

**Working Group for analysis of and recommendations to the City Council concerning changes to the City of Boulder Charter and Code provisions addressing Campaign Finance, Initiative, Referendum and other Election rules and addressing other Election matters.**

Establishment of a Working Group for analysis of and recommendations to the City Council concerning changes to the City of Boulder Charter and Code provisions addressing Campaign Finance, Initiative, Referendum and other Election rules and addressing other Election matters.

This document will set forth the charter for the working group established by the City Council for analysis of the City of Boulder Charter and Code provisions related to campaign finance, initiative and referendum provisions and other election matters, with the expectation that the working group will prepare recommendations to the City Council to tighten existing provisions, clarify certain requirements and simplify filing provisions.

1. The working group will be appointed by the city manager with the advice and consent of the City Council. Preference will be given to members of the public with demonstrated knowledge and/or interest in election matters. Knowledgeable persons with informed opinions on election matters will be welcome to apply. The working group will endeavor to study, consider and recommend campaign finance regulations, as described in paragraph 4 below that may be permitted by the United States Constitution and the Colorado Constitution. The working group will also study, consider, and make recommendations to the council on election procedures and requirements. See paragraph 4 below for further direction on options sought by City Council.
2. The working group will include, but not be limited to the following members:
  - a. Representative(s) of the League of Women Voters of Boulder County, CO;
  - b. Person(s) who participated in drafting the 1999 citizen initiated campaign finance reform measure for the Boulder City Charter;
  - c. A person associated with Colorado Ethics Watch, a recently dissolved association focused on ethics in elections or similar organization;
  - d. Person(s) who may have served on candidate or ballot measure committees in recent city of Boulder elections;
  - e. Residents of the City of Boulder with a demonstrated interest in election matters. This may include persons who have been participants in the initiative process in the last three years or have other perspectives that may be helpful to the working group.
3. One person may represent multiple interests described above. Persons representing items 2(a) and 2(c) need not be residents of the city of Boulder. The working group shall have no more than 12 members, although it is preferred that the number be limited to 9.
4. It is the specific direction of the City Council that the working group does not need to reach consensus on its recommendations. The council will welcome options for matters

in which there is not consensus and arguments for and against any such options. In that regard, the working group is specifically directed to report to City Council with the following options:

- a. For campaign finance reform, propose recommended options to change the City Charter or Code that promote the integrity of the election process by:
    - i. providing for maximum campaign finance disclosure under existing law;  
AND
    - ii. providing for maximum campaign finance disclosure in ways that have not previously been judicially recognized, considering both the objectives of election integrity and constitutional rights.
  - b. The working group will also study, consider, and make recommendations to the council on election procedures and requirements, including the following subject matter areas:
    - i. Initiative and referendum filing dates, petition review and signatures;
    - ii. Clarifying the role of the City Clerk in election contests;
    - iii. Combined campaign ads and literature;
    - iv. Charter amendments related to Ballot Measure 2Q on the November 2017 ballot; and
    - v. Other matters such as the use of social media or technology in elections.
5. The city attorney will assign a member of the City Attorney's Office as the project manager of the working group.
  6. The city manager will retain outside legal counsel knowledgeable in election law in Colorado to assist the working group in its analysis of election laws.
  7. The City Clerk or a member of the City Clerk's staff should also attend the meetings of the working group to provide insight into the process used by the Clerk in handling petitions and other election matters.
  8. The city manager will appoint a member of the city staff skilled in facilitation to be the facilitator of the working group.
  9. All meetings of the working group will be open to the public and will be held only after public notice of the date, time and place.
  10. The working group will provide regular updates to the City Council and will prioritize time-sensitive issues, particularly any recommendations that would require the City Council to place a measure or measures amending the Boulder City Charter on the November 2018 ballot. With that in mind, it is recommended that the working group

provide options and recommendations to the Boulder City Council in accordance with the following schedule:

- a. Proposed Code amendments related to initiative and referendum shall be reported to the City Council not later than March 15, 2018;
- b. Proposed Charter amendments shall be reported to City Council not later than April 15, 2018;
- c. Proposed Code amendments related to campaign finance and other election provisions shall be reported to City Council not later than June 19, 2018;
- d. Other recommendations addressing election related matters such as appropriate use of social media and technology in campaigns shall be reported to City Council not later than August 31, 2018.

11. Council intends that the working group will not continue to meet after it delivers its final report to the City Council. This report will be delivered not later than August 31, 2018. The City Council reserves the right to extend these deadlines at the request of the working group.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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Suzanne Jones, Mayor

ATTEST:

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City Clerk