

November 15, 2021

ELECTION CODE COMMITTEE MEETING

12:00 PM

COUNCILMEMBERS PRESENT: Arndt, Canonico, Ohlson
STAFF PRESENT: Carrie Daggett, Tammi Pusheck, Ryan Malarkey
CITIZENS PRESENT: Robbie Moreland, Jody Deschanes (remote)

1. CALL MEETING TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

Robbie Moreland stated she is looking forward to hearing from County Clerk Angela Myers regarding moving elections to November and about the County's readiness for ranked choice voting. She provided information regarding the RCV Resource Center's state readiness assessment for Colorado and discussed other municipalities that use ranked choice voting. She encouraged the Committee to refer ranked choice voting to the ballot.

Jody Deschanes thanked the Committee for its work on election reform items and expressed support for Ms. Moreland's comments.

4. PUBLIC COMMENT FOLLOW-UP

Councilmember Ohlson encouraged the Committee to work on both issues to ensure no deadlines are missed in terms of placing an item on the ballot.

City Attorney Daggett stated the deadlines for most items are in late summer and she discussed deadlines for charter amendments.

5. CONSIDERATION AND APPROVAL OF THE SEPTEMBER 20, 2021 AND OCTOBER 18, 2021 COMMITTEE MEETING MINUTES

Vice Chair Arndt made a motion, seconded by Councilmember Ohlson, to adopt and approve the meeting minutes of September 20 and October 18, 2021. The motion was adopted unanimously.

6. CONSIDERATION AND PROPOSAL TO MOVE TO NOVEMBER ELECTIONS AND RELATED ACTIONS

a. Guest: Angela Myers, Larimer County Clerk and Recorder

Angela Myers, Larimer County Clerk, discussed the differences between odd and even year November coordinated elections noting they are administered differently because of different requirements. Additionally, the volume of response is quite higher in even year elections and the even year elections are partisan.

Vice Chair Arndt asked about the average voter turnout difference for the odd and even year elections. County Clerk Myers replied turnout is based on interest and tends to be in the high 80% to low 90% range in Larimer County. Odd year elections tend to have a turnout rate of 30-40% of active registered voters.

Vice Chair Arndt asked about the logistics of placing the City's non-partisan election on an even year ballot, and potentially including ranked choice voting in that. County Clerk Myers replied she is unsure whether party affiliation can be left off an even year ballot.

Chair Canonico asked if the County's equipment can tally ranked choice voting. County Clerk Myers replied the Secretary of State's office is still working on details of equipment or upgrade needs.

Councilmember Ohlson stated he would prefer to move to even year November elections and is also supportive of ranked choice voting. He commented on the history of changes made to City elections and stated he would like to see staff focus on even year November elections and forego any further discussion of odd year November elections.

Interim City Clerk Pusheck asked how costs are allocated to participating municipalities in a coordinated election. County Clerk Myers replied all participating entities share in the cost of the election via a pro rata share based on the number of voters served by that entity. She noted the state pays a flat \$0.80 per active registered voter when it has a question on the ballot. She also stated any ranked choice voting costs would be more directly linked to the City, specifically any required licensing costs from the Secretary of State's office which could significantly add to the cost of an election for the City.

Interim City Clerk Pusheck asked if there is an additional cost if a municipality's questions cause the ballot to go to another page. County Clerk Myers replied in the affirmative but stated that has not occurred in the past; however, there has been some discussion about giving consideration to the volume of the ballot taken up by each of the municipalities.

Chair Canonico asked how each round of running ballots in a ranked choice voting election would be charged. County Clerk Myers replied the additional time costs associated with that would be exclusively attributed to the City.

Interim City Clerk Pusheck asked how the order of the ballot items is determined. County Clerk Myers replied it is statutory and also based on timing of when ballot items are certified to the County.

City Attorney Daggett asked about the typical order of an even year November ballot. County Clerk Myers replied candidates are first with the national, statewide, and countywide candidates first followed by municipal candidates, then any ballot questions would be listed in the same order.

Chair Canonico thanked County Clerk Myers for her time.

Jennifer Poznanovic discussed the impacts to tax-related ballot items should there be a move to a November coordinated election. She noted further detail will be provided at an upcoming Council Finance Committee meeting.

City Attorney Daggett noted staff provided a chart related to pros and cons of making the change to a November coordinated election during one of this Committee's first meetings.

Vice Chair Arndt suggested contacting CML for input from other municipalities that have made the change to November elections.

Councilmember Ohlson stated there should not be fear of moving forward because of perceived one-time glitches. He also noted it is not necessary to wait for taxes to expire to place their renewal on the ballot. He asked if Council could place an item on the 2022 ballot if so desired. Jennifer Poznanovic replied November of 2022 would be the earliest election opportunity to place an item on the ballot.

b. Term transition follow-up

Interim City Clerk Pusheck provided a proposed term transition timeline for moving forward with November elections and creating ballot language if necessary.

Chair Canonico asked if there are any issues at the state level with extending Council terms as would be required for a shift to November elections. City Attorney Daggett replied there is no legal issue. Committee members discussed the pros and cons of various term transitions and noted any switch would go before voters in November of 2022.

7. REDISTRICTING UPDATE

Interim City Clerk Pusheck noted it has been determined redistricting can not occur in-house; therefore, a consultant is being sought to move forward.

Councilmember Ohlson asked if it has been determined College Avenue is no longer a hard and fast district division line. Staff members replied in the affirmative.

Councilmember Ohlson commented on the importance of ensuring an incumbent is not moved out of a district during the redistricting process and on the importance of a fair and common sense process.

8. PROPOSED TIMELINE FOR BALLOT QUESTION APPROVAL

Interim City Clerk Pusheck noted a February work session for a discussion of November elections has been scheduled with a hope that will result in a recommendation allowing the City Attorney's Office to draft language for June Council meetings.

Vice Chair Arndt stated she would like to have an estimated cost of implementing ranked choice voting to provide transparency to voters. City Attorney Daggett stated the County may actually need to complete an election with ranked choice voting prior to an accurate cost estimate being available.

Councilmember Ohlson stated he wanted to ensure no technical deadlines would be missed on placing ranked choice voting on the ballot.

Committee members discussed the necessary timeline for ballot issues.

9. FUTURE ELECTION CODE COMMITTEE DATES WITH SCHEDULING CONFLICTS

Interim City Clerk Pusheck noted all meetings dates with a conflicting Monday holiday have been rescheduled. She asked if members would like to continue with a hybrid meeting format. Committee members replied in the affirmative.

10. OTHER BUSINESS

Vice Chair Arndt and Chair Canonico reported on a discussion regarding publicly-financed elections.

11. ADJOURNMENT

The meeting adjourned by unanimous consent at 1:10 PM

MINUTES APPROVED AT THE JANUARY 10, 2022 ELECTION CODE COMMITTEE MEETING