

City of Hyattsville

Hyattsville Municipal Building
4310 Gallatin Street, 3rd Floor
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org



Agenda Regular Meeting

Register at the link below:

https://zoom.us/webinar/register/WN_JMyz4IKVSD28j5Mk8Li6lw

Tuesday, January 19, 2021

7:00 PM

Virtual

City Council Public Hearing

Kevin Ward, Interim Mayor, Ward 1
Carrianna Suiter, Council Vice President, Ward 3

Bart Lawrence, Ward 1

Robert S. Croslin, Ward 2

Danny Schaible, Ward 2

Ben Simasek, Ward 3

Edouard Haba, Ward 4

Daniel Peabody, Ward 4

Joseph Solomon, Ward 5

Erica Spell Wolf, Ward 5

ADMINISTRATION

Tracey E. Douglas, City Administrator

Laura Reams, City Clerk, 301-985-5009, cityclerk@hyattsville.org

WELCOME TO THE CITY OF HYATTSVILLE CITY COUNCIL MEETING!
Your participation at this public meeting is valued and appreciated.

AGENDA/PACKET: The Agenda/Packet is available for review at the Hyattsville Municipal Building and online at www.hyattsville.org prior to the scheduled meeting (generally available no later than the Friday prior to the scheduled Monday meeting). Please note, times given for agenda items are estimates only. Matters other than those indicated on the agenda may also be considered at Council discretion.

AMERICANS WITH DISABILITY ACT: In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk's Office at (301) 985-5009. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

AUDIBLE DEVICES: Please ensure all audible devices are turned off or otherwise not audible when the City Council is in session. Thank you.

PUBLIC INPUT: If you wish to address the Council during the Public Comment period, please submit an Audience Participation Form to the City Clerk prior to the beginning of the meeting. Matters identified during Public Comment that are not on that meeting's agenda will be referred to staff for follow-up or considered on a future agenda. Issues that require a response will be addressed publicly at the next regular Council meeting. Speakers are requested to keep their comments to no more than two (2) minutes per speaker. Written comments or supporting documents may be turned in to the City Clerk for distribution to the Mayor and Council.

WAYS TO WATCH THE MEETING LIVE: City Council meetings are broadcast live on cable television channel 71 (Comcast) and channel 12 (Verizon). You may also view meetings live online at hyattsville-md.granicus.com/MediaPlayer.php?camera_id=2

REPLAY SCHEDULE: The meetings will be re-broadcast on cable television, channel 71 (Comcast) and channel 12 (Verizon) daily at 7:00 a.m., 1 p.m., and 8 p.m. Meetings are also able for replay online at www.hyattsville.org/meetings.

CITY INFORMATION: Sign up to receive text and email notifications about Hyattsville events, government, police and programs at www.hyattsville.org/list.aspx

INCLEMENT WEATHER: In the event of inclement weather, please call 301-985-5000 to confirm the status of the Council meeting.

Notice of Public Hearing

The City of Hyattsville Mayor and Council will conduct a Public Hearing on Tuesday, January 19, 2021 at 7:00 p.m. (prior to the City Council Meeting).

The purpose of the Public Hearing is to allow residents to comment on the proposed Charter Amendment Resolution 2021-01. The Charter Amendment Resolution is intended to adjust the close of candidate registration for City elections from the last Friday in March to the second Friday in March. This change is necessary to accommodate the time required to print and mail Vote-by-Mail ballots to all registered voters. Candidate registration will be open for six (6) weeks prior to the closing deadline.

It is anticipated that the Council will adopt the Resolution during the Council Meeting of January 19, 2021. Due to the COVID-19 pandemic, the Public Hearing will be held virtually over Zoom. Residents may register to attend the meeting at www.hyattsville-md.legistar.com. The Public Hearing will be broadcast live on Comcast Channel 71, Verizon Channel 12 and online at www.hyattsville-md.legistar.com. If you are unable to attend the hearing, comments may be directed to cityclerk@hyattsville.org.

1. Call to Order

2. Discussion

Public Hearing: Hyattsville Charter Amendment Resolution 2021-01: Close of Candidate Registration [HCC-191-FY21](#)

For discussion and public input.

Sponsors: City Administrator

Department: City Clerk

Attachments: [Charter Sec 4-8 Changing Candidate Registration Time 1.4.20](#)
[Sec. 8-7, Ordinance Changing Candidate Registration Date 1.4.20](#)

3. Public Comment

4. Motion to Adjourn



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-191-FY21

1/19/2021

Submitted by: Laura Reams
Submitting Department: City Clerk
Agenda Section: Discussion

Item Title:

Public Hearing: Hyattsville Charter Amendment Resolution 2021-01: Close of Candidate Registration

Suggested Action:

For discussion and public input.

Summary Background:

Over the last several months, the Board of Supervisors of Elections and the City Clerk's office have worked with the City Attorney to review and make recommended changes to the City Charter and Code for an all Vote-by-Mail election in 2021. These changes have included various administrative and procedural updates to allow for an all Vote-by-Mail election, a Charter Amendment adjusting the day of Election and the process by which the Council President and Vice President are elected, and in December, a resolution formally designating the 2021 election as Vote-by-Mail.

Staff and the Board of Supervisors of Elections have proceeded with preparations for the 2021 election including the procurement of a print and mail vendor for Vote-by-Mail ballot packets. In discussions with vendors, it quickly became apparent that the existing time frame in the City Charter and Code from the close of candidate registration (last Friday in March) to when ballots were required to be printed and mailed (30-45 days prior to election day) was too short.

Procedurally, after the close of the candidate registration deadline there is a withdrawal deadline the following Monday. After the withdrawal deadline passes, the candidates are certified by the Board of Supervisors of Elections. After certification, the Board must proof and approve election ballots. This process can take 2-3 business days. Upon approval of the ballots, they are then sent for printing and mailing. For a traditional election, this timeframe is tight but adequate. For a Vote-by-Mail election which requires ballots to be mailed to all registered voters 30-45 days in advance, the timing is inadequate.

The City's selected print and mail vendor has recommended allowing for at least 10 business days to print and mail ballot packets. To accommodate this timeframe, the Board recommends adjusting the close of candidate registration from the last Friday in March to the second Friday in March. For the 2021 Election, candidate registration will open on February 1 and will remain open until 5 PM on Friday, March 12: allowing six (6) weeks for Candidate registration.

This change will require both a charter amendment resolution and an update to City Code, Chapter 8.

Charter Amendment 2021-01 and Ordinance 2021-01

- Proposes moving the close of candidate registration from the last Friday in March to the 2nd Friday in March.

Charter Amendments require a Public Hearing which must be held 21 days after public notice of the hearing. The proposed timeline for adoption of the Charter Amendment is listed under "Next Steps". The Public Hearing will be held on January 19, 2021.

Next Steps:

- January 19 Council Meeting: Adoption of the Charter Amendment Resolution
- March 10: Effective Date of the Charter Amendment Resolution

Fiscal Impact:

TBD - There is currently \$55,000 budgeted for the 2021 Election. An all Vote-by-Mail election will require a budget amendment, to be presented to the Council for approval on January 19.

City Administrator Comments:

Recommend support.

Community Engagement:

There is a communications strategy planned for Vote-by-Mail.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Legal Review Required?

Complete

1 B. Public notice. Notice of the availability of applications and the time and place for their filing
2 shall be given twice in a newspaper of general circulation in the City once a week during the two
3 (2) weeks preceding the filing deadline provided herein. The Board of Supervisors of Elections
4 shall certify to the Mayor and City Council the name of each person filing an application of
5 candidacy and the respective office for which that person has filed an application at the first
6 regular meeting of the Council following the ~~last~~ second Friday in March of each election year.
7 If for any reason there is no candidate for a particular office, the City Council shall make
8 nominations for that office at this meeting.

9 C. Names on ballots. No candidate's name shall be printed upon official ballots of election in
10 the City of Hyattsville other than the names of the persons contained in the certificate mentioned
11 in the preceding subsection, except the names of persons nominated by the City Council
12 subsequent to the meeting of the Council as provided in such subsection. Official ballots shall
13 follow the general form prescribed by the election laws of the State of Maryland.

14 * * *

15 **Section 2:** That the date of the adoption of this Resolution is January 19, 2021, and that
16 the amendment to the Charter of the City of Hyattsville hereby proposed by this enactment shall
17 become effective on March, 10, 2021 (50 days after its passage), unless a proper petition for a
18 referendum hereon shall be filed by February 28 , 2021 (40th day after its passage), and that an
19 exact copy of this Resolution shall be posted at the main municipal building and a fair summary
20 of the Amendment shall be published in a newspaper having general circulation in the City of
21 Hyattsville not less than four (4) times at weekly intervals within forty (40) days after passage of
22 this Charter Amendment Resolution.

23 **Section 3:** That as soon as the Charter Amendment hereby enacted becomes effective,
24 either as herein provided or following a referendum, the Clerk shall send separately to the
25 Department of Legislative Services, the following information concerning the Charter
26 Amendment: (1) the complete text of this Resolution; (2) the date of referendum election, if any,
27 held with respect thereto; (3) the number of votes cast for and against this Resolution by the Mayor
28 and City Council of the City of Hyattsville or in a referendum; and (4) the effective date of the
29 Charter Amendment.

30 **Section 4:** That the Clerk be, and is specifically enjoined and instructed to carry out the
31 provisions of Sections 2 and 3, and as evidence of compliance herewith the said Clerk shall cause
32 to be affixed to the Minutes of this meeting (1) an appropriate certificate of publication of the
33 newspaper in which the fair summary of the Amendment shall have been published; and (2)
34 records of mailing referred to in Section 3, and shall further complete and execute a Certificate of
35 Compliance.

36 **INTRODUCED** by the Mayor and City Council of the City of Hyattsville, Maryland, at a
37 Regular Meeting on January 19, 2021, at which meeting copies were available to the public for
38 inspection, and at which time a public hearing took place.

39 **ADOPTED** by the Mayor and City Council of the City of Hyattsville, Maryland, at a
40 Regular Meeting on January 19, 2021, at which meeting copies were available to the public for
41 inspection.

1

Adopted: _____

Attest: _____
Laura Reams, City Clerk

Kevin Ward, Interim Mayor

2

3

4 { } indicate deletions

5 Underline/**bold**/CAPS indicate additions/amendments to additions

6

7

8

9

1 **CITY OF HYATTSVILLE**

2 **ORDINANCE 2021-01**

3 **An ordinance whereby the City Council amends Chapter 8 of the Hyattsville**
4 **Code to change the day by which candidates for office are required to register**
5 **as candidates.**

6 **WHEREAS**, the Maryland Code, Local Government Article, Section 5–202, as amended,
7 authorizes the legislative body of each municipal corporation in the State of Maryland to pass
8 ordinances that such legislative body deems necessary to assure the good government of the
9 municipality, to protect and preserve the municipality’s rights, property and privileges, to preserve
10 peace and good order, to secure persons and property from danger and destruction, and to protect
11 the health, comfort, and convenience of the citizens of the municipality; and
12

13 **WHEREAS**, the Mayor and City Council are committed to increasing voter turnout in all
14 City elections and have created the option of conducting vote-by-mail elections; and

15 **WHEREAS**, the Mayor and City Council are committed to ensuring the 2021 election is
16 accessible, secure, and safe, while minimizing, to the extent possible, the potential for exposure to
17 COVID-19 to the voting public and City employees and election workers; and
18

19 **WHEREAS**, the Mayor and City Council previously determined that the 2021 election
20 will be conducted by mail; and

21 **WHEREAS**, in order to ensure adequate time exists to create and mail vote-by-mail ballots
22 during a vote-by-mail election, it is necessary to change the candidate registration deadline to the
23 second Friday in March of each election year.

24 **NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Hyattsville
25 in regular session assembled that Chapter 8 of the Hyattsville Code is hereby amended as follows:

26 * * *

27 **§ 8-7. Applications for Candidacy; Certification of Candidates; Withdrawal.**

28 A. All individuals wishing to have their name included on a ballot as a candidate for the offices
29 of Mayor or Councilmember shall:

30 (1) file an application for candidacy on a form prescribed by the Board on or before 5:00
31 p.m. on the ~~last~~ second Friday in March in the year that the election is to be held;

32 (2) comply with any financial disclosure requirements of Chapter 10, § 10-9 of the City Code.

33 B. The Board shall timely review all applications for candidacy and conduct any necessary
34 investigations to determine the eligibility of each applicant for candidacy, including verifying
35 that candidates are residents of the City.

1 C. The Board may refuse to certify for candidacy any individual who, in any previous election,
2 failed to file all reports required by this Chapter or has repeatedly or consistently failed to
3 observe required election procedures.

4 D. The Board shall consider any mitigating circumstances in ruling on whether to certify an
5 application for candidacy.

6 E. Candidates may withdraw their candidacy at any time on or before the Monday following
7 the filing deadline for applications for candidacy set forth in this Section. Any candidate who
8 withdraws shall file a disposition of funds report.

9 **AND BE IT FURTHER ORDAINED** that if any provision of this Ordinance or the
10 application thereof to any person or circumstance is held invalid for any reason, such invalidity
11 shall not affect the other provisions or any other applications of the Ordinance which can be given
12 effect without the invalid provision or applications, and to this end, all the provisions of this
13 Ordinance are hereby declared to be severable;

14 **AND BE IT FURTHER ORDAINED** that this Ordinance shall take effect twenty (20)
15 days from the date of its adoption;

16 **AND BE IT FURTHER ORDAINED** that a fair summary of this ordinance shall
17 forthwith be published twice in a newspaper having general circulation in the City and otherwise
18 be made available to the public.

19 **INTRODUCED** by the City Council of the City of Hyattsville, Maryland, at a regular
20 public meeting on January 19, 2020.

21 **ADOPTED** by the City Council of the City of Hyattsville, Maryland, at a regular public
22 meeting on February 2, 2020.

Adopted: _____

Attest: _____
Laura Reams, City Clerk

Kevin Ward, Interim Mayor

23