



Takoma Park City Council Meeting –September 14, 2022 Agenda Item 7

Work Session

Update on Election Planning and Draft Election Ordinance Setting Forth the Details of the 2022 City Election

Recommended Council Action

Hear the update and review the draft ordinance.

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 conducted similarly to the 2020 election, which was conducted by mail due to the Covid-19 pandemic. A mail-in ballot was sent to every active registered voter. The election resulted in a substantial increase in voter turnout. The City's Board of Elections recommended that elections continue to be conducted by mail.

Key provisions of the ordinance include:

- The election will be conducted largely by mail. Ballots will be mailed to all qualified registered voters.
- The Community Center will be open on election day from 7:00 AM to 8:00 p.m. to allow voters to cast ballots in person if they so choose, and to serve voters not yet registered or who need other assistance with voting.
- Absentee and provisional voting will be available as needed.
- 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.
- Election results will be certified by Wednesday, November 16.

Council Priority

Engaged, Responsive and Service-Oriented Government

Environmental Considerations

N/A

Fiscal Considerations

The FY23 Budget includes \$87,000 for the election.

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 significantly increased turnout in all wards.

Attachments and Links

- [Draft Election Ordinance](#)
- [Election Calendar](#)

Introduced by:

First Reading:
Second Reading:
Effective Date:

CITY OF TAKOMA PARK, MARYLAND

**ORDINANCE NO. 2022-
2022 Takoma Park City Election**

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

WHEREAS, Councilmembers and the Mayor are elected to two-year terms; and

WHEREAS, Section 301(a) of the City Charter provides pursuant to a pending amendment to the City Charter, the newly elected Councilmembers and the Mayor will take office on the second Monday following their election, which will fall on November 21 in 2022; and

WHEREAS, the City Charter, in Section 607, provides that the Council, by ordinance, shall provide for said election, designate a polling place, the manner of holding the election, and the voting system to be used.

WHEREAS, the election of November 3, 2020 was conducted mainly by mail due to the Covid-19 pandemic; and

WHEREAS, the election was convenient for voters and resulted in a substantial increase in voter turnout; and

WHEREAS, the Takoma Park Board of Elections recommended that the Council continue to authorize elections to be conducted by mail.

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

SECTION 1. The November 8, 2022 City Election shall be conducted by mail.

- A. The Mayor shall be elected at large and one Councilmember for each ward shall be elected by the voters of that ward only;
- B. A ranked choice voting system shall be used to allow voters to rank candidates in order of choice;
- C. Ballots will allow for up to one write-in vote per contest;

- D. A ballot will be mailed to every qualified registered voter of the City;
- E. To accommodate voters who cannot vote by mail, the Takoma Park Community Center will serve as a voting center from 7:00 a.m. to 8:00 p.m. on November 8;
- F. Absentee voting will be available to eligible voters as set forth in Section 608 of the City Charter; and
- G. If necessary, an individual shall be permitted to cast a provisional ballot as set forth in Section 610 of the City Charter.

SECTION 3. The City Manager, in coordination with the City Clerk and Board of Elections, is authorized to select and contract with a vendor to print, insert, and mail the ballots to eligible City voters; and

SECTION 4. Section 609 of the City Charter provides that early voting locations, days, hours and mechanisms shall be established for all elections. Because this election will be conducted by mail, traditional early voting will not be conducted. The Takoma Park Board of Elections and City Clerk may arrange for and promote hours and locations for voters to seek assistance in marking and casting their ballots during the two weeks before the election.

SECTION 5. Names of qualified candidates for Mayor and Councilmember duly nominated at the Nominating Caucus on September 13, 2022 shall be listed on the ballot unless the candidate declines the nomination in writing by 5:00 p.m. on Friday, September 16, 2022. Such candidates shall meet all qualifications of the office sought.

SECTION 6. The City Clerk shall provide paper ballots for the City Election. Pursuant to Chapter 5.16, Section 5.16.020 of the City Code, the names of candidates for Mayor, arranged alphabetically, shall appear first on all ballots, followed by the names of candidates for Councilmember, arranged alphabetically, with each ward ballot displaying the names of candidates for that ward only.

SECTION 7. If any eligible person registers as a write-in candidate for Mayor or Councilmember in accordance with Section 605 of the City Charter, then the City Clerk shall arrange to have their name posted in any City voting location and on the City website for the purpose of identifying them as a candidate for office.

SECTION 8. The City Clerk shall include on all ballots any advisory referendum question so adopted by resolution passed by a majority of the Council pursuant to Section 612 of the City Charter. Any advisory referendum question shall appear last on all ballots, after the names of the candidates for Mayor and Councilmember.

- SECTION 9. A sample ballot, showing the arrangement of the candidates' names, offices, Councilmember wards, and any advisory referendum questions which will appear on the City Election ballot, shall be posted on the City website and at any voting location.
- SECTION 10. The City Clerk shall supply for the election voter lists bearing the names and addresses of all eligible voters as certified by the Montgomery County Board of Elections, and any supplemental list of voters prepared by the City Clerk.
- SECTION 11. Eligible Takoma Park residents may register up to and including the day of the election, pursuant to Section 603(c) of the City Charter.
- SECTION 12. Members of the Takoma Park Board of Elections shall serve as Judges of Election and may appoint Election Workers to assist with the election and with canvassing the ballots.
- SECTION 13. Election Judges and other Election Workers are eligible to receive payment equal to the schedule for Montgomery County Election Judges and Election Workers.
- SECTION 15. All Election Judges and Election Workers must participate in training arranged by the City Clerk and/or Board of Elections in order to receive payment for their service.
- SECTION 16. The Covid-19 vaccination mandate for employees and volunteers shall apply to Election Workers.
- SECTION 16. The Board of Elections shall ensure the secrecy of the ballot, correct counting of votes, the tabulating and recording of votes by ward for or against any candidate or question, and the prompt reporting of election returns.
- SECTION 17. The Board of Elections shall ensure that the canvass and tabulation of ballots is conducted in a transparent manner. Such accommodations may include, but are not limited to, video broadcasting of canvassing and tabulation, and permitting in-person viewing of the process according to rules developed by the Board.
- SECTION 18. In each contest, the candidate receiving a majority of votes shall be declared elected. If no candidate receives a majority of first choices, the Election Judges shall apply the ranked choice voting rules detailed in Section 606 of the City Charter.
- SECTION 19. The Board of Elections shall meet to determine and certify the results of the election and shall present the certification of results to the City Council at a special meeting at 7:30 p.m. on Wednesday, November 16, 2022.
- SECTION 20. This Ordinance shall become effective upon adoption.

Adopted this _____ day of September, 2022 by roll-call vote as follows:

AYE:

NAY:

ABSTAIN:

ABSENT:

CITY OF TAKOMA PARK, MARYLAND
2022 ELECTION CALENDAR
(Updated August 8, 2022)

**Entries in italics refer to the gubernatorial election and State Board of Elections requirements. They are listed here because of their importance for City voters.*

Date	Time	Event/Description	Computation	Legal Authority
Monday January 31, 2022	4:00 PM	Campaign Finance Annual Report on the retention or disposition of surplus campaign funds	No later than January 31 of each year	City Code 5.12.022(B)(4) City Code 5.12.030(E)
<i>Wednesday April 20, 2022</i>		<i>Apartment building access through July 19 for Primary Election candidates</i>	<i>During the 90-day period preceding the next election.</i>	<i>City Code 6.04.040</i>
<i>Tuesday June 28, 2022</i>		<i>Close of Registration and party affiliation change for primary election.</i>	<i>21 days preceding an election.</i>	<i>EL § 3-302(a)</i>
Monday June 13, 2022		First day to register as a candidate or political committee for the City election.	Second Monday in June of an election year.	City Code 5.10.020
<i>Thursday July 7, 2022</i>	<i>7:00 AM to 8:00 PM</i>	<i>Early Voting Begins for Gubernatorial Primary Election</i>	<i>Second Thursday before an election through the Thursday before an election.</i>	<i>EL § 10-301.1</i>
<i>Thursday July 14, 2022</i>	<i>7:00 AM to 8:00 PM</i>	<i>Early Voting Ends for Gubernatorial Primary Election</i>	<i>Second Thursday before an election through the Thursday before an election.</i>	<i>EL § 10-301.1</i>
<i>Tuesday July 19, 2022</i>	<i>7:00 AM to 8:00 PM</i>	<i>Gubernatorial Primary Election Day</i>	<i>Last Tuesday in June</i>	<i>EL § 8-201(a)(2)(i)</i>
<i>Wednesday August 10, 2022</i>		<i>Apartment building access through November 7 for Gubernatorial Election candidates.</i>	<i>During the 90-day period preceding the next election.</i>	<i>City Code 6.04.040</i>
Wednesday August 10, 2022		Apartment building access through November 7 for registered City Election candidates.	During the 90-day period preceding the next election.	City Code 6.04.040
Tuesday September 13, 2022	7:30 PM	Nominating Caucus for City election.	Second Tuesday after Labor Day of an election year.	Charter Sec. 604(a)

Date	Time	Event/Description	Computation	Legal Authority
Friday September 16, 2022	5:00 PM	Deadline for City candidates nominated at Caucus to withdraw. Declination must be filed in writing with the City Clerk's office.	Candidates shall be placed upon the official ballot unless the nominated person files a declination with the City Clerk within 3 days after the nomination	Charter 604(b)
Friday September 16, 2022	5:00 PM	If not already registered, nominated City candidates must complete Candidate Finance Registration by this time.	Within 3 days of nomination.	City Code 5.10.020(C)
Monday September 19, 2022	5:00 PM	City candidates' Financial Disclosure Statements due to City Clerk (if not already filed).	On or before the Monday following the candidate's nomination.	City Code 3.04.080(D) City Code 5.12.040
Monday September 19, 2022	12:00 PM	Deadline to provide City candidate's statement and photo to the City Clerk (via e-mail) for publication in the Takoma Park Newsletter	Depending upon schedule for Takoma Park Newsletter.	
Monday September 19, 2022		Any eligible person may preregister as a write-in candidate beginning on September 19 and ending November 4. Such write-in candidate must file a Financial Disclosure Statement and Campaign Finance Registration to complete the preregistration.	Monday after the Nomination Meeting through the Friday before Election Day.	Charter 605 City Code 3.04.080(D)(6)
Monday September 26, 2022		Rosh Hashanah (begins at sunset on September 25)		
Friday October 7, 2022		Deadline to have sent two mailings (one to all households and one to all registered voters)	Notice will be mailed or distributed no later than 30 days prior to the election.	City Code 5.18.050(B)
Monday September 26, 2022	4:00 PM	First Campaign Finance Report Due (post-nomination report)	Second Monday after the Nominating Caucus.	City Code 5.12.022(B)(1)
Sunday October 9, 2022		First day that mail-in voting ballots may be sent.	Mail-in ballots for an election must be mailed or distributed no more than 30 days and no less than 15 days prior to the election to which they apply.	City Code 5.18.050(A)
Wednesday October 5, 2022		Yom Kippur (begins at sunset on October 4)		

Date	Time	Event/Description	Computation	Legal Authority
Monday October 10, 2022		Columbus Day (Indigenous Peoples Day) – City facilities open. MCBOE is NOT open.		
Monday October 17, 2022	4:00 PM	Second Campaign Finance Report Due (pre-election report).	No later than 4:00 p.m. on the fourth Monday preceding election day.	City Code 5.12.022(B)(2)
<i>Tuesday</i> <i>October 18, 2022</i>	<i>5:00 PM MCBOE Office/ 11:59 PM SBE Online</i>	<i>Deadline to register to vote with MCBOE for the presidential election. After this time, voters may register at the time of voting.</i>	<i>21st day preceding an election.</i>	<i>EL § 3-302(a)</i>
Monday October 24, 2022		Last day that mail-in voting ballots may be sent.	Mail-in ballots for an election must be mailed or distributed no more than 30 days and no less than 15 days prior to the election to which they apply.	City Code 5.18.05(A)
<i>Thursday</i> <i>October 27, 2022</i>	<i>7:00 AM – 8:00 PM</i>	<i>Montgomery County Early Voting Begins</i>	<i>2nd Thursday before an election through the Thursday before an election.</i>	<i>EL § 10-301.1</i>
Tuesday November 1, 2022	4:00 PM	Last day to request that a City election absentee ballot be mailed.	4:00 PM on the 7th calendar day before the election.	City Code 5.20.020(B)
Thursday November 3, 2022		Last day to mail a requested absentee ballot.		5.20.040(B)(2)
Friday November 4, 2022		Any eligible person may preregister as a write-in candidate beginning on September 19 and ending November 4. Such write-in candidate must file a Financial Disclosure Statement and Campaign Finance Registration to complete the preregistration.	Monday after the Nomination Meeting through the Friday before Election Day.	Charter 605 City Code 3.04.080(D)(6)
<i>Thursday</i> <i>November 3, 2022</i>	<i>7:00 AM – 8:00 PM</i>	<i>Montgomery County Early Voting Ends</i>	<i>2nd Thursday before an election through the Thursday before an election.</i>	<i>EL § 10-301.1</i>

Date	Time	Event/Description	Computation	Legal Authority
Tuesday November 8, 2022	7:00 AM – 8:00 PM	Takoma Park Election Day	First Tuesday after the first Monday in even-numbered years. At least one voting center shall be open from 7:00 AM to 8:00 PM on Election Day.	Charter Sec. 606(a) City Code 5.18.010(C)
<i>Tuesday November 8, 2022</i>	<i>7:00 AM – 8:00 PM</i>	<i>Gubernatorial Election Day</i>	<i>Tuesday after the first Monday in November.</i>	<i>MD Const. Art. XV, § 7; EL § 10-301</i>
Tuesday November 8, 2022	8:00 PM	All Ballot Drop Boxes are closed and sealed at 8:00 PM.		City Code 5.16.050
Wednesday November 9, 2022 – Wednesday November 16, 2022		Canvass and counting of votes	Between the closing of the polls on election day and end of the day on the second Wednesday after the election, the judges of the election shall canvass . . . , and count any paper ballots, regular and absentee, to determine the vote cast for each candidate or any questions on the ballot.	Charter Sec. 613(a)
Monday November 14, 2022	4:00 PM	Any anonymous contributions received are to be contributed to the City general fund by this date.	No later than 4:00 p.m. of the Monday following the election.	City Code 5.12.020(D)
Tuesday November 16, 2022	5:00 PM	Deadline for receipt of ballots received by US mail. Ballots must be postmarked on or before election day.	5:00 PM on the 5 th business day after the election.	City Code 5.18.090(B) City Code 5.20.060(B)
Friday November 11, 2022		City Holiday and Federal Holiday. City Offices Closed.		
Wednesday November 16, 2022	TBD	Board of Elections certification meeting	Second Wednesday after the election.	Charter Section 613(b)
Wednesday November 16, 2022	7:30 PM	Special meeting of the City Council to receive the certification of the election results.	Second Wednesday after the election.	Charter Sec. 613(b)

Date	Time	Event/Description	Computation	Legal Authority
Friday November 18, 2022		Deadline for filing City election challenge or appeal.	Two days after certified results presented to Council.	City Code 5.16.070(A)
Monday November 21, 2022	7:30 PM	Swearing-In of the Mayor and Councilmembers	Newly elected Councilmembers and the Mayor take office on the second Monday following their election, but if this day conflicts with Veterans Day or a Council-recognized religious holiday, they shall take office on the next day, Tuesday.	Charter Section 301
Thursday November 24, 2022		Thanksgiving Day. City offices and facilities are closed Thursday, November 24 through Sunday, November 27.		
Monday November 28, 2022	4:00 PM	Third City Campaign Finance Report (post-election report) due to City Clerk.	No later than 4:00 p.m. on the third Monday following the election.	City Code 5.12.022(B)(3)
Tuesday January 31, 2023	4:00 PM	Annual report on retention or disposition of surplus campaign funds.	No later than January 31	City Code 5.12.022(B)(4) City Code 5.12.030(E)
Wednesday February 8, 2023		Minimum retention for voted paper ballots and printed or electronic voting machine records, and mail in and absentee ballot envelopes.		City Code 5.16.060(D) City Code 5.18.090(E) City Code 5.20.060(E)

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