

Commissioners

MARISEL A. HERNANDEZ, *Chair*
WILLIAM J. KRESSE, *Commissioner/Secretary*
JUNE A. BROWN, *Commissioner*

CHARLES HOLIDAY, JR., *Executive Director*



Board of Election Commissioners for the City of Chicago

Regular Board Meeting

November 22, 2022, 10:00 a.m.

69 West Washington Street, 8th Floor Conference Room, Chicago, Illinois 60602

via WebEx video conference

Board Members:

Marisel A. Hernandez, Chair
William J. Kresse, Commissioner/Secretary
June A. Brown, Commissioner

Staff:

Charles Holiday, Executive Director
Sandra Aspera, Assistant Executive Director
Adam Lasker, General Counsel
Max Bever, Director of Public Information
Karen Chin, Director - Human Resources
Lance Gough, Consultant
Trish Sheehy

Guests:

C. Betty Magness, Rainbow PUSH Coalition
Danielle Matzdorf, Arrow Messenger
Helene Gabelnick, League of Women Voters Chicago

- I. Call to Order: The meeting was called to order at 10:01 a.m.
- II. Roll Call: All members were present via WebEx video conference.
- III. Consideration of Agenda: The agenda was approved as presented.
- IV. Approval of Minutes:
 - A. Minutes of the Regular Board Meeting of October 25, 2022:
Commissioner Brown moved to approve the Minutes of the Regular Board meeting of October 25, 2022. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board.
- V. Executive Director's Report:
Executive Director Charles Holiday reported:

Mr. Holiday thanked the Board's staff for the job they did for the November election.

Though we are still counting Vote-by-Mail and Provisional ballots, it appears that we have reached a 46% turnout for the City as of last night with over 710,000 ballots cast. So, we have more than doubled the turnout for June 28, 2022. We saw more people voting in this election than in each of the 2014, 2010 and 2006 mid-term elections.

The biggest complaints that we received on Election Day involved the use of Sharpie markers on the ballots and that Election Judges could use more training. We are having internal discussions to address both of these issues ahead of the February Municipal Election.

Mr. Holiday noted that the change in the location of the 5th Ward voting site will remain the Southside YMCA for the upcoming elections.

Yesterday we began accepting nomination petition filings at our Supersite at 191 North Clark Street. We received 173 filings yesterday. Staff will be at the Supersite for the duration of the nominating petition filing period.

Commissioner Kresse inquired as to whether there would be more in-person training for the Judges of Election. Mr. Holiday said yes. We are discussing the possibility of having more in-person training at Block 37.

Commissioner Kresse asked how the Supersite worked out for the filing of petitions. Mr. Holiday said it was great. It was orderly. Some filers preferred having the filing in the lower level of 69 West Washington, but the majority welcomed the change and thanked us for it.

The Chair asked if Mr. Holiday was conducting a review of the precinct polling places in anticipation of the February election. Mr. Holiday said he is working with the Polling Places Department regarding any polling places where we had issues reported, to see what kind of resolution we can have for those.

A. Assistant Executive Director's Report

Assistant Executive Director Sandra Aspera reported:

Today is the last day to process Vote-by-Mail ballots received from registered voters, that were postmarked no later than November 8th. It is also the last day to file any Provisional Ballots materials.

We had 210,033 applications for Vote-by-Mail ballots. As of yesterday, the total number of Vote-by-Mail ballots returned is 177,336 (Military and Overseas are included in that number). The total Early Voting is 151,302. The total Grace Period is 7,548. 76,627 ballots were returned via drop boxes.

The Judges Department did an excellent job recruiting Judges. The final numbers as of November 7th (the day before the election) were 7,209 active Judges, 1,285 Election Coordinators and 186 standbys.

On Thursday, November 3rd the Public Test of the voting equipment and central computer system procedures for canvassing of election results was held.

Ms. Aspera has been at the warehouse overseeing the post-election procedures including processing of Obvious Discrepancies and 5% retabulation of scanners for election day precincts and Early Voting sites.

The 2023 Municipal Election on February 28th is rapidly approaching with just 98 days remaining before that day. Ms. Aspera is wrapping up projects from the November 2022 election while initiating plans for the 2023 Municipal Election, including Election Central.

Ms. Aspera acknowledged the Managers, Assistant Managers, Supervisors and staff for their dedication and excellent performance in completing projects during this 2022 election cycle.

The Chair asked about voters who had not returned their Vote-by-Mail ballots. The Chair said that she wondered whether there was a way of contacting those individuals to see why they didn't return their ballots and solicit any recommendations that they might have to make Vote-by-Mail smoother. Ms. Aspera said she could work with Communications Director Max Bever and our IT Department on this. Mr. Holiday said that the number of VBM ballots not returned was 32,697. The Chair said that is a substantial number of voters and perhaps contacting them will motivate them for the February election to return their ballot to us shortly after they receive it. Commissioner Brown asked if that would be a Community Service issue. Mr. Bever said it would be more of a Communications and IT matter.

B. Public Information Director's Report

Communications Director Max Bever reported:

Mr. Bever said he will try not to repeat too much of what the Executive and Assistant Executive Directors reported. Looking at our turnout, we are at a nice place because we beat the number of ballots cast in every other modern mid-term election, save for 2018. That was good to see and was driven by a lot of Vote-by-Mail ballots, as well as people showing up on Election Day.

Another interesting statistic for us is that we had about 25% voting by Early Voting, 25% voting by Vote-by-Mail and about 50% voting on election day either at their home precinct or at a Vote Center. That is similar to the June 28th Primary Election. It will be interesting to see if that's where we're at moving forward.

We more than doubled the June 28th turnout, and that was pretty much the case from ward-to-ward, too. It was good to see that there weren't too many statistical anomalies.

Regarding Vote-by-Mail, as of now, it looks like we are at about 82 or 83% of VBM ballots returned. Given that this was the second highest number of Vote-by-Mail applications that we ever received, and while it is concerning that we had 30,000-some VBM ballots not returned, we looked pretty good in overall percentages compared to previous years.

This was the highest number of emails sent to voters in order to remind them about Vote-by-Mail, Early Voting, as well as polling place change reminders. Mr. Bever will be happy to talk to our IT Department to isolate the Vote-by-Mail voters who have not yet returned their ballots. Perhaps send a single email asking a single question to get feedback.

Another statistic that Mr. Bever has been discussing with media is that the number of Provisional Ballots for this election was just over 6,100. While that may sound high, a check of previous years showed higher numbers, for example, 2018 saw over 9,000 Provisional Ballots.

We had our first day of petition filings yesterday. It was quite a big show, as it generally is, but the Supersite was a good location. The media was very happy. It was a good location, with a lot of room for supporters, entourages, family members, and media. Mr. Bever expects it will be a good location for the final filing day, this Monday.

The list of candidate filings will be up on the website shortly and this list will be updated daily.

We have scheduled our lottery for the top and bottom positions on the ballot for Tuesday, December 6th at 10:00 at the Supersite. We will be sending public notice for that soon, along with a media advisory and a notice to all candidates. Mr. Bever will be the lottery MC.

Mr. Bever has been doing quite a bit of media interviews over the last month, both pre-election and post-election. Given the various challenges going into the November election, we still saw a relatively healthy turnout comparatively and a smooth and orderly election day. The main issues, when talking with reporters or during our press conferences, were the sharpies and the issue of Election Judge training; these are issues with practical solutions that we can address heading into February. This makes Mr. Bever feel good, heading into the Municipal Elections.

VI. Old Business

- A. Infrastructure Projects and Changes in Election Administration: Nothing to report at this time.
- B. Electronic Poll Books: We're starting to get the E-poll books back to the warehouse and preparing for February's election.
- C. Voting Equipment: like the e-poll books we are receiving them and preparing them for the February election.
- D. Legislation: General Counsel Adam Lasker reported that the General Assembly is in the middle of its veto session. The last few days, November 29th, November 30th and December 1st are the veto session last days. Mr. Holiday sent out letters, along with copies of the Chicago City Council's Resolution, in support of having Early Voting sites remain open on Election Day. Mr. Lasker wasn't sure if we've heard any responses, but we have also discussed that with the Governor's Office. We've sent information to the leadership, along with to the committees and subcommittees involved with election legislation. We'll keep our eyes open next week on that.

VII. New Business

- A. Employment contract for Charles Holiday Jr. as the Board's executive director.
Commissioner Brown moved to approve a contract with Charles Holiday, Jr. for continued service as the Board's Executive Director for the term of December 1, 2022 through November 30, 2024 with a salary of \$160,000 plus benefits and reimbursements as specified in the contract. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.
- B. Professional services agreement with Lance Gough for election consulting services.

Commissioner Kresse moved to approve a Public Service Agreement with Lance Gough for election administration of legislative consulting services at a rate of \$80/hour, with total compensation not to exceed \$100,000 over the full term of the contract which begins on December 1, 2022 through and including November 30, 2023. The motion was seconded by Commissioner Brown. The motion passed by 3:0 vote of the Board.

- C. Award of Contracts in relation to the invitation for bids (IFB) for printing services for the February and April 2023 Elections between the Chicago Board of Elections and with various contractors, as follows:

Commissioner Brown moved to award contracts to Grace Printing for Group A – Dated Forms in the amount of \$233,147, Group D – Dated Signs in the amount of \$15,635 and Group F – Banners in the amount of \$1,932. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board

Commissioner Kresse moved to award contracts to Cardinal Color Group for Group B – Generic Forms in the amount of \$20,745 and Group E – Generic Signs in the amount of \$11,320, again as a 1-year contract. Commissioner Brown seconded the motion the motion passed by 3:0 vote of the Board.

Commissioner Brown moved to approve a 1-year contract with JJ Collins & Sons for Group H – “I Voted” stickers in the amount of \$67,205 and Group I – Hybrid form/Envelope 276P in the amount of \$71,400. The motion was seconded by Commissioner Kresse and was passed by unanimous vote of the Board.

Commissioner Kresse moved to approve a 1-year contract with Liberty Creative Solutions for Group C – Envelopes in the amount of \$355,258.65. Commissioner Brown seconded the motion. The motion passed by 3:0 vote of the Board.

Commissioner Brown moved to approve a 1-year contract with Lake County Press for Group G – Judges Handbook in the amount of \$223,198.32. Commissioner Kresse seconded the motion. By a 3:0 vote of the Board, the motion passed.

- D. Approval of a contract extension and amendment with Meeting Tomorrow for rental of laptop computers for the February and April 2023 Elections.

The Chair stated that we have leased from Meetings Tomorrow before and it had been very beneficial to the Board to have these laptops for the elections.

Commissioner Kresse moved to approve a contract extension and amendment with Meeting Tomorrow for rental of laptop computers for the 2023 elections with an extended term running through April 17, 2023 with an additional cost totaling \$108,000, which includes the February and April elections in 2023. Commissioner Brown seconded the motion. The motion passed by unanimous vote of the Board.

- E. Approval of professional services agreements with the following certified forensic document examiners (handwriting experts): William Riordan, Thomas Vastrick, and Kevin Kulbacki.

The Chair stated because of the volume of petitions that we anticipate to be filed, we

have the need for additional certified forensic document examiners

Commissioner Brown moved to approve individual professional services agreements with William Riordan, Thomas Vastrick, and Kevin Kulbacki for their services as certified forensic document examiners at the rate of \$300/hour with total compensation not to exceed \$100,000 over the term of each contract which shall run from November 22, 2022 through November 21, 2023. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.

- F. Attorney contractor agreements for additional Electoral Board hearing officers: Brendan Appel, John Ashenden, Glenn Betancourt, Yolanda Carrillo, Edmundo Cuevas, Martin Greene, Robert F. Hogan, Daniel R. Hernandez, Laura Jacksack, Jamal E. Jackson, Samuel V. Jones, Eileen Letts, John Noland Jr., Jeanette Samuels, Yolanda Sayre, David Shestokas, and Maria Stavrakos.

The Chair stated that in anticipation of the Electoral Board hearings, we have attorney contractor agreements with Hearing Officers: Brendan Appel, John Ashenden, Glenn Betancourt, Yolanda Carrillo, Edmundo Cuevas, Martin Greene, Robert F. Hogan, Daniel R. Hernandez, Laura Jacksack, Jamal E. Jackson, Samuel V. Jones, Eileen Letts, John Noland Jr., Jeanette Samuels, Yolanda Sayre, David Shestokas, and Maria Stavrakos.

Commissioner Kresse moved to authorize the Executive Director to execute attorney contractor agreements for the Electoral Board Hearing Officers, identified as stated by the Chair, with each attorney to be paid at a rate of \$200/hour with a durational contract beginning December 1, 2022 and continuing through November 30, 2023. Commissioner Brown seconded the motion. The motion was approved by 3:0 vote of the Board.

VIII. Legal Report

General Counsel Adam Lasker reported:

We had a total of 173 candidates file petitions yesterday. We had approximately 171 in the first three hours, averaging a rate of about one candidate presenting and filing every minute. The first three hours were busy. We had nine tables setup doing intake with an average rate of approximately 9 minutes. From what Mr. Lasker observed it was a very smooth process. He stated he appreciated the staff who all did a great job.

The 5% test was completed at the warehouse yesterday. Thanks to Joan Agnew, Sandra Aspera and all the others on the team that got that done.

Today is going to be the last day of counting Provisional Ballots.

We will be proclaiming on November 29th.

We have a lot of work preparing for the Electoral Board. We have training scheduled for the first week of December. Hearings will start on the 12th. Mr. Lasker thanked the Board for approving contracts with both the handwriting experts and the hearing officers. We are anticipating many cases and are getting those ready to handle.

IX. Financial Report: none.

X. Public Comment: none.

XI. Executive Session: none.

XII. Adjournment: Commissioner Brown moved to adjourn until the next scheduled meeting. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board. The meeting was adjourned at 10:31 a.m.

Submitted,

A handwritten signature in black ink, reading "William J. Kresse". The signature is written in a cursive style with a large, prominent initial "W".

Commissioner William J. Kresse
Secretary