



## Request for City Council Committee Action from the Department of the City Clerk

**Date:** May 13, 2013  
**To:** Elections Committee  
**Subject:** 2013 Municipal Election Update and Preparations

**Recommendation:** Passage of the accompanying ordinance amending Title 8.5, Chapter 167, *Elections: Municipal Elections: Rules of Conduct*.

**Previous Directive:** At the Elections Committee meeting on February 27, 2013 the following staff direction was issued: Direct staff to draft amendments to Title 8.5, Chapter 167 of the Minneapolis Code of Ordinances relating to *Elections: Municipal Elections: Rules of Conduct* to be introduced by the March 29th Council Meeting.

### Department Information

Submitted by: Grace Wachlarowicz  
Presenter in Committee: Grace Wachlarowicz

### Background Information

Based on lessons learned from the 2009 Ranked Choice Voting (RCV) municipal election, and the capabilities of the new voting system purchased by Hennepin County in 2013, election staff recommends the following changes to Chapter 167 to streamline the tabulation process (proposed enhancements) and clarify language (administrative/housekeeping changes).

The following documents are being presented as attachments to this report:

- Overview of Proposed Revisions to Chapter 167. MUNICIPAL ELECTIONS: RULES OF CONDUCT
- Ordinance changes including deletions (strikeout) and additions (underline)
- Ordinance Chart describing each recommendation
- Glossary of RCV and election related terms
- PowerPoint Presentation

### Proposed RCV Enhancements

#### 1. Voter intent

- Simplify voter intent to eliminate inconsistent rules. Adopts a principle that when a skipped ranking, undervote, overvote or repeat candidate ranking is

encountered, the ballot's next highest ranked continuing candidate will be used.

#### Background

- M.S. 204C.22 regulates determining voter intent for all non-RCV elections
- Voter intent specific to RCV is established in Minneapolis Code of Ordinances, Chapter 167.60 and 167.70.
  - Voter intent application is used if the precinct ballot counter cannot notify voters of errors specific to ranking such as a skipped ranking, undervote, overvote or repeat candidate ranking. Election equipment, in 2009 as well as the new 2013 equipment, is unable to notify for all scenarios.
  - Voter intent application is used in hand count process.
- Minneapolis's voter intent rules are comparable to St. Paul.
- Provides the most generous application to the voter.

#### 2. **Election Night Results**

- Allow for the use of Election Night machine totals to determine winners in cases where the winner can be determined from the first-ranked choices only. It also allows the first-ranked choices, as tabulated by the voting equipment, as a Round 1 result.
- Establish the principle "maximum possible threshold" to be elected. The maximum possible threshold is calculated based on the number of ballots cast in a race; not the number of votes cast.
- Using the maximum possible threshold on Election Night to declare winners confirms it is mathematically impossible to be defeated:
  - In single-seat races, winners would be declared on Election Night only in cases when the leading candidate has enough votes to equal or surpass the maximum possible threshold to be elected. If no candidate has met the maximum possible threshold, RCV tabulation rounds (runoff) will be used to determine the winner.
  - In multiple-seat races, winners would be declared on Election Night only in cases when the number of candidates meeting or exceeding the maximum possible threshold is equal to the number to be elected for the office. If fewer candidates have met the maximum possible threshold, RCV tabulation rounds (runoff) will be used to determine the winners.

#### 3. **Write-ins**

- A write in candidate who wants the write-in votes to be individually recorded for the candidate must file a written request with the chief election official no later than seven days before the general or special election.
- Consistent with federal, state and county offices (Minn. Statutes 204B.09 Subd. 3) and St. Paul and Blaine municipal offices (Charter Cities).

#### **Administrative/Housekeeping Changes**

##### **Tabulation**

- Corrects non-parallel language in the ordinance regarding single-seat and multiple-seat tabulation and clarifies a step in the final round of tabulation.

Specifically, it clarifies when candidate(s) defeated in the final round must have their votes transferred.

**Post-Election Audits**

- The proposed amendments clarify when a post-election audit is needed and the steps required to carry it out are spelled out in more detail.

**Other Types of Recommended Revisions**

- Standardize language across different sections of the ordinance.
- Consistent language used relative to the City Charter and state statute.
- Renumber applicable sections.
- Remove unnecessary language that is duplicative in sections of the ordinance.
- Clarifications to language as plain and explanatory as possible.