

Commissioners

MARISEL A. HERNANDEZ, Chair

WILLIAM J. KRESSE, Commissioner/Secretary

JONATHAN T. SWAIN, Commissioner

CHARLES HOLIDAY, JR., Executive Director



Board of Election Commissioners for the City of Chicago

Regular Board Meeting

June 22, 2021, 10:00 a.m.

69 West Washington Street, 8th Floor Conference Room, Chicago, Illinois 60602
and via WebEx video conference

Board Members:

Marisel A. Hernandez, Chair

William J. Kresse, Commissioner/Secretary

Jonathan T. Swain, Commissioner

Staff:

Charles Holiday, Executive Director

Sandra Aspera, Assistant Executive Director

Adam Lasker, General Counsel

Opal Walls, Purchasing Agent

Kimberly Carrillo-Walker, Finance Manager

Lance Gough, Consultant

Trish Sheehy

Guests:

Helene Gabelnick, League of Women Voters of Chicago (LWV Chicago)

C. Betty Magness, Rainbow P.U.S.H.

Danielle Matzdorf, Arrow Messenger Service

Bebe Novich, Equip for Equality

Brian Whiteley, ES&S

- I. Call to Order: The Chair called the meeting to order at 10:00 a.m.
- II. Roll Call: All of the Board members were present via video-conference. The Executive Director was present in the Board's 8th floor conference room.
- III. Consideration of Agenda: Commissioner Kresse moved to postpone agenda item VII-C [Contract approval with ANE Data Solutions for website content services] until a future meeting. Commissioner Swain seconded the motion. The motion passed by 3:0 vote of the Board.
- IV. Approval of Minutes:
 - A. Minutes of the Regular Board Meeting of June 8, 2021: Commissioner Swain moved to approve the Minutes of the Regular Board meeting of June 8, 2021. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board.
- V. Executive Director's Report
Executive Director Charles Holiday, Jr. reported:

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As mentioned at a previous meeting, a walk-through of the warehouse was done on June 10th with the Public Building Commission (PBC) and the Board's Facilities Consultant Dean Ftikas to establish a scope of work for repairs. They will continue the assessment of the interior of the building for the next couple of weeks, and then submit a list to the City's Department of Assets, Information and Services (AIS). AIS will then report back to the Board what AIS will or will not be able to do.

On June 14th, the Assistant Executive Director Sandra Aspera and Mr. Holiday met with County Clerk Karen Yarbrough and her General Counsel Jim Nally concerning the Joint Petition Project with regards to options for Permanent Vote-by-Mail status.

We are continuing meetings with our Polling Place and our ADA (Americans with Disabilities Act) teams along with Equip for Equality and the U.S. Department of Justice (DOJ) on the progress of surveys of polling places.

Mr. Holiday met with the City and County building management regarding the agreements on maintenance of the space the Board rents at 69 West Washington.

On June 17th Mr. Holiday attended a meeting of the U. S. Election Assistance Commission (EAC) Standards Board. Topics included testing and certification, and how the Standards Board, Board of Advisors and The Technical Guidelines Development Committee were established under the Help America Vote Act (HAVA) of 2002. Presentations were given on election security by the Cybersecurity and Infrastructure Security Agency (CISA). Mr. Holiday mentioned that Board Consultant Lance Gough was also at the EAC meeting. Mr. Gough mentioned that the Chicago Board of Elections had representatives on the EAC for many years, and that it is nice that Mr. Holiday continues as the Board's Representative. The Chair agreed that it is good that Mr. Holiday is an EAC Representative. Mr. Holiday added that he is a member of the EAC Standards Board.

A. Assistant Executive Director's Report

Assistant Executive Director Sandra Aspera reported:

As part of continuing preparations for the Board's budget submission, Ms. Aspera is working with the Board's Human Resources Manager, LaCretia Dandridge, to ensure that staff evaluations are completed in a timely fashion. We are also continuing with interviews to fill open positions.

Commissioner Swain asked Ms. Aspera, in regards to the budget, if we have a sense yet as to how changing the date of the primary from March 15, 2022 to June 28, 2022 is going to impact our budget. Mr. Holiday stated that we have to submit our budget by July 16th. In response to an inquiry from the Chair, Commissioner Swain pointed out that the fiscal year begins in January. General Counsel Adam Lasker noted that the Electoral Board would normally begin in early December of 2021 for a March 2022 election, so that is one way that our budget will change. We will not need the money in December 2021 for a March 2022 election. We will probably start Electoral Board activities in February-March 2022, or possibly later.

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Commissioner Kresse asked Mr. Holiday that with regards to the inspection of the warehouse if we are expecting the PBC to give the Board a report as to their findings and their prioritizing of needed repairs. Mr. Holiday replied that the Board will get a report from the PBC's inspection. Additionally, Mr. Holiday will send the Board members the assessment prepared from the walkthrough by the Board's Facilities Consultant, Dean Ftikas.

VI. Old Business

- A. Infrastructure Projects and Changes in Election Administration: Nothing to report at this time.
- B. Electronic Poll Books: Mr. Holiday stated that there is nothing to report other than that maintenance and preparing the e-poll books is underway.
- C. Voting Equipment: Nothing new to report.
- D. Legislation:

General Counsel Adam Lasker reported:

The Governor has signed the omnibus election bill. As such, the 2022 primary has officially been moved to June 28, 2022. Additionally, Mr. Lasker will continue to work with the staff of various departments to make sure that the Board complies with the other matters in the omnibus election bill. We are in good shape, but we want to make sure that we hit all the deadlines.

Mr. Lasker also reported that the Illinois General Assembly has passed an elected school board bill, and sent it to the Governor. Based on news reports, the Governor is expected to sign, but Mr. Lasker is not aware if he has signed it yet. There are a few issues regarding the elected school board bill that may be addressed at the Fall veto session including campaign finance, and whether non-citizens can vote in these elections.

Commissioner Kresse asked Mr. Lasker if he is expecting any guidelines on the omnibus bill from the Illinois State Board of Elections (ISBE). Mr. Lasker replied that there are parts of the bill where the ISBE is expressly directed to create administrative rules, and other parts where Mr. Lasker is sure the ISBE will provide guidance. Mr. Lasker stated that he will continue to stay in touch with the ISBE Legislative Liaison, as well as ISBE leadership, and keep an eye on any administrative rules that they promulgate.

VII. New Business

- A. Professional Services Agreement between Board of Election Commissioners for the City of Chicago and SKU Corporation for maintenance and support.

The Chair explained that this is a renewal of the contract with SKU Corporation for the ongoing maintenance and support of the Board's registration computer systems. The Board had approved the previous SKU contract. This is a renewal for the period of July 1, 2021 through June 30, 2023 to provide ongoing support, maintenance and normal enhancements of various computer systems.

Compensation would be \$338,100 per year. Commissioner Kresse moved to

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approve the contract renewal with SKU Corporation. Commissioner Swain seconded the motion. The motion passed by unanimous vote of the Board.

- B. Attorney Contractor Agreement between the Board of Election Commissioners for the City of Chicago and Lasker Law LLC for general counsel legal services. This agreement is with Lasker Law offices to provide legal services as General Counsel to the Board of Election Commissioners. Mr. Lasker has been providing the Board with legal services for the last several years. The terms of this agreement are the same. The term period will be from July 1, 2021 through June 30, 2022 at the rate of \$250 per hour for the services provided by the General Counsel.

Commissioner Swain moved to approve the agreement as stated. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.

- C. Contract approval with ANE Data Solutions for website content services. [The Board moved to postpone this item at III above.]

- D. Professional Services Agreement between Board of Election Commissioners for the City of Chicago and Dean Ftikas

The Chair explained that this agreement is to have Mr. Ftikas continue his work as a facility consultant to the Board at a rate of \$70 per hour with a compensation cap of \$95,000. The term period is from July 1, 2021 through June 30, 2022.

Commissioner Kresse moved to approve the Professional Services Agreement between the Board of Election Commissioners for the City of Chicago and Dean Ftikas. Commissioner Swain seconded the motion. The motion passed by unanimous vote of the Board.

VIII. Legal Report

General Counsel Adam Lasker began his report by thanking the Board for the opportunity to have another year of serving the Board. He stated that it is his honor and pleasure and that he is very appreciative to be able to do this.

For the Legal Report, Mr. Lasker noted that with the recent legislation a number of changes that will be coming for the next election. Fortunately, the legislature has given us ample time to prepare by pushing back the primary date. But there will be work to be done by both Mr. Lasker and legal counsel Joan Agnew, who will be meeting with department managers and other staff members to implement some of the changes. Obviously, some of the bigger changes will be the permanent roster for Vote-by-Mail, compliance with the cybersecurity requirements, and the new districting for school board elections.

There have been no court decisions of note regarding election law, and no movement of any of the Board's pending litigation.

IX. Financial Report

- A. Balance Sheet and Voucher Listings for the City of Chicago – 2021 Appropriation – 21-04 dated June 22, 2021 in the amount of \$842,893.43

Commissioner Kresse moved to approve the Balance Sheet and Voucher Listings for the City of Chicago – 2021 Appropriation – 21-04 dated June 22, 2021 in the

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amount of \$842,893.43. Commissioner Swain seconded the motion. The motion passed by unanimous vote of the Board.

- B. Balance Sheet and Voucher Listings for the County of Cook – 2021 Appropriation – 21-04 dated June 22, 2021 in the amount of \$3,170.00

Commissioner Swain moved to approve the Balance Sheet and Voucher Listings for the County of Cook – 2021 Appropriation – 21-04 dated June 22, 2021 in the amount of \$3,170.00. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board.

- X. Public Comment: There were no requests for public comment.

- XI. Executive Session: None.

- XII. Adjournment: Commissioner Swain moved to adjourn until the next scheduled Board meeting. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board. The meeting was adjourned at 10:20 a.m.

Submitted,



Commissioner William J. Kresse
Secretary