

Ordinance of the City of Jersey City, N.J.

File No. Ord. 24-017
Agenda No. 3.4 (1st Reading)
Agenda No. 4.4 (2nd Reading and Final Passage)



AN ORDINANCE AMENDING THE CHARTER OF THE CITY OF JERSEY CITY TO ADOPT RANKED CHOICE VOTING AS THE METHOD TO ELECT THE MAYOR, COUNCIL, AND SCHOOL BOARD SUBJECT TO THE APPROVAL OF THIS ORDINANCE BY THE VOTERS TO AMEND THE CITY CHARTER BY BINDING REFERENDUM TO BE HELD UPON THE ENACTMENT OF STATE LEGISLATION PERMITTING SUCH CHARTER AMENDMENT.

COUNCIL AS A WHOLE offered and moved adoption of the following ordinance:

WHEREAS, the City of Jersey City (“Jersey City”) is governed by the Mayor-Council Form C of Government under the Optional Municipal Charters Law of 1950, more commonly known as the Faulkner Act, N.J.S.A. 40:69A-1; and

WHEREAS, pursuant to N.J.S.A. 40:69A-34.1(b), the City of Jersey City previously opted to hold its regular, municipal elections on the first Tuesday in November, subject to the Uniform Nonpartisan Law, N.J.S.A. 40:45-5 et seq., and to require run-offs if no candidate receives a majority of the votes cast in accordance with N.J.S.A. 40:45-18; and

WHEREAS, N.J.S.A. 40:45-19 mandates that run-off elections must occur on the subsequent Tuesday after the first Monday in December; and

WHEREAS, no additional options, such as the use of Ranked Choice Voting to enable the holding of an “instant run-off” election, are currently legally permitted in the State of New Jersey; and

WHEREAS, Ranked Choice Voting (“RCV”) is a simple upgrade to the way Jersey City voters currently vote. RCV enables voters to rank candidates in the order of preference and ensures that winners of any election have the support of – and are accountable to – a majority of voters; and


WHEREAS, RCV in its most common form is a majority runoff for single-winner races where votes are transferred from the lowest ranked candidate up to higher ranked candidates until one person achieves 50% plus of the votes cast. This method of counting is known as “Instant Run-off;” and

WHEREAS, there is also a proportional version of RCV often used for multi-winner races like those held for at-large council members of the City Council, Jersey City’s school board, and its two General Assembly seats. In this version of RCV, known as “Single Transferable Vote,” each candidate that receives the necessary threshold number of votes (that vary with the number of seats elected) is elected. All votes in excess of that threshold of any elected candidate are then transferred to the voters' next preferred candidate on a proportional basis. Subsequently, votes are transferred from the lowest-ranked candidate up to higher-ranked candidates until another candidate achieves the threshold number of votes. This process continues until all seats are filled.


WHEREAS, the City Council would like to give the voters of Jersey City the opportunity to adopt RCV to elect the Mayor, Council members, and School Board members once the state law is changed to permit such a method of voting;

WHEREAS placing a binding question before the voters at the first general election after state legislation, namely S.1622/A.4042 or their successor bills, is adopted, which permits all municipalities, including those governed by

APPROVED AS TO LEGAL FORM



Business Administrator



Corporation Counsel

An Ordinance amending the Charter of the City of Jersey City to adopt Ranked Choice Voting as the method to elect the Mayor, Council, and School Board subject to the approval of this Ordinance by the voters to amend the City Charter by Binding Referendum to be held upon the enactment of State Legislation permitting such Charter amendment.

the Faulkner Act form of government, to employ RCV to elect their local officials would permit the voters to be heard at no additional cost on whether they desire to use RCV to elect their Council and School Board members; and

WHEREAS, it is anticipated that N.J.S.A. 40:69A-25.1(b) or other statute will be amended to permit such question to be submitted to the voters in substantially the following form:

“Should the Charter City of Jersey City, governed by Mayor-Council Form C, be amended as permitted under that plan, to provide for the holding of its regular municipal and school board elections using RCV for the election of the Mayor, and all Council and School Board members, and counting those at-large races by using a method known as “Instant Run-Off” when one candidate is up for election and a method known as “Single Transferable Vote” when two or more candidates are up for election.?”

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the City of Jersey City that:

1. The Municipal Clerk is hereby directed to submit the following question to the voters in a binding referendum election to be held at the first general election in November following the enactment of state legislation, namely S.1622/A.4042 or their successor bills, permitting municipalities the conduct their municipal elections using RCV:

“Should the Charter City of Jersey City, governed by Mayor-Council Form C, be amended as permitted under that plan, to provide for the holding of its regular municipal and school board elections using RCV for the election of the Mayor, and all Council and School Board members, and counting those at-large races by using a method known as “Instant Run Off” when one candidate is up for election and a method known as “Single Transferable Vote” when two or more candidates are up for election.?”

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
4. This ordinance shall take effect subject to the terms of this ordinance at the time and in the manner as provided by law.
5. The City Clerk and the Corporation Counsel are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

An Ordinance amending the Charter of the City of Jersey City to adopt Ranked Choice Voting as the method to elect the Mayor, Council, and School Board subject to the approval of this Ordinance by the voters to amend the City Charter by Binding Referendum to be held upon the enactment of State Legislation permitting such Charter amendment.

RECORD OF COUNCIL VOTE ON INTRODUCTION – Mar 20 2024						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	8-0-1
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	ABSTAIN	GILMORE	AYE	WATTERMAN, PRES	AYE	

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING – Apr 10 2024						
RIDLEY	ABSENT	SALEH	AYE	DEGISE	AYE	8-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES.	AYE	


SPEAKERS:
Veronica Akaezuwa, Joel Rothfus, Barry Bender, Katie Brennan, Elvin Dominic, Brendan Doohan, Michael Halasnik, Edward Penkins, Athos Kyriakides, Mike Zimmer, Max Machado, Jak Cunningham, Richardo Rojas, Linda Velwost, Denise Daleraccio, Anastasios Zouroudis, Florence Jin, Kaylah Biringham, Eleana Little, Jules Mugema, Adrian Fontannez, Lou Ciarlo, Brendan Coughlin, Hayden Hensley, Tina Nalls, Jeff Goodwin, Rebecca Missel, June Jones, Andrei Sessgrman, Renee Steinhagen

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY –						
RIDLEY		SALEH		DEGISE		
PRINZ-AREY		SOLOMON		RIVERA		
BOGGIANO		GILMORE		WATTERMAN, PRES.		


RECORD OF FINAL COUNCIL VOTE – Apr 10 2024						
RIDLEY	ABSENT	SALEH	AYE	DEGISE	AYE	7-0-1
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	ABSTAIN	GILMORE	AYE	WATTERMAN, PRES.	AYE	

Adopted on first reading of the Council of Jersey City, N.J. on **Mar 20 2024**
Adopted on second and final reading after hearing on **Apr 10 2024**


This is to certify that the foregoing Ordinance was adopted
by the Municipal Council at its meeting on Apr 10 2024



City Clerk



Joyce E. Watterman, President of Council
Approved: Apr 10 2024



Steven M. Fulop, Mayor
Date to Mayor: Apr 11 2024
Approved: Apr 11 2024

An Ordinance amending the Charter of the City of Jersey City to adopt Ranked Choice Voting as the method to elect the Mayor, Council, and School Board subject to the approval of this Ordinance by the voters to amend the City Charter by Binding Referendum to be held upon the enactment of State Legislation permitting such Charter amendment.

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FACT SHEET -

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Project Manager

Frank E. Gilmore, Councilperson		2012730245	EWALKER@JCNJ.ORG; FEGILMORE@JCNJ.ORG
Department	Municipal Council		
Division	Municipal Council		

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 1:00 p.m.)

Meeting	Regular Meeting of Municipal Council - Mar 20 2024
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Purpose

Ranked Choice Voting (“RCV”) enables voters to rank candidates in the order of preference and ensures that winners of any election have the support of – and are accountable to – a majority of voters. This trigger ordinance -- enacted once the state law is changed to permit such a method of voting -- proclaims that Jersey City voters will have the opportunity, on the following General Election ballot, to adopt the RCV method on all Mayoral, Council, and School Board member elections moving forward.
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Cost (Identify all sources and amounts)

Contract term (include all)

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ATTACHMENTS:

032024 RCV Trigger Ordinance PDF
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Approved by
John Metro, Business Administrator

Status:
Approved - Mar 20 2024

ORDINANCE OF THE CITY OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

Offered and moved adoption of the following ordinance:

CITY ORDINANCE 21-

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WHEREAS, placing a binding question before the voters at the first general election after state legislation, namely S.1622/A.4042 or their successor bills, is adopted, which permits all municipalities, including those governed by the Faulkner Act form of government, to employ RCV to elect their local officials would permit the voters to be heard at no additional cost on whether they desire to use RCV to elect their Council and School Board members; and

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APPROVED AS TO LEGAL FORM

APPROVED:

Corporation Counsel

APPROVED: _____
Business Administrator