

**DUVAL COUNTY ELECTION ADVISORY PANEL**

**PRELIMINARY MINUTES**

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

*Election Advisory Panel at a future meeting*

**March 16, 2022**

**3:00 p.m.**

**Supervisor of Elections Operations Center**

**1 Imeson Park Boulevard – Building 100**

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

**Excused**: Nancy Chrisman

**Absent**: Charles McWhite

**Also:** Supervisor of Elections Mike Hogan; Jeff Clements – City Council Research Division

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 December 15, 2021 meetings of the Election Advisory Panel were **approved unanimously as distributed**.

Supervisor of Elections update

Supervisor Mike Hogan welcomed the group to the Election Operations Center. He said that his office gives occasional tours of the Operations Center to interested groups and they have been very successful in informing the public about how elections operate.

He said Duval County received over 400,000 petitions supporting amendments to the State Constitution on the 2022 state election ballot. There were several instances of fraud that were identified. The perpetrators are being prosecuted. The State Attorney investigators believe money paid to petition collectors for signatures they collected incentivizes the falsification of the forms. SOE staff worked overtime for over 8 weeks, including weekends, to review the thousands of questionable signatures. Mr. Hogan said he hopes that the City Charter will be amended regarding the conduct of special elections because of the cost, burden, and risks the current rules impose on the SOE and the City’s budget to elect someone to fill a City Council vacancy for only a few months. The recent special election showed the thinness of the supply of poll workers which is a perennial problem.  The millennial generation are not offering themselves as poll workers as previous generations did.

Mr. Phillips presented an overview of the two Special Elections - there was a 20% voter turnout for the second special election after a 12% turnout in the first election. No Party Affiliation is the fastest growing registration category in the county in recent years. Early voting for the special election was very successful, and they had great success with the preliminary rollout of the new ExpressVote system. The reaction to ExpressVote varied by precinct, which may be in part due to the enthusiasm or lack thereof of the poll workers in each precinct and their degree of promotion of using that system. ExpressVote will save money in the long run on printing costs over the 4 different types of ballots used now, but will require an investment up-front for purchasing additional equipment. There are 2 choke points at voting precincts – waiting for the ballots to print and waiting for voters to vote in their booth.

With regard to redistricting, Mr. Phillips said that the City Council district lines as proposed are changing minimally, while state and Congressional districts are changing more considerably. The SOE will need to mail out about 400,000 new voter ID cards due to district changes out of the approximately 650,000 registered voters.

Mr. Hogan said that poll worker training starts in June for the August statewide primary election. The SOE will need to ask City Council for an additional budget appropriation for the special elections that were not budgeted in this fiscal year – approximately $2.2 to $2.3 million. The ExpressVote system replaces the AutoMark system which is no longer manufactured or supported. ExpressVote is used in 43 counties around the state. The SOE received $1 million last year for purchase of a new mail processing machine. Mr. Hogan said his office is looking for the Election Advisory Panel’s support for the additional appropriation for the ExpressVote purchase. Robert Phillips said the SOE will be inviting the City Council to tour the Operations Center and try the new equipment.

Mr. Maldonado asked about the security of the ExpressVote system. Mr. Phillips said it’s as secure as the current system – the paper ballot produced after the voter makes their selections via touch screen is read by the same tabulation equipment and the results are transmitted the same way. Mr. Maldonado asked how the appropriation will be requested – in big sum all at once or in smaller amounts over several years. Mr. Hogan said that will be for the Mayor’s Office and City Council to decide. The SOE will do studies in the upcoming elections on how many and how quickly voters can be processed using the ExpressVote equipment and calculate how many more machines will be needed.

On the subject of the recent special election Mr. Hogan said the City Charter requirements for special election timing (no less than 1 month and no more than 6 months after the date the vacancy occurs) made it particularly difficult because of the overlap of that period with the end-of-year holidays (Veteran’s Day, Thanksgiving day, Christmas, New Year’s Day) and the compression of time (established deadlines created by the legislature) not known when the Charter language was originally written. Mr. Hogan and the City’s attorneys believe the Charter must be changed. Qualifying was difficult, and $2.3M is a lot to spend to elect 1 person to fill a seat for 14 months. Mr. Hogan thinks an appointment method would be an improvement, or perhaps an all-mail election system for this type of single race election. He noted that if the call for the Special Election had occurred two months later than it did, then the 6 month rule currently in the Charter would have required a special election to be held in the midst of the redistricting/re-precincting process and the preparations for the 2022 primary and general elections

Mr. Hogan said that supply chain problems are affecting SOEs around the state in their ability to buy paper for ballots and voter ID cards. He reported that Florida’s membership in the Electronic Registration Information Center (ERIC) voter registration database sharing system implementation occurred in the middle of the petition review process and the Special Election. The state gave the Duval County SOE dispensation to put the implementation of ERIC on hold until after the City’s special election was completed.

Commissioner Henry asked if the pending lawsuits on the Congressional redistricting plan have any effect on the timing of re-precincting. They could hold up the process temporarily if a judge so ruled. He said the 67 county supervisors of elections are parties to 4 pending lawsuits arising from last year’s new election legislation. Mr. Henry asked if the SOE would be providing the City Council in advance with suggestions for how the City Charter could be changed regarding special elections. Mr. Hogan said he would help to inform the debate by providing suggestions in advance. He has talked to several council members about being sponsors of such legislation and he hopes the EAP will help by expressing support for some changes.

Mr. Henry asked about the reallocation of funding for the cost of the recent special election. Mr. Phillips said the largest expense is poll worker pay. There are rules how which funds can and cannot be shifted among the department’s budget categories. The budget is always impacted by special elections. Mr.

Henry said the August primary ballot is looking very full with the normal state elections, the School Board’s millage increase proposal, and possibly Council Member Diamond’s recently proposed term limits referendum. In response to a question from Mr. Henry about whether the SOE would go back to the previous list of early voting sites, Mr. Hogan said there will be at least 20 and possibly 21 sites. The Gateway site has been replaced by the Joseph Lee Community Center. The University Park and San Marco libraries will come back along with FSCJ and the Prime Osborn Convention Center. He said the City Council redistricting will cause a precincting problem for the Bartram Park area because there is not a good location in the area that will now be in Council District 6.

Commissioner Pringle asked about his precinct and why the voters have to drive 7 or 8 miles to get to their voting site when there are other polling places located closer. Mr. Phillips said it’s because of the district he’s in – you have to vote in your home council district and the other polling places are in another district.

Mr. Henry asked about the upcoming SOE budget for FY22-23. Mr. Phillips said the budget varies depending on the number of elections in the year. They are going from what was usually their lowest budget (no elections) to their biggest (3 elections in the next fiscal year). They purchased ExpressVote and EVID equipment with federal COVID funds – the only remaining capital needs are more ExpressVote machines. There’s money earmarked in the budget from years past to relocate the SOE’s administrative offices from Monroe Street downtown to the Election Operations Center at Imeson which is planned but had to be deferred due to the preparations for the special elections.

Mr. Henry asked about the vote-by-mail cure process for multiple ballots in a household if one person fills out all the ballots but each resident signs their own return envelope. Mr. Phillips said they review those returns and try to match up the ballot with the signature, but it’s hard to do with more than 2 people in a household. It can be a confusing situation. If it’s clear what happened, they can count them. EVIDs will catch problems with people who try to vote in person after realizing they signed the wrong ballot and they will get a provisional ballot and the Canvassing Board will settle the matter later and decide which counts and which doesn’t. He said each Canvassing Board makes its policy decisions on matters like this for each electoral cycle.

Chairman Maldonado asked about who looks for voter fraud – are there dedicated employees for the purpose or just employees doing it in the course of their regular work? Mr. Hogan said it’s done by employees being vigilant in the course of their regular duties. The SOE has no investigatory powers so it reports any suspicions about improper activity to the Secretary of State and the State Attorney’s Office for them to handle.

Old Business

EAP vacancies: the Supervisor just filled his one vacancy (Mr. Pringle was attending his first meeting), and the Mayor has 2 vacancies.

New Business

Commissioner Henry asked about the process for the EAP saying something officially about the proposed increased appropriation to the SOE for purchase of more ExpressVote equipment. Chairman Maldonado said it will be an agenda item for discussion at the May panel meeting.

**Motion** (Pringle) – the EAP adopts a resolution recommending that City Council appropriate $1.25 million in next year’s budget for purchase of 125 new ExpressVote machines

After some discussion the motion was deferred until the May meeting pending receipt of further detailed cost information from the SOE.

Mr. Henry asked what it would cost to mail letters to all registered voters whose vote-by-mail standing request is expiring this December after the November election. Mr. Phillips said they have always sent letters to voters whose requests were expiring on a 2-year cycle. The state law change means it will have to be done more often in the future with requests being limited to one year at a time, but every voter has gotten a letter on that subject in the last several cycles except for anyone who may have fallen off in 2020.

Public comment

Lanelle Phillmon said she has toured the Election Operations Center in the past and found it very interesting and enlightening. She hopes more people will use the ExpressVote option in the future because it works so well. She asked Supervisor Hogan if schools do field trips to the Operations Center. Mr. Hogan said some private schools have, but no public schools have asked.

Mr. Hogan said it was a mistake to use the words “touch screen” in conjunction with the ExpressVote system because of the negative connotation that term has due to with problems years ago with old touch screen technologies no longer in use.

Ms. Phillmon said she heard complaints at the last election about the closure of some early voting sites and felt there needed to have better publicity about those changes to the public. Mr. Hogan shared the information was on the SOE’s website, discussed by the media via interviews and stories and every household in the county received a sample ballot which contained a list of all the early voting sites.

Panel Member Comments

None

Next meeting

May 18, 2022

There being no further business, the meeting was adjourned at 4:40 p.m.

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