

MINNEAPOLIS

# Your City. Your Vote.

NOVEMBER 5



Office of the City Clerk: Elections and Voter Services Division

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## EXECUTIVE SUMMARY

This report provides an update on several initiatives aimed at improving administrative processes connected with the planning and conduct of elections by the City of Minneapolis. It is a follow-up to the report titled 2012 Presidential General Election: An analysis and recommendations that was presented December 3, 2012, to the City Council's Elections Committee. While many topics are covered in this report, staff is specifically requesting direction on the following points:

### **REQUESTED DIRECTION**

1. Refer the multi-year funding proposal, covering fiscal years 2014 to 2017, as submitted by the City Clerk, to the Ways & Means/Budget Committee for its consideration.

>>SEE PAGE 7.

2. Recommend the re-appropriation of 2012 year-end savings from the Office of City Clerk totaling \$385,800 to the Fiscal Year 2013 budget for the Office of City Clerk – Elections & Voter Services Unit for the planned 2013 Municipal Election.

>>SEE PAGE 8.

3. (1) Direct staff to notify Hennepin County that the City of Minneapolis intends to participate in its Request for Proposals for the procurement of new voting systems and equipment.  
(2) Request clarification from the Secretary of State on the potential impact of state-mandated certification requirements with respect to the processing and tabulation of RCV ballots.

>>SEE PAGE 9.

4. (1) Authorize the formation of a Polling Place Work Group to participate in a comprehensive evaluation of the City's polling places and the development of a Polling Place Assessment Guide.  
(2) Direct staff to return with final recommendations for the Municipal Election in May 2013, including whether or not the City should modify the number of precincts and/or polling places and other improvements that will enhance voter service.

>>SEE PAGE 11.

5. (1) Direct staff to present details and final recommendations for the planned 2013 Voter Outreach & Education Campaign in May 2013.  
(2) Direct staff to partner with appropriate language support providers to translate voting materials into alternate (non-English) languages.

>>SEE PAGE 13.

6. Direct staff to draft appropriate amendments to the Minneapolis Code of Ordinances, Chapter 167 [*Municipal Elections: Rules of Conduct*], to be introduced by the March 29 council cycle.

>> SEE PAGE 15.

## I. IMPACT OF THE 2012 PRESIDENTIAL GENERAL ELECTION

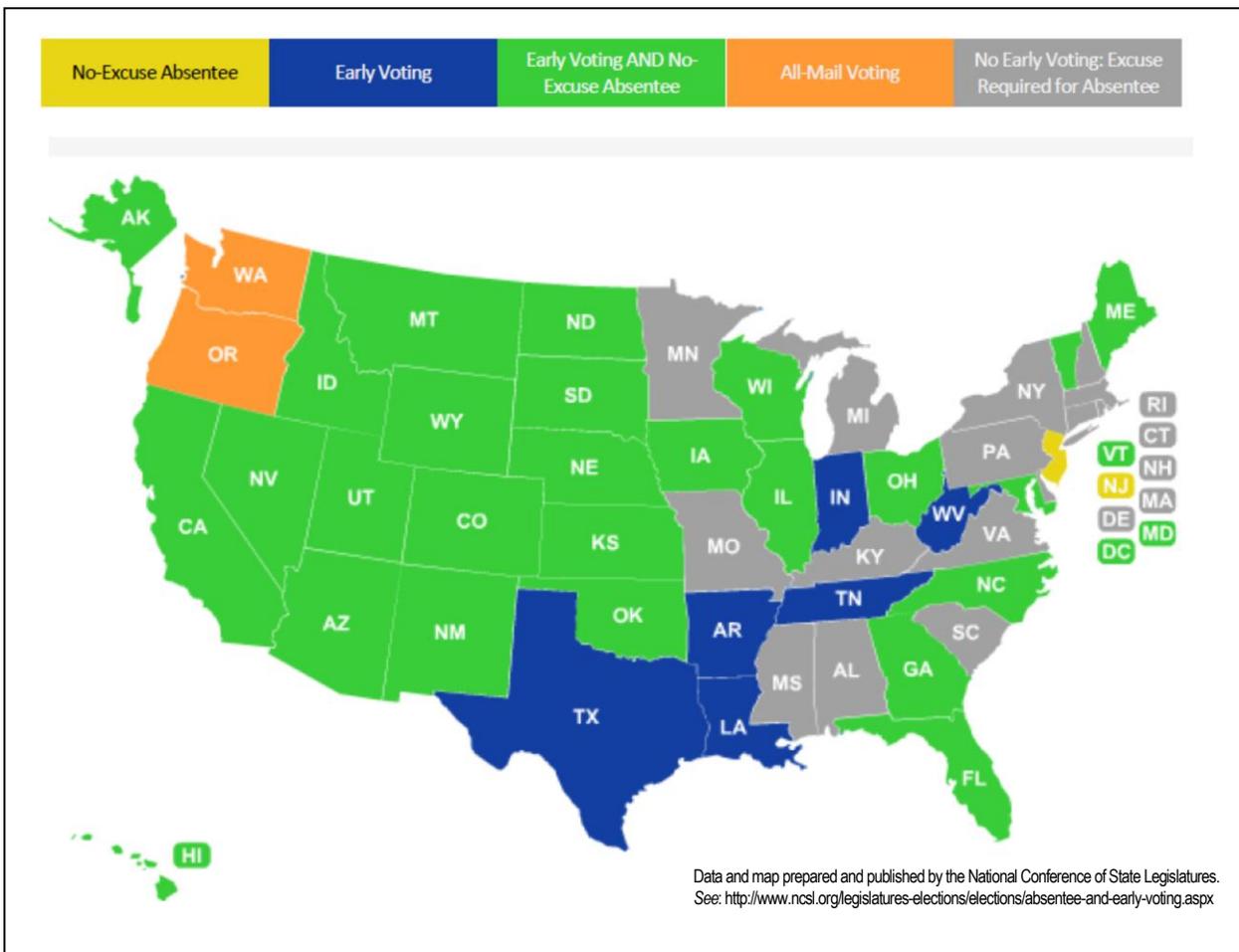
The State of Minnesota—and the City of Minneapolis—experienced incredible turnout in the 2012 Presidential General Election, leading the nation in voter participation. The City achieved a record-setting 81 percent participation rate, serving a total of 215,806 voters. In its after-election report, presented December 3, 2012, the Office of City Clerk detailed the City’s successes and challenges on Election Day. As part of its analysis, the Clerk’s Office also advanced a series of process improvements intended to streamline the administration of future elections to better serve voters’ needs. Some of these improvements would necessitate changes in state law; others could be made under the City’s home rule authority. This report details the status of some of those recommendations as well as further suggestions proposed by staff.

## II. STATE LEGISLATIVE PLATFORM ISSUES

The City’s 2013 Legislative Platform supports a package of election reforms which require State authorization, including early voting, vote centers, and electronic poll books.

### EARLY VOTING

Currently 32 states and the District of Columbia offer some form of early voting, as reflected in the following map prepared by the National Conference of State Legislatures.



On January 17, 2013, the City Clerk appeared before the House Elections Committee to testify in support of early voting. On January 31, Representative Steve Simon, DFL - District 46B, introduced House File 0193 which would substitute “no excuse” absentee balloting for the existing process. On February 6, Representative Connie Bernardy, DFL – District 41A, introduced House File 0334 which would authorize early voting within prescribed parameters. Both bills are positive efforts, and would improve the administration of elections in Minnesota.

Early voting provides the same rigorous process that occurs in the polling place, assures greater accuracy and security of the ballot, is more cost-effective (at about half the cost of absentee balloting), and provides more convenience to the voter by extending the voting period. The voter is within an early voting center and has his or her eligibility verified by election officials. There is no delay in processing the ballot—it is immediately inserted into the tabulator. This assures greater ballot accuracy, because the tabulator notifies the voter of any potential errors so that the voter may correct his or her ballot and still have it processed by the tabulator in their presence. In 2012, for example, of the total 14,157 absentee ballots that were received, 440 were initially rejected due to voters’ clerical errors on the return envelopes. Of the total number of initial rejections, about half—220—were corrected, resubmitted, accepted, and counted. Unfortunately, despite the best efforts of staff to the contrary, 220 absentee ballots were not resubmitted in time and therefore could not be counted. As well, none of the 14,517 absentee voters received the benefit of being advised of any ballot errors that might have prohibited a vote from being counted in one or more races. Early voting minimizes these negative impacts.

At the time this report was prepared, no action had been taken by either house of the State Legislature with respect to vote centers or electronic poll books.

### III. RECOMMENDED LOCAL IMPROVEMENTS

The following list restates recommendations advanced by staff in the analysis of the 2012 Presidential General Election related to improvements that could be made under local home rule authority. Those shown in **bold text** are items addressed in this report.

#### 1. PRECINCTS & POLLING PLACES

- 1) **Evaluate all polling places for overall accessibility, capacity, and operating needs.**
- 2) Deploy at least one equipment technician on Election Day to address technical support needs in the field.

#### 2. VOTER OUTREACH & EDUCATION

- 1) **Orchestrate an outreach program to engage all populations and build community awareness.**
- 2) **Translate materials into other languages to serve voters better.**

#### 3. ELECTION JUDGE RECRUITMENT & TRAINING<sup>1</sup>

- 1) Diversify the composition of the standing corps of election workers.
- 2) Designate a team of election judges to focus exclusively on processing absentee ballots.
- 3) Transition the role (and responsibilities) of chair judges to overall polling place management.
- 4) Leverage City employees to create a “reserve corps” of election judges.
- 5) Target multi-lingual individuals for service as election judges.
- 6) Expand the City’s successful student election judge program.

#### 4. RESOURCES

- 1) **Collaborate with Hennepin County on the purchase of new voting equipment.**
- 2) **Prepare a supplemental funding request for the 2013 Municipal Election.**
- 3) **Draft a multi-year financing model for elections, based on actual expenditures in prior years.**
- 4) Cross-train all Clerk’s staff on elections functions to enhance existing capacity.

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<sup>1</sup> Recommendations and action plans related to election judge recruitment, training, and deployment are not covered in this report.

- 5) Evaluate improved technology systems that support core election functions.
- 6) Work with departments to streamline administrative processes.
- 7) Improve the design, navigation and content of the Elections & Voter Services website.

While several initiatives have commenced, attention has focused on five issues: projecting a more accurate multi-year financing model; delineating additional funds needed for the 2013 Municipal Election; collaborating with Hennepin County on purchasing new voting systems and equipment; evaluating precincts and polling places; and developing a voter outreach program. These issues are more fully addressed in the following sections of this report.

#### IV. FINANCING ELECTIONS: MULTI-YEAR PERSPECTIVE

The Elections Committee directed staff to provide a projected four-year operating budget (2014-2017), based on the recommended process improvements made in the wake of the 2012 Presidential General Election.

##### **FOUR-YEAR ELECTION CYCLE**

Minneapolis administers elections across a planned, four-year cycle. No elections are scheduled in year four; however, minimal funding must be maintained in the event of a special election and to prepare for future elections. Because voter turnout, staffing and resource levels, operating costs, and other factors fluctuate widely between different types of elections, it is impossible to develop a consistent budget from year to year. This fluctuating impact can be illustrated by evaluating actual expenditures over the past five years (2008-2012).

<b>ELECTIONS – BY ACTUAL EXPENDITURES (2008-2012)</b>					
<b>ELECTION YEAR/CYCLE →</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 1</b>
<b>EXPENSE CATEGORIES ↓</b>	<b>PRESIDENTIAL</b>	<b>MAYORAL</b>	<b>GUBERNATORIAL</b>	<b>UNSCHEDULED</b>	<b>PRESIDENTIAL</b>
Election Judges <sup>2</sup>	\$384,400	\$234,200	\$336,800	\$98,300	\$382,600
Seasonal Support	\$118,100	\$250,300	\$83,200	\$51,300	\$130,800
Staff Overtime	\$47,700	\$52,000	\$18,100	\$6,300	\$49,000
Election Expenses <sup>3</sup>	\$79,500	\$238,800	\$75,900	\$26,400	\$87,200
<b>TOTALS</b>	<b>\$629,700</b>	<b>\$775,300</b>	<b>\$514,000</b>	<b>\$182,300</b>	<b>\$649,600</b>

As this chart demonstrates, elections can be expensive. But that is because elections are inclusive — they are a guaranteed right bestowed on all citizens by both federal and state constitutions. Assuring citizens have access to participate in elections cannot be conditioned upon a good budget year. Much like public safety, health, and infrastructure, elections are a fundamental function of government. Without elections, we have no method of achieving a democratic system of government to serve the broader needs of the community.

<sup>2</sup> Election Judge expenses are calculated using past payroll reports from accounting records generated for each election period.

<sup>3</sup> Election Expenses include any expense for goods or services pertaining to the specific election, such as: ballot production and printing; publication of legal notices; IT support and additional computer and peripherals; radio equipment rental; polling place rental and supplies; communications rental; drayage; polling place rental; and other miscellaneous expenses. The category of Election Expenses is based on an estimate of the actual expenditures during the election season—typically the last six months of the year—as reflected in specific accounting codes (5020-5070, 5082, 5100-5110, 5130, 6100-6194). This chart does not reflect core budget for permanent staff, rent, equipment and supplies, self-insurance fund, etc., which must be budgeted each year regardless of planned or special elections.

Using this expenditure data, we can extract an average “cost-per-voter” for each of these elections, based on actual voter turnout, shown below.

AVERAGE PER-VOTER COST OF ELECTION BY YEAR & TYPE					
ELECTION YEAR/CYCLE →	2008 Year 1	2009 Year 2	2010 Year 3	2011 Year 4	2012 Year 1
EXPENSE CATEGORIES ↓	PRESIDENTIAL	MAYORAL	GUBERNATORIAL	UNSCHEДУLED	PRESIDENTIAL
Total Expenditures	\$629,700	\$775,300	\$514,000	\$182,300	\$649,600
Voter Turnout <sup>4</sup>	209,102	45,968	140,363	9,065	215,806
<b>Avg. Cost-per-Voter</b>	<b>\$3.01</b>	<b>\$16.87</b>	<b>\$3.66</b>	<b>\$20.11</b>	<b>\$3.01</b>

The City of Minneapolis provides an exceptional value to its citizens for the administration of elections. Despite record-high voter turnout in 2012 (81%), the City was still able to conduct the Presidential Election at a cost of about \$3 per voter. That’s roughly the same cost (or less) than a McDonald’s® Big-Mac sandwich or a name-brand tube of toothpaste. Obviously, in elections with lower voter turnout, the costs increase proportionately.

**BUDGET PROJECTION CONSIDERATIONS**

Preparing a projected operating budget for elections is based on three key components:

1. A **core budget**, which encompasses the fixed operating costs required to maintain a stable elections unit; for example, the permanent staff, equipment and supplies, rent, office systems and technology and related expenses, self-insurance fund, etc.;
2. A **contingency fund**, which is used to plan and conduct special (unscheduled) elections, to prepare for and implement changes in election laws (federal, state, local), and to cover other unplanned activities<sup>5</sup>; and
3. **Election expenses**, which are specifically calculated for the programmed election year and type, based on a thorough analysis of several factors. These factors include:
  - An analysis of voter turnout data from similar elections in prior years, as well as the total number of pre-registered voters prior to the date of the scheduled election;
  - The type of election—local, state, or federal—and the number of planned election events (e.g., primary, general, or both);
  - Ballot content—the offices, candidates, and ballot questions that will be submitted to voters, which research has shown is the primary driver affecting voter turnout; and
  - An evaluation of community and precinct profiles, including considerations for highly mobile, diverse populations and accessibility requirements.

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<sup>4</sup> Voter turnout data in this chart reflects the total number of voters participating in the general election, by year, and does not include data on the turnout for any primary contests that may have been held in years 2008, 2010, 2011, or 2012. There was no primary contest in 2009 due to the implementation of Ranked Choice Voting.

<sup>5</sup> During the five-year period covered in this report, every operating year necessitated contingency funds. For example: in 2008, for the recount in the Coleman-Franken U.S. Senate race; in 2009, for the hand-count associated with the first-ever implementation of Ranked Choice Voting; in 2010, for the recount in the Dayton-Emmer Gubernatorial race; in 2011, for three unplanned special state legislative elections; and in 2012, for the hand-count of three precincts (Ward 10) associated with the 2012 Presidential General Election.

Using these parameters, and based on an analysis of the previous five-year expenditure pattern, it is possible to project a multi-year funding model covering years 2014 through 2017.

PROJECTED MULTI-YEAR ELECTION OPERATING BUDGET (2014-2017)				
ELECTION YEAR/CYCLE →	2014	2015	2016	2017
EXPENSE CATEGORIES ↓	GUBERNATORIAL	UNSCHEDULED	PRESIDENTIAL	MAYORAL
CORE BUDGET	\$700,000	\$700,000	\$700,000	\$700,000
CONTINGENCY FUND	\$200,000	\$200,000	\$200,000	\$200,000
ELECTION EXPENSES	\$525,000	\$50,000 <sup>6</sup>	\$700,000	\$700,000
<b>TOTALS</b>	<b>\$1,425,000</b>	<b>\$950,000</b>	<b>\$1,600,000</b>	<b>\$1,600,000</b>

(all figures in constant 2013 dollars)

- **REQUESTED DIRECTION:** Refer the multi-year funding proposal, covering fiscal years 2014 to 2017, as submitted by the City Clerk, to the Ways & Means/Budget Committee for its consideration.

## V. FINANCING THE 2013 MUNICIPAL ELECTION – SUPPLEMENTAL REQUEST

The Elections Committee directed staff to provide an updated cost analysis for the planned 2013 Municipal Election.

The City’s 2013 budget appropriates \$1,298,646 for elections. Of that amount, \$598,646 is for actual elections expenses associated with the Municipal Election (not including the core budget). Staff projects a significantly higher cost for the 2013 Municipal Election compared to expenditures in 2009 due to the projected higher voter turnout caused by an open seat in the mayoral seat and the submission of the ballot question related to the proposed Plain Language Charter Revision by the Minneapolis Charter Commission. Additional cost factors in 2013 relate to purchasing, receiving, and testing new voting systems and equipment, increased deployment of election judges to polling places to better serve voters, additional training for election judges using new equipment as well as a refresher training on the unique processing aspects of Ranked Choice Voting, increased costs for voter outreach and education, independent statistical verification of election results, and contingency plans for a variety of unplanned scenarios.

Without additional funding, the Clerk’s Office will not have the capacity to address these issues, let alone take on the additional work of developing voter outreach and education, increasing the number of election judges, and making other improvements contemplated in this report. Put plainly, the Clerk’s Office lacks sufficient financial resources to plan and conduct the 2013 Municipal Election. The existing budget is less than the actual cost of the 2009 election (\$598,648 versus \$775,300). Furthermore, it does not address the additional costs identified above. Additional funding is required. Fortunately, there is a potential solution.

The Council is aware that the City Clerk’s Office has operated with 4 vacancies for many months. Keeping those positions vacant enabled the office to achieve a 2012 year-end savings of approximately \$385,000. The City Clerk has submitted a request to the Finance Department to have those year-end savings re-appropriated back to the

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<sup>6</sup> The budget year that does not have a scheduled regular election has a base election specific cost of \$50,000. The election unit’s primary function during this year is preparation of the next 4 year cycle, both budgetary and strategic planning for voter education and outreach, evaluate and enhance training materials, logistical analyses of all aspects of deploying an election, and staff professional training and development in election administration.

Clerk’s Office to cover election-related expenses in 2013. If approved, that re-appropriation would be made as part of the enterprise reconciliation process in March.

Assuming Council concurs in this recommendation, the adjusted 2013 elections budget would be \$1,648,446. The following chart reflects the elections budget approved by the Mayor and City Council, and the adjusted budget if the requested re-appropriation is approved. The chart also shows a breakdown of how the requested supplemental re-appropriation would be applied toward the 2013 Municipal Election.

2013 SUPPLEMENTAL REQUEST – MUNICIPAL ELECTION				
	APPROVED	ADJUSTED	BREAKDOWN of REQUEST	
CORE BUDGET	\$700,000	\$700,000	Tabulation & contingency	\$240,000
ELECTION EXPENSES	\$498,646	\$598,646	Operations	\$95,800
Budget (sub-total)	\$1,198,646	\$1,298,646	Voter Outreach	\$50,000
SUPPLEMENTAL	\$100,000	\$385,800		\$385,800
<b>TOTAL</b>	<b>\$1,298,646</b>	<b>\$1,684,446</b>		

- **REQUESTED DIRECTION:** Recommend the re-appropriation of 2012 year-end savings from the Office of City Clerk totaling \$385,800 to the Fiscal Year 2013 budget for the Office of City Clerk – Elections & Voter Services Unit for the planned 2013 Municipal Election.

## VI. PROCUREMENT OF NEW VOTING SYSTEMS & EQUIPMENT

Under Minnesota law<sup>7</sup>, any electronic voting system proposed for use in the State of Minnesota must first be evaluated by the Secretary of State (or designee) and certified as being compliant with all legal requirements. As part of that evaluation, the Secretary of State must test the capability of any system used in the State of Minnesota with respect to its accuracy, durability, efficiency, and capacity to register the will of voters. A voting system that is not approved by the Secretary of State may not be used in an election in Minnesota. According to the Secretary of State’s Office, as of the submission of this report, only two vendors have applied for certification for new electronic voting systems in 2013; they are: Election Systems & Software (ES&S) and Dominion Voting Systems.

Both ES&S and Dominion purport to offer a partial solution for processing Ranked Choice Voting (RCV) ballots. The solution does not address voter notification of errors specific to RCV, but it does offer the potential for added efficiencies in tabulation. The solution essentially relies upon an exported data file that accumulates the cast votes for each contest on the ballot, which can then be analyzed to determine election results. The City of Minneapolis finds itself in a quandary on this particular point. On the one hand, state law requires certification from the Secretary of State for any electronic system before it can be sold or purchased, deployed, and used in an election within the State of Minnesota. On the other hand, because there are no statutes or rules which pertain specifically to Ranked Choice Voting, any RCV-specific element of a proposed electronic voting system is not considered by the Secretary of State when certifying new equipment. In 2006, staff reported that there were no electronic voting

<sup>7</sup> See Minn. Stat. §206.57, generally. For specific requirements that must be addressed as part of the overall electronic system evaluation, see also Minn. Stat. §§206.55 through 206.90.

systems available in the U.S. marketplace designed to tabulate RCV ballots based on multiple rankings in each contest, whether for single-seat or multi-seat races. That fact remains true in 2013.

Hennepin County has taken the lead on the procurement of new voting equipment and systems in 2013. The County has allocated up to \$5 million (including nearly \$1 million in HAVA funds) for that purpose. The County’s Elections Office has worked with Minneapolis to incorporate specific provisions to address the tabulation requirements for RCV methodology, and those requirements have been included in the County’s formal Request for Proposals (RFP) which was released on Friday, February 15, 2013. Responses to the RFP are due no later than Friday, March 1. Based on the responses received to that RFP, the County and the City will have a better understanding of the options that may be available to Minneapolis to conduct the RCV election.

- **REQUESTED DIRECTION: (1) Direct staff to notify Hennepin County that the City of Minneapolis intends to participate in its Request for Proposals for the procurement of new voting systems and equipment. (2) Request clarification from the Secretary of State on the potential impact of state-mandated certification requirements with respect to the processing and tabulation of RCV ballots.**

## VII. PRECINCTS & POLLING PLACES

In 2012, Minneapolis reduced the number of its precincts, from 131 to 117. Concurrently, the number of pre-registered voters was equalized to achieve greater consistency in the number of pre-registered voters served in each precinct. As a result, the average precinct served approximately 1,844 pre-registered voters. This average is well within the guidelines for precinct size recommended by the Secretary of State.

Precinct Factors—	2008	2012
Total No. of Precincts	131	117
Precincts = <1,000 Registered Voters	13	9
Precincts = >3,000 Registered Voters	9	2
Registered Voters per Precinct (Avg.)	1,830	1,844

[SVRS data from March 2012]

*Fewer precincts, but less deviation among the total number of pre-registered voters per polling place.*

Today, Minneapolis has 25 precincts with more than 2,500 pre-registered voters, which exceeds the guidelines for precinct size recommended by the Secretary of State<sup>8</sup>; these details are shown in Exhibit A of this report. As a consequence, staff was directed to evaluate all existing precincts and polling places to determine if the City had a sufficient number of precincts to serve voters and to assure that selected polling places were adequate to meet turnout.

### **EVALUATION OF POLLING PLACES**

A thorough analysis of challenges in all 117 polling places revealed some patterns that need to be addressed. Based on direct voter feedback, along with input from poll workers, staff identified an initial list of 31 polling places that experienced some level of difficulty on Election Day. Of these, staff prioritized 11 sites that, due to limitations of the polling place - including location, capacity, accessibility, parking, and related matters - require some type of

<sup>8</sup> Based on new pre-registration numbers provided by the Office of Secretary of State on February 25, 2013, using data from the Statewide Voter Registration System (SVRS).

corrective action by the City. This could include a change in the location of the polling place or possible modifications to the existing location to improve its effectiveness. Those 11 polling places include:

- Ward 2—Precinct 9: Seward Towers East
- Ward 3—Precinct 3: Marcy Open School
- Ward 3—Precinct 4: Spring Manor Highrise
- Ward 5—Precinct 6: Heritage Commons at Pond's Edge
- Ward 6—Precinct 2: Seward Square Apartments
- Ward 8—Precinct 2: Painter Park
- Ward 8—Precinct 5: Watershed High School
- Ward 10—Precinct 2: Ballentine VFW Post
- Ward 12—Precinct 3: St. Peder's Evangelical Lutheran Church
- Ward 12—Precinct 6: Minnehaha United Methodist Church
- Ward 12—Precinct 8: Sibley Park Recreation Center

A key process improvement staff has initiated is an annual assessment of all polling places—with actual “boots on the ground” inspections of all sites. A variety of factors will be evaluated for each polling place, including but not limited to: size and capacity of the selected facility to accommodate multiple types of elections, from presidential to municipal to special; configurable room layout options; internal queuing space; sufficient parking, including reserved spaces for voters with disabilities; proximity to public transit options; and community impact and acceptance. That evaluation of all 117 polling places has already begun in advance of the planned 2013 Municipal Election.

#### **POLLING PLACE ASSESSMENT GUIDE**

As a complement to this work, staff is developing a polling place assessment guide to be used in conducting annual site inspections as well as to assess potential new polling place locations. In this regard, the City is guided by several federal and state laws, including requirements and standards prescribed under the Voting Rights Act (VRA) of 1965 [42 USC §1973aa-6]; the Voting Accessibility for Elderly and Handicapped Act [42 USC §1973ee et seq.]; and the Americans with Disabilities Act (ADA) [42 USC §12131 to 12134], including the ADA Checklist for Polling Places. The State of Minnesota also has adopted various regulations that establish standards for polling place accessibility. These legal mandates set the minimum standards for polling places; the City may consider additional factors, like those listed above, to ensure the best sites are selected to serve the needs of voters. To assure compliance with these legal standards—while maximizing the best use of selected sites—staff anticipates creating new electronic layouts customized to each polling place location. These layouts will assist election judges in arranging tables, chairs, equipment, voting booths, and supplies quickly and efficiently on Election Day, thereby minimizing inefficient space use that could unintentionally create bottlenecks or other operational challenges in the polling place. Staff will prepare a customized diagram for each polling place accompanied by photographs which will assist voters in identifying their assigned voting location, the location of accessible entrances, the availability of adjacent or nearby parking, and will illustrate a general sense of the path of the voter through each polling place location.

#### **POLLING PLACE WORK GROUP**

As this work continues, staff seeks Council authorization to form a Polling Place Work Group of community stakeholders to assist in these efforts. Working with the City’s team of election specialists, the Polling Place Work Group will provide input on the development of the polling place assessment guide and participate in site visits, the prioritization of potential site changes, and any related recommendations to be submitted to the full City Council prior to the 2013 election. Staff recommends that the membership of the Polling Place Work Group include representation from these stakeholder groups and organizations:

- Election judges (primarily precinct support judges and chair judges);
- Minneapolis Advisory Committee on People with Disabilities;

- Senior Citizen Advisory Committee;
- Special School District #1 (Minneapolis);
- Neighborhood-based representation, including representatives from the Neighborhood & Community Engagement Commission (NCEC) and members of the outreach staff in the Neighborhood & Community Relations Department; and
- Targeted English as a Second Language (ESL) populations (e.g., Spanish, Somali, Hmong, Vietnamese/Laotian).

To the extent possible, one individual may represent multiple stakeholder groups to keep the overall membership of this work group at a manageable size. Including direct community input on the creation and/or refinement of polling place assessment tools will be valuable, and could generate ideas to serve voters better in future elections.

Finally, looking beyond the 2013 election, staff recommends additional steps to continue refining processes for identifying, assessing, and recommending potential polling places, including (but not limited to):

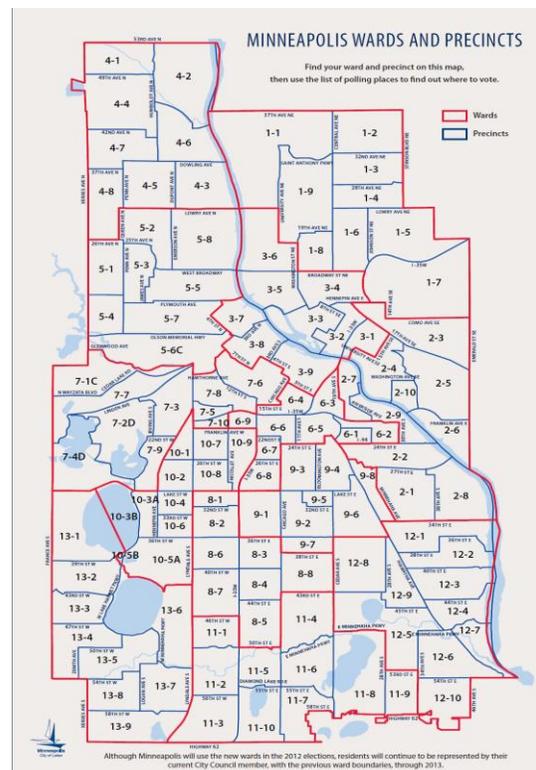
- Coordinating with the Community Planning & Economic Development Department to receive notice of new large-scale housing developments, to stay better informed about potentially large numbers being added to specific precinct populations;
- Connecting with business leaders, possibly via the Chamber of Commerce or other channels, to source untapped venues which could serve as potential polling place locations; and
- Adding a portal via the City’s elections website to accept public suggestions for potential polling place locations and related feedback.

- **REQUESTED DIRECTION: (1) Authorize the formation of a Polling Place Work Group to participate in a comprehensive evaluation of the City’s polling places and the development of a Polling Place Assessment Guide. (2) Direct staff to return with final recommendations for the Municipal Election in May 2013, including whether or not the City should modify the number of precincts and/or polling places and other improvements that will enhance voter service.**

## VIII. VOTER OUTREACH & EDUCATION

In 2012, the Elections & Voter Services Unit strengthened its outreach efforts by connecting with voter interest groups, including Common Cause, Election Protection, and Minnesota Public Interest Research Group, to disseminate timely, accurate information about voting, electioneering, Election Day Registration and vouching, and other similar information.

Internally, the City’s Communications and Neighborhood & Community Relations departments were instrumental in developing the “2012 MINNEAPOLIS VOTING MAP,” a two-sided, 11” x 17” full-color map (shown right) of the city depicting all wards and precincts. On the reverse a detailed listing of each of the 117 polling places was provided. That map was posted to the City’s website and also distributed at multiple locations throughout the community, such as neighborhood centers, parks, libraries, and other public gathering spaces.



**THE 2012 MINNEAPOLIS VOTING MAP.**

With help from the Neighborhood & Community Relations Department, the map was also distributed to targeted populations that have been traditionally underrepresented in voter participation statistics. Copies were also provided to political parties to enhance outreach to potential voters.

This map was especially helpful in 2012, being the first election following redistricting of all political boundaries. If any changes are made to precincts and/or polling places, based on the proposed evaluation, it would be advisable to update and distribute a new voting map in advance of the 2013 Municipal Election.

In addition to the new Voting Map, staff worked to increase public awareness through a variety of news releases and announcements, articles, and social media posts. Regular updates were provided through a variety of outlets including local and state newspapers, college and university lists, and Minneapolis 311. Additionally, the seven major post-secondary schools in Minneapolis received election information by phone, regular news releases, and emails. These successful efforts have laid a good foundation for future outreach, education, and engagement initiatives.

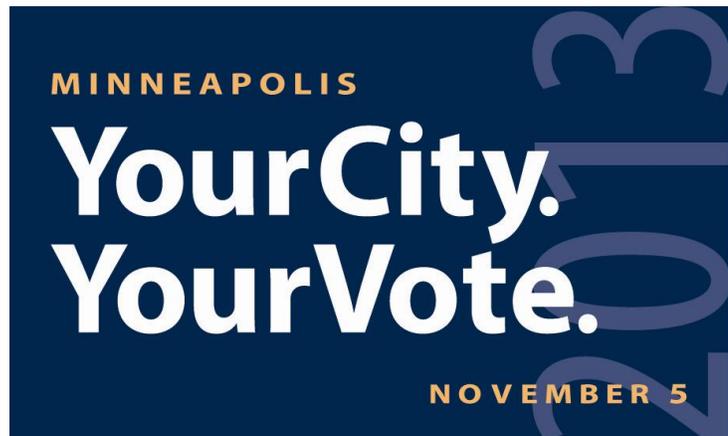
In 2009, the City contracted with external companies to provide comprehensive voter outreach, marketing, and communications strategies. Despite these extra efforts, the 2009 Municipal Election drew just under 20 percent voter participation. During the intervening years, new voters have come of age or have moved into the community—voters who did not participate in 2009 and will need to be instructed on the unique aspects of Ranked Choice Voting. It is also highly probable that a significantly higher voter turnout will be achieved in 2013—which means the City must be prepared to serve more voters using a new process that has only been used once before in this community. Thus, the need for a strong, consistent, pervasive voter education plan is paramount for the City’s success in the 2013 Municipal Election.

#### **THE 2013 VOTER OUTREACH & EDUCATION CAMPAIGN**

The City Clerk’s Office has already initiated plans to work with City departments to conduct a voter outreach and education campaign, modeled after and building on the success of the 2009 information campaign. The Clerk’s Office has again engaged the Communications and Neighborhood & Community Relations departments and Minneapolis 311. A full-cycle Communications Plan focused on this year’s election will be developed with our partners and finalized by the end of May.

The backbone of this public education campaign is **YOUR CITY. YOUR VOTE.** The campaign’s visual identity has two primary elements: a wordmark and a graphic block, both of which match the tone of the campaign—bold, direct, and engaging. The **YOUR CITY. YOUR VOTE.** visual identity will be the featured graphic element for all voter education campaign materials – website, posters, flyers, mailers, and other reports.

Campaign materials are most powerful and effective when they share the same unified, consistent look. **YOUR CITY. YOUR VOTE.** materials will deliver a level of consistency and boldness that will grab attention and engage voters. Communications staff developed this visual identity working in partnership with the City Clerk and will work with the Elections team to ensure the level of graphic consistency needed to successfully “market” the 2013 municipal election.



## **ELECTIONS WEBSITE**

The Elections & Voter Services Unit maintains a website filled with useful information, statistics, and voter resources. It is one of the primary tools used to communicate with the public. However, it can be difficult to navigate due to the substantial volume of information that it contains. Therefore, in partnership with the Information Technology Department, staff plans to overhaul the website to focus exclusively on the upcoming 2013 Municipal Election. Historical data and files will be available through appropriate links; however, the primary content will reflect the **YOUR CITY. YOUR VOTE.** visual identity and content will be driven by anticipated needs of voters for information about Ranked Choice Voting. Also, working with the Communications and IT departments, the Elections & Voter Services Unit will seek to maintain a presence for the 2013 Municipal Election on the City's main webpage to provide greater ease and accessibility for voters.

## **TRANSLATION & LANGUAGE SUPPORT**

With respect to voter engagement, one of the greatest challenges Minneapolis has is providing satisfactory translation and language support for voters for whom English is a second language. Currently, key resources for language support include the language support page on the Elections website and the Minneapolis 311 language translation vendor. The Minnesota Secretary of State does provide polling place instructions and voter registration applications in Hmong, Russian, Somali, Spanish, and Vietnamese. However, Minneapolis needs to undertake similar translation efforts for instructional materials specific to Ranked Choice Voting.

The Elections & Voter Services Unit intends to partner with the Neighborhood & Community Relations Department to secure written translation of important components of the planned voter outreach campaign and for Election Day materials. In 2009, these materials were produced by an outside communications vendor in the three most common non-English languages spoken in Minneapolis—Spanish, Somali, and Hmong. The Elections & Voter Services Unit intends to recreate those, where possible, and add additional translated materials to provide better opportunities for voters who need that specialized support in order to participate.

## **PUBLIC DEMONSTRATIONS**

Finally, the Elections & Voter Services Unit plans to develop a standard demonstration about Ranked Choice Voting that can be presented in a variety of locations throughout the community. Working with the NCR Department, staff hopes to identify opportunities to make such presentations with neighborhoods and other key community stakeholder groups. The Elections team also anticipates collaborating with external partners, like FairVote MN, on similar demonstrations to increase voter outreach and education. The City Clerk has also confirmed that these presentations could also include demonstrations of new voting systems and equipment, should the purchase be completed in time.

- **REQUESTED DIRECTION: (1) Direct staff to present details and final recommendations for the planned 2013 Voter Outreach & Education Campaign in May 2013 and (2) direct staff to partner with appropriate language support providers to translate voting materials into alternate (non-English) languages.**

## IX. RANKED CHOICE VOTING – THE MINNEAPOLIS METHOD: RECOMMENDATIONS FOR PROCESS IMPROVEMENTS

In 2006, Minneapolis voters approved the use of the alternative Ranked Choice Voting (RCV) method for its municipal offices. The City successfully conducted its first election using RCV in 2009. As the largest city in the state and also the first to conduct an RCV election, Minneapolis was cautious to limit exposure and unnecessary risk while still implementing the expressed will of its voters.

Because there was no certified voting system or equipment available in the marketplace to process the unique tabulation for RCV ballots, the City developed an extensive hand-count process referred to as the Minneapolis Method. That hand-count process focuses on collecting precinct data for each ballot (across all three rankings) and analyzing that data to declare the result for each office. Based on the Minneapolis Method<sup>9</sup>, with an estimated 70,000 voter turnout, it was estimated the hand-count could require up to 40 days to verify the results for all 22 municipal offices<sup>10</sup>. In actuality, the City completed its tabulation of all ballots and announced final results within 15 days<sup>11</sup>. This expedited turnaround on final results was a reflection of the extremely low turnout for the 2009 election and the constant focus on refining the Minneapolis Method.

The City's team of election administrators also had the opportunity to monitor the implementation of Ranked Voting in the City of St. Paul in 2011.

Based on lessons learned from the City's successful 2009 RCV implementation as well as process enhancements observed during St. Paul's implementation, staff now recommends the following process improvements specific to the Minneapolis RCV method. These changes include those that require amending Minneapolis Code of Ordinances, Chapter 167 [*Municipal Elections: Rules of Conduct*]. While the City moves forward with a dual timeline in regards to equipment acquisition, it is necessary and prudent to consider changes to streamline the counting process, in the event a hand count is necessary.

### **IMPROVEMENTS REQUIRING ORDINANCE CHANGES**

#### **❖ USE ELECTION NIGHT TOTALS OF THE FIRST CHOICE RESULTS TO DECLARE UNOFFICIAL WINNERS**

In 2009, the winners of 16 of the 20 single-seat offices could have been declared on Election Night. This would have been possible after tabulating only votes cast in the initial round of counting first-ranked choices. That would have significantly streamlined administrative aspects related to processing and tabulating ballots, which would have saved time and money. For example, the winning candidate in the mayoral race had 76.63% of the first-ranked choices (33,220 votes) on Election Night. That vote tally easily surpassed the majority vote necessary to declare a winner. However, under the ordinance, all three columns of ranked choices had to be hand-counted, data-entered, and analyzed in full before a winner could be declared. If this recommended process improvement had been in place in 2009, those 16 offices would not have needed to be hand-counted and analyzed. In that instance, only 4 of the 20 single-seat offices would have required hand-counting. Both multi-seat offices would have required hand-counting.

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<sup>9</sup> The City of Minneapolis was presented the 2010 Guardian Award by the U.S. Election Center for the development and implementation of its Minneapolis Method for promoting and exemplifying professional principles and standards in the professional field of elections administration.

<sup>10</sup> In Minneapolis, voters elect the following municipal offices in single-seat races: Mayor (citywide); Council Member, one each for Wards 1 through 13; and Park & Recreation District Commissioner, one each for Districts through 6, for a total of 20 single-seat offices on the ballot. In addition, there are two multi-seat offices, both citywide; these are: Board of Estimate and Taxation (2 seats) and the Park & Recreation District Commissioners (3 seats).

<sup>11</sup> Test elections and predictions were based on an estimated voter turnout of 70,000, which was in line with the voter turnout from prior municipal elections. In 2009, however, actual voter participation was 45,968.

Staff recommends amending the ordinance to allow candidates who reach the established threshold in the initial vote totals provided on Election Night to be declared the winner. This change is consistent with the methods utilized by Saint Paul in its implementation of Ranked Voting.

- **REQUESTED DIRECTION:** If the Committee concurs in this recommendation, direct staff to draft the appropriate amendatory language and submit it for introduction by the March 29 council cycle.

#### ❖ COUNT ONLY DECLARED WRITE-IN CANDIDATES

Documenting and counting frivolous write-in candidate names consumes significant time—and therefore money—without affecting the outcome of the election. At the federal, state, and county level for elections, write-in candidates are required to file a written request no later than 7 days before a general election.<sup>12</sup> Other charter cities (Blaine and Saint Paul) have adopted this requirement for their municipal elections, too.

As an example, in the 2009 mayoral contest, there were a total of 215 write-in candidates in the first column, 186 in the second column, and 234 in the third column. All 635 of these write-in candidates had to be documented, counted, data entered, and then defeated in the first round of hand-counting before election judges could close-out a specific race on the ballot. This delayed reporting election results. Unless an exemption is provided—similar to what is already provided in law for federal, state, and county elections—then election administrators must treat each write-in candidate as a serious contender...even when that candidate is Mickey Mouse, Superman, Wonder Woman, Sherlock Holmes, Mary Poppins, etc.

Therefore, staff recommends amending the ordinance to require any candidate who wishes to be recognized as a write-in candidate and to be counted in the election tally to file a written request with the City’s Elections & Voter Services Division by no later than seven days before the general election. This matches similar provisions for federal, state, and county elections.

- **REQUESTED DIRECTION:** If the Committee concurs in this recommendation, direct staff to draft the appropriate amendatory language and submit it for introduction by the March 29 council cycle.

#### ❖ VOTER ERRORS SPECIFIC TO RANKED CHOICE VOTING

In any election, there exists the possibility that voters will inadvertently complete ballots in a manner that does not allow all races to be automatically counted. Ideally, a voter is able to feed his or her ballot into a tabulator at the time of voting and be notified of any errors. Common errors in traditional (plurality) voting include over-voting (selecting more than one candidate in a race) and party crossover in a partisan primary. A voter may also make mistakes such as circling a candidate’s name instead of filling-in the oval next to the candidate’s name.

State law<sup>13</sup> requires that every effort be made to accurately count all votes on a ballot and prohibits the rejection of a ballot for a technicality, even if the voter may have made a mistake, where it is possible to determine the voter’s intent. Implementing this statutory requirement in a RCV system requires policy choices about how to treat voter “errors” that are specific to RCV so that voter intent can be determined.

In addition to over-voting, errors specific to Ranked Choice Voting include duplicate or repeat ranking for one candidate across two or more columns and a skipped ranking before a ranked choice. RCV requires a new ballot design, one that moves horizontally across the ballot page, rather than in the traditional three-column design. As a result, voting equipment is unable to provide notification of all ballot errors—which creates an additional layer of complexity in administering the election, and a burden on the City to educate voters on the correct methods to rank choices using the RCV ballot. With RCV, the tabulator can notify a voter of an over-vote in a column; however,

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<sup>12</sup> See Minn. Stat. §204B.09, Subd. 3.

<sup>13</sup> See Minn. Stat. §204C.22.

it cannot notify a voter of a duplicate ranking or a skipped ranking. For absentee voters, there is no notification of any potential errors because those voters do not feed their ballots into a tabulator.

There is no such guidance in state law specific to voter errors that are possible in a Ranked Choice Voting system. Absent statutory guidance, the City of Minneapolis must make those determinations and provide for specific rules to guide the interpretation of potential voter errors. Minneapolis defines voter errors specific to Ranked Choice Voting in its RCV ordinance, and also includes guidance on how to interpret the voter intent of these voter errors.

In 2009, a Voter Error Accounting Chart was created based on the Minneapolis Ranked Choice Voting Ordinance. The Voter Error Accounting Chart provided consistent guidance on how to handle any of the errors that were encountered in tabulating ballots. A copy of the Voter Error Accounting Chart (and two alternative proposals) is included as Exhibit B to this report. The rules associated with the Accounting Chart required a ballot with an over-vote to be exhausted at the point of over-vote; a duplicate ranking to exhaust the ballot at the point of duplication; and, in the case of a skipped ranking, to count the next valid ranking, and then exhaust the ballot if an additional ranking were skipped. This is sometimes referred to as “normalizing” the ballot.

Staff researched other normalizing procedures, and developed two potential alternatives for consideration.

**The first alternative proposal attempts to simplify the treatment of errors so it is consistent for any error at any ranking.** For example, if a voter skips a ranking, or if there is an over-vote, or duplicate ranking in a round, the ballot would then not count toward any candidate in that round or subsequent rounds. This method would also yield first round hand-count results that most closely match Election Night results from the equipment.

**The second alternative proposal would require a voter’s next ranked choice following an error for a continuing candidate to be counted in a round.** At the point of any error, if there is another remaining ranking on the ballot for that office, that choice would be moved up and counted in the current round. The clearest advantage to this method is that it keeps a voter’s ballot active as long as possible in the counting process—which gives the voter the greatest advantage. This is the method Saint Paul implemented in its Ranked Voting. In addition to giving greater emphasis to all of a voter’s choices, this proposal has the advantage of providing consistency between the two largest Minnesota municipalities and would assure uniform treatment for voter errors.

The most desirable outcome regarding voter error is always to be able to provide notification of any error at the time of voting. As noted in the earlier section on procurement of new voting systems and equipment, the partial solutions being offered at this time for processing ballots are unable to accommodate expanded notification for errors that are specific to RCV. With the experience of one RCV election in Minneapolis complete, as well as the opportunity to review the processes in place in Saint Paul, now is an opportune time to determine if the voter error accounting in place in 2009 is still the best option for Minneapolis voters.

The chart on the following page summarizes the three policy options.

	<b>Advantages</b>	<b>Disadvantages</b>
<b>Current Ordinance Procedures</b>	Used by Minneapolis in 2009.  Comports with pending RCV legislation [HF 367/SF335].	Treats different voter errors inconsistently.  In some cases, an error results in a ballot being exhausted for that office. In other cases, an error results in a ranking being promoted.  Voter bears primary burden for ballot accuracy and election officials also bear burden of determining voter intent.
<b>Alternate Proposal 1</b>	Consistent treatment of all error types across all rankings.  Yields first round hand-count results that would most closely match election night results.	If a voter makes an error in any column, the ballot is exhausted for that office and no further rankings are counted in that race.  Voter bears primary burden for ballot accuracy.
<b>Alternate Proposal 2</b>	Matches the Saint Paul RV Ordinance.  This voter intent interpretation keeps the ballot in the count longer than the other two.	Voter intent specific to RCV uses the next highest ranked continuing candidate in that office.  This is a greater level of presumption than in Proposal 1, especially when an over-vote occurs in the first column of a multiple seat office.  Election officials bear primary burden determining voter intent.

- **REQUESTED DIRECTION:** If the Committee’s policy direction regarding voter errors requires an ordinance amendment, then direct staff to draft the appropriate language and submit it for introduction by the March 29 council cycle.

## CONCLUSION: RECOMMENDATIONS & NEXT STEPS

As planning efforts for the 2013 Municipal Election continue, staff requests formal direction from the City Council on several important issues. These are summarized below for convenient reference.

### **SUMMARY OF REQUESTED DIRECTION**

1. Refer the proposed multi-year funding model, covering fiscal years 2014 to 2017, to the Ways & Means/Budget Committee for its consideration.
2. Recommend the re-appropriation of 2012 year-end savings from the Office of City Clerk totaling \$385,800 to the Fiscal Year 2013 budget for the Office of City Clerk – Elections & Voter Services Unit to be used for the 2013 Municipal Election.
3. Direct staff to notify Hennepin County that the City of Minneapolis intends to participate in its Request for Proposals for the procurement of new voting systems and equipment.
4. Request clarification from the Secretary of State on the potential impact of state-mandated certification requirements with respect to the processing and tabulation of RCV ballots.
5. Authorize the formation of a Polling Place Work Group to participate in a comprehensive evaluation of the City's polling places and the development of a Polling Place Assessment Guide.
6. Direct staff to return with final recommendations related to precincts and polling places for the Municipal Election in May 2013, including whether the City should modify the total number of precincts and/or polling places along with other improvements that will enhance voter service.
7. Direct staff to present details and final recommendations for the planned 2013 Voter Outreach & Education Campaign in May 2013.
8. Direct staff to partner with appropriate language support providers to translate voting materials into alternate (non-English) languages.
9. Direct staff to draft appropriate amendments to the Minneapolis Code of Ordinances, Chapter 167 [*Municipal Elections: Rules of Conduct*], to be introduced by the March 29 council cycle; specifically:
  - a. Use Election Night totals of the first choice results to declare unofficial winners;
  - b. Require write-in candidates to file a request no later than seven days before the election in order to be processed in the tabulation process; and
  - c. Modify (or retain) rules for normalizing ballot errors specific to Ranked Choice Voting.

★ ★ ★ ★ ★

## **2013 Municipal Elections: Policy Recommendations & Preparations**

Report presented to:

Minneapolis City Council

Standing Committee on Elections – The Hon. Cam Gordon, Chair

Wednesday, February 27, 2013

Report prepared by:

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# EXHIBIT A

Minneapolis Precincts with greater than 2,500 pre-registered voters

Ward	Precinct	Pre-registered Voter Count 2/25/2013	Polling Location
1	2	2687	Waite Park
2	1	2812	Holy Trinity Lutheran Church
2	8	2585	Brackett Park
2	10	2510	Grace University Lutheran Church
3	3	2641	Marcy Open School*
3	6	2777	East Side Neighborhood Services
3	7	2809	Standard Heating & Air Conditioning
4	2	2553	Jenny Lind Elementary School
4	5	2765	Folwell Community Center
7	6	2682	Westminster Presbyterian Church
7	8	3334	Emerson Spanish Immersion School
8	7	2870	Martin Luther King, Jr. Park (Multipurpose)
8	8	2730	Bethel Evangelical Lutheran Church
10	7	3253	Whittier Park
11	4	2595	McRae Park Building
12	3	2619	St Peder's Evangelical Church*
12	5	2761	Nokomis Community Center
12	6	2954	Minnehaha United Methodist Church*
12	8	3593	Sibley Park*
13	3	2560	Linden Hills Park
13	4	2703	Pershing Neighborhood Center
13	5	2667	Mount Olivet Lutheran Church
13	6	3141	Lynnhurst Community Center
13	7	2703	Kenny Community School
13	9	2568	Anthony Middle School
			<i>*denotes sites on priority review list</i>
			<b>NOTE: voter numbers are fluid/subject to change</b>

# EXHIBIT B



**RCV Minneapolis Method - Voter Error Accounting – Proposal 1: Simplify Minneapolis**

Proposal 1 - Simplify Mpls.		Original Ballot			Voter Error Accounting		
Problem	Problem Columns	1st Before	2nd Before	3rd Before	1st After	2nd After	3rd After
Overvote	1	A/B	C	D	Blank	Blank	Blank
	2	A	B/C	D	A	Blank	Blank
	3	A	B	C/D	A	B	Blank
Repeat candidate	1 & 2	A	A	B	A	Blank	Blank
	1 & 3	A	B	A	A	B	Blank
	2 & 3	A	B	B	A	B	Blank
	1, 2, & 3	A	A	A	A	Blank	Blank
Skipped Ranking	1	Blank	A	B	Blank*	Blank*	Blank
	2	A	Blank	B	A	Blank*	Blank
	3	A	B	Blank	A	B	Blank
	1 & 2	Blank	Blank	A	Blank	Blank	Blank
	1 & 3	Blank	A	Blank	Blank*	Blank	Blank
	2 & 3	A	Blank	Blank	A	Blank	Blank
Undervote	1, 2, & 3	Blank	Blank	Blank	Blank	Blank	Blank

\*Differences from current Minneapolis ordinance are highlighted in yellow

### RCV Minneapolis Method - Voter Error Accounting – Proposal 2: Saint Paul Ordinance

Proposal 2 (St. Paul)		Original Ballot			Voter Error Accounting		
Problem	Problem Columns	1st Before	2nd Before	3rd Before	1st After	2nd After	3rd After
Overvote	1	A/B	C	D	C*	D*	Blank
	2	A	B/C	D	A	D*	Blank
	3	A	B	C/D	A	B	Blank
Repeat candidate	1 & 2	A	A	B	A	B*	Blank
	1 & 3	A	B	A	A	B	Blank
	2 & 3	A	B	B	A	B	Blank
	1, 2, & 3	A	A	A	A	Blank	Blank
Skipped Ranking	1	Blank	A	B	A	B	Blank
	2	A	Blank	B	A	B	Blank
	3	A	B	Blank	A	B	Blank
	1 & 2	Blank	Blank	A	A*	Blank	Blank
	1 & 3	Blank	A	Blank	A	Blank	Blank
	2 & 3	A	Blank	Blank	A	Blank	Blank
Undervote	1, 2, & 3	Blank	Blank	Blank	Blank	Blank	Blank

\*Differences from current Minneapolis ordinance are highlighted in yellow