

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	October 4, 2021
Action Required:	Ordinance Enactment
Staff Contacts:	Taylor Yowell, Director of Elections and General Registrar Katrina Callsen, Assistant City Attorney
Presenters:	Taylor Yowell, Director of Elections and General Registrar Katrina Callsen, Assistant City Attorney
Title:	Central Absentee Precinct Temporary Change (1st of 1 Readings)

Background:

A central absentee voting precinct (CAP) is a location in a public building where absentee ballots are processed and counted on the day of the election in the presence of election officials. Virginia Code Section 2.2-712 states that each locality shall establish, by ordinance, one or more central absentee voter precincts. The City of Charlottesville maintains one central absentee voter precinct at City Hall established by Charlottesville City Code Section 9-31.

Last year, concerns about the spread of COVID-19 prompted the Charlottesville Electoral Board and the Charlottesville General Registrar and Director of Elections to recommend that the central absentee voter precinct be temporarily moved from City Hall to City Space for the November 2020 general election. Specifically, City Hall was closed to the public, and the designated space in the City Hall basement did not provide for adequate COVID mitigation strategies for employees, election officers and observers. City Council approved this recommendation and adopted a temporary ordinance that allowed for a location change. The ordinance expired on November 10th, 2020.

Due to continued concerns during the 2021 Primary Election, the Council approved, by temporary ordinance, the recommendation of the Charlottesville Electoral Board and the Charlottesville General Registrar and Director of Elections to move the Central Absentee Voter Precinct from City Hall to City Space for the June 8th 2021 primary election.

Discussion:

The Charlottesville Electoral Board and the Charlottesville General Registrar and Director of Elections are recommending that the central absentee voter precinct be moved from City Hall to City Space for the November 2, 2021 general election. The City of Charlottesville remains under an emergency ordinance and the prevalence of the Delta variant and continued closure of City Hall to the public makes the space unusable and inaccessible on election day. This ordinance is prepared as a temporary ordinance with an expiration date of November 3, 2021.

The CAP only exists on election day. The process of casting an absentee vote remains the same for all early voters. Voters who have obtained an absentee ballot but wish to cast it in person on election day remain able to bring their ballot to the General Registrar's office on the day of the election. In addition, they may also bring their unmarked ballot to the CAP at City Space.

Attachments:

Proposed Ordinance

ORDINANCE
APPROVING CITY SPACE
AS CENTRAL ABSENTEE PRECINCT FOR
NOVEMBER 2, 2021 GENERAL ELECTION

WHEREAS, on March 12, 2020, pursuant to a Resolution adopted by the Charlottesville City Council the City Manager/ Director of Emergency Management declared the potential spread of COVID-19 to be an emergency and disaster within the City of Charlottesville, and this declared local emergency remains in effect; and

WHEREAS, provisions for the safe conduct of elections are necessary to assure continuity of government during a state of emergency; and

WHEREAS, Virginia Code Section 24.2-310 provides that if an emergency makes a polling place unusable, the Director of Elections and General Registrar shall provide an alternative polling place; and

WHEREAS, Charlottesville City Code Section 9-31 establishes City Hall as the polling place for the City of Charlottesville's Central Absentee Precinct; and

WHEREAS, the Charlottesville Electoral Board and the Charlottesville General Director of Elections and Registrar have determined that City Hall is unusable as the Central Absentee Precinct polling place during the COVID-19 emergency, because it remains closed to the public and the limited space available does not allow for appropriate social distancing and COVID mitigation strategies and that the use of City Space as the polling place for the City of Charlottesville's Central Absentee Precinct may assist the City's efforts to avoid the spread of COVID-19; and

WHEREAS, the potential spread of COVID-19 is a rare and unforeseen circumstance necessitating the movement of the Central Absentee Precinct polling place.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that for the November 2, 2021 general election, the City of Charlottesville's Central Absentee Precinct shall be located at City Space located at 100 5th Street NE, Charlottesville, Virginia 22902.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia, that this ordinance is adopted pursuant to the provision of Virginia Code Section 24.2-310 to assure the safe conduct of elections within the City of Charlottesville during the continuing local emergency declaration.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia, that the General Registrar shall provide notice to the voters appropriate to the circumstances of the emergency and this change shall be advertised in the *Daily Progress* and on the City of Charlottesville's web site.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia that this ordinance shall be effective on November 1, 2021 and shall expire on November 3, 2021.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia that this ordinance is passed with the votes of four-fifths of the City Council and that the second reading of this ordinance shall not be required.