



DUVAL COUNTY ELECTION ADVISORY PANEL
PRELIMINARY MINUTES

*These minutes are unofficial until reviewed and approved by the
Election Advisory Panel at a future meeting*

September 21, 2022
3:00 p.m.

Don Davis Room
1st floor, City Hall

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

Excused: Austin Kiwkel

Absent: Nancy Chrisman

Also: Jeff Clements – City Council Research Division

Chairman Maldonado called the meeting to order at 3:07 p.m. and the attendees introduced themselves for the record.

Approval of Minutes

The minutes of the July 20, 2022 meeting of the Election Advisory Panel were **approved unanimously as distributed**.

Supervisor of Elections update

Robert Phillips of the Supervisor's office reported that the voter turnout rate for the August primary election was 28.8%. The recount in the 4th Congressional district race and the post-election audit recount of a precinct in Council District 9 both reproduced the original results as expected. Mr. Phillips noted that yesterday was Voter Outreach Day and described the voter registration publicity efforts undertaken by the SOE in conjunction with local colleges and sports teams' social media operations. He also reported that a poll worker recruitment effort at the Jacksonville Jaguars' first home game last weekend generated 194 new applicants. The Jaguars are also hosting a 1.5-hour poll worker training event tomorrow in the East Club of TIAA Bank Field.

Mr. Phillips reported that the voter registration books will close in mid-October for the November 8 general election. International vote-by-mail ballots will be mailed next week, and domestic VBM ballots the following week. The City Council Finance Committee approved the SOE's requested appropriation of funds for the purchase of 200 additional ExpressVote machines and the City budget will be up for final

approval on September 27th. Ray Pringle said that he had heard of some problems with ExpressVote equipment during the August primary. Mr. Phillips said that there were some software bugs that had to be worked out, but overall the public's reaction to the ExpressVote system has been favorable. The November general election will be the first full-scale test of the ExpressVote system, especially given the presence of referendum questions on the ballot that are more challenging than simple candidate races. He said there will be 205 different ballot styles for the November election.

Daniel Henry asked about a precinct in Jacksonville Beach not opening on time for the August election. Mr. Phillips explained that the voting equipment was in a locked room for which the key was not readily available on the morning of election day. The manager of that precinct, who should have checked on the equipment the previous day and gotten the procedure for unlocking the room, has been replaced. In response to a follow-up question about potentially having that precinct stay open in the evening for the amount of time that it was not available in the morning, Mr. Phillips said that state law prohibits individual precincts or counties from being open other than the prescribed hours of 7 a.m. to 7 p.m. Any divergence from that standard window must be declared by the Governor and must apply to all counties statewide. Mr. Phillips said that all of Duval County's election equipment now has battery backup power so will continue to operate even if there is a temporary power failure. SOE election rovers also have portable generators and power inverters that can be delivered in short order to any precinct suffering a power failure.

Mr. Henry asked how the reduction in the number of precincts played out in the August election. Mr. Phillips said the SOE had employees stationed at all of the former precinct locations to direct voters to their new polling place. They will continue to have an employee stationed at the Gateway Center which was a long-time early voting site to direct voters to the new Joseph Lee Community Center location.

Mr. Henry inquired about the application of the state law on how petitions for candidate qualification will apply to signatures being gathered for the spring 2023 City Council elections given the uncertainty over the status of the new Council districts. Mr. Phillips said that, pursuant to guidance from the General Counsel's Office, candidates are being advised to collect signatures based on the districts as approved by City Council because they are the official boundaries until such time as a court rules otherwise. He noted that there are two methods approved by state law – a candidate for a district seat may collect signatures within the boundaries of that district equal to 1% of the number of registered voters in the district as of the last general election, or may collect signatures citywide equal to 1% of the total number of registered voters in the city as of the last general election divided by the number of districts to be contested (14 in Jacksonville's case).

Mr. Henry noted that the lawsuit challenging the validity of the new City Council districts had its first court hearing last week and asked if the Supervisor of Elections office has any role in the process, particularly as it might relate to a City appeal of a ruling that the districts have to be redrawn. Mr. Phillips said the only SOE involvement would be in providing a date by which districts had to be finalized in order to provide sufficient time to prepare for the first election in March of 2023. Mr. Hogan has previously stated that the districts would have to be set sometime in December in order for his staff to have time to verify the district lines, establish precincts and inform all voters of their precinct assignments.

Mr. Henry asked about how the ballot is designed and suggested that the columns be differently formatted to avoid having races at the very bottom of the ballot where they might be overlooked. Mr. Phillips said the SOE's Information Technology Director formats the ballots pursuant to the requirements of state law regarding item placement, column structure, and font size, using best judgement to obtain the most readable ballot. He noted that the samples distributed at the meeting are not exact duplicates of the final ballot, which will have larger margins and timing marks around the edges.

Chairman Maldonado asked about the impact in the August primary of the voting reform measures adopted by the Florida Legislature in 2021 via SB 90. Mr. Phillips said the impact on the vote-by-mail process won't really be felt or understood until after the November general election when VBM numbers can be tallied and compared with past elections. In response to another question from Mr. Maldonado, Mr. Phillips said that the number of registered voters currently stands at 652,956 and that he is budgeting for 660,000 by the November election. Regarding the new ExpressVote equipment, the SOE hopes that the 200 new units covered by the FY22-23 budget appropriation can be obtained in time for deployment for the general election. The purchase contract is ready for signature as soon as the budget ordinance is approved next Tuesday. The logic and accuracy test for the general election ballot will take place on October 14th.

The committee engaged in a lengthy discussion of election worker compensation. Mr. Phillips reported that the pay rate is currently \$15/hour for early voting team leaders, \$12.50/hour for poll workers and \$225/day for inspector technicians. Ray Pringle said the pay scale is too low considering that workers can make \$15/hour or more at many retail jobs in today's economy. Mr. Phillips said that Jacksonville used to be the highest paid county in the state for poll workers but has since been surpassed by several others despite having raised the hourly rate a bit in each of the last 2 years. Mr. Pringle and Mr. Henry advocated for higher pay to attract the number and quality of election workers needed to fulfill a vital task, and suggested perhaps adding a stipend for meals and/or transportation costs to help keep up with the spiraling inflation rate. Mr. Phillips said the next City budget cycle begins in February of 2023 and the Election Advisory Panel may wish to make its feelings known and advocate with the Mayor and City Council for increased compensation for poll workers. He said Supervisor Hogan is committed to increasing pay to attract the workforce needed to properly operate elections. The biggest cost driver for elections in recent years is the number of days and hours per day during which early voting is conducted. Mr. Maldonado said the EAP would take up the issue of poll worker compensation at a meeting in early 2023.

In response to a question from Daniel Henry, Mr. Phillips discussed the procedure for dealing with third party challenges to vote-by-mail ballots during the canvassing process. A party or candidate requesting to see a volume of election documents (vote-by-mail documents, cures, etc.) is required to make an appointment 48 hours in advance and come to the office for an observation period between 8:00 and 8:30 a.m. to view records before the canvassing process begins. Once a VBM ballot is opened it cannot be challenged. A challenge to a specific voter's eligibility to vote must be filed in person in writing with the reason for the challenge in advance of the election. That voter is notified of the challenge and their registration is flagged so they will be required to vote a provisional ballot, the validity of will be determined by the Canvassing Board. A voter's eligibility cannot be challenged based solely on their address.

Old Business

Chairman Maldonado said he would be drafting a letter to the Mayor, City Council President and Supervisor of Elections reminding them of the vacancies and members serving on expired terms on the EAP and requesting their assistance in making appointments to fill those vacancies.

New Business

Chairman Maldonado said that election of officers will be on the agenda for the next meeting in November.

The group discussed a meeting schedule for 2023 based on the election calendar. Meetings will be scheduled for February 15, April 19, August 16 and November 15, all third Wednesdays of the month.

Public comment

Edna Nalls asked about Mr. Phillips' statement earlier in the meeting that Edward Waters University had been contacted along with the other colleges and universities in town to participate in the Voter Awareness Day campaign but had not responded. Mr. Phillips said that Greg Clark of the SOE office had attempted to contact all of the colleges but did not receive a response from EWU. In response to a question from Ms. Nalls about whether poll watchers are paid by the SOE, Mr. Phillips said they are not. Poll watchers assigned by the political parties, candidates or political action committees and are not poll workers working for the SOE.

Sam Coodley of All Voting Is Local said that college students at Edward Waters and UNF were discouraged by the SOE's decision not to continue using their campuses as early voting sites despite several hundred of them having signed nearly 700 petitions asking that the EV sites be continued. He said that many voters will no longer receive vote-by-mail ballots as a result of the change in the state law and that the Urban Core area is being disproportionately disadvantaged by the closure of early voting sites which will compound their problem. Black votes in Jacksonville tend to vote in person at early voting sites more so than voters in other counties and they were particularly disadvantaged by the closure of sites in or close to the urban core (Prime Osborn Convention Center, San Marco Library, University Park Library, Gateway Center) during the special election earlier this year. He questioned why mailers to voters informing them about the new VBM regulations wouldn't include a new application for the voters' convenience. He reiterated his offer to the SOE to provide a racial and economic analysis of voter impacts. He said he was notified by poll workers at the Joseph Lee Center that the hole in the roof had caused mold and mildew that could negatively impact the health of poll workers who had to work in those conditions all day.

Mr. Phillips said that all 20 early voting sites used in previous citywide elections would be open, including the University Park and San Marco libraries and the Joseph Lee Center. The Gateway facility can't be used because the landlord will not rent it to the SOE. A replacement for the Prime Osborn Convention Center is being sought; TIAA Bank Field might be a possibility for the City elections in the spring because the Jaguars are interested and the spring elections won't conflict with the football season that impacts fall elections.

Next meeting

September 21, 2022

There being no further business, the meeting was adjourned at 4:35 p.m.

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