



**CITY OF COLLEGE PARK, MARYLAND  
ACTION ITEM COVER REPORT**

**AGENDA ITEM: 23-CR-01**

**Prepared By:** Janeen S. Miller,  
City Clerk

**Meeting Date:** 03/14/23

**Presented By:** Suellen Ferguson, City Attorney  
Janeen S Miller

**Proposed Consent:** N/A

**Originating Department:** City Clerk's Office for the Board of Election Supervisors

**Action Requested:** Introduction of Charter Resolution 23-CR-01: A Charter Resolution Of The Mayor And Council Of The City Of College Park, To Amend Article III, "Mayor And Council", §C3-5, "Election" And §C3-6, "Vacancies"; And Article IV, §C4-2, "Registration Of Voters", §C4-3, "Supervisors Of Elections", §C4-4, "Other Election Officials", And §C4-5 "Petitions For Candidacy; Employees"; To Change The Date That A Petition For Candidacy For A Mayor Or Council Vacancy Must Be Withdrawn To Two Days After Said Petitions Are Due, Provide That Voter Registration For City Elections Shall Close 15 Days Prior To An Election, Provide That Supervisors Of Elections Will Be Appointed Or Re-Appointed On Or Before June 30 Of A Non-Election Year With Two Year Terms To Begin On July 1 Of That Year, Remove The Requirement That City Elections Be Conducted As Nearly As Practicable To Prince George's County Elections, And Change The Last Day Of Candidacy Withdrawal In A General Election To 49 Days Before The Election, And To Make Non-Substantive Corrections, Remove Unnecessary Provisions, And Clarify Other Provisions.

**Strategic Plan Objective:** Objective 1: Innovate and improve City services to enhance quality, value and accessibility for all our residents.

**Background:**

This Charter Amendment is brought forward in follow-up to the January 31, 2023 discussion with the Board of Election Supervisors..

Proposed amendments to the City Charter:

1. C3-5 Election: This amendment simply removes an outdated reference.
2. C3-6 B (3)(a): The proposed change to this section applies specifically to a candidate's date of withdrawal in a Special Election. As currently written, a candidate in a Special Election has until noon on the 20<sup>th</sup> calendar day before the election to withdraw their candidacy. The BOES feels this date is too close to the date of the election. The recommendation is to change this date to 2 days after the applications for candidacy are due. This ties the date of withdrawal to the date the field of candidates is known rather than tying it to the date of the election. This will allow the BOES enough time to remove the candidate's name from the ballot and still provide enough time for mail in voting.
3. C4-2 A and B: This amendment corrects the name of the Prince George's County Board of Elections.
4. C4-2 C: This amendment changes the day that voter registration closes for City elections from 28 days to 15 days prior to the election.
5. C4-3 A and B: Updates the Charter to specify that the Board of Election Supervisors (BOES) is appointed in a non-election year for 2-year terms that begin on July 1. This provides additional time for the BOES to plan the elections. This update also states that their compensation will be set with the adoption of the budget rather than at the time they are appointed, to conform to how compensation for other committees is addressed.

6. C4-3 C and C4-4: The first part of this amendment simply moves a provision that was previously in C4-4 to C4-3 which is a more logical location in the Charter. The language has not changed. The second part of the amendment removes the reference to conduct elections as nearly as practicable to Prince George's County elections, which is an outdated reference. The amendment specifies that except as otherwise required by State law, City elections be conducted according to the City Charter and Code.
  
7. C4-5 F: This proposed amendment applies specifically to a candidate's date of withdrawal in a General Election. As currently written, a candidate has until 35 days prior to the election to withdraw. That would mean that we couldn't send the ballots for printing until the 34<sup>th</sup> day prior to the election, which is too close to the election and does not allow enough time for ballots to move through the US mail. The proposal is instead to tie the withdrawal date to the date that candidacy paperwork is due. Our feeling is that most candidates will make the decision to withdraw when they see the other candidates in the field. This would allow 4 days after the names of the candidates are published for a candidate to decide to withdraw. That would be the 49<sup>th</sup> day before the election (53 days – 4 days = 49 days). This will provide more cushion for the printing and mailing of the ballots.

**Fiscal Impact:**

Amendments to the City Charter cost approximately \$3,500 depending on their length that includes requirements for publishing.

**Council Options:**

1. Discuss and introduce the proposed charter amendment and set the public hearing for April 11, 2023
2. Discuss and amend the proposed charter amendment before introduction, and set the public hearing for April 11, 2023.
3. Discuss but delay introduction.
4. Decline to amend the charter at this time.

**Staff Recommendation:**

#1

**Recommended Motion:**

*I move to introduce Charter Resolution 23-CR-01, A Charter Resolution of the Mayor And Council of the City of College Park to amend §C3-5, "Election" And §C3-6, "Vacancies"; And Article IV, §C4-2, "Registration Of Voters", §C4-3, "Supervisors Of Elections", §C4-4, "Other Election Officials", And §C4-5 "Petitions For Candidacy; Employees"; To Change The Date That A Petition For Candidacy For A Mayor Or Council Vacancy Must Be Withdrawn To Two Days After Said Petitions Are Due, Provide That Voter Registration For City Elections Shall Close 15 Days Prior To An Election, Provide That Supervisors Of Elections Will Be Appointed Or Re-Appointed On Or Before June 30 Of A Non-Election Year With Two Year Terms To Begin On July 1 Of That Year, Remove The Requirement That City Elections Be Conducted As Nearly As Practicable To Prince George's County Elections, And Change The Last Day Of Candidacy Withdrawal In A General Election To 49 Days Before The Election, And To Make Non-Substantive Corrections, Remove Unnecessary Provisions, And Clarify Other Provisions.*

**Attachments:**

1. Draft Charter Resolution 23-CR-01