



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM 269-2021

Meeting Date: April 20, 2021

1 **From: Municipal Clerk's Office and the MOA Elections Team**

2
3 **Subject: Certification of the April 6, 2021 Regular Municipal Election**

4
5 **I. CERTIFICATION INFORMATION**

6
7 This Assembly Memorandum is prepared by the Municipal Clerk's Office and MOA
8 Elections Team to provide the Assembly with the information it needs for certification of
9 the April 6, 2021 Regular Municipal Election, the fourth regular and fifth vote by mail
10 election held by the Municipality.

11
12 ***The Municipal Code.*** AMC 28.85.040 addresses certification of the election.

- 13
- 14 • First, "[t]he election commission and the municipal clerk shall report the results
15 as soon as practicable."
 - 16 • Second, "[i]f, after considering the information, the assembly determines that
17 the election was validly held, the assembly shall certify the results of the
18 election in accordance with the reports of the election commission and
19 municipal clerk."
 - 20 • Finally, this code section specifies that the "certification shall be subject to the
21 outcome of any recount under chapter 28.90 and any election contest under
22 chapter 28.100. Certification of the election is not subject to an assembly
23 motion to reconsider."
- 24

25 Neither the Election Commission nor the Municipal Clerk found any failure to comply
26 with the provisions of law or any apparent discrepancy in the returns. A small number of
27 ballot envelopes will be referred to law enforcement for alleged election offenses, which
28 are outlined elsewhere in this Memorandum.

29
30 ***Challenge.*** An election challenge was filed on Friday, April 16, 2021, alleging that the
31 MOA Election workers were "counting" ballots before 8:00 p.m. on Election Day.
32 Although the Clerk had the authority to address the challenge, the challenge was placed
33 on the agenda for the Election Commission Public session of Canvass because it was
34 received so late, and read into the record.

- 35
- 36 • The Municipal Clerk responded to the challenge stating there was most likely a
37 misunderstanding between the terms "scanning," "tabulating" and "counting" the
38 ballots. The Municipal code anticipates scanning the ballots before Election Day,
39 but not totaling the ballots or producing results. If the MOA Elections Team was
40 prohibited from scanning or adjudicating before Election Day, results would be
41 delayed and there would be no results on Election Night.
 - 42 • The person filing the challenge was not present at the meeting and did not speak
telephonically, although several members of the public did speak.

- The Commission approved a motion to deny the challenge and directed the Clerk to write a letter denying the challenge.

Runoff Election. Based on the results in the race for Mayor in the April 6, 2021 Regular Municipal Election and the fact that no candidate received more than 45% of the vote, Municipal Charter requires a runoff election to be held within three weeks of certification.

- If certification occurs tonight, the Runoff must be held within three weeks or by Tuesday, May 11, 2021. Following certification, the MOA Elections Team will direct the Mayoral Runoff Ballot packages to be mailed tomorrow, April 21, 2021, which is 20 days before the Mayoral Runoff Election.
- **Note:** Had the race between the second and third candidates in the mayoral race been closer, or required a recount, the ballot packages would have been mailed up to two weeks later, or only one week before the runoff elections, which is allowed by code. These short deadlines between the Regular Election, the Runoff, and possible recounts are a challenge for the Election Team and similarly for Anchorage voters.

Recount. Based on the results in the race for School Board Seat B, the top two vote-getters are separated by a 0.35% margin, requiring an automatic recount under AMC 28.90 and AO 2020-131(S) As Amended.

- **The MOA Elections Team has tentatively scheduled the recount of the School Board Seat B race at 1:30 p.m. on Monday, April 26, 2021. Public notice and notice to the candidates will be provided.**

As noted in AMC 28.85.040, certification is subject to the recount and the Assembly will be required to confirm the validity of the recount and certify the recount results at a future Assembly meeting.

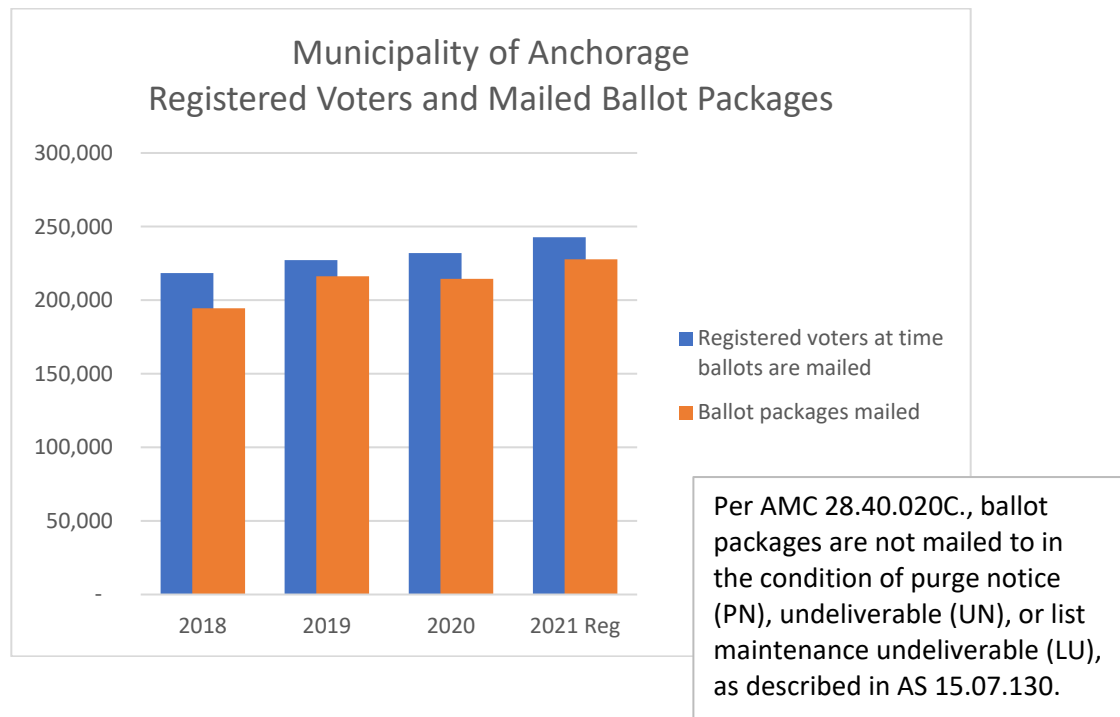
Reports. The Election Commission's Report of Canvass, the Official Results, and the Statement of Votes Cast are attached to this Memorandum.

II. STATISTICS

The MOA Elections Team reports the following statistical information regarding the April 6, 2021 Regular Municipal Election.

Ballots Packages

2021 Ballot packages mailed 3/15/21:	227,713
2021 Replacement ballot packages mailed btw approx. 3/17-3/29/21:	567
2021 Electronic ballot packages distributed btw 3/16-4/6/21:	187
2021 In-person voting	2,957



2021 Challenged and Rejected Ballot Envelopes

Challenged ballot envelopes: 1,650

Opportunity to Cure letters sent: 1,512

- 603 successful cures or 40%

Late postmark: 342

No signature match: 850

No signature: 52

Total ballot envelopes rejected: 1412

Late postmark. In 2020, the Election Commission expressed concern about the 473 late postmarked envelopes; the MOA Elections Team has taken three actions to address the late postmarked envelopes:

1. Added information on the ballot return envelope for voters to return their envelope by election day, with the date – this year, April 6, 2021;
2. Encouraged voters to ask postal officials to “hand cancel” or postmark by hand any ballot return envelope mailed either the day before or on Election Day; and
3. Mailed out ballot packages to Military and Overseas Voters on March 1, 2021, earlier than the regular ballot package mailing date, as well as requested the Assembly to change the code accept ballot packages from Military and Overseas Voters through 12:00 noon on certification day. Approximately 153 Military and Overseas voters voted in the 2021 election.

We think these pro-voter initiatives addressed the Commission’s concern and helped to reduce the number of ballot envelopes rejected for late postmarks.

No signature (sig) match. The “no sig match” category also continues to be a high number of rejections and, as requested by the Commission, the MOA Elections Team will make efforts before the 2022 election to educate voters, review our forms and instructions, and take other efforts to reduce this number of rejected envelopes so that every valid vote is counted. The signature match is an important competent of the vote

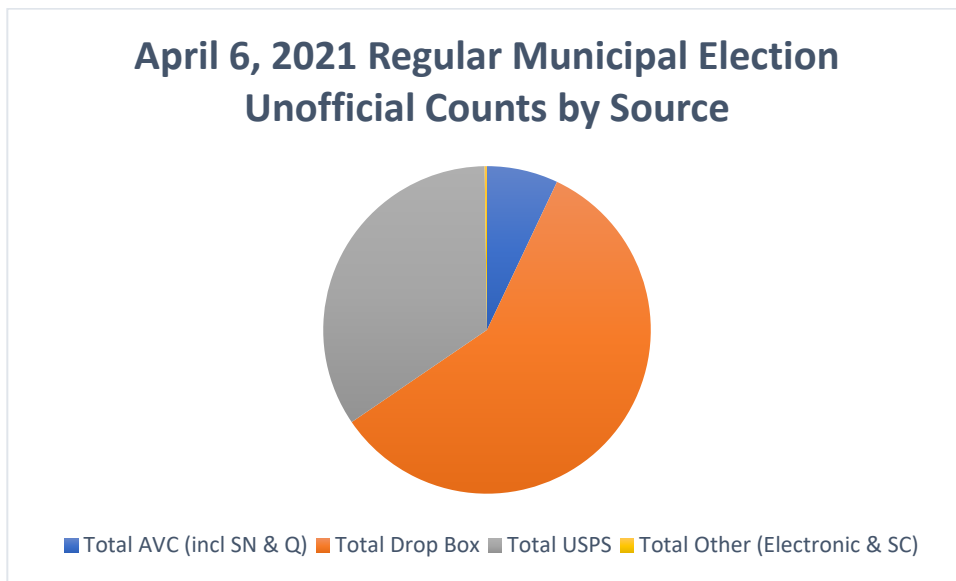
at home/vote by mail system to prevent fraud. In fact, one parent of a voter who received a “no sig match” cure letter reported that his son was out of state and did not vote. (As noted elsewhere, this envelope and related information will be forwarded to law enforcement.)

Ballot Envelopes by Source

Unofficial counts by source information:

Source ¹	2021	2020	2019	2018
USPS	35%	51%	46%	47%
Secure Ballot Drop Boxes	59%	48%	48%	38%
Anchorage Vote Centers	7%	0.38%	6%	15%
Electronic Voting	0.19%	0.27%	0.20%	0.30%
Senior Centers	N/A	N/A	N/A	0.10%

Although USPS and Secure Drop Box returns were similar in 2020 and 2019 and in fact, USPS exceeded Drop Box returns in 2019, in 2021, Secure Drop Box returns exceed USPS by 24%! The Election Team had minimal concerns from the public about drop boxes and no requests for new drop boxes.



More Information on Challenged Ballot Envelopes

The Election Commission also reviewed and rejected the following ballot envelopes:

- **Duplicates:** Eighteen voters voted twice.
 - One voter voted twice at a vote center.
 - One voter voted at a vote center and then returned a ballot to a drop box on the same day.
 - Twelve voters returned a ballot by mail or in a drop box, and then voted at a vote center.
 - For three voters, the first ballot received had a signature that was

¹ This unofficial information on Counts by Source is only to measure voter usage of the US mail, Secure Ballot Drop Boxes, and Anchorage Vote Centers as sources of returned ballot envelopes, not total envelopes received.

determined not to match the reference signature(s) on file. The subsequent ballot was received from a vote center and was counted.

- For one voter, the first ballot received was not signed, and the subsequent ballot received was verified as a signature match and was counted.

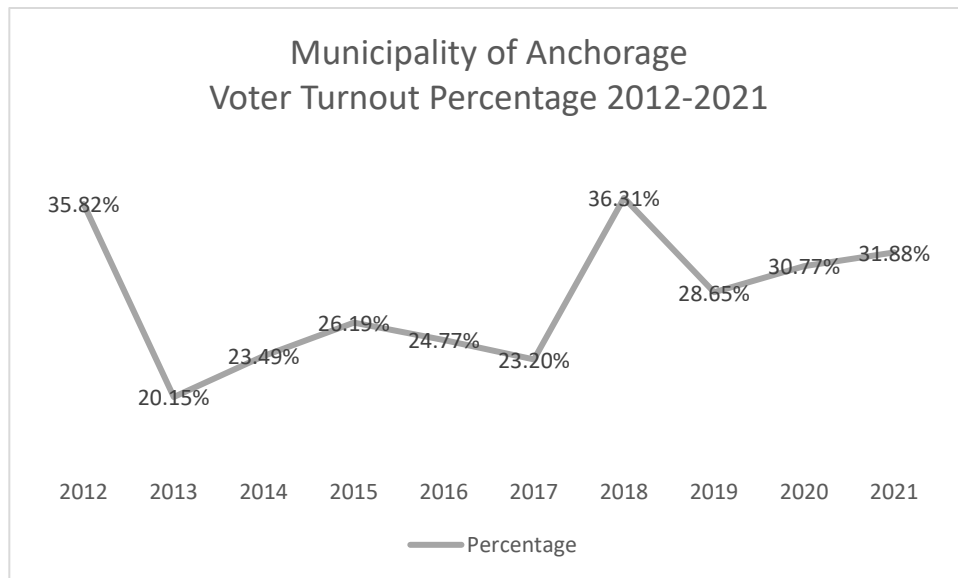
- **Ballot Voted by Someone Other than Voter.** Two ballot envelopes were known to be voted by someone other than the voter, as detailed below:
 - One ballot envelope was voted and signed by the voter’s spouse.
 - One ballot envelope was voted and signed by someone other than the assigned voter which became known when the voter’s father received the “Opportunity to Cure” letter for the lack of a signature match. The father called the Voter Hotline and informed us that the assigned voter was out of state and had not voted the ballot.

Except as specifically noted above, the first ballot received for each voter was counted. Each voter will be sent a letter informing them that voting more than once in the same election *with the intent that the voter’s vote be counted more than once*, is voter misconduct in the second degree (AMC 28.200.120), a class A misdemeanor. **At the direction of and upon the approved motion of the Election Commission or under the authority of the Municipal Clerk, information regarding these envelopes will be forwarded to the Municipal Attorney and Municipal Prosecutor.** These 20 challenged ballot envelopes constitute less than 0.03% of the total ballot envelopes received for the 2021 election.

Voter Turnout

2021 Ballots processed and counted: 75,441

Voter turnout: 31.88%



III. Additional Information Regarding the 2021 Election

In addition to the statistical information and the information required for Assembly certification, the MOA Elections Team reports on the following additional information with respect to the April 6, 2021 Election:

- The April 6, 2021 Regular Municipal Election was conducted during the continuing COVID-19 pandemic, under Emergency Orders 13 and 20 which included a mask mandate and social distancing requirements. COVID-19 Mitigation Plan and precautions were implemented to protect election workers and voters.
- The 2021 Election was remarkable compared to other municipal elections in that envelope returns lagged after ballot mail out, yet exceeded expectations with total returns and far more envelopes returned later in the election than prior elections.
- Thirty-four observers signed up to participate in the 2021 election.
 - Observers are required to review the Observer Manual, complete a registration form, and sign a confidentiality agreement.
 - The MOA Elections Team designated 20 spots in the Election Center for observers to view mail sorting, signature verification, review and resolution, envelope opening, scanning, adjudication, and tabulation of results. Social distancing requirements at the Election Center were challenging for the Election Workers and for some observers.
 - In the 2022 Election, the MOA Elections Team will consider offering Observer Training to help observers better understand the MOA election processes.
- Three Anchorage Vote Centers – located at the Loussac Library, City Hall, and Eagle River Town Center - were opened as usual approximately nine days before the election, on March 29 through Election Day.
 - In efforts to increase opportunities for voters and promote pro-voter policies, the MOA Elections Team made the following changes at the vote centers:
 - Increased weekday voting hours from 5:00 until 6:00 p.m.,
 - Added hours on Saturday and Sunday at the Eagle River and City Hall vote centers.
 - 2,957 voters (3.8% of all voters) voted in person at a vote center.
 - Of those, 1,952 voters (66%) voted in person on Election Day!
 - All of the vote centers, but particularly the one at Loussac Library, were very busy on Election Day, and the Election Workers performed admirably, processing up to 70 voters per hour! The MOA Elections Team is grateful to APD and other volunteers for directing traffic and helping voters at the Loussac and City Hall vote centers.
- In addition to the dedicated Election Workers who staffed the Anchorage Vote Centers the week before and on Election Day, many returning and some new Election Workers staffed the many tasks at the Election Center, led by

1 the Election Core Team: Deputy Clerk Erika McConnell, Election Coordinator
2 Liz Edwards, and Election Assistant Amy Solberg. The Election Team is
3 grateful to the League of Women Voters volunteers who delivered over 20
4 Special Needs Ballots the week before the Election; and for two regular MOA
5 employees who volunteered to deliver Special Needs Ballots and to direct
6 traffic at the Election Center on Election night. Thanks also go to the many
7 volunteers including Election Worker friends and family, the Clerk's Office
8 staff, Assembly Counsel's Office, who worked on Election Night to close the
9 drop boxes. Thanks also to the Municipal Ombudsman who supervised the
10 tabulation on Election Night. The MOA couldn't process the election with
11 these dedicated workers who work long hours to help us "do democracy!"
12

- 13 • The Elections Team relocated one of 18 Secure Drop Boxes from the former
14 APD headquarters to the MOA Permit Center, after the APD location proved
15 unavailable. As noted in the Counts by Source Report, over 45,000 ballots
16 envelopes were returned in drop boxes, amounting to 59% of returns in 2021
17 compared to 48% in 2020.
- 18
- 19 • Because this is the fourth year using the Vote at Home/Vote by Mail system
20 in Anchorage, the MOA Elections Team repeated the same budget for radio
21 and TV advertising as in 2020 and used the same or similar press releases
22 as 2020. It became clear during the month before the election that many
23 voters were confused about the MOA election. The MOA Elections Team
24 recognizes that following a State of Alaska general election, the MOA must
25 increase voter outreach and education regarding MOA elections.
26

27 **IV. Vote at Home/Vote by Mail System**

28
29 As a refresher for experienced Assembly members and a primer for new members
30 and the public, the vote at home/vote by mail system is set up to improve and
31 increase voter options to vote, to ensure a fair and accurate election, and to prevent
32 fraud. Ballots are mailed only to those voters who are registered in the Municipality
33 of Anchorage at least 30 days before the election (AMC 28.30.010), but are not
34 mailed to those voters with a status in the state voter registration database that
35 indicates that mail to that voter at their registered address is undeliverable. (AMC
36 28.40.020; ballots not mailed to status of purge notice (PN), undeliverable (UN), or
37 list maintenance undeliverable (LU)) The MOA Elections Team has worked hard
38 with the State of Alaska Division of Elections to make sure that only qualified
39 registered voters are mailed a ballot; the Team will continue our efforts, in particular
40 to address concerns with the number of voters receiving ballots at out of state
41 addresses.
42

43 Each ballot package envelope is marked with a unique ballot package identification
44 number assigned to a particular voter. When the ballot return envelope, which also
45 includes that unique number, is returned to the Election Center, the mail sorter reads
46 the bar code and indicates that the voter has voted, similar to signing the voter
47 register. Any ballot return envelope with the same ballot package identification
48 number is rejected as a duplicate vote; similarly, any ballot returned without a return
49 envelope or other means of identifying the voter is rejected.

1
2 Voters are required to sign their ballot return envelope, and each signature is
3 compared to the reference signature(s) on file with the State of Alaska, Division of
4 Elections, by two trained election workers using criteria set forth in code (AMC
5 28.70.030). If the signatures are determined not to match, steps are taken to help
6 the voter “cure” the situation, but non-matching signatures are a reason for a ballot
7 to be rejected to help prevent fraud by prohibiting someone from voting another
8 person’s ballot.

9
10 These processes are in place to reduce, identify, and prevent fraudulent attempts
11 to vote, including preventing counting the 18 duplicate votes and the two ballots
12 voted by someone other than the voter, which were rejected by the Commission.
13 Preventing fraud is the responsibility of the MOA Elections Team and all Anchorage
14 voters and citizens. Anchorage voters can tour the MOA Election Center in person,
15 watch the videos of the Election Center in action, watch the livestream of the election
16 processes, and look at the FAQs on the Elections website to feel confident that
17 Anchorage elections are secure, accurate, and fair.

18
19
20 Respectfully submitted:

21
22 Municipal Clerk’s Office
23 Barbara A. Jones, Municipal Clerk
24 Erika McConnell, Deputy Clerk - Elections
25 Liz Edwards, Election Coordinator
26 Amy Solberg, Election Coordinator
27 MOA Elections Team
28 Municipal Clerk’s Office