



CHARTER COMMISSION AGENDA

Jan. 28, 2020 – 7:00 P.M.

CHARTER COMMISSION SPECIAL MEETING

**CITY COUNCIL CHAMBERS
MINNETONKA COMMUNITY CENTER**

1. Call to order
2. Presentations on voting methods and ranked choice voting
 - Prof. David Schultz, Hamline University and University of Minnesota
 - Jeanne Massey, Executive Director, FairVote Minnesota
 - David Haeg, FairVote Minnetonka
3. Schedule next meeting
4. Adjournment

Attachments:

- a. Memo from city attorney dated Jan. 20, 2020

To: Minnetonka Charter Commission

From: Corrine Heine, City Attorney

Date: Jan. 20, 2020

Subject: Meeting of Jan. 28, 2020 – Staff report

The Jan. 28, 2020 meeting will be the first listening session conducted by the charter commission on the topic of ranked choice voting. The city council discussed the topic of ranked choice voting at a Sept. 9, 2019 study session and referred the issue to the charter commission. At its annual meeting on Nov. 12, 2019, the charter commission agreed to undertake a study of ranked choice voting in comparison to other voting systems.

The Jan. 28 meeting will feature three speakers: Prof. David Schultz; Jeanne Massey and David Haeg. Prof. Schultz provided an outline of his presentation, which is attached. Mr. Haeg's materials for FairVote Minnetonka are also attached.

Speaker information

- **David Schultz** is a Professor of Political Science and Legal Studies at Hamline University and also a visiting professor of law at the University of Minnesota where he teaches election law. A three-time Fulbright scholar who has taught extensively in Europe and Asia, and the winner of the Leslie A. Whittington national award for excellence in public affairs teaching, Professor Schultz is the author of more than 35 books and 200+ articles on various aspects of American politics, election law, and the media and politics. He is regularly interviewed and quoted in the local, national, and international media on these subjects including the New York Times, Wall Street Journal, Washington Post, the Economist, and National Public Radio. His most recent books are *Encyclopedia of Money in American Politics* (2018) and *Presidential Swing States* (2018). Prior to teaching, Professor Schultz also served as a city director of planning, zoning, and code enforcement, and worked as a housing and economic planner for a community action agency.
- **Jeanne Massey** has served since 2007 as the executive director of FairVote Minnesota, a nonprofit public policy organization that advocates for use of ranked choice voting in Minnesota. Ms. Massey is a national consultant to communities and states adopting ranked choice voting. She also serves as an assistant head election judge in Minneapolis.
- **David Haeg** is a Minnetonka resident. Mr. Haeg is coordinating the local community education effort for ranked choice voting in Minnetonka city council elections.

Ranked Choice Voting Presentation
City of Minnetonka
January 28, 2020
David Schultz, Attorney, Professor

School of Law
University of Minnesota
229 19th Ave S
Minneapolis, MN 55455
schul123@umn.edu

Department of Political Science
Hamline University
1536 Hewitt Ave
MS B1805
St. Paul, Minnesota 55104
651.523.2858
dschultz@hamline.edu
<http://schultzstake.blogspot.com>

David Schultz is Hamline University Professor of Political Science and Professor of Legal Studies, and University of Minnesota Visiting Professor of Law where he teaches election law. He is the author/editor of more than 35 books and 200+ articles on various aspects of American politics and law including *Constitutional Law in Contemporary America*; *Encyclopedia of American Law and Criminal Law*; *Encyclopedia of the First Amendment*; *Encyclopedia of the Supreme Court*; *Encyclopedia of Civil Liberties.*; *Encyclopedia of the United States Constitution*; and *Election Law and Democratic Theory*. Prior to teaching Professor Schultz served a city director of planning, zoning, and code enforcement.

I. Introduction

- A. My credentials
- B. General discussion of voting systems
- C. Goals and Values of a Voting System
- D. What is Ranked Choice Voting (RCV)?
 - 1. Advantages/Disadvantages
- E. Lessons from other municipalities/jurisdictions
- F. Legal issues
- G. Conclusions

II. Voting Systems

- A. Representative democracies based on major rule limited by minority rights.
- B. All voting systems have their ways of organizing themselves and counting votes.
 - 1. Mechanics of voting
 - a. Paper or electronic ballots
 - 2. Types of districts
 - a. Single or multi-member districts
 - b. Ward or at-large or city-wide seats
 - 3. How voters vote

- a. Most common system in US is one is called first past the post (FPTP)
- b. Proportional voting
- c. RCV

III. Goals and Values of Voting Systems

- A. Maximize Voter choice
- B. Encourage turnout
- C. Simplicity
- D. Able to assess or determine voter preferences
- E. Equality
- F. Ensure majority rule/minority rights

IV. FPTP (currently what Minnetonka has)

- A. How it works
 - 1. Each person gets one vote
 - 2. Person who wins the most votes
- B. Virtues
 - 1. Simplicity
 - 2. Familiarity
- C. Criticisms
 - 1. Often limited range of choices (two party models)
 - 2. All of nothing ranking of preferences
 - 3. Minority feels left out
 - 4. Can win with a minority of the vote

V. Ranked Choice Voting

- A. History
 - 1. Variations used across the world and in many jurisdictions across the US
 - 2. Used more commonly in US in late 19th and early 20th centuries
 - a. Example: Hopkins, MN
 - 3. Pressured out by two major parties who viewed third parties as threats
- B. How RCV works
 - 1. Restaurant analogy
 - a. Chicken, fish, beef
 - 2. Voters get to rank their preferences
- C. Virtues
 - 1. Voters act in ways most of us choices (by preferences)
 - 2. Potential expansion of candidate choices
 - 3. Third parties and expand choices (break two party deadlock)
 - 4. Civility
 - 5. Simplicity
 - 6. Ensure voters have a choice (even in a minority)
 - 7. Winner has a majority of the vote

- D. Criticisms
 - 1. Too complex?
 - 2. Hurt minorities and poor?
 - 3. Mixed evidence of turnout bump
 - 4. Mixed evidence of third party development

- VI. Lessons from other municipalities/jurisdictions
 - A. Minneapolis Evaluation
 - 1. Voters like it
 - 2. Little to no evidence of voter confusion
 - 3. Voter education
 - 4. Learning curves
 - B. Other Municipalities
 - 1. Learning from what others have done
 - a. Outreach
 - b. Election officials and judges

- VII. Legal issues
 - A. Home rule issues
 - B. Equal protection issues

- VIII. Conclusions
 - A. RCV and values




What is Ranked Choice Voting?

- In summary, Ranked Choice Voting is a simple change to the ballot that allows voters the option to rank the candidates in order of preference instead of just picking one.
- In local nonpartisan elections in Minnetonka, this allows for a primary and general election to be combined into a single election in November while still producing a winner supported by the majority of voters.
- Why is this useful?
 - Increases participation in Minnetonka City Council elections by eliminating primaries, which currently have very low turnout (4%), and are unrepresentative of our overall population.
 - Eliminates the hurdle of an early, low-turnout and costly primary, leveling the playing field for all candidates and making it more likely that more candidates will run.
 - In multi-candidate special elections that do not include a primary, a candidate can win without a majority of support – Ranked Choice Voting would solve this problem.
 - Is significantly more efficient by saving taxpayers and candidates the expense of a low-turnout primary election.

How does the voting and counting work?

- Voters have the option to rank candidates, instead of just picking one favorite. They mark a 1st choice, 2nd choice, 3rd choice, etc.

Sample Ballot
Fill in the ovals by ranking candidates in order of preference

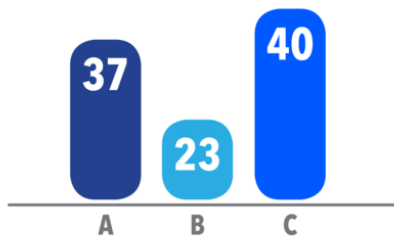
	1st Choice	2nd Choice	3rd Choice
 Candidate A	①	②	③
 Candidate B	①	②	③
 Candidate C	①	②	③

- The first preferences of each voter are counted. If any candidate has a majority of first preferences, they are the winner. If not, the candidate with the fewest first preference votes is eliminated, and the voters who preferred that eliminated candidate have their ballot counted for their 2nd preference instead. The process continues until a candidate receives a majority of continuing ballots. It works like a primary-general election system, but in a single election day.

How Your Vote Counts

Number of voters: 100 Winning threshold: $100/2 + 1 = 51$ votes

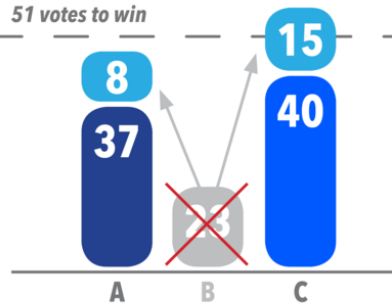
51 votes to win



Tally Round 1

No candidate reached the winning threshold. Candidate B has the fewest votes and will be eliminated in Tally Round 2.

51 votes to win



Tally Round 2

Candidate B's votes are reallocated based on those voters' 2nd choices. After Tally Round 2, Candidate C reaches the 51 vote threshold and wins.

How common is Ranked Choice Voting?

Ranked Choice Voting is a proven voting system that is becoming more and more popular. It is used in:

- Nearly 20 US Cities, including major cities like Minneapolis, St. Paul, San Francisco, New York City, Santa Fe; smaller cities like St. Louis Park and Eastpointe Michigan; rural communities in Utah; and statewide in Maine.
- Dozens more cities are slated to implement or adopt RCV in the next two years.
- MA and AK voters will decide on RCV statewide this November.
- Nationwide in Australia, Ireland and others.
- 2020 presidential primaries in Alaska, Hawaii, Wyoming, Kansas, Nevada; presidential general election in Maine
- Used for Military and Overseas Voting in Alabama, Mississippi, Arkansas, Louisiana

Do voters prefer Ranked Choice Voting?

Yes, poll after poll show that voters, candidates and administrators prefer it:

- Voters like having more choice on the ballot in November when most show up to vote and ensuring their full preferences are reflected in a single election.
- They also like that more candidates talk to them and that there is very little negative campaigning.
- Candidates and voting administrators also prefer the reduced election costs and time commitment of a single election. Candidates also like that they can campaign to more voters.

Effects of Ranked Choice Voting

- Candidates are rewarded for reaching out beyond their core followers, since they may need to be the 2nd preference of voters to achieve a majority of support. (i.e. “I know you’re supporting Chris, but many of our positions are similar – please rank me 2nd”)
- Candidates are more likely to spend more time engaging with voters overall, allowing them to better understand the needs of the community, and learning and speaking about issues important to a broad range of voters.
- Ranked Choice Voting increases effective voter participation, saves the city money and time, encourages more competitive elections and dialog with residents, and results in winners supported by a majority of voters. While no voting system is perfect, this is a significant improvement over the current system.

Who Supports Ranked Choice Voting in Minnetonka?

After speaking with thousands of Minnetonka residents, it is clear that the community supports Ranked Choice Voting, for many reasons:

- Those who prefer one trip to the polls instead of two: Seniors, busy professionals, parents, disabled
- Residents who prioritize low taxes and government efficiency
- People who expect Minnetonka to think ahead
- Those who want greater community engagement and inclusivity
- Younger voters with fresh eyes

They said it is:

- “A better way to do things.”
- “The kind of thing I would expect Minnetonka to do.”
- “Fairer for all the candidates and the voters.”
- “More efficient, like our city.”
- “A no-brainer.”
- “Obvious, once you think about it for a minute.”

What does public education look like when making a change to Ranked Choice Voting?

The cities of St. Louis Park and Minneapolis, also in Hennepin County, have developed a proven blueprint for educating voters, candidates, and election judges to prepare them for using Ranked Choice Voting. Ranked Choice Voting is not difficult, but voters, candidates and election judges must be informed about the change and what it means. The basic components of an education programs include:

- A website that describes Ranked Choice Voting
- Information flyers
- Mailed sample ballot to all voters
- Outreach to voters at community events and in the media

Community organizations like the League of Women Voters, FairVote MN, and others can help with outreach and voter education.