



Takoma Park City Council Meeting –July 29, 2020 Agenda Item 5

Voting Session

Election Ordinance Setting Forth the Details of the 2020 City Election

Recommended Council Action

Consider and vote on the ordinance at second reading.

Context with Key Issues

Before each City Election, the City Council adopts an ordinance to set forth certain details about the election that are not clearly set out in the Code and Charter, to approve certain recommendations from staff and the Board of Elections, and to consolidate in one document the basic details of the election.

This year's election will be significantly different from the original plan to share precinct locations and an early voting location with Montgomery County. Because of the outbreak and spread of COVID-19, the City Board of Elections recommended a mail-in ballot election to limit personal contact and protect the safety of voters, election workers, and staff.

Key provisions of the ordinance include:

- The Nominating Caucus will be conducted online (with accommodations for those who need to participate by phone).
- The election will be conducted largely by mail. Ballots will be mailed to all qualified registered voters.
- At least one voting center will be open on election day from 7:00 AM to 8:00 PM. Arrangements will be made to limit personal contact to the extent possible. The location of the voting center is still to be determined. The voting center will serve voters not yet registered, those who did not receive a ballot and those who need a replacement ballot, and voters who need assistance with voting.
- Absentee and provisional voting will be available as needed.
- Because the Council will be on recess in August, the City Manager is being authorized to contract with a vendor to print, insert, and mail ballots. The Council will be notified of the arrangements and cost.
- Members of the Board of Elections serve as election judges. The Board appoints election workers to assist with the election. Election judges and workers will be paid based on Montgomery County's election judge and worker rates. The City Manager may authorize hazard pay if she deems it appropriate.
- Election results will be certified by Thursday, November 12.

Council Priority

Engaged, Responsive and Service-Oriented Government

Environmental Considerations

N/A

Fiscal Considerations

The FY21 Budget includes \$57,000 for the election. The estimated cost of the election is being revised to incorporate vote by mail. The cost related to vote by mail will include printing of ballots, envelopes, and instructions, and inserting and mailing ballots to all Takoma Park registered voters. Postage for return ballots will be paid. Staff is consulting with and seeking quotes from potential vendors to print, insert, and mail ballots and related materials.

Racial Equity Considerations

A reason for the change in election date to coincide with presidential and gubernatorial elections is to encourage more residents to vote in Takoma Park elections. It has been particularly difficult to draw in voters from Wards 4, 5, and 6, the wards with larger numbers of people of color and people who live in multifamily housing.

The change to vote by mail could negatively impact the turnout anticipated when the election date was changed. In preparing for 2020, staff and the Board will be focused on outreach, education, and preparation for residents to vote.

Attachments and Links

- Election Ordinance (with highlighted corrections)
- Suggested Amendment Related to Transparency of the Canvass and Tabulation
- Election Calendar

1 Introduced by: Councilmember Smith

First Reading: July 22, 2020

2 Second Reading:

3 Effective Date:

4
5 **CITY OF TAKOMA PARK, MARYLAND**

6
7 **ORDINANCE NO. 2020-**
8 **2020 Takoma Park City Election**

9
10 WHEREAS, Section 606(a) of the City Charter provides that an election shall be held on the first
11 Tuesday after the first Monday in November of every even numbered year to elect
12 six Councilmembers by ward and one Mayor elected at large; and

13
14 WHEREAS, pursuant to Section 301(a) of the City Charter, the term of the Councilmembers and
15 Mayor elected in the 2017 regular election was three (3) years, with two-year terms
16 resuming with the 2020 regular election; and

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18 WHEREAS, pursuant to a pending amendment to the City Charter, the newly elected
19 Councilmembers and the Mayor will take office on the second Monday following
20 their election, which will fall on November 16 in 2020; and

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22 WHEREAS, the City Charter, in Section 607, provides that the Council, by ordinance, shall
23 provide for said election by designating a convenient polling place or places,
24 appointing judges of election, designating the manner of holding said election,
25 providing the voting system to be used, and conducting said election in accordance
26 with the Charter; and

27
28 WHEREAS, the outbreak and spread of the novel coronavirus, known as COVID-19, has resulted
29 in the need to limit gatherings to protect public health during the 2020 election cycle.

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31 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA
32 PARK, MARYLAND, THAT:

33
34 SECTION 1. The City Clerk shall convene the Nominating Caucus on Tuesday, September 15, at
35 7:30 p.m. for the purpose of nominating candidates for Mayor and City Council. The
36 meeting shall be held online to ensure public safety. Accommodations shall be made
37 to allow for participation by phone or other means for anyone unable to participate
38 online.

39
40 SECTION 2. The November 3, 2020 City Election shall be conducted by mail.

41
42 A. The Mayor shall be elected at large and one Councilmember for each ward
43 shall be elected by the voters of that ward only;

44
45 B. A ranked choice voting system shall be used to allow voters to rank

- 46 candidates in order of choice;
- 47
- 48 C. Ballots will allow for up to one write-in vote per contest;
- 49
- 50 D. A ballot will be mailed to every qualified registered voter of the City;
- 51
- 52 E. To accommodate voters who cannot vote by mail, at least one voting center
- 53 will be open from 7:00 a.m. to 8:00 p.m. on November 3;
- 54
- 55 F. Absentee voting will be available to eligible voters as set forth in Section 608
- 56 of the City Charter; and
- 57
- 58 **FG.** If necessary, an individual shall be permitted to cast a provisional ballot as
- 59 set forth in Section 610 of the City Charter.
- 60
- 61 SECTION 3. The City Manager, in coordination with the City Clerk and Board of Elections, is
- 62 authorized to select and contract with a vendor to print, insert, and mail the ballots to
- 63 eligible City voters. The City Manager shall inform the Council of the selection as
- 64 soon as practicable.
- 65
- 66 SECTION 4. Section 609 of the City Charter provides that early voting locations, days, hours and
- 67 mechanisms shall be established for all elections. Because this election will be
- 68 conducted by mail to limit personal contact, traditional early voting will not be
- 69 conducted. The Takoma Park Board of Elections and City Clerk may arrange for and
- 70 promote hours and locations for voters to seek assistance in marking and casting
- 71 their ballots.
- 72
- 73 SECTION 5. Names of qualified candidates for Mayor and Councilmember duly nominated at the
- 74 Nominating Caucus on September 15, 2020 shall be listed on the ballot unless the
- 75 candidate declines the nomination in writing by 5:00 p.m. on Friday, September 18,
- 76 2020. Such candidates shall meet all qualifications of the office sought.
- 77
- 78 SECTION 6. The City Clerk shall provide paper ballots for the City Election. Pursuant to Chapter
- 79 5.16, Section 5.16.020 of the City Code, the names of candidates for Mayor,
- 80 arranged alphabetically, shall appear first on all ballots, followed by the names of
- 81 candidates for Councilmember, arranged alphabetically, with each ward ballot
- 82 displaying the names of candidates for that ward only.
- 83
- 84 SECTION 7. If any eligible person registers as a write-in candidate for Mayor or Councilmember
- 85 in accordance with Section 605 of the City Charter, then the City Clerk shall arrange
- 86 to have their name posted in any City voting location and on the City website for the
- 87 purpose of identifying them as a candidate for office.
- 88
- 89 SECTION 8. The City Clerk shall include on all ballots any advisory referendum question so
- 90 adopted by resolution passed by a majority of the Council pursuant to Section **603(e)**

91 **612** of the City Charter. Any advisory referendum question shall appear last on all
92 ballots, after the names of the candidates for Mayor and Councilmember.

93
94 SECTION 9. A sample ballot, showing the arrangement of the candidates' names, offices,
95 Councilmember wards, and any advisory referendum questions which will appear on
96 the City Election ballot, shall be posted on the City website and at any voting
97 location.

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99 SECTION 10. The City Clerk shall supply for the election voter lists bearing the names and
100 addresses of all eligible voters as certified by the Montgomery County Board of
101 Elections, and any supplemental list of voters prepared by the City Clerk.

102
103 SECTION 11. Eligible Takoma Park residents may register up to and including the day of the
104 election, pursuant to Section 603(c) of the City Charter.

105
106 SECTION 12. Members of the Takoma Park Board of Elections shall serve as Judges of Election
107 and may appoint Election Workers to assist with the election and with canvassing the
108 ballots.

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110 SECTION 13. Election Judges and other Election Workers are eligible to receive payment equal to
111 the schedule for Montgomery County Election Judges and Election Workers.

112
113 SECTION 14. The City Manager may authorize hazard pay for Election Judges and Election
114 Workers and provide for any and all necessary measures to protect the health of the
115 election workers as well as ensure transparency of the process.

116
117 SECTION 15. All Election Judges and Election Workers must participate in training arranged by
118 the City Clerk and/or Board of Elections in order to receive payment for their
119 service.

120
121 SECTION 16. The Board of Elections shall ensure the secrecy of the ballot, correct counting of
122 votes, the tabulating and recording of votes by ward for or against any candidate or
123 question, and the prompt reporting of election returns.

124
125 SECTION 17. In each contest, the candidate receiving a majority of votes shall be declared elected.
126 If no candidate receives a majority of first choices, the Election Judges shall apply
127 the ranked choice voting rules detailed in Section 606 of the City Charter.

128
129 SECTION 18. The Board of Elections shall meet to determine and certify the results of the election
130 and shall present the certification of results to the City Council at a special meeting
131 at 7:30 p.m. on Thursday, November 12, 2020.

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133 SECTION 19. This Ordinance shall become effective upon adoption.

134
135 Adopted this _____ by roll-call vote as follows:

136
137 AYE:
138 NAY:
139 ABSTAIN:
140 ABSENT:
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