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MEMORANDUM

DT: July 18, 2018

TO: Mayor Troxell and City Councilmembers

TH: Darin Atteberry, City Manager *D.A.*
Jeff Mihelich, Deputy City Manager *J.M.*

FM: Delynn Coldiron, City Clerk *D.C.*
Carrie Daggett, City Attorney *C.D.*
Rita Knoll, Chief Deputy City Clerk *Rita*

RE: July 17, 2018 Work Session Summary: Possible Election Code Amendments

Councilmembers Present: Mayor Pro Tem Horak, Councilmembers Cunniff, Martinez, Overbeck, Stephens and Summers.

Overview:

Staff presented proposed election-related Code amendments, including:

1. Changing the reporting threshold for independent expenditure from \$100 to \$1,000
2. Extending violation provisions to include violations of independent expenditure reporting requirements, and
3. Requiring "paid for by" statements on election materials for registered committees

The Election Code Committee had discussed and supported Items 1 and 3. Item 2 was identified by staff after the Committee had met and was presented as a clean-up item.

Council Discussion:

Some concern was expressed about the proposed \$1,000 threshold, and some Councilmembers expressed support for a smaller increase. At least one Councilmember expressed concern about extending the violation provisions as this could provide another opportunity for citizens to sue one another. Several Councilmembers expressed support for requiring "paid for by" statements on election materials for registered committees. Some Councilmembers expressed interest in also requiring "paid for by" statements for independent expenditures.

Follow Up:

Staff plans to bring revised Code changes to Council on August 21, 2018. The ordinance will contain a blank for the reporting threshold for independent expenditures for Council to fill in if Council moves forward to adopt the ordinance. The ordinance will also include a requirement for “paid for by” statements. The agenda materials will include materials clarifying the different types of committees, the requirements for each, independent expenditures, and the threshold for independent expenditures in other jurisdictions.

With regard to the Election Code Committee, staff was asked to explore either posting draft minutes from the previous meeting on the website when a long delay will ensue, or using some other means of addressing long delays in approval of the minutes. Staff will follow up on this request.