

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
Tuesday, June 28, 2022
7:00 a.m.
Room 800
69 West Washington Street
Chicago, Illinois 60602

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
Lance Gough, Consultant
Trish Sheehy

Guests:

- I. Call to Order 7 a.m.
 - II. Roll Call: Chair Hernandez and Commissioner Brown were present in the Chair's office within suite 800 of 69 West Washington. Due to illness Commissioner Kresse attended via audio conference.
 - III. Consideration of Agenda: The agenda was accepted as presented.
 - IV. Election Day
 - A. Possible removal of judges of election: General Counsel Adam Lasker stated that there was no need for the Board to remove any Judge of Election at this time.
 - B. Possible court action to address late polling place openings: General Counsel Lasker stated that it's early but we are monitoring several precincts and he will keep the Board apprised.
 - V. Public Comment: None at this time.
 - VI. Recess: Commissioner Brown moved to recess until the call of the Chair. Commissioner Kresse seconded the motion. The motion was passed by 3:0 vote of the Board. The Board recessed at 7:04 a.m.
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Meeting reconvened: At the call of the Chair, the Regular Board meeting came out of recess and reconvened with all Commissioners present (Commissioner Kresse via telephone due to illness) at 4:02 pm. Others present included the Executive Director Charles Holiday, General Counsel Adam Lasker, and Trish Sheehy

VII. Election Day

A. Removal of Democratic Judge of Election Karen L. Layne, for cause, Precinct 5, Ward 3

General Counsel Lasker presented this matter to the Board. Mr. Lasker reported these complaints regarding Ms. Layne: sitting at the accessibility voting station and blocking voters from using it; refusing on occasion to remove the obstacle (chair); leaving the voting area several times for extended periods of time; not helping the other poll workers with the duties of the Judges of Election; asking voters for cigarettes; photographing other poll workers without their consent; having drunk alcohol earlier in the day and appearing inebriated. An investigator was dispatched to the polling place. The investigator had to ask Ms. Layne to move away from the accessibility voting station and to stop blocking the area several times before she complied. The investigator interviewed poll workers from both precincts in the polling place. The investigator also observed Ms. Layne for some time and found the complaints well founded.

A summary of the reasons for removal:

Extended periods of abandonment and neglect of duty; obstructing the path way to the Accessibility station and refusing to remove the obstruction; possible inebriation; photographing other pollworkers without their consent and combative behavior.

Commissioner Brown moved to remove Ms. Karen L. Layne from the office of Judge of Election pursuant to Section 14-5 of the Election Code (ILCS 5/14-5). Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board.

Mr. Lasker said an Order and Notice of Removal as Judge of Election would be prepared and served on Ms. Layne today with copies to Chief Judge Timothy Evans, County Division Presiding Judge Sanjay Tailor and Cook County Democratic Party Chair Toni Preckwinkle.

B. Possible court action to address late polling place openings:

Mr. Lasker reported that Election Day had approximately 56 precincts with delayed openings. A large part was due to many precincts in Chicago Public School facilities, and the schools not opening on time. Another common issue was Judges of Election, particularly the Key Judge, not showing up due to a large number of last-minute Judge resignations.

The Polling Place Department and Election Central have been monitoring the situation. We do not have enough evidence to request a court order to keep any polling place open. We would need proof that voters were turned away and cannot return by the time the polls close. The evidence gathered indicate that either the voters were able to return, or after the voters were directed by Board personnel to go to a Universal Vote Center the voter said that they would go to a Universal Vote Center. No voter has said that they could not go to a Universal Vote Center.

Mr. Lasker recommended that due to lack of evidence, the Board not go to court to request that any polling place be ordered to remain open later than 7:00 p.m.

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VIII. Public Comment: There were no public comments during this session.

IX. Recess:

The Chair requested that this meeting not adjourn and entertained a motion to recess. Commissioner Brown moved to recess the meeting until the call of the Chair. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board and the meeting was in recess at 4:11 p.m.

The Regular Board Meeting of June 28, 2022 was reconvened on July 19, 2022 at 10:00 a.m. via WebEx videoconference. Notice of this meeting reconvening on this date and time, along with an amended agenda, was duly posted by the Board on July 15, 2022.

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
Al Chase, IT Department
Trish Sheehy

Guests:

C. Betty Magness, Operation P.U.S.H.
Josh Miller, Arrow Messenger
Danielle Matzdorf, Arrow Messenger
Helene Gabelnick, League of Women Voters Chicago
Brian Whitely, ES&S
Alex Soto Vasquez, Dominion
Patricia Theresa Flynn
Ben McAdams, Chicago Lawyers Committee for Civil Rights

X. Call to Order: The Chair called the Regular Board meeting of June 28, 2022 back in session at 10:03 a.m. on July 19, 2022.

XI. Roll Call: All members were present electronically via WebEx.

XII. Consideration of the Amended Agenda: The amended agenda was accepted as presented.

XIII. Election Day:

- A. Possible removal of judges of election: General Counsel Adam Lasker reported that there is nothing pending on this item.
- B. Possible court action to address late polling place openings: Mr. Lasker stated Court action to address late polling place openings were not necessary.

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XIV. Executive Director's Report

Executive Director Charles Holiday reported:

Mr. Holiday stated that the staff did a great job with the election. Mr. Holiday gave special thanks to the Assistant Executive Director Sandra Aspera for directing the staff through this process. He also gave special thanks to the Board's General Counsel Adam Lasker and Legal Counsel Joan Agnew who helped him tremendously.

Mr. Holiday stated that we look forward to the November elections. We're in the process of the post-election procedures that the Assistant Executive Director will speak on.

Again, Mr. Holiday thanked the staff and everyone for a great election.

The project Mr. Holiday is focusing on now is the redrawing of precinct boundaries on the ward maps. Mr. Holiday, Consultant Lance Gough and the Board's Districts and Boundaries Department are working together on this project. As of today, the Alderpersons of 21 wards have signed off on new precinct boundaries in those words, 5 wards are awaiting signatures, 7 wards are scheduled for this week, 8 more wards are to be scheduled, and 9 wards in process – that is, the renumbering of the precincts are in process. This process is scheduled to be completed by July 31st so that the new lines can be entered into the system so that by mid-August we can begin mailing new voters' cards and have new "walk-sheets" for the voters and Alderpersons.

A. Assistant Executive Director's Report

Assistant Executive Director Sandra Aspera stated that one word that clearly describes this election season is "challenging." Ms. Aspera expressed her gratitude to all the dedicated Board employees who made it possible to overcome the challenges. The Board employees worked tirelessly through this election cycle with the redistricting impact, the scarcity of locations for polling places, a smaller pool of Election Judges, chain-supply issues and more, including the active virus and Summer weather conditions. Thank you to all the Board employees. Your efforts were greatly appreciated.

Ms. Aspera reported:

The Election Central Help Desk was a successful internal operation. We received over 3,500 calls on Election Day.

Ms. Aspera completed the Canvass at the warehouse with Joan Agnew and Ron Boyd. We completed the retabulation of precincts and Obvious Discrepancies. We also completed the 5% test of precincts and Early Voting ballots.

The Warehouse has removed Form 14 (Application for Ballot) from the spindles. The applications were sent to the Registration Department and are currently being scanned.

The Warehouse is also in the process of unloading equipment from the ESCs (Election Supply Carriers). Procedures were provided to record and preserve the election materials.

Ms. Aspera requested an inventory of paper on hand that we can reuse for the General Election, so that we can determine what we need to purchase.

The Judges of Election and Coordinators payrolls have been processed and checks were mailed out last week.

The IT Department has started deploying new desktop computers to Board employees.

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The Board's budget for 2023 was submitted by the deadline, July 11th.

B. Public Information Director's Report

Public Information Director Max Bever reported:

Mr. Bever reiterated what the Executive Director and Assistant Executive Director said and thanked the Board staff for all of their assistance in Communications on Election Day. Mr. Bever also wanted to especially thank our Community Services staff and our Language Access Team for all of their assistance, too.

Communications is in the process of updating all materials for the next election as well as putting everything together for petition season for the Municipal Election, including getting the website up to date as well as all of our forms and translations.

Mr. Bever also worked with the Executive Director to put together a communications plan to announce precinct consolidation efforts when it is complete. So, we are working on a mass mailing to all Chicago voters with their new district information including their new Police Council once that is ready, but we will also be out to media and discussing this with community groups when the time comes to let people know that these districts and precincts will be in effect for the upcoming election in November. We look forward to three elections in a row after this, so we are well under way.

XV. Old Business

A. Infrastructure Projects and Changes in Election Administration

B. Electronic Poll Books

C. Voting Equipment

Mr. Holiday stated that we are in the process of preparing both of these classes of equipment for the next election.

D. Legislation

General Counsel Adam Lasker reported that the General Assembly is not in session. We're hopeful that there might be some small things handled in the Veto Session coming later this Summer, most particularly legislation for keeping Vote Centers open on Election Day, as the current provision that allows this expires at the end of this year.

The Chairs suggested that Mr. Lasker prepare for the Board a list of legislative issues. Mr. Lasker said he would be happy to prepare a bullet-point list.

XVI. New Business

A. Consideration and Adoption of the 2023 Election Calendar

Mr. Lasker stated that he and Trish Sheehy have been working updating all the dates, deadlines, etc. for the 2023 Municipal and Aldermanic Election cycle. The calendar has been updated substantively because of the new Chicago Police District Council elections. There are 22 police districts in Chicago. Three members of the District Council will be elected from each Police District, which means 66 brand new ballot positions. There are some substantial ambiguities in the ordinance that establishes Police District Councils. Mr. Lasker has been in communication with legal counsel for the City Council's Rules Committee regarding these ambiguities. We certainly may have to amend some things on

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the 2023 Election Calendar in the future, but it is ready for publication at this time. Colloquy ensued.

Commissioner Kresse moved to adopt the 2023 Election Calendar. Commissioner Brown seconded the motion. The motion passed by 3:0 vote of the Board.

XVII. Legal Report

General Counsel Adam Lasker began his legal report by pointing out that this was only the second election cycle where we used brand-new equipment. Mr. Lasker feels that that the fact that we rolled out a whole new system of election equipment was overshadowed in 2020 by the pandemic. Mr. Lasker also pointed out that there was a tremendous turnover at high levels at the Board since the last election cycle, including a brand-new Commissioner, Executive Director, Assistant Executive Director, Public Information Director, HR Director, and Finance Director. And those are only some of the names, but we had a real young and new team her marching through this election. Mr. Lasker thinks it's only going to get better from here on out, and that this new team did a great job.

Mr. Lasker stated that we had these 73 vacant precincts on election day but that turnout in those precincts was about 0.6 percentage points higher than the city-wide average.

We will be receiving today four Electoral Board cases from the Illinois State Board of Elections (ISBE). These are cases where the objections are filed against independent candidates and candidates of new political parties. Mr. Lasker will work with the Commissioners to set the initial Electoral Board meeting for next week Tuesday in conjunction with the Regular Board meeting scheduled for that day. Each Commissioner indicated it would be fine with them to meet next week Tuesday in conjunction with the Regular Board meeting.

The Chair stated that one of our priorities should be locating new polling places so we can minimize the number of vacant precinct polling places. Mr. Holiday agreed. Discussion ensued.

XVIII. Financial Report: None

XIX. Public Comment: There was no request for public comment.

XX. Executive Session: None

Commissioner Brown made a point of personal privilege. She wanted to thank all those who made it a great transition and memorable, in a good way, even with the challenges.

Commissioner Kresse wanted to also thank everyone, and that even though he was stricken down by COVID, the staff did great in keeping him in the loop. He appreciates all that the staff did

The Chair also thanked the staff and management. It was a very good election. We will now start working on everything to ensure that we get the maximum number of voters out and that this November election will be the most successful ever.

Commissioner Kresse made another point of personal privilege. Just before he was stricken with COVID, he attended the International Association of Government Officials ("iGO") Annual Meeting in Palm Springs where he made two presentations. Commissioner Kresse wanted to tell everyone that there was universal respect the people at iGO had for the way this Board conducts elections. Apparently, we're doing it right. Commissioner Kresse thanked the Board's staff.

XXI. Adjourn

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Commissioner Brown moved to adjourn. Commissioner Kresse seconded the motion. The motion passed
by unanimous vote of the Board. The meeting was adjourned at 10:28 a.m. on July 19, 2022.

Submitted,

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

Commissioner William J. Kresse
Secretary