



**Charter Review Commission
Minutes
WebEx Board Meeting
June 21, 2022 7:00 PM**

Members Present: Chair Kevin Owen and members John Becker, Harold Hodges, Jack Kelly, Sally Kram, Anita Powell, Izola Shaw, Marissa Valeri, and Robert Wright. Robert Kurnick was absent.

Staff Present: City Clerk Sara Ferrell, Deputy City Clerk Danny Winborne, and Management Assistant Melissa Wiak.

I. Welcome

City Clerk Ferrell the meeting via WebEx at 7: 14p.m. Chair Owen welcomed all those present.

II. Approval of Minutes—June 14, 2022

Motion: To approve the minutes from June 14, 2022

Moved by Commissioner Wright seconded by Commissioner Powell. Commissioner Kram abstained, and approved.

III. Approval of Appendix Items

a. BSE Working Group Report—Appendix F

Motion: To approve Appendix F and include it in the record

Moved by Commissioner Wright seconded by Commissioner Kelly, Commissioner Hodges abstained, and approved.

IV. Mayor and Council Working Group Report

a. Presentation by Commissioner Valeri

b. Issue A: Expanding the size of the Mayor and Council

Option 1: (The Commission recommends the city increase the number currently serving on the council from 5 to 7.) Unanimous vote with Commissioner Powell to wright the majority opinion.

c. Issue B: Term Limits of the Mayor and Council

Option 1: (The Commission recommends that the Mayor and Council be term limited to 2 consecutive terms as either Mayor or Council Member.): Supported by Commissioners Shaw and Hodges.

Option 2: (The Commission recommends that the Mayor and Council be term limited to 3 consecutive terms as either Mayor or Council Member.) Supported by Commissioners Powell, Kelly, Becker, Valeri, and Chair Owen. Commissioner Becker to write the majority opinion.

Option 3: (The Commission recommends that the Mayor and Council be term limited to 4 consecutive terms as either Mayor or Council Member.) Supported by Commissioner Wright, who will write a minority opinion.

Option 4: (The Commission recommends that the Mayor and Council not be subject to term limits.) Supported by Commissioner Kram, who will write a minority opinion.

d. Issue C: Staggered Terms of Council Members

Option 2 (The Commission recommends against the staggering of elections.): Supported by Commissioners Powell, Becker, Wright, Valeri, Kelly, Kram, Shaw, and Chair Owen. Commissioner Valeri to write the majority opinion. Commissioner Hodges Abstained.

e. Issue D: Representative Districts and the Boundaries for Districts

Option 1 (The Commission recommends creating representative districts. The Commission defers to the Mayor and Council on what that would look like in regard to the inclusion of at-large seats if any.) Supported by Commissioners Powell, Becker, Valeri, Kram, Shaw, and Chair Owen. Commissioner Valeri to write the majority opinion.

Option 2 (Status Quo): Supported by Commissioners Kelly and Wright, who will jointly draft a minority opinion.

Commissioner Hodges was not present to vote.

f. Issue E: Resign to Run

No recommendation was made on the substance of the issue. Rather the Commission is stating the following:

"The legality of a "resign to run" provision was an important factor from the beginning of the Commission's work. Per the advice and guidance from the City Attorney's office, it was determined that a letter requesting an opinion from the Maryland State Attorney General was necessary as a first step in assessing the legality of such a provision. As of the writing of this report, the Commission is still awaiting the outcome of this first step.

In light of this status, we recommend that the Commission withhold a recommendation on this issue and urge the Mayor and Council to complete the process in order to determine the legality of a resign to run provision within the City Charter."

g. Issue F: The Process for Filling a Vacancy in the Office of the Mayor and Vacancy in the Office of a Councilmember

Option 1: (The Commission recommends the Mayor and Council create a precise, open, and transparent administrative process for the election of a Councilmember when a vacancy occurs after the twenty-fourth month of the vacated term.) Approved unanimously, with Commissioner Wright to write the majority opinion.

V. Admission of Report Sections of Issues J through M:

a. Issue G: Alternative Voting Systems

1. Part 1: Ranked Choice Voting

Option 1: (Explore Ranked Choice Voting (RCV) for Rockville elections and if deemed appropriate then implement). Supported by Commissioners Powell, Hodges, Valeri, Shaw, and Chair Owen. Commissioner Shaw to write the majority opinion.

Option 2: (Not explore RCV and plan to retain the current election method). Commissioner Wright to draft a minority opinion.

Option 3: (None of the Above). Supported by Commissioners Kelly and Kram. Commissioner Kram to write a minority opinion.

2. Part 2: "None of the Above" Ballot Option

Option 1: (Implement "None of the above" (NOTA) ballot option). Supported by Commissioners Powell, Valeri, Shaw, and Hodges. Commissioner Hodges to write the split majority opinion in favor of the ballot option.

Option 2: (Do not Implement a "None of the above (NOTA) ballot option). Supported by Commissioners Wright, Kram, Kelly and Chair Owen. Chair Owen to write the split majority opinion against the ballot option.

b. Issue H: Translation of election information into various languages.

Option 1: (Translate Rockville election information into the most frequently spoken languages among Limited English Proficient (LEP) communities.) Supported by Commissioners Powell, Valeri, Kelly, Hodges, Kram, Shaw, and Chair Owen. Commissioner Valeri to write the majority opinion.

Option 2: (status quo): Supported by Commissioner Wright, who will write the minority opinion.

c. Issue I: Alternative Methods of Advertising the Election

Option 2: (Maintain the current charter and code language providing legal notice of elections.): Supported by Commissioners Shaw, Valeri, Wright, Hodges, Kelly, Kram, Powell, and Chair Owen. Chair Owen to write the majority opinion regarding "legal notice" aspect of this issue. Commissioner Shaw to write a section of the report regarding outreach and publicity of the election.

d. Issue N: Any Additional Provisions on Topics Raised by the Vote by Mail Election, for Example, Ballot Harvesting

Discussion took place.

Commissioner Valeri will prepare a report on this issue.

e. Issue O: Provisions that may increase voter turnout

1. Part 1: Timing of Municipal Elections

Option 1: (Explore changing the scheduling of the Rockville City Elections to coincide with the Presidential or State Gubernatorial Elections.) Supported by Commissioners Valeri, Shaw, Hodges, Becker, Wright, Kelly, and Powell.

Option 2: (Status Quo): Supported by Commissioner Kram and Chair Owen. Chair Owen to write the minority opinion.

2. Part 2: Non-US Citizen Voting

Option 1: (Amend Article III § 1 of the City Charter to define the term "Qualified Voter" shall mean any person who has been a resident of the City of Rockville for six (6) months preceding a municipal election, without regard to citizenship, and is at least sixteen (16) years of age.") Supported by Commissioners Powell, Valeri, Kelly, Hodges, Shaw, Kram, and Chair Owen. Commissioners Hodges, Shaw, and Valeri to write the majority opinion.

Option 2: (Status Quo) Commission Wright to write the minority opinion.

3. Part 3: Voting by 16- and 17-year-olds

Option 1: (Expand the right to vote to Rockville residents who are 16 and 17 years old.) Unanimously approved. Chair Owen to write the majority opinion.

f. Issue P: Provision in the Election Code for Internal Consistency with the Charter and Visa-Versa.

Option 1: (Recommend that the City Code and Charter be reviewed to incorporate plain language and publish guidance to the public in order to make the information more accessible). Unanimously agreed with Commissioner Hodges to draft the report.

VI. Old/New Business

There was no old/new business.

VII. Future Meetings

- Tuesday, June 28, 2022—7:00 p.m.
- Thursday, June 30, 2022—7:00 p.m.

VIII. Adjournment

There being no further business, the meeting adjourned at 11: 42 p.m.

Motion: to adjourn.

Moved by Commissioner Kram, seconded by Commissioner Shaw, and approved unanimously.