On October 2, 2017 the City Council adopted Resolution No. 17-153 requesting that, pursuant to M.S. 410.12, Subd. 7, the Charter Commission study and make recommendations regarding two possible Charter amendments.

- The first council directive is asking the Charter Commission to study and make a recommendation as to whether the City’s Charter should or should not be amended to provide for the use of Ranked Choice Voting (RCV) in municipal elections.

- The second council directive is asking the Charter Commission to study and make a recommendation on amending the City’s Charter provisions related to campaign finance contribution limits.

Since 2006 the City Council has discussed the use of RCV for municipal elections in St. Louis Park on numerous occasions. Following their most recent discussions, it was determined that a majority of the members of the City Council are interested in implementing RCV for the municipal election in 2019. In order to implement the use of RCV for municipal elections the city would need to authorize its use in the City Charter. Home rule charter cities are not required to seek legislative authorization if the RCV process is incorporated into the city charter.

Additionally, during the 2017 election cycle it was determined that a provision in the City’s Charter relating to campaign finance contribution limits is in conflict with state statute. The City Council has also asked that the Charter Commission review and make a recommendation on a change that would bring the Charter in line with the limits set forth in statute.

State statute provides four ways a city charter can be amended. In this instance the city council has asked the Charter Commission to consider amending the Charter pursuant to the process outlined in M.S. 410.12, Subd. 7. The entirety of M.S. 410.12 is attached for your information and review.

Chair Maaske requested that staff provide all staff reports and meeting minutes from City Council and/or Charter Commission meetings at which RCV has been discussed since 2006. These materials are attached for your information and review.

The City Attorney will be in attendance to answer questions and review the statutory timeline for the Charter Commission’s consideration of the proposed amendments.

Attachments: City of St. Louis Park Resolution No. 17-153
M.S. 410.12
RCV Discussion History – Staff Reports and Meeting Minutes

Prepared by: Melissa Kennedy, City Clerk
RESOLUTION NO. 17-153

RESOLUTION REQUESTING THAT THE ST. LOUIS PARK CHARTER COMMISSION PROVIDE RECOMMENDATIONS TO THE CITY COUNCIL REGARDING TWO POSSIBLE CHARTER AMENDMENTS

WHEREAS, the City Council of the City of St. Louis Park has discussed over the last several years the use of Ranked Choice Voting (RCV) as a method to elect candidates to the city council; and

WHEREAS, a majority of the members of the City Council are interested in implementing RCV for the municipal election in November, 2019; and

WHEREAS, it has been determined that the City’s Charter relating to campaign finance contribution limits is in conflict with state statute.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Louis Park, Minnesota, that pursuant to M.S. 410.12, Subd. 7 the City Council requests that the St. Louis Park Charter Commission study and make a recommendation to the City Council as to whether the City’s Charter should be amended to provide for the use of RCV; and

BE IT FURTHER RESOLVED that pursuant to M.S. 410.12, Subd. 7 the City Council requests the Charter Commission study and make a recommendation to the City Council as to whether the City’s Charter should be amended relating to campaign finance contribution limits.

Reviewed for Administration: Adopted by the City Council October 2, 2017

Thomas K. Hoemering, City Manager

Jake Spano, Mayor

Attest:

Melissa Kennedy, City Clerk
410.12 AMENDMENTS.

Subdivision 1. Proposals. The charter commission may propose amendments to such charter and shall do so upon the petition of voters equal in number to five percent of the total votes cast at the last previous state general election in the city. Proposed charter amendments must be submitted at least 17 weeks before the general election. Only registered voters are eligible to sign the petition. All petitions circulated with respect to a charter amendment shall be uniform in character and shall have attached thereto the text of the proposed amendment in full; except that in the case of a proposed amendment containing more than 1,000 words, a true and correct copy of the same may be filed with the city clerk, and the petition shall then contain a summary of not less than 50 nor more than 300 words setting forth in substance the nature of the proposed amendment. Such summary shall contain a statement of the objects and purposes of the amendment proposed and an outline of any proposed new scheme or frame work of government and shall be sufficient to inform the signers of the petition as to what change in government is sought to be accomplished by the amendment. The summary, together with a copy of the proposed amendment, shall first be submitted to the charter commission for its approval as to form and substance. The commission shall within ten days after such submission to it, return the same to the proposers of the amendment with such modifications in statement as it may deem necessary in order that the summary may fairly comply with the requirements above set forth.

Subd. 1a. Alternative methods of charter amendment. A home rule charter may be amended only by following one of the alternative methods of amendment provided in subdivisions 1 to 7.

Subd. 2. Petitions. The signatures to such petition need not all be appended to one paper, but to each separate petition there shall be attached an affidavit of the circulator thereof as provided by this section. A petition must contain each petitioner's signature in ink or indelible pencil and must indicate after the signature the place of residence by street and number, or other description sufficient to identify the place. There shall appear on each petition the names and addresses of five electors of the city, and on each paper the names and addresses of the same five electors, who, as a committee of the petitioners, shall be regarded as responsible for the circulation and filing of the petition. The affidavit attached to each petition shall be as follows:

State of .........................................................

) ss.

County of ....................................................

........... ................. being duly sworn, deposes and says that the affiant, and the affiant only, personally circulated the foregoing paper, that all the signatures appended thereto were made in the affiant's presence, and that the affiant believes them to be the genuine signatures of the persons whose names they purport to be.

Signed .........................

(Signature of Circulator)

Subscribed and sworn to before me
this ...... day of ...... ......

Notary Public (or other officer)

authorized to administer oaths

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The foregoing affidavit shall be strictly construed and any affiant convicted of swearing falsely as regards any particular thereof shall be punishable in accordance with existing law.

Subd. 3. **May be assembled as one petition.** All petition papers for a proposed amendment shall be assembled and filed with the charter commission as one instrument. Within ten days after such petition is transmitted to the city council, the city clerk shall determine whether each paper of the petition is properly attested and whether the petition is signed by a sufficient number of voters. The city clerk shall declare any petition paper entirely invalid which is not attested by the circulator thereof as required in this section. Upon completing an examination of the petition, the city clerk shall certify the result of the examination to the council. If the city clerk shall certify that the petition is insufficient the city clerk shall set forth in a certificate the particulars in which it is defective and shall at once notify the committee of the petitioners of the findings. A petition may be amended at any time within ten days after the making of a certificate of insufficiency by the city clerk, by filing a supplementary petition upon additional papers signed and filed as provided in case of an original petition. The city clerk shall within five days after such amendment is filed, make examination of the amended petition, and if the certificate shall show the petition still to be insufficient, the city clerk shall file it in the city clerk’s office and notify the committee of the petitioners of the findings. A petition may be amended at any time within ten days after the making of a certificate of insufficiency by the city clerk, by filing a supplementary petition upon additional papers signed and filed as provided in case of an original petition. The city clerk shall within five days after such amendment is filed, make examination of the amended petition, and if the certificate shall show the petition still to be insufficient, the city clerk shall file it in the city clerk’s office and notify the committee of the petitioners of the findings and no further action shall be had on such insufficient petition. The finding of the insufficiency of a petition shall not prejudice the filing of a new petition for the same purpose.

Subd. 4. **Election.** Amendments shall be submitted to the qualified voters at a general or special election and published as in the case of the original charter. The form of the ballot shall be fixed by the governing body. The statement of the question on the ballot shall be sufficient to identify the amendment clearly and to distinguish the question from every other question on the ballot at the same time. If 51 percent of the votes cast on any amendment are in favor of its adoption, copies of the amendment and certificates shall be filed, as in the case of the original charter and the amendment shall take effect in 30 days from the date of the election or at such other time as is fixed in the amendment.

Subd. 5. **Amendments proposed by council.** The council of any city having a home rule charter may propose charter amendments to the voters by ordinance. Any ordinance proposing such an amendment shall be submitted to the charter commission. Within 60 days thereafter, the charter commission shall review the proposed amendment but before the expiration of such period the commission may extend the time for review for an additional 90 days by filing with the city clerk its resolution determining that an additional time for review is needed. After reviewing the proposed amendment, the charter commission shall approve or reject the proposed amendment or suggest a substitute amendment. The commission shall promptly notify the council of the action taken. On notification of the charter commission’s action, the council may submit to the people, in the same manner as provided in subdivision 4, the amendment originally proposed by it or the substitute amendment proposed by the charter commission. The amendment shall become effective only when approved by the voters as provided in subdivision 4. If so approved it shall be filed in the same manner as other amendments. Nothing in this subdivision precludes the charter commission from proposing charter amendments in the manner provided by subdivision 1.

Subd. 6. **Amendments, cities of the fourth class.** The council of a city of the fourth class having a home rule charter may propose charter amendments by ordinance without submission to the charter commission. Such ordinance, if enacted, shall be adopted by at least a four-fifths vote of all its members after a public hearing upon two weeks' published notice containing the text of the proposed amendment and shall be approved by the mayor and published as in the case of other ordinances. The council shall submit the proposed amendment to the people in the manner provided in subdivision 4, but not sooner than three months after the passage of the ordinance. The amendment becomes effective only when approved by the voters as provided in subdivision 4. If so approved, it shall be filed in the same manner as other amendments.
Subd. 7. Amendment by ordinance. Upon recommendation of the charter commission the city council may enact a charter amendment by ordinance. Within one month of receiving a recommendation to amend the charter by ordinance, the city must publish notice of a public hearing on the proposal and the notice must contain the text of the proposed amendment. The city council must hold the public hearing on the proposed charter amendment at least two weeks but not more than one month after the notice is published. Within one month of the public hearing, the city council must vote on the proposed charter amendment ordinance. The ordinance is enacted if it receives an affirmative vote of all members of the city council and is approved by the mayor and published as in the case of other ordinances. An ordinance amending a city charter shall not become effective until 90 days after passage and publication or at such later date as is fixed in the ordinance. Within 60 days after passage and publication of such an ordinance, a petition requesting a referendum on the ordinance may be filed with the city clerk. The petition must be signed by registered voters equal in number to at least five percent of the registered voters in the city or 2,000, whichever is less. If the requisite petition is filed within the prescribed period, the ordinance shall not become effective until it is approved by the voters as in the case of charter amendments submitted by the charter commission, the council, or by petition of the voters, except that the council may submit the ordinance at any general or special election held at least 60 days after submission of the petition, or it may reconsider its action in adopting the ordinance. As far as practicable the requirements of subdivisions 1 to 3 apply to petitions submitted under this section, to an ordinance amending a charter, and to the filing of such ordinance when approved by the voters.

History: (1286) RL s 756; 1907 c 199 s 1; 1911 c 343 s 1; 1939 c 292 s 1; 1943 c 227 s 1; 1949 c 122 s 1; 1959 c 305 s 3,4; 1961 c 608 s 5,6; 1969 c 1027 s 3; 1973 c 503 s 1-4; 1986 c 444; 1998 c 254 art 1 s 107; 1999 c 132 s 42; 2005 c 93 s 1; 2008 c 331 s 7; 2010 c 184 s 43
PURPOSE OF DISCUSSION:
This is a joint meeting between the Charter Commission and the City Council to learn more about Instant Runoff Voting (IRV).

BACKGROUND:
Under current election laws, voters cast one vote for the candidate of their choice. With IRV, the ballot allows voters to rank order candidates (1st choice, 2nd choice, 3rd choice, etc.) and the first candidate to collect a majority of the votes while gathering 50% or more of the total votes cast is declared a winner. The ranked order comes into play when the majority candidate collects fewer than 50% of the cast votes. If this occurs, the candidate who collected the fewest votes is considered defeated and removed from the ballot. Then the votes cast for the defeated candidate are recast based on the ranked order of the cast ballots.

To put it into simpler terms, IRV is similar to a runoff election except that voters do not need to return to the polls to vote again in a runoff election. In an IRV process, results from the single ballot are computed with computerized election equipment or are done by hand.

Currently, St. Louis Park holds local elections in odd-numbered years. If three or more candidates file for a local office, there is a primary election prior to the general election in November. Only one local primary has been held in St. Louis Park in the past nine years, and that was in 2005. Staff estimates the primary election cost the city approximately $20,000.

Staff has compiled local election results from 1997-2005 and included them in the attached table. In each local race from 1997-2005, the winning candidate received more than 50% of the votes cast in the general election. In addition, the winners of the Ward 1 and Ward 4 primaries received more than 50% in their primary elections and in the general election.

Tony Solgaard with Fair Vote Minnesota has volunteered his time to provide the IRV educational session. The city’s attorney, Roger Knutson, will also be at the meeting to answer statutory questions related to IRV. Mr. Solgaard and Mr. Knutson will make themselves available to answer questions following the presentation.

Attachments:
- City of St. Louis Park Non-Partisan Municipal Election Results
- FairVote Minnesota brochure
- League of Minnesota Cities - correspondence
- Minnesota Secretary of State’s Office - correspondence
- Session Weekly Article on Instant Run-Off Voting

Prepared by: Marcia Honold, Management Assistant

Approved by: Tom Harmening, City Manager
The meeting convened at 6:26 p.m.

Councilmembers present: John Basill, C. Paul Carver, Phil Finkelstein, Paul Omodt, Loran Paprocki, Susan Sanger, and Mayor Jeff Jacobs.

Staff present: City Manager (Mr. Harmening), Community Development Director (Mr. Locke); Economic Development Coordinator (Mr. Hunt); Planning & Zoning Supervisor (Ms. McMonigal), Management Assistant (Ms. Honold); City Clerk (Ms. Stroth); City Attorney (Mr. Knutson) and Recording Secretary (Ms. Samson).

Charter Commission Members present:
Lynne Carper, Steve Fillbrandt, Marilyn Hoeft, Jim de Lambert, Brian Fiderlein, Tessia Gardner, Linda Jennings, Jan Loftus, John Orenstein

Guests present: Tony Solgard from FairVote Minnesota; Roger Knutson from Campbell Knutson; Mike Gair from McCombs Frank Roos Associates, Inc (MFRA); Duane Spiegle, Vice President Real Estate Park Nicollet; Ben Oehler, Chairman of EDI Major Gifts Campaign; Carol Tappen, EDI Director of Operations; Joel Jahraus, Department Chairman and Medical Director of EDI; John Herman, Executive Vice President and Chief Administrative Officer, C. Bowman, Park Nicollet Foundation; Mick Johnson, President of Park Nicollet Foundation and Senior Vice President; Jim Brimeyer, Political Advisory Committee; Kate Walker, Southwest Study Manager; Kathie Dote, from KLD Consulting and Public Outreach Coordinator from Southwest Transitway, and Larry Pobuda, United Properties

1. **Instant Run-Off Voting (Joint Meeting with Charter Commission)**

Tony Solgard, president of FairVote Minnesota, presented information on Instant Runoff Voting (IRV). Instant Runoff Voting is a ranked ballot voting method that simulates a series of runoff elections on one ballot. A majority (50% + 1) is needed to win. If there is no winner, the candidate with the fewest votes is defeated and the votes go to the second choice on each ballot. Mr. Solgard stated the advantages are the winner is chosen by a majority of voters, ends spoiled elections, reduces strategic voting, promotes more civil campaigns, and eliminates low turnout primary elections. Disadvantages are some people value primary elections, changes may be difficult for some voters, and implementation may be challenging. Instant Runoff Voting is not only about changing how elections are done, but also a core change in what the requirements were for being elected.

There was discussion regarding the question. Is IRV authorized in statute. Mr. Knutson of Campbell Knutson said no city wants to risk spoiling an election, and thinks a declaratory judgment action would not suffice. Mr. Knutson suggested the City should obtain an opinion from the attorney general's office before changing the Charter. In Mr. Knutson's opinion, implementing IRV for local elections would likely involve a legal challenge by the State and/or the candidate who loses the election.

Councilmember Carver said he thinks it would be worthwhile to pursue IRV. Councilmember Carver called attention to the report in the Council's packet called Non-Partisan Municipal
Election Results. He said for the benefit of less than 1,000 who came out to vote, the City spent $20,000 to run the 2005 Primary election for Ward 1 and Ward 4. Councilmember Carver said from a cost perspective, IRV is worthwhile.

Cty Clerk Nancy Stroth remarked that municipal primaries are regulated by City Charter which currently states a primary election occurs whenever 3 or more candidates have filed for office.

Councilmember Sanger said perhaps the current amount of 15 signatures required for the nomination petition should be increased.

Mayor Jacobs said the consequences to change from the current voting method to IRV could be catastrophic, he would be uncomfortable changing to IRV until there is clear statutory authority to do so.

Councilmember Finkelstein requested the Charter Commission look at Councilmember Sanger's suggestion to require more signatures to get on the ballot as an alternative method and to consider eliminating primaries, and to study the legality and associated costs of IRV. Councilmember Sanger said a formal recommendation from the Charter Commission to the Council is not necessary; she doesn't want this to go to a referendum.

Management Assistant Marcia Honold asked for direction. Councilmember Carver suggested the timing be controlled by the next legislative session, i.e., introduce IRV to the legislators. A complete study would probably need to be done by the end of this year.

2. Bass Lake Site Concept Development Plans (Park Nicollet)

Community Development Coordinator Kevin Locke said the goal tonight is not to pick a site plan or development proposal but to show what could be done on the Bass Lake site. Consultant Mike Gair, with MFRA, presented 10 exhibits depicting various development scenarios.

Larry Pobuda, a United Properties representative, presented site plans on EDI and parking options A-E, and many of the scenarios were similar to those Mr. Gair presented. Councilmember Sanger asked how many acres would EDI and its ramp take up. Mr. Pobuda said EDI would cover about three acres on the northern portion of the site.

Mayor Jacobs said an ends discussion is needed for tonight, not a specific design. Cty Manager Tom Harmening said the site plans suggest possibilities only. Mr. Harmening asked Council if they think this is a good location for an EDI.

Councilmember Sanger said the staff report seemed to suggest that single-family housing would not be feasible due soil contaminants. She would like to know more about the soil issues.

Economic Development Coordinator Greg Hunt said this was a dump site. It contains ash material and general rubbish he said. A 2003 study showed there is about 70,000 cubic yards of debris, elevated levels of a number of heavy metals, and some petroleum products as well.

Mr. Locke is intrigued by an integration of an arts center and an EDI. He noted that environmental standards for residential uses are much more stringent than for non-residential uses. There would not be cost effective options for single family homes.
Councilmember Carver thinks a guiding principle needs to be a shared parking idea, and that should direct what occurs at this site. He likes the multi-use scenario, the hotel + EDI + heart center. He continues to favor an arts center or performing arts center. Councilmember Carver thinks an EDI does fit here. He said there may be an opportunity to go higher here, in terms of building heights. Councilmember Carver doesn’t care for any of the residential that was shown because it doesn’t fit.

Councilmember Finkelstein agrees with Councilmember Carver’s comments. Councilmember Finkelstein is concerned about the ownership interest and he mentioned a put option, i.e., in the event this site is not used as an eating disorder clinic, the city reserves the right to reclaim the property or to get it back, which should be included as part of the negotiation process. Mayor Jacobs said one of the guiding principles should be not only shared parking but also to maximize the benefit to the buildings to be built on that space, i.e., EDI.

Councilmember Paprocki asked about move up housing on the Bass Lake site. Aside from the soils issues, he took issue with the statement on page four of the staff report: “the Bass Lake site is not considered a strong single family residential site. This is primarily due to the site’s isolation from other single family homes.”

Councilmember Sanger said the environmental problems are a concern but other forms of move up housing can be considered, perhaps a high-rise condominium building. She agrees with the concept of shared parking. Councilmember Sanger said retaining public access should be maintained and there are other institutional uses to consider.

Councilmember Omodt also agrees with many of Councilmember Carver’s comments. He thinks it would be a bad site for single-family homes; he strongly favors working with Park Nicollet.

Councilmember Basill said his reservation now is with the contamination, and does not think this site is a good use for single-family homes. He said Council owes Park Nicollet some type of direction. Councilmember Basill said a parking ramp would probably be needed or perhaps underground parking.

Mr. Harmening said no one is being asked to make a decision tonight. Mr. Harmening asked if the Council wants staff to work seriously with EDI and put together a deal, and if so, the next step would be to come up with a preliminary development agreement. Councilmember Sanger asked if the entire site would be sold to United Properties, and what controls would Council have over the remaining 1/3 of the site. Councilmember Basill said the parking issue must be addressed up front.

The consensus was to move forward with EDI on the site; staff will prepare a draft preliminary development agreement for Council approval.

3. Southwest Transitway Update (Jim Brimeyer)

Jim Brimeyer represents the city on the Policy Advisory Committee for the Southwest Transit Corridor study. He said to determine the preferred alternative would be easier than the larger issue, which is the funding issue. Mr. Brimeyer said a funding subcommittee has been set up, and a cost effective index (CEI) has been established.
Mr. Harmening asked if St. Louis Park could receive funding assistance from the Rail Authority to help pay for a grade separate crossing at Wooddale and Highway 7. Katie Walker, Southwest Study Manager, responded with a formula for CEI. Mr. Brimeyer will return in October.

4. **Interim Ordinance—Subdivisions in the R-1 Zoning District**

Planning and Zoning Supervisor Meg McMonigal presented the staff report, which suggested the Council discuss the idea of an “Interim Ordinance” for subdivisions in the R-1 Zoning District. It was noted that since the previous study session, when a moratorium was discussed, two new subdivision applications had been received. For this reason, the item was brought back to the Council tonight. A change to the suggested six month timeframe was recommended by the city attorney, as he believes no extension would be available.

Councilmember Omodt doesn’t see a case to be made for a moratorium; he doesn’t favor a moratorium. Councilmember Sanger favors a moratorium to study single-family lots in the R-1 district.

Ms. McMonigal said the interim ordinance would apply to subdivisions that don’t have preliminary approval yet. Councilmember Carver asked if one is pending now that doesn’t have preliminary approval. Ms. McMonigal replied yes. Councilmember Carver doesn’t like the moratorium idea, an interim ordinance should be used only for study.

Councilmember Omodt said a moratorium makes a bad impression. Councilmember Carver said it feels ex post facto. Mayor Jacobs agrees.

The next step will be to set a first reading for an interim ordinance on the Council agenda for June 5th. The Hill Lane item will be on the Council agenda for June 19th for approval or denial of subdivision ordinance.

5. **Future Study Session Agenda Planning**

Mr. Harmening and the Council discussed study session agenda planning.

No Council meeting will be held on July 3rd.

The meeting ended at 9:50 p.m.

Nancy Jones
City Clerk

Mayor
MINUTES
CHARTER COMMISSION MEETING
ST. LOUIS PARK, MINNESOTA
May 22, 2006
City Hall Westwood Room

1. Call to Order
Chair Carper called the meeting to order at 7:30 p.m.

2. Roll Call & Attendance
Members Present: Lynne Carper, Steve Fillbrandt, Marilyn Hoeft, Jim de Lambert, Brian Fiderlein, Linda Jennings, Janice Loftus, John Orenstein, and Tessia Gardner

Others Present: Marcia Honold, Management Assistant/Charter Commission Liaison; Nancy Stroth, City Clerk; and for the first part of the meeting, Roger Knutson, counsel for the City.

Requests for excused absences: William Wernz

New Commissioner Tessia Gardner was welcomed. Commission members introduced themselves.

3. Approval of Minutes- March 22, 2006
Jan Loftus moved, and Steve Fillbrandt seconded approval of minutes of the March 22, 2006 meeting. The motion passed 9-0.

4. Follow-up IRV Discussion with Attorney Knutson
Charter Commission members continued discussion of Instant Run-off Voting (IRV) following their joint meeting with City Council and the presentation by Tony Solgard from Fair Vote Minnesota. Noting that IRV may be more fair, Nancy Stroth said there are several issues with IRV that need to be considered, including the need for new voting equipment (which requires approval from the Secretary of State), costs involved, voter education, and being different from the rest of the Hennepin County and the rest of the state. She noted that elimination of primaries could save money and that other communities haven’t had problems with not having primaries. A sheet listing metro communities that (1) have and (2) do not have primaries was distributed; about twice as many cities do not have primaries, compared to the number of cities that do have primaries.

Commission members discussed two possible changes to the Charter: having a primary only when there are four or more candidates (currently there is a primary when there are three or more candidates) and requiring more than 15 signatures to run for office. Roger Knutson provided a ballpark estimate of $50,000 if IRV was offered and a citizen or group challenged IRV’s legality. He will provide a more in-depth opinion about the cost of a legal challenge.
5. Old Business
Commission member discussed the Charter Commission By-laws. The following changes were suggested:

2. Quorum to transact business shall constitute eight (8) members. (delete ‘of’)
5. A majority of the members present at any meeting shall be competent to decide any matter except a resolution to amend the City Charter. A motion to amend the City Charter must carry a vote of not less than a majority of the commission members. If the motion to amend receives a vote of a majority of those present, but less than a majority of the commission members, it shall be carried over and reconsidered at the next meeting.

9. Annual Election of Officers (addition of this heading)
   a. The commission shall elect its own officers, consisting of a Chair, Vice Chair and Secretary
   d. If a majority vote is not received by an individual on the first vote (a secret ballot may be requested by any commission member), a second vote between the two candidates who receive the highest number of votes shall be conducted.

13. Except as otherwise stated in these rules, The Standard Code of Parliamentary Procedure shall prevail. (addition of ‘stated’)

Marcia will work with the City Attorney to review and revise, if necessary, section 5 so the meaning is perfectly clear. Therefore, final approval of the by-laws was tabled.

6. New Business
a. Work Plan for 2006
Marcia discussed developing a work plan on the IRV election question, noting that there would be considerable research and the resulting recommendations may involve a Charter change, public hearing or possibly legislation. She said the City uses a process that takes a broader view, asking “Is there a problem?” and “What is it?” Lynne suggested a timeline: subcommittees will meet and present recommendations at the September Charter Commission meeting, additional work likely will be necessary at the November meeting, and work will be concluded at the January meeting. It was decided it would not be practical to implement any recommended changes for the 2007 election.

b. IRV Discussion and Recap
Each commissioner presented his or her view on IRV. Generally, it is believed that there is not a problem – that is, in recent SLP elections, successful candidates have received a majority vote. Several commissioners expressed interest in revising the Charter to eliminate the primary unless there are four (or possibly a higher number) of candidates and to require more than 15 signatures on the candidate petition form. Several commissioners said more information and study is required. Commissioners expressed the importance of following through with the IRV study per the City Council’s request.
Two subcommittees were created:

**Modifying the Existing Charter**
John Orenstein, Chair; Brian Fiderlein; Jan Loftus; Tessia Gardner

**Studying the Costs, Issues, Advantages/Disadvantages of IRV**
Lynne Carper, Chair; Steve Fillbrandt; Jim de Lambert; Tessia Gardner

c. Vision St. Louis Park Action Teams
Marcia asked commissioners to consider participating on one of the eight action teams that have been created as part of the Vision St. Louis Park initiative.

7. **Future Meeting**
The next Charter Commission meeting will be Wednesday, Sept. 13 beginning at 7 p.m.

8. **Communications**
Information was corrected and updated on the attendance sheet. Marcia will send out a release form so Commission members can share e-mail address, phone number and other private data with other Commissioners/City staff if they wish. Marcia said it appears that the just-passed eminent domain legislation will not require a change to the Charter.

9. **Adjournment**
*Jan Loftus moved, John Orenstein seconded that the meeting be adjourned. The motion passed 9-0.*
Meeting was adjourned at 8:40 p.m.
PURPOSE OF DISCUSSION: To update the Council on the study and recommendations from the Charter Commission about Instant Runoff Voting (IRV) and related election issues.

BACKGROUND: The Charter Commission designated two members, Charter Commission Chair Lynne Carper and Charter Commissioner John Orenstein, to chair subcommittees and study the practicality of changing the City’s Charter to allow Instant Runoff Voting in St. Louis Park local elections, increasing the number of signatures required to run for office, and whether or not to change how primaries are decided and run in the city.

After study, the subcommittees reported to the full Commission and recommended no changes to the existing Charter at this time. The update from Chair Carper and Commissioner Orenstein will provide additional details regarding their studies and decision.

Attachments: Minutes from the May 22, 2006 joint meeting between the Charter Commission and the City Council

Prepared by: Marcia Honold, Management Assistant
Approved by: Tom Harmening, City Manager
1. **Instant Run-Off Voting (Joint Meeting with Charter Commission)**

Tony Solgard, president of FairVote Minnesota, presented information on Instant Runoff Voting (IRV). Instant Runoff Voting is a ranked ballot voting method that simulates a series of runoff elections on one ballot. A majority (50% + 1) is needed to win. If there is no winner, the candidate with the fewest votes is defeated and the votes go to the second choice on each ballot. Mr. Solgard stated the advantages are the winner is chosen by a majority of voters, ends spoiled elections, reduces strategic voting, promotes more civil campaigns, and eliminates low turnout primary elections. Disadvantages are some people value primary elections, changes may be difficult for some voters, and implementation may be challenging. Instant Runoff Voting is not only about changing how elections are done, but also a core change in what the requirements were for being elected.

There was discussion regarding the question: Is IRV authorized in statute. Mr. Knutson of Campbell Knutson said no city wants to risk spoiling an election, and thinks a declaratory judgment action would not suffice. Mr. Knutson suggested the City should obtain an opinion from the attorney general’s office before changing the Charter. In Mr. Knutson’s opinion, implementing IRV for local elections would likely involve a legal challenge by the State and/or the candidate who loses the election.

Councilmember Carver said he thinks it would be worthwhile to pursue IRV. Councilmember Carver called attention to the report in the Council’s packet called Non-Partisan Municipal Election Results. He said for the benefit of less than 1,000 who came out to vote, the City spent $20,000 to run the 2005 Primary election for Ward 1 and Ward 4. Councilmember Carver said from a cost perspective, IRV is worthwhile.

City Clerk Nancy Stroth remarked that municipal primaries are regulated by City Charter which currently states a primary election occurs whenever 3 or more candidates have filed for office. Councilmember Sanger said perhaps the current amount of 15 signatures required for the nomination petition should be increased.

Mayor Jacobs said the consequences to change from the current voting method to IRV could be catastrophic; he would be uncomfortable changing to IRV until there is clear statutory authority to do so.

Councilmember Finkelstein requested the Charter Commission look at Councilmember Sanger’s suggestion to require more signatures to get on the ballot as an alternative method and to consider eliminating primaries, and to study the legality and associated costs of IRV. Councilmember Sanger said a formal recommendation from the Charter Commission to the Council is not necessary; she doesn’t want this to go to a referendum.

Management Assistant Marcia Honold asked for direction. Councilmember Carver suggested the timing be controlled by the next legislative session, i.e., introduce IRV to the legislators. A complete study would probably need to be done by the end of this year.
The meeting convened at 6.30 p.m.

Councilmembers present: Mayor Jeff Jacobs, John Basill, Phil Finkelstein, Loran Paprocki, and Paul Omodt.

Councilmembers absent: Susan Sanger and C. Paul Carver

Staff present: City Manager (Mr. Harmening); Management Assistant (Ms. Honold) Communication Coordinator (Mr. Zwilling) and Recording Secretary (Ms. Stroth).

Others present. Charter Commissioners Lynne Carper and John Orenstein

1. **Charter Commission Update**

Charter Commissioner Chair Lynne Carper and Commissioner Orenstein presented summary information and recommendations regarding Instant Runoff Voting (IRV) and related election issues. Chair Carper stated he and Commissioner Orenstein studied the practicality of changing the City Charter to allow Instant Runoff Voting in St. Louis Park at local elections, increase the signature requirement, and changing how primaries are decided in the city.

In their findings from 14 cities, Commissioner Orenstein stated only 4 did not hold primary elections and that the signature petition was unusual. St. Louis Park was more restrictive with 15 signatures required, and the Commission did not see reason to increase the requirement.

Discussion took place regarding voting equipment compatibility issues, costs of new equipment, and legal challenges including state law.

The consensus of the Charter Commission was to recommend no changes to the existing Charter at this time.

2. **Telecommunications Advisory Commission Bylaws, Work Plan and Annual Report**

City Manager Tom Harmening presented the staff report which included the proposed work plan and bylaw changes for the Telecommunications Advisory Commission.

Councilmember Paprocki stated the need to continue discussion on fiber optic issues. Mayor Jacobs indicated he would like to see continuation of fiber optic, high-speed internet, and keeping St. Louis Park as a progressive city.

Councilmember Basill stated the commission has done a great job keeping on task and making a difference.

It was the consensus of the council to continue exploring any new emerging technologies.

City Manager Tom Harmening presented the staff report which included the work plan, annual report, and bylaws of the Human Rights Commission (HRC). Mayor Jacobs felt there was a need for more outcomes and a refocus of the HRC. He would like to see the commission embrace diversity and spoke of the successful Somali Forum. He stated more focus is needed on how to get along with each other, respectfulness, educational discussions, and reaching out to kids.

Councilmember Paprocki stated there is a challenge to get school parents to school activities and to reach out to more people in conjunction with schools.

Councilmember Basill stated he would like the mission statement to include more about reaching out as a family, more education, and how to embrace other minorities. He suggested personal invites, better goals, and the need to get every minority family to attend school events such as kindergarten roundup and conferences.

Discussion took place regarding the size of the commission and whether too many members make it more difficult to produce tangible results.

Councilmember Finkelstein stated the need for more discussion on how to reach out to the ethnic, cultural, and religious differences.

Mayor Jacobs spoke of the need to help stabilize residency of diverse population and reach out with education. He stated in previous years the commission implemented a very successful diversity day at the high school which included plays. Mayor Jacobs stated he would like to see the HRC work closely with the schools and the Police Advisory Commission.

It was the consensus of the Council that the HRC should create a more outcome based work plan with goals around outreach and education. The HRC should work closely with the Police Advisory Commission, develop relationships with the school district, identify barriers and help the community reach out more successfully to diverse populations.

4. **Ordinance Amendment – Liquor Ordinance**

City Manager Tom Harmening presented the staff report.

Councilmember Paprocki asked if the liquor license establishments are notified before compliance checks are done. Police Lieutenant Lori Dreier responded liquor license establishments are notified a few months before the compliance check.

Discussion took place regarding criminal penalties and the limit of $2,000 penalty fee for selling to a minor allowed by the State.

Councilmember Basill stated he favored revising the proposed penalty schedule suspension of 10 and 15 days because he felt is was too strict and was concerned about other employees loss of salaries.

Councilmember Finkelstein also stated that a 10 day suspension was too strict.
Mayor Jacobs stated because St Louis Park is devoted to improving the lives of youth and is one of America’s 100 Best Communities for Young People, no one should sell alcohol to minors.

Councilmember Paprocki stated the ordinance should include language regarding the City deciding what days will be suspended with a 2nd and 3rd violation penalty.

Discussion took place regarding off-sale and on-sale and it was the consensus of the Council that requirements should be the same for all types of licenses.

Councilmember Paprocki stated concern about the amendment of exterior metal burglar bars on windows and doors being prohibited and would like to see language added that interior bars will not be visible from the outside.

Assistant Zoning Administrator Gary Morrison described other types of window covering including shades, security curtains, and mesh chain link.

Councilmember Basill stated “bars on windows” was a cheaper way to provide security and investing in a security system would be more costly but better for neighboring tenants. He stated upkeep of the establishments was important along with being aesthetically pleasing.

It was the consensus of the Council to lower the suspension days for 2nd and 3rd violations; and add language to Section 3-110 (d) that prohibits interior and exterior bars, including roll-downs, on windows; (f) adding “private school” in addition to public school regarding distance requirement.

5. Flame Metals

Mr. Hoffman presented the staff report which included the Consultants report of Flame Metals ventilation and exhaust systems.

Council and staff discussed Flame Metals.

6. Future Agenda Planning

Mr. Harmening and the Council discussed study session agenda planning.

The meeting ended at 9:09 p.m.
TITLE: Ranked Choice Voting

RECOMMENDED ACTION:
The purpose of this report is to provide Council with basic information regarding Ranked Choice Voting (RCV), also known as Instant Run Off Voting (IRV), and an update on the outcome of the 2009 RCV Election held in Minneapolis.

POLICY CONSIDERATION:
Does the City Council feel Rank Choice Voting would be a beneficial method of voting for St. Louis Park Municipal Elections?

Does the City Council wish to further pursue the method of a Ranked Choice Voting for the St. Louis Park Municipal Elections?

BACKGROUND:
On May 22, 2006 a Joint Meeting was held with the Charter Commission and the City Council to discuss Instant Run-off Voting. At that meeting a presentation was given by Tony Solgaard from Fair Vote Minnesota. City Attorney Roger Knutson provided information regarding possible legal challenges and legal costs involved. The consensus of the Council was to postpone further discussion pending the outcome of future legislative changes or legal action regarding statutory authority. Council has recently requested updated information regarding the legislative status of this method of voting, particularly since the Minneapolis Ranked Choice Voting Election was implemented and recently held in November of 2009. For purposes of this report all references to Instant Run off Voting will be referred to as Rank Choice Voting.

City of Minneapolis Interim Director of Elections Virginia Gelms will be in attendance to answer questions regarding the Minneapolis 2009 RCV Election and City Attorney Roger Knutson will be in attendance to answer legality questions.

What is Ranked Choice Voting?
Ranked Choice Voting is a system by which voters rank candidates in order of preference on a single ballot, ensuring that the winning candidate receives a majority of the votes where there are more than two candidates on the ballot. Using this method, winners are determined by counting first choices and determining if any candidates received a minimum number of votes needed to win. In single-seat races for mayor and city council, the minimum number of votes needed to win is 50 percent of the total votes cast plus one vote. If there is no candidate with a majority of first choices, a process of eliminating candidates and considering subsequent choices begins. The candidate with the fewest votes is defeated and those votes then go to the second choices on each ballot. The votes are recounted in rounds until one candidate achieves the required majority of votes cast.
For multiple seat offices (vote for 3) such as in School Board Elections, the voting and counting method results in proportional representation. The Weighted Inclusive Gregory Method was used in Minneapolis to count multiple seat offices. In a three seat office, one more than 25% of the number of votes for that office would be needed to win.

Provisions regarding the conduct of elections are mandated by Federal Law, State Law, and City Ordinances. Ranked Choice Voting was introduced in the State Legislature this year but never made it out of committee. Currently there are no state standards for a Ranked Choice Method of voting. Charter Cities in Minnesota have authority to adopt the method of voting for municipal elections. Without uniform standards, cities that choose to adopt RCV may adopt different “rules” in their individual ordinances.

School Board Elections are administered by the City of St. Louis Park and would not be affected by any voting method changes to the city’s municipal elections. This means if the city approved a ranked choice voting method, the ballot would have two different voting methods on the same ballot (ranking city offices on multiple columns and voting in one column for multiple seats for School Board). Political considerations regarding budgets, contracts, approvals and timelines impose additional requirements for jurisdictions considering implementation of RCV.

**City Primary Elections**

Minnesota law allows cities to choose whether they hold municipal primary elections. City Charter Section 4.03 states a city primary is required in St. Louis Park whenever three or more candidates have filed for any elective city office. Currently, 10 cities in Hennepin County require municipal primaries and the other 36 hold general elections only with no primaries. Attached to this report is a chart showing which Hennepin County cities hold primaries and which cities hold elections in the odd years.

**Election Voting Equipment**

Minnesota Election law requires both Federal and State certification of all electronic voting systems. Currently, there is no certified voting equipment capable of counting ranked choices. In Minnesota voting equipment systems are generally owned and operated by counties. System replacement is typically managed through a normal replacement schedule that may or may not coincide with an RCV implementation schedule. The lack of consistent standards and rules between jurisdictions using the RCV method of voting results in the need to create customized programs for each jurisdiction causing higher development costs for equipment vendors. In addition, different election rules adopted by cities within the same county-wide system may complicate the certification process.

The current state certified voting equipment is the M-100 Vote Tabulator Ballot Counter which would be able to count the first column of an RCV ballot, but a hand-counting sorting process would be required if no candidate received over 50% of the votes. The AutoMARK is a ballot marking device certified by the State and required by Federal law which assists voters with disabilities to mark their ballots privately and independently. Both the AutoMARK and M-100 Ballot Counters cannot prevent or recognize voter errors specific to Ranked Choice Voting. Voters would need to pay special attention to avoid making some mistakes specific to RCV that the machines cannot detect. Those errors include:

- Marking the same candidate in more than one column of an office.
- Skipping a column between ranked candidates.
**Minneapolis 2009 Rank Choice Voting Election**

In 2006 the Minneapolis City Council gave final approval by a 12-1 vote to put the Instant Runoff Voting charter amendment on the November ballot. Minneapolis officially adopted Ranked Choice Voting as the name of the voting method to more accurately reflect the process voters use to rank candidates. In addition, “ranked choice” did not imply “instant” results from the process.

Attached to this report is the Minneapolis timeline of events from implementation through final certified results, citywide statistics, staffing, and method of rules used for RCV.

**Minnesota Supreme Court Ruling**

In June 2009 the Minnesota Supreme Court rejected a challenge to the new voting method brought by the Minnesota Voters Alliance, which questioned the constitutionality of having voters rank candidates in the order they prefer them. In its ruling, the Court explained that, “Every voter has the same opportunity to rank candidates when she casts her ballot, and in each round every voter’s vote carries the same value” under the Minneapolis RCV ordinance. Chief Justice Magnuson stressed in the opinion, “The voters of Minneapolis chose to adopt the IRV method.” The Court held that Minneapolis’s ordinance was not unconstitutional on its face. There has not been a court challenge to the ordinance as applied.

**Previous St. Louis Park Municipal Election Results**

Staff conducted research of the past 30 years of election results. Attached to this report is a chart showing Municipal Primary and General Election winning candidate vote percentages and total candidates running for that office. Statistics from this research are as follows:

- 6 Municipal Primary Elections were required since 1979
  - 5 of the Primary Elections involved voters in one ward (total of 4 precincts)
  - 1 Primary Election involved voters in two wards (8 precincts)
  - City Primary Elections cost approximately $1,000 per precinct
- Since 1979 only 1 Primary Election candidate won with less than 50% (actual was 48%)
- Since 1979 Mayoral candidates ran unopposed 7 out of 11 elections
- Since 1979 - out of 56 elected City Council candidates, 27 ran unopposed

Using RCV voting for St. Louis Park would require the following:

- Charter amendment
- Determination of specific rules
- Ordinance adoption
- Education to voters, election judges, and city election staff
- Additional staff including possible consultant
- Additional Election judges for hand counting and additional HealthcareAbsentee Judges for the 5 St. Louis Park Healthcare facilities voters.
- Additional staff time including the days after the election inspecting & duplicating ballots, counting all write ins from each column, and hand counting all offices where there is no 1st round winner
- Additional costs to implement including voting equipment, programming, special ballot layout and additional staff.
**Other RCV Jurisdictions**
The Ranked Choice Voting method has been adopted in a number of U.S. cities, with several of these adoptions pending implementation. Examples of jurisdictions involved with RCV include, but are not limited to, the following:

- **St. Paul, Minnesota** – Voters submitted petition in 2008. In 2009 voters passed a charter amendment with 52% of the vote to adopt for future elections for mayor and city council. St. Paul/Ramsey County is currently testing different ways to implement and due to the need to start focusing on this year’s elections, everything is on hold until next spring.
- **Duluth, Minnesota** – citizens are working to put RCV on the ballot for municipal elections
- **San Francisco, California** - since 2002.
- **Berkeley, California** passed in 2004; still pending, plan to use November 2010
- **Cary, North Carolina** - in 2007 used pilot program, never put to a vote.
- **Hendersonville, North Carolina** - in 2009 used pilot program but election results did not require runoff method.
- **Takoma Park, Maryland** - since 2007 but provisions never used because candidate won in first round in 2007 and candidate ran unopposed in 2009.
- **Aspen, Colorado** since May 2009, implementation pending voters’ decision in November 2010.
- **Pierce County, Washington** - since 2006, repealed by voters November 2009.

**Various Supporting and Opposing Opinions on Ranked Choice Voting**
14 Opinions Supporting RCV:
1. Maximizes voter participation and available choices of candidates.
2. Brings the most voters together with the most candidates to choose from at the same election.
3. Eliminates the cost of the Primary Elections.
4. Eliminates low-turnout Primaries.
5. Provides results that better reflect the voters’ intent.
6. Produces a majority winner.
7. Ensures that candidates will not be disqualified in primary elections who may otherwise win in a high turnout general election.
8. Votes cast for the least popular candidate are not "wasted", but rather redistributed to more popular candidates, based on the voters’ other ranked choices.
9. Assures fairer and more accurate representation of the voters.
10. Empowers voters to vote sincerely without being concerned about wasting their vote.
11. Allows candidates to run on their issues and get an accurate tally of support.
12. Reduces influence of money in politics and campaigns.
13. Could lead to more informative and positive campaigns.
14. More democratic because more candidates have a chance to run.

14 Opinions Opposing RCV:
1. Benefit of a Primary is that voters gain the choice between quality candidates in the general election rather than merely multiple candidates.
2. Statistics indicate the disadvantaged may be disenfranchised by the complexity of the process.
3. Produces a “false majority” when each runoff round tends to have a slightly smaller pool of votes, and the majority of the votes counted in the final round are not the majority of all votes cast.
4. Appellants argue that the RCV methodology violates their right to vote, right to political association, and right to equal protection under one-person, one-vote principles.
5. With no certified equipment there is more chance for human error with hand counting ballots multiple times for each round.
6. Additional costs involved with hand-counting, programming, special ballot layout.
7. Additional election staff needed, additional staff time involved.
8. Difficulty of administration.
9. A system that is confusing and adds more problems than it solves.
10. More spoiled ballots and voter errors.
11. Complexity may cause lower voter turnout.
12. More likely to make a tie or near-tie election recount extremely complex.
13. Making elections more susceptible to fraud since it cannot be sub-totaled at the precinct level and must be centrally tabulated.
14. Does not meet mathematical requirement for monotonicity where voting for one’s choice will help one’s candidate. Nonmonotonicity is the voting characteristic in which voting for one’s choice may hurt one’s candidate’s chances of winning and may encourage tactical voting.
FINANCIAL OR BUDGET CONSIDERATION:
The City would save costs of a Primary Election (approximately $1,000 per precinct). Additional costs would be involved to cover specific equipment, programming, specific ballot layout, and additional staffing.

VISION CONSIDERATION:
Not applicable

Attachments:  
City of Minneapolis Election timeline and statistics  
Hennepin County Cities with Primary Elections  
City of St. Louis Park Election statistics 1975-2009  
City of Minneapolis RCV voter brochure

Prepared by:  
Nancy Stroth, City Clerk

Reviewed by:  
Bridget Gothberg, Organizational Development Coordinator

Approved by:  
Tom Harmening, City Manager
CITY OF MINNEAPOLIS
RANKED CHOICE VOTING ELECTION

TIMELINE OF EVENTS

March 2006 – Council Resolution creating IRV Task Force
May 9, 2006 – IRV Task Force final report to the City Council
May 23, 2009 – Intergovernmental Relations (IGR) Committee proposes ordinance amendment
May 26, 2006 – Council refers ordinance amendment to Charter Commission
June 7, 2006 – Charter Commission rejects proposed ordinance amendment allowing IRV
June 15, 2006 – Council refers proposed ordinance amendment to IGR & Elections Committee
June 30, 2006 – Council approves proposed amendments and refers to Charter Commission
July 2006 – IRV Report (1) to Elections Committee
August 2006 – Council approves ballot language
November 2006 – Minneapolis Charter Amendment passes with goal to implement IRV for the next municipal election in November of 2009.
January 2007 – May 2009 – Ten IRV Implementation Updates
March 2008 – Presentation to Council
April 2008 – City Council approves next steps to implement IRV
May 2008 – RFP for RCV voting equipment
August 2008 – Deadline for vendors to respond to RFPO for RVC voting equipment
September 2008 – Elections staff report no vendor proposal met requirements, recommend using combination of current equipment and hand count
June 2009 – Supreme Court Ruling rejecting constitutional challenge
October 2009 – Ordinance revisions
November 3, 2009 – Ranked Choice Voting Election Day

December 4, 2009 – RESULTS CERTIFIED

For single-seat offices:
- 20 offices: Mayor, 13 Council Members, and 6 District Park Commissioners
- The winning candidates for all offices were also the top vote-getters in the first round
- 16 of 20 offices decided in one round
- 19 out of 20 winning candidates surpassed threshold
- 4 offices decided in two rounds
- Council Wards 4 & 5 and Park District 6: The winning candidates surpassed threshold in second round
- Park and Recreation District 5: The winning candidate won as the highest vote-getter of the last two candidates remaining, but did not surpass threshold
- Looking at each race with 3 or more candidates
  - At least 1/3 of voters did not rank their choices in the race (i.e. only marked one choice in that race)
  - At least 1/3 of voters ranked more than one choice in the race (i.e. marked two or three choices)
MINNEAPOLIS CITYWIDE ELECTION STATISTICS
(13 Wards, 131 Precincts)

<table>
<thead>
<tr>
<th>Pre-Registered Voters</th>
<th>Same Day Voter Registrations</th>
<th>Spoiled Ballots</th>
<th>Voter Error Ballots</th>
<th>Total Ballots Cast</th>
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</thead>
<tbody>
<tr>
<td>231,078</td>
<td>2,950</td>
<td>1,888</td>
<td>2,958</td>
<td>45,968</td>
</tr>
</tbody>
</table>

**Pre-Registered Voters:** the number of voters pre-registered at 7 am on Election Day

**Same Day Voter Registrations:** the number of voters who registered on Election Day

**Spoiled Ballots:** In the polling place, if a voter makes an error, the voter can return the spoiled ballot to an election judge and receive a new ballot. This number is not included in Total Ballots Cast because the voter received a new ballot.

**Voter Error Ballots:** Ballots with voter errors specific to Ranked Choice Voting include repeat ranking of the same candidate, skipped ranking before or between ranked candidates, and overvotes within a column. This number is included in the Total Ballots Cast.

**Total Ballots Cast:** includes both absentee ballots and in-person ballots

**Minneapolis RCV Election Staffing**

**Administration, Outreach & Evaluation**
- Interim Director, 4 full-time staff, 8 Seasonal staff
- Contract: RCV Outreach Coordinator
- Contract: Impartial Survey of Voters, Candidates and Election Judges

**Election Day and Health Care Facilities Absentee Voting**
- Health Care Coordinator, 16 Healthcare Election Judges
- 15 Precinct Support Judges/262 Chair and Assistant Chair Judges/1,200 Team Judges/108 student Judges

**Handcount**
- Sort & Count Manager and crew of 5 plus 240 sort/counters (90+ per day)
- Human Resource Manager and crew of 2
- Supply Manager and crew of 6
- Data Entry & Analysis Manager and 10-12 staff per day
Minneapolis Ranked Choice Voting Voter Error Rules

In a Ranked Choice Voting Election, each city determines its own individual rules for dealing with “voter errors” specific to Ranked Choice Voting. The following is a sampling from the adopted rules in Minneapolis regarding voter errors:

No more than one selection per column - You do not want to have more than one selection in any one vertical column. If you do, you’ve given the same ranking to two candidates. If that happens in your first choice column, none of your selections will count. If you do it in your second or third choice columns, only the choices before the column where there’s a duplicated ranking will count. This is the one error that will be flagged when ballots are inserted into scanners, and election judges will offer a new ballot if the voter wants to correct their ballot.

No more than one selection per row - You also do not want to make more than one selection in any one horizontal row. That means you’re casting multiple choices for the same candidate. Your vote will still be counted, but only once. The voter will have forfeited the ability to make a backup selection if the first-choice candidate is eliminated from the running.

What happens if the voter skips a choice? - If it’s just your first or second choice, your lower-ranking selection will move up one notch from second to first and third to second. But if you skip both your first and second choices, your third choice won’t count.
## Hennepin County Cities with Municipal Primary Elections and Odd or Even Election Years

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<th>City</th>
<th>PP</th>
<th>Odd or Even City Election Year</th>
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<tr>
<td>Bloomington</td>
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<td>Minnetonka</td>
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<td>ODD</td>
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<td>St. Louis Park</td>
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<td>Brooklyn Center</td>
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<td>EVEN</td>
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<td>Brooklyn Park</td>
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<td>Woodland</td>
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## ST. LOUIS PARK PRIMARY ELECTIONS

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This fall, voters in Minneapolis will be able to rank their choices of candidates for Mayor, City Council, Board of Estimate and Taxation, and Park and Recreation Board. This new voting system is called Ranked Choice Voting, which was approved by Minneapolis voters in 2006. This upcoming election will be the first opportunity for voters in Minneapolis to use this new voting system.

What is Ranked Choice Voting?
 Ranked Choice Voting (RCV) allows voters to rank multiple candidates in order of preference - up to three candidates for each municipal office

This new voting process will combine the Primary and General Elections into a single election with all candidates – on the November 3, 2009 ballot.

How to Vote
 Much like the current system, voters will vote by filling in an oval on a paper ballot. But, instead of just marking one candidate on the ballot, voters will be able to rank multiple candidates in order of preference, selecting their 2nd and 3rd choice candidates on the same ballot by marking the columns just to the right of the voter’s first choice.

On the ballot, voters must fill in the oval for only one candidate in each column. Voters may rank up to three candidates in each race, as illustrated in the example ballot below.

In the event that voters make a mistake in marking their ballot, they can ask an election judge for a new ballot.

How Votes Are Counted
 The first choice votes for all candidates are sorted and counted. If no candidate receives the required number of votes to win, a process of eliminating candidates and considering subsequent choices begins.
The meeting convened at 6:31 p.m.

Councilmembers present: Mayor Pro Tem Susan Sanger, Phil Finkelstein, Anne Mavity, Paul Omodt, Julia Ross, and Sue Santa.

Councilmembers absent: Mayor Jeff Jacobs.

Staff present: City Manager (Mr. Harmening), Deputy City Manager (Ms. Gohman), City Clerk (Ms. Stroth), Communications Coordinator (Mr. Zwilling), and Recording Secretary (Ms. Hughes).

Guests: Ginny Gelms, City of Minneapolis Director of Elections, and Roger Knutson, Minneapolis City Attorney’s Office

1. Future Study Session Agenda Planning – May 10, 2010

Mr. Harmening presented the proposed study session agenda for May 10, 2010

2. Ranked Choice Voting

Ms. Stroth presented the staff report and introduced Ginny Gelms, City of Minneapolis Director of Elections, and City Attorney Roger Knutson.

Mayor Pro Tem Sanger stated updated information on Ranked Choice Voting (RCV) has been requested for council discussion particularly due to the 2009 Minneapolis RCV Election and the related Minnesota Supreme Court ruling.

Councilmember Omodt stated the City has always run a good election with high integrity and he did not feel St. Louis Park should be a further testing ground for hand counting of ballots.

Councilmember Finkelstein stated he did not feel that RCV would work well in the City and suggested the City consider eliminating the requirement for municipal primary elections. He stated he felt that RCV would add another level of confusion for voters.

Ms. Gelms provided historical background regarding the 2009 Minneapolis RCV election. She stated that Minneapolis put out a request for proposals for equipment required to hold the RCV election, but no proposals received met the State and Federal certification requirements. She discussed the implementation activities since 2006 involved in the adoption of the ordinance, ballot language and design, feasibility testing, public education, development of hand count procedures, and development of an equipment and process testing plan and protocol.

Ms. Stroth stated that the City conducts the School Board elections. If the City chose to use Ranked Choice Voting, it would result in voters voting two different methods for city offices and school board offices on the same ballot.
Ms. Gelms indicated the voter survey results which showed that by and large, people liked the experience, they understood the process, and voters who turned out were not confused. She discussed the spoiled ballot and error rates and the administrative costs involved.

Discussion took place regarding other St. Louis Park election regulations of signatures required for candidate filing, municipal primary elections, and municipal elections being held in the odd years.

It was the consensus of the City Council that no changes would be made to the City’s voting method at this time, and to continue with the current regulations and requirements for St. Louis Park municipal elections as stated in the City Charter.

3. Communications (Verbal)

Mr. Harmening reminded Council of the 2010 Home Remodeling Tour scheduled for Sunday, May 2nd from 12:00-4:00 p.m.

Mr. Harmening reported that staff met with the School District on Friday to discuss the process for Eliot and Cedar Manor schools. He advised that a neighborhood meeting will be scheduled in mid to late May for the purpose of explaining the process, including the formation of a task force. He stated the goal is to have the task force work through the summer months and to have something for the School Board and Council in September or October. He added that the City has sent a letter to property owners around the Eliot and Cedar Manor properties informing them of this process.

Mr. Harmening discussed the sex offender issue in the Minikahda Vista and Browndale neighborhoods and reported that a neighborhood meeting was held with residents; following that meeting, staff invited representatives from the Department of Corrections to meet with leaders of the two neighborhoods on May 5 to allow them to ask further questions.

Councilmember Ross stated that an issue has been raised with respect to the dog park in her ward, and a resident is complaining about noise as well as the lack of privacy. She stated she has met with city staff regarding the possibility of raising the level of the berm and planting additional shrubbery. She indicated that staff researched the possibility of installing an approximate 100’ fence, which would cost between $5,000 and $6,000. She stated one of the concerns raised by the resident appears to be that people are not observing the posted hours in the dog park.

The Council asked that staff place this on the May 1st Study Session for further discussion.

The West End Redevelopment Contract Report
Based on a staff report in the agenda packet on the West End project, Councilmember Mavity requested that the Council have a further discussion regarding how and when it is appropriate for the City to promote affordable housing units in large scale developments. She also requested that staff address industry standard definitions for affordable housing during this discussion.
Councilmember Omodt stated that the last time the Council reviewed its affordable housing criteria, the City was oversubscribed pursuant to Met Council guidelines. He indicated he is opposed to concentrated affordable housing because it appears to segregate the City’s schools.

Mayor Pro Tem Sanger stated it would be helpful for Council to have the most current data regarding the scope and to what extent affordable housing exists in the community.

Councilmember Finkelstein stated he felt the issue was worthy of a policy discussion by Council.

Mr. Harmening stated that based upon the previous policy direction of the Council, staff does not believe there was a policy direction to somehow incent or require the West End developer to put in some affordable housing or workforce housing component. He advised that staff will be bringing to the Council a request to amend the Development Agreement to allow housing as a land use option in this development. He stated if the Council, as part of that decision, wants to consider an affordability component, that represents a shift in policy on this project and the need for further Council discussion to occur. He added this policy discussion can focus on the West End project alone, or also in terms of citywide affordable housing.

It was the consensus of the City Council to have this policy discussion brought forward at a future meeting.

Councilmember Mavity stated she would like to look at exploring what it means to have a policy in place that provides incentives for developers to put in scattered site affordable housing as a way of avoiding a project-based concentration of poverty.

Councilmember Ross stated she would like to have some information regarding Federal government guidelines.

Mayor Pro Tem Sanger acknowledged Councilmember Omodt's valid concerns. She indicated she would like an update from staff on whether the City has a surplus of affordable housing. She stated it is difficult to know how to approach the West End project without knowing the bigger picture city-wide.

Councilmember Finkelstein stated that it would be helpful for Council’s discussion to have a definition of affordable housing, how affordable housing is defined and by whom, as well as a definition of work force housing. He stated it would also be helpful to have statistics regarding how much low income or affordable housing has been created in the City in the last five years.

Mr. Harmening stated that staff will provide a housing affordability report to Council in May or June; in the meantime, staff will advise the West End developer that the Council is giving consideration to housing in this project.

Councilmember Omodt called for a point of order and stated that the Council should wait to have further discussion on this topic at a future study session.
Communications continued
Councilmember Omodt stated that he, along with Councilmembers Finkelstein and Ross, attended the emergency exercise last Saturday. He stated it was great to see how well the fire departments and other agencies interacted. He congratulated City staff on their planning and execution of the emergency exercise.

Mr. Harmening stated that the City needs to update its emergency plan and as that is done, staff will work with Council on roles and responsibilities of elected officials and staff.

Mr. Zwilling stated that all of the partners involved in the exercise wanted to document the exercise, including the planning process; as a result, staff will be producing a 20 minute documentary film to be used as a training tool for all the agencies involved.

The meeting adjourned at 8:18 p.m.

Written Reports provided and documented for recording purposes only:

5. First Quarter Investment Report (January – March, 2010)
6. Fire Station Project Update
7. The West End Redevelopment Contract Update
8. Minority-owned, Women’s Business Enterprises and Small Business

Nancy Stroth, City Clerk

Jeff Jacobs, Mayor
TITLE:
Ranked Choice Voting

RECOMMENDED ACTION:
The purpose of this report is to provide Council with basic information regarding Ranked Choice Voting. Joe Mansky, Ramsey County Election Manager, will provide an overview of the 2011 Ranked Voting Election held in St. Paul and answer questions along with City Attorney Roger Knutson.

POLICY CONSIDERATION:
- Does the City Council wish to further pursue the method of a Ranked Voting Election for the St. Louis Park Municipal Elections? If so, what might be the reasons for doing this?
- Does the City Council need additional information on this topic?

BACKGROUND:
Council requested information regarding Ranked Choice Voting (RCV). This report includes basic information on past discussion history; what ranked choice voting is; what is involved to implement; municipal primary election laws; election voting equipment; Minneapolis, St. Paul, and other RCV jurisdictions; and supporting and opposing opinions.

Past Council Discussion
On May 22, 2006 a Joint Meeting was held with the Charter Commission and City Council to discuss Instant Run-off Voting and a presentation was given by Fair Vote Minnesota. City Attorney Roger Knutson provided information regarding possible legal challenges and legal costs involved. The consensus of the Council was to postpone further discussion pending the outcome of future legislation changes regarding statutory authority. In June 2009, the Minnesota Supreme Court rejected a challenge to the new voting method brought by the Minnesota Voters Alliance, which questioned the constitutionality of having voters rank candidates. The Court held that Minneapolis’s ordinance was not unconstitutional on its face. There has not been a court challenge to the ordinance as applied. In November 2009, Minneapolis held their first municipal Ranked Choice Voting Election.

At the April 26, 2010 Study Session, further council discussion took place on ranked choice voting. Ms. Gelms, Minneapolis Director of Elections provided an update on the outcome of the 2009 ranked choice voting election which included administrative costs, spoiled ballot and error rates, and implementation activities since 2006. It was the consensus of the City Council that no changes would be made to the City’s voting method, and to continue with the current regulations and requirements for municipal elections as stated in the City Charter.
What is Ranked Choice Voting?

Ranked Choice Voting is a system by which voters rank candidates in order of preference on a single ballot, ensuring that the winning candidate receives a majority of the votes where there are more than two candidates on the ballot. Using this method, winners are determined by counting first choices and determining if any candidates received a minimum number of votes needed to win. In single-seat races for mayor and city council, the minimum number of votes needed to win is 50 percent of the total votes cast plus one vote. If there is no candidate with a majority of first choices, a process of eliminating candidates and considering subsequent choices begins. The candidate with the fewest votes is defeated and those votes go to the second choices on each ballot. The votes are recounted in rounds until one candidate achieves the required majority of votes cast. Reallocation of votes does not guarantee the winner will win by over 50%.

Provisions regarding the conduct of elections are mandated by Federal Law, State Law, and City Ordinances. Currently there are no state standards for a Ranked Choice Method of voting. Charter Cities in Minnesota have authority to adopt the method of voting for municipal elections. Without uniform standards, cities that choose to adopt RCV may adopt different “rules” in their individual ordinances.

School Board Elections are administered by the City of St. Louis Park and would not be affected by any voting method changes to the city’s municipal elections. This means if the city approved a ranked choice voting method, the ballot would have two different voting methods on the same ballot (ranking city offices on multiple columns and voting in one column for multiple seats for School Board). Political considerations regarding budgets, contracts, approvals and timelines impose additional requirements for jurisdictions considering implementation of RCV.

What would be involved with implementation of a new voting method for St. Louis Park?

- Charter amendment
- Determination of specific rules
- Ordinance adoption
- Education to voters, election judges, and city election staff
- Additional staff including possible consultant
- Additional Election judge costs for handcounting and reallocating ballots; additional Healthcare Absentee Judges for the 5 St. Louis Park Healthcare facilities.
- Additional staff time including the days after the election inspecting & duplicating ballots, counting all write-ins from each column, hand counting to reallocate votes for all offices where there is no 1st round winner.
- Additional costs to implement include ballot programming, special ballot layout, ballot testing, ballot printing, education, brochures, posters, videos, postcard mailings, website.
- If the proposed Voter ID amendment passes, further review is needed on implications with provisional ballot requirements and impact to a ranked choice voting election.

Municipal Primary Election Laws

Minnesota Election Law states municipal primary elections may be held in any city. As a home rule charter city, St. Louis Park has adopted and chosen to hold Primary elections by Home Rule Charter Section 4.03. MN Statutes 205.065 states statutory cities may also choose to hold primaries by ordinance or resolution adoption. School Districts also have the choice whether to hold primary elections. St. Louis Park School District has chosen not to hold primaries for School Board Elections.
Of the 45 cities in Hennepin County, the following 11 cities have adopted and chosen to hold municipal primary elections: Bloomington, Brooklyn Center, Brooklyn Park, Crystal, Dayton, Independence, Minnetonka, Richfield, Robbinsdale, Rogers, and St. Louis Park. The remaining 34 cities do not hold municipal primaries. The traditional voting method is used by all cities in Hennepin County except for Minneapolis.

**St. Louis Park Municipal Election Results**

Staff conducted research of past years Municipal Primary and General election results and statistics. From this research, the following data was found regarding Primary Elections held in St. Louis Park:

- 7 Municipal Primary Elections were required since 1975
  - 6 primaries involved only 1 or 2 wards
  - 1 primary was citywide
- City Primary Elections cost approximately $1,000 per precinct
  - Since 1975, only 2 Primary candidates won with less than 50% (48% and 45.3%)

**Election Voting Equipment**

Minnesota Election law requires both Federal and State certification of all electronic voting systems. Currently, there is no certified voting equipment capable of counting ranked choices. In Minnesota voting equipment systems are generally owned and operated by counties. System replacement is typically managed through a normal replacement schedule that may or may not coincide with an RCV implementation schedule. The lack of consistent standards and rules between jurisdictions using the RCV method of voting results in the need to create customized programs for each jurisdiction causing higher development costs for equipment vendors. In addition, different election rules adopted by cities within the same county-wide system may complicate the certification process.

The current state certified voting equipment for Hennepin County is the M-100 Vote Tabulator Ballot Counter which supports voters by notifying them when a voting error is made so that they can make a correction. The current equipment would be able to count the first column of an RCV ballot, but a hand-counting sorting process would be required for RCV ballots if no candidate received over 50% of the votes. The AutoMARK is a ballot marking device certified by the State and required by Federal law which assists voters with disabilities to mark their ballots privately and independently. Both the AutoMARK and M-100 Ballot Counters currently are programmed to notify voters when they make an error but cannot recognize voter errors specific to Ranked Choice Voting. Voters would need to pay special attention to avoid making some mistakes specific to RCV that the machines cannot detect. Those errors include:

- Marking the same candidate in more than one column.
- Skipping a column between ranked candidates.
- Marking more than one candidate for an office in the same column.

**Minneapolis 2009 Rank Choice Voting Election**

In 2006 the Minneapolis City Council gave final approval by a 12-1 vote to put the Instant Runoff Voting charter amendment on the November 2006 ballot which passed by Minneapolis voters. Minneapolis officially adopted Ranked Choice Voting as the method name to more accurately reflect the process to rank candidates. In addition, “ranked choice” did not imply “instant” results from the process. Municipal elections in Minneapolis are typically held only every 4 years.
Attached to this report is the Minneapolis timeline of events from implementation through final certified results, citywide statistics, staffing, and method of rules used for RCV.

**St. Paul 2011 Rank Voting Election**
In November 2009, St. Paul voters approved a charter amendment with 52% of the vote to adopt the Ranked Voting method to elect the mayor and city council members. The question was placed on the ballot as a result of a petition that was filed at Ramsey County Elections. In November 2011, a Ranked Voting Election was held in St. Paul for 7 Ward councilmembers. (The St. Paul School Board continues to use the traditional voting method.) To win on election night, a candidate needs 50% + 1 of the first choice votes. Ward 2 was the only office where no candidate received over 50% of the votes which required the following process for hand counting and reallocation of ranked votes to determine winner:

- The ballots are piled and counted by first choice.
- If no candidate received a majority of first choice votes, counting resumes with reallocation of votes.
- The candidate with the lowest number of votes is always eliminated.
- The ballots that have a first choice for a candidate that is eliminated are then redistributed to the remaining candidates.
- The counting and reallocation continues in rounds until a candidate achieves a majority of votes. If only two candidates remain and neither has achieved a majority of votes cast, then the candidate with the most votes is the winner.

Joe Mansky, Ramsey County Election Manager, will be in attendance to provide further information and answer questions regarding the recent 2011 St. Paul Ranked Voting Election. Attached to this report is the Ward 2 Reallocation Summary Statement and the St. Paul voter flyer of how to mark your ballot.

**Other RCV Jurisdictions**
Ranked Choice Voting has been adopted in a number of U.S. cities, with several of these adoptions later being repealed by voters. The following additional jurisdictions were found to be involved with RCV through staff research:

- Duluth, Minnesota – In March 2012, after a year of volunteer work, a mayor-appointed citizen task force recommended the City Council place RCV on the ballot in 2013 for voters to decide if they want to use RCV in local elections starting in 2015.
- San Francisco, California since 2002, recent considerations to put on ballot to either overhaul or make changes due to current system too confusing for voters particularly those in poorer parts of the city.
- Berkeley, California passed IRV in 2004 and used in November 2010
- Takoma Park, Maryland since 2007 but ranked voting provisions never used because candidates have always won in first round.
- Pierce County, Washington since 2006, repealed by voters November 2009.
14 Various Opinions of those SUPPORTING RCV

1. Maximizes voter participation and available choices of candidates.
2. Brings the most voters together with the most candidates to choose from at the same election.
3. Eliminates the cost of the Primary Elections.
4. Eliminates low-turnout Primaries.
5. Provides results that better reflect the voters’ intent.
6. Produces a majority winner.
7. Ensures that candidates will not be disqualified in primary elections who may otherwise win in a high turnout general election.
8. Votes cast for the least popular candidate are not "wasted", but rather redistributed to more popular candidates, based on the voters' other ranked choices.
9. Assures fairer and more accurate representation of the voters.
10. Empowers voters to vote sincerely without being concerned about wasting their vote.
11. Allows candidates to run on their issues and get an accurate tally of support.
12. Reduces influence of money in politics and campaigns.
13. Could lead to more informative and positive campaigns.
14. More democratic because more candidates have a chance to run.

14 Various Opinions of those OPPOSING RCV

1. Benefit of a Primary is that voters gain the choice between quality candidates in the general election rather than merely multiple candidates.
2. Statistics indicate the disadvantaged may be disenfranchised by the complexity of the process.
3. Produces a “false majority” when each runoff round tends to have a slightly smaller pool of votes, and the majority of the votes counted in the final round are not the majority of all votes cast.
4. Appellants argue that the RCV methodology violates their right to vote, right to political association, and right to equal protection under one-person, one-vote principles.
5. More spoiled ballots and voter errors. Current equipment will not show ranked voting errors to voter.
6. With no certified equipment, more chance for human error with hand counting ballots multiple times for each round.
7. Additional costs involved with hand-counting, programming, special ballot layout.
8. Additional election staff needed, additional staff time involved.
9. Difficulty of administration.
10. A system that is confusing and adds more problems than it solves.
11. Complexity may cause lower voter turnout.
12. More likely to make a tie or near-tie election recount extremely complex.
13. Making elections more susceptible to fraud since it cannot be sub-totaled at the precinct level and must be centrally tabulated.
14. Does not meet mathematical requirement for monotonicity where voting for one’s choice will help one’s candidate. Nonmonotonicity is the voting characteristic in which voting for one’s choice may hurt one’s candidate’s chances of winning and may encourage tactical voting.
FINANCIAL OR BUDGET CONSIDERATION:
- If the City amended the City Charter to eliminate Primary Elections, an approximate savings of $1,000 per precinct would occur.
- A Ranked Choice Voting election would involve startup costs for voter education and advertising.
- In addition, additional long term costs would occur for equipment programming, ballot testing, specific ballot layout, staffing, and additional election judges for hand counting.

VISION CONSIDERATION:
Not applicable

Attachments:  
- City of Minneapolis Election Timeline and Statistics  
- City of St. Paul  
  - How to Mark Ranked Voting Ballot flyer  
  - 2011 Ward 2 Reallocation Summary

Prepared by:  
Nancy Stroth, City Clerk

Reviewed by:  
Nancy Deno, Deputy City Manager/HR Director

Approved by:  
Tom Harmening, City Manager
CITY OF MINNEAPOLIS
RANKED CHOICE VOTING ELECTION

TIMELINE OF EVENTS
March 2006 – Council Resolution creating IRV Task Force
May 9, 2006 – IRV Task Force final report to the City Council
May 23, 2009 – Intergovernmental Relations (IGR) Committee proposes ordinance amendment
May 26, 2006 – Council refers ordinance amendment to Charter Commission
June 7, 2006 – Charter Commission rejects proposed ordinance amendment allowing IRV
June 15, 2006 – Council refers proposed ordinance amendment to IGR & Elections Committee
June 30, 2006 – Council approves proposed amendments and refers to Charter Commission
July 2006 – IRV Report (1) to Elections Committee
August 2006 – Council approves ballot language
November 2006 – Minneapolis Charter Amendment passes with goal to implement IRV for the next municipal election in November of 2009.
January 2007 – May 2009 – Ten IRV Implementation Updates
March 2008 – Presentation to Council
April 2008 – City Council approves next steps to implement IRV
May 2008 – RFP for RCV voting equipment
August 2008 – Deadline for vendors to respond to RFPO for RVC voting equipment
September 2008 – Elections staff report no vendor proposal met requirements, recommend using combination of current equipment and hand count
June 2009 – Supreme Court Ruling rejecting constitutional challenge
October 2009 – Ordinance revisions
November 3, 2009 – Ranked Choice Voting Election Day

December 4, 2009 – RESULTS CERTIFIED
For single-seat offices:
• 20 offices: Mayor, 13 Council Members, and 6 District Park Commissioners
• The winning candidates for all offices were also the top vote-getters in the first round
• 16 of 20 offices decided in one round
• 19 out of 20 winning candidates surpassed threshold
• 4 offices decided in two rounds
• Council Wards 4 & 5 and Park District 6: The winning candidates surpassed threshold in second round
• Park and Recreation District 5: The winning candidate won as the highest vote-getter of the last two candidates remaining, but did not surpass threshold
• Looking at each race with 3 or more candidates
  • At least 1/3 of voters did not rank their choices
  • At least 1/3 of voters ranked more than one choice in the race

MINNEAPOLIS CITYWIDE ELECTION STATISTICS
(13 Wards, 131 Precincts)

<table>
<thead>
<tr>
<th>Pre-Registered Voters</th>
<th>Same Day Voter Registrations</th>
<th>Spoiled Ballots</th>
<th>Voter Error Ballots</th>
<th>Total Ballots Cast</th>
</tr>
</thead>
<tbody>
<tr>
<td>231,078</td>
<td>2,950</td>
<td>1,888</td>
<td>2,958</td>
<td>45,968</td>
</tr>
</tbody>
</table>
Pre-Registered Voters: the number of voters pre-registered at 7 am on Election Day

Same Day Voter Registrations: the number of voters who registered on Election Day

Spoiled Ballots: In the polling place, if a voter makes an error, the voter can return the spoiled ballot to an election judge and receive a new ballot. This number is not included in Total Ballots Cast because the voter received a new ballot.

Voter Error Ballots: The AutoMARK does not prevent voter errors specific to RCV. The Ballot Counter does not notify the voter of errors specific to RCV. As an early step of hand-counting, two election judges of different parties hand-inspected each ballot for voter error and accounted for errors where possible. Ballots with voter errors specific to Ranked Choice Voting include repeat ranking of the same candidate, skipped ranking before or between ranked candidates, and overvotes within a column. This number is included in the Total Ballots Cast.

Total Ballots Cast: includes both absentee ballots and in-person ballots

Minneapolis RCV Election Staffing

Administration, Outreach & Evaluation
- Interim Director, 4 full-time staff, 8 Seasonal staff
- Contract: RCV Outreach Coordinator
- Contract: Impartial Survey of Voters, Candidates and Election Judges

Election Day and Health Care Facilities Absentee Voting
- Health Care Coordinator, 16 Healthcare Election Judges
- 15 Precinct Support Judges/262 Chair and Assistant Chair Judges/1,200 Team Judges/108 student Judges

Handcount
- Sort & Count Manager and crew of 5 plus 240 sort/counters (90+ per day)
- Human Resource Manager and crew of 2
- Supply Manager and crew of 6
- Data Entry & Analysis Manager and 10-12 staff per day

Voter Rules for Minneapolis
In a Ranked Choice Voting Election, each city determines its own individual rules for dealing with “voter errors” specific to Ranked Choice Voting. The following is a sampling from the adopted rules in Minneapolis regarding voter errors:

No more than one selection per column - If you do, you’ve given the same ranking to two candidates. If that happens in your first choice column, none of your selections will count. If done in your second or third choice columns, only the choices before the column where there’s a duplicated ranking will count. This is the one error that will be flagged when ballots are inserted into scanners, and election judges will offer a new ballot if the voter wants to correct.

No more than one selection per row - That means you’re casting multiple choices for the same candidate. Your vote will still be counted, but only once. The voter will have forfeited the ability to make a backup selection if the first-choice candidate is eliminated from the running.

What happens if the voter skips a choice? - If it’s just your first or second choice, your lower-ranking selection will move up one notch from second to first and third to second. But if you skip both your first and second choices, your third choice won’t count.
# How to Mark Your Ranked Voting Ballot

**Step 1:** Pick your first choice by filling in the oval next to that candidate's name.

**Step 2:** If you have a second choice, fill in the oval next to that candidate. This candidate must be different than your first choice.

**Step 3:** Continue this process to pick your remaining choices, if you have any. Remember that you cannot rank the same candidate more than once.

### Do Not Make These Mistakes!

- **Do not choose more than one candidate for a single choice**

<table>
<thead>
<tr>
<th>1st choice</th>
<th>2nd choice (if any)</th>
<th>3rd choice (if any)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abigail Adams</td>
<td>Abigail Adams</td>
<td>Abigail Adams</td>
</tr>
<tr>
<td>Benjamin Franklin</td>
<td>Benjamin Franklin</td>
<td>Benjamin Franklin</td>
</tr>
<tr>
<td>Betsy Ross</td>
<td>Betsy Ross</td>
<td>Betsy Ross</td>
</tr>
<tr>
<td>Alexander Hamilton</td>
<td>Alexander Hamilton</td>
<td>Alexander Hamilton</td>
</tr>
</tbody>
</table>

- **Do not choose the same candidate for more than one choice**

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<td>Alexander Hamilton</td>
<td>Alexander Hamilton</td>
</tr>
</tbody>
</table>

- **Do not write rankings next to your choice**

<table>
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<tr>
<th>1st choice</th>
<th>2nd choice (if any)</th>
<th>3rd choice (if any)</th>
</tr>
</thead>
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</tr>
<tr>
<td>Alexander Hamilton</td>
<td>Alexander Hamilton</td>
<td>Alexander Hamilton</td>
</tr>
</tbody>
</table>
### Ward 2 Reallocation Summary Statement

**November 14, 2011**

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Election Night Totals- First Choice</th>
<th>Hand Count Totals-First Choice</th>
<th>Reallocation Rounds 1 +/-</th>
<th>Subtotal 1 +/-</th>
<th>Reallocation Rounds 2 +/-</th>
<th>Subtotal 2 +/-</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dave Thune</td>
<td>2079</td>
<td>2078</td>
<td>75</td>
<td>2153</td>
<td>717</td>
<td>2870</td>
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<tr>
<td>Jim Ivey</td>
<td>1435</td>
<td>1435</td>
<td>86</td>
<td>1521</td>
<td>-1,521</td>
<td>0</td>
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<tr>
<td>Bill Hosko</td>
<td>1378</td>
<td>1378</td>
<td>189</td>
<td>1567</td>
<td>497</td>
<td>2064</td>
</tr>
<tr>
<td>Cynthia Schanno</td>
<td>343</td>
<td>344</td>
<td>-344</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sharon Anderson</td>
<td>118</td>
<td>120</td>
<td>-120</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Write-in</td>
<td>8</td>
<td>8</td>
<td>-8</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Suspended Ballots</td>
<td>0</td>
<td>65</td>
<td>-65</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Votes Cast</strong></td>
<td>5361</td>
<td>5363</td>
<td>0</td>
<td>5241</td>
<td>0</td>
<td>4934</td>
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<tr>
<td>Inactive</td>
<td>0</td>
<td>0</td>
<td>187</td>
<td>187</td>
<td>307</td>
<td>494</td>
</tr>
<tr>
<td><strong>Total Ballots</strong></td>
<td>5361</td>
<td>5428</td>
<td></td>
<td>5428</td>
<td></td>
<td>5428</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Target Calculations ((Total 1st choice votes cast/2)+1)</th>
<th>Election Night</th>
<th>Hand Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>2681</td>
<td>2682</td>
<td></td>
</tr>
</tbody>
</table>

**Key:**
- **Active**
- **Inactive**
- **Winner (more than target)**
The meeting convened at 6:40 p.m.

Councilmembers present: Mayor Jeff Jacobs, Steve Hallfin, Anne Mavity, Julia Ross, Susan Sanger, Sue Santa, and Jake Spano.

Councilmembers absent: None.

Staff present: City Manager (Mr. Harmening), Deputy City Manager/Director of Human Resources (Ms. Deno), City Clerk (Ms. Stroth), City Attorney (Mr. Knutson), and Recording Secretary (Ms. Hughes).

Guest: Joe Mansky (Ramsey County Election Manager).

1. Future Study Session Agenda Planning – May 7 and May 14, 2012

Mr. Harmening presented the proposed special study session agenda for May 7, 2012, and the proposed study session agenda for May 14, 2012.

2. Ranked Choice Voting

Ms. Stroth presented the staff report and introduced Joe Mansky, Ramsey County Election Manager. She stated that the City has held seven primary elections since 1975 and two primary elections were won with less than 50% of the vote. She indicated the current state certified voting equipment does not count ranked votes and would not notify voters of errors with RCV.

Mr. Mansky stated that the website www.rcelections.org contains useful information regarding RCV. He discussed several myths regarding RCV and stated the RCV system does not guarantee a majority winner and indicated the more candidates that are on a ballot will reduce the likelihood of a majority winner. He stated they have found that voters do not want to rank their choice and typically want to vote for only one candidate. He indicated that another myth is that people will not understand RCV and stated that St. Paul’s experience has been that the voters knew what they were doing and they received no complaints from voters. He stated their public information campaign included a mailing to every resident as well as website videos and advertising on Metro Transit buses, with the goal of directing voters to the website to learn about RCV. He advised that it cannot be proven that RCV will save money and stated that they did not spend money on the primary election but the public information campaign overwhelmed those savings and that this did not include the many hours of additional staff time needed to develop, educate, communicate and run this process. He stated that after the voters approved the Charter amendment for RCV in 2009, they spent over a year implementing the RCV system in order to enact the ordinance and prepare for the 2011 St. Paul RCV Election. He also discussed the reallocation process required for candidates who do not receive 50%+1 of votes cast and the process used to hand count ballots. He noted there is currently no RCV equipment available that is certified for use by the Secretary of State but there are products currently in development that will deliver data that can be used to perform reallocations.

Ms. Deno stated that if the issue is to hold or not hold a primary, it is the City Charter that currently requires that primary elections be held. If the Council wished elimination of primary to
be explored they could ask Charter Commission to consider whether primary elections should continue.

Councilmember Sanger expressed thanks for the educational information contained in the staff report. She stated she had requested that Council consider RCV but is now convinced that RCV is not administratively practical at this time.

Councilmember Ross questioned the cost of converting to RCV and the return on investment.”

Councilmember Hallfin agreed that RCV should not be pursued at this time and felt the current method used for voting did not need to be changed.

Councilmember Spano stated that advocates of RCV will argue that it changes the way candidates run their campaigns and that it encourages more people to run. He agreed that from a financial standpoint, RCV does not make sense for the City.

Mr. Mansky stated they did not see an increase in voter turnout as a result of RCV. He indicated that some advocates of RCV feel that it is beneficial to minority candidates and voters but that was not their experience.

It was the consensus of the City Council that it does not wish to further pursue the method of a Ranked Voting Election for the St. Louis Park municipal elections.

Councilmember Mavity stated that voter turnout for the City’s primary elections is very low compared to the high cost of running the primary elections. She suggested having the Charter Commission look into this and come back to Council with a recommendation on whether to eliminate primary elections. The Council stated they may want to have more discussion on this before considering sending this to Charter Commission for review.

3. **Gambling Premise Permit for Hopkins Raspberry Festival Association**

Ms. Deno presented the staff report.

Councilmember Santa stated that the City is interested in helping Toby Keith’s come off probationary status but did not feel that on-site gambling would help and could even be a distraction.

Councilmember Sanger requested the City Attorney’s opinion as to whether Council can deny the gambling premises permit application from Hopkins Raspberry Festival at this time.

Mr. Knutson replied that Council has legal standing to deny the gambling premises permit application from Hopkins Raspberry Festival at this time.

Councilmember Sanger stated she would like to deny the application at this time and to indicate to Toby Keith’s that if and when they come into compliance with the City’s liquor ordinance, the City is willing to entertain the gambling premises permit application at that time. She added that her rationale is that gambling and alcohol go together and the on-site gambling could contribute to a further disparity in not enough food sales for Toby Keith’s.
Mr. Knutson stated that the resolution denying issuance of a permit states that Toby Keith’s can reapply after the establishment comes off probation. He added that the legal basis for turning down the premises permit does not come with a guarantee that the permit will be approved when Toby Keith’s is no longer on probation.

Councilmember Sanger asked if Council can require Toby Keith’s to remain in compliance with City Code for a specified number of months before Council will entertain further applications for a premises permit for lawful gambling.

Mr. Knutson stated that a condition can be added requiring Toby Keith’s to remain in compliance for a specified number of months before reapplying for a premises permit. He noted that premises permits for lawful gambling are not annually renewed by the City and if Toby Keith’s were to go back on probation, a condition of probation could be a requirement to get rid of gambling at Toby Keith’s.

Councilmember Ross stated she was not in favor of denying the premises permit. She indicated if Toby Keith’s feels they can take this on, it is their responsibility and they are fully aware of the cost of doing business in the City. She added if Toby Keith’s loses their liquor license it will take care of the gambling.

It was the consensus of the City Council place this item on the agenda for May 7, 2012.

4. City Council Electronic Communications

Ms. Deno presented the staff report.

Mr. Knutson recited several provisions of the Open Meeting Law. He referenced a recent situation with the Metro Gang Task Force where the executive director asked task force members if it was okay to send out a press release and all task force members agreed the press release could be sent, resulting in a violation of the Open Meeting Law. He discussed serial communications using email as well as the implications of social media and urged Council to be cautious.

Ms. Deno stated that one of the City’s biggest potential concern could be emails going back and forth among Council and a concern that emails could result in a decision being made in violation of the Open Meeting Law.

Mayor Jacobs reminded Council not to use “reply to all” when responding to emails.

Mr. Harmening stated that he sends an end of week email to Council regarding ongoing issues and to provide Council with a heads-up on various issues.

Mr. Knutson advised that it is alright to send this type of email as long as no decision is being made.

Council discussed notice requirements and closed meetings.

Mr. Harmening presented a policy adopted by the City of Woodbury regarding electronic communications and noted the City does not have a policy regarding electronic communications.
It was the consensus of the City Council that it was not interested in formally adopting an electronic communications policy at this time.

5. **Boards and Commissions Policies**

Ms. Deno presented the staff report.

Councilmember Sanger suggested that the language be revised to state that the City Council will not appoint a board or commission member to serve concurrently on more than one board or commission. She stated since the Charter Commission is not appointed by Council they would not be subject to this. She also suggested that the definition of immediate family include a reference to stepparents and stepchildren and members of the same household.

Councilmember Ross stated she would like to see an exception for youth appointments to allow youth members to serve on the same board as another family member.

Councilmember Mavity stated that Council makes appointments to the Housing Authority and suggested that the Housing Authority be added to the list of boards and commissions governed by the rules and procedures.

Councilmember Sanger suggested that the language indicate “such other boards and commissions that may be created or that the council appoints.”

Councilmember Ross requested that the list include CEAC.

It was the consensus of the City Council to adopt a revised policy for boards and commissions, including the revisions suggested, and to approve the policy via consent agenda.

6. **Environment/Sustainability Input**

Ms. Deno presented the staff report and proposed outline for establishing the environment/sustainability task force. She explained the purpose of the task force, timeline for meeting, and guiding principles.

Councilmember Sanger felt that five meetings may not be enough and the timeline may be too short. She suggested that the guiding principles provide more flexibility to allow more if necessary and to allow the task force to decide if they need more time to complete their work.

Ms. Deno agreed to revise the timeline for completing the task force’s work.

Mr. Harmening suggested that the City advertise the task force formation and ask interested residents to complete an application and then Council can review the applications to make appointments to the task force.

Councilmember Santa stated it will be important to have a balanced membership with representation from all areas of the City as well as certain geographic anomalies, e.g., residents living near Minnehaha Creek.

Councilmember Mavity requested that the application form include applicants to list their top three to five environmental issues, ideas or areas of interest.
Councilmember Sanger suggested that the application form ask applicants to give an indication of what environmental areas they have been involved with in the past.

Councilmember Mavity stated that Council has previously discussed having some kind of mechanism on the City's website to provide a forum for residents to provide input and share information on environmental issues. She indicated this information could be helpful to the task force in understanding what residents are interested in related to environmental issues. Council discussed this and thought it best of the task force wanted to do something like this, they could make such recommendation to Council.

Councilmember Spano stated he does not want Council to shape the work of the task force too much and added it will be important to make sure the task force represents a broad spectrum of issues related to the environment.

7. Communications/Meeting Check-In

Mr. Harmening advised that TCF Bank will be holding its annual meeting at the Marriott Hotel on Wednesday, April 25th, with Jeb Bush as the keynote speaker and there may be some protests taking place during the annual meeting. He reminded Council of the Children First event on Wednesday morning at 7:15 a.m. and asked Council to let him know if they wish to attend the event.

Mr. Harmening requested input from Council regarding a request received from the Beyond the Yellow Ribbon program and whether the City wants to support the program.

Councilmember Spano advised that he chairs the yellow ribbon steering committee at the City of St. Paul and stated that Beyond the Yellow Ribbon is a network of individuals and organizations dedicated to supporting the country's servicemembers and their families. He indicated this program spans a variety of areas and can be as big or as little as the City wants. He added that Minnetonka, Golden Valley, and Hopkins are looking at joining the program. He stated he would do whatever he could to facilitate the City's participation in the program.

Councilmember Sanger stated a policy question for Council to consider is how the City decides which nonprofits to help.

Mr. Harmening indicated that the City would be helping to facilitate a partnership in the community made up of a variety of groups, including the Rotary, Park Nicollet, etc. that works to support servicemembers living in the community.

Councilmember Mavity stated that if no significant staff time or costs are required to be expended, she felt the City should move forward with participating in the Yellow Ribbon program.

Councilmember Santa advised that she has supported and been involved in Yellow Ribbon efforts in her personal life and felt it was a worthwhile cause.

It was the consensus of the City Council to direct staff to look into participation in the Beyond the Yellow Ribbon program if no significant City resources are required.
Councilmember Ross stated that Council has previously discussed the requirements of the City's liquor ordinance regarding food sales and asked if Council wants to have a further discussion regarding its liquor ordinance. She also asked if Council wants to have a further discussion regarding whether to adopt a policy that states establishments on probation cannot hold a premises permit for lawful gambling.

Councilmember Hallfin stated he would like Council to have further discussion regarding the liquor ordinance.

Ms. Deno indicated Council may be discussing taproom breweries in the near future and these issues could be discussed at that time.

The meeting adjourned at 8:47 p.m.

Written Reports provided and documented for recording purposes only:

8. Project Update — Trunk Highway 169 Proposed Visual Barrier and Access Closure Project
11. Eliot School Site Design Guidelines and Redevelopment

Nancy Stroth, City Clerk

Jeff Jacobs, Mayor
EXECUTIVE SUMMARY

TITLE:  Ranked Choice Voting

RECOMMENDED ACTION:  None at this time.  This information is being provided in response to a request from Council.

POLICY CONSIDERATION:  Does the City Council want to further pursue the method of Ranked Choice Voting for municipal elections?  Does the City Council need additional information on this topic?

SUMMARY:  The City Council previously discussed this topic on several occasions and has again requested information regarding Ranked Choice Voting (RCV).

- May 22, 2006 - A joint meeting was held with the Charter Commission to discuss Instant Run-off Voting and a presentation was given by Fair Vote Minnesota.  City Attorney Roger Knutson provided information regarding possible legal challenges associated with implementation of an alternative voting method as well as the legal costs involved.  The consensus of the Council at that time was to postpone further discussion pending the outcome of legislative changes regarding statutory authority.

- April 26, 2010 - The City Council requested updated information regarding the legislative status of the RCV method following implementation in Minneapolis in 2009.  The Minneapolis Director of Elections, Ginny Gelms, attended the meeting to provide an update on the outcome of the 2009 RCV election, including administrative costs, spoiled ballot and error rates, and implementation activities that occurred since 2006.  Following discussion by the Council, the consensus was that no changes should be made to the City’s voting method, and to continue operating municipal elections in accordance with the regulations and requirements outlined in the City Charter.

- April 23, 2012 - The City Council requested information regarding RCV.  Staff provided basic information on the RCV method and the Ramsey County Election Manager, Joe Mansky, answered questions and provided an overview of the 2011 RCV election held in St. Paul.  Following discussion, the consensus of the Council was to not pursue the RCV method for municipal elections because it did not make sense from a financial or administrative standpoint.

Hennepin County Election Manager, Ginny Gelms, will be in attendance to answer questions regarding the RCV method and to address the role of the County in the implementation, preparation, and conduct of the RCV method for municipal elections in St. Louis Park.

FINANCIAL OR BUDGET CONSIDERATION:  Not applicable.

VISION CONSIDERATION:  St. Louis Park is committed to being a connected and engaged community.

SUPPORTING DOCUMENTS:  Discussion

Prepared by:  Melissa Kennedy, City Clerk
Approved by:  Nancy Deno, Deputy City Manager/HR Director
**DISCUSSION**

**What is Ranked Choice Voting?**

Ranked Choice Voting is a system by which voters rank candidates in order of preference on a single ballot, ensuring that the winning candidate receives a majority of the votes where there are more than two candidates on the ballot. Using this method, winners are determined by counting first choices and determining if any candidates received a minimum number of votes needed to win. In single-seat races, the minimum number of votes needed to win is 50% of the total votes cast plus one (1) vote. If there is no candidate with a majority of first choices, a process of eliminating candidates and considering subsequent choices begins. The candidate with the fewest votes is defeated and those votes go to the second choices on each ballot. The votes are recounted in rounds until one candidate achieves the required majority of votes cast. However, the reallocation of votes does not guarantee the winner will win by over 50%.

Provisions regarding the conduct of elections are mandated by Federal Law, State Law, and City Ordinances. Currently, there are no state standards for the RCV method of voting. Charter cities in Minnesota have the authority to adopt the method of voting for municipal elections. Without uniform standards, cities that choose to adopt the RCV method may adopt different “rules” in their individual ordinances.

**Is the City required to hold Municipal Primary Elections?**

Minnesota Election Law states municipal primary elections may be held in any city. As a home rule charter city, St. Louis Park has chosen to have the option for Primary elections according the provisions set forth in Section 4.03 of the City Charter. School Districts also have the choice whether or not to hold primary elections. The St. Louis Park School District has chosen not to hold primaries for School Board elections.

Of the 45 cities in Hennepin County, only 11 cities have the option to hold municipal primary elections (Bloomington, Brooklyn Center, Brooklyn Park, Crystal, Dayton, Independence, Minnetonka, Richfield, Robbinsdale, Rogers, and St. Louis Park). The remaining 34 cities do not hold municipal primaries. The traditional voting method is used by all cities in Hennepin County, except for Minneapolis.

If the main concern is related to the cost and administration of municipal primary elections, the City Council could ask the Charter Commission to consider amending the Charter to eliminate the option for a municipal primary.

**How many Municipal Primary Elections have been held in St. Louis Park?**

- 9 Municipal Primary Elections have been required in St. Louis Park since 1975.
  - 7 primaries involved only 1 or 2 wards
  - 2 primaries were citywide
- Municipal Primary Elections cost approximately $1,000 per precinct
  - Since 1975, only 3 Primary Candidates won with less than 50%

**Do any other cities in Minnesota use the RCV method?**

Minneapolis and St. Paul have implemented the RCV method for municipal elections. In 2015 voters in Duluth rejected a citywide referendum that called for a shift to the RCV method.
**How would the implementation of the RCV method affect School District elections?**

Even though the City administers elections for the School District, implementation of the RCV method for municipal elections would not affect the administration of School District elections. If the City approved the RCV method, the ballot would have two different voting methods on the same ballot. Voters would rank candidates for City offices on multiple columns and would vote in one column for candidates for multiple seats on the School Board. This could, however, be confusing for voters as they would be asked to use different voting methods on the same ballot.

**What would need to be done implement the RCV method in St. Louis Park?**

- Charter amendment - could be done via ordinance if approved by the Charter Commission. If the amendment is not approved by the Charter Commission, a referendum would be required.
- Development of specific rules related to administration of the RCV method
- Ordinance adoption
- Education outreach to voters, election judges, and city staff
- Hire additional staff including election judges, internal staff, and possible consultant
- Identify funding source for additional costs to implement, including: legal consultations, ballot programming, special ballot layout, ballot testing, ballot printing, public education outreach (brochures, posters, videos, postcard mailings, website, and social media), additional staffing (consultant, election judges, internal staff)
The meeting convened at 6:30 p.m.

Councilmembers present: Mayor Jake Spano, Tim Brausen, Steve Hallfin, Gregg Lindberg, Anne Mavity, Thom Miller, and Susan Sanger.

Staff present: City Manager (Mr. Harmening), Engineering Director (Ms. Heiser), Deputy City Manager/Human Resources Director (Ms. Deno), City Clerk (Ms. Kennedy), Planning and Zoning Supervisor (Mr. Walther), Communications Director (Ms. Larson), and Recording Secretary (Ms. Pappas).

Guest: Ginny Gelms, Hennepin County Elections Manager; Tony Barranco, Vice President, Ryan; Tom Rehwaldt, Ryan; Carl Drecktrah, Ryan; Tom Tracy, Excelsior Group

1. Future Study Session Agenda Planning – May 16, 2016

Mr. Harmening presented the proposed Study Session agenda for May 16, 2016. He noted the May 23rd meeting will be held at the St Louis Park Nature Center starting at 6:15 p.m.

Several Councilmembers noted additional topics for discussion at future Study Sessions:
- Rationale on minimum wage in the city
- Discussion of the local real estate market, demand and life cycle, possible saturation of market, and getting ahead of the situation
- Housing status report, including price points and gaps, senior housing

Mr. Harmening said he would research and find an outside person to present an objective viewpoint to the City Council on the aforementioned housing and real estate related topics.

2. Ranked Choice Voting

Ms. Kennedy presented information on Ranked Choice Voting (RCV) in response to a request from the council. She introduced Ginny Gelms, Hennepin County Elections Manager, who was in attendance to answer questions regarding the Ranked Choice Voting method.

Ms. Kennedy noted the council had previously discussed this topic in 2006, 2010, and 2012. The last time this topic was presented and discussed, the consensus of the council was that the city should continue with the current voting model and not pursue a charter amendment for a switch to Ranked Choice Voting. At that time the City Council also agreed not to pursue the RCV method for municipal elections because it did not make sense from a financial or administrative standpoint. Ms. Kennedy noted that the RCV model is used in Minneapolis and St. Paul.

Ms. Gelms addressed the role of the county in the implementation, preparation, and use of the RCV method for municipal elections in St. Louis Park. She noted that the current voting equipment was not capable of completing the count for a RCV race to completion. Staff would still need to manually complete the count, which can delay final results for several days.

The council discussed the topic, noting the implications and merits of a potential switch to the RCV model for municipal elections.
Councilmember Brausen questioned why conducting a RCV election would potentially cost more money.

Ms. Kennedy stated more election judges would be required at the precincts and the city would have to make investments in a robust public education process as well as reprinting of many of the materials used at the precincts on Election Day. She noted additional staff would be needed after the election for completion of the final tabulation process.

The council also discussed the advantages and disadvantages of holding a municipal primary and whether eliminating the option for a primary election may resolve the main concerns that need to be addressed. Mr. Harmening stated a charter amendment would be required to eliminate the option for a municipal primary. Ms. Kennedy clarified that the Charter currently requires the city to hold a primary election any time 3 or more candidates file for a particular office.

Ms. Gelms noted that of the 45 cities in Hennepin County, only 10 have the option to hold municipal primary elections.

Councilmember Lindberg stated that the school district does not have the statutory authority to switch to a RCV model. He noted the school district does not currently hold a primary election. This would need to be considered if changes are made to the current voting process because there would be two voting styles on the same ballot.

Ms. Gelms explained that Hennepin County has not had experience with programming the voting equipment to accept and tabulate ballots with two different voting styles. She noted it is not an issue in Minneapolis because school district elections are conducted in even year elections.

Mayor Spano suggested the council may want to consider eliminating the option for municipal primary elections and testing how that works for several election cycles before considering a switch to the RCV model.

Councilmember Sanger stated the city may also want to consider increasing the filing fee and/or the number of signature required on the petition for candidates, in order to attract serious candidates for municipal offices.

Councilmember Brausen stated he is not in favor of raising filing fees, as it may discourage people from becoming candidates.

Councilmember Lindberg stated he sees some value in primary elections and also in getting more signatures on petitions for those filing. He agreed this would attract more serious candidates.

Councilmember Hallfin agreed and added if the cost to file was raised a bit, there might be more serious candidates who become involved in the process.

Mayor Spano cautioned he would not want the raising of fees to deter candidates from applying. He did agree with increasing the number of signatures candidates are required to obtain on nominating petitions.

Councilmember Mavity agreed that fees should be raised, as well as signatures increased; however, not to the point of being cost prohibitive.
Councilmember Lindberg added there needs to be a balance in the process between costs and signatures needed.

Mr. Harmening stated he will direct staff to work on this issue and gather information to be presented to council at a future study session. This information will focus on a request to the Charter Commission to consider amendments to eliminate the option for municipal primary elections, as well increasing the number of signatures required on nominating petitions and filing fees for candidates.

3. Off-Sale Liquor Licensing

Ms. Deno presented information to the council that was requested related to off-sale liquor licensing. The council discussed the possibility of amending the off-sale liquor licensing requirements. The council had requested staff to include past information, including establishment size, zoning and proximity information, and the regulations implemented by the City of Hopkins in 2014.

Councilmember Mavity stated she would support limiting the square footage of liquor stores to a maximum size of 5,000 square feet.

Councilmember Lindberg noted he originally raised this question as an issue of proximity and concentration of liquor stores in the Knollwood area. He stated if the council wants to limit the size of stores the process of deciding the maximum size will be important.

Councilmember Brausen stated he is not in favor of setting additional limitations because the market will regulate itself.

Councilmember Hallfin stated he is in favor of capping the square footage at the size of the largest existing liquor store, also taking into consideration the proximity to other liquor stores.

Councilmember Sanger stated the city does not need limits on the number of stores and agreed the marketplace regulate the issue.

Councilmember Miller stated he feels the free market will self-regulate and that limiting the size of stores won’t solve the issue.

Mayor Spano said the council is in the same place it was last year on this issue and no consensus has been reached. He thanked staff for their work, adding that at this time, no changes will be made and no further information or meetings are needed on this issue.

4. Ten West End Planned Unit Development

Nicole Mardell introduced the presentation from Ryan Companies related to the concept design for the offices at the West End Phase 4 of Central Park West.

Tony Barranco, Vice President of Development - Ryan Companies, presented the development concept, which will be two buildings built in separate phases and will include 700,000 feet of office space in this corridor. The plans are to build the North building in the first phase. The parking ramp would be built in two phases but will function as one ramp upon completion and will include 6,700 feet of green space that is usable and also softens the area. The proposal also
includes covering the loading dock and placing it between the office building and the ramp, where is will be less noticeable. The structured parking will include 1,200 stalls, with additional stalls in the surface area.

Councilmember Mavity asked if the ramp is being built to repurpose into offices later.

Karl Drecktrah, Director of Architecture - Ryan Companies, stated it could be repurposed; however, the ramp should last 100 years. He added the ramp will be built to balance the aesthetics of the area and will be lower than the office buildings. The ramp will be seen from Hwy. 100; however, the view will mostly include the building and wall along Lilac Drive.

The developers also noted the proposed use of natural wood on the building and intermixed areas in order to break up the tall mass of the building and to compliment the West End. Design elements also include arches, a balanced brick façade, shared outdoor space, texture and sheen with the brick. The interior will have a more natural feel, not corporate, but active space and interacting lobby areas; with lounge seating vs. benches; bridges - connecting spaces with a flow and connections.

They also presented an open stair visual in a subtle effort to get people to move more. Additionally, a secure bike storage room, showers and a locker room area are included in the design.

Councilmember Sanger stated there is a need for better biking connections from Cedar Lake Road. The developer noted they would pay more attention to this issue and could include a second entrance area from the other side of the building.

Councilmember Mavity added the placement of the women’s locker room feels isolated and unsafe as shown. The developer stated they will review this.

It was noted the retail space will feature a deli style food service and coffee shop.

Councilmember Brausen asked about the shadow into the park/green area from the proposed building. The developer stated they will provide a shadow study at the next study session.

The developer received a question regarding public accessibility to the outdoor and indoor common spaces. He explained the common spaces and retail area will be for public use, and the conference rooms may be reserved by appointment for public meetings.

Councilmember Sanger asked if there are any commitments from tenants to lease the building yet. The developer said not at this time; however, they are talking to potential tenants and equity partners.

Councilmember Sanger asked if the developers envision this as one large corporate campus for one corporation. The developer noted the facility would likely be multi-tenant, with one or two anchor tenants and additional smaller tenants.

Mr. Barranco explained the second phase of the building and ramp, points of access through the ramp; and areas where the ramp would abut and connect with each phase of the building, providing an additional area of green space to the linear park.
Councilmember Brausen noted the renderings of both buildings look very dark and have a warehouse feel. Mr. Barranco stated the next rendering will be improved and will not be as dark as it currently looks.

Councilmember Mavity stated the concept is absolutely lovely and the buildings look like a nice repurposed north loop warehouse-type building.

Councilmember Hallfin asked if the building materials conform to all St. Louis Park City ordinances.

Mr. Walther stated the city usually does not allow a large percentage of wood on building facades; however the Melrose building does have synthetic wood. He added the council can decide ultimately which material to use as it is part of a Planned Unit Development.

Mayor Spano noted the wood soffit concept resembles CHS Field in Lowertown St Paul, which has won national awards. He added he likes the wood look.

Councilmember Hallfin added as long as it conforms to the city ordinance, he is not concerned about what materials are used on the outside.

Councilmember Lindberg noted it looks great, and he is happy the project has the potential to move forward. He noted the council will need to further discuss the use of the wood soffit on the outside.

The consensus of the city council related to the following the developer should:

- provide plating details of the parking ramp to show potential reuse
- work with staff to identify improved bike connections
- add a southern exit to the building
- consider shifting the women’s locker room
- provide a shadow study;
- provide percentage of building materials on each façade, specifically of the wood soffit
- expand the trash room to include space for future organics disposal

The developer is planning on an application submittal in late summer. These items will be further discussed at the Planning Commission Public Hearing and First Reading.

5. Assessment Policy Discussion (continued) Parking Lots

Ms. Heiser continued the assessment policy discussion with the council. Once all areas have been reviewed by council, staff will bring back an overall assessment policy for city council approval. She noted the park and ride lots were not built with assessments and with other parking lots, the past practice has been to assess 100% of the costs. She added the majority of the users of these lots are private property owners. The recommended option for these lots is to continue to assess them. This process would include having the council order a feasibility report and later a public hearing to decide if the lots should remain municipal lots or be used for other purposes. Ms. Heiser noted that over half of these lots are on the public right-of-way. She added that staff recommends moving ahead with a 6-7 year CIP.

Mayor Spano asked what the impetus is for this change. Mr. Harmening noted the city’s assessment policy is being completely updated, and this will be part of that policy.
Councilmember Lindberg stated he recently drove through various city lots and noted many are in rough shape. He asked how the city uses the parking lots and why they seem to be in the business of parking lots.

Councilmember Sanger added she doesn’t understand why the city owns these parking lots, many of which are adjacent to private businesses. Additionally, she noted businesses should provide parking, and the city should not own them. She suggested the city sell the lots.

Councilmember Hallfin stated many of the parking lots have no overnight parking allowed, but this has not been enforced.

Councilmember Brausen asked if the city publically auctions parking lots or sells them to adjacent land owners.

Ms. Heiser stated if parking lots were not available, then patrons would need to park in city neighborhoods.

Councilmember Miller added the biggest concern is the process, which seems complicated, especially as to who actually uses these lots.

Ms. Heiser noted the lots are relied upon to meet the property owners’ parking needs.

Councilmember Sanger added the city cannot force businesses to purchase the lots, but what are penalties for businesses that don’t provide off street parking. This may be a negotiating point.

Councilmember Brausen added the city is better off assessing businesses, otherwise this would force people to park in the streets if parking lots are not available.

Councilmember Mavity said she agrees costs should go back to businesses or the city should sell the parking lots.

Mayor Spano noted consensus is to continue to assess property owners and asked staff to also look at ways to include striping and snow removal.

6. Climate Inheritance Resolution of iMatter

Mr. Harmening noted that in March, the iMatter group and Environment and Sustainability Commission members presented a report card and asked the city to adopt a climate action plan. A draft resolution is included in the materials provided to the City Council. Mr. Harmening noted the resolution is aspirational and if adopted as written, the city will need to create a climate action plan going forward. It was noted that the youth representatives are asking that the council adopt the resolution by May 16 - before school is out for the year.

Mr. Harmening explained if approved, staff would hire a consultant to write a climate action plan, and the Environment & Sustainability Commission and staff would assist in the preparation of the draft plan. He noted this could take at least six months, and costs would be $10,000-15,000.
Councilmember Sanger stated it would be wonderful to have the whole community involved in this project, and there would be a need to conduct public forums and listening sessions. Then this could become part of the comprehensive plan.

Mr. Harmening added that writing the goals and planning would not be hard, but implementing the plan would be more difficult.

Mayor Spano added that iMatter could become the youth advisory commission, giving feedback to the council.

The resolution will be reviewed at the May 16 city council meeting.

**Communications/Meeting Check-in**

Councilmember Mavity asked when the council will see the first draft of the comprehensive plan. Mr. Harmening noted the planning process begins in the fall.

It was noted the Children First Ice Cream Social is May 15 from 2-5 p.m.

Mayor Spano updated the council on his first Mornings with the Mayor session.

Councilmember Hallfin referenced written report #11 regarding the Legion Post 282 Liquor Ordinance Amendment Request. He stated he did not know they were moving. Mr. Harmening stated they have not determined a new location yet but wanted council consideration. Councilmember Hallfin noted he would like to know where they want to move before the council discusses this further.

**Boards and Commissions**

The council discussed interviews conducted and the candidates for appointment to the various city commissions. The slate of candidates will be presented for approval at the May 16, 2016 City Council meeting.

The meeting was adjourned at 9:55 pm

Written Reports provided and documented for recording purposes only:

7. Candidate Filing Fees
8. Acceptance of Southwest LRT Corridor-wide Housing Strategy
9. Update on SW Parcel at Highway 7 and Louisiana Avenue (Project # 2012-0100)
10. City Hall/Police Station Sidewalk Improvements for Accessibility
11. Frank Lundberg American Legion Post 282 Liquor Ordinance Amendment Request
13. PLACE Concept Plan
Melissa Kennedy, City Clerk

Jake Spano, Mayor
EXECUTIVE SUMMARY

TITLE: Ranked Choice Voting

RECOMMENDED ACTION: None at this time. This item is being brought forward at the request of the City Council.

POLICY CONSIDERATION: Does the City Council want to further pursue the method of Ranked Choice Voting for municipal elections? Does the City Council need additional information on this topic?

SUMMARY: The council has previously discussed the topic of RCV on several occasions in 2006, 2010, and 2012. The consensus of the council following each of those discussions was that implementation of an alternative voting method in St. Louis Park was not warranted.

On May 9, 2016 the council again discussed the topic of RCV along with other topics related to municipal elections. Ginny Gelms, Hennepin County Elections Manager, was in attendance to provide information and answer questions. During council discussion a number of concerns were raised including: cost of holding primary elections, staff resources related to the administration of primary elections, historically low voter turnout at primary elections, perceived lack of serious candidates filing for municipal office, and the undue burdens placed on candidates to run campaigns for potentially both a primary and general election. At that time the consensus of the Council was that a switch to the ranked choice voting method was not warranted, primarily because the school district does not have the option to switch voting methods, and it was thought that other measures could be taken to address the identified concerns.

On April 17, 2017 the City Council conducted a public hearing to consider the first reading of an ordinance amending the City Charter by eliminating the need for a municipal primary election when three (3) or more candidates file for an office and changing the candidate filing requirements. During the public hearing the council took public testimony from a number of individuals regarding the topic of Ranked Choice Voting (RCV). At the conclusion of the public hearing, the council directed staff to schedule a follow-up discussion on the topic of RCV.

At the meeting on June 5 a 10-15 minute presentation on RCV will be made by Jeanne Massey, Executive Director from Fair Vote Minnesota.

The City Attorney will also be in attendance on June 5 to answer any legal questions council may have related to RCV.

FINANCIAL OR BUDGET CONSIDERATION: Not applicable.

VISION CONSIDERATION: Not applicable.

SUPPORTING DOCUMENTS: Discussion

Prepared by: Melissa Kennedy, City Clerk
Reviewed by: Nancy Deno, Deputy City Manager/HR Director
Approved by: Tom Harmening, City Manager
DISCUSSION

**What is Ranked Choice Voting?**
Ranked-Choice Voting (RCV) is a method of voting allowing voters to rank multiple candidates in order of preference.

**Can the Ranked Choice Voting method be used for State, Federal, or County elections?**
No, the RCV method cannot be used for State, Federal, or County elections. This means that in even-year elections voters in St. Louis Park would use the current voting method to elect candidates. Implementation of RCV would only apply to municipal elections.

**Can the school district choose to elect school board members using the Ranked Choice method?**
No, the school district does not have the option to conduct elections using RCV. State statute only allows Charter cities to choose to implement an alternative voting method such as RCV. Because the school district does not have this option, the ballot layout, style, and method of election must follow statutory guidelines.

**Have other cities in Minnesota considered implementing RCV?**
In 2016, the City of Brooklyn Park held a public hearing to consider a charter amendment that would implement Ranked Choice Voting. The City Council unanimously voted against the ordinance at the first reading. The Brooklyn Park Charter Commission ultimately decided not to put a question on the ballot and instead opted to keep the topic of Ranked Choice Voting in their work plan for continued monitoring.

In 2015 the City of Duluth placed a question on the ballot asking voters to decide whether or not a switch should be made. The ballot question was defeated and RCV was not implemented.

In 2009, a ballot question to switch to RCV was supported by voters in St. Paul. RCV was implemented for use in the 2011 election. Currently, there is a petition in St. Paul to place another question on the ballot to repeal the use of RCV for municipal elections.

In 2006, the City of Minneapolis placed a question on the ballot to amend the charter and voters ultimately supported a switch to RCV. In 2009 RCV was used in Minneapolis’ election.

**How are ballots are counted using the RCV method?**
In Minneapolis, after the polls close, election officials count all of the first choice votes to see if any one candidate has more than the required threshold of votes to win. In single seat races, the threshold is 50% of the ballots cast plus 1, or more than half the votes cast. If a candidate gets more than half of the votes in a single seat race, that candidate is declared the winner.

If no candidate receives more than the required threshold of first choice votes, the Ranked-Choice process kicks in. The candidate who received the lowest number of votes is eliminated, along with any candidates who have no mathematical possibility of winning. Their votes are reallocated based on the second-choice votes on those ballots. If that process leaves one candidate with more than the required threshold of votes, that candidate is declared the winner.

If there's still no candidate with more than the required threshold of votes, the candidate remaining with the lowest number of votes is eliminated, and his or her votes are reallocated based on the next remaining ranking on those ballots. If a voter's second choice candidate was already eliminated, their third choice gets the vote. This process continues until one candidate reaches the threshold of required votes, and that candidate is declared the winner.
In St. Paul candidates win the election by getting an absolute majority (50 percent + 1) of the first choice votes cast for the office. The first choice votes will be counted by voting equipment at each polling place. If no candidate gets a majority of first choice votes on election night, counting will resume the following week.

Initially, ballots are sorted by first choice votes and counted to determine the total for each candidate. The candidate receiving the fewest number of votes, plus all other candidates who do not have a mathematical chance to win, will be eliminated. The voters' next highest choice for a candidate still in the running will be added to that candidate's vote total. Ballots that have no votes for a candidate still in the running are set aside.

The counting and reallocation continues in rounds until a candidate achieves a majority of votes. If only two candidates remain and neither has achieved a majority of votes cast, then the candidate with the most votes is the winner.

**Can the ballot tabulator (DS200) count Ranked-Choice races?**
Yes, the DS200 can provide first round results and will count every first-choice selection. The machine does not tabulate beyond the first round. If additional rounds are necessary to determine a winner, elections staff uses an excel spreadsheet prepared by Hennepin County using information exported from the DS200 to tabulate vote totals using the ranked-choice process.

**Can the ballot tabulator (DS200) be programmed to count ballots containing two different voting methods?**
Yes, the ballot tabulator does have the capability to process ballots that contain races using the RCV method and races using the standard voting method. While this has been done in St. Paul, using a different model ballot tabulator, it has not yet been done in Hennepin County. Although the City of Minneapolis uses the same voting equipment (DS200), their school district elections are not held in conjunction with city elections.

**When will results be declared for races in which additional rounds need to be counted?**
The amount of time needed could vary based on multiple factors, including the number of races to be tabulated, the number of candidates in a race, and the number of additional rounds that are required to obtain a winner. It is likely that city staff would need approximately 3-5 business days after the election to complete the process and declare a winner. A winner would not be declared on election night for races in which there is no winner after the first round of votes.

**Is it possible that a candidate who does not reach the 50%+1 threshold could be elected in a RCV race?**
Yes, if no candidate receives the required threshold after the entire counting process is complete, the top vote-getter is elected.

**Will the voting equipment (DS200) tell the voter if they have made an error specific to RCV?**
No. In the polling place, voters should pay special attention to avoid making mistakes specific to RCV that the equipment cannot detect. Those errors are:
- Marking the same candidate in more than one column of an office
- Skipping a column between ranked candidates

**Does a vote still count if a voter selects the same candidate for all choices?**
Yes. The vote will count only once for that candidate. If a voter ranks one candidate as their first, second, and third choice, it is the same as if they left the second and third choices blank. A candidate's chances of winning are not improved by selecting that candidate at more than one ranking on a ballot.
**Does a vote still count if a voter only selects one choice?**

Yes. The vote will count for the one choice. A vote for a candidate stays with that candidate through all rounds of counting until that candidate is defeated, and only then is a vote transferred to the next ranked candidate, if any.

**Can a voter give multiple candidates the same ranking?**

No. Ranking more than one candidate in a column is an overvote, and will cause that column to be skipped. The overvote will be transferred to the voters’ next Ranked-Choice in the subsequent column, if any.

**What offices were on the ballot and what has the turnout percentage been in St. Paul for the last 5 General Elections?**

<table>
<thead>
<tr>
<th>Year</th>
<th>RCV Method?</th>
<th>Offices on Ballot</th>
<th>Voter Turnout %</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>No</td>
<td>Mayor - 2 candidates, City Question - Instant Runoff Voting</td>
<td>Ballots Cast: 34,411 Reg. Voters: 159,512 Turnout = 21.57%</td>
</tr>
<tr>
<td>2011</td>
<td>Yes</td>
<td>Councilmember Ward 1 - 4 candidates, Councilmember Ward 2 - 5 candidates, Councilmember Ward 3 - 4 candidates, Councilmember Ward 4 - 2 candidates, Councilmember Ward 5 - 2 candidates, Councilmember Ward 6 - 2 candidates, Councilmember Ward 7 - 1 candidate</td>
<td>Ballots Cast: 30,682 Reg. Voters: 156,760 Turnout = 19.57%</td>
</tr>
<tr>
<td>2013</td>
<td>Yes</td>
<td>Mayor - 4 candidates, Councilmember Ward 1 - 1 candidate</td>
<td>Ballots Cast: 31,175 Reg. Voters: 156,231 Turnout = 19.95%</td>
</tr>
<tr>
<td>2015</td>
<td>Yes</td>
<td>Councilmember Ward 1 - 2 candidates, Councilmember Ward 2 - 6 candidates, Councilmember Ward 3 - 1 candidate, Councilmember Ward 4 - 2 candidates, Councilmember Ward 5 - 3 candidates, Councilmember Ward 6 - 3 candidates, Councilmember Ward 7 - 1 candidate</td>
<td>Ballots Cast: 27,923 Reg. Voters: 151,966 Turnout = 18.37%</td>
</tr>
</tbody>
</table>
What offices were on the ballot and what has the turnout percentage been in Minneapolis for the last 3 General Elections?

<table>
<thead>
<tr>
<th>Year</th>
<th>RCV Method?</th>
<th>Offices on Ballot</th>
<th>Voter Turnout %</th>
</tr>
</thead>
</table>
| 2005 | No          | Mayor - 2 candidates  
City Council Ward 1 - 2 candidates  
City Council Ward 2 - 2 candidates  
City Council Ward 3 - 2 candidates  
City Council Ward 4 - 1 candidates  
City Council Ward 5 - 2 candidates  
City Council Ward 6 - 2 candidates  
City Council Ward 7 - 2 candidates  
City Council Ward 8 - 2 candidates  
City Council Ward 9 - 2 candidates  
City Council Ward 10 - 2 candidates  
City Council Ward 11 - 2 candidates  
City Council Ward 12 - 2 candidates  
City Council Ward 13 - 2 candidates | Ballots Cast: 70,987  
Reg. Voters: 235,172  
Turnout = 30.19% |
| 2009 | Yes         | Mayor - 11 candidates  
Ballot Question - 1 question  
City Council Ward 1 - 5 candidates  
City Council Ward 2 - 2 candidates  
City Council Ward 3 - 5 candidates  
City Council Ward 4 - 3 candidates  
City Council Ward 5 - 5 candidates  
City Council Ward 6 - 6 candidates  
City Council Ward 7 - 3 candidates  
City Council Ward 8 - 5 candidates  
City Council Ward 9 - 4 candidates  
City Council Ward 10 - 4 candidates  
City Council Ward 11 - 3 candidates  
City Council Ward 12 - 4 candidates  
City Council Ward 13 - 3 candidates | Ballots Cast: 45,968  
Reg. Voters: 234,028  
Turnout = 19.64% |
| 2013 | Yes         | Mayor - 35 candidates  
Ballot Questions - 2 questions  
City Council Ward 1 - 3 candidates  
City Council Ward 2 - 2 candidates  
City Council Ward 3 - 4 candidates  
City Council Ward 4 - 3 candidates  
City Council Ward 5 - 4 candidates  
City Council Ward 6 - 6 candidates  
City Council Ward 7 - 1 candidate  
City Council Ward 8 - 1 candidate  
City Council Ward 9 - 6 candidates  
City Council Ward 10 - 4 candidates  
City Council Ward 11 - 3 candidates  
City Council Ward 12 - 5 candidates  
City Council Ward 13 - 5 candidates | Ballots Cast: 80,099  
Reg. Voters: 239,985  
Turnout = 33.38% |
What offices were on the ballot and what has the turnout percentage been in St. Louis Park for the last 5 municipal election cycles?

<table>
<thead>
<tr>
<th>Year</th>
<th>Offices on Ballot</th>
<th>Voter Turnout %</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>NO PRIMARY ELECTION REQUIRED</td>
<td>N/A</td>
</tr>
<tr>
<td>2007</td>
<td>General Election</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mayor – 1 candidate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember At Large A – 1 candidate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember At Large B – 1 candidate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ballots Cast: 2,278</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reg. Voters: 29,802</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turnout = 7.64%</td>
<td></td>
</tr>
<tr>
<td>2009</td>
<td>Primary Election</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember Ward 4 – 3 candidates</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ballots Cast: 307</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reg. Voters: 6,985</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turnout = 4.40%</td>
<td></td>
</tr>
<tr>
<td>2009</td>
<td>General Election</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember Ward 1 – 1 candidate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember Ward 2 – 2 candidates</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember Ward 3 – 1 candidate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember Ward 4 – 2 candidates</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ballots Cast: 3,217</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reg. Voters: 30,867</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turnout = 10.42%</td>
<td></td>
</tr>
<tr>
<td>2011</td>
<td>Primary Election</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember At Large B – 3 candidates</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ballots Cast: 1,471</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reg. Voters: 28,933</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turnout = 5.08%</td>
<td></td>
</tr>
<tr>
<td>2011</td>
<td>General Election</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mayor – 1 candidate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember At Large A – 2 candidates</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember At Large B – 2 candidates</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ballots Cast: 3,795</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reg. Voters: 28,839</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turnout = 13.16%</td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td>Primary Election</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember Ward 3 – 3 candidates</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ballots Cast: 449</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reg. Voters: 7,334</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turnout = 6.12%</td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td>General Election</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember Ward 1 – 1 candidate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember Ward 2 – 1 candidate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember Ward 3 – 2 candidates</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember Ward 4 – 2 candidates</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ballots Cast: 5,999</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reg. Voters: 29,657</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turnout = 20.22%</td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td>Primary Election</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mayor - 4 candidates</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ballots Cast: 1,041</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reg. Voters: 29,547</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turnout = 3.52%</td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td>General Election</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mayor - 2 candidates</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember At Large A – 1 candidate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Councilmember At Large B – 2 candidates</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ballots Cast: 4,436</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reg. Voters: 29,723</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turnout = 14.92%</td>
<td></td>
</tr>
</tbody>
</table>

How many candidates filed for city offices in St. Louis Park in 2017?

- Councilmember Ward 1 – 4 candidates
- Councilmember Ward 2 – 2 candidates
- Councilmember Ward 3 – 2 candidates
- Councilmember Ward 4 – 1 candidate
In the last 5 election cycles in St. Louis Park, has a candidate for municipal office won without receiving a majority of the vote?

No, see the information below:

- **2007 Results**
  - General Election: Mayor, Jeff Jacobs – 97.3% of the vote
    - Councilmember At Large A – 97.2% of the vote
    - Councilmember At Large B – 97.8% of the vote

- **2009 Results**
  - General Election: Councilmember Ward 1, Sue Sanger – 94.4% of the vote
    - Councilmember Ward 2, Anne Mavity – 59.4% of the vote
    - Councilmember Ward 3, Sue Santa – 92.0% of the vote
    - Councilmember Ward 4, Julia Ross – 56.0% of the vote

- **2011 Results**
  - General Election: Mayor, Jeff Jacobs – 97.3% of the vote
    - Councilmember At Large A, Steve Hallfin – 68.9% of the vote
    - Councilmember At Large B, Jake Spano – 61.4% of the vote

- **2013 Results**
  - General Election: Councilmember Ward 1, Sue Sanger – 94.2% of the vote
    - Councilmember Ward 2, Anne Mavity – 93.5% of the vote
    - Councilmember Ward 3, Gregg Lindberg – 54.5% of the vote
    - Councilmember Ward 4, Tim Brausen – 68.2% of the vote

- **2015 Results**
  - General Election: Mayor, Jake Spano – 77.8% of the vote
    - Councilmember At Large A, Steve Hallfin – 97.2% of the vote
    - Councilmember At Large B, Thom Miller – 54.3% of the vote

**What is the legal process the city would follow to implement RCV?**

The Minnesota House Research Information Brief on Instant-Runoff Voting states: “Home-rule charter cities are not required to seek legislative authorization if the IRV process is incorporated into the city charter.” In Minneapolis, instant runoff voting is authorized by City Charter § 3.1 and election procedures for instant runoff voting are set out in City Code §§ 167.10 – 167.140. In St. Paul instant runoff voting is authorized by City Charter § 7.06 and election procedures for runoff voting are set out in City Code §§ 31.01-31.09. The City would need to authorize instant runoff voting in the City Charter and then develop and enact procedures for instant runoff voting (provisions for definitions, ballots, counting votes, counting write in candidates, recounts, voting equipment etc.) in the City Code.

There are four ways that the City Charter can be amended:

1. Under Minn. Stat. § 410.12 subd. 1-4, the Charter Commission may propose a charter amendment to be put to an election.
2. Under Minn. Stat. § 410.12 subd. 1-4 upon receipt of a valid citizen petition, the Charter Commission must propose a charter amendment to be put to an election.
3. Under Minn. Stat. § 410.12 subd. 5, the City Council can by ordinance propose a charter amendment which after review by the charter commission may be put to an election.
4. Under Minn. Stat. § 410.12 subd. 7, the City Council may enact a charter amendment by ordinance adopted by affirmative vote of all of its members. The charter amendment becomes effective 90 days after passage and publication unless the City receives a valid petition requesting a referendum on the charter amendment. If the requisite petition is filed within the prescribed period, the charter amendment does not become effective until it is approved by voters at an election. This was the procedure utilized by the City regarding the elimination of Primaries.
The meeting convened at 6:00 p.m.

Councilmembers present: Mayor Jake Spano, Tim Brausen, Steve Hallfin, Gregg Lindberg, Anne Mavity, Thom Miller, and Susan Sanger.

Staff present: City Manager (Mr. Harmening), City Attorney (Mr. Mattick), Deputy City Manager/Human Resources Director (Ms. Deno), City Clerk (Ms. Kennedy), and Recording Secretary (Ms. Pappas).

Guest: Jeanne Massey, Executive Director, Fair Vote Minnesota; Deb Brinkman, League of Women Voters.

1. **Ranked Choice Voting**

It was noted that the council previously discussed the topic of Ranked Choice Voting (RCV) on several occasions in 2006, 2010 and 2012. Most recently, on April 17, 2017, the city council conducted a public hearing to consider the first reading of an ordinance amending the City Charter by eliminating the need for a municipal primary election and changing the candidate filing requirements. During the public hearing the council took public testimony from a number of residents regarding the topic of RCV. At the conclusion of the public hearing, the council directed staff to schedule a follow-up discussion at a study session.

Jeanne Massey, the Executive Director at Fair Vote Minnesota, presented information on RCV to the council. She explained that the process allows voters to rank candidates in order of their preferences. Winners are declared once they have reached a pre-determined threshold of votes, typically 50% +1. She provided an overview of the history of RCV in both Minneapolis and St. Paul and provided examples of voters’ experiences. Ms. Massey pointed out that voter turnout was over 80,000 in Minneapolis in 2013, the highest turnout in 12 years. Additionally, nearly 70% of voters polled in Minneapolis want to continue using RCV. Ms. Massey also noted voters in St. Paul have found it manageable to use both the RCV and non-RCV methods on the same ballot.

Councilmember Miller asked if there is data to support voters’ support of RCV in Minneapolis. Ms. Massey said yes, there is exit polling data.

Ms. Massey and the council discussed the tabulation of results and the ability for St. Louis Park to export data from the DS200 ballot tabulator. Councilmember Sanger asked what a realistic timeline would be for RCV results to be tabulated in St. Louis Park. Ms. Kennedy stated the time is variable because it is dependent on many factors, including the number of candidates and the number of rounds that are needed to determine a winner. She noted that both Minneapolis and St. Paul have chosen to tabulate in different ways, but neither process is completely automated. She gave an overview of the process Minneapolis used to tabulate results. Ms. Kennedy estimated it could take staff anywhere from 3-5 days to tabulate results, depending on a number of factors. Ms. Kennedy stated she does not want to over-promise to the council about how long the tabulation process would take, but she also noted the decision related to the process that is used would be up to the council, and staff’s role is to implement the process.
Councilmember Hallfin asked when races are within a couple of percentage points and a recount is needed, is there data on actual recounts when ranked choice voting is used. Ms. Massey stated she has not seen this data, and this would depend on what the council sets up as the process for St. Louis Park. She added there are rules for recounts, ties and all conditions. She also pointed out there are procedures set up to minimize human error, and there is more integrity in machines today than in the past.

Councilmember Lindberg asked who the city’s election officials are who would be administering the process. Ms. Kennedy stated it is her job as St. Louis Park City Clerk. Councilmember Lindberg added that transparency and trust are important in the RCV process and in data verification. He asked how the city would audit this process. Ms. Kennedy stated that would be a policy decision, noting that Minneapolis chose to hire a firm to perform an independent audit of their results.

Councilmember Sanger asked if the city could adopt a provision to eliminate someone who mathematically could not possibly win an election. Ms. Kennedy stated yes, the council could choose to include that in the rules related to the administration of RCV. Councilmember Sanger also asked if it would then be helpful to pay election judges to help facilitate the process. Ms. Kennedy stated again that it is up to the council to determine the process and procedures, and staff will do what is necessary to carry out those processes and procedures as effectively and efficiently as possible.

Councilmember Miller asked if there might be an app for this process and also if staff knew what expense there might be to the city to change to the RCV method. Ms. Kennedy stated she did not have cost information but noted that voter education and outreach, legal fees, and staff time would be the most costly pieces of the process.

Ms. Massey stated that Fair Vote Minnesota helps pay for voter education, which includes videos, brochures and outreach. Ms. Brinkman from League of Women Voters stated they would also partner with the city related to RCV education.

Councilmember Hallfin stated that obviously Fair Vote Minnesota is putting the full court press on St. Louis Park for RCV. He asked if there are any other cities implementing it. Ms. Kennedy stated Brooklyn Park considered it last year, but their council voted against implementing. The City of Duluth considered it in 2015, but the question was defeated on the ballot. Hopkins has discussed it and continues to monitor the idea. Ms. Massey stated that Crystal also had considered it, as well as Bloomington.

Councilmember Mavity stated St. Louis Park has a really intelligent resident voter population, and people understand the complexity. She added that staff may believe this will be a difficult change, but it is worth the investment in the long term. She stated that this is about enfranchisement. RCV will improve the city’s elections by engaging more residents and keeping the process more civil. Councilmember Mavity noted that staff will have a heavy lift, but they have the capability to do it and do it well. She stated she is fully supportive and would like to move forward with this conceptually.

Councilmember Sanger stated she agreed with everything Councilmember Mavity stated. She noted that she would like to send this to the Charter Commission to request their support and to have the ordinance completed and the process in place in time for the 2019 election cycle. She added voters will handle this well, and many residents are in favor of it. She asked Ms. Kennedy
and staff to give thought as to what it would take to simplify the administration of this process and make it feasible.

Councilmember Brausen agreed with Councilmembers Sanger and Mavity and stated he is in favor of RCV. He noted he would not have a problem spending $5,000-10,000 on voter outreach and education efforts. He added that St. Louis Park has eliminated the primary, and now we would be able to address a four-way race with RCV. He is in favor of it.

Councilmember Miller is also in favor, stating it is a more progressive method and encourages better candidates and elections. While he thinks it might be a higher cost, RCV is coming, and it would be best for the city to move in that direction.

Councilmember Hallfin stated he has not ever seen a nasty election in St. Louis Park and is not worried about that as an issue. He added RCV seems fine but noted that the council has already voted to eliminate the primary. He stated that they can decide as a council to change the charter or to bring it to the voters.

Councilmember Lindberg stated he has more questions and asked what would be enhanced and how it would benefit the community. He stated he appreciates the advocates who presented, but added they have not yet provided the opportunity for everyone in the community to give their opinion. He stated the council needs to provide this opportunity on the front end and guessed it may take a lot more than $5,000-10,000 for a robust voter education and outreach campaign. He stated it will be important to have more conversation about RCV in the community before moving forward with adoption of an ordinance or implementation.

Mayor Spano stated he has spent a lot of time reading about RCV, adding he is cautious, but not because it is not a good idea. He agreed with Councilmember Hallfin that St. Louis Park has civil elections, and campaign money is less of an issue in the city. He stated that RCV could change that dynamic but he has not seen enough of a problem in St. Louis Park for RCV to have an impact. He would like to see voter turnout over a couple more election cycles in Minneapolis and St. Paul and discuss how the change could impact elections from a race equity perspective before making a decision. Mayor Spano stated he would like to see data from other cities in the United States that have used RCV for 3-5 election cycles. He stated this is a huge change to the way councilmembers are elected, so he wants to be certain that it is going to benefit all voters. Mayor Spano added he has heard from some people in the community that would not be in favor of this change.

Councilmember Miller stated he respects everyone’s comments, adding he would like to move forward with more research and discussion on RCV before proposing any changes to the Charter.

Councilmember Sanger referenced Mayor Spano’s concerns about wanting more data and asked Ms. Massey if she could provide voter turnout data from Minneapolis and St. Paul in races that were contested and to see how RCV impacted the turnout. Ms. Massey stated she would provide this data, adding that RCV encourages engagement, as well as voter turnout. She added it also gives more choice to voters and increases rapid diversification of candidates.

Councilmember Mavity stated the council has five members who want to move forward in the process and get more information. She added the more specific information the council can get, the more informed they would be.
Mr. Harmening suggested this not go directly to the Charter Commission at this time and that it be discussed again by the council. He stated there is no perfect voting system, but elections are fundamental to our community, and we need to think about how to engage people in this conversation. He added that how RCV impacts race equity efforts is something that also needs to be discussed. He stated it will take time but should be a priority to make a decision for the 2019 election, noting he will include RCV as an agenda item in the near future. Mr. Harmening stated additional questions from council on the topic can be directed to staff.

The meeting adjourned at 7:28 p.m.

Melissa Kennedy, City Clerk  
Jake Spano, Mayor
EXECUTIVE SUMMARY

TITLE: Election Process

RECOMMENDED ACTION: This item is being brought back at the request of council for further discussion and direction.

POLICY CONSIDERATION: Does the City Council want to continue to consider amending our current election processes to allow for implementation of the Ranked Choice Voting method for the next municipal election in 2019?

Does Council need more information before deciding which course of action to take?

SUMMARY: The council has discussed the topic of Ranked Choice Voting (RCV) on numerous occasions since 2006. On May 8, 2017, the City Council adopted an ordinance that amended the city’s charter and eliminated the option for municipal primary elections. This amendment became effective on August 17, 2017. During discussions related to the charter amendment, council directed staff to schedule a discussion on the topic of RCV and to provide additional information regarding the method itself as well as the outcomes both Minneapolis and St. Paul have experienced in their municipal elections since implementing the RCV method.

On June 5, 2017 the council held a special study session and heard a presentation from Jeanne Massey of FairVote MN on the methodology and use of RCV in local elections. The council further discussed the implementation of RCV in Minneapolis and St. Paul, the processes used in each city to administer elections, development of the rules that would govern the voting method, and reviewed election results data from both jurisdictions. At that time, the council agreed to another discussion to further explore the possibility of implementing RCV and directed staff to bring the topic back at a later date with an outline of the process that would need to be followed to change current election administration processes in time for the next municipal election in 2019.

The City Attorney will be in attendance to review the legal process of changing current election practices and procedures to allow for the use of RCV in municipal elections.

FINANCIAL OR BUDGET CONSIDERATION: None at this time. Additional funds were put into the proposed 2018 budget to account for a potential increase in legal and administrative costs related to the implementation of RCV.

VISION CONSIDERATION: St. Louis Park is committed to being a connected and engaged community.

SUPPORTING DOCUMENTS: Discussion
Exhibit A – Draft Timeline
Minnesota Statute 410.12

Prepared by: Melissa Kennedy, City Clerk
Reviewed by: Nancy Deno, Deputy City Manager/HR Director
Approved by: Tom Harmening, City Manager
**DISCUSSION**

**Is another Charter amendment required to implement RCV?**
Yes, the city would need to authorize instant runoff voting in the City Charter. City Council would then develop and enact procedures for instant runoff voting in the City Code.

**What is the legal process the city would need to follow to implement RCV?**
The Minnesota House Research Information Brief on Instant-Runoff Voting states: “Home-rule charter cities are not required to seek legislative authorization if the IRV process is incorporated into the city charter.” In Minneapolis, instant runoff voting is authorized by their city charter and election procedures for runoff voting are outlined in their city code.

State statute provides four ways a city charter can be amended:
1. Under Minn. Stat. 410.12, Subd. 1-4, the Charter Commission may propose a charter amendment to be put to an election.
2. Under Minn. Stat. 410.12, Subd. 1-4, upon receipt of a valid citizen petition, the Charter Commission must propose a charter amendment to be put to an election.
3. Under Minn. Stat. 410.12, Subd. 5, the City Council can by ordinance propose a charter amendment which, after review by the Charter Commission, may be put to an election.
4. Under Minn. Stat. 410.12, Subd. 7, upon recommendation of the Charter Commission, the City Council may enact a charter amendment by ordinance adopted by affirmative vote of all of its members. The charter amendment becomes effective 90 days after passage and publication unless the City receives a valid petition requesting a referendum on the charter amendment within 60 days of the amendment being passed and published. If the requisite petition is filed within the prescribed period, the charter amendment does not become effective until it is approved by voters at an election.

**What types of procedures/rules would the city need to adopt for inclusion in the city code?**
If the city authorizes the use of instant runoff voting in the Charter, the city then needs to develop the rules and procedures that will govern the administration of elections because such provisions are not currently set forth in State law. Provisions for definitions, ballots, counting votes, counting write-in candidates, recounts, and voting equipment are examples of the types of rules that the city will need to adopt in the city code. It should be noted that while the city has some flexibility in terms of the rules and procedures that are implemented, all of the provisions must continue to meet all state and federal election laws where applicable.

**What happens if the Charter Commission does not recommend adoption of an ordinance to amend the charter to authorize the use of instant runoff voting for municipal elections?**
If the Charter Commission does not recommend amending the charter to authorize the use of instant runoff voting, the council can no longer adopt an ordinance amending the charter according to the provisions of Minn. Stat. 410.12, Subd. 7. The council could then choose to either stop the amendment process or follow the steps outlined in statute to put the proposed amendment to an election.

**What happens if a valid citizen petition is submitted after an ordinance has been adopted to amend the charter?**
Within 60 days after passage and publication of such an ordinance, a petition requesting a referendum on the ordinance may be filed with the city clerk. The petition must be signed by registered voters equal in number to at least five percent of the registered voters in the city or 2,000, whichever is less. If the requisite petition is filed within the prescribed period, the ordinance shall not become effective until it is approved by the voters as in the case of charter amendments submitted by the charter commission, the council, or by petition of the voters, except that the
council may submit the ordinance at any general or special election held at least 60 days after submission of the petition, or it may reconsider its action in adopting the ordinance.

**What is the projected timeline that would need to be followed to amend the Charter to allow for the use of RCV at the next municipal election in 2019?**

A draft timeline is outlined in Exhibit A. The timeline shown is aggressive, assuming no challenges, election or public process/task force. Please note for planning purposes that the timeline is dependent on the amount of additional process and meetings desired by Council and consideration must be given to the possibility of a charter amendment being put to an election as a question on the ballot in 2018.

**What is the process/timeline that was followed in Minneapolis to implement RCV?**

- March 7, 2006 – Charter Commission rejects proposed ordinance amendment allowing for IRV
- March 10, 2006 – Council creates Instant Runoff Voting Task Force
- May 9, 2006 – IRV Task Force submits final report to Intergovernmental Relations Committee (IRC)
- May 23, 2006 – IRC proposes ordinance amendment to City Council
- May 26, 2006 – Council refers proposed ordinance amendment to Charter Commission
- August 2, 2006 – Charter Commission rejects proposed ordinance amendment allowing for IRV
- August 4, 2006 – City Council approves ballot language for November General Election
- November 7, 2006 – Minneapolis Charter Amendment for IRV passed by voters
- April, 2008 – City Council adopts ordinance implementing rules of conduct for municipal elections
- May – November, 2009 – Voter outreach and education campaign
- November 3, 2009 – First RCV election in Minneapolis

**What other cities in the United States have implemented and used RCV?**

- Aspen, Colorado: Adopted in 2007 and first used in 2009; in 2010 voters opted to return to a traditional runoff system.
- Basalt, Colorado: Adopted in 2002 and will be used when 3 or more candidates run for Mayor (has not yet occurred).
- Berkeley, California: Adopted in 2004 and first used in 2010 for mayor & city council.
- Burlington Vermont: Approved in 2005 for use in mayoral elections; IRV was subsequently repealed in 2010.
- Cambridge, Massachusetts: In use since the 1940s in multi-winner RCV form for the nine seat city council and six seat school board.
- Minneapolis, Minnesota: Adopted in 2006 and first used in 2009 for city offices.
- Oakland, California: Adopted in 2006 and first used in 2010 for a total of 18 city offices.
- Portland, Maine: Adopted in 2010 and first used in 2011.
- San Leandro, California: Adopted as option in 2000 charter amendment and first used in 2010 for mayor and city council.
- Takoma Park, Maryland: Adopted in 2006 and first used in 2007 for city offices.
**Exhibit A – Draft Timeline for Charter Amendment**

- **Public process**
- **Multiple meetings possible**
- **Presentation of recommendation to council**

- **Amendment recommended by Charter Commission**
- **Amendment NOT recommended by Charter Commission**

**March 19, 2018 First Reading of Ordinance to amend Charter to allow for RCV**

- **Unanimous vote of Council – 7 votes**

**March-June, 2018 Council determines whether or not to send to election**

- **No change to RCV**
- **July - August 2018 Draft & approve ballot language**

**August 24, 2018 Ballot Language due to County Auditor**

**November 6, 2018 General Election Question Approved?**

- **Y**
- **N**

- **Ordinance Amendment Effective**

**August – Dec. 2018 Draft rules & procedures for election administration**

**Nov. 2018 – March, 2019**

**April 2, 2018 2nd Reading of Ordinance Unanimous vote required**

**April 12, 2018 Publish Ord.**

- **60 days**
- **June 11, 2018**

- **90 days**
- **July 11, 2018**

- **Y**
- **N**

**Petition Received?**
410.12 AMENDMENTS.

Subdivision 1. Proposals. The charter commission may propose amendments to such charter and shall do so upon the petition of voters equal in number to five percent of the total votes cast at the last previous state general election in the city. Proposed charter amendments must be submitted at least 17 weeks before the general election. Only registered voters are eligible to sign the petition. All petitions circulated with respect to a charter amendment shall be uniform in character and shall have attached thereto the text of the proposed amendment in full; except that in the case of a proposed amendment containing more than 1,000 words, a true and correct copy of the same may be filed with the city clerk, and the petition shall then contain a summary of not less than 50 nor more than 300 words setting forth in substance the nature of the proposed amendment. Such summary shall contain a statement of the objects and purposes of the amendment proposed and an outline of any proposed new scheme or frame work of government and shall be sufficient to inform the signers of the petition as to what change in government is sought to be accomplished by the amendment. The summary, together with a copy of the proposed amendment, shall first be submitted to the charter commission for its approval as to form and substance. The commission shall within ten days after such submission to it, return the same to the proposers of the amendment with such modifications in statement as it may deem necessary in order that the summary may fairly comply with the requirements above set forth.

Subd. 1a. Alternative methods of charter amendment. A home rule charter may be amended only by following one of the alternative methods of amendment provided in subdivisions 1 to 7.

Subd. 2. Petitions. The signatures to such petition need not all be appended to one paper, but to each separate petition there shall be attached an affidavit of the circulator thereof as provided by this section. A petition must contain each petitioner's signature in ink or indelible pencil and must indicate after the signature the place of residence by street and number, or other description sufficient to identify the place. There shall appear on each petition the names and addresses of five electors of the city, and on each paper the names and addresses of the same five electors, who, as a committee of the petitioners, shall be regarded as responsible for the circulation and filing of the petition. The affidavit attached to each petition shall be as follows:

State of ..................................................... )
) ss.
County of ..................................................... )

................. being duly sworn, deposes and says that the affiant, and the affiant only, personally circulated the foregoing paper, that all the signatures appended thereto were made in the affiant's presence, and that the affiant believes them to be the genuine signatures of the persons whose names they purport to be.

Signed .........................

(Signature of Circulator)

Subscribed and sworn to before me

this ...... day of ...... .......

Notary Public (or other officer)

authorized to administer oaths
The foregoing affidavit shall be strictly construed and any affiant convicted of swearing falsely as regards any particular thereof shall be punishable in accordance with existing law.

Subd. 3. **May be assembled as one petition.** All petition papers for a proposed amendment shall be assembled and filed with the charter commission as one instrument. Within ten days after such petition is transmitted to the city council, the city clerk shall determine whether each paper of the petition is properly attested and whether the petition is signed by a sufficient number of voters. The city clerk shall declare any petition paper entirely invalid which is not attested by the circulator thereof as required in this section. Upon completing an examination of the petition, the city clerk shall certify the result of the examination to the council. If the city clerk shall certify that the petition is insufficient the city clerk shall set forth in a certificate the particulars in which it is defective and shall at once notify the committee of the petitioners of the findings. A petition may be amended at any time within ten days after the making of a certificate of insufficiency by the city clerk, by filing a supplementary petition upon additional papers signed and filed as provided in case of an original petition. The city clerk shall within five days after such amendment is filed, make examination of the amended petition, and if the certificate shall show the petition still to be insufficient, the city clerk shall file it in the city clerk's office and notify the committee of the petitioners of the findings and no further action shall be had on such insufficient petition. The finding of the insufficiency of a petition shall not prejudice the filing of a new petition for the same purpose.

Subd. 4. **Election.** Amendments shall be submitted to the qualified voters at a general or special election and published as in the case of the original charter. The form of the ballot shall be fixed by the governing body. The statement of the question on the ballot shall be sufficient to identify the amendment clearly and to distinguish the question from every other question on the ballot at the same time. If 51 percent of the votes cast on any amendment are in favor of its adoption, copies of the amendment and certificates shall be filed, as in the case of the original charter and the amendment shall take effect in 30 days from the date of the election or at such other time as is fixed in the amendment.

Subd. 5. **Amendments proposed by council.** The council of any city having a home rule charter may propose charter amendments to the voters by ordinance. Any ordinance proposing such an amendment shall be submitted to the charter commission. Within 60 days thereafter, the charter commission shall review the proposed amendment but before the expiration of such period the commission may extend the time for review for an additional 90 days by filing with the city clerk its resolution determining that an additional time for review is needed. After reviewing the proposed amendment, the charter commission shall approve or reject the proposed amendment or suggest a substitute amendment. The commission shall promptly notify the council of the action taken. On notification of the charter commission's action, the council may submit to the people, in the same manner as provided in subdivision 4, the amendment originally proposed by it or the substitute amendment proposed by the charter commission. The amendment shall become effective only when approved by the voters as provided in subdivision 4. If so approved it shall be filed in the same manner as other amendments. Nothing in this subdivision precludes the charter commission from proposing charter amendments in the manner provided by subdivision 1.

Subd. 6. **Amendments, cities of the fourth class.** The council of a city of the fourth class having a home rule charter may propose charter amendments by ordinance without submission to the charter commission. Such ordinance, if enacted, shall be adopted by at least a four-fifths vote of all its members after a public hearing upon two weeks' published notice containing the text of the proposed amendment and shall be approved by the mayor and published as in the case of other ordinances. The council shall submit the proposed amendment to the people in the manner provided in subdivision 4, but not sooner than three months after the passage of the ordinance. The amendment becomes effective only when approved by the voters as provided in subdivision 4. If so approved, it shall be filed in the same manner as other amendments.
Subd. 7. Amendment by ordinance. Upon recommendation of the charter commission the city council may enact a charter amendment by ordinance. Within one month of receiving a recommendation to amend the charter by ordinance, the city must publish notice of a public hearing on the proposal and the notice must contain the text of the proposed amendment. The city council must hold the public hearing on the proposed charter amendment at least two weeks but not more than one month after the notice is published. Within one month of the public hearing, the city council must vote on the proposed charter amendment ordinance. The ordinance is enacted if it receives an affirmative vote of all members of the city council and is approved by the mayor and published as in the case of other ordinances. An ordinance amending a city charter shall not become effective until 90 days after passage and publication or at such later date as is fixed in the ordinance. Within 60 days after passage and publication of such an ordinance, a petition requesting a referendum on the ordinance may be filed with the city clerk. The petition must be signed by registered voters equal in number to at least five percent of the registered voters in the city or 2,000, whichever is less. If the requisite petition is filed within the prescribed period, the ordinance shall not become effective until it is approved by the voters as in the case of charter amendments submitted by the charter commission, the council, or by petition of the voters, except that the council may submit the ordinance at any general or special election held at least 60 days after submission of the petition, or it may reconsider its action in adopting the ordinance. As far as practicable the requirements of subdivisions 1 to 3 apply to petitions submitted under this section, to an ordinance amending a charter, and to the filing of such ordinance when approved by the voters.

History: (1286) RL s 756; 1907 c 199 s 1; 1911 c 343 s 1; 1939 c 292 s 1; 1943 c 227 s 1; 1949 c 122 s 1; 1959 c 305 s 3,4; 1961 c 608 s 5,6; 1969 c 1027 s 3; 1973 c 503 s 1-4; 1986 c 444; 1998 c 254 art 1 s 107; 1999 c 132 s 42; 2005 c 93 s 1; 2008 c 331 s 7; 2010 c 184 s 43
The meeting convened at 6:15 p.m.

Councilmembers present: Mayor Jake Spano, Tim Brausen, Steve Hallfin, Anne Mavity, Thom Miller, and Susan Sanger.

Councilmember absent: Gregg Lindberg.

Staff present: City Manager (Mr. Harmening), City Attorney (Mr. Mattick), Deputy City Manager/Human Resources Director (Ms. Deno), City Clerk (Ms. Kennedy), and Recording Secretary (Ms. Pappas).

Guest: None

1. Election Process

Mr. Harmening stated that the council has discussed the topic of Ranked Choice Voting (RCV) on numerous occasions and at the end of their last discussion on June 5, 2017 council asked staff to bring back an outline of the steps involved to change current election administration processes in time for the next municipal election in 2019. He noted if this was something that the council wanted to pursue further, the next step would be to take the item to the Charter Commission for a recommendation.

Councilmember Brausen stated he assumes that the preference would be to amend the Charter by ordinance, similar to the process that was followed with the last amendment to eliminate primary elections. He noted that staff has examples from other communities that conduct RCV elections and asked if a procedure could be developed similar to those.

Councilmember Sanger stated that the process that is followed will drive the timing. She asked if the council directed the Charter Commission to make a recommendation, if staff would develop an ordinance of procedures and then send it back to council for a final vote. Ms. Deno stated that council must first decide if they want the Charter updated to allow for the use of RCV in municipal elections. Mr. Mattick added that if the Charter Commission makes a recommendation to move forward, which would require 8 votes, the council can proceed with a public hearing on a draft ordinance to amend the Charter. He noted that a unanimous vote of the council would be required to amend the Charter by ordinance. If the vote is not unanimous, the council would still have the opportunity to put a question on the November, 2018 ballot.

Councilmember Miller asked about timing and how long the Charter Commission could take to make a recommendation. Ms. Kennedy stated that the commission has 60 days to consider the council’s request, but by statute can vote to extend that timeline up to an additional 90 days.

Mayor Spano stated that RCV will change the way the city conducts local elections and asked if this is a decision the council is comfortable making on their own, with direction from the Charter Commission, or if it should go on a ballot as a question to voters.

Councilmember Sanger stated she does not want it put it on a ballot, noting that the community elects the council to make governance decisions. She added that the public trusts the council to make good decisions because they are the one that have researched and discussed the use of
RCV. She referenced California and stated their elections have become chaotic because of so many ballot questions. She added that if the question goes to a public vote, the process is delayed.

Councilmember Brausen agreed with Councilmember Sanger, noting that there will be a new council next year, and it would be unfair to assume how new members would vote. He added there will be opportunity for a robust public process at that time.

Councilmember Mavity agreed with Councilmember Sanger, stating that she would like to start the timeline for the Charter Commission review as soon as possible in order to have time to consider other options, if necessary. She added that she wants to be cautious in case the council is not in unanimous agreement.

Councilmember Hallfin noted the staff report, which stated that other communities such as Aspen, Colorado, and Burlington, Vermont, adopted RCV for two years, and then returned to the traditional runoff system. He stated that he is curious why they repealed it, adding that he likes the concept of RCV in principle but not in practice, given what he has seen in Minneapolis elections in terms of the lack of serious candidates filing for office.

Councilmember Sanger stated that the city cannot control who files for office, adding that St. Louis Park has had issues in the past with people who file for office and are not serious candidates. She added that the staff list of cities that have adopted RCV is incomplete and should also include Santa Fe, Memphis, and Sarasota. Ms. Kennedy stated that staff was asked to provide a list of cities that have actually used RCV in their elections. She noted there are other cities that have adopted RCV legislation, but have not used it in an election.

Councilmember Sanger stated that she hopes this process can move quickly and, if feasible, be brought to a vote this year.

Councilmember Hallfin noted he is not to saying that he would vote against implementing RCV, only that he was not sold on the concept based on what he saw in Minneapolis.

Councilmember Sanger stated that in the last election for Minneapolis Mayor, 35 people filed, and they made RCV work. She pointed out that data showed the majority of voters did rank their first 3 choices, and a survey afterward showed the vast majority of voters were satisfied with RCV.

Councilmember Mavity stated that it seems we have a majority of the council who would like to recommend RCV to the Charter Commission, adding that she would like to make the recommendation with clear language that indicates the majority will of the council to move forward with RCV and that outlines a timeline for a Charter Commission recommendation to come back to council. She suggested that staff come back at the next regular meeting with language that is strong enough for the Charter Commission to move forward.

Mayor Spano asked if the council is directing the Charter Commission to make a recommendation on a process to move forward.

Mr. Mattick clarified that Councilmember Mavity wants the Charter Commission to make a recommendation to move forward with RCV and propose an ordinance to amend the Charter for
council consideration. He reiterated that with this process, there would need to be a unanimous vote from the council to amend the Charter by ordinance.

Mr. Harmening suggested adopting a resolution that clearly states what the council is asking the Charter Commission to consider. He noted at this point the council cannot assume there will be a unanimous vote to amend the Charter. Councilmember Mavity stated that she would like the language to be clear and not open ended regarding the adoption of RCV.

Councilmember Sanger suggested that staff draft a resolution for consideration at the next regular meeting. She offered to assist in drafting the resolution.

Mayor Spano stated that he would also like to provide input on the resolution to be sent to the Charter Commission. He added that he feels the public would want to have a direct voice in the decision on how to elect their mayor and council and he has heard from a number of people both in support of and against the use of RCV.

Councilmember Miller stated every resident he has heard from is in support of RCV. He stated that there is no need for listening sessions and does not find it more complicated than the decision to eliminate the Primary Election.

Mr. Mattick clarified that if there are not 8 affirmative votes on the Charter Commission, and/or the vote from the council is not unanimous to approve the Charter amendment, the only other way forward is to put a question on the ballot.

Ms. Deno stated that the resolution requesting the Charter Commission to provide recommendations on amendments to the charter will come before the council at the October 2 regular city council meeting.

The meeting adjourned at 6:55 p.m.

__________________________________________
Melissa Kennedy, City Clerk                               Jake Spano, Mayor
EXECUTIVE SUMMARY

TITLE: Resolution Requesting the Charter Commission Provide Recommendations Regarding Charter Amendments

RECOMMENDED ACTION: Motion to Adopt Resolution requesting that the St. Louis Park Charter Commission provide recommendations to the City Council regarding two possible Charter amendments.

POLICY CONSIDERATION: Does the City Council want to ask the Charter Commission to make a recommendation regarding two possible Charter amendments related to municipal elections?

SUMMARY: On September 18, 2017 the council held a special study session to discuss the topic of Ranked Choice Voting. The council discussed the legal process that would need to be followed to change current election practices and procedures to allow for the use of Ranked Choice Voting in municipal elections. At that time council directed staff to prepare a resolution that requested the Charter Commission to make a recommendation, pursuant to M.S. 410.12, Subd. 7, as to whether the City’s Charter should be amended to provide for the use of Ranked Choice Voting in municipal elections.

As discussed previously with the Council, there is also a discrepancy between the Charter and State Statute regarding the current Charter provisions related to campaign finance contribution limits. The resolution also asks the Charter Commission to provide a recommendation on this matter.

FINANCIAL OR BUDGET CONSIDERATION: None at this time. Additional funds were put into the proposed 2018 budget to account for a potential increase in legal and administrative costs related to the implementation of RCV.

VISION CONSIDERATION: St. Louis Park is committed to being a connected and engaged community.

SUPPORTING DOCUMENTS: Resolution

Prepared by: Melissa Kennedy, City Clerk
Approved by: Tom Harmening, City Manager
RESOLUTION NO. 17-____

RESOLUTION REQUESTING THAT THE ST. LOUIS PARK CHARTER COMMISSION PROVIDE RECOMMENDATIONS TO THE CITY COUNCIL REGARDING TWO POSSIBLE CHARTER AMENDMENTS

WHEREAS, the City Council of the City of St. Louis Park has discussed over the last several years the use of Ranked Choice Voting (RCV) as a method to elect candidates to the city council; and

WHEREAS, a majority of the members of the City Council are interested in implementing RCV for the municipal election in November, 2019; and

WHEREAS, it has been determined that the City’s Charter relating to campaign finance contribution limits is in conflict with state statute.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Louis Park, Minnesota, that pursuant to M.S. 410.12, Subd. 7 the City Council requests that the St. Louis Park Charter Commission study and make a recommendation to the City Council as to whether the City’s Charter should be amended to provide for the use of RCV; and

BE IT FURTHER RESOLVED that pursuant to M.S. 410.12, Subd. 7 the City Council requests the Charter Commission study and make a recommendation to the City Council as to whether the City’s Charter should be amended relating to campaign finance contribution limits.

Reviewed for Administration: 
Adopted by the City Council October 2, 2017

Thomas K. Harmening, City Manager 
Jake Spano, Mayor

Attest:

Melissa Kennedy, City Clerk