Regular Meeting

Agenda Item #	7
Meeting Date	September 9, 2013
Prepared By	Jessie Carpenter City Clerk
Approved By	Brian Kenner City Manager

Discussion Item	First Reading Ordinance Setting Forth the 2013 Nominating Caucus and City Election
Background	The ordinance presented for first reading sets forth the election procedures as defined by the Charter and Code and incorporates details specific to the upcoming election. The Nominating Caucus will take place on Tuesday, October 1, at 7:30 p.m. in the Auditorium. Nominations for mayor will be taken first, followed by nominations for city council. The order of ward nominations will be determined by a random drawing of ward numbers conducted at the City Council meeting on September 9. The election will be held on Tuesday, November 5. The ordinance designates the Takoma Park Community Center as the polling place for the election. The polls will be open from 7 a.m. to 8 p.m. on election day. For the November 5, 2013 City Election, early voting will be held at the Takoma Park Community Center on Wednesday, October 30, from 2 p.m. to 8 p.m.; Thursday, October 31, from 2 p.m. to 8 p.m.; Friday, November 1, from 2 p.m. to 8 p.m.; Saturday, November 2, from 10 a.m. to 4 p.m.; and Sunday, November 3, from 10 a.m. to 4 p.m. The early voting experience shall be substantially the same as election day voting The City has contracted with Election Systems and Services, LLC to provide ballots and election equipment for the election. Voters will be marking a paper ballot and inserting the voted ballot into a digital scanner for tabulation. An AutoMARK accessible station will be available to assist voters unable to mark a ballot. All tabulations remain subject to review and certification by the Takoma Park Board of Elections. Pursuant to the City Charter, any voter may apply to vote by absentee ballot. Absentee ballots will be available for mailing as soon as practicable after the Nominating Caucus to qualified voters who submit an application. Second reading of the ordinance is scheduled for September 23 along with first reading of an ordinance appointing election judges.
Policy	City Charter, Section 607 (a) The Council, by ordinance, shall provide for said elections; shall designate in said ordinance a convenient polling place or places; shall appoint judges of election; shall designate the manner of holding said election; shall designate and provide the voting system to be used; and shall conduct said elections in accordance with the provisions of this section.
Fiscal Impact	The FY 2014 Budget includes $35,000 for election expenses.

Attachments	First Reading Ordinance
Recommendation	Adopt the ordinance.
Special Consideration	

Introduced by:

First Reading:
Second Reading:
Effective Date:

CITY OF TAKOMA PARK, MARYLAND

ORDINANCE NO. 2013-
(2013 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 in odd-numbered years for the election of a Mayor and six Councilmembers; and

WHEREAS, the City Charter, in Section 607, states that the Council has the power to provide by Ordinance for the conduct of City elections generally and shall designate a convenient polling place, the manner of holding City elections, and the voting system to be used for the City election.

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

SECTION 1. The City Clerk shall call a Nominating Caucus of qualified voters of the City of Takoma Park for the nomination of candidates for Mayor and Councilmembers on Tuesday, October 1, 2013, at 7:30 p.m., in the Takoma Park Community Center – Sam Abbott Citizens' Center, 7500 Maple Avenue, Takoma Park, Maryland; said Nominating Caucus to be conducted as follows:

A. Nominations of candidates for Mayor shall immediately precede all ward nominations of candidates for City Council;

B. Nominations of candidates for City Council shall be taken in the following order: Ward __, Ward __, Ward __, Ward __, Ward __, Ward __. This order was determined by a random drawing conducted at the City Council meeting on September 9, 2013.

SECTION 2. A City Election shall be held at the Community Center on Tuesday, November 5, 2013, between the hours of 7:00 a.m. and 8:00 p.m. for the purpose of electing a Mayor and six Councilmembers, as follows:

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. Votes shall be cast in the City Election by paper ballots;

C. An instant runoff voting system shall be used to allow voters to rank candidates in

order of choice;

D. The City has contracted with Election Systems and Software , LLC to provide election services that include digital scanners and an AutoMARK Voter Assist Terminal;

E. Absentee voting shall be permitted and available to all eligible voters as set forth in Title 5, Elections, Chapter 5.20, Absentee Voting, of the Takoma Park Code; and

F. If eligible, an individual shall be permitted to cast a provisional ballot as set forth in Title 5, Elections, Chapter 5.22, Provisional Ballots, of the Takoma Park Code; and

SECTION 3. Section 609 of the City Charter provides that early voting locations, days, hours and mechanisms shall be established for all elections. For the November 5, 2013 City Election, early voting shall be held at the Takoma Park Community Center on Wednesday, October 30, from 2 p.m. to 8 p.m.; Thursday, October 31, from 2 p.m. to 8 p.m.; Friday, November 1, from 2 p.m. to 8 p.m.; Saturday, November 2, from 10 a.m. to 4 p.m.; and Sunday, November 3, from 10 a.m. to 4 p.m. The early voting experience shall be substantially the same as election day voting.

SECTION 4. The City Clerk shall provide paper ballots for the City Election and sufficient voting stations for use by voters. 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. The name of any candidate nominated at the Nominating Caucus who, within three days of the Nominating Caucus, files a written declination of candidacy with the City Clerk shall not appear on the ballot.

SECTION 5. 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 her/his name posted in the appropriate voting booth(s) for the purpose of identifying her/him as a candidate for office.

SECTION 6. The City Clerk shall arrange for a space on the ballot for write-in votes.

SECTION 7. 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 611 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 8. Notice of the Nominating Caucus and the City Election shall be published in the Takoma Park Newsletter and at least once in the Washington Post Montgomery Edition during the two weeks prior to October 1, 2013. In addition, a specimen 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 published in the Takoma Park Newsletter preceding the election.

SECTION 9. The City Clerk shall supply voter lists bearing the names and addresses of all eligible voters, as certified by the Montgomery County Board of Elections, and shall supply such lists to the Board of Elections on election day. The voter information for all voters registered thorough the City Clerk's office shall be incorporated into the voter lists.

SECTION 10. Eligible Takoma Park residents may register up to and including the day of the election, pursuant to Section 603 of the City Charter.

SECTION 11. Members of the Takoma Park Board of Elections shall serve as Election Judges and shall recommend to the Council the names of additional persons to be designated as Election Judges for the 2013 City Election.

SECTION 12. Following the closing of the City Election polls, the Election Judges shall ensure the secrecy of the ballot, correct counting of votes on ballots on which the proper number of votes has been indicated, the tabulating and recording of votes by ward for or against any candidate or question, and the prompt reporting of election returns after the official closing of the polls.

SECTION 13. In each race, the candidate receiving a majority of votes shall be declared elected. If no candidate receives a majority of first choices, the Election Judges shall conduct an instant runoff consisting of additional rounds of ballot counting as set out in Section 606(e) through 606(h) of the City Charter. Instructions provided to voters shall conform substantially to the specifications of Section 606(c) of the City Charter.

SECTION 14. The Board of Elections shall meet in the Community Center – Sam Abbott Citizens' Center on Wednesday, November 6, 2013, and shall determine and certify the results of the election to the Council, as provided in City Charter Section 613.

SECTION 15. The Council shall hold a Special Meeting in the Community Center – Sam Abbott Citizens' Center at 7:30 p.m. on Wednesday, November 6, 2013, to receive the certification of the election results from the Board of Elections.

SECTION 16. This Ordinance shall become effective upon adoption.

ADOPTED THIS ____ DAY OF _____, 2013, BY ROLL CALL-VOTE AS FOLLOWS:

AYE:
NAY:
ABSTAIN:
ABSENT: