

SUMMARY REPORT TO MANAGER
for City Council Meeting of January 22, 2007

SUBJECT: VOTING ISSUES IN PRECINCT 1-6

RESOLUTION SUMMARY: This resolution receives and files the Staff Report to the City Council on Voting Issues in Precinct 1-6..

ITEMS ATTACHED:

1. Staff Report to the City Council
2. Resolution

COUNCIL ACTION:

1. 3/5 vote required to approve resolution

Jon Lynch
City Manager
January 16, 2007



Date: January 11, 2007

STAFF REPORT TO THE CITY COUNCIL

SUBJECT: Voting issues in Precinct 1-6

REPORT

The intent of this report is to address concerns raised by Councilmen Rokosz and Adams during the November 20th City Council meeting regarding difficulty in voting experienced by citizens of Precinct 1-6. During the general election of November 7th it was discovered that printed ballots at the polling location in Precinct 1-6 did not include the question regarding sale of the Civic Arena. Council requested that staff review this matter and make improvements to avoid disenfranchising voters in the future.

On Monday, December 18th, members of the City staff including the City Clerk, Clerk's Staff Assistant, and I met with Midland County Clerk, Karen Holcomb; Midland County Chief Deputy Clerk, Ann Manary; Bay County Clerk Cindy Luzak; and Bay County Chief Deputy Clerk Patti Shorkey to discuss City Polling location 1-6.

BACKGROUND

Precinct 1-6 encompasses those areas of the city east of Rockwell Drive and is therefore located entirely within the city, but also within Bay County. This geography results in registered voters participating in most elections by voting at Longview Elementary School. Because Michigan election law requires that the County Clerk administer elections for schools in their jurisdictions voters of Precinct 1-6 vote in school elections at Williams Township Hall. This is the only precinct in the city that experiences this anomaly of polling locations unique to the type of election. As a result, voters from Precinct 1-6 occasionally access the wrong polling location.

It is important to consider that voter registration closes one month prior to each election. An up-to-date list of all the registered voters for each precinct is printed one week prior to the election. Election workers then utilize this list to initial a voters name when a voter signs in for a ballot. This list is required for each election and it is provided to each election chair when they pick up ballots and materials for their precinct. Such lists have been provided in the manner described for every election noted in Attachment 1.

A summary of what registered voters residing in precinct 1-6 vote on, and where they vote, is provided below:

	City of Midland	Bay County (Williams Township.)	Bay County School System	Midland Public Schools	Midland County
<i>Who do they elect and what ballot initiatives do they vote on?</i>	City Council Ward 1 Representative City of Midland Ballot Initiatives	Bay County Commissioner District 2 Representative Bay County (Williams Township) ballot initiatives	Bay County School Board Bay County School ballot initiatives	Not in MPS school district; does not elect reps to MPS or ESA board; does not vote on MPS or ESA ballot initiatives	Not in Midland County; does not elect Midland County Board of Commissioner rep ; does not vote on Midland County ballot initiatives
<i>Votes At</i>	Longview	Longview	Williams	NA	NA

CIVIC ARENA BALLOT QUESTION

With regard to the November 7, 2006 ballot error the City of Midland submitted language pertaining to the Civic Arena to the Midland County Clerk, who in turn orders ballots for all precincts in the city. Ballots were ordered and printed correctly for all but one precinct. Our spot checking of the ballots on November 6th did not expose the printing error.

Prior to implementation of the new optical scan voting system, and subsequently the new ballot format in 2006, the City Clerk's office would have received a proof of the ballot for school elections as well as city elections and would be asked to sign-off on the proofed ballot. For all other elections (i.e. County elections) we would receive sample ballots after the ballots were printed. Implementation of the new system introduced new printing complexities for the County which often times results in the ballots being printed and delivered much later than experienced under the former system. As a result, the advance proofing component of the ballot preparation process had been compromised.

VOTER INFORMATION

Voters are provided with a voter registration card that lists the appropriate site for their participation in a given election. However, registered voters in Precinct 1-6 receive a voter registration card that lists two polling locations. Given space limitations on the card there is no reference to when to vote at which location.

In an effort to direct voters of Precinct 1-6 to the correct polling location the City posts a sign directing residents of Precincts 1-3, 1-5, and 1-6 to Longview Elementary School. Unfortunately, this sign becomes inaccurate for residents of Precinct 1-6 during Bay County school system elections.

Finally, during an election there is a City Ward Map inside Longview School to assist voters. It is useful to have Precinct 1-6 illustrated on the map even during school elections. This way if a voter comes in and points out their residence on the map and it falls within Precinct 1-6, the election worker can clarify their Williams Township polling location.


CORRECTIVE MEASURES

Based on a collective assessment by the City of Midland, Midland County, and Bay County Clerks the following actions have been deemed necessary to ensure the integrity of every voting cycle in Precinct 1-6:

- After initial ballot proofing is completed the Midland County Clerk will distribute via e-mail copies of programming ballots for each election to both the Bay County Clerk and City of Midland Clerk for review prior to ballots being ordered. During this review process the City of Midland Clerk will specifically identify and communicate any potential jurisdictional issues with respect to Precinct 1-6.
- The City Clerk will create an area on the City's website that will identify the correct polling location in each election for voters in Precinct 1-6.
- The City of Midland will modify signs directing voters to Longview Elementary School to remove references to Precinct 1-6 during school elections.
- In advance of school elections the City Clerk will provide a targeted mailing to registered voters in Precinct 1-6. This "reminder" prior to the school election when these voters go to their Williams Township polling location should help tremendously in directing voters to the proper polling site.

As a result of this assessment we are confident that the Bay County Clerk's Office, Midland County Clerk's Office, and City of Midland Clerk's Office are committed to ensuring the accessibility, integrity, and accuracy of the voting process for all residents. These parties clearly understand the complexity raised by Precinct 1-6 and will work diligently as outlined above to prevent future errors and voter confusion.

Respectfully Submitted,



Jon Lynch, AICP
City Manager

ATTACHMENT 1

<u>Election Date</u> <u>Election Type</u>	<u>Where 1-6 Voted</u>	<u>Number of</u> <u>Reg. Voters</u>	<u>Number of</u> <u>Actual Voters</u>
November 4, 2003 General Election City Council	Longview	153	8
June 14, 2004 Regular School Election	Williams	157	N/A
August 3, 2004 State Primary Election	Longview	154	10
November 2, 2004 General Election Presidential	Longview	153	65
May 3, 2005 School Election	Williams	154	N/A
August 2, 2005 Primary Election City Council	Longview	153	6
November 8, 2005 General Election City Council	Longview	153	8
May 2, 2006 School Election	Williams	153	N/A
August 8, 2006 Primary Election State Primary Election	Longview	153	14
November 7, 2006 General Election County / State - Gubernatorial	Longview	153	46
(Nov. 2002 - Gubernatorial 145 registered voters, 25 voted)			
<i>FUTURE ELECTIONS</i>			
May 8, 2007 School Election	Williams		
August 7, 2007 City Council Primary	Longview		
November 6, 2007 General Election City Council	Longview		



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BY COUNCILMAN

WHEREAS, during the November 20, 2006, City Council meeting, Councilmen Rokosz and Adams expressed concern regarding difficulty in voting experienced by citizens of Precinct 1-6 and requested that staff review this matter and make improvements to avoid disenfranchising voters in the future; and

WHEREAS, City staff members met with staff of Midland County and Bay County to discuss City Polling Location 1-6; and

WHEREAS, staff has prepared a report which identifies the corrective measures to be taken to correct the voting issues in Precinct 1-6; now therefore

RESOLVED, that the Staff Report to the City Council on Voting Issues in Precinct 1-6 is hereby received and filed in the Office of the City Clerk.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, January 22, 2007.

Selina Tisdale
City Clerk

t:precinct1-6