

April 24, 2024

**ELECTION CODE COMMITTEE MEETING**

**4:35 PM**

COMMITTEE MEMBERS PRESENT: Arndt, Pignataro, Canonico  
STAFF PRESENT: Rita Knoll, Rupa Venkatesh, Sara Arfman, Tyler Robbins,  
Carrie Daggett, Heather Walls  
OTHER COUNCILMEMBERS PRESENT: Potyondy

**1. CALL MEETING TO ORDER**

**2. ROLL CALL**

**3. PUBLIC PARTICIPATION**

Robbie Moreland suggested only a modest increase in campaign contribution limits should be allowed and stated a quasi-judicial election oversight commission would provide an enforcement mechanism without the conflict-of-interest issues that currently exist. Additionally, Moreland supported public financing of elections and making any Charter changes necessary to allow for the formation of an election oversight committee.

Pat Skrentny-Lamb asked about the City's plan for voter outreach and education ahead of the November 2025 ranked choice election. Lamb suggested the City and League of Women Voters could coordinate efforts to assure broad reach across the various voting demographics.

**4. PUBLIC PARTICIPATION FOLLOW-UP**

Mayor Arndt thanked the speakers and concurred driving up voter turn-out is important. She also concurred any increase in campaign contribution limits should be modest and stated outreach should be spearheaded by the Clerk's Office, particularly focused on ranked choice voting, and concurred any organizations who are willing to assist on that front would be helpful. Additionally, she concurred with the suggestion of changing the Charter to remove the barrier from forming an election oversight committee, though she stated steps have been taken to insulate the City Attorney from having to investigate campaign finance violations.

Assistant City Manager Venkatesh noted City Clerk Interviews are under way and ranked choice voting education will be a priority item for the incoming Clerk.

Councilmember Potyondy asked when campaign contribution limits were last raised. Staff members replied several changes were made in the 1980's, but in 2000, the current limits were set.

Councilmember Potyondy expressed concern about equity implications for candidates who do not have time to make phone calls for small donations and suggested inflation should be considered when looking at campaign contribution limits.

Councilmember Canonico noted very low campaign contribution limits can lead people to donate to PACs.

**5. APPROVAL OF MINUTES**

***Mayor Arndt made a motion, seconded by Councilmember Pignataro, to approve the minutes of the March 27, 2024, meeting. Ayes: Canonico, Arndt, and Pignataro. Nays: None.***

***THE MOTION CARRIED.***

## 6. DISCUSSION/INFORMATIONAL ITEMS

### A. Potential Charter Amendments.

*The purpose of this item is to present potential Charter amendments to the following Articles:*

1. Article VIII – Elections

2. Article IX – Recall

3. Article X – Initiative and Referendum

Heather Walls, Interim City Clerk, stated the Charter amendments are currently planned for first reading on June 18 with second reading on July 2.

City Attorney Daggett reviewed the potential Charter amendments and timing issues.

Councilmember Pignataro suggested clarifying 'working days' are City organization working days. Mayor Arndt suggested the possibility of using calendar days.

City Attorney Daggett stated it would likely be better to do one Charter-wide time computation provision.

Councilmember Pignataro asked if the idea of a specific campaign season having has ever been considered.

Mayor Arndt questioned how that would work with state statutes related to declaring candidacy.

Councilmember Potyondy stated one downside to having a defined campaign period is the decreased time frame for fundraising and active campaigning.

City Attorney Daggett noted many of the timeframes in the Charter relate to the mechanics of the election or initiative/referendum processes.

Chief Deputy City Clerk Knoll noted there are considerations of requiring at least one earlier financial report.

Members and staff further discussed the 180-day requirement for nomination petition circulation and Knoll noted that should be earlier in the year, so candidates know what rules they are following.

Councilmember Pignataro stated having a visual timeline would be helpful.

Knoll also noted candidate guidelines are expected to be published earlier and earlier.

Members discussed utilizing February 1<sup>st</sup> as the date rather than 180 days.

City Attorney Daggett outlined other potential Charter amendments, including a change related to how long individuals are barred from running for office after certain things, such as being recalled. She went on to outline amendments related to timeframe updates and notification in the recall section.

City Attorney Daggett stated it was discovered that some of the dates for the protest process for referendums were not workable. Additionally, she discussed amendments that need to be made related to write-in candidates.

City Attorney Daggett reviewed the proposed amendments related to initiative and referendum, including creating self-contained divisions that explain each process.

### B. 2024 Work Plan

Heather Walls, Interim City Clerk, stated the Work Plan includes Charter amendments, campaign finance, education for ranked choice voting, an election oversight committee, and public financing of elections.

## 7. OTHER BUSINESS

## 8. ADJOURNMENT

The meeting adjourned by unanimous consent at 5:58 P.M.

Clerk

ECC 4/23

I'm Robbie Moreland and I live in District 1.

First, I want to paraphrase something Senator Bennet said at CSU this week:

“Our entire democracy depends on the willingness of people to be involved. That’s going to be the difference between whether we succeed or whether we fail.”

He summed up why I continue to advocate for nonpartisan, pro-democracy election reforms. I just think it’s important.

Section 7-131 of our municipal code says quote . . .

“The City Council hereby finds and declares that large campaign contributions to political candidates allow wealthy contributors and special interest groups to exercise a disproportionate level of influence over the political process; that large campaign contributions create the potential for corruption and the appearance of corruption; that the rising costs of campaigning for political office prevent qualified citizens from running; and that the interests of the public are best served by limiting campaign contributions, full and timely disclosure of campaign contributions and strong enforcement of campaign laws.”

So, when and if discussions begin about raising the contribution limits, I think a modest increase makes sense, say \$100 for Council and \$150 or \$200 for Mayor, but as the declaration says, large campaign contributions are not in the best interests of the public.

That last sentence in the declaration also says that the interests of the public are best served by strong enforcement of campaign laws. In my opinion, we don’t currently have strong enforcement.. A quasi-judicial election oversight commission would provide such an enforcement mechanism without the conflict of interest issues that we currently have.

Finally, the declaration states that rising costs of campaigning prevent qualified citizens from running for office. Public financing of elections, such as a dollar-for-dollar matching program, is an obvious solution to this issue.

As you are finishing the Work Plan for this session, I hope that keeping campaign contribution limits low, instituting public financing of elections and establishing an election oversight commission make it back on the list.

What IS on your list for the next few months are updates to the Charter. Ms. Daggett said at the last meeting that if we were to create a Quasi-Judicial election oversight commission, there would be provisions in the Charter that would need to be updated to allow for it. I didn’t see this addressed in the suggested Charter changes for this November’s ballot. If there are fairly minor modifications that could allow for the possibility of such a commission in the future, please consider them in your proposed charter changes for this November’s ballot so that near-term implementation of this commission isn’t hampered by Charter restrictions.

Thank You!