

**CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA**



<b>Agenda Date:</b>	March 7, 2022
<b>Action Required:</b>	Ordinance Enactment
<b>Staff Contacts:</b>	Taylor Yowell, Director of Elections and General Registrar Katrina Callsen, Deputy City Attorney
<b>Presenters:</b>	Taylor Yowell, Director of Elections and General Registrar Katrina Callsen, Deputy City Attorney
<b>Title:</b>	<b>Central Absentee Precinct Change (1<sup>st</sup> of 2 Readings)</b>

**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.

In the past two years 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. City Council approved this recommendation and adopted temporary ordinances that allowed for the location change for the November 2020, June 2021, and November 2021 Elections.

The Charlottesville General Registrar and Director of Election would like the central absentee voter precinct to be permanently moved from City Hall to City Space.

**Discussion:**

City Space is a public building that is approximately 400 ft. away from City Hall. Moving the CAP to City Space would have no expected negative operational or financial impact. The process of Absentee Voting would remain unchanged for voters. Absentee voting has grown over the past two year and the City Space location has a larger room that can better accommodate the increasing number of absentee votes that must be processed on election day. In addition, the larger space more easily accommodates the equipment needed to process the ballots and provides election officials and election workers better ventilation and more space in which to work.

To effectuate the change, Council must amend City Code Section 9-31 and identify City Space as the new CAP location. In addition, City Code Section 9-31 needs to be updated to accurately reflect current section numbering in the Virginia Code; former §24.1-233.1 is now §24.2-712.

Lastly, in 2021 the Voting Rights Act of Virginia (Va. Code §24.2-129) was enacted and mandates specific procedural requirements prior to changing a “covered practice”; changing the location of the CAP qualifies as a covered practice. The General Registrar would like to present Council with the proposed ordinance and provide information on the process and compliance with the Voting Rights Act. The next steps are as follows: provide public notice of the proposed change, initiate a public comment period that allows citizens with questions or concerns to contact the Registrar, conduct a Public Hearing at the April 4<sup>th</sup> Council meeting, and submit the ordinance for a second reading and vote at the May 2<sup>nd</sup> Council Meeting. The ordinance change, if approved, would go into effect at the beginning of June.

**Alignment with City Council’s Vision and Strategic Plan:** A Well-Managed and Responsive Organization.

**Community Engagement:** There will be several opportunities for public input including a thirty-day public comment period and a public hearing. Public notice will also be provided on the city website and via publication as dictated by statutory requirements.

**Budgetary Impact:** N/A

**Recommendations:** Staff recommends that Council approve the ordinance.

**Alternatives:** Council may direct staff at the March 7 meeting not to pursue the location change or proceed with the public comment period. Council may reject or amend the ordinance.

**Attachments:** Proposed Ordinance moving the Central Absentee Voter Precinct from City Hall to City Space.

**AN ORDINANCE AMENDING AND RE-ORDAINING CHAPTER 9 (ELECTIONS),  
SECTION 9-31 (CENTRAL ABSENTEE VOTER DISTRICT) TO CHANGE THE  
LOCATION OF THE CENTRAL ABSENTEE VOTER PRECINCT FROM CITY HALL  
TO CITY SPACE**

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that Section 9-31 of Chapter 9 of the Charlottesville City Code, 1990, as amended, is hereby amended and re-ordained, as follows:

**Sec. 9-31. - Central absentee voter district.**

There is hereby established a central absentee voter election district in ~~city hall~~ City Space for the purpose of receiving, counting and recording all absentee ballots in all elections cast within the city. Such central absentee voter election district shall receive, count and record all absentee ballots in accordance with the requirements of section ~~24.1-233.1~~ 24.2-712 of the Code of Virginia and all other applicable provisions of law. This shall be effective ~~February 1, 1979,~~ June 6, 2022, and shall remain in effect until repealed by the council.