

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
Minutes of the Regular Board Meeting

February 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
Opal Walls, Procurement Officer
Clinton Hurde, Manager Pre-Election Voting and Logistics
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
Brian Whiteley, ES&S

- I. Call to Order: The Chair called the meeting to order at 10:00 a.m.
- II. Roll Call: All members of the Board were present via WebEx video conference.
- III. Consideration of Agenda: The Agenda was accepted as presented.
- IV. Approval of Minutes:
 - A. Minutes of the Regular Board Meeting of February 8, 2022: Commissioner Brown moved to approve the Minutes of the February 8, 2022 Regular Board meeting. Commissioner Kresse seconded the motion. The motion was passed by unanimous vote of the Board.
- V. Executive Director's Report:
Executive Director Charles Holiday reported:

On February 10th and 11th Mr. Holiday attended the virtual conference of the Joint Election Officials Liaison Conference (JEOLC). At the conference, Representatives from the U.S. Postal Service spoke on what to expect in 2022 with the election mail. The U.S. Department of Justice (DOJ) spoke on how the task force is working on threats to election officials and, as the DOJ has previously stated, this is a matter that will not be tolerated. The Legal Defense Network was present at the conference and gave information for legal service for election officials who may have received any threats. The

Minutes of the
Regular Board Meeting – February 22, 2022

Department of Homeland Security was present and talked about physical and cyber security, with resources to help election officials

Mr. Holiday did a walk-through with Assistant Executive Director Sandra Aspera, Communications Director Max Bever and Facilities Consultant Dean Ftikas of the State of Illinois Building for possible election day space. Right now, things are up in the air with the State of Illinois building still being on the market to be sold.

Mr. Holiday attended the 40th National Conference of the United States Hispanic Leadership Institute (USHLI). Keynote speakers spoke of protecting Latino voting rights, redistricting and maximizing the power of the Latino vote, and other topics. Mr. Holiday said that it was a great conference.

Mr. Holiday, along with Assistant Director Sandra Aspera, Manager of Community Services Department Audra Lewicki, and Public Information Director Max Bever met with members of Asian American Advancing Justice of Chicago on our needs for a translator and outreach person.

Mr. Holiday met with Patrick Johnson of the U.S. Department of Justice (DOJ) on the process of the polling place ADA (Americans with Disabilities Act) Agreement. Mr. Johnson feels that by December we will be close to 75% in compliance. There is still a little way to go on private facilities, but public facilities are coming along very well.

A. Assistant Executive Director's Report

Assistant Executive Director Sandra Aspera reported:

First, we now have a Spanish Coordinator who is a Board employee. Bringing our language employees to a total of three, which includes Polish and Chinese. We also hope to have an Asian-Hindi-Hindu announcement posted soon.

Secondly, The Registration Department continues to assist the general public with voter registration and voter signature verification on the lower level. We are prepared for any overflow with our space now available on the 6th floor.

Thirdly, the canvas mailing is at the testing stage. The actual canvassing will still be projected to be done in early March.

Fourth and finally, the warehouse: the upgrade of the touchscreen and ballot printers is now at 80% up from the 55% reported last. This project is expected to be completed by next week. Ms. Aspera plans to visit the warehouse tomorrow and has scheduled a meeting with the ES&S representative to review our calendar.

B. Public Information Director's Report

Public Information Director Max Bever reported:

Mr. Bever will be going to the warehouse this coming Monday, the 28th, along with the Chicago Public Library's representatives. They are visiting the warehouse with us to review and itemize the historical election books. We had previously gotten a quote from a preservation service. We are looking to share costs with the Chicago Public Library. Once they do an itemization we will look into opportunities for us to make different budget requests in the upcoming budget season to help take care of this work.

Mr. Bever acknowledged our Community Services team, especially Chinese Outreach Program Director Jane Lau who was on an Election Assistance Commission (EAC) panel last week to discuss language assistance programs as well as media outreach ahead of the 2022 elections. That was shared on YouTube as well as on all of our social media channels along with the EAC.

Minutes of the
Regular Board Meeting – February 22, 2022

Mr. Bever extended a belated happy 102nd birthday to the League of Women Voters. We celebrated this last week. Mr. Bever thanked Ms. Helene Gabelnick of the League (who is present on this meeting) and her team. Mr. Bever stated that we shared this on our social media channels as well.

Mr. Holiday told the Chair that Consultant Lance Gough wished to speak on Jane Lau's participation on the EAC panel. The Chair called on Mr. Gough. Mr. Gough informed the Board that ever since the Election Assistance Commission was formed, they have had a Language Accessibility Roundtable. Mr. Gough stated that he was very proud to have Jane Lau participate in this for the first time this year. The Chair thanked Mr. Gough for his comments and thanked Ms. Lau.

VI. Old Business

- A. Infrastructure Projects and Changes in Election Administration: nothing additional to report.
- B. Electronic Poll Books: The Chair stated that we have heard about the poll books in Ms. Aspera's report.
- C. Voting Equipment: This was also included in Ms. Aspera's report.
- D. Legislation: General Counsel Adam Lasker stated that we are still just watching the relevant bills. They haven't moved very much, and we are still expecting an omnibus bill toward the end of the legislative session. As such, nothing really to comment on today regarding legislation.

VII. New Business

- A. Approval of a professional services agreement with Jason E. Brown for the recruitment, training and management of election day field supervisors and investigators.

The Chair summarized the agreement. Commissioner Kresse moved to approve the Professional Services Agreement with Jason E. Brown for the recruitment, training and management of Election Day Field Supervisors and Investigators for 1 year at the rate of \$90 per hour with a cap of \$32,500. Mr. Brown has the right to subcontract an assistant for Mr. Brown at the rate of \$50/hour capped at \$17,500. The term of the contract is from March 16, 2022 through March 15, 2023. Commissioner Brown seconded the motion. The motion passed by unanimous vote of the Board.
- B. Approval of bid awards for various respondents to the Board's Invitation for Bids: Cartage of Election Equipment for the 2022 and 2023 Elections.

The Board's Procurement Officer, Opal Walls, recommended approval by the Board for a contract for cartage of election equipment for the four elections coming up in June and November of 2022, and February and April of 2023. Ms. Walls provided the Board with background. The invitation for bids was posted on December 21, 2021, and as part of that invitation for bids the prospective bidders were invited out to the warehouse. Clinton Hurde, who is on this call, and Ms. Walls were at the warehouse where conducted a presentation. The prospective bidders all had to be at this pre-bid meeting in order to qualify to submit a bid. We wanted to walk them through first-hand to see the equipment that they would be in charge of delivering to the different polling places. The prospective bidders were allowed to ask questions and were provided answers. Five prospective bidders showed up.

All five submitted bids on this contract, however Ms. Walls is only recommending that four of those five bidders receive a portion of the contract because the fifth bidder was very high

Minutes of the
Regular Board Meeting – February 22, 2022

over the lowest responsible bidder in that category; almost double the next lowest bid in that particular category.

For these bids the City is geographically divided into roughly four geographical areas and one area that we call special cartage or miscellaneous cartage. The bidders were able to submit a bid any one geographical area, or for all of the city. However, there was language in the invitation for bids that stated that the Board, in its discretion, could award either one or more contracts depending on the capacity, the resources, and the experience that a bidder brought to the table. We also required a \$20,000 performance bond seven days after the notice of award. This bond is for any equipment lost or returned damaged. We will hold the bond until the end of each election period to ensure that all our equipment is returned in satisfactory condition.

The awards recommended by Ms. Walls are for these four bidders:

Midway Movers –recommending that Geographical Areas A and C be awarded;

Pickens-Kane – recommending that Geographical Area B be awarded;

Aaron Brother – recommending that Geographical Area D be awarded; and,

RMS – recommending that Special Cartage and Miscellaneous category be awarded.

Ms. Walls stated that Midway Movers and Pickens-Kane have worked with the Board in the past. They have the experience and understand exactly what is required. Aaron Brothers have worked under Pickens-Kane as a subcontractor on the last couple of elections. Aaron Brothers, which is a minority-owned company, will now participate as a prime vendor on this bid. RMS is new.

Ms. Walls and Mr. Hurde inspected RMS's warehouse. It's located at 4100 West Filmore. They have quite a bit of storage space for the tables and chairs, which RMS will be responsible for delivering. Mr. Hurde and Ms. Walls were satisfied that RMS has the capacity and the warehouse to do what is needed. RMS is a minority-owned business located on the westside of Chicago.

The term of the contracts will begin tomorrow, February 23, 2022, and will go through April 22, 2023. That will cover all four elections coming up. The contract amounts that Ms. Walls is asking be awarded to each bidder is as follows:

Midway Movers and Storage – Geographical Area A - in the amount of \$298,757.00;

Midway Movers and Storage – Geographical Area C - in the amount of \$262,849.50;

Pickens-Kane – Geographical Area B - in the amount of \$224,969.75;

Aaron Brothers – Geographical Area D - in the amount of \$245,022.00;

RMS – Special Cartage - in the amount of \$61,052.70

The total for each election for those four vendors will be \$1,092,650.95.

That total, \$1,092,650.95, is the same for each election. The total amount for this award is a not to exceed amount of \$4,370,603.80.

Commissioner Kresse asked for which elections are these contracts covering. Her response was June and November 2022 and February and April (if needed) in 2023.

Minutes of the
Regular Board Meeting – February 22, 2022

Commissioner Brown moved to approve the cartage contracts with each of the cartage companies that Ms. Walls stated for the amounts stated therein which is a total of \$1,092,650.95 for each election that would be the June 2022 election, the November 2022 election, the February 2023 election and the April 2023 election, if the April 2023 election is needed. The term is from February 23, 2022 through April 22, 2023 for the total amount not to exceed \$4,370,603.80. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.

- C. Approval of a property use agreement with Urban Growth Property Limited Partnership for the use of 191 North Clark Street as an early voting supersite, election day universal vote center and post-election canvass facility for the 2022, 2023 and 2024 elections.

General Counsel Adam Lasker presented this item by stating that we have four elections coming in a very short period of time. As such, this proposed Property Use Agreement is for a bit of an extended term. As the the future of our use of the Pershing Road warehouse is uncertain, this Agreement could turn out to have the added benefits by having access to this facility year-round. We're looking at a three-year term. As that exceeds the term of the Chair, Mr. Lasker's made sure that there's a cancellation clause with no penalty to the Board, otherwise the proposal is \$20,000/month for full access year-round until the end of 2024.

The Chair added that we will have the security of knowing that we will have this facility through the November 2024 election. Mr. Lasker said that would the stability for our Early Voting Site would be great.

Commissioner Kresse moved to approve the Property Use Agreement with Urban Growth Property Limited Partnership for the use of 191 North Clark Street for the period April 1, 2022 through December 31, 2024 in the amount of \$20,000/month. Commissioner Brown seconded the motion. The motion passed by unanimous vote of the Board.

- D. Approval of the second option to renew the Board's 2020 printing contract and bid awards to vendors including JJ Collins; Cardinal Color; Schiele Group; Lake County Press, Inc.; Grace Printing; and Elk Grove Inc.

Procurement Officer Opal Walls explained that this is the final Option to Renew on this particular contract. The Board has utilized these vendors for the 2020 elections. This is a 9-month option; this is only for the elections in 2022, the June and November elections. Ms. Walls will need to post an invitation for bids sometime in the late Summer or early Fall for these services again. These vendors worked very well for us the last time – no issues and no complaints. Ms. Walls is asking to have this contract extended for an additional nine months. The contract will begin March 14, 2022 and expire on December 13, 2022. That will get us through the next two elections. Ms. Walls listed the vendors and amounts as follows:

JJ Collins in the amount of \$385,325.00,
Cardinal Color in the amount of \$28,800.00,
Schiele Group in the amount of \$14,940.00,
Lake County Press in the amount of \$176,803.00,
Grace Printing in the amount of \$2,580.00, and
Elk Grove (for the "I-Voted" stickers) in the amount of \$105,600.00
For a combined total contract award amount is \$714,048.00

Minutes of the
Regular Board Meeting – February 22, 2022

Ms. Walls mentioned that there is a twenty-percent increase in the contract amount over the last amount due to increases in the cost of raw materials, for example, paper, the, toner and ink.

Commissioner Kresse wanted to put on the record that we are not going with wristbands, but with the “I Voted” stickers because the stickers can be inserted into Vote-by-Mail envelopes much easier. Ms. Walls stated that that is correct.

Commissioner Brown moved to approve the renewal of the contracts with the vendors as stated by Ms. Walls in the amount of \$714,048.00 for the printing of various forms, envelopes, signs, Judges Handbook, and “I Voted” stickers for the period of March 14, 2022 through December 13, 2022 in the total amount of \$714,048.00 which includes a 20% increase. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board.

E. Approval of a Resolution for the disposal of March 2020 election materials.

Mr. Lasker stated that federal law calls for disposal of election materials after 22 months have elapsed from the date of the election. We re past that mark with the March 2020 Primary materials and we have no litigation pending involving that election. The warehouse is getting crowded and we need to clear space for the upcoming elections. This request for the disposal of these records is authorized by law and we are asking that the resolution to be approved today.

Mr. Lasker wanted to quickly point out that with the March 2020 election we anticipating headlines about how great we did rolling out our brand new set of election equipment. That is usually a big deal. However, our rollout went so well that nobody noticed since everyone was focusing on the coronavirus pandemic which was starting at the same time. However, despite the lack of headlines, Mr. Lasker wanted to give one more “good job” and “congratulations” to all the staff for doing such a great job with that implementation. We are looking forward to another round of elections with this equipment.

Commissioner Kresse made a motion for the approval of a Resolution for the disposal of March 2020 election materials. Commissioner Brown seconded the motion. The motion passed by 3:0 vote of the Board.

VIII. Legal Report

Mr. Lasker reported that we are continuing to monitor the lawsuit that was recently filed by the Libertarian Party challenging some of the signature requirements and other legal and legislative changes for this upcoming election. The Chicago Board of Elections, and the Commissioners, have each been dismissed as parties. The Board and each Commissioner were originally named as parties, but are not necessary parties as this is a dispute between the County Clerk’s office and the Libertarian Party. So, we will continue to monitor this case, but there’s no final resolution at this point.

IX. Financial Report

A. Balance Sheet and Voucher Listings for the City of Chicago – 2021 Appropriation – 21-11 dated February 22, 2022 in the amount of \$ 240,430.35:

Commissioner Brown moved to approve the Balance Sheet and Voucher Listings for the City of Chicago – 2021 Appropriation – 21-11 dated February 22, 2022 in the amount of

Minutes of the
Regular Board Meeting – February 22, 2022

\$240,430.35. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board.

- B. Balance Sheet and Voucher Listings for the City of Chicago – 2022 Appropriation – 22-01 dated February 22, 2022 in the amount of \$ 832,033.82:

Commissioner Kresse moved to approve the Balance Sheet and Voucher Listings for the City of Chicago – 2022 Appropriation – 22-01 dated February 22, 2022 in the amount of \$832,033.82. Commissioner Brown seconded the motion. The motion passed by 3:0 vote of the Board.

- C. Balance Sheet and Voucher Listings for the County of Cook – 2022 Appropriation – 22-01 dated February 22, 2022 in the amount of \$ 20,950.00:

Commissioner Brown moved to approve the Balance Sheet and Voucher Listings for the County of Cook – 2022 Appropriation – 22-01 dated February 22, 2022 in the amount of \$20,950.00. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.

X. Public Comment: none.

XI. Executive Session: none.

The Chair thanked all who attended this meeting.

XII. Adjournment: Commissioner Kresse moved to adjourn. Commissioner Brown seconded the motion. The motion passed by unanimous vote. The meeting was adjourned at 10:30 a.m.

Submitted,

A handwritten signature in black ink that reads "William J. Kresse". The signature is written in a cursive style with a long horizontal flourish at the end.

Commissioner William J. Kresse
Secretary