



DUVAL COUNTY ELECTION ADVISORY PANEL

MINUTES

August 16, 2023

3:00 p.m.

Don Davis Room
1st floor, City Hall

Attendance: Ray Pringle (Chair), Austin Kiwkkel, Daniel Henry, Lanelle Philmon, Robert Phillips

Excused: Ingrid Montgomery, Robert Maldonado

Absent:

Also: Supervisor of Elections Jerry Holland; Jeff Clements – City Council Research Division

Chairman Pringle called the meeting to order at 3:04 p.m. and the attendees introduced themselves for the record. Mr. Pringle welcomed Jerry Holland as the new/returning Supervisor of Elections.

Approval of Minutes

The minutes of the April 12, 2023 meetings of the Election Advisory Panel were **approved unanimously as distributed**.

Supervisor of Elections update

Jerry Holland reported on his transition into the office. He said the Supervisor of Elections (SOE) was sued in early July alleging a violation of the Equal Protection Clause of the 14th Amendment to the U.S. Constitution on the grounds of unequal access to voting because some districts have more precincts than other precincts. He proposed a settlement with the plaintiff's attorney for an average of 11 precincts in every district with a deviation from the median of no more than one (range of 10 to 12). The plaintiff agreed to that resolution, which must still be approved by the City Council. The current 186 precincts will be reduced to 161 if the settlement is approved. Mr. Holland said he wants to strongly emphasize early voting by adding 5 additional early voting sites across the city. He plans to eliminate the Prime Osborne Convention Center and the Joseph E. Lee Community Center as early voting sites due to low usage and poor ADA accessibility at the Lee Center. Mr. Holland said he hopes to get up to 75% early voting either in person or by mail. Requests for vote-by-mail (VBM) ballots went down after the change in the state law regarding annual expiration of those requests. The SOE will be sending letters to all who had previously requested VBM ballots with a letter and an application form. He will also be sending letters to the highest likely VBM demographic, which is yet to be determined.

Lanelle Phillmon asked if it would be hard to find new precinct locations. Mr. Holland said they are having major problems with both precinct locations and getting poll workers. He is not opposed to

opening new precincts, but staffing is an issue while trying to stay within the current budget. Mr. Holland said he is ready and willing to meet with any group to discuss the lawsuit and to identify possible precinct locations.

Mr. Holland said early voting will change slightly with ExpressVote equipment at all locations; there will no longer be ballot-on-demand printers at precincts since they are old and at the end of their useful life. The old tabulators are going to be replaced. Their failure rate is too high, and the machine stops accepting votes when it breaks down. Ballots then have to be securely stored until the end of the day and tabulated on another machine, which undermines voter confidence in the integrity of the system. The SOE's budget hearing before the Finance Committee is tomorrow and he will be requesting replacement of all vote tabulators and high-speed counters at a cost of \$2.2 million. The Mayor and council members he has talked to about this proposal have been very supportive thus far.

Mr. Holland said the lease for the Election Operations Center at Imeson is up in March 2024. There are 2 options about how to proceed – notify the Imeson landlord by October of this year of intent to renew the lease for 2 or 5 years, or vacate the premises in March, which is impossible because of the 2024 elections. He prefers constructing a new facility on a City-owned property in LaVilla at Davis and Jefferson Streets. A CIP project for a new building is not in this year's CIP budget but will be in next year's. Mr. Holland said he's also open to proposals from developers who have sites available in the downtown area. He prefers a single operations and headquarters building in or near downtown that is equally convenient to voters and poll workers citywide.

Mr. Holland said that poll worker pay was increased before he took office by \$50 per day. His goal is to have at least 1 worker from both of the 2 major parties at every precinct (to his mind, No Party Affiliation doesn't count as a "party") by the November 2024 election. Ray Pringle asked about an increase in voter driving distance to the polls due to a lower number of precincts; Mr. Holland said that is inevitable, particularly in more rural areas with fewer good options for housing precincts. He said he will have poll workers stationed at every precinct no longer being used who will direct voters to the new location, which will be on their voter ID card as well. Mr. Pringle said he drives past 2 precincts to get to his voting site. Mr. Holland said they tried to take that into account in locating the precincts, along with trying to reduce the number of split precincts (multiple House or Senate districts within a city council district).

Lanelle Phillmon asked about the potential for overcrowding at a reduced number of precincts, particularly with regard to parking space in the early and late hours of the day. Mr. Holland said the SOE will staff and equip heavy use precincts differently to meet the demand. The new equipment will also help move voters through the process faster. The presidential preference primary in March will be a test run of the new precincts and new equipment in preparation for the presidential election in the fall of 2024. Austin Kwikkel asked about potentially adding more precincts under the settlement agreement; Mr. Holland said if they could find another precinct location in District 8, which has the fewest now, then all could grow by an additional precinct (median of 12, range from 11 to 13). He has lobbied the legislature to approve additional wild card early voting sites which would be helpful; currently only 1 wild card is permitted. Mr. Pringle said he lives in a high-growth area that will grow hugely in the next 10 years, and that will be problematic because Jacksonville's infrastructure tends to lag its population growth and private development.

Daniel Henry asked for more information on the lawsuit mentioned earlier. Mr. Holland explained that a group of 6 registered voters filed a suit in circuit court alleging the equal protection violation and were determined by the court to have standing to sue. Mr. Holland showed a map of the proposed new early voting (EV) sites, which were determined by taking into account which city council districts did not have an early voting site and considering driving distance (trying to keep transit distance under 4 miles to the

extent possible). The new EV sites are Edward Waters University, Maxville Branch Library, Bartram Park Holiday Inn, Ed Austin Park PAL center, and the Southside Community Center.

Mr. Henry said the Nassau SOE sent out an envelope with a vote-by-mail application return form to voters who had previously requested VBM ballots. Mr. Holland said he doesn't know if that will pass muster under state law. As he understood it, the application is being returned by the voter in one year and then being held by the SOE and not processed until the next year to try to meet the requirement of the law. He questions whether that would be found acceptable if challenged because the voter submits the form before the start of year for which the request is being made. Mr. Henry asked about educational efforts to inform people of all the changes in state election laws. Mr. Holland said they will use every means available. He has a good rapport with the media and will meet with any group that invites him to speak. He said that voter turnout is high among people who request VBM ballots – they are more likely to vote than people who insist on voting on election day, but then might not do it.

Mr. Henry asked if technology could be used to let voters track their ballot at every step of the process – when a VBM ballot was mailed, when it was received back by the SOE, when it was tabulated. Robert Phillips said he saw a demonstration today of BallotTrack – a private system the uses the U.S. Postal Service's mail scanning bar code system to track VBM ballots. A voter must opt in to participate in the system, it's not automatic. Voters get text messages at several stages of the process and can contact the SOE if, for example, they got notice that their ballot was mailed but it never arrives. Mr. Phillips said the SOE just saw the demonstration today so they don't have a price quote, which wasn't included in the budget currently pending in the Finance Committee's budget hearings.

Mr. Henry asked about a potential refresh of the SOE website, which hasn't changed in years. Mr. Holland said he's open to doing an update, but hears different preferences from different people about what they do or don't want. Someone likes every feature on the current page and doesn't want it to change. Mr. Henry asked about the plans for high school registration efforts. Mr. Holland said he strongly pushed that in his first term as SOE and it was very successful and he wants to get back to that. More people register online and via driver's license application now, so on-site registration drives might not produce the same results as they used to. A lot depends on the attitude of the new Duval County School Superintendent and the interest of school principals, which varies. He will meet with the new superintendent when they are selected to broach the subject. He said he will be targeting the 2024-25 school year because next year the staff will be very busy with the presidential election.

Regarding new facilities, Mr. Holland said it would have been less expensive to build a new operations center downtown than to lease the space at Imeson for 10 years and now build a new building at a much higher cost, and the same will likely be true if construction is put off for another 10 years.

Chairman Pringle asked about language information. Mr. Holland said the SOE has Spanish speaking staff in the office and relies on technology like Google Translate on smartphones and LangSurf (a toll-free call-in line to a translator) for other languages.

Lanelle Phillmon suggested putting voter information ads on JTA buses since they circulate throughout the city daily. Mr. Holland said he will explore that idea. He noted that the SOE has gotten electronic billboard donations in the past.

Ms. Phillmon asked about third-party registration efforts, noting that turning in an application does not necessarily mean that a voter is registered; there's a lot that has to happen behind the scenes before registration is official. Mr. Holland said the office takes applications all the time from people who aren't eligible to vote and when they find that out they do notify the applicants about the problem. You know you're registered when you get a voter registration card, but people may not know that. The SOE website

could probably be clearer about the steps and what to look for. Mr. Phillips said the online voter registration site won't let an applicant omit any required information and checks for valid addresses, but that still doesn't guarantee that the applicant who turns in a properly completed form is eligible to vote. Mr. Holland said there is a role for third-party registration efforts, but they should never take possession of the application – they should give the applicant a registration form, help them fill it out, and give them a stamped envelope with the SOE's address to submit the form. The SOE limits the number of application forms that a third-party registration group can take out at one time because they found they were giving out lots of forms that never came back. The SOE needs to be realistic and economical with the printing costs. Mr. Holland said he has developed an outreach team for both poll worker recruitment and voter information.

Mr. Henry asked what happens if the Congressional redistricting court challenge gets settled during the 2024 election season. Mr. Holland said it could create more splits and therefore more ballot styles, but he thinks the courts would not be likely to impose that change in the middle of an election year. The same applies to the case of the School Board asking for an early election for seats impacted by the redistricting settlement.

Regarding preparations for the 2024 elections, Mr. Holland said the SOE is in the early planning stages but it's too soon to do too much hard planning until the precincts are re-done and the budget for new equipment passes. A lot of community education will have to take place before the 2024 elections, and they would never make any changes between the August primary and the November general election. Mr. Pringle said that EAP members might know of potential polling sites that could be explored. Mr. Holland said they would consider paying for a polling location in a hotel if it would serve an area with a great need.

Old Business

EAP Membership – Mr. Clements explained that Robert Phillips recently retired from the SOE and is now working part-time. The Ordinance Code chapter creating the Election Advisory Panel specifically requires that the Supervisor's employee appointee be a full-time employee. This creates an unusual situation because normally an appointment that would require a waiver of a factor such as the full-time employment requirement would be done by ordinance instead of by resolution in order to accomplish the waiver. However, the SOE's employee representative is not appointed by legislation. Mr. Holland said he intends to attend as many EAP meetings as possible. There are two additional vacancies, one a mayoral appointment and one a Council President appointment. Carmen Martinez has been appointed by the President and her resolution is in pending before the council.

New Business

Adoption of Election Advisory Panel annual report

Motion (Henry/2nd Phillmon) – approve the submission of the annual report as distributed, with the attachment of the meeting minutes for the past year – **approved unanimously**.

Meeting schedule for 2024 preliminary discussion

The group discussed the 2024 election schedule: presidential preference primary - March 19; primary election - August 20; general election - November 5. After some discussion the following tentative meeting dates were determined: January 17, April 17, June 26, September 18 and December 4. These dates will be officially approved at the November meeting.

Chair's comments

None

Public comment

None

Next meeting

November 15, 2023

There being no further business, the meeting was adjourned at 4:38 p.m.

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