

**DUVAL COUNTY ELECTION ADVISORY PANEL**

**PRELIMINARY MINUTES**

*These minutes are unofficial until reviewed and approved by the*

*Election Advisory Panel at a future meeting*

**October 6, 2021**

**3:00 p.m.**

**Don Davis Room**

**1st floor, City Hall**

**Attendance:** Robert Maldonado (Chair), Robert Phillips, Ingrid Montgomery, Daniel Henry

**Excused**: Nancy Chrisman

**Absent:** Charles McWhite

**Also:** Jeff Clements – City Council Research

Chairman Maldonado called the meeting to order at 3:08 p.m. and the attendees introduced themselves for the record.

Approval of Minutes

The minutes of the January 28 and April 4, 2021 meetings of the Election Advisory Panel were **approved unanimously as distributed**.

Supervisor of Elections update

City Council special election preparations

Robert Phillips of the Supervisor of Elections Office (SOE) said that a special election has been called for December 7 and February 22, 2022 to fill the vacancy of the City Council at-large seat left by the death of Council Member Tommy Hazouri. The qualifying period ended last Friday with 4 candidates qualifying to appear on the ballot of the unitary election. All precincts will be open countywide for the at-large seat election. Poll worker training begins today and recruitment of poll workers is ongoing until November 17th. The response from poll workers has been encouraging thus far. Overseas vote-by-mail ballots will go out by November 23rd and domestic vote-by-mail ballots by November 28th. Early voting begins Saturday, November 27th and ends on Sunday, December 5th (9 days, including 2 full weekends).

Legislation will be filed next week to change a number of polling places that are unavailable or unwilling to act as precincts for the special election. Mr. Phillips reviewed the list of precinct changes. Daniel Henry asked about a return of polling places to adult congregate living facilities that were made off-limits by the COVID pandemic. Mr. Phillips said the SOE will not be using those former sites for this election, but will be looking at those sites in the precinct re-drawing process that will take place in 2022 prior to the August and November 2022 state elections. The SOE has moved out of some polling places and into others because of the lingering effects of COVID and its impact on operations. Some churches are unavailable due to the proximity of the December election to the Christmas holiday season and conflicting church events. In response to a question from Mr. Maldonado, Mr. Phillips said the SOE fears that finding precinct locations may become more difficult, at least in part because of a change in state law several years ago that permits protestors and petition signature collectors to be on the premises of polling places during voting, to which some sites object.

Mr. Phillips said the special elections are not funded in the new City budget so there will be a need for an additional appropriation if the election is not decided in December. The SOE will use money appropriated for one of the two 2022 elections for the December election and will deal with a further appropriation later in the fiscal year if a February second election is necessary. In response to a question from Chairman Maldonado about anticipated turnout for the special election, Mr. Phillips said 10% to 12% turnout would be typical for a stand-alone City Council special election. Mr. Henry asked why an appropriation request wasn’t made as part of the legislation authorizing the special election. Mr. Phillips explained that the bill calling the special election was prepared quickly and passed as an emergency on first reading and City Council was unlikely to approve a million-dollar-plus appropriation on such short notice without any time to examine the costs, so that request was not made

Mr. Phillips said each special election will cost $1.2 - $1.5 million which is somewhat less than if there were 2 full weeks of early voting, which was determined not to be necessary due to the expected low turnout. Mr. Henry asked how the 15 early voting sites were chosen and how the 5 usual sites not being utilized were chosen. Mr. Phillips said it was partly due to the cost of facility rentals for particular sites, partly the availability and accessibility of other nearby early voting sites, and partly past voter turnout history at various sites. Mr. Henry asked for clarification of the circumstances behind not using the Gateway Center location, which Mr. Phillips provided. Mr. Henry asked that the SOE make every effort to inform voters of the fact that some traditional early voting sites (e.g. Gateway and the University Park Library) will not used for this election. Mr. Henry noted the SOE’s use of a third-party provider to notify voters that their vote-by-mail ballot was rejected and suggested that the same system be used to notify voters of the unavailability of some of the early voting sites. He said that relying on the SOE’s website and the news media to publicize the early voting changes is a tenuous prospect.

Mr. Henry asked about the SOE’s plans for the use of vote-by-mail drop boxes for this election. Mr. Phillips said the recent state law change regarding drop box use won’t have much impact on Jacksonville’s operations, except for the change in the 150-foot limit from the door of the polling place to the property boundary. Otherwise the SOE’s standard drop box practices comply with the law. In response to a question from Mr. Henry about whether there will be any change in the operation of the election from December to February, Mr. Phillips said that none is anticipated, particularly since voter turnout is expected to be low.

Chairman Maldonado asked if poll watcher requests have gone up since the 2020 election; Mr. Phillips responded that they had. Poll watching is strictly a political party function. Mr. Phillips said he encourages people inquiring about being a poll watcher to become poll workers and experience the electoral process from the inside and get paid to be involved in a non-partisan way.

Mr. Henry asked about the range of cost for early voting sites. Mr. Phillips said that by law City facilities can’t charge the SOE for their use as polling places; the cost for renting other facilities varies widely. Mr.

Henry said he recognizes that choices for early voting sites are based on some guesswork and turnout projection and asked if the volume of use in December would make a difference in the selection of February voting sites if that election is needed. Mr. Phillips said most of the sites will be the old stalwart locations that always have good turnout, and they will look at the others as needed. Mr. Henry said the University Park Library and FSCJ Deerwood campus have been steady, if not great, performers in the past. To him it looks like more traditionally Democratic sites got cut this time than Republican sites, and cautioned that the optics of this decision are important. He believes the SOE should take past partisan turnout into account when choosing early voting sites so as not to disproportionately impact one party or another. In response to a question from Mr. Maldonado about what COVID precautions will be in place for the special election, Mr. Phillips said the SOE will do what they did in 2020 – personal protective equipment mandatory for staff, masks available for voters, employees dedicated to sanitizing the polling places, and the SOE as always will pay return postage for vote-by-mail ballots. Poll workers will not be required to have been vaccinated for COVID in order to work.

Mr. Phillips said the 2022-23 election calendar will be a busy one, kicking off with City and state redistricting and the consequent changes in all electoral districts. He said it looks at present like the City Council is keeping its districts relatively unchanged. State elections in August and November 2022 will follow the 2 special elections this December and next February, then the 2 City elections will follow in March and May of 2023. In response to a question from Mr. Henry about how the redrawing of precincts works, Mr. Phillips said the SOE takes new city and state electoral districts into account in assigning polling places and then gives the list of sites to City Council to approve. The precincts are based on City Council districts fundamentally, then overlaid with Florida House and Senate districts. They try to minimize the number of ballot styles to prevent errors, but must work from the electoral districts they are given by others. Mr. Henry noted that some counties in South Florida have precincts inside gated communities just for those residents. Mr. Phillips said that can work where the communities are large enough to merit a full precinct, but not in places where those communities are smaller than a full precinct. He said the SOE has to use census block lines to draw precincts, and they suggested some new block line locations in high growth areas that the Census Bureau may have used for census blocks for the 2020 Census.

Election law changes

Mr. Phillips reported that most of the election supervisors around the state are unhappy because state election officials have thus far given little or no guidance about the implementation of election reform laws passed by the 2021 Florida Legislature. There are currently 4 or 5 lawsuits pending against state election officials and all 67 counties that were filed by opponents of the changes immediately after SB 90 was signed into law seeking to block its implementation. It doesn’t appear that the law will change much about how Jacksonville operates its elections, especially since the SOE was already doing what the law requires with regard to ballot drop boxes. He noted that the law makes supervisors of elections personally liable for violations of some portions of the law. The SOE’s website has been updated to reflect the new law requirements.

Commission Henry asked if the SOE is currently doing voter registration list maintenance. Mr. Phillips said they are not because of the impending special election but will restart for a time after the February election before stopping again 90 days before the August election. Some routine list maintenance goes on continually as evidence is received from the U.S. Post Office that a voter has definitively moved from their registration address. The SOE depends on returned mail and the change-of address process with the Post Office to identify voters who are no longer at their voter registration address.

Election Operations Center relocation

The SOE is currently planning for a build-out to move the elections call center from the first to the second floor at the Imeson voter operation center and is still working with the City administration on relocating the downtown SOE headquarters from Monroe Street to the Imeson center after the call center relocates upstairs. The special election is problematic because it takes up some of the down time in late 2021 and early 2022 that could have been used for construction before the state general election cycle in the fall of 2022. The idea of moving all operations out of the Imeson center to another location has been abandoned. The SOE will always have a presence downtown somewhere – potentially in City Hall or the Ed Ball Building – for people downtown to transact voting business.

Old Business

Chairman Maldonado asked about progress toward filling the EAP’s vacancies. Jeff Clements said that he has communicated with the Mayor’s Office and the Supervisor of Elections about their vacancies. Supervisor Hogan said he has two candidates in mind to fill his vacancies. A citizen who indicated his interest in the Panel has been referred to the Mayor’s Office’s application web page and completed an application for the Mayor’s consideration.

Mr. Maldonado said someone needs to be sure that the City’s board and commission vacancies web site is kept up to date; he checked recently and did not see the EAP’s vacancies listed there. Mr. Henry said he had the same experience looking for TRUE Commission vacancies. Mr. Clements said he would inquire about who is responsible for updating that site.

Mr. Henry asked if Supervisor Hogan could come to the EAP meeting on December 15th to make up for the August meeting being cancelled. Mr. Phillips said he will check with Mr. Hogan about his availability.

New Business

In response to a question from Mr. Maldonado about how voter registration is going, Mr. Phillips said there has been a trend toward many more non-partisan registrations. It will be very interesting to see how the next several elections go and if that trend continues.

Mr. Henry asked about the City Council appointees to the Canvassing Board. Council Members Joyce Morgan and Michael Boylan are this year’s appointees.

In response to a question from Mr. Henry about poll worker pay, Mr. Phillips said it would be the same as in 2020, which will represent a permanent increase in salary since the pay in 2020 was increased by a COVID stipend.

Public comment

None

Next meeting

December 15th, 3 p.m.

There being no further business, the meeting was adjourned at 4:30 p.m.

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Posted 10.8.21 2:00 p.m.