

MEETING NOTES

2008 Elections Model Advisory Committee Minutes of Tuesday, September 11, 2007 Conference Room of Clerk & Recorder 2:00 P.M.

Stephanie O'Malley, Clerk & Recorder convened the meeting at 2:12 p.m.

Welcomes all to the Advisory Committee. She explained that everyone, except for 2 individuals agreed to attend. One individual wants to keep apprised of proceedings of the group and the second person may still respond. O'Malley explained that this group will make a critical decision relative to election models for the 2008 Primary and General Elections. She goes on to say that the makeup of this committee represents stakeholder interests in elections and is representative of varying interests. Over the next 5 weeks, ultimately a decision will be made by the committee to Ms. O'Malley and Mr. Scarpello who will ultimately decide on what election model to implement for the 2008 Elections. The Elections staff has prepared a PowerPoint presentation.

O'Malley makes staff introductions of the Elections Division, Alton Dillard, Communications Department, Tina Romero, also Communications and taking minutes, Paul Casper, Warehouse; Matt Crane, Supervisor of Operations; Michael Scarpello, newly appointed Director of Elections and Amber McReynolds, Supervisor of Logistics.

O'Malley explains committee objectives are making recommendations on voting location and making recommendations on a voting system.

She goes on to explain the **ground rules** which are:

- Focus on our objectives
- Committee will make recommendations, not decisions
- Focus on future
- Keeping an open mind
- Considering all factors (financial, personnel, etc.) with sensitivity to the city's budget
- Being brief and concise
- One vote per organization

She explains the **Committee Schedule** as follows:

- September 11 – Introductory
- September 18 – Education background/information regarding vote system and vote location
- September 25 – Discussion of voting locations
- October 2 – Discussion of voting systems
- October 9 – Discussion and final recommendations

Meeting proceeds to **introduction of Elections Model Advisory Committee Members:**

Penny May – Mayor’s Office

Honorable Carol Boigon – City Council Member states that the people of Denver need to speak with a united voice

Denis Berckefeldt – representing the Auditor’s Office

Honorable Rosemary Marshall – House District 8 Representative references the difficulties in the 2006 election cycle and views this as much more proactive to have an Advisory Committee

Carolyn Metzler – Republican Party states that she has been involved with the Elections Commission for 10 years

Steve Welchert – Democrat and political consultant states that voting is the most sacred trust of people from all parties.

Sara Harmer – Technology Services has had a 3 year involvement with elections.

Heather Riti - Budget Office & Budget Analyst for the Clerk & Recorder and the Elections Division

Victoria Ortega – City Attorney’s Office

Ed Neuberg – Commission for People with Disabilities

Carol Tone – League of Women Voters, has been an observer of elections for the last several years.

Jessie Danielson – America Votes states that her organization is dedicated to turning out voters; representing labor, and is part of the State Committee leading up to State Elections

Rich Pelletier – State Director of America Votes.

Jenny Flanagan – Colorado Common Cause states that elections have been a priority for her organization and that she worked with Dusti Gurule and the Latina Initiative to bring a stakeholder voice in 2004 and 2005 to lead FairVote Colorado

Walt Beckert – City Employee, city official of AFSCME, and labor rights activist.

Susan Shepherd representing the Denver Area Labor Federation.

Charles Williamson – has participated the last 5 years as a trainer and support for election judges and is concerned about the spotlight on next year’s elections.

Dusti Gurule - Latina Initiative is interested in serving Latinas to ensure they are enfranchised and educated about modes of voting.

Vivian Stovall – Colorado Alliance for Retired Americans, member of the Colorado Commission on Aging, and a lobbyist for seniors and disabled; she has also been an election judge for 12 years.

Tamra Ward – Denver Chamber of Commerce is here to represent the interests of the business community.

Manolo Gonzalez-Estay – represents the Spanish Language Advisory Board to serve legal rights of Latinos, as we see the Latino community growing and, is also here to represent the board; in addition, he is a political consultant.

Other guests:

Dan Willis, Democratic Party

Steve Lang, Citizen

Alton Dillard explains **recent history of the Elections Division** outlining 79% voter turnout in November 2004 which led to long lines, a miscommunication with ballot vendor leading to 13,000 absentee ballots being delivered late, how those ballots still got delivered and returned by voters at the normal rates, as well as the long lines during early voting causing a major grocery chain to give up early voting. Recent history issues in 2005/2006 include pro/con statement being misplaced and not making the final Tabor Notice, a filing cabinet containing thousands of microfilmed voter records disappearing during the move to 303 W. Colfax Avenue, transposition of one ballot question due to a printing error, 5 precincts in RTD District N being left off of the ballot due to SOS ballot certification error. In addition Commissioners vote to move to Vote Center for the first time. Voter convenience, HAVA/ADA and trying to contain skyrocketing elections costs are cited among reasons for the switch. July, 2006, Councilwoman Marcia Johnson convened an Elections Governance Task Force. Recommendations included operational changes instead of structural changes and amending the City Charter to move when the Commissioners would run for election and strengthening the job description of the Director. On Election Day, November General Election had 59% turnout and failure of the E-Pollbook and other technical issues caused long lines and a delayed vote count. An estimated 18,000 to 20,000 voters leave without casting a ballot. Review of failures leads to Mayor Hickenlooper and City Council President Hancock convening an Investigative Panel. Fujitsu Consulting was retained to do an audit. Due to Election Day issues, decision is made not to inactivate anyone for not voting in November. The Investigative Panel suggests asking voters in the legally mandated inactive mailing if they did not vote due to long lines. A little over 7,000 voters respond on the return card in the affirmative. Fujitsu cites E-Pollbook failure, substandard technology management, testing and quality assurance as main causes of November Election problems. The Investigative Panel suggests enhanced planning, judge training, telecomm, supply chain, testing, voter outreach, increased numbers of ballot counting staff and modeling number of Vote Centers based on a 30 minute maximum wait time.

Progression into 2007:

- Stephanie O'Malley is appointed Clerk & Recorder
- January 2007, voters approve Charter change to make Clerk & Recorder an elected position
- Denver conducts successful all mail ballot elections in May & June
- Stephanie O'Malley is elected Clerk & Recorder
- After national search, Michael Scarpello, Elections Manager, Douglas County, Nebraska is hired as Director of Elections

Michael Scarpello, Director of Elections, states that an inactive confirmation card will be sent end of week or early next week to inactive voters. It is clarified that there are 197,380 active voters; 160,000 voters are inactive; 7,000 voters responded that they did not vote due to long lines in November 2006.

Vivian Stovall, senior representative, is concerned about ages of people who did not vote. It is verified that 117,000 were inactivated after November 2006; 160,000 were inactivated after 2 mailings. Amber McReynolds states that our voter database is in

better shape today than then; 13,000 voters requested reactivation. She goes on to say that we are switching to a statewide system in December and that if the Secretary of State verifies that a social security number matches a voter from a neighboring county, that voter will be moved within the database to the appropriate county. Many numbers of voters deleted by our data entry were in another county. Many inactive voters since 2004 potentially have moved out of county. Amber goes on to explain that the number should go down significantly with determination of registration in another county. Tina Romero, staff member, states correction to the transposed question on the ballot, saying that the Spanish was correct.

Clerk & Recorder O'Malley discusses Denver Votes Initiative saying that the strategic plan concept is to communicate better with the community, to hire a Communications Director who will start October 29. Other items of priority include:

- Voter outreach and education
- New election model
- Voting processes and voter registration

This hire was critical per O'Malley and she stated that this is based on everywhere she has been; the response from people has been, *I didn't even know*; they didn't even know there was a vote center where they were supposed to vote. She goes on to say that when she hears I don't know, tell us about this, educate us about this, it's too much legalese, it's too complex and it is apparent that this department in the Clerks Office needs somebody on board to drive initiatives around outreach and getting means of communication out on the road. She also stresses listening to concerns and has hired Rigo Leal who currently works for the City of Longmont and has done wonderful things. He didn't accept the offer initially because the offer wasn't incentive for him to leave. She doubled back with him and worked with the budget office to be able to make a better offer and he has agreed to start after finishing up some things in Longmont. Rigo will be supervisor of the communications team. Carol Boigon, City Council, wants to ensure that communication is not just paper communication, TV. or media but that also includes site accessibility.

Amber McReynolds speaks about **SCORE II** stating that there will be 7 pilot counties; 2 doing mail ballot, 3 precincts, 1 Vote Center and work is in progress in those elections. She goes on to say that the bilingual counties and Denver as a county have the need for uniform registration lists. We're one of the largest counties on this committee. She goes on to explain that data migration was done a few months back and initial migration was monitored. Some things had to be addressed on our system and their end in order to ensure accuracy. Training of Elections Division staff will occur the first week in December; all staff and new staff, with all members. January 1, 2008 there will be conversion to a statewide voter registration system. Per Mike Scarpello, Larimer is running dual systems. Carol Boigon is concerned about running dual systems. Representative Rosemary Marshall is concerned about who is paying and who determines the software. Scarpello states that 3 billion dollars was supplied by HAVA and I'm not sure what Colorado spent but about \$12 million was spent in Colorado. Sara Harmer, Technology Services, states that Michael Locatis, CIO (Chief Information Officer) for the State oversees all the agencies; technology in communications to make all this work.

Currently counties participating are Arapahoe, Larimer, Gilpin, Mesa, Huerfano and, Amber will provide the rest of the list to the group.

Rich Pelletier, America Votes, said we saw how the pollbook was an issue; it serves as a pollbook in the early voting module, Election Day pollbook, and still working on electronic pollbook for polling places, but this is in limbo. It is explained that pollbooks have been secondary and kinks are still being worked out. Scarpello explains that the pollbook portion is not going well and furthermore O'Malley said this will be driven by mode of election. Rich Pelletier questions whether this will be the responsibility of the Secretary of State. Amber responds that the counties will still own their own database. Death deletes and felon files will be taken care of by the Secretary of State.

Matt Crane – Early Voting increase will ease strain of Election Day with a long ballot and 90% active voter turnout; 250,000 and 270,000 are the projected voter base next year.

Jenny Flanagan requests explanation of what is used at early voting; right now Sequoia Integrity and voter systems management are used; election management was early voting model for early voting; we will lose voter election database out of Integrity; so we're going to need a new county-based system;

Manolo Gonzalez-Estay states that marketing outreach coordinated by Alton last year all came down to the question of funding; staff properly allocated money to provide outreach and did what was economically possible;

Jessie Danielson asks if early voting will tie in to precinct or polling places and whether it will also tie into 3rd session.

Per Sara Harmer marketing is the biggest piece and mentions that we need to include budgetary considerations for the number of sites.

We will implement a successful election and the reorganizational structure may not be accomplished in one year per Scarpello. He goes on to say that we want to be available to the public and his pledge is that all questions will be answered.

Public comments/questions from visiting public requested by O'Malley:

Vivian Stovall asks pertaining to VRDs; are there any Spanish speaking only? If she calls to the office she wants to know who can help; who is available?

It was determined that a linkup voter lookup and linkup to VRDs will be made on our website, as well as restructuring of office duties and staff being made available to this group.

Comment is made that assistance to school board candidates needs to be made more candidate friendly. Scarpello clarifies that the Draft Restructure is still in draft form. He

states that Alton Dillard, Communications, will liaison to candidates to get them whatever information they need in a timely fashion. Elections Division has been following through timely and effectively for school board candidates according to Manolo.

List of staff and committee members will be made available to all per O'Malley.

Walt Beckert, labor representative, requests clarification as to when discussion will be given as to method of voting. Stephanie verifies that this discussion will take place within the next 4 weeks and that ultimately she and Mike will make the decision.

Her plan is to communicate back to this body with the basis of the decision. It may come down to all of our recommendations being made at the last meeting.

Current Elections Division budget - Jenny Flanagan wants us to take a look and talk about the process as they pertain to budget management office and, Carol Boigon, in order to plan for unanticipated events.

Steve Lang is here because his faith in the ability of this division was shattered and faith in the city; bad electronic pollbook caused problems; appreciates careful planning; less faith in the state IT system implemented by the State; he is leery about the State putting heads together with the Elections Division and encourages a Plan B. He believes that if you want to have an electronic pollbook, you can stop in a precinct voting and go to paper; 7,000 plus is too many people to abandon their ballots and recommends abandoning the pollbook and implementing a method that will allow you to go to paper.

Michael Locaitis is given kudos by Denis Berckefeldt, as the new appointment by Governor Ritter, stating that he is by far the best person for the job..

It is requested that voting alternatives be provided at an upcoming meeting addressing the do's and don'ts, pros and cons. This would help with perspective, as well as emailing ahead of time. Michael said the tentative plan is to present next week and to present orally, then to have materials in the 3rd week.

Meeting was adjourned at 3:42 p.m. by Clerk & Recorder O'Malley.