

May 9, 2022

ELECTION CODE COMMITTEE MEETING

12:00 PM

COUNCILMEMBERS PRESENT: Canonico, Ohlson, Francis
STAFF PRESENT: Marcus Bodig, Rita Knoll, Ryan Malarky, Tammi Pusheck, Carrie Daggett, Anissa Hollingshead, Kelly DiMartino
CITIZENS PRESENT: Martha Coleman, Sarah Tar, William Russell, Nick Armstrong, Marge Norskog, Robbie Moreland

1. CALL MEETING TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

Martha Coleman discussed using Census data throughout her career as a geographer, including to assist with state redistricting. She presented a map option for City redistricting that would keep the current districts similarly shaped with the fewest boundary changes possible and a maximum deviation of 8.4%, which is within the 10% threshold. Additionally, she stated the map keeps Councilmembers within their districts, does not create unnecessary changes, and primarily maintains County precincts.

Sarah Tar expressed support for referring ranked choice voting to the ballot and commented on the success of the public outreach campaign related to the topic.

William Russell expressed support for keeping the City's district boundaries as close to the current boundaries as possible.

Nick Armstrong expressed support for option two presented by staff for redistricting. He also commented on needed infrastructure in the northeast part of town and expressed support for ranked choice voting.

Marge Norskog commented on the proposed redistricting options expressing concern about possibly dividing her neighborhood which has four distinct boundaries and should be represented by one Councilmember.

Robbie Moreland expressed support for the draft ranked choice voting ballot language as well as for the campaign finance Code changes. She thanked the Committee for its work on the issues.

4. PUBLIC COMMENT FOLLOW-UP

City Attorney Daggett noted there are different redistricting, or reapportionment, processes at the state level and at other levels; the City's process is driven mainly by the Charter with some constitutional principles that have been applied. She noted the standard that is most critical for this process is what is laid out in the Charter and requires six contiguous, reasonably compact districts, each of which shall consist of contiguous, undivided general election precincts, and, to the extent reasonably possible, an equal number of inhabitants. She noted it will therefore be important to ensure contiguity and compactness when considering redistricting in the city.

Chair Canonico asked if there is anything problematic with Ms. Coleman's suggested option. City Attorney Daggett replied it should be considered whether the contiguity and compactness are compromised and whether the 8.4% deviation is acceptable when other options have a much smaller level of deviation. Chair Canonico clarified the staff option two has a 9% deviation and option one has 5.19%.

Councilmember Ohlson stated Ms. Coleman's option three seems to be a better option as it is not as dramatic a shift from the historic precedent. He commented on the fact that some of the districts will naturally be more compact than others.

Mayor Pro Tem Francis expressed concern about the dramatic changes contemplated in the two staff-proposed options. She encouraged additional analysis by staff of the option presented by Ms. Coleman. Marcus Bodig, GIS Manager, replied staff has already determined the option to be viable and accurate.

Chair Canonico concurred the two staff-proposed options were concerning in the changes they proposed and stated option three achieves the requirements of the Charter.

City Attorney Daggett suggested staff and the Committee may want to take a bit more time to examine the third option. She also suggested moving the next Committee meeting up to allow for one more prior to the June 21st Council meeting, the agenda for which includes this item and other election-related items.

5. CONSIDERATION AND APPROVAL OF THE APRIL 18, 2022 COMMITTEE MEETING MINUTES

Councilmember Ohlson made a motion, seconded by Chair Canonico, to approve the minutes of the April 18, 2022 Committee meeting. The motion was adopted unanimously.

6. PRESENTATION OF REDISTRICTING OPTIONS AND POSSIBLE RECOMMENDATION

(*Secretary's Note: This topic was discussed as part of Public Comment and Follow-up.)

7. REVIEW OF POTENTIAL BALLOT QUESTIONS

City Clerk Hollingshead presented proposed ballot question language and potential Charter language changes.

Councilmember Ohlson supported the language provided for both the ranked choice voting and November elections ballot questions.

Chief Deputy City Clerk Knoll asked if there is a preference for the order of the questions on the ballot, which is how they should be presented in the agenda materials for the full Council.

City Attorney Daggett noted the language was developed to ensure the passage of either or both items would not create issues.

Mr. Armstrong suggested the City create some type of educational video or FAQ page describing the difference between the current election system and the election system that would exist with ranked choice voting and November elections.

8. REVIEW OF POTENTIAL CAMPAIGN FINANCE CODE AMENDMENTS

City Attorney Daggett noted the yellow highlighted items represent substantive changes from the previous discussion and she outlined those changes. Members and staff discussed mailing list purchasing and in-kind donations of services provided versus volunteering. Mr. Armstrong suggested individuals who are asked to do something they otherwise do professionally should be required to report the service as an in-kind donation.

Councilmember Ohlson expressed support for a \$75 limit for an in-kind donation.

Mayor Pro Tem Francis noted not everyone has the ability to contribute \$75 but can contribute skills or time, and limiting that value to \$75 could have unintended consequences for candidates who may not have a network of individuals who can donate cash.

City Attorney Daggett stated staff could return with language options and stated there may be some value in distinguishing between contributions of work from more formal, organized providers and from a person who may have certain skills in an area.

Members agreed to further discuss the in-kind donation topic.

City Attorney Daggett outlined additional potential campaign finance code amendments including reporting threshold changes and language relating to political committees. Chair Canonico commented specifically on billboard costs and some candidates reporting those as \$75 in-kind donations.

Mr. Armstrong commented on campaigns relying on vendors to detail costs rather than putting the onus on candidates to determine the value of certain in-kind contributions. Chair Canonico stated there should be some responsibility on the part of the candidate to look into what other candidates were charged for the same item.

Councilmember Ohlson commented on his desire to ensure transparency in in-kind contributions.

City Attorney Daggett stated there may be a way to guide candidates to carefully examine in-kind contributions that are likely to be worth more than \$75.

City Attorney Daggett outlined possible changes to election infractions and the use of committee funds to pay penalties. Members agreed to further discuss certain issues.

Staff committed to working to find an earlier date for the next meeting.

9. PROPOSED TIMELINE

No discussion.

10. OTHER BUSINESS

None.

11. ADJOURNMENT

The meeting adjourned by unanimous consent at 1:36 PM

MINUTES APPROVED AT THE MAY 31, 2022 ELECTION CODE COMMITTEE MEETING