

Fort Collins City Council Election Code Committee Agenda

Special Meeting

12 p.m., Monday, December 5, 2022

CIC Conference Room at City Hall, 300 Laporte Ave, Fort Collins, CO 80521

Zoom Webinar link: <https://fcgov.zoom.us/j/93910757534>

Committee Members:

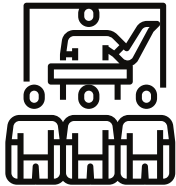
Tricia Canonico, District 3, Chair
Jeni Arndt, Mayor, Vice-Chair
Kelly Ohlson, District 5
Julie Pignataro, District 2, alternate

NOTICE:

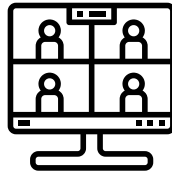
Regular meetings of the Election Code Committee are held on the 3rd Monday of each month at 12:00 p.m. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in-person meeting in the CIC Conference Room at City Hall.

Councilmembers may participate in this meeting via electronic means pursuant to their adopted policies and protocol.

How to view this Meeting:



Meetings are open to the public and can be attended in person by anyone.



Meetings are available through the Zoom platform, electronically or by phone.

Call in: +1 720 928 9299

Meeting ID: 939 1075 7534

Upon request, the City of Fort Collins will provide language access services for individuals who have limited English proficiency, or auxiliary aids and services for individuals with disabilities, to access City services, programs and activities. Contact 970.221.6515 (V/TDD: Dial 711 for Relay Colorado) for assistance. Please provide 48 hours advance notice when possible.

A solicitud, la Ciudad de Fort Collins proporcionará servicios de acceso a idiomas para personas que no dominan el idioma inglés, o ayudas y servicios auxiliares para personas con discapacidad, para que puedan acceder a los servicios, programas y actividades de la Ciudad. Para asistencia, llame al 970.221.6515 (V/TDD: Marque 711 para Relay Colorado). Por favor proporcione 48 horas de aviso previo cuando sea posible.



There are four options for members of the public who would like to participate in or provide input regarding Council Committee meetings:

Comment in real time:



In person attendees can address the Committee in the Meeting room .



During the public participation portion of the meeting and discussion items:

The public can join the Zoom webinar and comment from the remote meeting, joining online or via phone.

Join the online meeting using the link in this agenda to log in on an internet-enabled smartphone, laptop or computer with a speaker and microphone. Using earphones with a microphone will greatly improve audio experience. To be recognized to speak during public participation portions of the meeting, click the 'Raise Hand' button.

Participate via phone using the call-in number and meeting ID below. Enter the meeting ID when prompted, and then hit the # key.

Call-in number: 720 928 9299

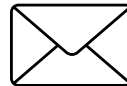
Meeting ID: 939 1075 7534

During public participation opportunities in the meeting, press *9 to indicate a desire to speak.

Submit written comments:



Email comments about any item on the agenda to cityleaders@fcgov.com



Written comments can be mailed or dropped off at the City Clerk's Office at City Hall, at 300 Laporte Ave, or by mail to PO Box 580, Fort Collins, CO 80522

2021-2022

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

The Election Code Committee is supported by the Office of the City Clerk
cityclerk@fcgov.com 970.221.6515



Agenda

Election Code Committee Meeting

December 05, 2022 – 12:00 PM

**CIC Conference Room, City Hall, 300 Laporte Ave and via Zoom at
<https://fcgov.zoom.us/j/93910757534>**

Remote Participation Available

A) Call Meeting to Order

B) Roll Call

C) Public Participation

D) Public Participation Follow-up

E) Approval of Minutes

1. Approval of the minutes of the August 15, 2022, Election Code Committee meeting.

The purpose of this item is to approve the minutes of the August 15, 2022, meeting of the Election Code Committee.

F) Discussion / Informational Items

2. Consideration and Action on Recommendation to Amend the Effective Date of the 2022 Council District-Precinct Map.

This item moves forward the clarification and amendment of the District-Precinct Map in order to eliminate confusion and practical impacts and inconsistencies in Councilmember districts.

3. Planning Future Work for the Election Code Committee.

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.

G) Review of Upcoming Calendar

H) Other Business

I) Adjournment

Next Regular Scheduled Committee Meeting would be: 12:00 PM, January 16, 2023
(this date is a City holiday)

Upon request, the City of Fort Collins will provide language access services for individuals who have limited English proficiency, or auxiliary aids and services for individuals with disabilities, to access City services, programs and activities. Contact 970.221.6515 (V/TDD: Dial 711 for Relay Colorado) for assistance. Please provide 48 hours advance notice when possible.

A solicitud, la Ciudad de Fort Collins proporcionará servicios de acceso a idiomas para personas que no dominan el idioma inglés, o ayudas y servicios auxiliares para personas con discapacidad, para que puedan acceder a los servicios, programas y actividades de la Ciudad. Para asistencia, llame al 970.221.6515 (V/TDD: Marque 711 para Relay Colorado). Por favor proporcione 48 horas de aviso previo cuando sea posible.

December 5, 2022



AGENDA ITEM SUMMARY

Election Code Committee

STAFF

Anissa Hollingshead, City Clerk

SUBJECT

Approval of the minutes of the August 15, 2022, Election Code Committee meeting.

EXECUTIVE SUMMARY

The purpose of this item is to approve the minutes of the August 15, 2022, meeting of the Election Code Committee.



Minutes

Election Code Committee Regular Meeting

August 15, 2022 – 12:00 PM

CIC Conference Room, City Hall, 300 Laporte Ave and via Zoom at
<https://fcgov.zoom.us/j/93910757534>

Remote Participation Available

A) Call Meeting to Order

Chair Canonico called the meeting to order at 12:02 p.m.

B) Roll Call

PRESENT

Chair Councilmember Tricia Canonico

Mayor Jeni Arndt

Councilmember Kelly Ohlson (arrived at 12:10 p.m.)

C) Public Participation

An online speaker with the Chamber of Commerce requested the Chair speak louder to be heard over the Zoom meeting.

Owen Perkins (online) spoke in support of including public financing of elections as an ongoing priority, and taking an action prior to the next election to go into effect in the following election cycle to allow separation of the Council voting on this with those running in the following cycle.

D) Public Participation Follow-up

Mayor Arndt clarified that depending upon the outcome of the vote on ballot questions, there may not be an election until November of 2023.

E) Approval of Minutes

Motion made by Mayor Arndt, Seconded by Chair Canonico.

Voting Aye: Chair Canonico, Mayor Arndt

Excused: Councilmember Ohlson

1. Approval of the minutes of the June 16 and June 27, 2022, Election Code Committee meetings.

The purpose of this item is to approve the minutes of the June 16 and June 27, 2022, meetings of the Election Code Committee.

Arndt moved, seconded by Canonico, to approve the minutes.

Approved 2-0.

Excused: Ohlson.

F) Discussion / Informational Items

2. Consideration of shifts to requirements in Municipal Code for redistricting.

The purpose of this item is to allow the Committee to consider what shifts might be helpful to the requirements currently contained in City Code relating to redistricting. Since the current redistricting process has just concluded, this is an excellent time to consider what has worked well in the existing process, and where improvements might be appropriate.

Chair Canonico introduced the item and requested an overview from staff. City Attorney Daggett provided information about current redistricting requirements and the rationale for considering potential shifts in the code language regarding redistricting triggers.

Discussion by the committee included:

Mayor Jeni Arndt:

- Expressed a desire for the least political process possible.
- In terms of triggers, annexation would be a big potential one.
- Suggested standard timing of every ten years, except when a super majority of Council approves a special process due to extraordinary circumstances, such as a large annexation with existing residents rather than open land.

Councilmember Kelly Ohlson:

- Noted he has not observed concern with the timing of redistricting being politicized, leading to being unsure of the need for a supermajority vote to undertake an additional redistricting, although not unsupportive.
- Also brought up questions about why it is difficult to guess the numbers for CSU student population. It was clarified that the challenge comes from using decennial census data as the initial basis for redistricting after it is completed. For other updates in between census years, there are challenges with coming up with alike mechanisms for population estimates. He indicated he didn't think it needs to be as complicated and close is good.
- Requested a list of recent redistricting dates for the history.

There was discussion about the need to follow up with the County regarding their process of establishing precinct boundaries.

The Committee indicated it was comfortable with continuing the existing process of the Council reviewing and approving district boundaries.

3. Review of priorities set by the Election Code Committee

Since beginning its work following the April 2021 Municipal Election, the Election Code Committee has met 13 times. Beginning with its first meeting, the Committee established seven main topics of discussion and their priority for addressing. The Committee has made substantial progress on the first four of these priorities. At this time, it is appropriate to identify what additional work, if any, the committee wishes to pursue ahead of the next municipal election, currently scheduled to occur in April of 2023.

City Clerk Anissa Hollingshead provided an overview of this topic for the committee.

Committee discussion included:

Councilmember Kelly Ohlson:

- Open to a break in committee meetings or not.

- Noted it may not be likely for any further action on the Committee's priorities before the next election, particularly if that election still occurs in April but that he would still like it to be clear the Committee intends to continue pursuing the remaining priorities.

Mayor Jeni Arndt:

- Supportive of taking a break until the next election.

All committee members expressed interest in maintaining action on the remaining priorities. There was discussion of the potential to take a break at this time until the November meeting, following the special election ballot questions. Staff was asked to find a November date for a meeting, as the regular meeting date falls the week of Thanksgiving.

Public financing of elections was specifically identified as an ongoing priority to remain focused on with the potential to adopt for November 2023 elections if the election date is shifted. There was a request from the committee to see two-three examples of how this has been put in place in other jurisdictions to start discussions.

G) Review of Upcoming Calendar

It was determined the September and October meetings should be cancelled. A date in November or December following the special election will be set for the next meeting to review a potential ordinance amending redistricting provisions as well as determine potential next steps on exploring public financing of elections in light of the results of the special election on the ballot questions.

H) Other Business

None.

I) Adjournment

There being no further business before the committee, Chair Canonico adjourned the meeting at 12:50 p.m.

Next Scheduled Committee Meeting: 12 p.m., September 19, 2022 – to be cancelled.

Upon request, the City of Fort Collins will provide language access services for individuals who have limited English proficiency, or auxiliary aids and services for individuals with disabilities, to access City services, programs and activities. Contact 970.221.6515 (V/TDD: Dial 711 for Relay Colorado) for assistance. Please provide 48 hours advance notice when possible.

A solicitud, la Ciudad de Fort Collins proporcionará servicios de acceso a idiomas para personas que no dominan el idioma inglés, o ayudas y servicios auxiliares para personas con discapacidad, para que puedan acceder a los servicios, programas y actividades de la Ciudad. Para asistencia, llame al 970.221.6515 (V/TDD: Marque 711 para Relay Colorado). Por favor proporcione 48 horas de aviso previo cuando sea posible.

December 5, 2022



AGENDA ITEM SUMMARY

Election Code Committee

STAFF

Anissa Hollingshead, City Clerk
Carrie Daggett, City Attorney

SUBJECT

Consideration and Action on Recommendation to Amend the Effective Date of the 2022 Council District-Precinct Map.

EXECUTIVE SUMMARY

This item moves forward the clarification and amendment of the District-Precinct Map in order to eliminate confusion and practical impacts and inconsistencies in Councilmember districts.

STAFF RECOMMENDATION

Staff recommends clarification through adoption of an Ordinance amending Ordinance No. 084, 2022, as described below.

BACKGROUND / DISCUSSION

On July 19, 2022, Council adopted on Second Reading Ordinance No. 084, 2022, Amending the City of Fort Collins District-Precinct Map. The Ordinance, which is attached for reference, stated the newly-adopted District-Precinct Map would be in effective for determining eligibility for City Council offices for the 2023 regular election and for determining eligibility of any interim appointments for Council vacancies.

This approach, while consistent with historical practice, has raised significant confusion and some practical difficulties in determining Councilmember roles and responsibilities. In light of this, staff has recommended that Council adopt a new ordinance to amend Ordinance No. 084 and set an earlier date for the new District-Precinct Map and Council districts to go into effect. Simplest may be to make the Map and related changes effective as of the effective date of Ordinance No. 084.

CITY FINANCIAL IMPACTS

None anticipated.

ATTACHMENTS

1. Ordinance No. 084, 2022

ORDINANCE NO. 084, 2022
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING THE CITY OF FORT COLLINS DISTRICT-PRECINCT MAP

WHEREAS, Article II, Section 1 of the City Charter requires that the City be divided into six contiguous, reasonably compact City Council districts, each of which shall consist of contiguous, undivided general election precincts, and, to the extent reasonably possible, an equal number of inhabitants; and

WHEREAS, pursuant to City Charter, redistricting must be completed not less than 180 days before the next regular election; and

WHEREAS, pursuant to City Code Section 7-87(b), not more than 18 months after the official decennial publication of the United States Census concerning the population of Fort Collins, the City Clerk must recommend to the City Council any district boundary changes necessary to ensure that, to the extent reasonably possible, there is no more than a ten-percent (10%) deviation between the most populous and the least populous City Council districts; and

WHEREAS, in light of the legal precedents and guidance related to determining voter districts, communities of interest and impacts to ethnic and racial populations are also taken into account in redistricting decisions; and

WHEREAS, in light of significant changes to the Larimer County general election precincts, upon which the Council District map must be based, staff recently completed a review of the adjustments required to existing districts to incorporate those changes, seeking to minimize the deviation between the most and least populous City Council districts based on the population data available this year from the 2020 Census; and

WHEREAS, pursuant to the above-referenced provisions, the City Clerk presented alternative district boundary changes to the Election Code Committee for consideration and comment, and based on the Committee's discussion, has presented four alternative district boundary changes for the City Council's consideration; and

WHEREAS, from those four alternatives, the City Council has selected an alternative that it believes best serves the interests of the residents of the City and comports with the requirements of the City Charter and Code; and

WHEREAS, the district boundary changes are consistent with Larimer County's general election precinct boundaries as required; and

WHEREAS, the City Clerk caused the publication of notices of proposed district boundary amendments to be made in accordance with the requirements of City Code Section 7-87; and

WHEREAS, the new Council district-precinct map attached as Exhibit "A" depicts adjusted precinct boundaries and adjusted Council district boundaries.

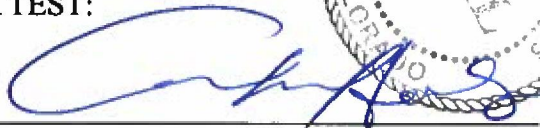
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:


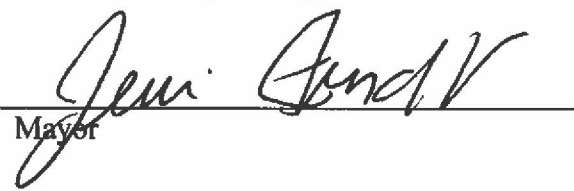
Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the district-precinct map dated July 5, 2022, a copy of which is attached as Exhibit "A" and incorporated herein by this reference, is hereby adopted and shall be in effect for the following purposes:


- (1) determining eligibility for City Council offices for the 2023 regular municipal election; and
- (2) determining eligibility of any interim appointments to fill any City Council vacancies which may occur following the effective date of this Ordinance.

Introduced, considered favorably on first reading, and ordered published this 5th day of July, A.D. 2022, and to be presented for final passage on the 19th day of July, A.D. 2022.

ATTEST: 
City Clerk

 
Mayor

Passed and adopted on final reading this 19th day of July, A.D. 2022.

ATTEST: 
City Clerk

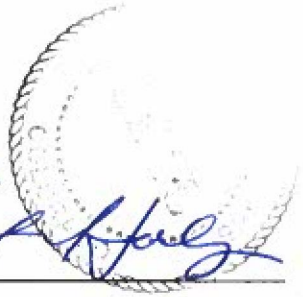
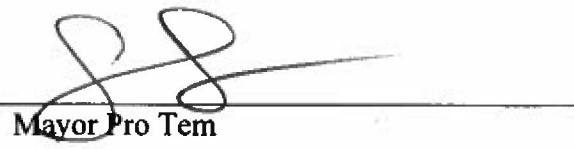
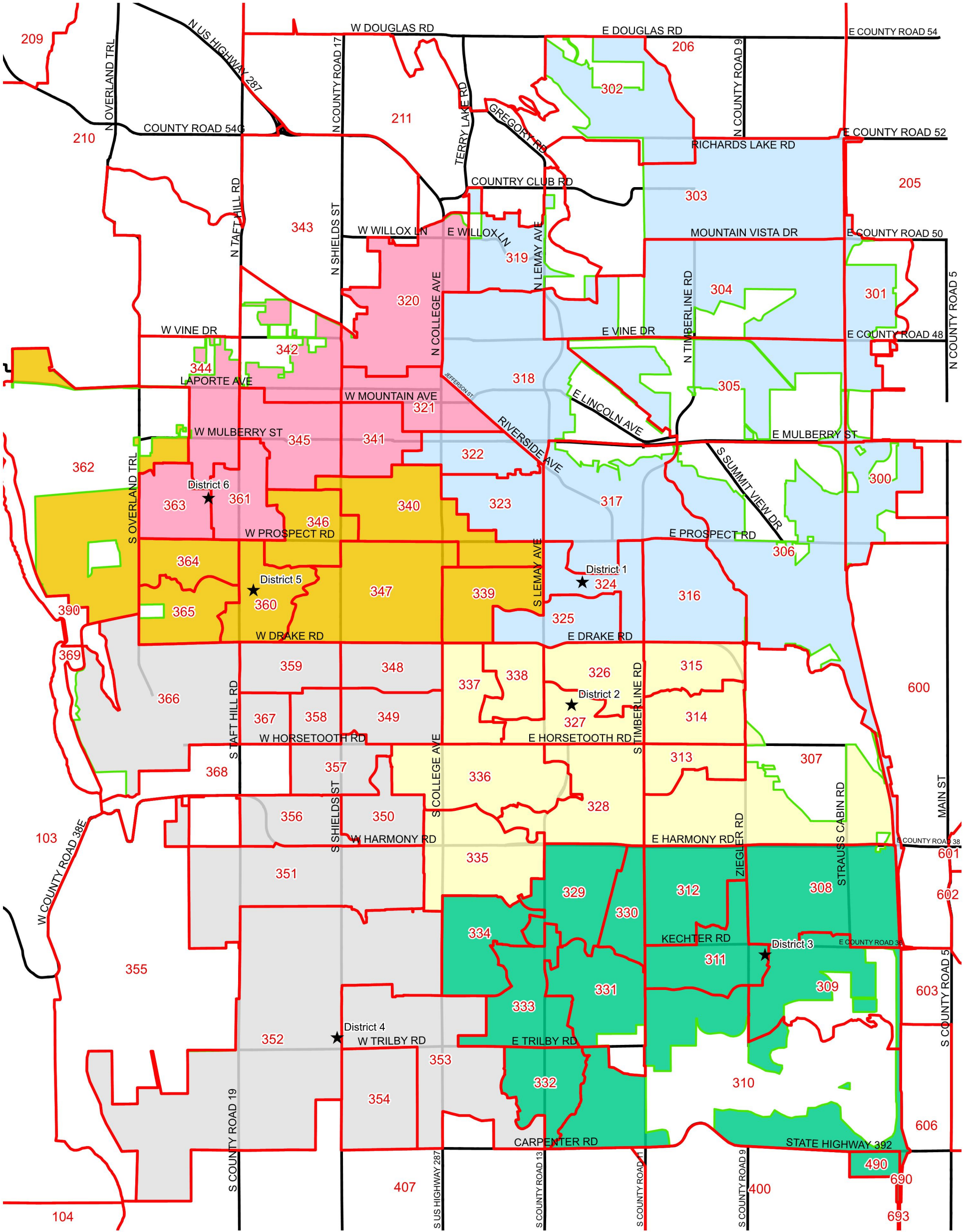
 
Mayor Pro Tem

Exhibit A



District	Ideal Population	Total Population	Percentage of Ideal	Percentage From Ideal
1	28302	28675	101.3%	1.3%
2	28302	28504	100.7%	0.7%
3	28302	27343	96.6%	-3.4%
4	28302	29229	103.3%	3.3%
5	28302	28807	101.8%	1.8%
6	28302	27252	96.3%	-3.7%

Total Population	Ideal District Populaion	Lowest Change	Highest Change	Maximum Deviation
169,810	28,302	-3.7%	3.3%	7%

Redistricting Option 3

Precinct ID:362

District 1

District 2

District 3

District 4

District 5

District 6

County Precinct

★

Council Member Locations



December 5, 2022



AGENDA ITEM SUMMARY

Election Code Committee

STAFF

Anissa Hollingshead, City Clerk
Rita Knoll, Chief Deputy City Clerk
Carrie Daggett, City Attorney

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.