-winner city office to (ii) an estimate from the City Clerk of the additional City costs to be incurred for the use of ranked choice voting at the next scheduled election that includes a single-winner city office.
3. If the RCV Cost is greater than the RCV Cost Limit, then the City Council shall not transition to ranked choice voting at the next council member and/or mayoral election. The comparison of RCV Cost to RCV Cost Limit shall occur prior to each subsequent council member and/or mayoral election until the City transitions to ranked choice voting.
4. Once a ranked choice voting election has occurred during any election cycle in the city, ranked choice voting shall continue to be used at every subsequent election unless the voters replace it with another system. This sub-section 1-2-611(D) only applies to the first usage of ranked choice voting.

SECTION 2. CONSTRUCTION. To the maximum extent authorized by law, this Ordinance shall be interpreted in a manner consistent with the right of initiative reserved to the people by the California Constitution. Without limiting the foregoing, nothing in this Ordinance is intended to diminish or otherwise alter applicable requirements of state and federal law.

SECTION 3. INCONSISTENT PROVISIONS. Any provisions of the Irvine Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The voters of the City hereby declare that they would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 5. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION. The voters of the City hereby find that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15060(c)(2) and 15061(b)(3) in that the proposed changes are not anticipated to result in a direct or reasonably foreseeable indirect physical change in the environment and it can be seen with certainty that they will not have the potential of creating a significant effect on the environment; rather, the changes effectuated by this Ordinance merely change the order of voting procedures for city council member and mayoral elections.

SECTION 6. FUTURE AMENDMENTS. Pursuant to article II, section 10(c) of the California Constitution, the provisions contained in this Ordinance may be amended by a five-sevenths vote of the City Council only to the extent such amendments further or expand the intent and objectives set forth in this Ordinance. All other amendments or any proposed repeal of the provisions contained in this Ordinance shall become effective only when approved by the voters.

SECTION 7. EFFECTIVE DATE. This Ordinance shall go into effect ten (10) days after the date on which the election results are declared by the City Council.

ADOPTED by the vote of the people of the City of Irvine on November 3, 2026, at a General Municipal Election as certified by the City Council of the City of Irvine on the ____ day of December, 2026, and becomes effective 10 days thereafter on _____.

ATTEST:

CITY CLERK OF THE CITY OF IRVINE

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF IRVINE)

I, CARL PETERSEN, City Clerk of the City of Irvine, HEREBY DO CERTIFY that the foregoing Ordinance was adopted by the voters of the City of Irvine as an initiative measure at an election held on November 3, 2026, as certified by the City Council of the City of Irvine on the ____ day of December, 2026, and that the ordinance becomes effective 10 days thereafter on _____.

CITY CLERK OF THE CITY OF IRVINE