



Orange County Registrar of Voters

**COMMUNITY ELECTION WORKING GROUP
FEBRUARY 10, 2011
SANTA ANA, CALIFORNIA**

Co-Chair Linda Andal called the meeting to order at 9:35 a.m.

Present:

Karen Hamman, City Clerk, City of Mission Viejo
CEW Vice Chair, Linda Andal, City Clerk, City of Anaheim
Carl Petersen, Deputy City Clerk, City of Irvine (Alternate)
CEW Chair, Eugene Lee, Voting Rights Project Director, Asian Pacific American Legal Center
Zeke Hernandez, President Santa Ana Chapter, LULAC
Christie Rudder, System Change Advocate, Dale McIntosh Center
Gladys Negrete, Data Analyst, Civic Engagement, NALEO (Alternate)
Judy Barnes, Senior Community representative
Wanda Shaffer, President League of Women Voters of North Orange County
Lyle Brakob, Veterans Affairs Representative
Anna Jimenez Plank, Poll Worker
Suzanne Narducy, Poll Worker
Eddie Marquez, Chair Elect, OC Hispanic Chamber of Commerce
Joshua Laolagi, Youth Representative
Anthony Garcia, Latino community representative
Viola Sadler, At-large representative
Brett Rowley, Community Outreach Manager, Registrar of Voters
Imelda Carrillo, Election Services Manager, Registrar of Voters
CEW Secretary, Marcia Nielsen, Candidate and Voter Services Lead, Registrar of Voters
Neal Kelley, Registrar of Voters

WELCOME / APPROVAL OF SEPTEMBER 16, 2010 CEW MINUTES / OTHER HOUSEKEEPING

Registrar of Voters Neal Kelley welcomed the group and introduced the new members. Self-introductions followed.

Vice Chair Linda Andal called for review and approval of minutes from the September 16, 2010 meeting. Zeke Hernandez made the MOTION to approve, which was seconded by Christie Rudder and APPROVED UNANIMOUSLY. Lucinda Williams, former City Clerk in Brea, is now serving as City Clerk in Fullerton. She will remain a CEW member as a representative for the City Clerks.

POTENTIAL STATEWIDE ELECTION

The legislature and the Governor continue to discuss a possible election to extend tax measures, targeting May 17, June 7 and June 14 as potential dates. Neal Kelley noted that several cities have expressed interest in consolidating, but the condensed time frame, it may not be possible. If an election is called at E-70, there won't be sufficient time for direct arguments and rebuttals.

NOVEMBER ELECTION RECAP

Neal Kelley discussed the November General Election. He noted that because of our extensive proofing process, there were no errors on the ballot or the sample ballot pamphlets. We were the first large county to post results and certify, while processing 440,000 voters on Election Day. 900,000 ballots were counted in record time. We recruited nearly 6,000 poll workers, satisfied all language requirements and met or exceeded all deadlines.

Our office held a 4-day election-debriefing meeting reviewing successes and areas for improvements, generating 130 action items. Neal Kelley will forward these to CEW members. He referenced changes made to sample ballot pamphlets and to the military portal that were suggestions made by this group.

There was discussion on the increase of precincts and poll watchers in the 47th Congressional District. Fortunately, there was no increase in provisional voting. Both Judy Barnes and Suzanne Narducy have worked as Inspectors. They mentioned how they permit poll watchers to observe but not to interfere with the voting process. Eddie Marquez acknowledged that it is difficult to balance accessibility and intimidation.

Eugene Lee clarified the legalities of poll watchers. He noted that poll watchers serve a legitimate function ensuring that all goes smoothly on Election Day. He suggested that we emulate Los Angeles County by conducting pre-election meetings for poll watchers. At these meetings, ground rules and points of contact are established. Neal Kelley responded by noting that we reach out to poll watchers with a handbook and newsfeeds on our website. Anna Jimenez Plank recommended that we create reference cards for poll workers detailing specifics on poll watchers.

Neal Kelley explained the response to our Military Portal. Voters and other agencies (e.g., FVAP) responded favorably to this first of its kind, no cost program. This resource permits the military and overseas citizens to both check on registration status and request mailed ballots. It provides 24 hour assistance to our 6,000 military voters, allowing them to download precinct specific ballots and submit secure e-mail addresses. The FVAP will link to our website. The hits to our portal detailed that this resource is utilized globally. Lyle Brakob suggested that we break down the figures to reflect whether the voter is in the military or is an overseas civilian. Neal Kelley stated that we will strive to capture this information.

NOVEMBER VOTE-BY-MAIL VOTING

For the first time, this Gubernatorial General Election revealed that the number of ballots cast by vote-by-mail voters exceeded the number of precinct ballots cast, making voting by mail the largest growing group of voters. Neal Kelley said that there has been discussion about the possible special election in June being conducted as a vote-by-mail election, but this still has yet to be determined. He also noted that voter turnout has been increasing in Orange County. This past General Election shows the highest turnout for a Gubernatorial General Election in the last 15 years.

TWO RECOUNTS

Two recounts were conducted after the certification of this past election. The City Council Member in Fullerton had a vote differential of 90 votes, while the vote in the City of Los Alamitos was separated by 24 votes. Both recounts were discontinued in 1 to 3 days and reflected no change in vote count. In both cases, the candidate that requested the recounts incurred the cost of the recount, which was \$600 per board per day.

POLL SITE ADA COMPLIANCE

Imelda recapped the progress our office has made from June to November of 2010 in regards to ADA compliance. We discovered an additional 299 poll sites required modifications and directional

signage. We use residences as a last resource due to these restrictions. To make certain that our polling places are ADA compliant, we strive to use public facilities such as schools and churches. Imelda notes that we are discovering that many of the schools are not ADA compliant. Christie Rudder realizes this is a difficult process especially due to budget constraints. Imelda continued by providing an overall assessment of our 1500 active poll sites, noting that ADA compliance continues to be one of our priorities. To date, 924 assessments have been done. To improve ADA compliance for future elections, we will set up research teams that will verify the ADA equipment delivered was set up. We will work on improving this process, increasing training, and applying for grants to purchase new equipment and signage.

SAN CLEMENTE SPECIAL MUNICIPAL ELECTION

There will be a Special Election held in San Clemente on March 8 for 41,000 voters. There are approximately 18,000 permanent vote-by-mail voters who will determine whether or not a city council ordinance should be upheld or blocked. There will be 77 poll workers and 25 poll sites. We are in the final planning stages.

RISK LIMITING AUDITING

Neal Kelley discussed the process of the 1% hand count requirement after an election. Risk Limiting Auditing is a new pilot program which provides additional confidence in close contests, requiring auditing ballots for contests based on margin of victory. Five counties are participating in this pilot program, with our county being the first to put it into practice. Specific contests would randomly be audited instead of auditing entire precincts. Neal Kelley asked for a waiver from the 1% hand count from the Secretary of State. We will be participating in this program with UC Berkeley. Justin Berardino will lead this group. He discussed details of this process.

TOP TWO PRIMARY (PROP. 14)

In the General Election, the voters passed Proposition 14. This is known as the Top 2 Primary system and will change how our party-driven primaries are conducted. Most of the counties in California are not able to accommodate this change. Neal Kelley explained that the top two vote getters would go on to a run off election, not the top vote getter from each party. There is presently pending litigation to stop this proposition from going into effect. He noted that the Washington State Supreme Court has already upheld the constitutionality of the Top Two Primary. There should be a ruling by summer of this year. Neal Kelley noted that this does not affect presidential candidates or central committees. Rather, it would affect voter nominated candidates for state and congressional offices.

WEBSITE RE-DESIGN

Neal Kelley announced that there will be big changes to our website. ADA accessibility, content management, language and translations management will be part of these improvements that are scheduled for a November launch. Our goal is to improve the design by adding more interactivity and portals, providing a better experience for the public. We want to meet and surpass the high expectations of our stakeholders with more robust architecture and the latest technologies. All of this will be done in house, so there will be no additional cost. Neal Kelley asked the group for input on this important project. He asked CEW members to send suggestions via e-mail. Linda Andal stated she wants registration figures for her city. She stated that she will solicit other city clerks for feedback and present these suggestions to the group.

Christy Rudder expressed that she has had problems accessing the site and volunteered her group to be testers. Neal Kelley appreciates this support. Zeke Hernandez suggested that the website present a quick look at election staffing. Judy Barnes commented that she would like to look up her team of poll workers. Anthony Garcia suggested that we create an iPhone app to "Find My Polling

Place.” Neal Kelley responded that we would continue to develop mobile apps for voters/poll workers.

VOTING SYSTEM SUSTAINABILITY

Neal Kelley described the challenges of continued use on our electronic voting system. He said electronic voting has shifted back to paper based systems. Budget problems have made equipment upkeep difficult. Our equipment was purchased in 2003 and had a lifecycle of 10 years, but we need to keep it running for 20 years. He noted that we had double the number of equipment failures from June to November. We have identified the problems and are working diligently to minimize equipment failures. He would like to replace the daisy chain pins with a military grade device. He will be bringing these challenges to the Board of Supervisors and Senator Lou Correa.

RECENT BILLS

Legislative changes now allow voters to opt out of receiving sample ballot pamphlets by mail. Information is available on our website. Voters can also opt back in. This is in place for the March 8 Special Election in San Clemente. The next state voter’s guide will also provide this option.

SB1404 requires the Secretary of State to adopt regulations governing voting systems. Vendors must disclose any known flaws or defects in a voting system to the county. This law permits penalties to be assessed. Our vendor, Hart, did a good job communicating issues.

REAPPORTIONMENT

The Board of Supervisors are currently reviewing the supervisorial lines in our county. State and Congressional lines will follow. This information is based upon census data and is being released between now and April 1, 2011. There will be no new Congressional seats in Orange County. The census will publish federal requirements in the summer of 2011, using a 5 year cycle instead of the 10 year cycle. The formula used to determine language requirements is based upon national literacy rates, which will be available by June or July. Tagalog is a potential language we may need to support, but this has not yet been determined. Interestingly, the Secretary of State asked us to provide language assistance in Japanese in Villa Park.

There are no naturalization ceremonies in Orange County for new citizens, but our office is open to accommodate them the Saturday before major elections. Eugene Lee commented on Elections Code Section 14201 and language reference materials at the polls. He discussed a memo from the Secretary of State, which caused some confusion. Our office will continue to communicate with the state to ensure we have current information.

BUDGET CUTS

Our budget has been cut 20% overall reflecting almost 2 million dollars since 2008/2009. We are changing the way we do business to save on labor costs, streamline processes to continue to conduct successful elections.

COMPLETED PROJECTS UPDATE POLL WORKER PROJECT

Eugene Lee asked the group to set a date for our next meeting. We agreed to meet next on April 21st at 9:30. We will discuss the summer meeting at that time. Neal Kelley will forward today’s presentation with the minutes.

Viola Sadler made the MOTION to adjourn, which was seconded by Wanda Shaffer and APPROVED UNANIMOUSLY.

The meeting adjourned at 11:30 a.m.

Respectfully submitted,
Marcia Nielsen, Secretary

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