



## Takoma Park City Council Meeting – July 7, 2021 Agenda Item 3

### **Presentation and Work Session**

Board of Elections Recommendations for 2022 and 2024 City Election Planning

### **Recommended Council Action**

Hear the presentation and discuss alternatives. Provide preliminary direction to begin planning for future elections.

### **Context with Key Issues**

The City Council amended the City Charter in 2017 to change the date of City elections for Mayor and Council from November of odd-numbered years to November of even-numbered years. The elections now take place every two years on the same day as Maryland State and federal general elections.

When the City Council changed the election date, it was anticipated that there could be a path to having City election contests placed on the State ballot. We were not able to negotiate that accommodation with the State Board of Elections for 2020. There were several obstacles: 1) use of ranked choice voting in City elections which would require additional vendor support; 2) use of ranked choice voting would require special training and instructions for election workers; and, 3) State Board of Election concerns about confusion that could result for the City's non-citizen and 16/17 year old voters, since they would not be eligible to receive the State ballot. If the Council wishes to pursue this, discussions should occur early in 2022 to try to negotiate a plan for the 2024 or even 2026 election.

For the 2020 City election, the Board of Elections anticipated sharing space at the five Montgomery County election precincts in Takoma Park for voting on election day. This is how Town of Ocean City elections are conducted. Due to the pandemic and the uncertainty it created as to how the presidential general election would be held, the Takoma Park Board of Elections recommended that the City election be conducted by mail. The Council approved the plan and the Board carried out a vote by mail election. A link to the detailed 2020 Election Report is provided for reference.

At the City Council meeting on July 7, Brian Ernst, Chair of the Takoma Park Board of Elections, will share the Board's recommendation to continue with vote by mail for 2022. The recommendation is attached.

### **Council Priority**

Engaged, Responsive, and Service-Oriented Government

### **Environmental Considerations**

N/A

### **Fiscal Considerations**

To be determined after Council provides direction and the Board of Elections researches options. The cost of the November 2020 election was around \$70,000.

### **Racial Equity Considerations**

The 2020 election resulted in improved turnout in all wards, including Wards 4, 5, and 6, the wards with the highest numbers of people of color. The voter turnout in these wards is typically very low.

## **Attachments and Links**

- 2022 Election Planning Recommendations
- [2020 Election Report](#)

## **Takoma Park Board of Elections**

### Board Recommendations for 2022 and 2024 City Election Planning

July 7, 2021

Dear Members of the Council,

In June 2020, the Board of Elections (“the Board”) recommended to the Council that the November 3, 2020 City Election move to an all vote-by-mail (“VBM”) process due to the ongoing COVID-19 pandemic. The November 2020 vote-by-mail election proceeded with few major disruptions and with a record voter turnout in the City. In the months following, the Board has considered the lessons learned from the 2020 process in anticipation of its recommendations to the Council regarding what type of election process should be used for the next City elections in 2022, along with longer term planning for 2024. The Board has also tracked changing public health guidance and safety for in-person gatherings, including plans for the City to reopen to the general public in August 2021. As such, the Board discussions regarding future elections proceeded with the possibility that in-person voting activities would again be possible for the next election cycle.

For 2022, the Board considered three different possible election processes and the positive and negative aspects of each option. An outline of each option is provided below. Given the experience of the 2020 election, and after extensive deliberation, the Board recommends that the City hold a vote-by-mail (VBM) election in 2022. The basis for this recommendation is detailed below.

#### **Option 1: Vote by mail**

The City would hold a VBM election. A VBM election would follow a similar process to 2020. Each registered voter would be automatically mailed a ballot which could be returned by mail, with return postage prepaid, or at a dropbox up until the end of Election Day. On Election Day, the City would open a single vote center at the Community Center for in-person voting. The City would not have a polling place at the same location as the county polling places during early voting or on Election Day.

#### **Option 2: Early and in-person voting with the county**

The City would conduct early and in-person voting at the same county precincts that serve Takoma Park residents. Though voters would be able to vote in the same location as the state and federal election, the process would not be fully integrated. Takoma Park voters would need to go to a separate, designated area for Takoma Park, wait in line again, and vote on a separate ballot from the county. Voting through the mail would be possible via absentee ballots, which voters must request using a form from the city. Any voter can seek out the form and request an absentee

ballot but they would not be automatically distributed to voters. Early voting would also take place at the county early voting center in Silver Spring to further align Takoma Park with the county precincts.

### **Option 3: Hybrid voting**

The City would continue to provide in-person voting with the county, but would encourage voting by mail. Election Day voting would be at the same polling places as the county, as described in Option 2. However, the City may not provide early voting options at the county early voting locations or only do so on a limited basis. Instead, the City would mail all registered voters a ballot request form to encourage voters to request a mail ballot. The increase in voting by mail could reduce the need for early voting options.

### **Electoral framework**

In weighing the strengths and weaknesses of the different options, the Board established several priorities for a successful electoral process. These priorities are outlined below:

- **Inclusiveness:** The process should be flexible enough for all residents to vote with the fewest barriers to entry as possible.
- **Ease of use and simplicity:** The voting process should be simple, consistent, easy to use, and be clear to follow for voters.
- **Cost:** With elections occurring every two years and with finite resources, the election should not be a drain on city funds.
- **Staffing:** Election workers are available to cover essential election dates and times
- **Security and integrity:** City residents and candidates should feel confident that the process is transparent and free from interference.
- **Contingencies:** Taking into account the experience of 2020, there should be possible backup contingencies in case of external crises.

### **Board of Elections recommendation**

The Board discussed three options for the 2022 City Election in terms of these priorities, of which a detailed matrix is provided in Annex 1. The Board recommends that the City hold a vote-by-mail election in 2022. VBM is inclusive: voters can complete their ballot at home, at a time of their choosing, and do not need to travel to a polling place at a preset schedule. It is also simple and easy to use, as voters automatically receive a ballot at their home and need only mail it back. In terms of cost and staffing, VBM allows for similar, if not fewer, staff hours as a synchronized, in-person election, but these staff hours are distributed across a greater time period. The additional flexibility in scheduling election workers will help the Board to manage the quantity of staff needed and to recruit volunteers for days outside of Election Day. On Election Day, the City will only need to staff a single polling place (the Community Center) rather than five polling places run by the county. Though in-person voting may appear to have

some security benefits over VBM, vote by mail is difficult to manipulate and has extremely rare documented instances of fraud.

The Board recognizes that there are some drawbacks to Option 1. Depending on what the county decides, the divergence in practice from Takoma Park and the county election will potentially create confusion among voters over the election process. There are slightly higher numbers of rejected ballots as voters forget to sign their return envelope, though the Board, working with city staff, will be able to make reasonable efforts to contact those voters to cure such ballot defects.

The Board determined that the advantages of VBM, in comparison to other possible voting scenarios, outweighed the disadvantages. The Board also has the benefit of reviewing the changes in voting patterns and systems in Maryland, where growing evidence indicates that VBM greatly increases voter participation in elections. In 2017, the City of Rockville held its first vote by mail election and nearly doubled turnout, from 15% to 27%. Takoma Park increased turnout from 22% to 53% in 2020. Most recently, the City of Hyattsville's May 2021 vote by mail election increased turnout from 15% to a record of 28%. The increase in turnout in turn speaks to VBM creating a more equitable and accessible civic life in the city. Voter participation, especially at the municipal level, is almost always higher among the most affluent and older residents in a constituency.<sup>1</sup> Increasing turnout means a broader, more inclusive section of residents in the City are engaged in its electoral process and governance.

## **Option 2**

Option 2 was the original plan for the City Election in 2020 prior to changes made due to COVID-19. The Board noted that the location of the City Election at the same place as the county would benefit from being consistent with county practices. However, Takoma Park voters would need to wait in two lines, one for the county and one for the City. Though turnout would likely still be high, it's not clear how many voters would choose to forgo the second line at the polling place to vote in Takoma Park's election. The City would also not capture the growing number of voters who choose to vote in county elections by absentee ballot, unless they also request an absentee ballot from the City. The Board noted that turnout in Ocean City, where they also have an election side by side with the county, was significantly less than the county because they did not capture voters who voted by mail or voted early in the county election. In addition, the logistics and cost of managing and staffing early voting centers and five Election Day polling places could be more challenging than a vote by mail election. The City would compete with the County for election worker staff, which would be especially difficult to manage with the large number of workers required for Election Day itself.

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<sup>1</sup> See, for example: <https://www.nationalcivicleague.org/ncr-article/increasing-voter-turnout-in-local-elections/> or <https://www.sciencedirect.com/science/article/pii/S026137941630230X>

### **Option 3**

Though Option 3 offers a mix of the benefits in both previous options, the logistics and costs for the city would likely be prohibitive. It would also reduce the main benefit of VBM, which is the automatic receipt of ballots by the voter, while still retaining the costs and logistical challenge of mailing out request forms, tracking received requests, and mailing ballots to residents. Keeping up to date with an increased rate of absentee ballot requests while also managing early voting and five polling places would be present a significant challenge given available staffing levels.<sup>2</sup>

### **Lessons learned from 2020**

With the benefit of hindsight, the Board and city staff will be well-positioned to build upon the experience of the 2020 VBM election. The 2020 election was the first VBM election that the Board and city staff had managed, and was conducted under the unusually challenging circumstances of the pandemic. Moving forward, the Board has a better understanding of the particular challenges that are presented by a VBM election, including the staffing and scheduling requirements for a VBM election, the importance of an online ballot tracking system so that voters can follow their ballots, the need for a robust internal ballot tracking system so that BOE and city staff can accurately and consistently track and record the progress of a returned ballot after its receipt, and the importance of clear and consistent communication with the public so that voters will have the most accurate and up-to-date information regarding the election, including when to expect their ballots in the mail. The Board recognizes the challenges that Takoma Park voters faced in the 2020 election and believes that it will be able to improve the VBM experience for voters in future elections, given its experience from the 2020 election.

### **Looking forward to 2024**

In addition to 2022, the Board discussed changes that need to be considered now in order to take effect by 2024. In particular, the Board noted that fully synchronizing with the county election process, in which case the City Election would be added to the county ballot and most election services would be completed by the county, requires several years of lead time before implementation. In the long-term, the Board generally agreed that full synchronization would be a cost effective solution for the City for managing elections. It would simplify the election process for most voters and decrease the expense to the City. A key barrier to full synchronization is the use of ranked choice voting by the City, as the county does not have systems in place to count ballots with ranked choice voting. The county is currently not open to adding ranked choice voting to their ballot. In addition, voters who are not registered or eligible to vote in county elections would need to vote at a City-only polling place.

We look forward to receiving feedback from the Council.

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<sup>2</sup> The City of College Park is mailing absentee request forms to all residents for their November 2021 election, but they are also limiting the number of polling places to one and may reduce or eliminate early voting.