



Bloomington Charter Commission Special Meeting AGENDA

CHARTER COMMISSION SPECIAL MEETING THURSDAY, JUNE 11, 2020 HAEG CONFERENCE ROOM/WebEx BLOOMINGTON CIVIC PLAZA 1800 W. OLD SHAKOPEE RD. BLOOMINGTON, MN 55431 7:00 PM

City Hall is currently closed due to the COVID-19 pandemic and the June 11, 2020 special Charter Commission meeting will be held electronically via WebEx.

To listen to the meeting:

By phone: 1-415-655-0001, Access code 282 160 907

To provide testimony:

1. To participate live during the public hearing, please dial phone number: 1-866-873-0999, Conference ID 9679188. As you call in, the operator will ask your name and which agenda item you are calling in to provide comment or testimony. Please provide the number and item name listed on the agenda. You will be placed on hold and your line muted until it is your turn to comment or testify.
2. If you do not wish to speak live during the meeting, you may leave a voicemail at: 952-563-4695.
 - Please include the number and item name listed on the agenda.
 - Please leave voicemail by 2:00 p.m. on the date of the meeting to ensure adequate time to disseminate your comment or testimony to the Charter Commission.
3. Send an email to: councilsecretary@bloomingtonmn.gov
 - Please include the number and item name listed on the agenda.
 - Please submit comments by 2:00 p.m. on the date of the meeting to ensure adequate time to disseminate your comment or testimony to the Charter Commission.
 - Please indicate if you also plan to call in during the meeting to provide live comment or testimony.

1. CALL TO ORDER

2. ORGANIZATIONAL BUSINESS

- 2.1 Consider Ordinance 2020-17 Requesting Voter Approval to Amend the Charter related to Ranked Choice Voting

3. ADJOURNMENT

BloomingtonMN.gov: A yearly meeting schedule, agendas, and the official minutes once approved are available. If you require a reasonable accommodation, please call 952-563-8733 (MN Relay 711) as soon as possible, but no later than 9:00 a.m. one business day before the meeting day.



Commission Agenda Item

Originator Legal	Item Consider Ordinance 2020-17 Requesting Voter Approval to Amend the Charter related to Ranked Choice Voting
Agenda Section ORGANIZATIONAL BUSINESS	Date June 11, 2020

Requested Action:

The Commission is first asked to hold a Public Hearing, and then consider the following potential actions:

Motion by _____, seconded _____ to adopt Resolution no. 2020-__C **approving** the proposed amendment to the City Charter as set forth in Ordinance 2020-17 adopted by the City Council on May 18, 2020 and directing the City Attorney to promptly notify the City Council of the action taken.

OR

Motion by _____, seconded _____ to adopt Resolution no. 2020-__C **rejecting** the proposed amendment to the City Charter as set forth in Ordinance 2020-17 adopted by the City Council on May 18, 2020 and directing the City Attorney to promptly notify the City Council of the action taken.

If needed, discuss a substitute amendment.

OR continue to matter to another Charter Commission meeting and set the date for that meeting in order to have more discussion/receive more information on the matter (or another purpose).

Description:

Following a public hearing on May 18, 2020, the City Council adopted the attached ordinance calling for a ballot question to amend the City Charter to adopt Ranked Choice Voting (RCV) for municipal elections in Bloomington.

The Charter Commission has 60 days to review the ordinance (*but can extend that time to 90 days if necessary*) and then can return the amendment or substitute its own. The City Council then submits to the voters the Council's original amendment or the Commission's substitute amendment.

In order for this item to appear on the November 2020 ballot, the Charter Commission would have to respond to the City Council and the Council would have to approve the final wording of the ballot question no later than its August 3 Council meeting.

About Ranked Choice Voting

Sometimes referred to as "instant runoff voting" or "preferential voting," Ranked Choice Voting (RCV) is a process that allows voters to rank their choices for each office. First choice votes are counted and if no candidate has a majority of the votes, then the candidate with the least number of first-choice votes is eliminated. Voters who picked the eliminated candidate as their first choice have their vote counted for their next choice. This process is repeated until one candidate has a majority.

RCV can be adopted and put in place for municipal elections only. It cannot be used for federal, state, county or school board elections. Currently in Minnesota, the cities of Minneapolis, St. Paul, and St. Louis Park use RCV for their municipal elections. Some other Minnesota cities have considered moving to RCV but opted not to.

The process to adopt RCV includes amending the City Charter and then following-up with amendments to the City Code and adoption of certain administrative procedures.

The adoption of Ranked Choice Voting would eliminate the need for a primary for municipal elections. This would both save the City money and reduce the number of trips voters must make to the polls in odd-numbered years.

Over the past few months, the City has heard from individuals and organizations both in favor of and opposed to Ranked Choice Voting. Staff expects testimony during the public hearing before the Charter Commission will present many of the perceived pros and cons of this voting method.

Proposed Amendment to the City Charter

The ordinance adopted by the City Council includes the following components:

- Section 1 eliminates the provision of the City Charter that provides for a primary election for municipal offices.
- Section 2 adjusts the time period that candidates must file for office to be a set number of days before the general election rather than before a primary election. This filing timeline is set in state law.
- Section 3 provides for the use of Ranked Choice Voting as the means of selecting candidates for municipal office and requires the City Council to adopt further rules and regulations for the administration of Ranked Choice Voting via ordinance.
- Section 4 states that this ordinance shall take effect 30 days after the November 2020 general election,

only if 51% of the votes cast are in favor of the above Charter amendment.

The City Council would set the exact language of the ballot question, but some sample/example ballot question wording is provided below. The question must be written to have a yes/no response.

- Shall Bloomington voters elect its Mayor and City Council members by the Ranked Choice Voting method?
- Shall the Bloomington City Charter be amended to elect the Mayor and City Council members by the Ranked Choice Voting method?
- Shall the City elect its Mayor and City Council members using the Ranked Choice Voting method?

If the City Charter were to be amended as a result of a ballot question at the November 2020 election, RCV would first be used for the 2021 municipal elections. The twelve-months in between would be used to provide voter information and education as well as additional training for election judges. The City's current election equipment is capable of counting ballots cast using RCV.

Attachments:

[City Council Ord. No 2020-17](#)
[Resolution 2020-_C approving Ordinance 2020-17](#)
[Resolution 2020-_C rejecting Ordinance 2020-17](#)

CITY COUNCIL

ORDINANCE NO. 2020 - 17

AN ORDINANCE REQUESTING VOTER APPROVAL TO AMEND CHAPTER 4 OF THE CITY CHARTER RELATED TO THE RANKED-CHOICE VOTING METHOD FOR ELECTING THE MAYOR AND CITY COUNCIL MEMBERS

The City Council of the City of Bloomington, Minnesota does hereby ordain:

Section 1. That Section 4.02 of Chapter 4 of the City Charter is amended by adding those words that are underlined and deleting those words struck through and contained in brackets [], to read as follows:

§ 4.02 [PRIMARY ELECTIONS.]RESERVED.

~~[On the second Tuesday in August before the regular municipal election there must be a primary election to select two nominees for each elective office at the regular municipal election, unless two nominees or fewer file for each elective office.]~~

Section 2. That Section 4.04 of Chapter 4 of the City Charter is amended by adding those words that are underlined and deleting those words struck through and contained in brackets [], to read as follows:

§ 4.04 FILING OF CANDIDATES.

All persons who desire to be elected to any elected office must file an affidavit with the city clerk not more than ~~[84]~~98 days nor less than ~~[70]~~ 84 days before the ~~[primary]~~ election, paying to the clerk a fee of \$50.00. The city clerk must prepare and print at city expense the necessary ballots or other material required for an election. The ballots or other material must not contain political party designation of any candidate.

Section 3. That Section 4.07 of Chapter 4 of the City Charter is amended by adding those words that are underlined and deleting those words struck through and contained in brackets [], to read as follows:

§ 4.07 CITY CANDIDATE ELECTION AND VOTING METHOD AND PROCEDURES ~~[AT ELECTIONS].~~

The voters shall elect the mayor and city council members by the Ranked-Choice Voting method. Ranked-Choice Voting means an election method by which voters rank candidates for an office in order of their preference, until the voters elect a candidate by the method established by ordinance. The council ~~can~~ must adopt rules and regulations by ordinance that it considers necessary or desirable to regulate the conduct of elections and the method of counting votes for the mayor and council members, subject to this charter and Minnesota Statutes as applicable.

Section 4. Effective Date. This Ordinance shall be in full force and effect 30 days from the date of the 2020 State General Election, so long as 51 percent of the votes cast are in favor of the adoption of the charter amendments set forth in Sections 1 through 3 of this Ordinance, in accordance with Minnesota Statutes Section 410.12, subdivisions 4 and 5.

Passed and adopted this 18th day of May, 2020.

ATTEST:

DocuSigned by:
Denise Christenson
751432E4811746D...
Secretary to the Council

DocuSigned by:
Tim Beuse
531490D391D44BF...
Mayor

Approved:
DocuSigned by:
Melissa Manderschied
5664A00FA896406...
City Attorney

CHARTER COMMISSION

RESOLUTION NO. 2020- _ C

A RESOLUTION APPROVING OF CITY COUNCIL ORDINANCE 2020-17 AN ORDINANCE REQUESTING VOTER APPROVAL TO AMEND CHAPTER 4 OF THE CITY CHARTER RELATED TO RANKED-CHOICE VOTING METHOD FOR ELECTING THE MAYOR AND CITY COUNCIL MEMBERS

WHEREAS, Minnesota Statutes Section 410.12, subdivision 5, authorizes the amendment of a home rule city charter by ordinance adopted by the City Council then considered by the Charter Commission to amend the charter by voter approval; and

WHEREAS, the City Council desires to amend Chapter 12 the City Charter related to ranked-choice voting method for electing the mayor and city council members, and after a public hearing adopted Ordinance 2020-17 on May 18, 2020, attached as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CHARTER COMMISSION FOR THE CITY OF BLOOMINGTON, MINNESOTA, that

1. The foregoing recitals and exhibits are incorporated by reference.
2. The Charter Commission approves City Council Ordinance 2020-17 as attached in Exhibit A, and directs the City Attorney to inform the City Council of the same such that ballot language can be set for the November 2020 general election.

Passed and adopted this ____ day of ____, 2020.

CHARTER COMMISSION FOR
THE CITY OF BLOOMINGTON

Chair

ATTEST: _____
Recording Secretary to the Charter Commission

EXHIBIT A

CITY COUNCIL

ORDINANCE NO. 2020 - 17

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~~[On the second Tuesday in August before the regular municipal election there must be a primary election to select two nominees for each elective office at the regular municipal election, unless two nominees or fewer file for each elective office.]~~

Section 2. That Section 4.04 of Chapter 4 of the City Charter is amended by adding those words that are underlined and deleting those words struck through and contained in brackets [], to read as follows:

§ 4.04 FILING OF CANDIDATES.

All persons who desire to be elected to any elected office must file an affidavit with the city clerk not more than ~~[84]~~98 days nor less than ~~[70]~~84 days before the ~~[primary]~~ election, paying to the clerk a fee of \$50.00. The city clerk must prepare and print at city expense the necessary ballots or other material required for an election. The ballots or other material must not contain political party designation of any candidate.

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§ 4.07 CITY CANDIDATE ELECTION AND VOTING METHOD AND PROCEDURES ~~[AT ELECTIONS].~~

The voters shall elect the mayor and city council members by the Ranked-Choice Voting method. Ranked-Choice Voting means an election method by which voters rank candidates for an office in order of their preference, until the voters elect a candidate by the method established by ordinance. The council ~~[can]~~ must adopt rules and regulations by ordinance that it considers necessary or desirable to regulate the conduct of elections and the method of counting votes for the mayor and council members, subject to this charter and Minnesota Statutes as applicable.

Section 4. Effective Date. This Ordinance shall be in full force and effect 30 days from the date of the 2020 State General Election, so long as 51 percent of the votes cast are in favor of the adoption of the charter amendments set forth in Sections 1 through 3 of this Ordinance, in accordance with Minnesota Statutes Section 410.12, subdivisions 4 and 5.

Passed and adopted this 18th day of May, 2020.

DocuSigned by:
Tim Beuse

Mayor

ATTEST:

DocuSigned by:
Denise Christenson

Secretary to the Council

Approved:
DocuSigned by:
Melissa Manderschied

City Attorney

CHARTER COMMISSION

RESOLUTION NO. 2020- _ C

A RESOLUTION REJECTING CITY COUNCIL ORDINANCE 2020-17 AN ORDINANCE REQUESTING VOTER APPROVAL TO AMEND CHAPTER 4 OF THE CITY CHARTER RELATED TO RANKED-CHOICE VOTING METHOD FOR ELECTING THE MAYOR AND CITY COUNCIL MEMBERS

WHEREAS, Minnesota Statutes Section 410.12, subdivision 5, authorizes the amendment of a home rule city charter by ordinance adopted by the City Council then considered by the Charter Commission to amend the charter by voter approval; and

WHEREAS, the City Council desires to amend Chapter 12 the City Charter related to ranked-choice voting method for electing the mayor and city council members, and after a public hearing adopted Ordinance 2020-17 on May 18, 2020, attached as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CHARTER COMMISSION FOR THE CITY OF BLOOMINGTON, MINNESOTA, that

1. The foregoing recitals and exhibits are incorporated by reference.
2. The Charter Commission rejects City Council Ordinance 2020-17 as attached in Exhibit A, and directs the City Attorney to inform the City Council of the same.

Passed and adopted this ____ day of _____, 2020.

CHARTER COMMISSION FOR
THE CITY OF BLOOMINGTON

Chair

ATTEST: _____
Recording Secretary to the Charter Commission

EXHIBIT A

CITY COUNCIL

ORDINANCE NO. 2020 - 17

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Section 4. Effective Date. This Ordinance shall be in full force and effect 30 days from the date of the 2020 State General Election, so long as 51 percent of the votes cast are in favor of the adoption of the charter amendments set forth in Sections 1 through 3 of this Ordinance, in accordance with Minnesota Statutes Section 410.12, subdivisions 4 and 5.

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DocuSigned by:
Tim Beune

Mayor

ATTEST:

DocuSigned by:
Denise Christenson

Secretary to the Council

Approved:
DocuSigned by:
Melissa Manderschied

City Attorney