

**City & County of Denver
Denver Election Commission
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Denver Election Commission
200 West 14th Avenue – Commission Meeting Room/2nd Floor
Thursday, June 23, 2005

Commissioner Vaden called meeting to order at 6:00 p.m.

Attendees:

Commissioner Sandy Adams, Commissioner Wayne Vaden, Commissioner Susan Rogers
Karon Hatchett, Executive Director
Vicky Ortega, Assistant City Attorney
Lynn Pressnall, Council District 5
Ashley Zollinger, Budget Management Office (BMO)
Christine McGroarty, Budget Management Office (BMO)
Dan Willis, Citizen
Nancy Ulrich, League of Women Voters (LWV)
Rosella Gonzales, Denver Voters for Responsible Spending (DVRS)
Frank Sullivan, Denver Voters for Responsible Spending (DVRS)
Sean Walsh, CRL Associates
Faith Gross, The Legal Center for People with Disabilities (The Legal Center)
Dusti Gurule, Latina Initiative
Mark Gardinier, Citizen
April Washington, Rocky Mountain News
Karen Crummy, Denver Post
Anthony Rainey, DEC Staff
Matt Crane, DEC Staff
Carrie Kellogg, DEC Staff
Tina Romero, DEC Staff

I. Approval of Commission Minutes of June 8, 2005 – Move to table by Rogers. Second by Adams. Minutes tabled to next Commission meeting.

II. Old Business:

A. Denver Voters for Responsible Spending/Complaint Update - Rosella Gonzales handed Karon Hatchett a copy of the hearing dates that would work for them. ED Hatchett is passing this on to Vicky Ortega for legal assistance.

B. Vote Center Stakeholders Meeting - Jenny Flanagan, Common Cause, reported that 3 stakeholder meetings have been held; they have been very productive meetings; everyone here is welcome, and thanks staff for their involvement. She reported that meeting the needs of technology in the initial criteria seems to be satisfactory and that group is looking into the second round of criteria, that is, business centers, brainstorming various lists/maps, what sites would be used, and where placement will be. Establishing extended criteria and long-term strategy will be determined based on the form of election decided tonight. She stated that the group is interested in serving as an ongoing committee. Viable sites for constituents are still being reviewed. It was requested by the group to extend an invitation for participation to CBOs (Community based) and NBOs (Neighborhood Organizations). Dan Willis has been making suggestions related to areas that are sparser in terms of locations. ED Hatchett stated that the initial charge for this group is to go through the already established sites with the current criteria to determine if these will work as Vote Centers, and asked if this had been accomplished. Ms. Flanagan responded that it had not.

C. Form of 2005 General Election – ED Hatchett stated that the DEC wants to coordinate the signature scanning with a mail ballot plan and submit to the SOS by September 7, 2005 and a file for mailing to Sequoia by end of September. There is no provision in the SOS rules regarding a specific deadline for scanning of signatures. Statutory requirement is that judges be able to compare the signature received on the ballot to the signature that is scanned. State law, CRS 1-7.5-107 and 1-7.5-107.3, require that an election judge be able to compare the signatures to the mail ballot as they are submitted. She reported

that approximately 15 on calls are currently on board with 2 volunteers from the Mayor's Office of Workforce Development.

- Per Rainey, approximately 303,505 signatures have to be scanned by August 31, 2005.
- 30,000 signatures have been scanned since on-calls have been on board
- Scanning will continue through September, 2005
- 58,077 total signatures have been scanned as of June 23, 2005
- Cropped signatures includes absentee & voter registration
- Currently 3,000 signatures are being scanned per day
- It is estimated that we need to be scanning 5,000 per day to have all signatures scanned by Sept. 1 when the mail ballot plan is due to the SOS

Unfortunately there was a problem with the scanner which caused a temporary delay. We don't have a formula that can guarantee that all signatures can be scanned. ED Hatchett is not comfortable with recommending a mail ballot election. Per Vaden \$19,000 is the cost for another scanner. It was projected that 25 on-calls are needed to complete the project because they must attach the electronic signature to the record. Rogers wants to know if we can add more people or an additional shift. Anthony said that it's too early to make a decision about hiring more people. Three options exist--more people, vote centers, polling place, and a polling place election will cost just as much as hiring more people. Jenny Flanagan states that a mail ballot election will create more access to voters and it is statistically proven to work. Rogers stated that if we can create more turnout, let's go with that method. Boulder and Larimer are compliant with signature scanning. Concerns are with staff time, cost, and ability to coordinate Vote Centers.

Faith Gross, the Legal Center, said Vote Centers have to be identified by August 3, and thorough ADA surveys have to be completed on each location. Rogers moves that we add more staff. Adams is concerned with scanner breaking. Per Anthony Rainey 3 different companies scanned the signatures that are on disk and not all can be accessed. Our current software does not allow us to open all the disks. Lynn Presnall, Council District 5, remembers the original form and doesn't ever remember having trouble accessing the files. Companies wrote the Access software that is no longer compatible with the current Election Commission system per Anthony. Since May of 2003 companies have dismantled and disks with signatures are unable to be accessed. Rogers reminded all that there are only 3 days to verify signatures after the election. Rosella Gonzales, DVRS, recommends requesting a supplemental for a new scanner. Christine McGroarty, Budget Management Office, said a supplemental is the last resort, a scanner is a capital equipment item and would have to go to council for authorization. It's an 8 week process and she's not familiar with the emergency process. She recommends renting one and avoiding the emergency process. Space is a constraint in 303 West Colfax, even if we rent a scanner per Rainey, manual intervention and attaching the record makes this project a difficult one. The scanning is not the real issue nor is it the lack of people. The problem is with finding all the signatures that are archived on microfilm or in old records at the warehouse. He stated that the conversion rollout date to test Accenture is in November with a rollout date of January 2006.

Rogers recommends adding a second shift; 2 more weeks would provide a better gauge for completion of signature scanning; Adams recommends doing vote centers in the August Primary of 2006; Adams moved to hold a polling place election; Vaden seconded; Rogers cast a dissenting vote.

III. New Business:

A. Proposed City Charter Amendment re Denver Election Commission – ED Hatchett said there has been a submission regarding a charter revision to make the County Clerk & Recorder an elected position and abolish the DEC and make elections part of the clerk's office. The amendment is still being developed. Adams, when questioned about Commissioners thoughts on this, stated that commissioners should not be taking a position pro or con.

B. Denver Public Schools Resolution/Intergovernmental Agreement (IGA) – submitted their resolution for the November Coordinated Election. Asst. City Atty. Ortega recommends obtaining this in writing early on in the process.

IV. Announcements/Comments – Frank Sullivan, DVRS, stated that issues in November are important; other counties are using mail ballot and there will be higher turnout; we will be less at an advantage by doing polling place election.

Mail-in ballots are usually very harsh on ballot issue questions per Dan Willis, citizen.

Complaint for DVRS has a scheduled date for document review of Monday, June 27, 2005, per Ortega, and Rosella Gonzales raised question about a hearing date. Per Ortega the third Tuesday in July (7/19/05) is the next available opportunity to conduct the hearing.

Dusti Gurule, Latina Initiative requested clarification of early vote sites being the same for the May 2005 election; Vaden said all viable sites would be used again.

DVRS received a letter from the Secretary of State, and Rosella Gonzales wasn't aware of a send to the S.O.S.; as a point of clarification, Rosella Gonzales intended to file an appeal after mailing to the DEC. She will submit an open records request to identify when the transmittal letter was sent.

Meeting adjourned at 7:25 p.m. to go into Executive Session.

THE DENVER ELECTION COMMISSION

Wayne E. Vaden, Commissioner

Sandy Adams, Commissioner

Susan Rogers, Commissioner

Attest:

Karon Majeel Hatchett, Executive Director/Date