

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

March 21, 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
Al Chase, IT Department
Karen Chin, Director - Human Resources
Lance Gough, Consultant
Trish Sheehy

Guests:

Helene Gabelnick, League of Women Voters of Chicago (LWV Chicago)
Danielle Matzdorf, Arrow Messenger
Don Olson
Brian Whiteley, ES&S

- I. Call to Order: The Chair called the meeting to order at 10:05 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 March 8, 2022: Commissioner Brown moved to approve the Minutes of the Regular Board Meeting of March 8, 2022. Commissioner Kresse seconded the motion. The motion passed and the minutes were approved by unanimous vote of the Board.
- V. Executive Director's Report
Executive Director Charles Holiday reported:

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Mr. Holiday stated that he has heard from both of our ballot printers about supplies for the June election. The paper is available for June, but the earliest we will start seeing paper for the November ballots would be in July.

We met with Cook County Jail officials (Cook County Sheriff's Office and Cook County Department of Corrections) and the County Clerk's Office regarding pre-trial detainee voting. The following weekends are the anticipated weekends for in-person voting at the jail: Saturday, June 11th, Sunday, June 12th, Saturday, June 18th and Sunday, June 19th

Mr. Holiday reported on the status of Nursing Home voting. We have 91 participating homes. Of the 91 homes; 72 would like to have in-person voting, 19 have responded no, and 2 are closing. We are preparing in-person voting for those that have requested that, and we're discussing using a Vote-by-Mail process for the other locations.

A second Ward Map referendum was filed last week. The Board's General Counsel will give more details during his report. Our Districts and Boundaries Department has prepared both maps and are now in the process of proofing both maps for accuracy.

On Saturday, Mr. Holiday spoke at a Voter Registration event. The event was sponsored by COAL (Coalition of African-American Leaders), the Evangelisms of Grace, Live Free Chicago and Chicago Vote. Mr. Holiday shared information on registering to vote, Early Voting, and the Permanent Vote-by-Mail Roster. Mr. Holiday displayed the business-size cards which have QR (quick response) code that when scanned directs the person to the Board's website with links for those topics. He said he left some of these cards at the event.

The Board's Supersite at 191 North Clark Street is secure. Currently, they are working on the HVAC (heating, ventilation and air conditioning) which will be done by March 25th. We have a walk-through scheduled for April 1st.

On Thursday, March 24th the Chicago Board of Elections will be hosting the Spring Conference of the Association of the Election Officials of Illinois (AECOI).

A. Assistant Executive Director's Report

Assistant Executive Director Sandra Aspera reported:

The signoff of the proofs for the canvass mailing is expected to take place today.

Since the last Board meeting, there's been an increase of 1,000 applications for election judges bringing the total number to 4,455 as of March 18th and the number of election coordinators is 954. The number of election coordinators shows an increase of 179 since the last Board meeting.

Ms. Aspera has taken initial steps to prepare for the setup of Election Central for the 2022 Primary Election.

Ms. Aspera continues to work with the Board's HR (Human Resources) Manager in operating procedures and the HR Manager is getting up to speed very quickly.

The Board's 69 West Washington staff, that was loaned to assist with the projects at the warehouse, have been reassigned as of March 16th to focus on assignments and projects within their departments. Ms. Aspera thanked Shaun Simpson for

overseeing the staff that was loaned to the warehouse and stated that Mr. Simpson did a great job.

Dominion and Board staff weekly meetings will start this week.

The warehouse is diligently working towards finalizing inventory.

Commissioner Kresse asked Ms. Aspera if she anticipates the number of Judges of Election and Election Coordinators, based on the number we have currently, being a problem. The Chair clarified by asking for a comparison based on 2 months out from the election, compared to other election years. Ms. Aspera stated that we are half way with both the election judges and the coordinators, so we definitely need to start thinking about outreach. The Chair asked how these numbers compare to prior elections. Ms. Aspera stated that she has not done a comparison. She will compare and get back the Chair with the answer. Former Executive Director Lance Gough stated that this is normal for 2-months out. General Counsel Lasker pointed out they we're actually three months out from Election Day. Commissioner Kresse thanked Mr. Gough for the institutional history. The Chair stated that comparing data to prior elections is how she always gauges it.

B. Public Information Director's Report

Director of Public Information Max Bever reported:

Mr. Bever reiterated what Ms. Aspera stated about the canvass, and that we are a little ahead of the original schedule. With the final proof today, those should be going out this week and hitting voters ahead of the timeline quoted at the last Board meeting.

We are ahead of schedule on the I-Voted stickers. We got 1.6 million ordered, and slightly under budget. Mr. Bever thanked Purchasing Agent Opal Walls and the purchasing team for that. Fortunately, there were no supply-chain issues noted by our vendor.

The team is now working on the next household mailing that will go out after the canvass, as well as the second notice for the canvass, in order to get ahead of schedule and connect proactively with vendors.

Over the next few months we'll be sending out more regular press releases on election deadlines, including another call for election judges.

Mr. Bever looks forward to his first presentation to the Association of Election Commission Officials of Illinois (AECOI) this week. Mr. Bever will be giving a presentation on election communication strategies.

VI. Old Business

- A. Infrastructure Projects and Changes in Election Administration: Mr. Holiday stated that there is nothing new to report at this time.
- B. Electronic Poll Books: Mr. Holiday stated that there is nothing new to report at this time.
- C. Voting Equipment: Mr. Holiday stated that there is nothing new to report at this time.

D. Legislation.

General Counsel Adam Lasker reported:

There are no new legislative developments to report. Mr. Lasker stated that we're waiting for an election omnibus bill to drop, and he is keeping in touch with the Illinois State Board of Elections' (ISBE) Legislative Office on that and also watching the General Assembly. The session runs through April 8th. If anything happens in advance of the next scheduled Board meeting, Mr. Lasker will reach out to the Board members.

Mr. Lasker pointed out that, as Mr. Holiday mentioned, there was last week a second Ward redistricting referendum ordinance and petition filed in the Office of the City Clerk. The City Clerk, the following day, forwarded a copy of the petition along with their ballot certification certifying that petition to us for a referendum at the June Primary. That's the second such referendum. Mr. Lasker has worked with the Board's Ballot Department on setting up and paginating it for the ballots. Similar to the last time this happened, which was 1992, this is actually one referendum that has two options for the choice; one referendum that presently has two choices and you vote for one of the two. So, it will be under one heading on the ballot. We should not be expecting to receive any more such petitions.

Commissioner Kresse asked Mr. Lasker if this referendum will push us to a two-sheet ballot. Mr. Lasker replied that we're looking at that issue, but there will be enough room to keep the ballot to one sheet. However, we are still within the time frame where the County Board could authorize a county-wide referenda, or the Chicago City Council could authorize other referenda, or there could be Local Option or general local petition referenda. So, right now, it's looking good.

VII. New Business

A. Approval of emergency procurements for canvass printing and mailing services from:

1. Federal Envelope Co
2. Johnson & Quin, Inc.

Purchasing Agent Opal Walls asked the Board to approve an emergency purchase with Johnson & Quin for the canvass mailing. Johnson & Quin will provide the inserts for the mailing. This is the same mailing that Ms. Aspera and Mr. Bever gave the Board updates on. That would be approximately 1.6 million letters for Johnson & Quin to print and mail for us. This includes the Vote-by-Mail application and the option to join the permanent Vote-by-Mail roster. Additionally, we seek the approval of an emergency purchase with Federal Envelope. Federal Envelope is a vendor we had to source because there were no other vendors that could provide, within the time frame that we needed, the type and quantity of envelopes that we needed. They're going to provide 1.6 million outer envelopes to mail the letters out and then 1.6 million inner return envelopes. Ms. Walls performed an Invitation to Bid (IFB). There were five "no bids" saying that they just could not meet our demands, and one bid, from Johnson & Quin, who said they could print the 1.6 million letters, but could

not provide the envelopes. So, that's where the emergency purchase with Federal Envelope comes in. With that, as Mr. Bever stated, we're a little ahead of schedule.

The proposed amounts are: for Johnson & Quin not to exceed \$105,112.46; for Federal Envelopes not to exceed \$190,885.52, for a total amount not to exceed \$295,997.98.

The Chair stated that she appreciates the time within which Ms. Walls did all of this, but for the November Election let's jump on it as soon as we can. Ms. Walls said that we're working with vendors now for November.

Commissioner Kresse asked Ms. Walls if the request for Federal Envelope is an amount above what we had budgeted or anticipated for envelopes. Ms. Walls said that because of the increase demands on the supply-chain, we are seeing about a 30% increase across the board on most everything. So, yes, the envelopes are about 30% more than we spent last year. Luckily, we have money in the budget for this project and we are not over budget on this one.

General Counsel added, as a point of order, that Ms. Walls has received purchase orders on these emergency bid procurements. The request here is for authorization from the Board for Mr. Holiday and Ms. Walls to proceed in furtherance of these agreements reached with the vendors.

Commissioner Kresse moved to authorize the Executive Director and Procurement Officer to take all necessary actions in furtherance of the negotiated agreements with Federal Envelope Company for canvass envelop supplies with a cost not to exceed \$190,885.52 and with Johnson & Quin for canvass printing and mailing services with a cost not to exceed \$105,115.46 relating to the Board's 2022 voter canvass mailings. Commissioner Brown seconded the motion. The motion passed by unanimous vote of the Board.

B. Approval of a bid award to Veritex Legal Solutions for court reporting and transcriptions.

General Counsel Adam Lasker summarized this agenda item. Mr. Lasker stated that Ms. Walls performed a full Request for Proposal (RFP) for court reporting services for Electoral Board hearings. We had done an RFP several election cycles ago and had been working with Veritext as the lowest responsive and responsible bidder from that RFP. Now, for this current RFP, Veritext was the only agency that submitted a bid. Their pricing appears to be competitive, and is similar to its last agreement with us. They have done a very good job for us. works well with the Board's Electoral Board Supervisor John Powell and other staff on scheduling and covering all the hearings. Veritext is flexible and knowledgeable, and is able to do some of these hearings through video conferencing if that becomes necessary.

Commissioner Brown moved to approve a bid award and contract to Veritex Legal Solutions for court reporting and transcription services in relation to the 2022 and 2023 elections at the various rates and fees set forth in Veritex's bid submission with

a term beginning March 21, 2022 through December 31, 2023. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.

C. Approval of Professional Services Agreements with:

1. Ronald Boyd (services related to preparing early voting sites, receiving stations and polling places for secure data transmissions.)

Executive Director Charles Holiday pointed out that along with preparing Early Voting sites, Receiving Stations and polling places for secure data transmissions, Mr. Boyd also works with us on our post-election “obvious discrepancy” matters and the 5% audit. These are part of the agreement, as well.

Commissioner Kresse moved to approve a Professional Services Agreement with Ronald Boyd for services relating to preparing secure data transmissions from various polling places and election administration locations as well as the post-election 5% retabulation and associated duties at the rate of \$55 per hour with total compensation not to exceed \$100,000 over the term of the contract which begins April 1, 2022 and ends March 31, 2023. Seconded by Commissioner Brown. The motion passed by unanimous vote of the Board.

2. Janelle Hamilton (supervisor of election day field supervisors and investigators)

Mr. Holiday stated that he believes Ms. Hamilton is a Chicago Police sergeant who will supervise our Election Day Field Supervisors and Investigators. The Board previously approved, but then rescinded, a contract with Jason Brown, so we came back with Ms. Hamilton, who had assisted Mr. Brown in the November 2020 election.

Commissioner Brown moved to approve a Professional Services Agreement with Janelle Hamilton as the Supervisor of the Board’s Election Day Field Supervisors and Investigators at a rate of \$90 per hour capped at \$37,000, and a rate of \$50 per hour for her subcontractor/assistant capped at \$22,500 over the term of the agreement which will begin on March 21, 2022 and expire on March 15, 2023. The motion was seconded by Commissioner Kresse. The Board voted unanimously to pass the motion and approve the agreement.

D. Approval of outside counsel attorney agreements for Electoral Board Hearing Officers.

Commissioner Kresse moved to approve the outside counsel attorney agreements for Electoral Board Hearing Officers for the 28 attorneys listed, to conduct hearings for the Board at the rate of \$200 per hour for a term beginning March 21, 2022 and expiring on March 20, 2023. These are for Electoral Board and Administrative Hearings. Commissioner Brown seconded the motion. The motion passed by 3:0 vote of the Board.

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- E. Approval of a data-sharing Memorandum of Understanding with the Cook County Sheriff's Office and the Office of the Cook County Clerk for in-person voting at Cook County Jail.

Mr. Lasker spoke to this matter. There is a relatively new statutory duty for the Cook County Clerk's Office and our Board to conduct in-person voting for pre-trial detainees at the Cook County Jail. Part of that process requires the three agencies to share information about voter registration matters so to verify that the detainees are properly registered, and so forth. This Memorandum of Understanding covers the kind of data each office needs and, of course, confirming the security of the data by all three agencies.

Commissioner Brown moved to approve the Memorandum of Understanding with the Cook County Sheriff's Office and the Office of the Cook County Clerk for data sharing and security in relation to in-person voting for pre-trial detainees within the Cook County Jail for a one-year term beginning upon full execution by all three of the parties to the agreement. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board.

- F. Adoption of the 3rd revised 2022 Election Calendar.

Mr. Lasker explained that as he previously reported to the Board, there has been a court decision in the lawsuit filed by the Libertarian Party against the Cook County Clerk's Office. That court order requires the County Clerk's Office to recognize the Libertarian Party as an established party in the offices of Cook County Board Commissioners and Board of Review Commissioners. As such, we have added those signature requirements, as provided by the County Clerk's office, to this Board's election calendar.

Secondly, as a second Ward Redistricting Ordinance and petition has been filed with the City Clerk of Chicago and presented to this Board, that indication has been noted in the special note regarding redistricting in this proposed revised Election Calendar, along with an update on the status of the prior litigation challenging the redistricting of State Senate and State Representative districts. (Those cases were decided in favor of the State so that those districts will stand. Those cases have not been appealed so the State Board of Elections considers the case closed.)

Commissioner Kresse moved to adopt the 3rd revised edition of the Board's 2022 Election Calendar with new signature requirements for the Libertarian Party in all districts of the Cook County Board of Commissioners and the Cook County Board of Review and to reflect recent changes in the status of both the prior litigation related to State redistricting and the number of Chicago ward redistricting referendum petitions that have been certified to the Board. Commissioner Brown seconded the motion. The motion passed by unanimous vote of the Board.

- VIII. Legal Report
General Counsel Adam Lasker reported:

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Mr. Lasker is continuing to work with all the Board’s departments on several procurements and other legal guidance, and counseling heading into the upcoming election.

Also, we have the annual regular briefing session for Electoral Board Hearing Officers Thursday afternoon. Additionally, we are preparing for the hearings to begin on Monday morning. Today is the filing deadline for petition objections; however, none of them are filed in our office this election cycle. They are filed either with the State Board of Elections or the Cook County Clerk’s Office. Those agencies will then forward any objections under our jurisdiction to us. We will be spending the rest of the week reviewing those objections and working out case assignments to the Hearing Officers. Those case assignments will be presented to this Board, sitting *ex officio* as an Electoral Board, on Monday morning, March 28th. The hearings will then get started on those cases later that day.

IX. Financial Report

- A. Balance Sheet and Voucher Listings for the City of Chicago – 2022 Appropriation – 22-02 dated March 21, 2022 in the amount of \$ 1,407,022.35

Commissioner Brown moved to approve the Balance Sheet and Voucher Listings for the City of Chicago – 2022 Appropriation – 22-02 dated March 21, 2022 in the amount of \$ 1,407,022.35. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.

- B. Balance Sheet and Voucher Listings for the County of Cook – 2022 Appropriation – 22-02 dated March 21, 2022 in the amount of \$ 199,658.00

Commissioner Kresse moved to approve the Balance Sheet and Voucher Listings for the County of Cook – 2022 Appropriation – 22-02 dated March 21, 2022 in the amount of \$ 199,658.00. Commissioner Brown 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 Brown moved to adjourn until the next scheduled meeting of the Board, April 12, 2022. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board. The meeting was adjourned at 10:44 A.m.

Submitted,



Commissioner William J. Kresse
Secretary