



Agenda
Minnetonka City Council
Special Meeting, Friday, Nov. 13, 2020
2:00 p.m.
WebEx

1. Call to Order
2. Roll Call: Kirk-Schack-Carter-Calvert-Schaeppi-Coakley-Wiersum
3. Resolution certifying the results of the Nov. 3, 2020 Special Election Minnetonka ballot question

Recommendation: Adopt the resolution
4. Adjournment

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City Council Agenda Item #3
Meeting of Friday, Nov. 13, 2020

Brief Description: Resolution certifying the results of the Nov. 3, 2020 Special Election Minnetonka ballot question

Recommended Action: Adopt the resolution

Background

At the Aug. 10, 2020 regular council meeting the city council unanimously voted to call a special election for Nov. 3, 2020 and to submit to the voters a proposed charter amendment to require the use of ranked choice voting (RCV).

A State General Election was held on Tuesday, November 3, 2020 including the ballot question to either adopt or reject the use of ranked choice voting. The results are included in the provided resolution.

Due to the coronavirus pandemic, and in accordance with a consent decree issued by the Ramsey County District Court, the normal deadlines for receipt of absentee ballots do not apply to Nov. 3, 2020 election. Normally, absentee ballots must be received by Election Day. For this election, absentee ballots must be postmarked by Election Day and will be counted so long as they are received by Nov. 10, 2020.

The council may be aware that in a separate lawsuit that challenged the extended deadline under the consent decree, the Eighth Circuit Court of Appeals issued a ruling on Oct. 29, 2020. Although the ruling required that election officials segregate ballots received after Nov. 3, 2020, that ruling applied only to the presidential election and did not address other elections, such as the local ballot question. Accordingly, the certified results include all ballots received by the deadlines under the consent decree. For information, the preliminary results based on ballots received by Nov. 3, 2020 were 18,456 in favor of the charter amendment and 15,288 opposed to the charter amendment. Results received as of Nov. 10, 2020 and reflected in the resolution certifying the results were 18,475 in favor and 15,293 opposed. State law requires the city council certify the results of municipal ballot question between the third and tenth day following a municipal general election.

Note that with the passage of the charter amendment question, the next steps include adoption of an ordinance establishing the rules for RCV in Minnetonka and the development of voter education plans and information. Staff will provide an update to the council at a future council meeting.

Recommendation

Staff recommends that the council adopt a resolution certifying the results of the Nov. 3, 2020 General Election Minnetonka ballot question.

Submitted through:

Geraldyn Barone, City Manager
Mike Funk, Assistant City Manager

Corrine Heine, City Attorney

Originated by:
Moranda Dammann, Administration Manager

Resolution No. 2020-

Resolution certifying the results of the Minnetonka special election of Nov. 3, 2020

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

Section 1. Background.

- 1.01. At the Aug. 10, 2020 regular council meeting the city council unanimously voted to hold a municipal special election on Nov. 3, 2020, for the purpose of submitting a proposed charter amendment to the voters.
- 1.02. The municipal special election was held on November 3, 2020 in accordance with applicable laws.
- 1.03. Pursuant to a consent decree in the case of *LaRose v. Simon*, No. 62-CV-20-3149 (Ramsey Co. Dist. Ct. 2020), state election officials have been directed to count all mail-in ballots postmarked on or before Nov. 3, 2020, if the ballots are received by Nov. 10, 2020.
- 1.04. The results of the voting, in accordance with the consent decree, were:

Ballot Question:

Shall the Minnetonka City Charter be amended to adopt Ranked Choice Voting as the method for electing the Mayor and City Council members, without a separate primary election and with ballot format and rules for counting votes to be adopted by ordinance?

Yes: 18,475 (54.71%)

No: 15,293 (45.29%)

Section 2. Council Action.

- 2.01. The Minnetonka City Council declares that the Minnetonka City Charter is amended to provide that the Mayor and City Council members be elected by use of the Ranked Choice Voting method, with a separate primary election and with ballot format and rules for counting votes to be adopted by ordinance.

Adopted by the City Council of the City of Minnetonka, Minnesota, on November 13, 2020.

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

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 City Council of the City of Minnetonka, Minnesota, at a meeting held on November 13, 2020.

Becky Koosman, City Clerk