

Brooklyn Park Charter Commission Meeting Agenda Wednesday, December 9, 2020 at 7:00 p.m.

This meeting will be held by telephone or other electronic means.

All members of the Commission will participate in the meeting by telephone pursuant to Minnesota Statutes, Section 13D.021 rather than in-person at the Charter Commission's regular meeting place at City Hall, 5200 85th Avenue North, Brooklyn Park, Minnesota. Members of the public can monitor the Commission meeting by calling into the Conference Call Number: Dial 1-218-302-5973 US (Duluth) Meeting ID: 439 433 257#. After you join, press # when you are asked to enter a Participant ID.

If you need these materials in an alternative format or need reasonable accommodations for a Charter Commission meeting, please provide the City with 72-hours' notice by calling 763-424-8000 or emailing Josie Shardlow at josie.shardlow@brooklynpark.org. Para asistencia, 763-424-8000; Yog xav tau kev pab, 763-424-8000.

1. Call to Order/Roll Call
2. Additions/Approval of the Agenda of December 9, 2020
3. Approval of Minutes
4. Unfinished Business
5. Reports of Officers, Boards, and Standing Committees
6. New Business
 - 6.1 Charter Commission Work Plan
 - 6.1A** CHARTER COMMISSION WORK PLAN
 - 6.1B** RANKED CHOICE VOTING INFORMATION
 - 6.2 Charter Section 4.03 Proposed Amendment
 - 6.2A** CHARTER CHAPTER 4, NOMINATIONS AND ELECTIONS
7. Correspondence/Communications
8. Adjournment

Commission members are asked to let Devin Montero, Staff Liaison, know if you won't be able to attend this meeting. Devin can be reached by phone (763-493-8180) or by email (devin.montero@brooklynpark.org).

Work Plan | CHARTER COMMISSION (CC)

2020

Time Frame CC Meeting	Project or Task(s)	BP2025	Purpose (see next page for info)	Outcome (fill in after completed)
May/June	Census 2020 preparation/Redistricting		<input checked="" type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input checked="" type="checkbox"/> Commission <input type="checkbox"/> Council <input checked="" type="checkbox"/> City Manager	Note: Discussed at December 11 meeting; Redistricting Subcommittee to provide report.
TBD	Ranked Choice Voting Discussion	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input checked="" type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input checked="" type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	Note: Discussed at January 2019 meeting. A future agenda item.
TBD	Discussion of Council Member meeting attendance	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input checked="" type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input checked="" type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	Note:
TBD	Review City Council and part time city employment	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input checked="" type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input checked="" type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	Note:
TBD	Review Non-Planning ordinance changes not affecting land use that affect city laws and City Charter	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input checked="" type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input checked="" type="checkbox"/> Council <input type="checkbox"/> City Manager	Note: From the Governance Task Force Recommendation.
TBD	Review what other Charter Commissions are doing (work plans, ordinances, etc.)	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input checked="" type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input checked="" type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	Note: Discussed at December 11 meeting.

BREAKING

FEATURED

Bloomington's ballot questions feature wild outcomes

Mike Hanks Community Editor

Nov 3, 2020

By a slim margin, Bloomington's ballot question regarding ranked-choice voting has passed.

And it was a split decision for the city's organized solid waste collection program, a decision that will continue the system that has been in place since 2016, according to the city manager.

Needing 51% of votes cast to amend Bloomington's charter and allow the use of ranked-choice voting for city council and mayoral elections, the election night tally from the Minnesota Secretary of State's website reported that 51.02% of the votes cast in the election were in favor of ranked-choice voting. Absentee ballot updates later in the week increased the margin slightly, to 51.19%.

The 25,332 "yes" votes tallied as of Nov. 6 were 1,175 more than were cast against ranked-choice voting. Those 24,157 "no" votes comprise the remaining 48.81% of votes cast.

"This is a win for Bloomington residents and our democracy," said Laura Calbone, chairwoman of The Committee for Ranked Choice Voting Bloomington.

Ranked-choice voting asks voters to rank the candidates in order of preference. If a candidate receives a majority of the votes in the initial tabulation, meaning more than 50%, the candidate wins. If no candidate receives a majority, the candidate with the least number of first-choice votes is eliminated.

Voters who picked the eliminated candidate as their first choice would have their second-choice vote added to the tally of remaining candidates. This process repeats until one candidate has a majority of the votes, and eliminates the need for a primary election.

Calbone has touted the system as promoting a better democracy through more positive campaigning and a more inclusive and representative field of candidates. Promoting the system was challenging due to the coronavirus pandemic, as it eliminated the door-to-door campaigning the committee would have conducted.

"We made a lot of phone calls," she said. "Most people don't answer their phones," Calbone noted.

People are often uncomfortable with change, but of the residents that committee volunteers spoke with, “overwhelmingly they are supportive,” she added.

Assuming the slim margin of victory holds, Calbone and committee members will look to support the implementation of ranked-choice voting and assist with the education process of the new system. “We will be happy to assist in whatever way we can,” she said.

Organized collection

Ranked-choice voting was one of three questions on Bloomington’s ballot. The other two pertained to the city’s organized solid waste collection, and provided an outcome the Bloomington City Council aimed to avoid.

The city instituted its organized collection system in 2016, prompting a legal challenge from residents opposed to instituting the system without a vote by city residents. The back-and-forth legal challenge ended earlier this year when a ruling in favor of the residents was accepted by the city, which crafted two ballot questions to address the matter.

The first question, about amending the city’s charter to require a resident vote in favor of replacing the competitive market for solid waste collection, passed with 54.4% of the votes. The 26,728 “yes” votes were 4,328 more than the 22,400 “no” votes.

The second question, based upon the passing of the first question, asked if the charter should be amended to prohibit the council from entering a contract with residential solid waste haulers for the exclusive rights to haul and collect trash within the city. A “yes” vote means voters do not favor continuing the organized collection system, while a “no” vote means voters approve of continuing with the system, according to the ballot language.

Although more than 54% of voters said “yes” to requiring a vote to change the system, more than 70% voted against changing the system. “No” votes for question 2 totaled 35,182, while “yes” votes totaled 14,485.

When the final counts are certified, the split decision on the organized collection questions will mean the city’s charter is amended, and that organized collection will remain in place, according to Bloomington City Manager Jamie Verbrugge. Both the charter change and ordinance will be effective Dec. 3, he added. “People should keep putting their cans out for collection,” Verbrugge said.

Vote totals are based upon the Minnesota Secretary of State’s website reports as of 10 a.m. Friday, Nov. 6.

Follow Bloomington community editor Mike Hanks on Twitter at @suncurrent and on Facebook at

suncurrentcentral
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Mike Hanks

Ranked Choice Voting

Ranked choice voting adopted by Minnetonka voters

Election Day 2020 was Tuesday, Nov. 3, and a majority of Minnetonka residents voted to adopt the use of ranked choice voting for city elections (mayor and city council) beginning November 2021.

Adoption of ranked choice voting received 54.7 percent of the vote (18,475 total votes), while 45.3 percent (15,293 total) voted to reject the change and continue using the city's current election system. The Minnetonka City Council certified the election results at a [special meeting on Friday, Nov. 13](#).

Under ranked choice voting, voters will be asked to rank mayoral and city council candidates in order of preference on their ballots, and primary elections will no longer be used. The city council will adopt an ordinance to establish rules and procedures.

Please remember, ranked choice voting only impacts mayor and city council elections. It will not change the way you vote for school board, county, state or federal offices.

More information

Use the sections below to learn more about ranked choice voting and why it was on the 2020 ballot.

- [2020 ballot question and details](#) >
- [What is ranked choice voting and how are votes counted?](#) >
- [What was the previous voting process?](#) >
- [Why was ranked choice voting on the ballot?](#) >
- [Learn more](#) >
- [Potential financial impact](#) >
- [Ranked choice voting brochure](#) >
- [Contact us](#) >

City of Brooklyn Park Request for Council Action

Agenda Item:	5.3	Meeting Date:	February 8, 2016
Agenda Section:	Public Hearings	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Devin Montero, City Clerk
Ordinance:	FIRST READING		
Attachments:	4	Presented By:	Commissioners David Williams and John Hultquist, Charter Commission
Item:	Public Hearing and FIRST READING to Consider Amendments to Charter Chapter 4, Sections 4.01, 4.03 and 4.09 of the Home Rule City Charter Relating to Ranked Choice Voting		

City Manager’s Proposed Action:

MOTION _____, SECOND _____ TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AMENDING CHARTER CHAPTER 4, SECTIONS 4.01, 4.03 AND 4.09 OF THE HOME RULE CHARTER.

Overview:

From June 2011 through 2013, the Charter Commission had discussions regarding Ranked Choice Voting (RCV) as a voting method for the City of Brooklyn Park. The issue was placed on the work plan for future discussions until after the City of Minneapolis’ Mayor’s election was held using RCV. The discussions on RCV were the result of the 2011 Mayor’s Special Election.

From April through October 2014, the Commission received Ranked Choice Voting presentations from the City of Minneapolis City Clerk, Ramsey County Elections Manager, FairVote Minnesota representatives, and from Mr. Devin Rice, formerly of the Minneapolis Charter Commission.

At the November 2014 meeting, the Brooklyn Park Charter Commission voted on proceeding with preparing a ranked choice voting system to be presented to the City Council. A subcommittee was also established to work on developing a RCV recommendation to the Council and reported monthly on their progress.

From March through April 2015, RCV presentations were held at the Community Engagement meeting and Commission/Committee meetings.

In December 2015, the subcommittee presented their final RCV Recommendation Report to the Charter Commission. The Commissioners unanimously approved the report and the Charter amendments to Chapter 4 to be presented to the Council for consideration.

At the January 4, 2016 City Council meeting, the Charter Commission Vice Chair Scott Simmons presented the Charter Commission’s Ranked Choice Voting Recommendation Report and the Charter amendments to Chapter 4. The Council also set a public hearing to consider the amendments to the Charter.

Tonight is the public hearing to consider the amendments to Charter Chapter 4 as presented.

The following is a routine timetable for the amendment consideration:

January 4	Council Set the Public Hearing
January 14	Public Hearing Notice and Text of Proposed Ordinance is Published
February 8	Public Hearing and First Reading of Ordinance Held
February 22	Second Reading of Ordinance Held
March 3	Ordinance Published in Newspaper
June 3	Ordinance Becomes Effective (90 days after passage and publication)

Publication must be the exact language the Council will vote on.

Attachments:

- 5.3A ORDINANCE
- 5.3B RCV RECOMMENDATION REPORT
- 5.3C TIMELINE
- 5.3D EMAIL FROM PATRICK O'CONNOR

BROOKLYN PARK
CHARTER COMMISSION

RANKED CHOICE VOTING (RCV)
FOR BROOKLYN PARK CITY ELECTIONS

12-9-15

Executive Summary and History of Charter Commission Considerations

Regarding Ranked Choice Voting

In November of 2014, the Brooklyn Park Charter Commission, after over a year of study of this opportunity, voted on a 5 to 4 vote “That we proceed with preparing a Ranked Choice Voting System that we can present to the City Council.” There remain strongly held views for and against Ranked Choice Voting within the Charter Commission. There is little doubt that adopting Ranked Choice Voting in Brooklyn Park would bring significant changes including changes to voting apparatus, education of citizens, training for voting officials, and the methods by which candidates conduct their campaigns. Initial claims that RCV will reduce costs do not hold up in Brooklyn Park because Primary votes would still be needed for State and Federal elections. However, the majority of the Charter Commission, after becoming informed about Ranked Choice Voting, felt that Brooklyn Park, with its diverse population, would be better served by taking a leadership role in adopting this method of voting for its citizens. The additional costs to implement RCV were viewed as a cost of doing business in a community that prides itself in providing leadership in innovative and progressive ways to conduct city government in a diverse population setting. This Document provides a basic overview of the Ranked Choice Voting process and provides the City Council with a basis to consider adopting RCV voting as an important revision to the City Charter.

History of Commission Consideration of RCV

The following is a history of the Charter Commission’s consideration of this opportunity.

June 8, 2011

Commissioners discussed a letter received by the City Manager regarding special elections to consider other options to include Ranked Choice Voting (RCV) as the result of the Mayor’s Special Election.

April 11, 2012

Special Elections and vacancies discussions held to include how other cities dealt with council vacancies, using RCV, the appointment process and not having a separate special election.

April 10, 2013

Added the RCV discussions to the Work Plan for future discussions.

September 30, 2013

Discussion of Charter Section 2.06 with the City Council that included some discussions of RCV.

October 9 2013

Discussion of RCV on the Work Plan. Consensus of the commissioners was to wait until the City of Minneapolis had been through a Mayoral election under RCV before discussions begin.

January 8, 2014

Discussion of RCV. Consensus of the commissioners to invite Minneapolis election staff to talk about their experience using RCV now that the election was over.

February 12, 2014

Discussions to invite the city of Minneapolis staff continued and determine if they were ready to present the RCV item.

April 9, 2014

RCV presentation by Casey Carl-Minneapolis City Clerk.

May 14, 2014

Discussion items for the Joint Council Commission meeting included: Recent Charter Changes, Special Primary Election Threshold, RCV and Work Plan.

June 2, 2014

At a Joint Council/Commission meeting, Commissioner Hultquist stated the Commissioners were now looking at the issue of ranked choice voting, were only studying it and not prepared to make any kind of recommendation. (Commissioners discussing it because of the two special elections)

June 10, 2014

RCV Presentation by Joe Mansky, Ramsey County Elections Manager.

September 10, 2014

RCV presentation by Jeanne Massey, Fair Vote Minnesota Presentation.

October 8, 2014

RCV Presentation by Mr. Devin Rice, Minneapolis Charter Commissioner.

November 12, 2014

A Motion was made to “proceed with preparing a RCV system to present to the City Council.” The vote on the motion passed (6 to 5). A subcommittee was established to work on developing a RCV recommendation to the council. to “Proceed with preparing a Ranked Choice Voting System that we can present to the City Council.”

December 10, 2014

RCV Subcommittee Report presented. The Charter Commission votes to follow an implementation schedule to recommend RCV to the city council and if necessary to put

the Question of RCV to the citizens of Brooklyn Park during the 2016 November Elections.

January 14, 2015

RCV Subcommittee Report presented.

March 11, 2015

RCV Subcommittee Report presented.

March/April 2015

Community Engagement Meeting/Commissions/Committees RCV presentations held.

April 8, 2015

RCV Subcommittee Report presented.

May 13, 2015

Continued Discussion of RCV.

June 8, 2015

At a Joint Council/Commission meeting, Chair Bennion provided an overview of Ranked Choice Voting and asked for feedback from the council and commissioners.

June 10, 2015

The Ranked Choice Voting Subcommittee provides a summary recommendation document to the Charter Commission.

September 9, 2015

The Ranked Choice Voting Subcommittee provides a draft recommendation document to the Charter Commission.

November 10, 2015

The Ranked Choice Voting Subcommittee provides a recommendation document to the Charter Commission.

December 9, 2015

A Ranked Choice Voting Recommendation document is approved by the Charter Commission and sent to the City Council for consideration.



RCV: Easy as 1, 2, 3...

This November, you'll vote for Mayor, City Council, Park Board and the Board of Estimate and Taxation using Ranked Choice Voting (RCV).

With RCV, there is no primary election – RCV folds two elections into one, so you only have to make one trip to the polls in November.

How to Vote with a Ranked Choice Ballot

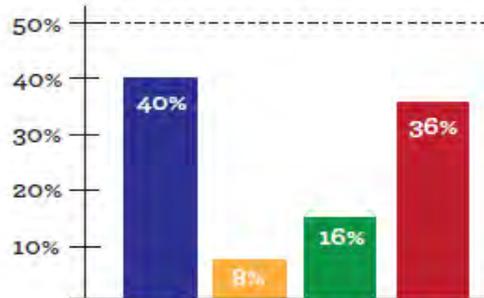
- 1) Select your preferred candidate and fill in the oval next to the candidate's name in the 1st choice column.
- 2) Indicate your 2nd choice. Your ballot will count for this candidate if (and only if) your 1st choice loses. It doesn't help your 1st choice candidate to rank him or her more than once or to not rank anyone else.
- 3) Rank a 3rd choice if you have one. Your ballot will count for this candidate only if your 1st and 2nd choices lose.



MAYOR		
Rank your first, second and third choice candidates in the columns below. One to be elected.		
1	2	3
1st Choice	2nd Choice, if any Must be DIFFERENT from your 1st choice	3rd Choice, if any Must be DIFFERENT from your 1st and 2nd choices
Select one	Select one	Select one
<input type="radio"/> HARALSON Apple Party	<input checked="" type="radio"/> HARALSON Apple Party	<input type="radio"/> HARALSON Apple Party
<input checked="" type="radio"/> HONEYCRISP Classic Party	<input type="radio"/> HONEYCRISP Classic Party	<input type="radio"/> HONEYCRISP Classic Party
<input type="radio"/> MCINTOSH Apple Party	<input type="radio"/> MCINTOSH Apple Party	<input checked="" type="radio"/> MCINTOSH Apple Party
<input type="radio"/> REGENT Cold Hardy Party	<input type="radio"/> REGENT Cold Hardy Party	<input type="radio"/> REGENT Cold Hardy Party
<input type="radio"/> SNOWSWEET Apple Party	<input type="radio"/> SNOWSWEET Apple Party	<input type="radio"/> SNOWSWEET Apple Party
<input type="radio"/> FIRESIDE	<input type="radio"/> FIRESIDE	<input type="radio"/> FIRESIDE

How to count RCV ballots:

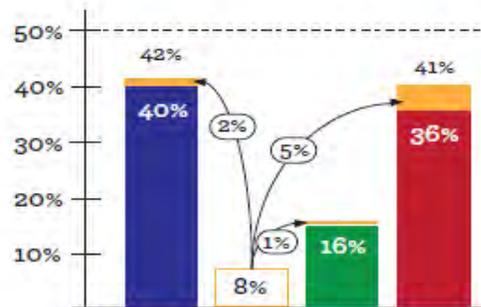
Everyone has one vote, but is able to indicate their "backup" choices. Here's how we count RCV ballots in a single-seat race.



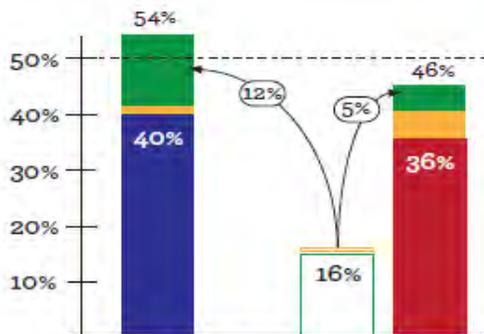
All 1st choices on the ballots are counted. Did someone meet the threshold of 50% + 1 of the votes? If yes, s/he wins. If not....

The candidate with the fewest 1st choice votes is defeated. The ballots cast for him/her are reassigned to those voters' 2nd choices.

(Note: ONLY the defeated candidate's ballots are reassigned. Ballots cast for all other candidates continue to count for those candidates.)



Did a candidate meet the threshold with the additional votes allocated? If yes, s/he wins. If not, repeat step 2. Keep going until a candidate reaches the threshold (or until 2 candidates remain and the one with the most votes wins).



In the multi-seat elections, like Park Board, you use the same ranking process. The threshold to win is different because there are more seats to fill and rounds of counting occur until all seats are filled.

Ranked Choice Voting is as easy as 1-2-3!
 Visit vote.MinneapolisMN.gov for more information.

Ranked Choice Voting Compared and Contrasted

WHY RANKED CHOICE VOTING SHOULD BE CONSIDERED

Charter Committee members who were in favor of Ranked Choice Voting have expressed the following **opinions** regarding why Ranked Choice Voting should be considered:

1. Ranked Choice Voting increases voter participation and is therefore more representative of the overall will of the community. General election turnout is higher than primary voter turnout; therefore, the amount of voters who vote in the single RCV vote will be greater than the smaller proportion of voters who vote in primaries that eliminate all but two candidates thus giving a smaller proportion of voters a larger influence in election outcomes.
2. Ranked Choice Voting provides that our elected city representatives have the mandate of a majority of voters. Recent elections have resulted in winners who received far less than a majority of the votes.
3. Ranked Choice Voting has the potential to reduce the cost of campaigning for City offices by eliminating the costs of campaigning for primary elections.
4. Ranked Choice Voting discourages negative campaigning. Under RCV it is to a candidate's advantage to appeal to supporters of other candidates to secure their second and third choice votes.
5. Ranked Choice Voting encourages candidates to appeal to all opportunities important to the community, not just opportunities that a low proportion of the voting population who vote in primaries will respond to.
6. Ranked Choice Voting reduces the impact of large amounts of money in influencing elections. Most excess money used in campaigns is spent on negative campaigning. In Ranked choice voting, negative campaigning is a disadvantage.
7. Ranked Choice Voting gives voters the opportunity to express support for more than one candidate. This in-turn encourages candidates to address positions on a wider range of issues.
8. Ranked Choice Voting provides diverse population groups, who do not traditionally participate in the primary election process, a better opportunity to influence city elections. The City of Brooklyn Park has the most diverse population in the State of Minnesota. Because of this diverse population demographic, the City of Brooklyn Park should take a leadership position in the implementation of Ranked Choice Voting.

WHY RANKED CHOICE VOTING SHOULD NOT BE CONSIDERED

Charter Commission members who were not in favor of Ranked Choice Voting have expressed the following **opinions** regarding why Ranked Choice Voting should not be considered:

1. Ranked Choice Voting is difficult to understand, would lead to voter confusion and would result in an increase in improperly filled in ballots.
2. The current primary voting system works well and is understood by most citizens. There is little reason to incur additional costs and efforts to change it.
3. Due to more candidates and voting choices with Ranked Choice Voting, voting ballots would be more complicated and could lead to greater voter confusion and additional

production costs.

4. Installing Ranked Choice Voting in current voting machines, educating citizens and training Voting Judges would require a considerable amount of money and effort. This would easily off-set any cost savings due to the elimination of local primary elections.
5. Primaries would not be eliminated because Brooklyn Park conducts its elections in the even years when State and Federal elections are held.
6. There are currently no approved automated updates that can be installed in existing voting machines to count second and third choice votes associated with Ranked Choice Voting. Current communities who use RCV depend on manual or spreadsheet solutions to consider second and third choice votes. This can lead to incorrect vote counts, more challenges to the final vote count and longer times to determine a winner.
7. Consideration for Ranked Choice Voting is relatively new and should be deferred to a later date. This would allow time to observe how it works in other communities or when State and Federal elections are changed to RCV.
8. The current City Council has expressed significant opposition to implementing Ranked Choice Voting at a recent discussion of Ranked Choice Voting.

Required Changes to the Brooklyn Park City Charter

The following changes to the Brooklyn Park City Charter were recommended by the Brooklyn Park City Attorney should the City of Brooklyn Park decide to adopt Ranked Choice Voting.

underline means words added
~~strikeout means words deleted~~

The City of Brooklyn Park does ordain:

Section 1. Section 4.01 of the City Charter is amended to read as follows:

SECTION 4.01 GENERAL ELECTION LAWS TO APPLY

Except as hereinafter provided, the general laws of the State of Minnesota pertaining to registration of voters and the conduct of ~~primary and~~ general elections shall apply for all municipal elections of such officers as are specified in this Charter. All municipal elections for such officers shall be conducted by single transferable vote, sometimes known as “ranked-choice voting.” The Council shall through ordinances duly adopted in compliance with such state laws and this Charter, adopt suitable and necessary regulations for the conduct of such elections, including the methods to be used for tabulating the votes and for breaking any ties.

Section 2. Section 4.03 of the City Charter is deleted in its entirety.

Section 3. Section 4.09 of the City Charter is amended to read as follows:

SECTION 4.09 ELECTIONS AND TAKING OF OFFICE

The Council shall meet and canvass the election returns between the third and tenth days after any regular, ~~primary~~ or special election, and shall make full declaration of the results as soon as possible and file a statement thereof with the City Clerk, and said statement shall be made a part of the minutes. This statement shall include: (a) the total number of good ballots cast; (b) the total number of spoiled or defective ballots; (c) the vote for each candidate, with a declaration of those who are elected; (d) a true copy of the ballots used; (e) the names of the judges of election; (f) such other information as may seem pertinent. The City Clerk shall forthwith notify all persons elected to the fact of their election, and the persons elected shall take office at the time provided by Section 3.01 upon taking, subscribing and filing with the City Clerk the required oath of office and a "Statement of Economic Interest" form as prescribed in Sections 14.02 and 14.03.

Section 4. The City Charter Index is amended by deleting the reference to “Primary Municipal Elections.”

Changes to the Ballot

The Brooklyn Park City Attorney has provided the following opinion regarding formulation of the voting ballot for RCV elections:

The Minnesota Supreme Court has upheld the constitutionality of “instant runoff” (also known as “Ranked Choice Voting”) elections in a case involving the City of Minneapolis.

Minneapolis holds its municipal election in odd-numbered years. An issue exists, however, as to whether a city that uses an optical scan voting system can implement RCV if the municipal election is held in an even-numbered year. The issue arises because of the following provision in Minnesota Statutes, Section 206.90, Subdivision 6:

“In precincts using optical scan voting systems, *a single ballot card* on which all ballot information is included must be printed in black ink on white colored material ... In odd-numbered years when both municipal and school district offices or questions appear on the ballot, the single ballot title "City (or Town) and School District Ballot" must be used.”

The statute does not specifically authorize single ballots for city and school district elections in even-numbered years. I reviewed the information that you received from the Secretary of State’s office and from the Hennepin County elections manager. Both indicate that a municipal RCV system cannot comply with the “single ballot card” requirement in even-numbered years. (Ginny Gelms’ email to you on May 1st summarizes some of the problems that RCV creates with preparing a single ballot in even-year elections.)

Minnesota Statutes, Section 205.02, Subdivision 1 states that, with certain exceptions, the state’s municipal election laws apply to municipal elections “so far as practicable.” Section 205.02, Subdivision 2 lists the statutes that do not apply to municipal elections. Section 206.90 is not one of those exceptions. Section 4.01 of the City Charter also states that the state’s general election laws apply to all municipal elections.

Based on Section 205.02, Subdivision 1 and Section 4.01, the “single ballot card” requirement in Section 206.90 *likely* applies to the City’s elections. If so, RCV could not be used in even-year elections if it would prevent election officials from meeting that requirement. The reason that I say “likely” is that there is a question as to whether the “so far as practicable” provision in Section 205.02 could allow election officials to use a separate ballot card in precincts using an optical scan voting system if necessary to implement RCV in an even-year election. In that regard, a bill was introduced in the 2015 legislative session that would authorize any city to adopt RCV. Included in

that bill is a provision that would allow a separate ballot card to be used, if necessary, to implement elections in which both RCV and traditional voting methods are used. That legislation has not, however, been adopted. Whether the “so far as practicable” provision would allow election officials in precincts using an optical scan voting system to use a separate ballot card if necessary to implement RCV voting is a question of statutory interpretation. I am not aware of any court decision or Attorney General opinion interpreting that provision. The city could, however, request an opinion from the Attorney General on that issue.

Charter Commission Schedule for Implementation of Ranked Choice Voting

In December of 2014, the Charter Commission adopted a schedule for considering and implementing Ranked Choice Voting as the method of voting in the City of Brooklyn Park. This schedule provides for ample time to inform and educate the city population, inform and request that the City Council adopt Ranked Choice Voting, if necessary put the question to the voters of Brooklyn Park during elections in November of 2016 and, if approved by a majority of voters in Brooklyn Park, revise the voting process to accommodate this change in time for scheduled elections in November of 2018.

Jan 2016	Charter Commission submits RCV charter amendment to City Council, for amendment by City Council ordinance [MS 410.12, subd.7] 17 weeks prior to date of General Election [MS 410.12, subd. 1]
Feb 2016	City publishes notice of a public hearing on the proposed amendment within one month of receiving recommendation from charter commission [MS 410.12, subd.7]
April 2016	City Council public hearing [2 weeks to 1 month after publication] [MS 410.12, subd. 7]
May 2016	City Council approves or rejects RCV charter amendment proposal
<i>If Council vote not unanimous, then</i>	
June –July 2016	Commission submits RCV ballot question to City Clerk for inclusion in November 2016 General Election
August [26], 2016	Final date for City Clerk to submit ballot question (74 days before election) to the County Auditor [MS 205.16, subd. 4]
November 8, 2016	2016 General Election; question on ballot [Passage requires affirmative action of 51% of all voters who vote on the ballot question; MS 410.12, subd. 4.]
December [8], 2016	Charter amendment effective 30 days from the date of the election or as otherwise fixed in the amendment [MS 410.12, subd. 4]

2017-2018 Amend city code election provisions; obtain equipment; judge and voter training; administrative and technical implementation

November 6, 2018 2018 General Election; new voting process in place (if passed in 2016 general election)

Cost Considerations Surrounding Ranked Choice Voting

Costs associated with implementing Ranked Choice Voting in Brooklyn Park have been estimated by the Office of the City Clerk and are presented here. They are preliminary in nature. The costs are intended to give an order of magnitude estimate of required funds and may vary from actual costs incurred.

1. Costs to Amend the City Charter and other city codes	Legal notices \$300.	\$300
	Postage for mail outs of changes.	\$5
	Attorney fees for drafting amendment language.	\$1,000
2. Cost to place RCV question on the November 2016 Ballot	Ballots \$.0325 per column x 60,000 ballots=\$1,950, programming \$600.	\$2,550
	If allowed to use a separate ballot-.19.5 x 60,000; Programming \$600.	\$11,600
	Attorney fees for drafting ballot language	\$1,000
3. Cost to Purchase, develop or install required RCV voting equipment and software.	Unknown	
4. Cost to Train judges and voters in RCV role.	RCV Training (1 additional hour)400 x \$9 x 1=\$3,600 (Regular Judges); 48 x \$10 x 1=\$480 (Supervisors).	\$4,080
	Tabulation Center Training 6 Judges x \$12 x 2 hour training = \$144; 6 staff x \$25 x 2 hour training = \$300.	\$444
5. Cost of other Administrative and Technical Implementation	Cost of Spreadsheet Development	\$4,000
	Tabulation Process- Judges 6 x \$12 x 8 hrs x 5 days = \$2,880; Staff: 6 regular wages; \$25 per hour (\$6000) staff to do analysis and understand spreadsheet.	\$8,880

Recommended RCV Education Programs

If Ranked Choice Voting is adopted in Brooklyn Park a substantial education program would be necessary to educate citizens regarding the methods and use of this system of voting. It is likely that this education program would increase voter turnout, at least during initial use, because it would increase awareness of the need to vote. The education programs listed below are only suggested recommendations. Education Programs and materials would be developed under the direction of the City of Brooklyn Park and would only be used should the City Council approve the use of Ranked Choice Voting or the Citizens of Brooklyn Park vote to incorporate the use of Ranked Choice Voting. Actual RCV education programs developed by the City of Brooklyn Park may be different.

Use RCV materials developed by other organizations		\$0
Revise RCV Material to Fit Brooklyn Park	Staff time/Materials	\$500
Distribute RCV Information	Brooklyn Park Mailings-Utility Bills inserts; postage x 3 areas; low end-\$10,200 to high end \$18,600	\$18,600
Community Meetings	Staff Time/Materials	\$500
Local Newspaper Coverage	SunPost Ads	\$1,000
Community Television Coverage	Community Television Coverage i	Free
	Advertisements on Cable range from \$.50 to \$20,000; RCV Video preparations - \$5,000-\$20,000	See Range
Presentations to pre-existing organizations and commissions	Staff time x # of meetings/materials	\$500
Coverage on City Website		Free
Coverage on Social Media		Free
Park Pages		Free
Brochures:	28,000HH X .48	\$13,000
Post Cards	Postage cost for postcard ECRWSS .157 each (3-1/2x5 up to 6-1/8 x11) to mail postcard to every household. (28,000)	\$4,400
Regular Postcards	28,000HH x.34	\$9,520
	Apartments-6,400 Individual units	\$2,176
Advertising – Community Events	Staff time/Materials	\$500

UNANIMOUSLY.

5.2 MOTION LUNDE, SECOND GATES TO WAIVE THE READING AND ADOPT RESOLUTION #2016-38 APPROVING REALLOCATION OF FISCAL YEAR 2014 AND FISCAL YEAR 2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM INCOME FUNDS. MOTION PASSED UNANIMOUSLY.

5.3 Charter Commissioners John Hultquist and Gordy Aune, Jr. briefed the Council on the Amendments to Charter Chapter 4 of the Home Rule City Charter relating to Ranked Choice Voting.

5.3 Mayor Lunde opened the public hearing to consider the Amendments to Charter Chapter 4 of the Home Rule City Charter relating to Ranked Choice Voting (RCV).

5.3 The following individuals addressed the Council:

1. Jacob Frey, Minneapolis City Council Member, Ward 3. In favor of RCV.
2. Jeanne Massey, FairVote Minnesota. In favor of RCV.
3. Rebecca Noecker, St. Paul Council Member, Ward 2. In favor of RCV.
4. Ron Dwyer, 5247 Edgemont Circle. Opposed RCV.
5. Pat Ament, 8450 Riverview Lane. In favor of RCV.
6. Kazona Kong-Thao, 376 Hawthorne Ave East, St Paul. In favor of RCV.
7. Nausheena Hussain, 4201 98th Avenue North. In favor of RCV.
8. Linnea Palmisano, Minneapolis Council Member, Ward 13. In favor of RCV.
9. Sayed Hussain, 4116 82nd Avenue North. In favor of RCV.

5.3 Mayor Lunde closed the public hearing and returned the item to the table for consideration.

Council Member Jordan read an email from Barbara Johnson, President of the Minneapolis Council written, Monday, May 24, 2010. *"We found many reasons cited to support the system, change never happened: #1. The voter turnout was the worst in nearly 100 years. The last time we had such a low percentage was before women had the right to vote. #2. The process cost way more than having a primary due to not being able to use machines it will cost an extra \$300,000 each election until machines are available and certified. #3. Debates were a farce. Too many candidates for a thoughtful and productive debate. #4. Older voters were confused and many people voted for only one candidate. #5. There was no evidence that underrepresented communities participated at greater rates. #6. Unless the state changes their types of elections, we will have two kinds of voting, (RCV for the city and regular ballots for other elections) again, confusing for the voter, especially elderly ones."* He stated it was a powerful email.

Council Member Jordan stated he didn't know what the problem was that they were trying to solve. He stated that apparently the city had a broken system that the Council was told needed to be fixed and he stated it was not broken. He stated he didn't recognize the kind of negative politics that some talked about tonight and perhaps those were the issues in Minneapolis and St. Paul. He stated he witnessed a lot of elections in the city and didn't recognize what they were talking about and had seen positive campaigns in the city by every candidate.

He stated there were no barriers to voting. Elections were open and free, anyone could show up and if they couldn't make it on Election Day they could vote absentee. He stated that no one was preventing anyone from running. Anyone could run who wanted to get signatures, pay, knock on doors and compete for votes from fellow neighbors.

Council Member Jordan stated that RCV was the only method of voting where someone voting for a candidate could actually harm their chances of winning. It all depended on how they were ranked. He stated there were many overvotes and undervotes that occurred. He had examples from St. Paul of different spoiled ballots where people voted for too many or not enough. He stated that was what the city would be facing on election night and all of those people were disenfranchised from their vote because their vote didn't count.

He stated that in 2008, where he voted at the polling place, there were a lot of people voting and had election judges at a table where they told voters how to mark a ballot. He stated that year had a long line waiting 45 minutes. He stated he was trying to imagine how long the line would be with ranked choice voting with explaining voters how to vote. With RCV, voters would not find out for weeks who won.

Council Member Jordan stated the Council was told it would save candidates money, but it would actually bring money into the system because candidates would have to run all the way through instead of being finished at the Primary, i.e., five people would have to run full campaigns. He stated the candidate who would do the best was the candidate that was self-funded and had money to put in to a campaign as opposed to the person being helped.

He stated he had a book with samples of the spoiled ballots, articles from newspapers around the country where cities didn't like the decision they made on RCV, letters to the editor, columns by newspapers, from Mayors, and a lot of information where people who had decided on how to get out of RCV.

He stated that the group that presented tonight had a big mailing list, big budget, spent a lot of money in Duluth and lost big; Duluth turned it down. He stated the group would come in and barrage residents with propaganda and spent a lot of money misrepresenting the facts saying all kinds of wonderful things when the reality was that group was fined \$5,000 for misrepresenting the facts and claiming endorsements they didn't have.

Council Member Jordan stated the American system was one person one vote, it was the Constitution, and the country was built on it. He stated he didn't believe the Council should allow the elections in the city being gamed in order to force a result for a certain political agenda that the Council had seen tonight.

He asked the Charter Commission to stand up for the city, not for politics and not for outside organizations, but to stand up for residents. He stated what the organization was trying to push was not about fairness, but was the exact opposite and an attempt to game the system.

Council Member Parks stated the city had the highest voter turnout compared to other cities in the state. He stated when he voted for one person, he wanted to vote for that person and did not want his vote to move on and go to someone else. He stated that the ballots spoiled in St. Paul were not necessarily spoiled in Minneapolis and were different and had no uniformity. He stated that the majority of phone calls and emails he got were against the RCV process and hoping to get rid of it. He stated he would not be voting for RCV.

Council Member Trepanier thought what was best for the city was not RCV. He stated he had asked people of color to run over the years, continued to do it and hopefully it would work out soon. He stated RCV was not best for the city right now and maybe in years to come when others came after him, they would think differently as they learned more. He agreed with Council Member Jordan even though the Charter Commission had the right to carry it forward. He stated that he hopes the Charter Commission does not choose to go forward with RCV.

Council Member Crema stated he was not a fan of RCV for the city. He stated the city hadn't had outside forces in a City Council race until the last election cycle where political parties became an issue. He stated the city was unique in a lot of ways and understood the diversity issue but there were candidates running unopposed or had two candidates file and RCV was not necessarily going to get a second candidate. He stated there would be two seats up with no incumbent running and encouraging women and people of color to file. He stated the city had women and people of color file in the past, done well, and ran great campaigns and didn't know if it was a primary issue. He stated the biggest problems in campaigning was getting the signs stolen and was not about participation. He thanked everyone for their work on RCV and understood it was an important issue. He stated RCV was not right for the city and he wouldn't support RCV.

Council Member Gates stated he wouldn't change his mind on RCV. He stated the process worked and the system was not broken in the city. He stated Brooklyn Park was not Minneapolis, not St. Paul, not Duluth or Rochester. He stated the city didn't need RCV and what was needed was more people to run and be involved in the process. He stated that if the city started to have 10 to 12 running for a seat constantly, then maybe the city needed to look at a different system. The city didn't have that and the problem

was getting people to run. He stated that until that happened, he was not going to vote for RCV.

Council Member Mata agreed with Council Member Gates that getting people to run was a problem. He stated he ran unopposed at the last election and RCV wouldn't change it. He stated he didn't believe changing the city's voting to an odd year instead of an even year because that would reduce the number of people that showed up to vote and not increase it. He stated that was evidenced by the special elections where 25% of the voters showed up versus a Presidential year. He stated he couldn't support RCV and was the Council liaison when the Commission started looking at RCV. He stated at that time he thought there was more Commissioners against it than for it and the Commissioners should look at it and do the right thing. He stated the city was not ready for RCV and it was not needed and should not be adopted.

Mayor Lunde thanked everyone for coming and thanked the Charter Commission. He stated it took one no vote to send it back to Charter Commission and it was obvious the Charter Commission had that one no vote from the Council. He stated he supported their power to take it directly to the people and was good to have a check on the Council and hopes the Commission takes a look at the support for it by the Council.

He stated that RCV was trying to fix a problem and the real problem was getting people of diverse backgrounds elected. He stated what was needed was not only people who were going to run but actually did a campaign. He stated he met with six candidates and three with diverse backgrounds and told them they had to door knock and if they were not willing to door knock, they would lose in Brooklyn Park.

Mayor Lunde stated that Council Member Mata brought up a good point and actually had an election in the West District where no one filed and 15 minutes before the deadline the husband of another Council Member in the West District filed. He stated those were the opportunities that were lost and someone could have filed. He stated he couldn't make people file, he could cheer them on, give them advice, and having a diverse background on the Council was important and the candidates had to knock on doors and talk to everybody like he did.

He stated he didn't think it was their choice of how they voted to determine whether people campaigned negatively or not. He stated one of the things he didn't like the most of all was the League of Women Voters debates. They told the candidates they couldn't criticize their opponent and that was not free speech. He stated that if people wanted to go negative, voters could take their pick and say they didn't like it. He stated people had the right to go negative if they wanted to but had the right to suffer the consequences. He stated the voters would punish those they felt were doing it.

He stated that the part on campaign costs was absolute false. He stated this weekend there was an article in the newspaper about all the Council Members in Minneapolis and the money they raised. One Council Member had raised \$90,000. He stated that was four times the amount of money he raised and he represented more people than that Council Member.

Mayor Lunde stated that one thing he hadn't heard people talk about which was important was the ballot fall off. He stated he could tell what precincts in the city by order where the person voted for the top, whether governor or president and by the time they get to Council which might be on first page but often times on the second, how many stopped voting. He stated people assumed they voted all the way through but their votes would drop off. He stated the drop off rate could be 1% and some precincts could be 40% and he campaigned accordingly because he knew the person who might vote for President and might not vote for Mayor.

He stated if two separate ballots were created, that increased the chances for someone to fall off and were falling off now by adding second pages. He stated for Congressman Bachman one year, when she barely won reelection, 10% of the people stopped voting by the time they got to her race and the race was decided by two points.

He thought what the Commission was trying to fix was getting more candidates of diverse background to represent the community and there was a way to do it, called walking shoes.

He stated that RCV wouldn't change anything and his biggest concern was thinking it would fix something. He asked that if it was taken to a city wide ballot, asked that FairVote Minnesota honor that commitment they said about special interest influencing the votes and not to send out mailers.

City Attorney Thomson stated that in hearing all of the comments from Council Members that the proposed action on the requested motion should be modified slightly and the appropriate motion should be: "Motion, Second to not adopt on First Reading" otherwise the Council might not get a motioner or seconder to get it adopted.

5.3 MOTION JORDAN, SECOND TREPANIER TO WAIVE THE READING AND NOT ADOPT ON FIRST READING AN ORDINANCE AMENDING CHARTER CHAPTER 4, SECTIONS 4.01, 4.03 AND 4.09 OF THE HOME RULE CHARTER. MOTION PASSED UNANIMOUSLY.

7.1 Economic Development and Housing Director Erik Hansen briefed the Council on the Ordinance Amending City Code Chapter 112 Pertaining to the Bond Requirement for Certain On-Sale and Off-Sale Licenses.

7.1 MOTION LUNDE, SECOND PARKS TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AMENDING SECTIONS 112.202 AND 112.403 OF THE BROOKLYN PARK CITY

CHAPTER 4

NOMINATIONS AND ELECTIONS

SECTION 4.01 GENERAL ELECTION LAWS TO APPLY (Amended by Ordinance #2019-1244 Effect.11/20/19)

Except as hereinafter provided, the general laws of the State of Minnesota pertaining to registration of voters and the conduct of primary, special and general elections shall apply for all municipal elections of such officers as are specified in this Charter. The Council shall through ordinances duly adopted in compliance with such state laws and this Charter, adopt suitable and necessary regulations for the conduct of such elections.

SECTION 4.02 REGULAR MUNICIPAL ELECTIONS (Amended by Ordinance #1986-537A Effect.11/28/86; #2019-1244 Effect. 11/20/19)

A regular municipal election shall be held on the first Tuesday after the first Monday in November of each even numbered year commencing in 1988 at such time, place or places as the City Council may designate by resolution. The Council may divide the city into as many voting precincts as it may deem necessary. Each district shall constitute at least one voting precinct and no precinct shall be in more than one district. At least fifteen (15) days notice shall be given by the City Clerk of the time and places of holding such election, and of the officers to be elected, by posting a notice thereof in at least one public place in each voting precinct and by publishing a notice thereof at least once in the official newspaper of the city. The city shall maintain a list of all current voting precincts on its website. Uncontrollable circumstances causing failure to give such notice shall not invalidate such election.

The transition from regular elections being held each year to holding elections each two years to coincide with regular state and national elections shall be as follows:

Regular elections shall be held in 1986 and 1987 and the terms shall be as set forth in the transition schedule of Section 2.03. Commencing in 1988, the regular municipal election shall be held in each even numbered year on the same date, the same time, and at the same places as the regular state and national election.

SECTION 4.03 PRIMARY MUNICIPAL ELECTIONS (Amended by Ordinance #2019-1244 Effect.11/20/19)

The Council shall, whenever there are more than two candidates filing for any city-wide office or for resident Council member of any district, provide through ordinance or resolution for a primary election to be held city wide or in any particular district, and such primary election shall be held on a date not less than 25 days prior to the general election. At least 15 days notice shall be given by the Clerk of the time and places of holding such election, and of the officers to be elected, by posting a notice thereof in at least one public place in each district where the election is held, and by publishing a notice thereof on the city website and at least once in the official newspaper of the city. Uncontrollable circumstances causing failure to give such notice shall not invalidate such election.

SECTION 4.04 SPECIAL ELECTIONS (Amended by Ordinance #2019-1244 Effect.11/20/19)

The Council may by resolution order a special election and provide all means for holding such special election, provided that there be published notice of said election on the city website and given in three (3) consecutive weekly issues of the official newspaper of the city, prior to the day of said election. The procedure at such election shall conform as nearly as possible to that prescribed for other municipal elections.

SECTION 4.05 JUDGES OF ELECTION

The Council shall at least twenty-five (25) days before each municipal election appoint qualified voters for each voting precinct to be judges of election therein as provided by state statute.

SECTION 4.06 NOMINATIONS BY PETITION (Amended by Ordinance #1995-782 Effect. 8/15/95; #2000-941 Effect. 3/6/01; #2007-1073 Effect. 10/30/07; #2011-1129 Effect. 1/6/12; #2014-1167 Effect. 7/2/14; #2019-1244 Effect. 11/20/19)

All elective officers provided for by this Charter shall be nominated by petition. The name of any qualified voter of the city shall be printed upon the ballot whenever a petition as hereinafter prescribed shall have been filed in his/her behalf with the City Clerk. Such petition shall contain printed names and signatures of at least twenty-five (25) registered voters for a City Council seat and at least seventy five (75) registered voters for a Mayoral seat, qualified to vote for the office in question. No qualified voter shall sign petitions for more candidates for any office than the number of persons to be chosen for that office at the election; should he/she do so, his/her signatures shall be void as to the petition or petitions last filed. All nominations shall be in the hands of the City Clerk's office by the end of the filing period. A nominating petition for a candidate who will be out of the state during the filing period to submit an affidavit of candidacy along with filing fees and any required petitions may do so during the seven days prior to the candidate's absence. The Clerk shall prepare the ballots with the names of the candidates for an office in a manner to be provided by ordinance. Each petition, when presented, must be accompanied by a \$25 filing fee for a Council seat and a \$75 filing fee for a Mayoral seat, which is non-refundable. Nomination Petitions and Candidate Packets are only available at the City Manager's Office.

SECTION 4.07 NOMINATION PETITIONS (Amended by Ordinance #2000-941 Effect. 3/6/01; #2007-1073 Effect. 10/30/07; #2011-1129 Effect. 1/6/12; #2019-1244 Effect. 11/20/19)

Petitions for the nomination of candidates for elective office shall be in writing, signed by the petitioning voters, with the street and number, if there by such, of their respective residences. Each petition may consist of one or more pages, and the signatures need not all be on the same page. The nomination petition shall contain only one signature on each designated line and no more than 10 signatures on each side of the page. Each page of the nomination petition shall be in the following form provided by the City Clerk's office. Nomination Petitions and Candidate Packets are only available at the City Manager's Office.

(The remainder of this page is intentionally left blank.)

NOMINATION PETITION

We, the undersigned registered voters in the City of Brooklyn Park, hereby nominate _____, whose residence is _____ in the City of Brooklyn Park, for the office of _____ to be voted for at the regular municipal election to be held _____, 20____; and we individually certify that we are qualified registered voters and that we have not signed more nomination petitions of candidates for this office than there are persons to be elected thereto.

	Name (Legal Signature)	Print Name	Address	Date
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____
8.	_____	_____	_____	_____
9.	_____	_____	_____	_____
10.	_____	_____	_____	_____

_____, being duly sworn, deposes and says that he/she circulated the foregoing petition containing no more than 10 signatures, and that the signatures appended thereto were made in his/her presence and are the signatures of the persons whose names they purport to be and that such persons signed the petition of their own free will.

(Circulator)

Subscribed and sworn to before me
this _____ day of _____ 20__

Notary Public

This petition, if found insufficient, shall be returned to _____
at _____.

There must also be filed in the office of the City Clerk by the end of the filing period a written statement signed by the person nominated in a nomination petition, indicating his/her willingness to accept the office for which he/she is nominated, which statement should be in substantially the following form:

I hereby indicate my willingness to accept the office of _____ if elected.

(Signature of Candidate) (Date)

SECTION 4.08 WITHDRAWAL OF CANDIDATE (Amended by Ordinance #2000-941 Effect. 3/6/01)

Any person who has been nominated for election to office under this Charter may, not later than 5:00 p.m. two days after the last day for filing nomination petitions, cause his/her name to be withdrawn from nomination by filing with the City Clerk a written request for withdrawal, and no name so withdrawn shall be printed upon the ballot.

SECTION 4.09 ELECTIONS AND TAKING OF OFFICE (Amended by Ordinance #2000-941 Effect. 3/6/01; #2006-1066 Effect. 3/7/07; #2011-1129 Effect. 1/6/12)

The Council shall meet and canvass the election returns between the third and tenth days after any regular, primary or special election, and shall make full declaration of the results as soon as possible and file a statement thereof with the City Clerk, and said statement shall be made a part of the minutes. This statement shall include: (a) the total number of good ballots cast; (b) the total number of spoiled or defective ballots; (c) the vote for each candidate, with a declaration of those who are elected; (d) a true copy of the ballots used; (e) the names of the judges of election; (f) such other information as may seem pertinent. The City Clerk shall forthwith notify all persons elected to the fact of their election, and the persons elected shall take office at the time provided by Section 3.01 upon taking, subscribing and filing with the City Clerk the required oath of office and a "Statement of Economic Interest" form as prescribed in Sections 14.02 and 14.03.

SECTION 4.10 WRITE-IN CANDIDATES (Added by Ordinance #2019-1244 Effect. 11/20/19)

A candidate for any city office who wants write-in votes for the candidate to be counted must file a written request with the filing officer for the office sought no later than the seventh (7th) day by 5 p.m. before the general or special municipal election. The city clerk shall provide the form to make the request.