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**MINUTES OF THE  
MINNETONKA CHARTER COMMISSION**

**June 23, 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, Brad Wiersum.

Members absent: None.

3. APPROVE MINUTES OF JUNE 9, 2020 MEETING

Schneider moved, Anderson seconded, to approve the minutes of the June 9, 2020 meeting as revised. By roll call vote, all voted in favor.

4. PRESENTATIONS AND QUESTIONS – UNINTENDED CONSEQUENCES AND OPPOSING VIEWPOINTS ON RANKED CHOICE VOTING

Northrup indicated that the city council had asked for a study of ranked choice voting. The commission has heard from proponents and election officials. The commission's work plan calls for consideration of unintended consequences and opposing viewpoints. He introduced Dr. Fred Van Bennekom, who works in survey design.

Van Bennekom said he is a professional surveyor and trainer on surveys. In his professional work, he never uses ranked choice in surveys, because they are high in respondent annoyance and respondent error.

He noted that there is no perfect election system. The goal is to find the best system, and that is a value question. His criteria are that it should be fair, simple for voters to understand, transparent so that citizens understand the outcome, minimize cost and incentives acceptable electioneering strategies. Proponents of RCV say it is easy, ensures majority support and eliminates spoiler elections, but they don't mention transparency.

Van Bennekom believes that RCV is a get-out-the vote strategy. RCV promotes a proliferation of candidates on a ballot. He described what happened in the Maine 2<sup>nd</sup> Congressional District election from 2018. Although Poliquin had the most first choice

votes, Golden won in the 2<sup>nd</sup> round based on second-choice votes from the eliminated candidates. In the 2<sup>nd</sup> round, 8253 of the 23,427 ballots were disqualified due to overvotes (98), undervotes (7820) and exhausted choices (335). The complexity of the system makes it less transparent.

As to whether the system is simple and easy for the voter, the fact that one-third of the votes in the second round were exhausted suggests otherwise. Of almost 300,000 ballots, over 50,000 ballots had no second choice.

He believes the impact on elections is a move from strategic voting to strategic electioneering. Under a winner-take-all system, candidates would try to push out marginalized candidates. But in an RCV system, parties want to encourage fringe, marginal, and one-issue candidates in the hopes of gaining their second and third-choice votes.

Northrup introduced Marc Francis, a resident who opposes ranked choice voting. Francis has been a resident since 1991. He opposes ranked choice voting, primarily because of ballot exhaustion. Ballots become exhausted due to overvoting, exhausting their choices, or undervoting. His primary concern is undervoting, because those who are most likely to undervote are those with strong opinions, seniors and those who only vote for candidates they have researched. Voters are robbed of their voice when their ballots are eliminated, even though they made a purposeful choice. Voters should not have to place a ranked vote for a candidate that they don't support, nor should they have to worry if their ballot will count.

The Maine Heritage Policy Center found that there is a national ballot exhaustion rate of 10.92%. In California, ballot exhaustion ranged from 9.6% to 27.1%. In Minneapolis in 2017, the rate of ballot exhaustion was 13.4%, using a weighted average. In 2013, it was 17%. In St. Louis Park in 2019, the ballot exhaustion rate was 9.4%. FairVote admits an exhaustion rate of 10%. FairVote provides very little information about exhausted ballots.

Francis suggested that the city should fix what it knows rather than adopt a system that voters don't know or trust. The city could increase turnout by moving to even-year elections. The city needs to educate voters about ballot exhaustion. Finally, if RCV is enacted, it should have a repeal feature built into it. Francis believes that the fact that 10% of the ballots are not counted is reason enough to reject ranked choice voting.

Wiersum asked what caused Francis to become interested in ranked choice voting. Francis said he had seen letters to the editor in the Sun Sailor newspaper regarding ranked choice voting. He started looking into it and moved quickly from curious to skeptical to opposed.

Schneider said he was concerned about the ability of voters to be fully informed when there are numerous candidates. Francis agreed and said there was a study that was done that indicated voters will not rank numerous candidates.

Northrup introduced Carter Glendenning, a Minnetonka resident and a former board member of Minnesota Voters Alliance. Glendenning said that ranked choice voting requires voters to predict who may be eliminated. Voters are not given true choices between competing substitutes.

Seniors have a difficult time remembering instructions on how to vote. In a Cato Unbound study, the study indicated that RCV results in voter decline among African Americans. In odd-year elections, voter turnout declined by 8% on average compared to non-RCV elections. Cato Unbound also determined that voting complication results in an increase in ballot errors. A 2014 study indicated that ballot exhaustion can dilute the vote count so much that the winner does not have a majority of all ballots cast.

Glendenning noted that three cities have repealed RCV: Boulder, CO; Ann Arbor, MI and Cincinnati, OH.

Glendenning stated that there is no data that supports FairVote's contention that RCV saves money by eliminating primaries. He said there is no data to indicate that cities that have adopted RCV have realized cost savings. Glendenning invited the commission to look at who funds FairVote and the push for ranked choice voting, and he indicated that one of the persons funding it is George Soros.

Larson asked what happens if there are four candidates and the voter only votes for one. Van Bennekom said that the voter is only disenfranchised if the candidate loses in one of the early voting rounds.

Anderson asked if ranked choice voting could be used to game the system and whether party politics plays a role in that. She is concerned about keeping Minnetonka elections non-partisan. Van Bennekom said that RCV would not necessarily introduce partisanship, but part of the election strategy is to try to get a lot of similar-thinking candidates into the race and then instruct voters about using second choices. Francis said that a strategy can be to load up candidates with similar views.

Sodergren asked how an exhausted ballot is different than voting for a losing candidate in a primary. Francis said that in a primary, the vote counts, but in ranked choice voting, the system eliminates the vote. Wiersum said that if your candidate is eliminated in the primary, the voter gets to vote again in the general election. But in ranked choice voting,

if your candidate is eliminated in a preliminary round, the voter does not have the ability to vote again.

Schneider's main concern is that voters need to have the chance to be an educated voter. He noted that voters whose candidates lose in a primary have an opportunity to become more educated about the candidates in the general election.

Northrup thanked the speakers for their participation.

## 5. DISCUSSION REGARDING RESIDENT OUTREACH

Kari Knoll, communications manager, introduced herself and gave an overview of the communications staff and their duties. The communications staff has been looking at the project in four phases: making sure the residents knew about the ordinance the council was considering; informing residents about the commission's study. The staff will use all communications means to inform residents. The July *Minnetonka Memo* will include a front page article to let residents know about the July 14 public comment meeting. The city has almost 24,000 people who subscribe to city notices. The city will use social media, including Facebook, Twitter, NextDoor and Instagram. Those media forms reach a wide demographic of residents in the city. Staff will also make sure the Sun Sailor is aware of what is going on.

In addition, every year the city does a community survey. The city included a question about ranked choice voting in the survey and expects to have those results soon.

Sodergren asked how much the social media accounts are used. Knoll said the city launched the email system four years ago. The city has had a much higher rate of engagement than cities typically see, typically 40 to 50 percent. The social media accounts are also tracked, but the number of comments and shares depend upon the content.

Schneider said he was glad to hear that the survey included a question and looked forward to seeing the results. He also said he wanted to hear from the senior population as to whether they had concerns about the voting method. Knoll said the communications plan is designed to make sure residents know about the work that is being done and know how to reach the commission with feedback. Northrup said he would like to know how voters educate themselves about candidates and how ranked choice voting would change that. Knoll indicated that, if ranked choice voting is adopted, there will be a great amount of work that would be needed to educate voters.

Anderson asked what company did the community survey. Knoll responded that Decision Resources conducted the survey.

Allendorf said that people ask him what ranked choice voting is and why is the city looking at it. Allendorf said he would be concerned that in responding to a survey question, he would be concerned if people knew what ranked choice voting means.

Tolliver said her main concern is the senior population, and they are not as likely to participate in social media and emails. Seniors are also concerned about attending public meetings, and she does not know how they will get the information.

Wiersum said the city gets a lot of data from the various media it uses. He wondered if there was a way to make sure the communications were evenhanded across the various demographical populations within the city. Knoll said that is the basic strategy the city uses on all major initiatives, to make sure the city is communicating with everyone. She is confident that the communications strategy is the best way to reach residents. Wiersum said it would be interesting to see how many people follow each of the different media.

Northrup asked how the July 14 meeting might reach residents. Knoll said the communications plan would be to let residents know what the commission is considering and why resident feedback is needed.

Schneider expressed concern about having an effective communications plan to educate voters that the issue would be on the ballot, especially because many people are likely to vote early by absentee ballot. Knoll acknowledged that it was a relative short time period, but the city has been effective in reaching people quickly. The staff is already thinking about getting the information in the *Minnetonka Memo*, and a separate mailing is also possible.

Allendorf said that how the question is framed for the ballot is important. It is incumbent on the city to provide voters with enough pros and cons in order to educate the voters about what they are voting on.

Cheleen said that if the issue goes on the ballot, information should be provided in a mailing to every household. Heine noted that the city council would determine the communications plan, if the issue is put on the ballot.

Sodergren asked if election judges could be used to assist in getting out information and whether the city might partner with FairVote to get information out. She also wondered when a charter amendment was last submitted to the voters. Heine said that the city could not partner with FairVote because public funds cannot be spent to promote or

oppose a ballot measure. The city must be neutral. Heine said the last charter amendment that went on the ballot was in 1991, related to the mayor's term.

Schneider confirmed that the last charter amendment that went to the voters took nearly two years before it went to the voters. Anderson said the issue was controversial but that the city had done a good job of being neutral and pointing out pros and cons. Wiersum said the city does a good job of being neutral in communicating to residents.

## 6. FUTURE MEETING SCHEDULE

Northrup asked whether there was any additional information on legislative updates. Heine indicated that there was nothing in addition to what David Maeda had reported at the June 9 meeting.

Northrup said that for July 7, the commission would discuss what problem needs to be solved and the ordinance, and July 14 would be a public comment meeting.

Schneider said it would be important to get more detailed cost information. He also would like to look at scholarly, credible information as opposed to opinion pieces. He would like to see summaries of the various articles. Anderson said she would also be interested in articles of that type, but not opinion pieces that are clearly biased.

Allendorf said he would like to talk about the July 14 meeting. He would like to get input from the residents but without a lot of repetition and long presentations. Wiersum said that the city has asked speakers to limit their presentations to three minutes, and it worked fairly well.

Anderson questioned why the commission would be considering the wording of the ordinance. Heine responded that the state law contemplates that the commission might propose changes in the wording of the charter amendment. Anderson also said that it would be important for the commission to consider whether ranked choice voting addresses the problem of low voter turnout. She noted that Minneapolis had seen a 40 percent turnout in 2017 but that was an election where turnouts were greater across the country. In addition, there were 35 people who ran for mayor at that election. She would like to see unbiased information about whether RCV increases voter turnout.

Cheleen asked about when the city would have information about costs. Northrup indicated that staff is working on that information.

The agenda for the July 21 meeting would be to start working on the report, and July 28 would be to finalize the report.

Schneider said that the commission could have preliminary discussion about the ordinance on July 7, but he would not want to vote on any changes until after the July 14 meeting.

**ADJOURNMENT**

Anderson moved, Allendorf seconded, to adjourn the meeting. By roll call voted, all voted in favor. The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

LuAnn Tolliver  
Secretary