



**King County**  
**Metropolitan King County Council**  
**Committee of the Whole**

**STAFF REPORT**

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<b>Agenda Item No.:</b> 5	<b>Date:</b>	<b>23 April 2007</b>
<b>Motion No.:</b> 2007-0129	<b>Prepared by:</b>	<b>Nick Wagner</b>

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**SUBJECT**

“A MOTION approving the report and criteria for the location of regional voting centers and ballot drop locations submitted by the county executive in response to Motion 12299 and Ordinance 15652 outlining plans for the transition to conducting all elections by mail in King County.” (A copy of the motion is Attachment 1 to this staff report.)

**INTRODUCTION**

At this committee’s meeting on 2 April 2007, Jim Buck, Interim Director of the Records, Elections, and Licensing Services Division of the Department of Executive Services (“REALS”) provided an overview of the Executive’s Vote-by-Mail Transition Report and a status report on its implementation. (A copy of the Transition Report is Attachment 2 to this staff report.)

The Vote-by-Mail Transition Report was required by a proviso in Ordinance 15652 (the 2007 budget ordinance) to \$1.05 million of REALS funding. (A copy of the proviso is Attachment 3 to this staff report.) The proviso stated that the funds would be released only after the Council had reviewed and approved the following three documents:

1. “a report that identifies: (a) the estimated capital and operating cost of regional voting centers and drop boxes,<sup>1</sup> including staffing costs for temporary workers and sheriff deputies that may be needed at regional voting centers and in the transport of ballots; (b) the location of regional voting centers and drop boxes; and (c) the security measures that will be put in place for regional voting centers and drop boxes.”
2. “a security plan that addresses, to the council’s satisfaction, security related to facilities, personnel, electronic systems, including both equipment and software, and ballots”; and
3. “a detailed plan for the transition to vote-by-mail.”

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<sup>1</sup> Regional voting centers are places where, after the transition to all-mail voting, persons who have difficulty using a paper ballot will have an opportunity to vote privately and independently on voting equipment designed for that purpose. Ballot drop boxes are places where persons who vote by paper ballot will be able to deposit their completed paper ballots if they do not wish to mail them.

The rationale for the proviso was that the preparation of these documents was considered essential to an orderly transition to all-mail voting.

Proposed Motion 2007-0129 addresses the first and third requirements of the proviso.<sup>2</sup> The motion has two operative provisions:

- a. First, it would approve the report and plan required in parts 1 and 3 of the proviso.
- b. Second, it would create, or request the creation of,<sup>3</sup> a consulting group to make recommendations on the location of regional voting centers and ballot drop boxes after the transition to all-mail voting.

The language that deals with part 3 of the proviso (the vote-by-mail transition plan) is discussed in section A below. The language in the motion that deals with part 1 of the proviso (regional voting centers and ballot drop boxes) is discussed in section B below.

### **A. Vote-by-Mail Transition Report**

The Transition Report presents an overall work program and schedule for the transition. The work plan, as described on page 7 of the report, consists of:

1. Placement of ballot drop locations
2. Establishment of regional voting centers
3. Communications
4. Ballot tracking and accountability
5. Precinct alterations
6. Upgraded ballot tabulation system
7. Automatic signature verification
8. Election Distribution Center supply management

The schedule (on page 14 of the Transition Report) calls for completion of these tasks in time for the first county-wide all-mail election to take place in April of 2008. Much of the schedule focuses on new equipment and software that the Executive proposes to purchase to facilitate all-mail voting; however, the proposed schedule does not allow sufficient time for the expert, peer, and citizen review of those purchases that the Council requested in Motion 2007-0198.

The Transition Report also includes a status report on the Executive's assessment of the available options for upgrading King County's ballot tabulation system (pp. 27-29).

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<sup>2</sup> In response to the second requirement, the Executive has submitted the 2006 elections security plan. It is expected that the experts who are retained to review the Executive's recommendations for purchasing election equipment and software will have occasion, in the course of that assignment, to review the more technical portions of the security plan. With the benefit of that expert review, the Council may be in a position to decide whether to approve the Executive's security plan.

<sup>3</sup> The motion is unclear on this. Some necessary language seems to have been omitted.

## B. Regional Voting Center and Ballot Drop Boxes

The Transition Report also includes criteria for the location of regional voting centers (pp. 19-20) and ballot drop boxes (pp. 15-16) and information about staffing, configuration, and security for those facilities, but does not identify their locations as required in the 2007 budget proviso. Instead, the Executive proposes creation of a “consulting group” to do this work, as explained below.

Proposed Motion 2007-0129 would create, or request the creation of, “a consulting group composed of representatives from each of the following groups: two<sup>4</sup> representatives from King County elections, the citizens’ elections oversight committee, and the metropolitan King County council staff; and one representative from the elections disability advisory committee and the Voting Rights Act Section 203 community coalition.” The group would be chaired by “the King County elections staff member”<sup>5</sup> and would seek advice and feedback from the King County elections disability advisory committee (formed pursuant to RCW 29A.46.260). The group would submit to the Council proposed locations for regional voting centers and ballot drop box locations no later than 27 July 2007.

### OPTIONS

The Council’s options include:

- 1. Approve Proposed Motion 2007-0129 without amendment.** This has the disadvantage of approving the entire Transition Report, including (a) the Executive’s proposed timetable, which does not allow sufficient time for the expert, peer, and citizen review of those purchases that the Council requested in Motion 2007-0198, and (b) the Executive’s preliminary assessment of the available options for upgrading King County’s ballot tabulation system, which is the subject of the expert, peer, and citizen review requested by the Council.
- 2. Amend the motion by (a) limiting the council’s approval of the Vote-by-Mail Transition Report to the criteria for locating regional voting centers and ballot drop boxes, (b) accepting the Executive’s recommendation of a consulting group to recommend locations for the regional voting centers and ballot drop boxes, and (c) approving the participation of council staff in the consulting group.** The difference between this option and the third option, below, is that this option would approve the assignment of council staff to participate in the consulting group, rather than limiting the Council’s role to informal communication and review of the consulting group’s recommendations. This option is reflected in Amendment A1 and Title Amendment T1, which are Attachments 4 and 5 to this staff report.

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<sup>4</sup> It is unclear from the language in the motion whether the intention is that the group consist of (1) two representatives of each of the named groups, (2) two representatives of King County Elections and one representative of each of the other groups, or (3) one representative of each of the named groups. The text of the Transition Report (p. 20) makes clear that the first interpretation is intended.

<sup>5</sup> Presumably, one of the two King County Elections staff members would be chair.

3. **Amend the motion by (a) limiting the council’s approval of the Vote-by-Mail Transition Report to the criteria for locating regional voting centers and ballot drop boxes, and (b) accepting the Executive’s recommendation of a consulting group to recommend locations for the regional voting centers and ballot drop boxes, but without approving the participation of council staff members in the work group.** The difference between this option and the second option, above, is that this option would not approve the assignment of council staff to participate in the consulting group. This option is reflected in Amendment A2 and Title Amendment T2, which are Attachments 6 and 7 to this staff report.

#### **INVITED**

1. Sherril Huff, Acting Director, REALS, DES
2. Bill Huennekens, Vote-by-Mail Transition Manager, REALS, DES

#### **ATTACHMENTS**

1. Proposed Motion 2007-0129
2. Vote-by-Mail Transition Report
3. Ordinance 15652, Section 28
4. Amendment A1
5. Title Amendment T1
6. Amendment A2
7. Title Amendment T2