



**Charter Review Commission  
Minutes  
WebEx Board Meeting  
February 2, 2021 7:00 PM**

**Members Present:** Chair Fred Evans, and members John Becker, Harold Hodges, Jack Kelly, Robert Kurnick, Anita Powell, Judy Rudolph, Izola Shaw, Marissa Valeri and Robert Wright. David Gottesman was absent.

**Staff Present:** Acting City Attorney Cynthia Walters, City Clerk Sara Ferrell, and City Manager Management Assistant Melissa Wiak.

**Welcome**

City Clerk Sara Ferrell opened the meeting via WebEx at 7:07 p.m.

Chair Evans welcomed all those present.

**Approval of Minutes**

**Motion:** to approve the minutes from the January 19, 2021 Charter Review Commission meeting, as amended.

Moved by Commissioner Kelly, seconded by Commissioner Wright, and approved unanimously.

**I. Review of Assignments of Teams**

Chair Evans indicated that Commissioners Powell, Valeri, and Wright will comprise the Mayor and Council team. Commissioners Hodges, Gottesman, and Shaw will comprise Election Process/Franchise Expansion team. Commissioners Becker, Kelly, and Rudolph will comprise the Board of Supervisors of Elections team.

**II. Discussion—Timeline from which Charter Review Commission Teams should report on assignments**

Mayor and Council Team: Commissioner Wright stated that he was “elected” group leader of the Mayor and Council team. The Mayor and Council team decided to take minutes of each team meeting. The Mayor and Council team will share information regarding their progress using Dropbox. Commissioner Powell will research and report on the subtopics of expanding the size of the Council and term limits for the Mayor and Council. Commissioner Valeri will

research and report on the subtopics of staggered terms of Councilmembers and representative districts and the boundaries for districts. Commissioner Wright will research and report on the subtopics of the addition of a “resign to run” provision and the process for filling a vacancy in the Office of the Mayor and vacancy in the Office of a Councilmember.

Commissioner Valeri indicated the Mayor and Council team will meet on the second and fourth Tuesday of each month.

Election Process/Franchise Expansion Team: Commissioner Shaw indicated the Election Process/Franchise Expansion team will provide an update on their team’s progress at the February 16, 2021 meeting.

Acting Deputy City Attorney Walters clarified that when teams meet, they cannot have a quorum (6 or more commissioners’), because it becomes a Charter Review Commission meeting which must be open and publicly noticed. Additionally, she indicated that if the Commission wanted to recommend a “resign to run” provision, which no municipality in the state of Maryland currently has, the Mayor and Council should ask the Attorney General for an opinion as it might violate the Anti Hatch Act.

Board of Supervisors of Elections (BSE) Team: Commissioner Rudolph reported that the Board of Supervisors of Elections (BSE) team will not have a group leader. The Board of Supervisors team will share information regarding their progress using Dropbox. Furthermore, Commissioner Rudolph indicated the BSE team will meet again February 10 and provide an update on their team’s progress at the February 16, 2021 Commission meeting. The BSE team will review and analyze past BSE meeting minutes and videos and provide primary findings and recommendations at future Commission meetings.

Commissioner Kelly stated that the BSE team will reach out to members of the BSE and Councilmembers to help the team understand what the BSE does.

Commissioner Rudolph added that the BSE team would like to interview all candidates from the previous City election and Commissioner Becker will research other jurisdictions’ Board of Supervisors of Elections and other Charter Review Commissions to assist the BSE team in providing recommendations to the Mayor and Council.

City Clerk Ferrell suggested that each folder in the Dropbox site be labeled as the following: Team 1—Mayor and Council, Team 2—Election Process/Franchise Expansion, Team 3—Board of Supervisors of Elections, so that all information and documentation is easy to find. City Clerk Ferrell will send an outline to all commissioners by February 16, 2021 regarding how each team should report their recommendations to the Mayor and Council.

Chair Evans indicated that he, Commissioner Kurnick, and City Clerk Ferrell should be notified via e-mail when each of the teams meet and that Commissioner Kurnick would like the opportunity to meet with each of teams when they do meet.

### **III. Next Steps**

Chair Evans indicated that each team should begin work on their subtopics.

Commissioner Rudolph stated that she would like fellow commissioners to be able to add new topics and areas of the Charter for the Commission to investigate after the Commission completes its work on the Election-related topics. City Clerk Ferrell stated that this information should be sent to the Charter Review Commission Chair and City Clerk and a folder in the Dropbox will be created so commissioners can discuss these new topics later.

Furthermore, Commissioner Rudolph asked, as the “resign to run” provision has exposed, if there are a relevant state laws that apply to municipal elections that the Commission needs to be made aware of.

The Mayor and Council team will draft a memorandum to the Mayor and Council asking them to write to the Attorney General regarding the “resign to run” provision. The draft memorandum will be provided to the Commission before its February 16, 2021 meeting to allow commissioners the opportunity to suggest edits. A finalized memorandum will be submitted to the Mayor and Council after the Commission’s February 16, 2021 meeting.

Commissioner Valeri asked if there are memos or research reports from the Maryland Municipal League (MML) related to the topics that the Commission is addressing in the resolution from the Mayor and Council. City Clerk Ferrell stated that the City of Rockville does have other research outlets such as the National League of Cities and the Washington Council of Governments. Staff can reach out to these organizations to see if they have information regarding the topics listed in the resolution and any future topics posed by the commissioners.

#### **Future Meetings**

Tuesday, February 16, 2021 – 7:00 p.m.

#### **Adjournment**

There being no further business, the meeting adjourned at 8:04 p.m.

**Motion:** to adjourn.

Moved by Commissioner Valeri, seconded by Commissioner Powell and approved unanimously.