



AGENDA ITEM SUMMARY

Election Code Committee

STAFF

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SUBJECT

Planning Future Work for the Election Code Committee.

EXECUTIVE SUMMARY

The Election Code Committee began its work in the current term following the April 2021 Municipal Election. At its last meeting prior to the November special election that included three City ballot questions, the Committee agreed to next convene in December to review the results of that election and plan for any necessary future work.

At this stage, staff has begun the process of evaluating what work will be necessary as a result of the approved Charter changes. There are potential Code changes to be considered and more likely to be identified. Other areas of work the Committee may be interested in over the remaining current term could include consideration of needed additional Charter changes as well as further work on the Committee's identified priorities.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. How should the Committee be engaged in needed adjustments, including Code amendments, ahead of the shift to November regular municipal elections?
2. What potential Charter amendments are a priority for future consideration?
3. Are there existing priorities the Committee would like to continue working on in the current term?
4. What meeting cadence would the Committee like to follow going forward?

BACKGROUND / DISCUSSION

Since beginning its work in the current term following the April 2021 Municipal Election, the Election Code Committee has met 14 times. The Committee established and prioritized seven main topics for its consideration. The Committee has made substantial progress on the first four of these priorities, including placing two election-related Charter amendments on the November 2022 ballot as a special election, as well as completing the redistricting process following the decennial census and making updates to the campaign finance provisions of City Code.

Typically, the Committee pauses meeting in the fall before a spring election. There was some consensus at the last meeting of the Committee in August to pause meetings until after the next municipal election. This also included acknowledgement, however, that because of the potential timing shift for regular municipal elections, it may be necessary for the Committee to determine if it would like to continue meeting and at what intervals to continue any needed work.

There are three areas of potential ongoing election-related work for the Committee's consideration:

1. Follow up needed after adoption of Charter changes in the Special Election
2. Consideration and prioritization of potential future Charter amendments
3. Further work on the Committee's priorities

FOLLOW UP NEEDED AFTER ADOPTION OF CHARTER CHANGES IN THE SPECIAL ELECTION

The passage by Fort Collins voters in November of 2022 of both ballot questions relating to the administration of municipal elections may require further work by this Committee, including vetting potential code changes in support of the transitions that have been approved by voters. This includes changing the nomination deadlines for candidates for City Council in order to meet deadlines for submitting ballot content to the County if coordinated elections will be held.

Staff has begun developing a list of potential Code changes for consideration. That work will be continuing over the next few months to ensure careful consideration has been given to needed adjustments.

There is also a need to identify other process and procedural changes that will need to occur internally as a result of these shifts. Organization-wide, these efforts are being coordinated by the City Manager's Office. Within the City Clerk's Office, work is occurring on identifying needed work shifts around election administration specifically.

POTENTIAL FOR FUTURE CHARTER AMENDMENTS AND BALLOT QUESTIONS

In addition to existing topics for potential amendments to the City Charter that have been discussed previously, additional areas for possible attention continue to be identified. This includes considering changes to qualifications for elected office outlined in the Charter in response to some potential legal issues that have been raised, as well as some refinement of the procedures the Charter outlines for referenda.

The shift from April to November elections represents a change to potential ballot opportunities that make it more important to strategically plan for possible ballot questions.

COMMITTEE PRIORITIES

These are the priorities identified by the Committee at the outset of this term:

Main Topics of Discussion in Priority Order

1. Redistricting
2. Campaign Finance Provisions
3. November Elections
4. RCV
5. Public Financing of Elections
6. Election Oversight Board
7. Partisan/Non-Partisan Elections

As noted, work on these items has been occurring since mid-2021 with the current composition of the Election Code Committee, with substantial action occurring on the first four priorities. The Committee also heard focused presentations on priority 5, the public financing of elections.

Given staff's current focus on both identifying and implementing needed changes as a result of the Charter amendment adoptions as well as the currently occurring referendum process, the ability to complete work on additional priorities in 2023 is limited. It is also important to ensure staff is clearly hearing from the Committee around its expectations and what areas of work are continued as possible. From the discussions occurring in August, there was a desire from the Committee to continue work around public financing of elections. If the Committee continues to agree that is a priority for future work, work will continue to ensure that can be considered for potential implementation prior to 2025.