

**AN ORDINANCE
OF THE
CITY OF MINNEAPOLIS**

By Frey

Amending Title 8.5, Chapter 165 of the Minneapolis Code of Ordinances relating to Elections: In General.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 165.20 of the above-entitled ordinance be and is hereby repealed.

165.20. Ward boundaries.

~~Pursuant to the authority and direction provided in Laws of Minnesota 1994, Chapter 612, the Ward Boundary Plan, adopted by the City Reapportionment Commission on April 1, 1992, as shown in Appendix B, is hereby amended as follows:~~

~~Ward 3, Precinct 6 consists of the following area:~~

~~Commencing at the intersection of 5th Street NE and 3rd Avenue NE, SWly along 3rd Avenue NE to the extension up to the east bank of the Mississippi, south along the Mississippi to an extension of 2nd Avenue NE, NEly along the extension to 2nd Avenue NE to 5th Street NE.~~

~~Ward 5, Precinct 12:~~

~~The Ward 5, Precinct 12 northern precinct boundary is the same as the southern boundary for Ward 3, Precinct 6.~~

Section 2. That Chapter 165 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 165.20 to read as follows:

165.20. Compensation of Election Judges and Sergeants at Arms.

The compensation of election judges and sergeants at arms shall be forty (40) percent greater than the prevailing minimum wage as defined by state law unless the City Council sets a different rate.

**AN ORDINANCE
OF THE
CITY OF MINNEAPOLIS**

By Frey

**Amending Title 8.5, Chapter 167 of the Minneapolis Code of Ordinances relating to Elections:
Municipal Elections: Rules of Conduct.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 167.20 of the above-entitled ordinance be amended to read as follows:

167.20. Definitions.

The following words and phrases when used in this chapter shall have the meanings respectively ascribed to them in this section:

Batch elimination means a simultaneous defeat of multiple continuing candidates for whom it is mathematically impossible to be elected.

Chief election official means the city clerk and includes the city clerk's designee(s).

Continuing candidate means a candidate who has been neither elected nor defeated.

Declared write-in candidate(s) means a candidate(s) who has filed a written request in accordance with section 167.45.

Exhausted ballot means a ballot that cannot be advanced under section 167.60(c)(2) or section 167.70(c)(2).

Highest continuing ranking means the ranking on a voter's ballot with the lowest numerical value for a continuing candidate.

~~*Mathematically impossible to be elected* means either:~~

Mathematically eliminated by the next higher current vote total comparison means either:

(1) The candidate could never win because his or her current vote total plus all votes that could possibly be transferred to him or her in future rounds (from candidates with fewer votes, tied candidates, surplus votes, and from undeclared write-in candidates) would not be enough to equal or surpass the candidate with the next higher current vote total; or

(2) The candidate has a lower current vote total than a candidate who is described by (1).

Mathematically eliminated by the sum of all ranked-choice votes comparison means:

(1) For Single-Seat Elections: The candidate could never win because the sum of all ranked-choice votes for that candidate is less than the highest current vote total.

(2) For Multiple-Seat Elections: The candidate could never win because the sum of all ranked-choice votes for that candidate would not be enough to equal or surpass the current vote total(s) of any of the top "x" continuing candidate(s) with the highest current vote total(s), where "x" equals the number of seats yet to be filled for the office.

Mathematically impossible to be elected means:

(1) Mathematically eliminated by the next higher current vote total comparison.

(2) Mathematically eliminated by the sum of all ranked-choice votes comparison.

Maximum possible threshold means the number of votes sufficient for a candidate to be elected under a first ranked choice tabulation under sections 167.60(b) and 167.70(b). In any given election, the maximum possible threshold equals the total ballots cast that include votes, undervotes, skipped rankings, ~~or~~ and overvotes for the office, divided by the sum of one (1) plus the number of offices to be filled, then adding one (1), disregarding any fractions. Maximum Possible Threshold = ((Total ballots cast that include votes, undervotes, skipped rankings, ~~or~~ and overvotes for the office)/(Seats to be elected + 1)) +1, with any fractions disregarded.

An overvote occurs when a voter ranks more than one (1) candidate at the same ranking.

Partially defective ballot means a ballot that is defective to the extent that the election judges are unable to determine the voter's intent with respect to the office being counted.

Ranked-choice voting means an election method in which voters rank candidates for an office in order of their preference and the ballots are counted in rounds and votes, or fractions thereof, are distributed to candidates according to the preferences marked on each ballot as described in sections 167.60 and 167.70 of this chapter.

Ranked-choice voting tabulation center means one (1) or more locations selected by the chief election official for the tabulation of votes.

Ranking means the number assigned by a voter to a candidate to express the voter's preference for that candidate. Ranking number one (1) is the highest ranking. A ranking of lower numerical value indicates a greater preference for a candidate than a ranking of higher numerical value.

Repeat candidate ranking occurs when a voter ranks the same candidate at multiple rankings for the office being counted.

Round means an instance of the sequence of voting tabulation steps established in sections 167.60 and 167.70 of this chapter.

Skipped ranking occurs when a voter leaves a ranking blank and ranks a candidate at a subsequent ranking.

Sum of all ranked-choice votes means the sum of all votes for a candidate at every ranking for an office, including all repeat candidate rankings.

Surplus means the total number of votes cast for an elected candidate in excess of the threshold.

Surplus fraction of a vote means the proportion of each vote to be transferred when a surplus is transferred. The surplus fraction is calculated by dividing the surplus by the total votes cast for the elected candidate, calculated to four (4) decimal places, ignoring any remainder. Surplus fraction of a vote = (Surplus of an elected candidate)/(Total votes cast for elected candidate), calculated to four (4) decimal places, ignoring any remainder.

Threshold means the number of votes sufficient for a candidate to be elected. In any given election, the threshold equals the total votes counted in the first round after removing partially defective ballots, divided by the sum of one (1) plus the number of offices to be filled, then adding one (1), disregarding any fractions. Threshold = ((Total votes cast)/(Seats to be elected + 1)) +1, with any fractions disregarded.

Transfer value means the fraction of a vote that a transferred ballot will contribute to the next ranked continuing candidate on that ballot. The transfer value of a vote cast for an elected candidate is calculated by multiplying the surplus fraction by its current value, calculated to four (4) decimal places, ignoring any remainder. The transfer value of a vote cast for a defeated candidate is the same as its current value.

Transferable vote means a vote or a fraction of a vote for a candidate who has been either elected or defeated.

Totally defective ballot means a ballot that is defective to the extent that the election judges are unable to determine the voter's intent for any office on the ballot.

Undeclared write-in candidate means a write-in candidate who is not a declared write-in candidate.

An undervote occurs when a voter does not rank any candidates for an office.

Section 2. That Section 167.40 of the above-entitled ordinance be amended to read as follows:

167.40. Ranked-choice voting tabulation center.

The chief election official shall designate one (1) or more locations to serve as the ranked-choice voting tabulation center. ~~The center must be accessible to the public for the purpose of observing the vote tabulation.~~ Tabulation of votes must be conducted as described in sections 167.60 and 167.70 of this chapter.

Section 3. That Section 167.60 of the above-entitled ordinance be amended to read as follows:

167.60. Tabulation of votes; single-seat elections.

(a) *Applicability.* This section applies to a ranked-choice voting election in which one (1) seat in an office is to be filled from a single set of candidates on the ballot. The method of tabulating ranked-choice votes

for single-seat elections as described in this section must be known as the "single-seat single transferable vote" method of tabulation.

(b) *First ranked choice tabulation.* A first ranked choice tabulation shall be done under this clause before a tabulation as described in clause (c). A first ranked choice tabulation will consist of a first round only. Under the first ranked choice tabulation, the vote total will be the sum of the number one (1) ranked votes. The maximum possible threshold must be determined. If the vote total for a candidate, other than an undeclared or a declared write-in candidate, is equal to or greater than the maximum possible threshold, that candidate is declared elected and the tabulation is complete. If the vote total for no candidate, other than an undeclared or a declared write-in candidate, is equal to or greater than the maximum possible threshold, a tabulation, as described in clause (c), shall be done.

(c) *Tabulation of round(s).*

(1) Tabulation of votes at the ranked-choice voting tabulation center must proceed in rounds for each office to be counted. The threshold must be calculated. The sum of all ranked-choice votes for every candidate must be calculated. Each round must proceed sequentially as follows:

a. The number of votes cast for each candidate, as indicated by the highest continuing ranking on each ballot, must be counted. If a candidate, other than an undeclared write-in candidate, has a vote total that is equal to or greater than the threshold, that candidate is declared elected and the tabulation is complete. If no candidate, other than an undeclared write-in candidate, has a vote total that is equal to or greater than the threshold, a new round begins and the tabulation must continue as described in clause b.

b. At the beginning of the second round only, all undeclared write-in candidates and all candidates for whom it is mathematically impossible to be elected must be defeated simultaneously. For rounds subsequent to the second round, all candidates for whom it is mathematically impossible to be elected must be defeated simultaneously. Votes for the defeated candidates must be transferred to each ballot's next-ranked continuing candidate, except votes for candidates defeated in the final round are not transferred if, by their defeat, the number of continuing candidates is reduced to one (1). If no candidate can be defeated under this clause, the tabulation must continue as described in clause c. Otherwise, the tabulation must continue as described in clause d.

c. The candidate with the fewest votes is defeated. Votes for the defeated candidate must be transferred to each ballot's next-ranked continuing candidate, except votes for candidates defeated in the final round are not transferred if, by their defeat, the number of continuing candidates is reduced to one (1). Ties between candidates with the fewest votes must ~~immediately and publicly be decided~~ resolved by lot by the chief election official ~~at the ranked-choice voting tabulation center.~~ The candidate chosen by lot must be defeated. The result of the tie resolution must be recorded and reused in the event of a recount.

d. The procedures in clauses a. to c. must be repeated until one (1) candidate reaches the threshold, or until only one (1) continuing candidate remains. If only one (1) continuing candidate remains, that continuing candidate must be elected. In the case of a tie between two (2) or more continuing candidates, the tie must ~~be decided by lot as provided in Minneapolis Charter Chapter 2, Section 12~~ be resolved by lot by the chief election official. The result of the tie resolution must be recorded and reused in the event of a recount. A tied candidate chosen by lot must be defeated. When only one (1)

continuing candidate remains after a tie has been ~~decided~~ resolved by lot by the chief election official, that continuing candidate must be elected and the votes of the tied candidate chosen by lot will be retained.

(2) When a skipped ranking, overvote or repeat candidate ranking is encountered on a ballot, that ballot shall count towards the highest continuing ranking that is not a skipped ranking, an overvote or repeat candidate ranking. If any ballot cannot be advanced because no further continuing candidates are ranked on that ballot, or because the only votes for further continuing candidates that are ranked on that ballot are either overvotes or repeat candidate rankings, the ballot shall not count towards any candidate in that round or in subsequent rounds for the office being counted.

Section 4. That Section 167.70 of the above-entitled ordinance be amended to read as follows:

167.70. Tabulation of votes, multiple-seat elections.

(a) *Applicability.* This section applies to a ranked-choice voting election in which more than one (1) seat in office is to be filled from a single set of candidates on the ballot. The method of tabulating ranked-choice votes for multiple-seat elections as described in this section must be known as the "multiple-seat single transferable vote" method of tabulation.

(b) *First ranked choice tabulation.* A first ranked choice tabulation shall be done under this clause before a tabulation as described in clause (c). A first ranked choice tabulation will consist of a first round only. Under the first ranked choice tabulation, the vote total will be the sum of the number one (1) ranked votes. The maximum possible threshold must be determined. If the number of candidates, other than any undeclared or declared write-in candidate, whose vote total is equal to or greater than the maximum possible threshold is equal to the number of seats to be filled, those candidates are declared elected and the tabulation is complete. If the number of candidates, other than any undeclared or declared write-in candidate, whose vote total is equal to or greater than the maximum possible threshold is less than the number of seats to be filled, a tabulation, as described in clause (c), shall be done.

(c) *Tabulation of round(s).*

(1) Tabulation of votes at the ranked-choice voting tabulation center must proceed in rounds for each office to be counted. The threshold must be calculated. The sum of all ranked-choice votes for every candidate must be calculated. Each round must proceed sequentially as follows:

a. The number of votes cast for each candidate for the current round must be counted. If the number of candidates, other than any undeclared write-in candidate, whose vote total is equal to or greater than the threshold is equal to the number of seats to be filled, those candidates who are continuing candidates are elected and the tabulation is complete. If the number of candidates, other than any undeclared write-in candidate, whose vote total is equal to or greater than the threshold is not equal to the number of seats to be filled, a new round begins and the tabulation must continue as described in clause b.

b. Surplus votes for any candidates whose vote total is equal to or greater than the threshold must be calculated.

c. At the beginning of the second round only, after any surplus votes are calculated but not yet transferred, all undeclared write-in candidates and all candidates for whom it is mathematically impossible to be elected must be defeated simultaneously. For rounds subsequent to the second round, after any surplus votes are calculated but not yet transferred, all candidates for whom it is mathematically impossible to be elected must be defeated simultaneously. Votes for the defeated candidates must be transferred to each ballot's next-ranked continuing candidate, except votes for candidates defeated in the final round are not transferred if, by their defeat, the number of continuing candidates is reduced to the number of seats yet to be filled. If no candidate can be defeated under this clause, the tabulation must continue as described in clause d. Otherwise, the tabulation must continue as described in clause a.

d. The candidate with the largest surplus is declared elected and that candidate's surplus is transferred. A tie between two (2) or more candidates must ~~immediately and publicly~~ be resolved by lot by the chief election official ~~at the ranked-choice voting tabulation center~~. The surplus of the candidate chosen by lot must be transferred before other transfers are made. The result of the tie resolution must be recorded and reused in the event of a recount. The transfer value of each vote cast for an elected candidate must be transferred to the next continuing candidate on that ballot. If no candidate has a surplus, the tabulation must continue as described in clause e. Otherwise, the tabulation must continue as described in clause a.

e. If there are no transferable surplus votes, the candidate with the fewest votes is defeated. Votes for a defeated candidate are transferred at their transfer value to each ballot's next-ranked continuing candidate, except votes for candidates defeated in the final round are not transferred if, by their defeat, the number of continuing candidates is reduced to the number of seats yet to be filled. Ties between candidates with the fewest votes must be ~~decided~~ resolved by lot by the chief election official, and the candidate chosen by lot must be defeated. The result of the tie resolution must be recorded and reused in the event of a recount.

f. The procedures in clauses a. to e. must be repeated until the number of candidates whose vote total is equal to or greater than the threshold is equal to the number of seats to be filled, or until the number of continuing candidates is equal to the number of seats yet to be filled. If the number of continuing candidates is equal to the number of seats yet to be filled, any remaining continuing candidates must be declared elected. In the case of a tie between two (2) or more continuing candidates, the tie must ~~be decided by lot as provided in Minneapolis Charter Chapter 2, Section 12, and the candidate chosen by lot must be defeated~~ be resolved by lot by the chief election official. The result of the tie resolution must be recorded and reused in the event of a recount. Candidates defeated under this clause in the final round will retain their votes.

(2) When a skipped ranking, overvote or repeat candidate ranking is encountered on a ballot, that ballot shall count towards the highest continuing ranking that is not a skipped ranking, an overvote or repeat candidate ranking. If any ballot cannot be advanced because no further continuing candidates are ranked on that ballot, or because the only votes for further continuing candidates that are ranked on that ballot are either overvotes or repeat candidate rankings, the ballot shall not count towards any candidate in that round or in subsequent rounds for the office being counted.

Section 5. That Chapter 167 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 167.75 to read as follows:

165.75. Ties resolved by lot.

(a) Who resolves a tie by lot. The chief election official must resolve a tie by lot.

(b) Notice to candidates with tied votes. The chief election official must notify all candidates with tied votes that the tie will be resolved by lot, except those candidates who have not provided contact information that would allow notice under this section. This notice must be sent at least one hour prior to resolving the tie by lot. The notice must be sent through a medium that would generally be capable of reaching a person within the one-hour period, such as face-to-face, a fax, an e-mail, an instant message, a text, a video chat, a telephone call, or a voicemail. The chief election official may consider the preference of each candidate for the medium through which the notice would be provided. The chief election official is not required to confirm that the notice is received by a candidate before resolving a tie by lot. A tie may be resolved by lot even though some or all of the candidates who have tied votes are not present.

(c) Witnesses. The resolving of the tie by lot must be witnessed by two election judges who are members of different major political parties.

(d) Video. The resolving of the tie by lot may be recorded through any audio and visual recording technology.

(e) Media. The chief election official may contact the media to view the chief election official resolve a tie by lot.

(f) Procedures. The chief election official may establish written procedures for implementing this section.

Section 6. That Section 167.140 of the above-entitled ordinance be amended to read as follows:

167.140. ~~Primary date~~ Deadline for primary campaign reports pursuant to Minn. Stat. § 383B.048.

For the sole purpose of filing primary campaign reports pursuant to Minn. Stat. § 383B.048, subd. 1, the City ~~hereby designates the first Tuesday after the second Monday in September~~ adopts the primary election date for municipal primaries as determined by Minnesota Statutes during city municipal election years as the date for a regular primary. Campaign Primary campaign reports will be due one (1) week prior to this date, as provided in Minn. Stat. § 383B.048, subd. 1, as if a primary were being held for such elective offices, notwithstanding the elimination of primary elections for city municipal offices pursuant to ~~Minneapolis Charter Chapter 2, Section 5B.~~