

Introduced by: Councilmember Smith

First Reading: July 22, 2020
Second Reading: July 29, 2020
Effective Date: July 29, 2020

CITY OF TAKOMA PARK, MARYLAND

**ORDINANCE NO. 2020-21
2020 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, pursuant to Section 301(a) of the City Charter, the term of the Councilmembers and Mayor elected in the 2017 regular election was three (3) years, with two-year terms resuming with the 2020 regular election; and

WHEREAS, 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 16 in 2020; and

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

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

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

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

SECTION 2. The November 3, 2020 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, at least one voting center will be open from 7:00 a.m. to 8:00 p.m. on November 3;
- 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. The City Manager shall inform the Council of the selection as soon as practicable.

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 to limit personal contact, 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.

SECTION 5. Names of qualified candidates for Mayor and Councilmember duly nominated at the Nominating Caucus on September 15, 2020 shall be listed on the ballot unless the candidate declines the nomination in writing by 5:00 p.m. on Friday, September 18, 2020. 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 14. The City Manager may authorize hazard pay for Election Judges and Election Workers and provide for any and all necessary measures to protect the health of the election workers as well as ensure transparency of the process.
- 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 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, while providing for physical distancing and other accommodations to protect public health. Such accommodations may include, but are not limited to, video broadcasting of canvassing and tabulation, and permitting in-person viewing but limiting the number of people in a facility where canvassing and tabulation is being conducted, requiring representatives of candidates and the press to schedule and stagger their observations of canvassing and tabulation, or other similar arrangements.
- 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 Thursday, November 12, 2020.

SECTION 20. This Ordinance shall become effective upon adoption.

Adopted this 29th day of July, 2020 by roll-call vote as follows:

AYE:	Stewart, Kovar, Dyballa, Kostiuk, Seamens, Smith, Searcy
NAY:	None
ABSTAIN:	None
ABSENT:	None