



CHARTER COMMISSION AGENDA

July 28, 2020 – 6:30 P.M.

CHARTER COMMISSION SPECIAL MEETING

To be held via WebEx

1. Call to order
2. Roll call
3. Approve minutes of July 21, 2020 meeting
4. Consider resolution to extend review period
5. Discuss next steps
7. Adjournment

Attachments:

- a. City attorney memo
- b. Draft resolution
- c. Public comments

Due to the COVID-19 health pandemic, the charter commission's regular meeting place is not open to the public. Pursuant to Minn. Stat. § 13D.021, some commission members will participate in the meeting remotely via WebEx. Members of the public who desire to monitor the meeting remotely or to give input or testimony during the meeting can find instructions at <https://www.minnetonkamn.gov/government/virtual-meeting-information>.



**UNAPPROVED
DRAFT**

**MINUTES OF THE
MINNETONKA CHARTER COMMISSION**

July 21, 2020

1. CALL TO ORDER

Chair Northrup called the meeting to order at 6:30 p.m.

2. ROLL CALL:

Members present: Dick Allendorf, Karen Anderson, John Cheleen, David Larson, John Northrup, Terry Schneider, Linnea Sodergren, LuAnn Tolliver. Wiersum joined the meeting at 6:33 p.m., prior to the approval of the minutes.

3. APPROVE MINUTES OF JULY 14, 2020 MEETING

Northrup suggested a change at page 4, paragraph 5 by adding a clarifying phrase. Schneider moved, Anderson seconded, to approve the minutes of the July 14, 2020 meeting. By roll call vote, all voted in favor.

4. DISCUSS COMMUNITY FEEDBACK AND COMMUNITY SURVEY

Northrup asked if there were any comments on the July 14 meeting or the survey. Schneider thought it was important to understand that there was some orchestration going on regarding the comments, which is fine, but it does weigh that end of the spectrum a little bit for the people who are trying to learn about this and have a dialogue. The city has used the community survey for a number of years. He gives it a lot of credibility, and he was surprised by the level of recognition of ranked choice voting reflected in the survey. His caveat would be that, because there is a history of community support for the council and the city, he believes that the fact that the council supported looking at ranked choice voting might have influenced the survey.

Allendorf said he had noted a number of misconceptions in the public comments. It was quoted from the previous meeting that rank choice voting will save the city money, but it will cost between \$60k-\$120,000 more. Ranked choice voting is claimed to be more fair and just, but only three cities have adopted ranked choice voting. He's seen research to support the claim that it helps marginalized communities, but he doesn't see how it works. The research on increased voter turnout is mixed and 43% was one year in Minneapolis where other issues played a major part in that turnout rate. With respect to promoting diversity, he noted that the city council has four women and a woman of color

with the current system. Allendorf expressed concern that FairVote has been working on ranked choice voting for two years and the commission has been asked to put the issue on the ballot less than four months from now. Allendorf thinks it deserves more time than four months for a change in the city charter.

Sodergren stated that four months may be a good time frame to educate the voters. Where ranked choice voting falls down is the cost. Voter education efforts would be critical if this is moved forward. The estimate for voter education was \$25,000 and she doesn't know where the city budget would accommodate that. She wondered how people would respond to various options for property tax increases to be used for items such as not laying off staff or cutting services, or paying for voter education. People should know that it will cost money. The public comments didn't indicate that people were aware that it would cost more money.

Anderson wanted to comment on community feedback outside and above of what occurred at the July 14 meeting. The commission has received lots of letters and emails from people in the community, which are open to the public to read. Several emails have come from everyactionadvocacy.com. That is a service from Washington, D.C. that is used to lobby public officials. One resident indicated that an email had been sent from that address using her email, and she knew nothing about it. Another resident had expressed concern that when he went to the FairVote website, the only way to get information was to express support for RCV. She was also concerned about amending the city charter without a single public forum where people could appear in a public setting to provide their input.

Larson said there were two individuals who spoke about the downsides of RCV. He felt their points were well taken. RCV is not better than the system the city has. He is concerned about exhausted ballots and votes not counting. He thinks there should be more time in terms of educating the public. St. Louis Park did not even take its ordinance to the public. He thinks it would be better to use RCV on a municipal election ballot rather than the state general election. He is concerned about a well-financed group advocating in favor of the amendment without an equal opportunity to hear opposing views.

Cheleen kept track of all the pros and cons in the public comments. If you take out all of the form letters, and look at people who have dug into the issue, the pros and cons are nearly evenly split. He's concerned about putting the issue on the ballot in November because there are a lot of other issues there. He's concerned that if the city puts it on the ballot, voters might approve without a lot of thought. He would like to see the issue on a municipal election year, because those voters are interested in municipal issues. He would like to recommend that the council put it on the ballot when it would have more of a municipal focus.

Tolliver is concerned about the time for educating voters and concerned about the senior population. Older people do not all use social media, and she is concerned about how they will get the information without the ability for in-person meetings. She is also concerned about ongoing costs for RCV. The council needs to prioritize costs. If a cost is added, something else has to be cut. The city can't continue to increase costs.

Schneider also looked at the issues. Negative campaigning and partisan gridlock are not problems that Minnetonka has. The claim about having a clear majority has been debunked because with regular voting you have a clear majority unless there's a tie and RCV questions that majority. FairVote has an organized passionate following, but the city will have to be neutral in educating the voters. That will be challenging to do in four months, especially during the pandemic. It may be true that more candidates will file, because FairVote will encourage candidates to get out. Historically, there have been only five times when there was at least one person running unopposed. Some might say that's proof that the system is rigged, and people aren't running against candidates that should be run against. His view is that the voters have regularly said they like stability and consistency and that so long as the council does a good job, they'll be re-elected. The real issue is to say, what is the right thing to do now? The commission's duty is to thoughtfully review this. If that means continuing it for 90 days in order to get further input, the commission should get as much resident input as possible.

Wiersum started with the community survey. He was surprised by the strength of support for RCV. He thought David Haeg did a nice job of explaining how he got involved with RCV. The survey showed how strongly people feel about the city and about how well it is run. FairVote is a national organization that is targeting charter cities that have their elections in odd-numbered years. There aren't many of those cities. He was appointed to the city council, but he wasn't well known or a local favorite. The argument that it will save money does not hold water. The voter education costs should not be totally allocated to RCV. Even without RCV, an investment could be made in voter outreach to improve civic engagement. New ways of voting and new ways of communicating work against senior voters. Seniors have less access to the various media, and they are at a disadvantage in a time of pandemic in getting information.

Northrup pointed out that the *Minnetonka Memo* is the primary communication vehicle for residents. All other media were at 12% or less in the survey. When you think about educating the public, there needs to be time to get pros and cons in the *Memo*. Absentee ballots become available Sept. 18, which means there is only a month and a half to communicate to residents.

5. DISCUSS CANDIDATE PARTICIPATION

Schneider said he had made his point that voters may be saying they like stability. Anderson said that during her years on the council she saw several years where there was no change at all and then years when there was great upheaval and change. She was concerned about the lack of women on the council for many years. Then there were three women on the council. The balance of women and men went back and forth. Now the council has a majority of women and a person of color. Minnetonka has shown a great deal of progressivity on a number of things. She isn't sure that changing the system of voting would be an advantage.

Schneider noted that a potential benefit could have been the idea of getting more people involved and getting more perspective. Having diversity is an important part of a healthy council. He thinks community discussion is the best way to get different perspectives into the decision-making process.

Allendorf said that what the commission needs to do is to lay out a well-thought out plan of communication. Four months is too short a time to do that, and the education needs to come before residents vote on it.

6. DISCUSS COMMISSION ACTION AND NEXT STEPS

Northrup noted that the commission's charge was to study RCV and provide a thoughtful and complete report to the council. He asked Larson to provide his perspective.

Larson said Minnetonka has good gender balance on the council. RCV is just another way of counting ballots. It is not appropriate to put something on the ballot because there is a strong lobbying group. It doesn't make sense to do this at this time, with the pandemic. RCV doesn't get you to a true majority. It doesn't make sense for the Minnetonka community. He believes the disadvantages of RCV outweigh the perceived advantages.

Northrup noted that the city has a proven system that reliably counts the votes. He thinks it is going backward to go to manual spreadsheets. David Maeda said there is no certified equipment to automate ballot counting. He is concerned about the city budget at a time when revenue is going to be shrinking.

In terms of next steps, the commission needs to decide whether it wants to extend the review period or make a report to the council.

Schneider said the question is whether presenting RCV to the voters in this accelerated time frame. Voters should have the ability to vote on it, but it should not be done in a rushed fashion. Two choices are either to give a summary memo or ell the council that

more time is needed. Next 90 days should be on summarizing pros and cons and lay out process to make sure it is handled right. Would like to make more informed and more thought out recommendation to the city council.

Anderson said she generally agrees. She thinks there is danger in that approach in terms of kicking the can down the road. It gives the lobbying effort another year, too. Her thought is that the council is under a great deal of pressure and she would like to add to the recommendation that if the issue goes on the ballot in November, it is important and necessary that the council do a number of things.

Schneider asked the city attorney to clarify what the extension of time would mean. Heine stated that the council cannot take action until the commission completes its review. If the review period is extended, the issue cannot go on the November 2020 ballot.

Allendorf agrees with Schneider and thinks that the citizens and the council have a right to know what the commission intends to study. Part of the resolution should state that the commission wants to study the academic writings and a plan for communication.

Wiersum said the commission needs to be clear about what it will do with the extra 90 days. Proponents might see the extension as a ploy to keep it off the 2020 ballot. With the pandemic still in place, what will the commission do with that time?

Northrup said there was a lot of discussion about community engagement. That was a troubling aspect of the meeting last week. He wasn't sure the commission succeeded in reaching seniors.

Sodergren said that when she looked at the number of people who commented, she was struck with the number of people who said they had lived in the city many years. She isn't concerned that seniors weren't being reached. She trusts that the communications staff will know how to reach seniors.

Schneider said the direction to staff should be to prepare a resolution with reasons for the extension. He would like to see a work session with council. He suggested that commissioners could send their proposed reasons to the attorney to include in the resolution.

Anderson said the commission needs to develop a robust communication plan. The commission needs time to list out the factual advantages and disadvantages of ranked choice voting in the studies received and testimony received. She would like to discuss and look at the issue of exhausted ballots as well as issues surrounding the tabulation of votes. She is concerned with the results not being clearly understood by the public

and whether RCV will make voting transparent enough. She would like more information on the politicization of ranked choice voting. She stressed the for a public forum and events. She would like to look at the budget issues surrounding RCV.

Wiersum said that how we vote and the sanctity of the vote is very important. Being careful is part of the rationale. The commission wants to be well informed and have a good debate of the pros and cons.

Anderson seconded what Wiersum said. One of the most important aspects of voting is that people in the community trust the system. Some people don't trust the system. Will going to RCV throw off the trust in the community? She'd like to have a full public discussion.

Allendorf said that as he looked at last week's meeting, a public forum didn't truly happen in the last meeting. The commission should have two or three different forums. The lobbying group had people lined up to besiege the commission. A professor could give the pros and cons and experiences at a public forum. He would like to define the public input so that one viewpoint doesn't dominate and instead there is give-and-take.

Wiersum said he would like to see an intelligent debate of both sides of the issue. That would be valuable and would enable people to make a great decision.

Schneider mentioned that the council will have months to work on the issue. There is a better chance of making the discussion more robust rather than less robust.

Heine asked for an idea of the proposed schedule. Schneider said the commission needs time to lay out a work plan.

7. ADJOURNMENT

Anderson moved, seconded, to adjourn the meeting. By roll call voted, all voted in favor. The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

LuAnn Tolliver
Secretary



14600 Minnetonka Blvd. | Minnetonka, MN 55345 | 952-939-8200 | eminnetonka.com

TO: Charter Commission
FROM: Corrine Heine, City Attorney
DATE: July 24, 2020
SUBJECT: Meeting of July 28, 2020, Items 4 and 5

4. CONSIDER RESOLUTION TO EXTEND REVIEW PERIOD

Background

State law provides four different methods for amending the city charter:

- Petition by voters for an amendment – requires voter approval
- Charter commission recommendation, for voter approval – requires voter approval
- Charter commission recommendation of amendment by ordinance– requires unanimous approval by all council members – no voter approval required
- Council adoption of ordinance, with commission review – requires voter approval

The city council started the process that is listed fourth in the above list on June 8, 2020, when the council adopted an ordinance that proposed to amend the city charter to require use of ranked choice voting in city elections. Under that method, the council must submit its proposed amendment to the charter commission for review. State law gives the commission 60 days to complete its review; however, the commission may extend the review period an additional 90 days if it determines that additional time for review is needed. At the end of the review period, the law requires the commission to “approve or reject the proposed amendment or suggest a substitute amendment.”

Resolution

The initial 60-day period will expire on Aug. 7, 2020. At its July 28, 2020 meeting, the commission directed staff to prepare a resolution that would extend the review period an additional 90 days, to Nov. 5, 2020. A draft resolution has been prepared, based on the statements made by commission members at the July 28 meeting.

5. DISCUSS NEXT STEPS

The commission is reminded that, under the statutory process that is currently in use, the commission’s only role is to accept, reject or recommend changes to the proposed charter amendment. The commission needs to identify:

- What additional information does the commission need in order to make its decision to accept, reject, or offer amendments to the proposed charter amendment?
- How many additional meetings will the commission need? Commissioners should bring their calendars and be prepared to identify meeting dates. Staff recommends a minimum of two weeks between meeting dates, and additional time may be required, depending upon the quantity of information that the commission requests for a particular meeting.

**Minnetonka Charter Commission
Resolution No. 2020-__**

**Resolution extending the time period for review of
proposed charter amendment**

Be it resolved by the Charter Commission of the City of Minnetonka, Minnesota as follows:

Section 1. Background.

- 1.01. On June 8, 2020, the Minnetonka city council adopted Ordinance No. 2020-12, “An Ordinance amending sections 2.06 and 4.02 of the Minnetonka City Charter, regarding elections; requiring use of ranked choice voting; eliminating use of primary elections,” and submitted the ordinance to the charter commission for review, pursuant to Minn. Stat. § 410.12, subd. 5.
- 1.02. Under Minn. Stat. § 410.12, subd. 5, the commission has 60 days, or until Aug. 7, 2020, to review the proposed charter amendment and accept, reject, or propose an amendment to the city council.
- 1.03. The commission has the authority to extend the review period for up to an additional 90 days if the commission determines additional time is needed for review.
- 1.04. The commission has made a diligent effort to complete its review during the COVID-19 pandemic and within the 60-day review period, by meeting twice during the month of June and four times during the month of July.
- 1.05. Minnetonka has a long history of making major decisions after thoughtful evaluation of the pros and cons of the action and after a robust community engagement process. Accordingly, consideration of changes to the city charter should be thorough and thoughtful, not rushed.
- 1.06. The commission has identified several other areas that it would like to study before completing its report to the city council. Those areas include: academic research on the subject of ranked choice voting; further study and discussion of exhausted ballots; the process for vote tabulation; further study of unintended consequences of ranked choice voting; and the forecasted costs of ranked choice voting.
- 1.07. The commission would like to provide ample opportunity for robust public input. The commission has had only one meeting to receive public feedback, and the public was not able to attend in-person. The commission is interested in exploring a meeting in which the public is able to hear a debate, or another forum in which the public can receive information on ranked choice voting before providing feedback to the commission.
- 1.08. The commission is interested in holding a joint work study session with the city council as part of its review.
- 1.09. The commission would like to make a thoughtful and complete recommendation to the city council at the end of its review, which may include recommended changes to the proposed charter amendment.

Section 2. Commission Action.

- 2.01. The commission determines that additional time is needed for it to complete its review of the proposed charter amendment.
- 2.02 The commission hereby extends the review period by 90 days, to Nov. 5, 2020.
- 2.03 The city attorney is directed to file a copy of this resolution with the city clerk immediately.

Adopted by the City Council of the City of Minnetonka, Minnesota, on .

John Northrup, Chair

Attest:

LuAnn Tolliver,

Action on this resolution:

- Motion for adoption:
- Seconded by:
- Voted in favor of:
- Voted against:
- Abstained:
- Absent:
- Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Minnetonka Charter Commission at a meeting held on _____, 2020, the original of which was filed with the city clerk on _____ 2020.

Becky Koosman, City Clerk

Corrine Heine

From: Corrine Heine
Sent: Friday, July 24, 2020 9:30 AM
To: Corrine Heine
Subject: FW: DO NOT move forward on rank choice voting

From: [REDACTED] >
Sent: Wednesday, July 15, 2020 7:50 AM
To: Brian Kirk
Subject: DO NOT move forward on rank choice voting

Dear Council Member Brian Kirk,

I just signed up in support of Ranked Choice Voting in Minntonka. I urge you to move Ranked Choice Voting forward to be included on the November ballot.

Sincerely,
Scott Rheinhart
17022 Prospect Pl Wayzata, MN 55391-2837
[REDACTED]

Corrine Heine

From: Karen Anderson
Sent: Wednesday, July 22, 2020 11:22 AM
To: Corrine Heine
Subject: Fw: City process

Corrine,
Please forward this message to the others on the Charter Commission. Thank you,
Karen

From: Kathryn McCullum [REDACTED]
Sent: Tuesday, July 21, 2020 3:00 PM
To: Karen Anderson
Subject: City process

Hi Karen

I have sent this to the mayor also.

I was reviewing the city's website and found a special link just for ranked choice

AA



minnetonkam

City Council & Mayor

Contact Us

Departments

Elected Officials

Elections

voting. A screenshot is included here.

There is a link under “Elections” for Ranked Choice Voting.

This is a proposal. Not a done deal. The information in the link is not “educational”.

It states:

In June 2020, the [Minnetonka City Council](#) adopted an ordinance that proposed an amendment to the city charter. If approved by voters, the amendment would implement ranked choice voting for city elections.

Almost always on a *proposal* (if not always), the city states the name of the person or organization that is making the proposal. The residents have a right to know what organization is making the change.

In addition, I have never seen a *proposal* given such preferential treatment as to place a special tab virtually on the front page of a city website under “elections” During. an. election. season. And the description of ranked choice voting is over simplified to the point of being no description at all.

Now, you have residents going into the elections information on the website and they see a tab for ranked choice voting. A *proposal* has not even been completed by the Charter Commission.

With FairVote doing everything in its vast power to push this on the residents of Minnetonka, having that tab displayed and appearing to be a FairVote promotion during an election is just wrong.

How did a *proposal* get to such a prominent position on the website with language that is dumb downed? (And I’m not the only resident who views it this way).

Is FairVote the one to suggest that it placed there with that specific language?

Minnetonka residents are at a terrible disadvantage on this. We don’t have the funds of a national organization behind us to fight. With the severe lack of notice and time (and the virus), citizens of the city have been placed in a terrible position and the blame can be placed right on the FairVote organization. The organization pushed the city so hard that the city has not followed known and precedented processes and procedures.

Whatever you decide, please know there are ten more people behind me believing the same thing and some are too afraid to say anything because the repercussions from those in favor of this proposal are severe.

Thank you for your time.



Corrine Heine

From: Mark Francis [REDACTED]
Sent: Wednesday, July 22, 2020 12:49 PM
To: Dick Allendorf; Karen Anderson; John Cheleen; David Larson; John Northrup; Terry Schneider; Linnea Sodergren; LuAnn Tolliver; Brad Wiersum
Cc: Corrine Heine
Subject: RCV

To the Charter Commission,

First, I want to thank you for your continued thoughtful work on RCV. Second, after catching up on meeting minutes and packet materials I wanted to bring three items to your attention:

1) The city website describes ranked choice voting as follows:

- *Ranked choice voting eliminates the need for a primary because voters are asked to rank candidates in order of preference.*
- *If a candidate reaches a majority of the votes cast, that candidate is the winner.*
- *If no candidate wins a majority of first-preference votes, the candidate with the fewest first-preference votes is eliminated, and all first-preference votes cast for that candidate are eliminated.*
- *A new tally is then conducted to determine whether any candidate has won a majority of the adjusted votes. The process is repeated until a candidate wins an outright majority.*

The second sentence of the fourth point is incorrect. With RCV's elimination rounds we know that some votes will become disqualified and will not contribute to the election's final outcome. [This is ballot exhaustion and has been shown to occur at an average rate of over 10% as the FairVote Minnesota representative explained to the commission in January.] As a result, it is possible that a candidate may not win with an "outright majority" but rather it is a majority of the votes that did not become exhausted. I believe that this fact should be presented in order to best inform voters of what RCV entails. As you know, there are many documented cases of a winner not winning a majority of all the votes cast under RCV. Could this be corrected?

2) I read the city's survey that was carried out by Leatherman including the RCV question: "As you may know, three cities – Minneapolis, Saint Paul and Saint Louis Park – have changed their local elections to a ranked choice voting system, which allows voters to rank their first, second and third choice for each race. Would you favor or oppose the use of ranked choice voting in Minnetonka? Do you feel strongly that way?" I think everyone would agree that this is a leading question and it would have made sense to ask respondents whether they knew what RCV was before asking their opinions. The question just as easily could have been stated "As you may know, Burlington Vermont changed

their local elections to a ranked choice voting system and then rescinded RCV because it failed as an election system. Would you favor or oppose the use of ranked choice voting in Minnetonka? Do you feel strongly that way?" I'm sure you understand the point. The results from this flawed question used by Leatherman tell us nothing.

3) I wanted to provide a response to FairVote's 6/23/20 email to the Charter Commission. The June 23 speakers, including myself, intended to inform the commission so they could have a more balanced picture of RCV. Dr. Van Bennekom and I each provided data, facts and references. FairVote's response (sent before the actual presentations were made) was an ad hominem argument. FairVote chose not to respond with any specific points concerning transparency or ballot exhaustion. It is hard to have an intellectually honest discussion this way and does not serve any of us well.

In this email FairVote stated "If a voter chooses to go to the primary and sit out the general because they are not happy with who made it through the primary, that's a voter's choice. If a voter selects a single candidate on a RCV ballot and chooses not to rank the others and that candidate doesn't make it through the runoff, that's a voter's choice." This is an attempt to equate two different systems and two different actions so it's not a valid comparison. In the first scenario the voter actively chooses not to participate in the general election. In the second, the voter participates but potentially gets his vote disqualified. It is the RCV dilemma in which the undervoter must decide to either a) partially fill out a ballot because, for example, there are candidates the he does not want to be represented by, and thereby risk his vote becoming disqualified or b) completely fill out the ballot and risk that his vote goes to a candidate that he does not want to be represented by. The RCV election system creates this dilemma and deserves your discussion and consideration. Since RCV has been studied we know that the rate of ballot exhaustion is over 10% which includes undervoting, overvoting and true ballot exhaustion. Under the first scenario we have no statistics from FairVote but only their conjecture that it must be on par with RCV's >10% ballot disqualification rate.

I'll maintain my questions to the Commission and FairVote Minnetonka:

- Why should voters be put in a position where their vote is subject to disqualification due to the system's workings?
- When and where do our voters become informed about the fact that at least 1 in 10 votes get disqualified in RCV elections?

Thank you,

Mark Francis

Corrine Heine

From: Gabriela Brose <[REDACTED]>
Sent: Wednesday, July 22, 2020 3:38 PM
To: Corrine Heine
Subject: Vote NO on Ranked choice voting!!!

It's been a disaster!

Part of the problem is the way the counting works. As each round of RCV tabulation proceeds, some ballots are declared "exhausted," as some voters' remaining choices do not include candidates "still standing" as voters' other choices are being re-allocated. In some races, the percentage of "exhausted ballots" ranged from 9.6% up to 27.1%. That positively disenfranchises "exhausted" voters, excluding them in final rounds of an RCV election.

Look at how the process worked in a 2010 race for San Francisco Board of Supervisors (City Council). After 20 rounds of tabulation, there were 9,608 exhausted (discarded) ballots, whereas the winner garnered only 4,321 votes. The victor took fewer than 25% of the votes.

A Pew Research survey found that 34% of Republican voters and 32.5% of Democrats couldn't even name their own party's nominee for Congress; now voters are expected to have five informed choices, in order of preference? FairVote, which supports ranked-choice, found that under RCV, the "...prevalence of ranking three candidates was lowest among African-Americans, Hispanics, voters with less education and those whose first language was not English."

Seniors vote in higher proportions than others. However, in RCV jurisdictions with greater percentages of older voters, more ballot-marking errors occur. Improperly marked ballots are discarded. That means RCV is likely to disproportionately disenfranchise senior voters.

Some jurisdictions have repealed their ranked-choice voting laws following negative experiences. After an unpopular mayor of Burlington was re-elected with only 29% of the first place votes, voters repealed the system. The North Carolina legislature repealed their RCV laws in 2013, and the voters of Ann Arbor, Mich., did the same.

In Pierce County, Wash., voters repealed Ranked Choice by a thumping 71%. Aspen, Colo., rescinded RCV in 2009 by 65%.

After the California legislature passed a ranked-choice voting system, then-Gov. Jerry Brown vetoed the bill, explaining it was "overly complicated and confusing, depriv(ing) voters of genuinely informed choice."

In 17% of the cases studied, RCV systems produced a different winner from the one chosen by voters on election day. That's just unacceptable.

Absolutely NOT!

Corrine Heine

From: clarence [REDACTED]
Sent: Thursday, July 23, 2020 9:19 AM
To: Brad Wiersum; Geralyn Barone; Corrine Heine
Cc: Dick Allendorf; Karen Anderson; John Cheleen; David Larson; John Northrup; Terry Schneider; Linnea Sodergren; LuAnn Tolliver
Subject: RCV on the Ballot November 5.

Mr. Mayor Brad Wiersum;

The algebraic sum of the benefits vs disadvantages of RCV is overwhelmingly in favor of RCV. Please, get with the program.

Is your cup half empty or half full?

Citizen Clarence Richard
[REDACTED]

- 1) **Ballot exhaustion** occurs when a ballot is no longer countable in a tally as all of the candidates marked on the ballot are no longer in the contest.

This can occur as part of [ranked-choice voting](#) when a voter has ranked only candidates that have been eliminated even though other candidates remain in the contest, as voters are not required to rank all candidates in an election. In cases where a voter has ranked only candidates that did not make it to the final round of counting, the voter's ballot is said to have been exhausted.... **This was a voter choice. Live with it.**

- 2) California Bay

Area https://www.fairvote.org/rcv_elections_and_runoffs_exhausted_votes_vs_exhausted_voters_in_the_bay_area.... Ranked choice voting (RCV) has been adopted by several cities in the Bay Area of California and elsewhere to replace a contingent runoff taking place after a November election. One of the major reasons municipalities have switched to RCV is that running one election is much cheaper for both taxpayers and candidates than running two. RCV is a cost effective way to more closely reflect the majority will than plurality voting.

One concern for RCV advocates and critics alike is ballot exhaustion. In RCV, ballot exhaustion occurs when all the candidates a voter ranked have lost even though two or more other candidates remain in the race. This might happen because a voter chose not to rank all or many candidates or because a voter ranked as many candidates as allowed on the ballot paper (in the Bay Area this is three candidates). Since such a vote contains no rankings of a candidate still in the race, it is allowed to exhaust and is no longer included in the tally for winner. **This was a voter choice. Live with it.**

Because "exhausted votes" is a new concept, some wonder if exhausted ballots affect who wins and loses in close races. If, for example, ten percent of ballots are exhausted, and the election margin was less than five percent, the winner may have a majority of all the non-exhausted votes, but not a majority of total votes counted in the first round. This

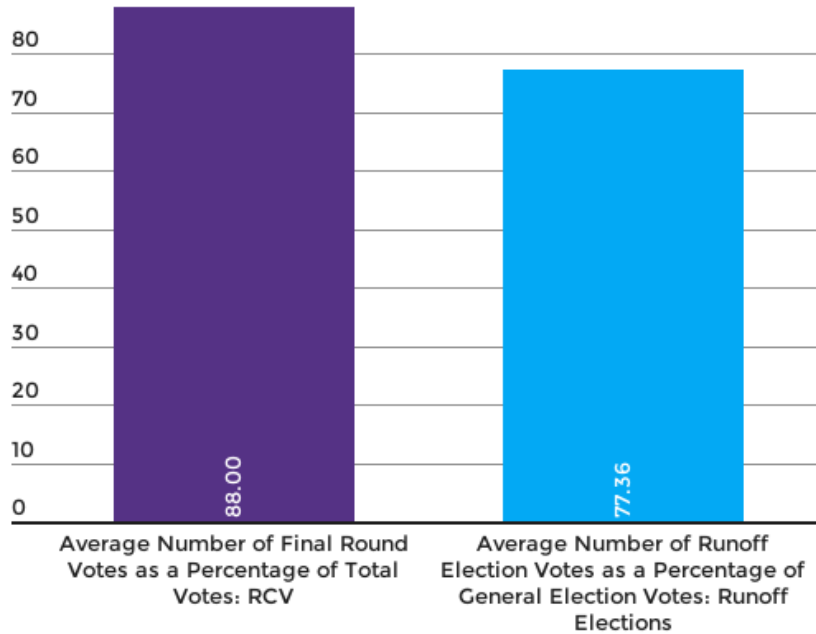
leaves open the possibility that some other candidate was the true majority choice -- and that, if voters who had their ballots exhausted were permitted to choose again **Voters said their piece by not saying their piece completely... let's live with it**, say in a runoff election among the two leading candidates, a different winner might emerge with a clear majority of votes cast in the runoff.

Although this is **theoretically possible, it is unlikely**. But it also is grounded in assumptions about runoffs that overlook of how much more likely it is to have “exhausted voters” in a traditional runoff than “exhausted votes” in an instant runoff. Runoffs usually mean that fewer voters have a meaningful say in the decisive election.

Three of the four Bay Area cities that now use RCV, Berkeley, San Francisco and San Leandro, used runoffs before adopting RCV. In those cities, there were 20 races between 1995 and 2007 in which a runoff was held. Of those 20 runoffs, turnout declined significantly in 16. Only for elections in odd years, where turnout is abysmally low, was turnout greater in the runoff than in the November general. Turnout in even year runoff elections decreased by as much as 47% -- reflecting that almost half of general election voters did not participate in the runoff.

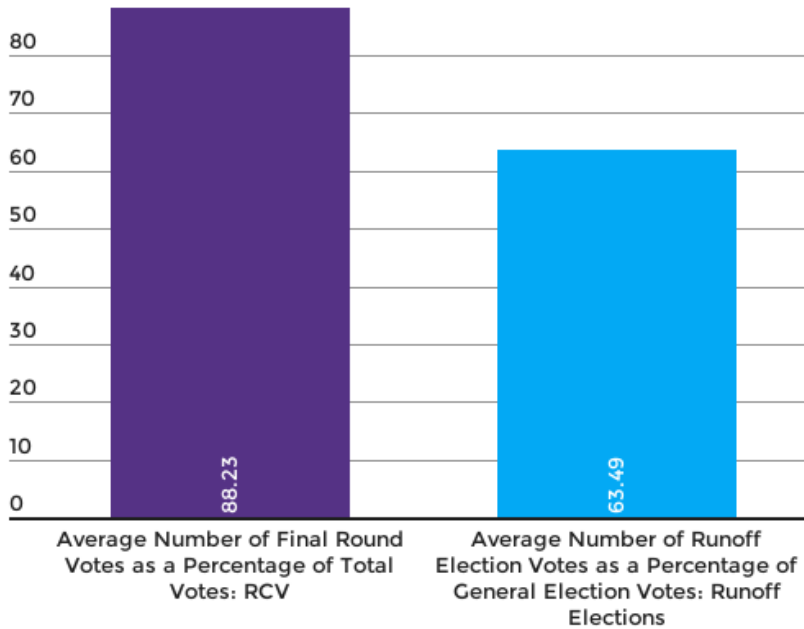
The average decline in turnout was much greater in runoffs than the proportion of ballots that exhausted under RCV, which each city adopted between 2004 and 2010. **On average, runoff elections saw a 23% decrease in voter turnout compared to a 12% average level of ballot exhaustion for RCV elections conducted in the Bay Area** - that is, there were nearly twice as many “exhausted voters” with runoffs as “exhausted votes” under RCV. As the chart below shows, **this means that more than 10% more voters in RCV general elections had their vote count in the final round compared to voters in general elections that went to runoff.**

Exhausted Votes vs Exhausted Voters: Bay Area Elections 1995 to 2015



FairVote

Exhausted Votes vs Exhausted Voters in even year elections: Bay Area Elections 1996 to 2014



FairVote

Lower turnout and ballot exhaustion are qualitatively different, but in local elections that are already plagued by systemic low levels of participation, both are serious issues for the same reason: they undermine our confidence that the outcome of the election is the will of a majority of the electorate. Someone who cannot take time off work to vote in two elections is denied a voice in the decisive round in the same way as someone who has their vote exhaust before the final round after choosing several losing candidates. In some ways, this comparison is overly generous to runoff elections, as many exhausted votes are the result of deliberate undervoting (declining to use all available rankings) or bullet voting (ranking the same candidate several times). We will explore the nuances of undervoting and bullet voting in RCV elections in the Bay Area a forthcoming post.. The high levels of average voter turnout decline from the general election to a runoff in a runoff system creates serious issues that are avoided by almost any other system. Three in ten runoff elections conducted in the Bay Area between 1995 and 2007 saw candidates win election with less votes than their opponent received in the general election. These candidates won a “majority” of the votes of the runoff electorate despite the fact that more

general election voters supported their opponent. This is a major threat to the legitimacy of elections that would be impossible under RCV, or indeed, most other systems.

Corrine Heine

From: Jennifer [REDACTED]
Sent: Thursday, July 23, 2020 9:29 PM
To: Corrine Heine
Subject: Ranked choice voting

I am a 20 year resident of Minnetonka. I participated in the public comment opportunity last week to express my support for ranked choice voting. What I heard on that call, as I waited for my turn to speak for more than 30 minutes, was that an overwhelming majority of public participants wanted ranked choice voting to be included on the next ballot for Minnetonka voters to decide.

Now I have heard the decision will be made without considering all those public supporters.

Please let the voters decide whether to hold elections using ranked choice voting. Put it on the ballot and use the democratic process as it is intended.

Thank you.

Jennifer Johnson 

Corrine Heine

From: susan boren <[REDACTED]>
Sent: Friday, July 24, 2020 5:51 AM
To: Corrine Heine
Subject: Ranked Choice Voting on the November Ballot

As a resident of Minnetonka I'd like to once again register my support for letting voters decide the issue of Ranked Choice Voting. The Charter Commission has heard significant support of this and I hope they will listen to residents and put the issue on the ballot. It's the right thing to do. Thank you. Susan Boren, 16523 Black Oaks Circle, 55391

Sent from my iPad

Corrine Heine

From: mr carlson [REDACTED]
Sent: Friday, July 24, 2020 8:22 AM
To: Corrine Heine
Subject: Ranked Choice Voting

Charter Commission:

It is time to put Ranked Choice Voting on the November ballot!

There has been enough discussion and review of this process. The survey showed a large majority of the residents are in favor of RCV. The Citizen voters should be deciding this issue in November.

It is time to move forward.

Christopher Carlson
16025 Boulder Creek Drive
Minnetonka, MN 55345

Corrine Heine

From: Katie Pierson [REDACTED] >
Sent: Friday, July 24, 2020 8:25 AM
To: Corrine Heine
Subject: RCV

Please let the voters decide!

Sent from my iPhone