CITY OF HYATTSVILLE

Board of Supervisors of Elections Update
January 21, 2025

Context

- Since the 2023 Biennial Election, the Board of Supervisors of Elections has discussed potential changes to the Hyattsville Charter & Code that would reduce the likelihood of special elections while preserving representation and residents' voices.

- Members of the Council, City Staff, and the City Attorney have been engaged and consulted throughout this process, allowing the Board to formulate clear proposals for this body.

History of Special Elections in Hyattsville

Between 2021 – 2023, the City held five (5) elections
- Three (3) of which were special elections
- Two (2) of these were triggered by an <u>off-cycle</u> Council Member running for and winning the mayoral seat

From 2001– present, the City held eight (8) mayoral elections
- Five (5) of these resulted in special elections due to election created vacancies

Impact of Special Elections

Cost
- Special elections significantly impact the City's budget.
  - Fiscal Year 2022: $114,145, which includes:
    - 1 special election to back-fill Ward 1 vacancy due to CM winning mayor *(Sept 2021)*
    - 1 special election to fill mayoral vacancy *(June 2022)*
  - Fiscal Year 2023: $27,759:
    - 1 special election to back-fill Ward 2 vacancy due to CM winning mayor *(Oct 2022)*

Capacity
- Every election calendar is long and intensive.
- Opportunity costs incurred when City Staff devote months to a special election.
- Board of Supervisors of Elections and Ethics Commission expend additional effort.

Cause of Special Elections

Vacancies

- Off-cycle Council Members are not required to resign their seat to run for higher office
- More than half of mayoral elections in the last 20+ years have created vacancies

Timeframes

- If vacancies occur more than 150 days before a scheduled election, a special election is triggered to fill vacant seat(s), according to the current Charter.
- The special election must be held within 140 days of the vacancy.

Pathways for Filling Vacancies

The Board has discussed and researched many avenues for filling vacancies:

1. Appointments
2. Expanded vacancy timeframes
3. Resignation of posts
4. A combination of options

Mayoral Election-Created Vacancies

RECOMMENDATION: Off-cycle Council Members must resign seat to run for Mayor

Impact on Special Elections:
- Resignations ensure that the vacated Council seat can be filled in the same election
- If no residents register to run for such a vacancy, the current City Code states that someone will be appointed by Council

Impact on Council Equity:
- Resignations of off-cycle Council seats would, in theory, create equity in running for higher office in staggered elections
  - On-cycle Council Members may not run for their incumbent seat AND Mayor, effectively requiring "resignation" of a chance to keep the seat on Council
  - Off-cycle Council Members may run for Mayor, without any implications on their current seat on Council

Sporadic Vacancies (Mayor)

RECOMMENDATION: Increase the allowable timeframe for vacancies to remain vacant before the next scheduled election.

CURRENT: No election required if vacancy occurs within 150 days of a regularly scheduled election
PROPOSED: 365 days

MAYORAL ELECTIONS: In the case of a Mayoral vacancy, if a vacancy occurs within 365 days of the next scheduled election, the Council President will serve as interim Mayor until the next scheduled election.
- The Mayoral vacancy would not be filled until the next regularly scheduled election.

If a sporadic vacancy occurs more than 365 days before the next scheduled election, the vacancy will trigger a special election.

Sporadic Vacancies (Council)

RECOMMENDATION: Increase the allowable timeframe for vacancies to remain vacant before the next scheduled election.
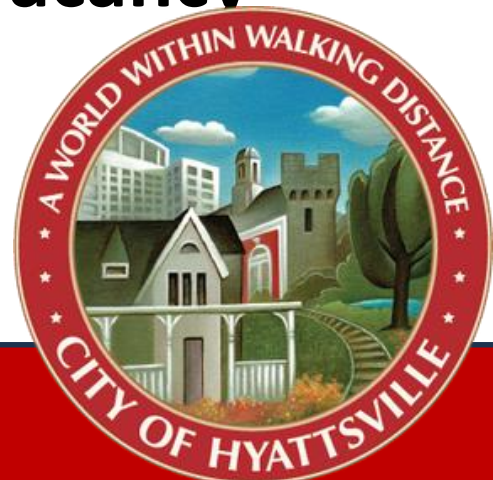
CURRENT: No election required if vacancy occurs within 150 days of a regularly scheduled election
PROPOSED: 365 days

COUNCIL VACANCY: In the case of a Council vacancy, if the vacancy occurs within 365 days of the next scheduled election and the other Council Member in that Ward is still serving, the vacancy will remain vacant and will be filled at the next election.
- Special circumstances would trigger a special election:
  - Both Council Member seats in a single ward are vacated
  - Quorum on Council cannot be met

If a sporadic vacancy occurs more than 365 days before the next scheduled election, the vacancy will trigger a special election.

Results & Benefits

Results:
- No special elections will be triggered by vacancies created by Council Members running for Mayor
- Fewer special elections will be triggered by sporadic vacancies in either Council Member or Mayoral seats

Benefits:
- Reduced voter fatigue and burden
- Reduced candidate fatigue and burden
- Reduced needs for expanding and exceeding the election budget
- City Staff, Board, and Commission time and capacity returned to an appropriate distribution of election work and regular business

Potential Impacts on Council

- Resignations may result in reduction of "veteran" Council Members within a ward if Council Members resign to run for Mayor and both seats are filled within the same election.
  - NOTE: if an off-cycle Council Member wins Mayor, even with special elections, that ward may be represented by two (2) new Council Members.

- The period of time in which a ward has only one Council Member may be extended.

- Increased chances that appointments would be needed if a ward cannot produce 2 candidates in the case of a Council Member resigning to run for higher office.

Next Steps

Discussion of Board of Supervisors of Elections Recommendations
1. Off-cycle Council Members must resign their seat to run for Mayor
2. Increase the allowable timeframe for filling vacancies

Changes to Hyattsville City Charter & Code, Chapter 8 Elections
- If a direction is generally endorsed by this body, the Board and City Staff will begin drafting formal changes to the Charter and Code

Discussion