

April 18, 2022

**ELECTION CODE COMMITTEE MEETING**

**12:00 PM**

COUNCILMEMBERS PRESENT: Arndt, Canonico, Ohlson  
STAFF PRESENT: Marcus Bodig, Rita Knoll, Ryan Malarky, Tammi Pusheck, Carrie Daggett, Anissa Hollingshead  
CITIZENS PRESENT: Robbie Moreland, Jody DesChenes, Luke Doshier

- 1. CALL MEETING TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**

Robbie Moreland asked when proposed ballot language for any November items might be presented and requested a timeline that takes into account time needed for sufficient public education on the measures. She suggested setting the donor disclosure threshold at \$1,000 instead of \$5,000 for both political committees and small-scale issue committees, if small-scale issue committees need to remain at all. She also requested the Committee clarify in the ordinance whether the requirement to file as a political committee applies to existing organizations.

Jody DesChenes expressed support for reintroducing political committees as long as most, if not all, contributions to, and expenditures by, any and all groups which spend money to have influence in the City's elections for both issues and candidates are disclosed. She also supported setting the donor disclosure threshold at \$1,000 and supported eliminating small-scale issue committees to simplify the process.

Luke Doshier supported the placement of ranked choice voting on the November ballot.

- 4. PUBLIC COMMENT FOLLOW-UP**

Mayor Arndt asked about the definitions of the various committees. City Attorney Daggett replied the Code defines committees based on whether they were formed for the purpose of functioning in a Fort Collins election, supporting Fort Collins candidates, or spending money on Fort Collins issues, and whether they receive contributions for those purposes. She noted the small-scale issue committee category was created in response to federal case law and the \$5,000 limit relates to expenditures, not donations received.

Mayor Arndt commented the high likelihood of national interests spending money on Fort Collins elections. City Attorney Daggett noted any group that may or may not qualify as a committee is required to report once it spends \$250 in a Fort Collins election. A group would then be required to file as a committee once a certain amount of expenditures is met.

Councilmember Ohlson discussed his interest in ensuring large contributions are limited and all contributions are disclosed. He also supported setting the donor threshold at \$1,000 for a reporting trigger.

Chair Canonico asked about the timeline for ballot language. City Attorney Daggett replied Charter language is finalized first and the ballot language will summarize the proposed changes; therefore, she is focused on getting Charter language completed based on the two ballot questions. She stated the ballot language is typically three or four sentences long and could be provided readily.

City Clerk Hollingshead outlined the proposed timeline for Council's hearing of election-related items.

## **5. CONSIDERATION AND APPROVAL OF THE MARCH 21, 2022 COMMITTEE MEETING MINUTES**

Councilmember Ohlson made a motion, seconded by Mayor Arndt, to approve the minutes of the March 21, 2022 committee meeting. The motion was adopted unanimously.

## **6. PRESENTATION OF REDISTRICTING OPTIONS**

Marcus Bodig, GIS Manager, discussed the rules that must apply when redistricting, including following County precinct lines, not removing a Councilmember from their district, and having a maximum deviation between districts of 10%. He noted the County uses registered voter numbers rather than population for its redistricting and the number of precincts in Fort Collins has gone down from 112 to 68 because the County used 2,000 registered voters per precinct rather than 1,500 which was the original state requirement.

Bodig provided the two options for redistricting.

City Attorney Daggett noted the Charter states the six districts should be essentially equal in size, contiguous, and compact.

Councilmember Ohlson stated he is not yet ready to make a recommendation. Chief Deputy City Clerk Knoll noted the next Committee meeting is May 16<sup>th</sup> with this item set to go before Council May 17<sup>th</sup>.

Councilmember Ohlson suggested a different or additional meeting of the Committee.

Mayor Arndt noted the first option provides a much lower maximum deviation than the second.

Members agreed to meet May 9<sup>th</sup> to formulate a recommendation.

Councilmember Ohlson noted the options build in no projections for growth and yet lock in district boundaries for ten years until the next Census. City Attorney Daggett noted the discussion around what should be in the Code to trigger redistricting still needs to be finalized. She noted one of the challenges with more frequent redistricting is potentially having people not be able to vote for a Council representative in more than one election in a row. She stated the current Code language requires an examination of districts following any precinct changes by the County; however, Council has been recognizing the Code language was going to trigger frequent redistricting and therefore waiving the requirement.

Councilmember Ohlson asked if adjustments can be made if population dramatically shifts in four to six years. City Attorney Daggett stated that goes to the question of what should trigger reexamining districts, which may be annexations of areas of a certain size.

Mayor Arndt suggested using a percentage of population growth. City Attorney Daggett suggested looking at historic population growth numbers.

Chief Deputy City Clerk Knoll noted any breach of the district boundaries by a County precinct would also trigger a redistricting.

## **7. REVIEW OF POTENTIAL BALLOT QUESTIONS DISCUSSION AT THE MARCH 22, 2022 WORK SESSION**

City Clerk Hollingshead stated the likely two ballot questions for November will be the implementation of ranked choice voting in Fort Collins beginning in 2025 and shifting to November coordinated elections in 2023.

City Attorney Daggett noted there is language in the ranked choice voting measure that would work if the City runs April elections or if the County runs November elections. She provided additional detail on the measures and the effects of one or both getting approved by voters. She noted the City does not currently have its own local term limits and is going off what is included in the State constitution, though the City does have the authority to make its own. She discussed a current court case involving term limits in Thornton.

Members discussed the possibility of changing from alphabetical candidate listings on the ballot.

#### **8. REVIEW OF POTENTIAL CAMPAIGN FINANCE CODE AMENDMENTS**

Councilmember Ohlson stated he would like the donor disclosure threshold to be \$1,000 instead of \$5,000 and would like to have as much transparent disclosure as possible.

City Attorney Daggett stated staff will work on options for some of the provisions and for the definition of a committee.

Mayor Arndt also requested more information on the definitions of Council committees. City Attorney Daggett replied the Finance Committee is the only Council committee with a formalized codified definition. All other committees have been formed by Council resolution.

#### **9. PROPOSED TIMELINE**

#### **10. OTHER BUSINESS**

#### **11. ADJOURNMENT**

The meeting adjourned by unanimous consent at 1:34 PM

### **MINUTES APPROVED AT THE MAY 9, 2022 ELECTION CODE COMMITTEE MEETING**