

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

WISCONSIN VOTERS ALLIANCE, et al.,

Plaintiffs,

v.

Case No. 20-C-1487

CITY OF RACINE, et al.,

Defendants.

ORDER DENYING MOTION FOR PRELIMINARY RELIEF

Plaintiffs Wisconsin Voters Alliance and six of its members filed this action against the Cities of Green Bay, Kenosha, Madison, Milwaukee, and Racine seeking to enjoin the defendant Cities from accepting grants totaling \$6,324,527 from The Center for Tech and Civic Life (CTCL), a private non-profit organization, to help pay for the upcoming November 3, 2020 election. Plaintiffs allege that the defendant Cities are prohibited from accepting and using “private federal election grants” by the Elections and Supremacy Clauses of the United States Constitutions, the National Voters Registration Act (NVRA), 52 U.S.C. §§ 20501–20511, the Help America Vote Act (HAVA), 52 U.S.C. §§ 20901–21145, and Section 12.11 of the Wisconsin Statutes, which prohibits election bribery. The case is before the Court on Plaintiffs’ Motion for a Temporary Restraining Order. The defendant Cities oppose Plaintiffs’ motion and have filed a motion to dismiss for lack of standing. Having reviewed the affidavits and exhibits submitted by the parties and considered the briefs and arguments of counsel, the Court concludes, whether or not Plaintiffs have standing, their Motion for a Temporary Restraining Order should be denied because Plaintiffs have failed to show a reasonable likelihood of success on the merits.

It is important to note that Plaintiffs do not challenge any of the specific expenditures the defendant Cities have made in an effort to ensure safe and efficient elections can take place in the midst of the pandemic that has struck the nation over the last eight months. In other words, Plaintiffs do not claim that the defendant Cities are using funds to encourage only votes in favor of one party. It is the mere acceptance of funds from a private and, in their view, left-leaning organization that Plaintiffs contend is unlawful. Plaintiffs contend that CTCL's grants have been primarily directed to cities and counties in so-called "swing states" with demographics that have progressive voting patterns and are clearly intended to "skew" the outcome of statewide elections by encouraging and facilitating voting by favored demographic groups.

The defendant Cities, on the other hand, note that none of the federal laws Plaintiffs cite prohibit municipalities from accepting funds from private sources to assist them in safely conducting a national election in the midst of the public health emergency created by the COVID-19 pandemic. The defendant Cities also dispute Plaintiffs' allegations concerning their demographic make-up and the predictability of their voting patterns. The defendant Cities note that municipal governments in Wisconsin are nonpartisan and that, in addition to the five cities that are named as defendants, more than 100 other Wisconsin municipalities have been awarded grants from CTCL. The more densely populated areas face more difficult problems in conducting safe elections in the current environment, the defendant Cities contend, and this fact best explains their need for the CTCL grants.

Plaintiffs have presented at most a policy argument for prohibiting municipalities from accepting funds from private parties to help pay the increased costs of conducting safe and efficient elections. The risk of skewing an election by providing additional private funding for conducting the election in certain areas of the State may be real. The record before the Court, however, does

not provide the support needed for the Court to make such a determination, especially in light of the fact that over 100 additional Wisconsin municipalities received grants as well. Decl. of Lindsay J. Mather, Ex. D. Plaintiffs argue that the receipt of private funds for public elections also gives an appearance of impropriety. This may be true, as well. These are all matters that may merit a legislative response but the Court finds nothing in the statutes Plaintiffs cite, either directly or indirectly, that can be fairly construed as prohibiting the defendant Cities from accepting funds from CTCL. Absent such a prohibition, the Court lacks the authority to enjoin them from accepting such assistance. To do so would also run afoul of the Supreme Court's admonition that courts should not change electoral rules close to an election date. *Republican Nat'l Comm. v. Democratic Nat'l Comm.*, 140 S. Ct. 1205, 1207 (2020).

The Court therefore concludes that Plaintiffs have failed to show a reasonable likelihood of success on the merits. Plaintiffs' Motion for a Temporary Restraining Order and other preliminary relief is therefore **DENIED**. A decision on the defendant Cities' motion to dismiss for lack of standing will await full briefing.

SO ORDERED at Green Bay, Wisconsin this 14th day of October, 2020.

s/ William C. Griesbach

William C. Griesbach
United States District Judge

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

WISCONSIN VOTERS ALLIANCE, et al.,

Plaintiffs,

v.

Case No. 20-C-1487

CITY OF RACINE, et al.,

Defendants.

DECISION AND ORDER GRANTING DEFENDANTS' MOTION TO DISMISS

Plaintiffs Wisconsin Voters Alliance and seven of its members filed this action for injunctive and declaratory relief against five Wisconsin cities (Green Bay, Kenosha, Madison, Milwaukee, and Racine) that received grants totaling \$6,324,527 from the Center for Tech and Civic Life (CTCL), a private non-profit organization, to help pay for the November 3, 2020 general election. Plaintiffs allege that, in accepting conditional grants from a private corporation to conduct federal elections, the defendant Cities violated the Elections Clause and the First, Ninth, and Fourteenth Amendments to the United States Constitution. Plaintiffs allege that, in unconstitutionally pursuing and using “private conditional moneys to conduct federal elections,” the Cities undermined the integrity of “the election process as a social contract to maintain our democratic form of government.” Am. Compl. at 1, Dkt. No. 39.

On October 14, 2020, the Court denied Plaintiffs’ motion for preliminary relief enjoining the defendant Cities from accepting or using “private federal election grants” on the ground that they failed to show a reasonable likelihood of success on the merits. Order Denying Motion for Preliminary Relief at 1, Dkt. No. 27. The case is now before the Court on the defendant Cities’

motion to dismiss Plaintiffs' Amended Complaint for lack of standing. For the following reasons, the motion will be granted and the case will be dismissed.

BACKGROUND

Plaintiffs consist of the Wisconsin Voters Alliance organization and residents of the various defendant Cities. Am. Compl. ¶¶ 5–11. The Wisconsin Voters Alliance is an organization that seeks to ensure “public confidence in the integrity of Wisconsin’s elections, in election results and election systems, processes, procedures, and enforcement, and that public officials act in accordance with the law in exercising their obligations to the people of the State of Wisconsin.” *Id.* ¶ 4. “The Wisconsin Voters Alliance also works to protect the rights of its members whenever laws, statutes, rules, regulations, or government actions . . . threaten or impede implied or expressed rights or privileges afforded to them under our constitutions or laws or both.” *Id.*

The CTCL is a private non-profit organization, funded by private donations of approximately \$350 million, that provides federal election grants to local governments. *Id.* ¶¶ 20–21. The CTCL distributed approximately \$6.3 million of federal election grants to the defendant Cities. *Id.* ¶ 23. The CTCL grants provided conditions governing the use of those private moneys, including that each city report back to the CTCL regarding the moneys used to conduct federal elections. *Id.* ¶¶ 89, 35. The local government entities accepted the conditions and agreed to adhere to the CTCL’s conditions. *Id.* ¶ 90. Plaintiffs allege that the conditions, as adopted by each defendant City, are additional regulations in the conduct of federal elections. *Id.* ¶ 96.

Plaintiffs allege that the local governments unconstitutionally pursued and used private conditional moneys to conduct federal elections, which undermined the “integrity of the election process as a social contract to maintain our democratic form of government.” *Id.* at 1. Plaintiffs claim that the use of conditional grants of private moneys violates the United States Constitution,

namely the Elections Clause under Article 1, Section 4, Clause 1 as well as the First, Ninth, and Fourteenth Amendments.

ANALYSIS

Defendants assert that the amended complaint must be dismissed because Plaintiffs do not have Article III standing to assert claims against them. Standing is not an esoteric doctrine that courts use to avoid difficult decisions. Our system of government is designed to place the power to enact laws and implement policy in the hands of the people and their elected representatives, not unelected federal judges. Article III of the United States Constitution limits the jurisdiction of federal courts to actual “cases” or “controversies” brought by litigants who demonstrate standing. *Groshek v. Time Warner Cable, Inc.*, 865 F.3d 884, 886 (7th Cir. 2017). The doctrine of standing “serves to prevent the judicial process from being used to usurp the powers of the political branches.” *Clapper v. Amnesty Int’l USA*, 568 U.S. 398, 408 (2013). “In light of this ‘overriding and time-honored concern about keeping the Judiciary’s power within its proper constitutional sphere, we must put aside the natural urge to proceed directly to the merits of an important dispute and to “settle” it for the sake of convenience and efficiency.’” *Hollingsworth v. Perry*, 570 U.S. 693, 704–05 (2013) (quoting *Raines v. Byrd*, 521 U.S. 811, 820 (1997)) (alterations omitted). “In order to have standing, a litigant must prove that he has suffered a concrete and particularized injury that is fairly traceable to the challenged conduct, and is likely to be redressed by a favorable decision.” *Remijas v. Neiman Marcus Grp., LLC*, 794 F.3d 688, 691–92 (7th Cir. 2015) (citation omitted). The plaintiff bears the burden of pleading sufficient factual allegations that “plausibly suggest” each element. *Groshek*, 865 F.3d at 886 (citation omitted). “A case becomes moot when it no longer presents a case or controversy under Article III, Section 2 of the Constitution. ‘In general a case becomes moot when the issues presented are no longer live or the parties lack a

legally cognizable interest in the outcome.” *Eichwedel v. Curry*, 700 F.3d 275, 278 (7th Cir. 2012) (quoting *Murphy v. Hunt*, 455 U.S. 478, 481 (1982)).

A. Individual Plaintiffs

The court concludes that the individual plaintiffs have failed to demonstrate that their injury is likely to be redressed by a favorable decision. “A plaintiff’s remedy must be tailored to redress the plaintiff’s particular injury.” *Gill v. Whitford*, 138 S. Ct. 1916, 1934 (2018) (citing *DaimlerChrysler Corp. v. Cuno*, 547 U.S. 332, 353 (2006)). “Relief that does not remedy the injury suffered cannot bootstrap a plaintiff into federal court; that is the very essence of the redressability requirement.” *Steel Co.*, 523 U.S. at 107. The plaintiff must demonstrate that it is “likely,” not merely “speculative,” that the injury he alleges will be “redressed by a favorable decision.” *Lujan*, 504 U.S. at 561 (citation omitted).

Plaintiffs assert that they have suffered an injury as a party to the “social contract” entered into between the government and the voter. Plaintiffs explain the social contract as follows: the government has agreed to protect the fundamental right to vote and maintain the integrity of an election as fair, honest, and unbiased, through federal and state election laws, and the voters agree to accept the government’s announcement of the winner of an election. Plaintiffs allege that each individual voter resides within the boundaries of a city that has added another regulatory level to elections, by a nongovernmental corporation, by accepting conditions for moneys in the conduct of elections and that they are harmed by the loss of the uniformity in the election process. They claim that, if a congressional house rejects the elected representatives after a finding that the election results are invalidated, the votes of each member of the Wisconsin Voters Alliance and the individual Plaintiffs will not count and they will lose representation in their individual districts. Am. Compl. ¶¶ 127–28. They maintain that, as a result, each voter from the local governmental

entities that accepted private grant moneys is disadvantaged and will suffer an injury. *Id.* ¶ 130. Plaintiffs assert that their disadvantage is not shared by all American people; it arises from the boundary within the city in which they reside and is not shared with voters residing in other cities that did not accept the conditions of nongovernmental corporate entities for conducting the election.

Plaintiffs have not established that any purported harm is likely to be redressed by a favorable decision. Plaintiffs' alleged harm is that the votes in their district may not count if the congressional house invalidates the election results in their districts because the municipalities in which they reside accepted CTCL grants. They request that the Court declare that the defendant Cities' acceptance of private funds through federal election conditional grants is unconstitutional under the Elections Clause, the First and Ninth Amendments of the United States Constitution, and the Equal Protection Clause and issue an injunction enjoining the defendant Cities from accepting or using the CTCL's private federal election grants.

It is unclear whether Plaintiffs have suffered an injury, let alone an injury that may be repeated in the future. A case becomes moot "when the issues presented are no longer 'live' or the parties lack a legally cognizable interest in the outcome." *Murphy*, 455 U.S. at 481 (citation omitted). A congressional house did not invalidate the election results or reject Wisconsin's elected representatives. These circumstances forestall any occasion for meaningful relief. In addition, enjoining the defendant Cities from using the funds it has already received and spent will not redress Plaintiffs' purported injuries. The court is unable to grant relief that would effectively redress the alleged injury Plaintiffs claim to suffer.

Plaintiffs' amended complaint raises issues concerning a municipality's acceptance of funds from private parties to help pay for the increased costs of conducting safe and efficient

elections. The receipt of private funds for public elections may give an appearance of impropriety. While this concern may merit a legislative response, the “Federal Judiciary [must respect] ‘the proper—and properly limited—role of the courts in a democratic society.’” *Gill*, 138 S. Ct. at 1929 (quoting *Allen v. Wright*, 468 U.S. 737, 750 (1984)). The individual Plaintiffs have not established standing.

B. Wisconsin Voters Alliance

As an organizational plaintiff, the Wisconsin Voters Alliance must demonstrate that it has standing “in its own right” because the organization itself has suffered a legally sufficient harm or “as the representative of its members.” *Warth v. Seldin*, 422 U.S. 490, 511 (1975). Wisconsin Voters Alliance asserts that it has associational standing. “[S]uch standing exists when: (a) the organization’s members would otherwise have standing to sue in their own right; (b) the interests it seeks to protect are germane to the organization’s purpose; and (c) neither the claim asserted nor the relief requested requires the participation of individual members in the lawsuit.” *Com. Cause Indiana v. Lawson*, 937 F.3d 944, 957 (7th Cir. 2019) (internal quotation marks, alterations, and citations omitted). Wisconsin Voters Alliance cannot establish associational standing because its members cannot establish standing. Therefore, Wisconsin Voters Alliance lacks standing.

CONCLUSION

Though this is a federal lawsuit seeking relief in a federal court, Plaintiffs have offered only a political argument for prohibiting municipalities from accepting money from private entities to assist in the funding of elections for public offices. They do not challenge any specific expenditure of the money; only its source. They make no argument that the municipalities that received the funds used them in an unlawful way to favor partisan manner. Their brief is bereft of any legal argument that would support the kind of relief they seek. They cite Article I, section 4,

of the United States Constitution, but that section governs the election of senators and representatives, and they fail to explain how, even if they had standing, the Cities' use of funds donated by a private party could have affected any such election. For these reasons, Defendants' motion to dismiss Plaintiffs' complaint for lack of standing (Dkt. No. 23) is **GRANTED**. This case is dismissed. The Clerk is directed to enter judgment accordingly.

SO ORDERED at Green Bay, Wisconsin this 15th day of January, 2021.

s/ William C. Griesbach
William C. Griesbach
United States District Judge



Exhibit C

July 24, 2020

City of Green Bay

Dear Mayor Genrich,

I am pleased to inform you that the Center for Tech and Civic Life (“CTCL”) has decided to award a grant to support the work of the City of Green Bay.

The following is a description of the grant:

AMOUNT OF GRANT: One million, ninety-three thousand, four hundred US dollars
(USD \$ 1,093,400.00).

PURPOSE: The grant funds must be used exclusively for the public purpose of planning and operationalizing safe and secure election administration in the City of Green Bay in accordance with the Wisconsin Safe Voting Plan 2020 (“Appendix”).

Before we transmit these funds, we ask that you sign this agreement promising to use the grant funds in compliance with United States tax laws. Specifically, by signing this letter you agree to the following:

1. The City of Green Bay is a U.S., state, or local government unit or political subdivision in the meaning of 26 USC 170(c)(1).

2. This grant shall be used only for the public purpose described above, and for no other purposes.
3. The City of Green Bay shall not use any part of this grant to give a grant to another organization unless CTCL agrees to the specific sub-recipient in advance, in writing.
4. The City of Green Bay has produced a plan for safe and secure election administration in 2020, including an assessment of election administration needs, budget estimates for such assessment, and an assessment of the impact of the plan on voters. This plan is attached to this agreement as an Appendix. The City shall expend the amount of this grant for purposes contained in this plan by December 31, 2020.
5. This grant is intended to support and shall be used solely to fund the activities and purposes described in the plan produced pursuant to paragraph 4.
6. The City of Green Bay shall produce a report documenting how this grant has been expended in support of the Appendix. This report shall be provided to CTCL by January 31, 2021.
7. The City of Green Bay shall not reduce or otherwise modify planned municipal spending on 2020 elections, including the budget of the City Clerk of Green Bay (“the Clerk”) or fail to appropriate or provide previously budgeted funds to the Clerk for the term of this grant. Any amount reduced or not provided in contravention of this paragraph shall be repaid to CTCL up to the total amount of this grant.
8. CTCL may discontinue, modify, withhold part of, or ask for the return of all or part of the grant funds if it determines, in its sole judgment, that (a) any of the above conditions have not been met or (b) it must do so to comply with applicable laws or regulations.
9. The grant project period of June 15, 2020 through December 31, 2020 represents the dates between which covered costs may be applied to the grant.




Your acceptance of these agreements should be indicated below. Please have an authorized representative of The City of Green Bay sign below, and return a scanned copy of this letter to us by email at grants@techandcivicliflife.org

On behalf of CTCL, I extend my best wishes in your work.

Sincerely,

Tiana Epps Johnson
Executive Director
Center for Tech and Civic Life

Accepted on behalf of the City of Green Bay:

By: 

Title: Mayor

Date: 07 / 28 / 2020

APPENDIX: Wisconsin Safe Voting Plan 2020 Submitted to the Center for Tech & Civic Life
June 15, 2020





**Wisconsin Safe Voting Plan 2020
Submitted to the Center for Tech & Civic Life
June 15, 2020**

The State of Wisconsin found itself in the midst of an historic election in April of 2020 when statewide elections occurred in the midst of the COVID-19 pandemic. These elections included not only the presidential preference vote, but also local races for city councils, county boards, school board, and mayors, a statewide election for a seat on the Wisconsin Supreme Court, and numerous district-wide school referenda.

Municipalities were required to make rapid and frequent adjustments to ensure compliance with the rapidly changing Supreme Court, Wisconsin Supreme Court, and Wisconsin Election Commission (WEC) rulings about the election. (The April 2020 Election may go down in history as the only election in which the Wisconsin Supreme Court and the US Supreme Court weighed in on the same day on how the election would be conducted.)

The shifting legal landscape was also complicated by the extraordinary lengths municipal clerks went to to ensure that both voting and election administration were done in accordance with prevailing public health requirements.

As mayors in Wisconsin's five biggest cities - Milwaukee, Madison, Green Bay, Kenosha, and Racine - we seek to work collaboratively on the two remaining 2020 elections (August 11th and November 3rd) to: safely administer elections to reduce the risk of exposure to coronavirus for our residents as well as our election officials and poll workers; identify best practices; innovate to efficiently and effectively educate our residents about how to exercise their right to vote; be intentional and strategic in reaching our historically disenfranchised residents and communities; and, above all, ensure the right to vote in our dense and diverse communities.

Table 1: Summary of Municipalities' Electorate Data, June 2020

	Green Bay	Kenosha	Madison	Milwaukee	Racine
Estimated Eligible Voters	71,661	73,000	213,725	430,000	56,000
Registered Voters	52,064	47,433	178,346	294,459	34,734
2020 Election Budget	\$329,820	\$205,690	\$2,080,283	\$2,986,810	\$409,529

All five jurisdictions share concerns about how to best facilitate voter participation and limit exposure to coronavirus. All five jurisdictions spent all or most of the budgeted resources for all of 2020 on the extraordinary circumstances this Spring. If no plan is approved, it will leave communities like ours with no choice but to make tough decisions between health and the right to vote; between budget constraints and access to fundamental rights. The time that remains between now and the November Election provides an opportunity to plan for the highest possible voter turnouts in the safest possible ways.

We are collectively requesting a total of \$6,324,527 as summarized in Table 3 below and detailed extensively in the plan.

Review of the April 2020 Election

The April 2020 election placed two sacred duties of cities in conflict: keeping our residents safe and administering free and fair elections. Since Wisconsin's elections are administered at the municipal level, each municipality was on its own to deal with these dynamics. Our Municipal Clerks and their staff are all remarkable public servants, who responded nimbly and effectively to marshal the resources needed to run these elections under exceedingly challenging circumstances. In this election, all five of our municipalities faced:

- Precipitous drop-offs of experienced poll workers;
- A scramble to procure enough PPE to keep polling locations clean and disinfected and to mitigate COVID-19 risk for election officials, poll workers, and voters;
- A never-before-seen increase in absentee ballot requests;
- High numbers of voters who struggled to properly submit required photo ID and/or provided insufficient certification of absentee ballot envelopes; and
- Voters who, understandably, were completely confused about the timeline and rules for voting in the midst of a pandemic and required considerable public outreach and individual hand-holding to ensure their right to vote.

See Table 2, below, for detailed data on all five municipalities' April 2020 absentee mail and in-person early voting experiences.

Table 2: Summary of Municipalities' Experiences in April 2020 Election

	Green Bay	Kenosha	Madison	Milwaukee	Racine
# of voters who requested absentee ballots for April election	15,509	16,017	89,730	96,712	11,615
# of absentee ballots successfully cast in April	11,928	13,144	77,677	76,362	9,570
# of absentee ballot requests unfulfilled due to insufficient photo ID	Unknown	Unknown	1,840	2.5%	Estimated hundreds
# of absentee ballots rejected due to incomplete certification	312	196	618	1,671	368
# of secure drop-boxes for absentee ballot return	1	2	3	5	1
# of days of early voting	12	10	19	14	13
Use curbside voting for early voting?	✓	✗	✓	✓	✓
# of voters who voted in-person early absentee	778	85	4,930	11,612	1,543
# of additional staff enlisted for election-related efforts	86	60	225	95	20
\$ spent on PPE	\$2,122	\$13,000	\$6,305	Unknown	Unknown
# of polling locations	2	10	66	5	14
Use drive-thru or curbside voting on Election Day?	✓	✗	✓	✓	✓

Comprehensive Election Administration Needs for 2020

In early June 2020, all five municipal clerks and their staff, with review and support from all five cities' Mayors and Mayoral staff, completed a detailed, multi-page template (attached) providing both data and information about the municipalities' election plans and needs. This Wisconsin Safe Voting Plan 2020 is based on that comprehensive information. All five of our municipalities recommend the following four strategies to ensure safe, fair, inclusive, secure, and professional elections in our communities for the remaining 2020 elections:

Recommendation I: Encourage and Increase Absentee Voting (By Mail and Early, In-Person)

1. Provide assistance to help voters comply with absentee ballot requests & certification requirements
2. Utilize secure drop-boxes to facilitate return of absentee ballots
3. Deploy additional staff and/or technology improvements to expedite & improve accuracy of absentee ballot processing
4. Expand In-Person Early Voting (Including Curbside Voting)

Recommendation II: Dramatically Expand Strategic Voter Education & Outreach Efforts, Particularly to Historically Disenfranchised Residents

Recommendation III: Launch Poll Worker Recruitment, Training & Safety Efforts

Recommendation IV: Ensure Safe & Efficient Election Day Administration

As detailed in this plan, our municipalities are requesting **a total of \$6,324,567** to robustly, swiftly, comprehensively, and creatively implement these four strategic recommendations in each of our communities. That request is summarized as follows in Table 3, below, and detailed extensively in the remainder of this plan.

Table 3: Summary of Resources Needed to Robustly Implement All Four Recommendations

Recommendation	Green Bay	Kenosha	Madison	Milwaukee	Racine	Totals
Encourage and Increase Absentee Voting By Mail and Early, In-Person	\$277,000	\$455,239	\$548,500	\$998,500	\$293,600	\$2,572,839
Dramatically Expand Strategic Voter Education & Outreach Efforts	\$215,000	\$58,000	\$175,000	\$280,000	\$337,000	\$1,065,000
Launch Poll Worker Recruitment, Training & Safety Efforts	\$174,900	\$145,840	\$507,788	\$800,000	\$181,500	\$1,810,028
Ensure Safe & Efficient Election Day Administration	\$426,500	\$203,700	\$40,500	\$76,000	\$130,000	\$876,700
Totals:	\$1,093,400	\$862,779	\$1,271,788	\$2,154,500	\$942,100	\$6,324,567

Recommendation I: Encourage & Increase Absentee Voting By Mail and Early, In-Person

Of all the things that need to be done to ensure access and safety at the polls, this is perhaps the most important and timely. It is time, resource, and labor intensive but results in the voter being able to vote by mail or from the relative safety of their car or at a socially distanced and carefully planned early voting site.

Overview of Absentee Voting in Wisconsin

Before discussing our strategies and plans to encourage and increase absentee voting, both by mail and in-person, early voting, it's important to first understand the absentee voting context in Wisconsin.

There are two ways to vote early in Wisconsin: in-person and through the mail. Both are technically called "absentee voting," a phrase held over from a time when absentee voting required you to affirm that you were over 80, ill, or going to be out of the municipality on Election Day. Those requirements no longer exist in the statutes, and people can vote early, or absentee, for any reason. The April 2020 election saw dramatic increases in the number of absentee ballot requests over previous elections.

While for many regular voters, absentee voting - whether completed by mail or early, in-person - is a relatively easy process, our five cities understand that absentee voting does not work easily for all voters. Our communities of color, senior voters, low-income voters without reliable access to the internet, people with disabilities, and students all have legitimate concerns about the absentee voting process.

Voting absentee by mail has been complicated by the fairly recent imposition of state law requiring voters to provide an image of their valid photo ID prior to first requesting an absentee ballot. While this works relatively easily for voters who have valid photo IDs and the technology necessary to upload an image file of that valid ID into the state's myvote.wi.gov website, it does not work well or easily for other voters who do not have valid photo ID (complicated by closure of DMVs due to the pandemic), lack access to reliable internet (also complicated by coronavirus-related closures or reduced hours at libraries and community centers, leaving those residents without regular public internet access that our municipalities normally provide), those who don't have smart phones to take and upload photos, and those who need additional education about what constitutes a valid photo ID. (For example, countless voters in our municipalities attempted to submit "selfies" as valid photo ID. Explaining to them that this was not a valid form of photo ID and instructing them on how to properly submit valid ID took considerable staff time and resources.)

Once the absentee ballot is received, it must be completed correctly to be successfully cast, and there are numerous certification requirements on the absentee ballot envelope; if not correctly completed, the ballot could be rejected. Prior to this April's

election, very small numbers of voters had traditionally chosen to cast ballots by mail. Municipal clerks' offices simply were not prepared and do not have the staffing or technological resources needed to quickly process dramatically higher numbers of absentee ballot requests, troubleshoot problems, answer voter questions, provide information and to expedite the processing of thousands of received absentee ballots on Election Day.

In-person early absentee voting also poses challenges for voters and election administrators. While all of our communities had previously offered early voting locations and hours, April's election required election officials to creatively and quickly expand in-person early voting opportunities, including curbside voting, all while prioritizing necessary COVID-19 precautions.

As indicated by Table 4, below, all five of our municipalities are already experiencing dramatic increases in the number of voters requesting to vote absentee, compared to pre-pandemic, and must procure resources to enable voters in our communities to meaningfully access absentee voting.

Table 4: Absentee Ballots in All Municipalities as of June 2020

	Green Bay	Kenosha	Madison	Milwaukee	Racine
# of voters on permanent absentee list prior to 2/18/20	1,628	1,856	2,062	6,252	613
# of voters on permanent absentee list as of 4/7/20	4,306	3,469	8,665	23,374	2,684
# of voters who have already requested absentee ballots for August 2020	5,162	9,450	36,092	53,438	3,389
# of voters who have already requested absentee ballots for November 2020	4,859	9,123	34,164	50,446	3,204

We are committed to making voting accessible via mail, in-person prior to Election Day, and at the polls on Election Day. Particularly in the midst of a global pandemic when many voters are rightfully apprehensive about in-person voting, we want to ensure that voters in our communities know they have options and we are committed to conducting the necessary voter outreach and education to promote absentee voting and encourage higher percentages of our electors to vote absentee.

Increasing the number of voters who cast votes prior to Election Day minimizes the risk of spreading COVID-19 on Election Day from in-person contacts at our polling locations, and it reduces the chance for lines and delays in voting on Election Day.

The Wisconsin Election Commission (WEC) has approved a proposal to mail all registered voters absentee ballot request forms, which allows our five communities to focus on helping voters overcome the barriers to successfully returning those forms so they can obtain, and then successfully submit, their completed absentee ballots. This measure will provide absentee request information directly to voters, alleviating the need for municipalities to expend the cost to send the mailing. However, it is unclear how this measure will affect the workload of municipal clerks. Although the WEC has directed that the forms be returned to the WEC for entry, municipal clerks must still review each record, process, mail, record receipt and canvass each absentee ballot.

All of our municipalities anticipate continued large increases in absentee voting based on the April 2020 trends. Milwaukee, for example, anticipates that 80% of residents will vote absentee by mail for both the August primary and the November general election.

All five cities have identified numerous barriers to successful absentee voting, including: voters facing numerous challenges to successfully submitting valid photo ID; voters needing assistance complying with absentee ballot certification requirements, including obtaining the required witness signature on the absentee ballot return envelope; the labor-intensive process faced by all of our clerks' offices of processing absentee ballot requests; and U.S. Postal Service errors and mail delays. All of these are challenges for our municipalities in normal elections, but they are all compounded by the coronavirus pandemic, and made exponentially more difficult by the unprecedented volume of absentee voting requests. This puts tremendous strain on municipal election clerks and their staff.

Our five cities share the desire to assist as many residents as possible with casting ballots before Election Day, serving as the greatest opportunity we have to mitigate the spread of COVID-19 in our communities. We have identified several strategies to help voters in each of our communities overcome these barriers to successful absentee voting, both by mail and in-person early voting.

Overall, our five communities are requesting **\$2,572,839** in resources related to enabling our municipalities to overcome these particular barriers and ensure that our voters can meaningfully access absentee voting, both by mail and in-person early voting. These strategies and resource needs are broken down into four distinct component recommendations, within the overall umbrella of increasing and encouraging absentee voting:

1. Provide assistance to help voters comply with absentee ballot requests & certification requirements

- **Green Bay:** The City would like to employ bilingual LTE “voter navigators” (\$45,000) to help residents properly upload valid photo ID, complete their ballots and comply with certification requirements, and offer witness signatures. These voter navigators can assist voters prior to the elections and then also be trained and utilized as election inspectors. They would also like to utilize paid social media and local print and radio advertising to educate and direct voters in how to upload photo ID and how to request and complete absentee ballots. (\$2,000)
Total: \$47,000
- **Kenosha:** The City would like to have Clerk’s staff train library staff on how to help residents request and complete absentee ballots, would like to produce (\$3,000) and mail (\$26,200) a bilingual absentee ballot instruction sheet with all absentee ballots to increase correctly completed and submitted ballots. The City would like to hire a trainer for seasonal election workers, volunteers and poll workers. This employee would also coordinate assignments to polling locations, the early driver up voting site, the Clerk’s office for assistance in processing, data entry and filing of absentee requests and the Absentee Board of Canvassers (approximately \$50,000). The increase in absentee ballots due to COVID-19 has tremendously increased the workload of the department. In order to properly serve the citizens and voters additional LTE employees are needed (approximately \$175,000). **Total: \$254,200**
- **Madison:** Plans to hold curbside “Get your ID on File” events with the Clerk this summer utilizing volunteers or paid poll workers (\$15,000) equipped with PPE (estimated \$5,000) and digital cameras (\$4,500) to capture voter ID images for voters who are unable to electronically submit their IDs to the Clerk’s office. They also need large flags to draw attention to these curbside sites (\$4,000). Would also like mobile wifi hotspots and tablets for all of these sites (\$100,000) so voters could complete their voter registration and absentee requests all at once, without having to wait for staff in the Clerk’s office to follow up on paper forms. (These mobile wifi hotspots, tablets, and flags, could all then be repurposed for early in-person voting closer to the election.) **Total: \$128,500**
- **Milwaukee:** The City notes that the biggest obstacle to Milwaukee residents, particularly those in poverty, to applying for an absentee ballot in April was access to the internet and securing an image of their photo ID. To address this, the City will be promoting and utilizing Milwaukee Public Library branch staff (\$90,000 for both elections) for 3 weeks prior to each election to assist any potential absentee voters with applying, securing, and uploading images of their valid photo ID. **Total: \$90,000**
- **Racine:** The City will recruit and promote (\$1,000), train (\$3,000), and employ paid Voter Ambassadors (\$8,000) who will be provided with both PPE and

supplies (\$4,000) and set up at the City's community centers to assist voters with all aspects of absentee ballot request, including photo ID compliance. Due to the increase of absentee mailed requests the City of Racine will need an additional 2 full time staff members in the Clerk's Office in order to have a reasonable turn-around time for absentee requests (\$100,000). Total: **\$116,000**.

Total: \$635,700

2. Utilize Secure Drop-Boxes to Facilitate Return of Absentee Ballots

Our five communities all share a desire to expand voters' ability to easily return absentee ballots to the municipality without having to rely on the postal service, since, after April's election, many voters are (rightfully) apprehensive that putting their completed ballot in the mail does not guarantee it will be received and counted by the municipality by statutory deadlines. Voters also need to have confidence that they are returning their completed absentee ballots into secure containers that are not at risk of tampering. All five cities need resources to purchase additional secure drop-boxes and place them at key locations throughout their cities, including libraries, community centers, and other well-known places, to ensure that returning completed ballots is as secure and accessible to voters throughout our cities as possible.

- **Green Bay:** The City would like to add secure (security cameras \$15,000) ballot drop-boxes (approximately \$900 each) at a minimum of the transit center and two fire stations, but if funding were available would also install secure drop boxes at Green Bay's libraries, police community buildings, and potentially several other sites including major grocery stores, gas stations, University of Wisconsin Green Bay, and Northern Wisconsin Technical College, in addition to the one already in use at City Hall. **Total: \$50,000**
- **Kenosha:** The City currently has two drop-boxes that are checked throughout the day, and would like to install 4 additional internal security boxes at Kenosha libraries and the Kenosha Water Utility so that each side of town has easy access to ballot drop-boxes. **Total: \$40,000**
- **Madison:** The City would like to have one secure drop box for every 15,000 voters, or 12 drop boxes total (\$36,000). The City would also like to provide a potential absentee ballot witness at each drop box, utilizing social distancing and equipped with PPE (staff costs unknown): **Total: \$50,000**
- **Milwaukee:** The City would like to install secure 24-hour drop boxes at all 13 Milwaukee Public library branches, staffed with socially distanced volunteers to serve as witnesses. **Total: \$58,500**

- **Racine:** The City currently has one secured drop box for absentee ballots, and would like to have 3 additional drop boxes, each equipped with security cameras, to install at key locations around the City. **Total: \$18,000.**

Total: \$216,500

3. Deploy Additional Staff and/or Technology Improvements to Expedite & Improve Accuracy of Absentee Ballot Processing

The process of assembling and mailing absentee ballots is labor-intensive, slow, and subject to human error. Absentee ballot requests must be approved and entered into the statewide system, labels must be printed and applied to envelopes, ballots must be initialled, folded, and inserted into the envelope along with instructions. Ballots must be logged when received back from the voter. Undeliverable ballots must be reviewed, reissued or canceled. When voters make mistakes on ballots the requests to reissue must be completed. These tasks are time-consuming and utilizing existing clerk's office staff pulls them away from all of the other service requests, phone answering, and tasks handled by busy municipal clerks' offices.

The tremendous increase in absentee ballot requests in April was unprecedented, and municipal clerks and their staff were unprepared for the volume. They responded remarkably well - particularly since many of their staff were, by late March and early April, working remotely or, at a minimum, all needing to adhere to social distancing and masking precautions when working together in the same room - but all five municipalities need additional resources to accurately and swiftly process absentee ballot requests.

- **Green Bay:** The City needs 45 additional staff to process absentee ballot requests before the election, to open and verify envelopes on Election Day, and insert them into the tabulators. After the election, staff are needed to enter new voter registrations and assist with all election certification tasks (\$140,000 for staffing) The City would also like to purchase a ballot opener and ballot folder to expedite processing (\$5,000). **Total: \$145,000.**
- **Kenosha:** The City needs resources for absentee ballot processing, to staff and process early, in-person absentee requests, and to answer voters' questions (approximately \$100,000). Additional workers are also needed to canvass absentee ballots (approximately \$11,000) **Total: \$111,000**
- **Madison:** Based on data from April, the City estimates it will need additional staffing (\$110,000) for hourly election clerks for the fall elections, and will incur

additional overtime costs (\$100,000) for staff processing of absentee ballots and other election-related tasks. **Total: \$210,000**

- **Milwaukee:** Given its tremendous volume of absentee ballot requests and processing tasks which far exceeds that of the other municipalities, Milwaukee would like to completely automate and expedite the assembly and mailing of requested absentee ballots. The City would like to purchase a high-speed, duplex printer, a top-of-the-line folding machine, and a high quality folding and inserting machine. This would reduce staff costs and eliminate the use of absentee labels, by enabling the City to print directly onto inner and outer envelopes. This would also allow the City to have a small 2D barcode that the inserter machine would be able to scan to ensure that the outer envelope is for the same voter; increasing quality controls. This automation would enable the City to eliminate the assembly delay no matter the volume of daily absentee requests, allowing experienced election workers and previously trained election temporary employees to be re-deployed to early voting sites as supervisors and lead workers. **Total: \$145,000**
- **Racine:** To process absentee ballot requests in April, the City estimates that it will need seven additional full-time employees to process fall election requests. These employees will be needed full-time for one month prior to the August Election (approximately \$17,000) and seven weeks prior to the November election (approximately \$30,000). **Total: \$47,000**

Total: \$658,000

4. Expand In-Person Early Voting (Including Curbside Voting)

For a variety of reasons, many voters in our municipalities do not want to vote by mail and prefer to vote in-person. As a result of the coronavirus, far more voters are interested in early, in-person absentee voting (EIPAV) than we've seen in previous elections, wishing to avoid lines or crowds on Election Day. All five municipalities would like to have resources to accommodate these early, in-person voters. Expanding access to early, in-person voting also will lessen lines at polling places on Election Day and allow for proper social distancing and other pandemic precautions to be uniformly implemented.

Curbside and drive-thru voting have been very popular with residents of our municipalities, particularly for those with health concerns who can remain in the cars and have a virtually contact-less voting process. For example, Milwaukee previously operated in-person early voting for one week leading up to the April election at three sites and then transitioned to one site of drive-thru voting. 11,612 cast ballots through these options: 5,571 via in-person and 6,041 at drive-thru, and these numbers represent a 46% increase over April 2016 "early voting" totals. However, it is slow-moving and

labor-intensive. Additionally, particularly in the larger cities among us, it requires law enforcement and traffic control assistance to help manage traffic.

- **Green Bay:** The City would like to expand and establish at least three EIPAV sites in trusted locations, ideally on the east (potentially UWGB) and west sides (potentially NWTC or an Oneida Nation facility) of the City, as well as at City Hall. The City is planning to offer early voting starting two weeks before each election, with several weekdays available until 6:30pm and Saturdays 10am-4pm. They would like to staff these early voting sites with election inspectors who are bilingual and would like to increase the salary rate for these bilingual election inspectors to assist with recruitment and retention, as well as in recognition of their important role at these sites. The City also will need to print additional ballots, signage, and materials to have available at these early voting sites. **Total: \$35,000.**
- **Kenosha:** The City plans to have one early voting location, at City Hall, and plans to hold early voting two weeks before the August election, with no weekend or evening hours planned, and 4 weeks before the November election, with access until 7pm two days/week and Saturday voting availability the week before the election. If City Hall is still closed to the public, they will explore offering early drive thru voting on City Hall property. Resources are needed for staffing (approximately \$40,000), PPE (\$1,050), signage (\$200), laptops, printers, and purchase of a large tent (\$8,789) to utilize for drive thru early voting. Staff could see voters' ID, print their label, hand them their ballot, and then collect the completed envelope. This would also allow staff to help voters properly do certification and provide witness signatures if necessary. The City could do this for one full week before elections. **Total \$50,039.**
- **Madison:** The City would like to provide 18 in-person absentee voting locations for the two weeks leading up to the August election, and for the four weeks leading up to the November election. Their original plan was to offer in-person absentee voting at all nine library locations, the City Clerk's Office, a city garage, Edgewood College, two Madison College locations, and four UW-Madison locations. Due to weather uncertainties, they will need to purchase and utilize tents (\$100,000) for the curbside voting locations in order to protect the ballots, staff, and equipment from getting wet and will also need large feather flags to identify the curbside voting sites. (Additional staff costs covered by the earlier question re. Absentee ballot processing.) The City would also like to get carts (\$60,000) for our ExpressVote accessible ballot marking devices so we can use the ExpressVote for curbside voting to normalize the use of ExpressVote to help voters with disabilities feel less segregated during the voting process. **Total: \$160,000.**
- **Milwaukee:** The City would like to set up 3 in-person early voting locations for two weeks prior to the August election (\$150,000) and 15 in-person early voting

locations and 1 drive-thru location, potentially at a central location like Miller Park, for four weeks prior to the November election (\$450,000). (Establishing this many EIPAV sites requires a significant investment in IT equipment, an additional ballot printer, tents, signage, and traffic control assistance. Milwaukee would also like to offer evening and weekend early voting hours which would add additional costs for both August (\$30,000) and November (\$75,000). **Total: \$705,000.**

- **Racine:** The City would like to offer a total of 3 EIPAV satellite locations for one week prior to the August election, as well as offering in-person early voting - curbside, if City Hall is still closed to the public - at the Clerk's office for 2 weeks prior to the August election. For the November election, Racine would like to offer EIPAV at 4 satellite locations two weeks prior to the election and at the Clerk's office (again, potentially curbside) 6 weeks prior. The City would need to obtain PPE, tents, supplies and cover staff time and training (\$40,000). Racine would also like to have all satellite locations available for half-day voting the two Saturdays (\$17,000) and Sundays (\$17,000) prior to the November election, and the library and mall locations would be open until 8pm the week prior to the Election. Additional resources needed include one-time set-up fee per location (\$7,500), laptops and dymo printers (\$10,000), training (\$1,100), and signage (\$12,000.) As well, the City would like to host at least one drive-thru Voter Registration Day, where City Hall would be set up for residents to come get registered, curbside, and get their voting questions answered by Clerk's staff. Newly registered voters could also get assistance requesting absentee ballots for upcoming elections while they're there. (\$8,000) **Total: \$112,600**

Total: \$1,062,639.00

Recommendation I Total for All Strategies to Encourage and Increase Absentee Voting by Mail and Early, In-Person: \$2,572,839.00

Recommendation II: Dramatically Expand Voter & Community Education & Outreach, Particularly to Historically Disenfranchised Residents

All five municipalities expressed strong and clear needs for resources to conduct voter outreach and education to their communities, with a particular emphasis on reaching voters of color, low-income voters without reliable access to internet, voters with disabilities, and voters whose primary language is not English. This outreach is particularly necessary given the voter confusion that ensued in the lead-up to the April election, and voters' concerns and questions about voting during the COVID-19 pandemic. We understand that our communities of color do not necessarily trust the voting process, and that we need to work to earn that trust. We want to be transparent and open about what happens behind the scenes in elections, and what options are available for casting a ballot. We also want to make sure we are listening to groups that have historically been disenfranchised and groups that are facing obstacles with voting during this pandemic, and working with them to effectively respond to their concerns.

Voter outreach and education is also needed to encourage and explain new voter registration, and to encourage voters to verify and update their address or other voter registration information to do so prior to the Election. None of our communities have sufficient resources budgeted or available for the strategic, intentional, and creative outreach and education efforts that are needed in our communities over the summer and into the fall.

We all want our communities to have certainty about how the voting process works, trust in our election administration's accuracy, and current, accurate information on what options are available to vote safely in the midst of the pandemic. Significant resources are needed for all five municipalities to engage in robust and intentional voter education efforts to reduce confusion; encourage and facilitate new voter registration and registration updates; provide clear, accessible, and accurate information; address voters' understandable pandemic-related safety concerns; reassure voters of the security of our election administration; and, ultimately, reduce ballot errors and lost votes and enhance our residents' trust and confidence in our electoral process.

- **Green Bay:** Would like to reach voters and potential voters through a multi-prong strategy utilizing "every door direct mail," targeted mail, geo-fencing, billboards, radio, television, and streaming-service PSAs, digital advertising, and automated calls and texts (\$100,000 total). The City would also like to ensure that these efforts can be done in English, Spanish, Hmong, and Somali, since roughly 11% of households in the Green Bay area speak a language other than English. Ideally, the City would employ limited term communications staff or engage communications consultants (\$50,000) from August through the November election to design these communications and design and launch paid advertising on Facebook, Twitter, and Instagram, also in multiple languages. The City would also like to directly mail to residents who are believed to be eligible but not registered voters, approximately 20,000 residents. It would require both

considerable staff time to construct that list of residents and directly mail a professionally-designed piece (in multiple languages) to those voters. (\$50,000 total for staffing, design, printing, and postage). To assist new voters, the City would also like resources to help residents obtain required documents (i.e. birth certificates) which are needed to get a valid state ID needed for voting. These grant funds (\$15,000) would be distributed in partnership with key community organizations including churches, educational institutions, and organizations serving African immigrants, LatinX residents, and African Americans.

Total: \$215,000

- **Kenosha:** Would like to directly communicate to all Kenosha residents via professionally-designed targeted mail postcards that include information about the voter's polling location, how to register to vote, how to request an absentee ballot, and how to obtain additional information. The City would have these designed by a graphic designer, printed, and mailed (\$34,000). The City would also like resources for social media advertising, including on online media like Hulu, Spotify, and Pandora (\$10,000) and for targeted radio and print advertising (\$6,000) and large graphic posters (\$3,000) to display in low-income neighborhoods, on City buses, and at bus stations, and at libraries (\$5,000).
Total: \$58,000
- **Madison:** Would like to engage the City's media team to produce videos to introduce voters to the election process, voting options, and to explain the safety precautions taken at polls and early voting sites. These videos would then be shared in numerous ways, including through partner organizations and on the City's social media platforms. The City would also like to partner with community organizations and run ads on local Spanish-language radio, in the Spanish-language newspapers, on local hip hop radio stations, in African American-focused printed publications, and in online publications run by and for our communities of color (advertising total \$100,000). Additionally, the City has many poll workers who are from historically disenfranchised communities. The City would like to pay those poll workers (\$75,000) to conduct voter outreach and additional poll worker recruitment activities. **Total: \$175,000.**
- **Milwaukee:** Would like to partner with other City divisions to develop mailings and door hangers (\$10,000) that could accompany water bills, be distributed by the Department of Neighborhood Services, or hung on trash receptacles by sanitation staff. The City would also like to revamp current absentee voting instructions to be more visual, address issues specific to the pandemic such as securing a witness signature, prepare it in English and Spanish, and print 150,000 color copies (estimated total \$15,000). The Election Commission would also like to produce a short video (\$5,000) with visuals showing voters how to apply for an absentee ballot and how to correctly complete and return the ballot. Additionally, the Election Commission would like to hire a communications firm to prepare and implement a comprehensive voter outreach communications plan

(\$250,000). This communications effort would include numerous voter education ads and PSAs on radio, billboards, buses, with some using local celebrities like Milwaukee Bucks players. This communications effort would focus on appealing to a variety of communities within Milwaukee, including historically underrepresented communities such as LatinX and African Americans, and would include a specific focus on the re-enfranchisement of voters who are no longer on probation or parole for a felony. Additionally, this campaign would include an edgy but nonpartisan and tasteful communications campaign to harness the current protests' emphasis on inequity and ties that message to voting. The video, the ads, and the PSAs could all also be placed on social media, the Election Commission and City websites, and GOTV partner websites and social media. **Total: \$280,000**

- **Racine:** The City would like to retain a communications firm to design and implement a comprehensive voter outreach communications plan (\$80,000). This would include ads on Facebook, Instagram, and Snapchat. The City would also like to rent billboards in key parts of the City (\$5,000) to place messages in Spanish to reach Spanish-speaking voters. The City would also like to do targeted outreach aimed at City residents with criminal records to encourage them to see if they are not eligible to vote; this outreach will be accomplished with the production, editing, and sharing of a YouTube video (\$2,000) specifically on this topic shared on the City's website, social media channels, and through community partners. Racine would also like to purchase a Mobile Voting Precinct so the City can travel around the City to community centers and strategically chosen partner locations and enable people to vote in this accessible (ADA-compliant), secure, and completely portable polling booth on wheels, an investment that the City will be able to use for years to come. (Estimated cost \$250,000). **Total: \$337,000**

Recommendation II Total For All Strategies to Dramatically Expand Strategic Voter Education and Outreach Efforts, Particularly to Historically Disenfranchised Residents: \$1,065,000.00

Recommendation III: Launch Poll Worker Recruitment, Training, and Safety Efforts

The pandemic made conducting Election Day activities extremely challenging. Most poll workers in Wisconsin are retirees doing their civic duty to help facilitate the election. Given the increased risk for the elderly if exposed to COVID-19, many experienced poll workers opted out. Milwaukee had so many poll workers decline to serve that the City went from 180 polling locations to five polling locations. Green Bay, facing a similar exodus of poll workers, went down to two polling locations. Racine usually relies on nearly 190 poll workers for a spring election; only 25 of those experienced poll workers were under the age of 60.

As fears about the coronavirus increased in mid-late March and early April, poll workers in all five municipalities declined to work the election, leaving cities scrambling to quickly recruit enough bodies to keep polling locations open. All cities were appreciative of the last minute assignment of hundreds of Wisconsin National Guard members to assist with Election Day activities, and all of our cities re-assigned City staff from other departments to serve as poll workers and election officials and to assist with the myriad of tasks related to Election Day administration. The remainder of positions were staffed by high school students, college students, and members of the National Guard. Many of our poll workers had never worked an election before.

- **Green Bay:** The City needs to hire a total of 380 workers per election (total \$112,660). The City would like to pay poll workers more than they have previously received, to signify their importance in the process and to acknowledge the extra challenge it represents to serve as an election official during a pandemic. The City would like to increase poll worker salaries by 50% (additional \$56,330). All poll workers will be trained through the Wisconsin Elections Commission website and the City's own training manual (\$6,000). **Total: \$174,900**
- **Kenosha:** The City needs to hire 350 poll workers per election (\$100,000). They would like to offer hazard pay to increase pay to \$160/worker and \$220/chief inspectors (\$10,840). To aid in recruitment efforts, the City would like to hire a recruiter and liaison position for poll workers (\$35,000). **Total: \$145,840.**
- **Madison:** The City utilizes the election toolkit available through the MIT Technology Project to determine the staffing levels needed to ensure that voters will not have to wait in line for more than 15 minutes. In addition to the one Chief Inspector per polling location, Madison also has additional election officials who are certified as the Absentee Lead at each polling location. Madison estimates that if 75% of votes cast are absentee, the City will need 1,559 election officials at the polls in August. The City envisions a robust and strategic poll worker recruitment effort, focusing on people of color, high school students, and college students. The City would like to have resources for hazard pay for poll workers this fall at a rate comparable to what the U.S. Census is paying in the area

(\$369,788). The City has also found it challenging to convince facilities to host a polling location in the midst of a pandemic, and would like to provide each facility with a small amount of funds to compensate for their increased cleaning and sanitization costs (\$750/location, \$138,000 total). **Total: \$507,788**

- **Milwaukee:** The City plans to have 45 voting locations in August and to keep open as many of the normal 180 polling places as possible in November. August will require 3 chief inspectors per site and 20 election workers per site, for a total of 1200 election workers minimum and 150 chief inspectors. The City has a goal of recruiting 1,000 new election workers. The City would like to add an additional \$100 per worker in hazard pay to the poll workers' stipends of \$130 (\$460,000 additional for both elections) and \$100 hazard pay to chief inspector stipends of \$225 (\$87,750 additional for both elections). Additionally, the City of Milwaukee utilizes a Central Count of absentee ballots, which necessitates 15 chiefs and 200 election workers per election at Central Count (\$50,000/day for 2- days each election for a total of \$200,000). Total payroll for both elections will reach \$750,000 based upon these calculations. The City will launch a recruitment campaign for a new generation of election workers to sign up and be involved in their democracy, and hopes this effort can be included in the above request for resources for a marketing firm. Recruiting new and younger poll workers means that the Election Commission will need to innovate in election training. The Commission would like to produce polling place training videos (\$50,000) with live small-group, socially distanced discussions and Q&A sessions. These videos will augment existing training manuals. **Total: \$800,000**
- **Racine:** The City needs approximately 150 poll workers for August and 300 for November, in addition to 36 Chief Inspectors, and would like to pay all workers a \$100/election hazard pay (\$118,000 total payroll for both elections). City notes that its desire to have more early voting locations and hours is directly impacted by its ability to hire and train election officials. To that end, the City would like to launch a recruitment campaign that includes radio ads (\$1,000), ads on social media platforms (\$10,000), billboards in strategic City locations (\$5,000), and film videos for high school students in history/government classes (\$500). The City would also like to enlist a communication firm to: create a training video for election officials, develop an online quiz, detailed packets for election officials, and a PPE video filmed by a health professional about necessary COVID-19 precautions during all voting operations (\$22,000 total). Racine would also like to hire a liaison position to schedule, training and facilitate poll workers. (\$35,000) **Total: \$181,500.**

Recommendation III Total for All Strategies to Launch Poll Worker Recruitment, Training and Safety Efforts: \$1,810,028.00

Recommendation IV: Ensure Safe & Efficient Election Day Administration

It is no small task to mitigate risk of a lethal pandemic at all polling locations and throughout all required Election Day processing. Municipal clerks must ensure they have done everything possible to comply with public health guidelines and mitigate the risk of COVID-19 for all of the election officials, poll workers, observers, and voters. Our five municipalities are in need of numerous resources to both ensure seamless processing of voters on the upcoming Election Days, procure Personal Protective Equipment (PPE), disinfectant, and cleaning supplies to protect election officials and voters from the coronavirus, and to aid in processing of an expected high volume of absentee ballots. Additionally, as several of our municipalities move to add or expand drive-thru voting on Election Days, those expansions come with additional unbudgeted expenses for signage, tents, traffic control, publicity, and safety measures. All of our municipalities need resources to ensure that the remaining 2020 Election Days are administered seamlessly and safely.

- **Green Bay:** Green Bay would like to purchase 135 electronic poll books (\$2,100/each for a total of \$283,500) to reduce voter lines, facilitate Election Day Registrations and verification of photo ID. The City would also like a high speed tabulator (\$62,000) to count absentee ballots on Election Day, a ballot opener and ballot folder (\$5,000), and additional staff to process absentee ballots on Election Day (\$5,000). The City also needs masks, gloves, gowns, hair nets, face shields (\$15,000), cough/sneeze guards (\$43,000), and disinfectant supplies (\$3,000). **Total: \$426,500**
- **Kenosha:** The City would like to purchase automatic hand sanitizer dispensers for all polling locations (\$14,500) as well as PPE (gloves, masks, disinfectant, etc.) for all poll workers and voters (\$15,200). Kenosha would also like to be able to offer elderly residents and people with disabilities who wish to vote in person on Election Day two-way transportation, utilizing a local organization such as Care-A-Van (\$2,000). The City also needs resources for technology improvements to include a ballot opener, a ballot folder, 12 additional laptops and dymo printers, and high-speed scanner tabulators (\$172,000 total) to expedite election day processing and administration. **Total: \$203,700**
- **Madison:** The City needs hand sanitizer for all poll workers and voters, disinfectant spray, plexi-glass shields to allow poll workers to split the poll books, face shields for curbside election officials, and face masks for all poll workers and observers (\$20,000) as well as renting additional space to safely and accurately prepare all supplies and practice social distancing at the public test of election equipment (\$20,000) If the new voter registration form is not translated by the state into both Spanish and Hmong, Madison plans to translate the form (\$500). **Total: \$40,500**

- **Milwaukee:** The City will be purchasing 400 plexiglass barriers (\$55,000) for election workers at all polling location receiving and registration tables. Additionally, the Milwaukee Election Commission will need to acquire 400 face shields for workers not staffed behind plexiglass (\$4,000), gloves for all poll workers (\$3,000), masks on hand for election workers and members of the public (\$5,000), hand sanitizer (\$2,000) and disinfectant (\$2,000). Additionally, since Milwaukee also plans to offer curbside voting as an option at all polling places, updated, larger, more visible signage is necessary (\$5,000). **Total: \$76,000**
- **Racine:** Racine plans to issue all 36 wards its own PPE supply box which will each include masks, cleaning supplies, pens for each voter, gloves, hand sanitizer, safety vests, goggles, etc. (\$16,000). The City also needs large signs to direct and inform voters printed in English and Spanish (\$3,000). Additionally, the City would like to deploy a team of paid trained EDR Specialists for each polling location (\$10,000, including hourly pay, training expenses, and office supplies). As well, Racine would like iPads with cellular signal for each polling location to be able to easily verify voters' registration status and ward (\$16,000). The City would like to equip all wards with Badger Books (\$85,000); Racine began using electronic poll books in the February 2020 election and has found they dramatically increase and facilitate EDR, verification of voters' photo ID, expedite election processes, and reduce human error. **Total: \$130,000**

Recommendation IV Total for All Strategies to Ensure Safe & Efficient Election Day Administration: \$876,700.00

Conclusion

As Mayors in Wisconsin's five largest cities, we are committed to working collaboratively and innovatively to ensure that all of our residents can safely exercise their right to vote in 2020's remaining elections in the midst of the COVID-19 pandemic. The April 2020 election placed two of our most sacred duties in conflict: keeping our residents safe and administering free, fair, and inclusive elections. This Wisconsin Safe Voting Plan 2020 represents a remarkable and creative comprehensive plan, submitted collaboratively by all five of our cities. With sufficient resources, all five municipalities will swiftly, efficiently, and effectively implement the recommended strategies described in this plan, to ensure safe, fair, inclusive, secure, and professional elections in all of our communities this year.

From: [Deborah C. Meiners](#)
To: [Bryan Charbogian](#); [Ed Antaramian](#); [Vanessa Chavez](#); [Lindsay Mather](#); [Lindsey Belongea](#); [Letteney, Scott](#); [jmcarr@milwaukee.gov](#); [kblock@milwaukee.gov](#); [Kilpatrick, Steven C - DOJ](#); [Bellavia, Thomas C - DOJ](#); [kaardal@mklaw.com](#)
Cc: [Jon P. Axelrod](#); [Witecha, James - ELECTIONS](#)
Subject: Fw: Election Complaints
Date: Saturday, May 15, 2021 9:19:34 AM
Attachments: [Outlook-2cwitcks.png](#)
[Outlook-Like us on.png](#)
[Outlook-Follow us .png](#)
[Outlook-View our p.png](#)

Dear Counsel:

We, as Special Counsel for the Wisconsin Elections Commission (WEC), are in receipt of the below email relating to the Complaints filed by Attorney Erick Kaardal, on behalf of his various clients, against Meagan Wolfe, Administrator of the WEC, and respondents from the City of Green Bay, the City of Racine, the City of Kenosha, and the City of Milwaukee (in Case Nos. EL 21-24, EL 21-29, EL 21-30, and EL 21-31, respectively).

We are including on this response Attorneys Steven Kilpatrick and Thomas Bellavia, who are representing Administrator Wolfe with respect to these Complaints.

We hereby set a deadline of June 15, 2021 for all respondents to respond to the Complaints in the above-referenced matters. Any respondent who wishes to contest probable cause as referenced in the below email may do so in his or her response.

Complainants' deadline to reply will be June 29, 2021, 10 business days following the response deadline. Of course, if Complainants also need an extension, they should not hesitate to ask.

Sincerely yours,

Jon P. Axelrod

Deborah C. Meiners

Deborah C. Meiners

Partner

Ph: 608.252.9266

F: 608.252.9243

dcm@dewittllp.com

2 East Mifflin Street, Suite 600

Madison, Wisconsin 53703



www.dewittllp.com

Begin forwarded message:

From: Bryan Charbogian <bcharbogian@kenosha.org>

Date: May 13, 2021 at 8:16:08 AM CDT

To: "Jon P. Axelrod" <jpa@dewittllp.com>

Cc: Vanessa Chavez <Vanessa.Chavez@greenbaywi.gov>, Ed Antaramian <ellantaramian@kenosha.org>, Scott Letteney <Scott.Letteney@cityofracine.org>, Lindsay Mather <Lindsay.Mather@greenbaywi.gov>, Lindsey Belongea <Lindsey.Belongea@greenbaywi.gov>, James Carroll <jmcarr@milwaukee.gov>, Kathryn Block <kblock@milwaukee.gov>, Erick Kaardal <kaardal@mklaw.com>

Subject: Election Complaints

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attorney Axelrod,

I represent the City of Kenosha respondents in Brian Thomas et al. v. Meagan Wolfe et al., EL 21-30.

I, and the attorneys for the Cities of Milwaukee, Racine, and Green Bay, against whom the complainants in EL 21-30 have also filed complaints, and who are cc'd in this email, wanted to inquire as to a couple of topics. First, pursuant to EL 20.04(1), has there been a determination as to whether any or all of the complaints filed against each of us are timely, sufficient as to form, and state probable cause? Given that the substance of the complaint has already been rejected by the federal courts, we do not believe the complaints are timely, sufficient, or state probable cause, and therefore wanted to inquire. The City of Kenosha received a letter from the Wisconsin Elections Commission requesting a sworn written response to the complaint, but did not reference the items in EL 20.04(1). The other Cities received similar letters.

Second, if the complaints are determined to be sufficient, we would jointly request an extension of the time to file written responses or answers to our complaints so as to coordinate with each other and to collaborate on our legal arguments, though we are not requesting consolidation at this time. We would respectfully request that you allow each of us an extension, and to have the same response deadline, which we ask to be moved to sometime in mid-June.

Best,

Bryan Charbogian

Bryan A. Charbogian

Assistant City Attorney

Office of the City Attorney

625 52nd Street

Kenosha, Wisconsin 53140-3480

262-653-4170



The City of Kenosha is subject to Wisconsin Statutes related to public records. Unless otherwise exempted from the public records law, senders and receivers of City email should presume that the email are subject to release.

Pursuant to the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2522, the contents of this e-mail and the attachments hereto are confidential and privileged, and are intended only for disclosure to and use by the intended recipient of this message. If you are not the intended recipient of this message, the receipt of this message is not intended to and does not waive any applicable confidentiality or privilege and you are hereby notified that any dissemination, distribution, printing or copying of such contents is strictly prohibited. If you are not the intended recipient, please notify us by telephone or e-mail and delete this e-mail from your system.



AGENDA OF THE AD HOC COMMITTEE ON ELECTIONS

**THURSDAY, JULY 9, 2020, 5:00 PM
Virtual Meeting**

A. Zoom Meeting Information

- I. This item contains documents which provide call in information and instructions for the Zoom Meeting.

B. Roll Call.

- I. Alder Barbara Dorff; Alder Chris Wery; Clerk Teske; Chief of Staff Jeffreys; Terri Racine; Karen Schley, Susan Smith; H. Smet; Prof. Alison Staudinger.

C. Approval of the Agenda.

- I. Approval of the agenda for July 9, 2020.

D. Approval of Minutes.

- I. Approval of the Minutes from June 18, 2020.

E. Informational.

- I. Updated calendar for August 11, 2020 election.

F. Informational--Poll Worker Recruitment

- I. Update on efforts to recruit poll workers, including a count of those who've applied.

G. Informational--Polling Locations

- I. Update on approved polling locations for the August 11, 2020 election.

H. Regular Business--Absentee/EIPAV and Outreach

- I. Discussion with possible action on subcommittee outreach plan and the Wisconsin Safe Voting Plan (grant funded).

I. Adjournment.

- 1) THIS MEETING IS RECORDED: THE VIDEO OF THIS MEETING AND MINUTES ARE AVAILABLE ONLINE AT www.greenbaywi.gov
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) QUORUM: Please take notice that a majority or quorum of the Common Council will attend this Ad Hoc Committee meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) REPRESENTATION: The party requesting the communication, or their representative, should be present at this meeting.



AGENDA OF THE COMMON COUNCIL

TUESDAY, JULY 21, 2020, 6:00 PM

Virtual Meeting

Public may also view at

www.youtube.com/CityOfGreenBay

A. Zoom Meeting Information.

- I. This item contains documents which provide call in information and instructions for the Zoom Meeting.

B. Roll Call.

C. Pledge of Allegiance.

D. Invocation.

- I. The invocation will be led by Jerry Bader, Pastor, Faith by the Bay Ministries, invited by Alder Brian Johnson, District 9.

E. Approval of Minutes.

- I. Approval of the minutes from the June 29, 2020 Common Council meeting.

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Appointments.

I. New Appointment

Zoning and Planning Board of Appeals

Tom Hoy, 1120 Cass Street, Green Bay, WI 54301

Term to expire: August 1, 2023

Re-appointment

Green Bay Sustainability Commission

John Arendt, 726 Sunrise Lane, Green Bay, WI 54301

Term to expire: August 1, 2023

J. Ordinances - Second Reading for Adoption.

1. Zoning Ordinance No. 09-20

An ordinance rezoning property located at 1341 Brosig Street from General Commercial (C1) District to Varied Density Residential (R3) District.

2. General Ordinance No. 19-20

An ordinance creating section 9.17, Green Bay Municipal Code, relating to responsible bidder criteria.

3. General Ordinance No. 21-20

An ordinance amending Section 29.208, Green Bay Municipal Code, relating to parking regulations.

K. Report of the Redevelopment Authority (July 14, 2020).

1. To approve a 2020 fee waiver for the parklet permit fee utilizing CARES Act funding or other available funding sources (communication from Ald. Johnson from June 29, 2020 Common Council meeting).

2. To approve a Hold Harmless Agreement with Downtown Green Bay, Inc. for a temporary outdoor dining space at 204, 206, 208, and 210 N. Washington Street (Tax Parcels 12-65, 12-66, 12-67, 12-68) and work with the Parking Division to ensure no loss of revenue.

L. Report of the Improvement & Services Committee (July 15, 2020).

1. To approve the request by Michael Krouth, 311 N. Henry Street, to refund \$470 in connection fees for mini-storm sewer connection.

2. To approve the request to amend and update the Stormwater Utility ordinance to include and explain the impact trees have on stormwater retention and drainage, and to provide a dollar credit to property owners who have trees planted or growing on their property in order to be consistent and fair with what the majority of the Common Council passed in November 2019. If the ordinance and Equivalent Residential Unit calculations are not adjusted appropriately, then Forestry expenses should no longer be paid for by Stormwater utility rates effective January 2021 (referred to staff at the April 29, 2020 Improvement and Services Committee meeting to modify existing ordinance to further define pervious area in the ordinance and report back to Committee) and to approve the draft General Ordinance No. 26-20. (Ald. Brunette)

3. To refer back to staff the request that Department of Public Works looks into the storm water sewer backups starting from East Shore Circle to California/East Shore Drive (referred to staff at the June 10, 2020 Improvement and Services Committee meeting). (Ald. Lefebvre)
4. To hold until the August 12, 2020 Improvement and Services Committee meeting the request for status update on plans to address chronic flooding in the vicinity of Main and East Mason Streets and Department of Public Works staff to report back to the Committee on feedback from designer on phasing the project (held at the December 10, 2019 Improvement and Services Committee meeting). (Ald. Nicholson)
5. To receive and place on file the request for (1) review of the Department of Public Works completion date expectations with possible action, and (2) notification to the Brown County Home Builders Association about the meeting as Department of Public Works staff will be meeting with Brown County Home Builders Association on December 12, 2019 (held at the April 8, 2020 Improvement and Services Committee meeting). (Ald. Nicholson)
6. To approve the request to amend Chapter 9, Subsection IV, Green Bay Municipal Code to address pavement assessments against residential properties located in mixed use zoning areas and to approve the draft General Ordinance No. 27-20. (Ald. Stevens)
7. To approve the request by Wisconsin Department of Transportation to enter into a Routine Maintenance and Operation Agreement for the Ray Nitschke Memorial (Main Street) Bridge for State Fiscal Year 2021 (July 1, 2020 – June 30, 2021).
8. To approve the request by Department of Public Works to award construction contract at a staff level and report the award at the next regular meeting of the Improvement and Services Committee for SEWERS 5-20 S. GRANDVIEW ROAD SANITARY SEWER.
9. To receive and place on file the actions taken by Department of Public Works

A. Granting of Licenses

1. Sidewalk Builder to Poblocki Paving Corp.
2. Underground Sprinkler System to ADC Maintenance LLC.

10. To receive and place on file the award of contract SOUTH BAY SHORE DIKE REINFORCEMENT to Vinton Construction in the amount of \$1,013,527.10.

M. Report of the Protection & Policy Committee (July 13, 2020 recessed and reconvened July 16, 2020).

1. To approve an application for a "Class B" Combination license for Tristas Lunchbox LLC at 1542 University with a licensed premises as "MAIN FLR, BAR, COOLERS, POOL ROOM, BACK OFFICE, TIKI BAR W/IN OUTDOOR PATIO, OUTDOOR PATIO," previously discussed at the June 8 Protection & Policy Committee meeting. (Previously licensed as Alisa Marie, LLC), with the approval of the proper authorities.

2. To approve a "Class A" Liquor and Class "A" Beer license for Mi Favorita Supermarket LLC at 1908 E. Mason St. with a licensed premises description of "coolers," with the approval of the proper authorities. (Previously licensed as Mi Favorita Supermarket).
3. To approve a "Class B" Combination License for Lil Jamaica LLC at 1332 S. Broadway with a licensed description as "bar area, 2 small closets, bathrooms, closet at back entrance, small attic, outdoor patio, side yard," with the approval of the proper authorities. (Previously licensed as Sunshine N Wallys Bar, Inc).
4. To approve a Class "B" Beer & "Class C" Wine license by Aldo's Pizza of Green Bay, LLC at 1247 Velp Ave. with a licensed premises as "Cooler, dining room," with the approval of the proper authorities. (Currently licensed as an individual Jean Cleary).
5. To approve a 2020-2021 renewal application for a "Class B" Combination License for Chip Stacks, Inc. at 416 Dousman St. with a change of agent and with the approval of proper authorities.
6. To approve a renewal application for the 2020-2021 license year for Strats, Inc. at 2850 Humboldt Rd. (Submitted June 29, 2020), with the approval of the proper authorities.
7. To approve the renewal applications for various liquor and/or beer licenses for the 2020-2021 license year with approval of the proper authorities (see attached).
8. To approve the release of the 2019-2020 "Class B" Combination licenses to the pool of available licenses due to no action taken for the 2020-2021 license year.
9. To approve a request by Hagemeister Park, Inc. at 325 N. Washington St. to amend their liquor license to include a sidewalk cafe permit adjacent to 325 N. Washington St.
10. To approve a request by Skogen's Foodliner, Inc. at 2430 University Ave. to amend their liquor license to include part of their parking lot for Click and Collect curbside pickup.
11. To approve a request by Skogen's Foodliner, Inc. at 2250 W. Mason St. to amend their liquor license to include part of their parking lot for Click and Collect curbside pickup.
12. To receive and place on file a request by Ald. Wery for an update with possible action on changes to the Ethics Ordinance/Policy that were requested in 2018, with explanation as to why it is taking so long while other newer programs, policies and ordinances are placed ahead of this item.
13. No recommendation on a request by Ald. Scannell to make a city ordinance requiring employees and the public in social situations to wear masks and practice social distancing.
14. To hold a request by Ald. Galvin that the city consider taking fluoride out of the treatment process for the city water to the next meeting of Protection and Policy committee for staff to provide available dates for a special meeting to address this item alone.
15. To approve General Ordinance 24-20, an ordinance amending Section 2.06(8), Green Bay Municipal Code, relating to reading of ordinances.

16. To hold a communication from Alder Dorff to research and create a fair housing ordinance for the City of Green Bay, previously discussed at the July 8, 2019 Protection & Policy meeting, to the next meeting of the Protection and Policy Committee to allow for more input from the public.
17. To approve General Ordinance number 22-20, repealing and recreating Section 6.39, Green Bay Municipal Code, relating to mobile food establishments.
18. To receive and place on file The Liquor Violation Report for July 13, 2020.
19. To receive and place on file an informational report regarding liquor licenses.

N. Report of the Protection & Policy Committee Granting Operator Licenses.

1. Report of the Protection & Policy Committee Granting Operator Licenses.

O. Report of the Plan Commission (July 13, 2020).

1. To receive and place on file a communication from Ald. Kathy Lefebvre (District 6) "To look at residential policy per storm water runoff; residences are experiencing rain water runoff from elevated houses because of floodplain building elevation requirements (FEMA)" (from May 26, 2020 Plan Commission meeting).
2. To refer to Planning Staff a communication from Ald. Barb Dorff (District 1) to "Estimate potential costs and benefits of proposed Grandview development" (from June 29, 2020 Council Meeting).
3. To receive and place on file a communication from Ald. Chris Wery (District 8) to "Request an update with any appropriate action on the property located at the corner of S. Ridge Road/Lombardi Avenue, owned by Kuehn Properties" (from July 2, 2020 email to the City Clerk).
4. To authorize a Conditional Use Permit (CUP) for self-service storage at 1929 Verlin Road, submitted by Curtis Klish, MCR Rentals, LLC, property owner (Ald. L. Gerlach, District 3).
subject to:
 1. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit, including standard site plan review and approval.
 2. There shall be no expansion of the conditional use without Plan Commission and City Council Approval.Public hearing held 07/13/2020.
5. To amend Chapter 13-522(a)(7), Green Bay Zoning Code regarding temporary uses as presented by Planning Staff. Public hearing held 07/13/2020.

P. Report of the Finance Committee (July 14, 2020).

1. To approve the payoff of 2018 and 2019 Board of Commissioners of Public Lands state trust fund loans for a total of \$3,000,000 contingent on the approval of the next two items.
2. To approve refunding \$2,000,000 BCPL state trust fund loan for TID 22.

3. To approve refunding taxable 2010 General Obligation purpose bonds (BABs).
4. To approve the acceptance of the Center for Tech & Civic Life grant for \$1,093,400 as long as any clawback provision be brought back to the Common Council.
5. To approve the report out of the acceptance of the WEC CARES subgrant for \$57,535.30 with allowable uses to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle.
6. To receive and place on file the review of the City of Green Bay's 10-33 program inventory.
7. To approve the purchase of Type I ambulance for GBMFD for the sum of \$261,617 from Jefferson Fire & Safety, the lowest responsive, responsible bidder for RFQ #3266.
8. To approve the purchase of Mitel Phone system from CCCP off the SourceWell group purchasing cooperative contract contingent on the supporting documentation being included in the Council packet.
9. To approve Option #1 authorizing up to \$50,000 from our 2020 contingency fund and spreading the balance of the contract over 2021-2022 under the direction of the Procurement Manager to negotiate that agreement with the expectation of the Revaluation Assessment service to be completed by 1/1/22 for the 2023 Budget.
10. No recommendation on the request for approval of amendment to cell tower lease at Ted Fritsch Park, with with summary of change and amendment to be provided to Council.
11. No recommendation on the request for approval of amendment to cell tower lease at Fisk Park, with summary of change and amendment to be provided to Council.
12. To receive and place on file the request by Ald. Wery to offer a pay incentive/bonus for poll workers who have worked and will work this year during the Covid-19 situation, and to refer to HR / Personnel staff the request to adopt a policy for future hazard pay situations for research on hazard pay policies.
13. To receive and place on file the request by Ald. Wery for an update on the Zima v Schmitt lawsuit.

The Council may convene in closed session pursuant to Section 19.85(1)(g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

14. To receive and place on file the report of the Claims Committee.

The Council may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

Q. Report of the Park Committee (July 15, 2020).

1. To refer to staff to generate a cost estimate for the installation of surveillance equipment at Seymour Park and bring back to Park Committee for review.

2. To direct staff to research the feasibility of including funding to develop a park in the Bay Highlands area as part of the 5 year Capital Improvement Plan to be presented in the fall of 2020.
3. To hold until the next Park Committee the updates on the budget, cost estimates and phasing plan options for the beach project at Bay Beach Amusement Park.
4. To approve the request for the Wildlife Sanctuary to reinstate the on-site deer management program per the recommendations in the Bay Beach Wildlife Sanctuary On-Site White Tailed Deer Population Study.
5. To approve the updated 2020-2024 Green Bay Parks, Recreation and Forestry Open Space Plan.
6. To approve a resolution in support of the updated 2020-2024 Green Bay Parks, Recreation and Forestry Open Space Plan.
7.
 - A. To approve the purchase of one (1) Utility Vehicle for \$60,268 from Bobcat Plus Inc.
 - B. To approve the purchase of one (1) 26,000 GVW Cab & Chassis for \$69,970 from Truck Country of Iowa Inc.
8. To receive and place on file the staff update to the 2020 City of Green Bay Parks COVID-19 Reopening Plan as it relates to splash pads and wading pools. (INFORMATIONAL ONLY)

R. Ad Hoc Committee on Elections (July 9, 2020)

1. To approve the Wisconsin Safe Voting Plan (grant funded by the Center for Tech and Civic Life) and the recommendations contained therein.

S. Report of the Tax Incremental Districts Joint Review Committee (July 9, 2020).

1. To receive and place on file the Tax Incremental Districts annual reports.

T. Receive and Place on File.

1. Building Permit Report for June 2020.
2. Municipal Court Report for June 2020.

U. Committee of the Whole.

1. Consideration with possible action on "Resolution Providing for Face Coverings within the City of Green Bay," effective July 27, 2020.
2. Consideration with possible action on the "Resolution Extending the State of Emergency for the City of Green Bay COVID-19 Response."

V. Resolutions.

1. Resolution authorizing conditional use permit at 1929 Verlin Road.
2. An initial resolution authorizing the sale and issuance of not to exceed \$7,615,000 general obligation refunding bonds; and certain related details.
3. An initial resolution authorizing the sale and issuance of not to exceed \$2,085,000 taxable general obligation refunding bonds; and certain related details.
4. A resolution in support of the updated 2020-2024 Green Bay Parks, Recreation and Forestry Open Space Plan.
5. Resolution drawing final orders to contractors for July 21, 2020.
6. A Resolution extending the State of Emergency for the City of Green Bay COVID-19 response.
7. A Resolution providing for face coverings within the City of Green Bay.

W. Ordinances - First Reading.

1. General Ordinance number 22-20
An ordinance repealing and recreating Section 6.39, Green Bay Municipal Code, relating to mobile food establishments.
2. General Ordinance 24-20
An ordinance amending Section 2.06(8), Green Bay Municipal Code, relating to reading of ordinances.
3. General Ordinance No. 26-20
An ordinance amending Section 30.20, Green Bay Municipal Code, relating to Storm Water Utility.
4. General Ordinance No. 27-20
An ordinance amending Chapter 9, Subchapter IV, Green Bay Municipal Code, relating to Special Assessments.
5. General Ordinance No.28-20
An ordinance amending Section 13-522(a)(7), Green Bay Municipal Code relating to permitted temporary uses and structures.

X. Referral of Petitions & Communications.

Y. Adjournment.

- 1) SUPPLEMENTAL INFORMATION: The Video of this meeting, Agenda, Agenda Packet, and Minutes are available online at www.greenbaywi.gov/Meetings.
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.

- 3) **QUORUM:** Please take notice that a majority or quorum of the Common Council will attend this committee meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) **REPRESENTATION:** The party requesting the communication, or their representative, should be present at this meeting.