

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
June 13, 2023, 10:00 a.m.
69 West Washington Street, 8th Floor, Chicago, Illinois 60602

Board Members:

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

Staff:

Charles Holiday, Jr., Executive Director
Sandra Aspera, Assistant Executive Director
Adam Lasker, General Counsel
Max Bever, Director of Public Information [absent]
Abigail King, Law Clerk
Mick Silva
Lance Gough, Consultant
Trish Sheehy

Guests:

C. Betty Magness, Operation Push

- I. Call to Order: Chair Hernandez called the meeting to order at 10:01 AM
- II. Roll Call: The Chair was present by WebEx due to a health matter with a family member. There were no objections to her attending the meeting in this manner. Commissioners Kresse and Brown were present in the Board's 8th floor conference room.
- III. Consideration of Agenda: The agenda was accepted as presented.
- IV. Approval of Minutes:
 - A. Minutes of the Regular Board Meeting of April 25, 2023: Commissioner Brown moved to approve the Minutes of the Regular Board meeting of April 25, 2023. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.
- V. Executive Director's Report

Executive Director Charles Holiday presented the following report:

Mr. Holiday attended the 2023 Illinois Association of County Officials' Spring Conference in Springfield as well as the Association of Election Commission Officials of Illinois (AECOI). Speakers included Amy Kelly, Manager of the Illinois State Board of Elections

Cyber Navigation Program. She spoke on cyber security threats, and shared strategies and best practices for protecting against these threats. Also speaking was Steven A. Fox, the Marion County Clerk & Recorder. He spoke on Rank Choice Voting (RCV) and shared links that showed actual RCV from the election in Alaska. Also, at the conference was Mike Grady, the lobbyist for AECOI; he spoke on election legislation in Illinois, including the Omnibus Bill. Mr. Holiday was elected President of the AECOI, and Audra Lewicki of the Board's Community Services Department was elected the First Vice President.

The Board is working with Noble Schools to offer summer internships to their current Juniors. This pilot program is through Noble School's pre-college and career office. Dr. Rachel Rosen, Chair of this program is hoping to find a few more students for us. One of those students started today in our IT department. Mr. Holiday thanked the Board's HR Manager, Karen Chin, who headed this project and made this possible.

The Request for Information (RFI) for the new website had been posted. We had 20 responses and have now issued the Request for Proposal (RFP). Proposals are due by 1:00 p.m. on June 16th. After reviewing the proposals, a vendor will be selected. Vendor selection is expected by the end of this month.

The RFP for our new e-poll book (electronic poll book) has been posted to the Board's website and was advertised in the Chicago Sun-Times on June 1st. Questions regarding the RFP will be replied to by Wednesday, June 14th by 1:00 p.m. The proposal submission due date is Tuesday, June 27th after which a vendor will be chosen.

Commissioner Kresse congratulated Mr. Holiday on his election to President of the AECOI and Ms. Lewicki on her election to 1st Vice President.

A. Assistant Executive Director's Report

Assistant Executive Director Sandra Aspera provided the following report:

Ms. Aspera recently attended The Election Center Course Training in Phoenix, Arizona which covered Constitutional Law and Elections.

Ms. Aspera has completed the post-election meetings with the departments. This will allow more time for the departments to begin preparing earlier for the 2024 elections.

Staff meetings are held monthly, which will ensure that departments are on schedule for their election projects.

Presently, Ms. Aspera is conducting annual evaluations of Managers.

The new phone system is being installed. Installation is expected to be completed by the end of August.

B. Public Information Director's Report:

Mr. Holiday said that the Public Information Director, Max Bever is not in today as he is on vacation.

VI. Old Business

A. Infrastructure Projects and Changes in Election Administration: Nothing to report.

- B. Electronic Poll Books: Mr. Holiday reported on the status of e-poll books during his report.

Mr. Holiday took this opportunity to report that these projects are ongoing at the warehouse: Emptying the Equipment Supply Carriers (ESC); Charging the current e-poll books; and Removal of hardware from the damaged ESC units. He noted that ESC units that cannot be repaired are on the dock waiting to be taken away and destroyed. The Chair inquired as to the number of damaged ESC units that cannot be repaired. Mr. Holiday stated that that number could have been anywhere between 43 and 100. The Chair inquired as to what is done to replace those units. Mr. Holiday stated that if the units were damaged by the cartage company, we send the cartage company a bill for the estimated or actual cost of repair (if possible) or replacement. Commissioner Kresse asked if, with the recent reduction in the number of precincts and polling places, this will give us an adequate supply of ESCs. Mr. Holiday stated that yes, we will have an adequate supply because we eliminated 778 precincts. Commissioner Kresse asked if the ones that can't be repaired, is there any scrap value for them? Mr. Holiday said that yes, there is scrap value, and we take those usable parts from those as well. The Chair asked Mr. Holiday to clarify what he said previously about the electronic poll books. Mr. Holiday said that the warehouse is charging our current e-poll books because that's part of post-election maintenance. And there is an RFP out for new e-poll books. After those proposals are in and reviewed, a vendor will be selected for our new poll books. Commissioner Kresse noted that hopefully, we will have new poll books in time for our next election, but in the event that we don't we have to keep charging and keep the current poll books working. Mr. Holiday said that's right, but even if we have a vendor by the March election, we won't want to do a complete rollout. We'll want to do a partial rollout to ensure that they are working properly, and then do a complete rollout for the November election.

- C. Voting Equipment: Covered earlier on the agenda.

- D. Legislation:

General Counsel Adam Lasker provided the following report:

General Counsel Lasker gave some highlights from the election Omnibus Bill that was passed on May 26th and sent to the Governor for his signature on June 7th. It is Senate Bill 2123 (SB2123). The following are the things with the most importance to this Board:

- Creation of a Rank Choice and Voting Systems Task Force to look into the feasibility of a statewide implementation of RCV,
- Allowing for the pre-registration of 16-year-olds. These registrations will be placed into abeyance, with the registrations being perfected upon their age eligibility at 18.
- Requiring the service of an Electoral Board Call upon the election authority to whom the ballot is certified, and to the appropriate County Clerk. Mr. Lasker interprets this as requiring this Board to

notify the Cook County Clerk's Office of our Electoral Board Call. We would be required to serve a call upon them for any election objections that we receive from the Illinois State Board of Elections, but we already do that. We already stay in very close communication with the County Clerk's Office, so this is really just a technicality to send them a copy of the Call.

- Very significantly, this bill allows for the use of Vote Centers on Election Day through the year 2029. This will get us through the next round of Municipal Elections in 2027 and through the 2028 General Election cycle. We'll have to see what happens in 2029. This provision makes it mandatory for every election authority in the State to create at least one location in the largest municipality within its jurisdiction, and that location shall provide Curbside Voting. It also allows other election authorities to establish more than one Election Day Vote Center. Large jurisdictions, ones with inhabitants of 500,000 or more, shall establish at least two Vote Centers. Because of the requirement for curbside voting, we have already had our Facilities Consultants talk with the City about the feasibility of closing down some parking on Clark Street at our Supersite; the initial unofficial word from the City is that that would not be a problem. The City will work with us so that we can shut down some parking in front of the Supersite to allow for Curbside Voting. We've been having internal staff meetings as to what exactly the term curbside voting means because it's not defined in the Election Code. The closest thing we have is the pre-existing curbside voting at the precincts on Election Day which is designed only for people with physical disabilities if they cannot make it into the actual building. So, we are moving forward with staff and vendors to determine just how to implement this, along with the City's cooperation.
- Change to ballot formatting. Candidates' names on ballots have previously been in all caps, now the names of candidates on the ballots will be in lowercase and uppercase letters.
- It increases the fee for Discovery Recount from \$10 per precinct to \$50 per precinct.
- Both the School Code and the Election Code was changed to create a State Holiday for the November 5, 2024 General Election.
- Creation of a Security of Remote Vote-by-Mail Task Force to take a look into the feasibility of allowing voters with disabilities to mark an electronic ballot. Currently voters with disabilities have the ability to mark the electronic ballot through our system, but then they have to print it out and send it back to us in order to have a paper trail. This task force will be looking into the feasibility of a fully remote system which Mr. Lasker thinks would only be for persons with sight disabilities.

The second piece of legislation that Mr. Lasker would like to discuss is a pending bill at the Chicago City Council that would change section 2-80-070 of the Chicago Municipal Code. That's the section that created the Police District Council offices and their elections. As we have discussed with this Board, there were some issues with the current ordinance that created some complications for the Electoral Board and for the candidates. These issues appear to be remedied by this proposed ordinance. Mr. Lasker is glad to see that this is now under consideration. One change would be with the signature requirement which is currently based on the total number of Registered Voters (that number fluctuates on a daily basis); the basis would switch that to the number of voters, the number of ballots cast, in the preceding Presidential Election. This is exactly the recommendation Mr. Lasker made before the original ordinance was adopted, so, he is glad to see this proposed change.

There is also a provision that would expressly state that any election law enforced in the City of Chicago, that is not in conflict with the Ordinance, would control. Basically, this is an expressed statement that the Election Code, the Revised Cities and Villages Act and any other State law that govern elections, do control these Police District Council Elections. Of course, our Electoral Board had already ruled that way based on other language for the Municipal Code, but it's nice to have it in black and white right there in the Ordinance. So, we'll keep an eye on this proposed ordinance as that passes through the City Council.

Commissioner Kresse asked whether, with regards to the two different task forces Mr. Lasker mentioned, the legislature indicated who would be on these task forces. Mr. Lasker said that he does not have an exact breakdown, but they do specify that there are legislative leaders that get to appoint both a public member and a governmental member. So, there's going to be a combination of general public members in addition to those who are serving in government. Commissioner Kresse added that hopefully they will listen to us if we have any concerns, or would come to us if they have any questions.

Commissioner Kresse offered kudos to Mr. Lasker on some of the changes the City Ordinance on the Police District Councils. The Commissioner knows that Mr. Lasker had a lot of input on those.

Commissioner Kresse asked Mr. Lasker if he could give the Board an update on the Chicago Public Schools elected school board and the mapping for that. Mr. Lasker said that this is another matter addressed in the Omnibus Bill. The Bill pushed back the date; originally July 1, 2023 was the deadline for the legislature to create these districts, now it's April 1, 2024. Mr. Lasker has communicated this with our Redistricting staff and consultants, as they've been waiting, and now they're going to have to wait even longer. This will mean that the implementation period is going to be drastically shorter for us. However, our Redistricting people are prepared to move forward as soon as we these new districts are determined. Hopefully, it will be sooner than the deadline, but it usually is on the deadline.

VII. New Business

A. Approval of professional services agreements, or extensions to existing agreements, with:

1. ANE Data Solutions LLC for website services;

The Chair stated that this is a one-year extension for website services. Mr. Lasker noted that this is a one-year extension with the exact same terms as the current contract with a flat-rate of \$5,000 per month.

Commissioner Kresse moved to approve a contract extension with ANE Data Solutions LLC for the period of July 1, 2023 through June 30, 2024 at the rate of \$5,000/month, not to exceed \$60,000 per year. Commissioner Brown seconded the motion. The motion passed by 3:0 vote of the Board.

2. Dean Ftikas for facilities management and consulting services;

The Chair said that this is for a contract extension with Dean Ftikas for facility management and consulting services. Mr. Ftikas has provided us with these services for many years and his work is very valuable.

Commissioner Brown moved to approve a one-year agreement for the period of July 1, 2023 through June 30, 2024 for Mr. Ftikas' work at a rate of \$70.00 per hour not to exceed \$95,000 during the contract year. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board.

3. Lasker Law LLC for legal and general counsel services

The Chair presented the contract renewal with Lasker Law, which is Adam Lasker as the Board's General Counsel, who provides us with so many different types of legal services and support. This contract would be for one-year, July 1, 2023 through June 30, 2024, at the rate of \$265 per hour. Commissioner Kresse stated that it was with a grateful heart that he moved to approve the contract as described by the Chair. Commissioner Brown seconded the motion. The motion passed by unanimous vote of the Board. The Chair thanked Mr. Lasker for all his work.

4. SKU Corporation for ongoing maintenance and support services;

The Chair introduced this item as an extension with SKU Corporation for ongoing maintenance and support services.

Commissioner Brown moved to approve the contract extension with SKU Corporation for the period beginning July 1, 2023 and ending June 30, 2025 at the rate of \$28,175 per month or \$338,100 per year. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.

B. Approval of contract extensions based on RFP bid awards for temp-staffing services with:

1. Protiviti Government Services, Inc., through its staffing division, Robert Half Government, for central office staffing;

The Chair stated that this is a contract extension. The contract would be extended from July 1, 2023 through June 30, 2025 for temporary services at the Central Office. The contract is exactly the same as was approved previously, this is just an extension with the same terms. Commissioner Kresse moved to approve the agreement with Protiviti Government Services, Inc, through its staffing division Robert Half Government, as described by the Chair. Commissioner Brown seconded the motion. The motion passed by 3:0 vote of the Board.

2. Protiviti Government Services, Inc., through its staffing division, Robert Half Government, for warehouse staffing;

Commissioner Kresse moved to approve a contract extension with Protiviti Government Services, Inc. for the period of July 1, 2023 through June 30, 2025 for temporary warehouse staffing with the same exact terms as the Board previously approved, but for an additional two years beginning July 1, 2023. Commissioner Kresse reiterated that this and the other Protiviti agreement is for an additional 2-years. Commissioner Brown also acknowledged that this is for 2years, and seconded the motion to approve. The motion passed by unanimous vote of the Board.

3. Mack & Associates for central office staffing;

Commissioner Brown moved to approve a 2-year contract extension, for Central Office temporary staffing with Mack & Associates in an amount not to exceed \$750,000 per election cycle over the term of the contract, which is July 1, 2023 through June 30, 2025. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.

4. LaSalle Network for central office staffing;

Commissioner Kresse moved to approve a contract extension with LaSalle Network. LaSalle Network provides the Board with Central Office temporary staffing. The contract would be the exact same as contract presently in effect. This extension would take the contract from July 1, 2023 through June 30, 2025. Commissioner Brown seconded the motion. The motion passed by unanimous vote of the Board.

5. HB Staffing for central office staffing.

Commissioner Brown moved to approve a contract extension with CathyJon Enterprises Inc., d/b/a HB Staffing for Central Office temporary staffing. The contract would be the exact same as the one that's currently in effect. This is for an extension under those same terms and conditions from July 1, 2023 through June 30, 2025. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board.

C. Approval of a resolution authorizing the disposal of old records from the human resources department.

Mr. Lasker stated that the storage for Human Resources (HR) files is overflowing. HR would like to get rid of some of these documents, and, in consultation with Board Counsel Joan Agnew, determined that they can be disposed of in compliance with State and Federal laws, including, most notably, the Illinois Local Records Act. Commissioner Kresse asked if these are just old personnel files and such. Mr. Lasker said the Commissioner was correct.

Commissioner Kresse moved to approve the resolution authorizing the disposal of old records from the Human Resources Department. The motion was seconded by Commissioner Brown. The Board voted unanimously to approve the resolution.

VIII. Legal Report

General Counsel Adam Lasker reported:

There is no pending litigation that we need to discuss.

Mr. Lasker took this opportunity to introduce the Board's new Law Clerk, Abigail King, who just finished her first year at Loyola University School of Law in Chicago. Mr. Lasker is glad to have her here this summer.

Mr. Lasker noted that his department is working on determining Curbside Voting, getting the numerous procurements completed, and getting us ready for the March 2024 Primary.

The Chair welcomed Ms. King and thanked her for coming and helping us out.

Commissioner Kresse inquired of Mr. Lasker, regarding getting ready for the March 2024 primary, whether the Omnibus Bill made any changes in the dates for filing petitions. Mr. Lasker responded that no, while there was talk about that, it did not make it into the Omnibus Bill.

IX. Financial Report

A. Balance Sheet and Voucher Listings for the City of Chicago – 2023 Appropriation – 23-03 dated June 13, 2023 in the amount of \$ 7,462,657.87

Commissioner Brown moved to approve the Balance Sheet and Voucher Listings for the City of Chicago – 2023 Appropriation – 23-03 dated June 13, 2023 in the

amount of \$ 7,462,657.87. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.

- X. Public Comment [none]
- XI. Executive Session [none]
- XII. Adjournment: Commissioner Kresse moved to adjourn the meeting. Commissioner Brown seconded the motion. The three members voted unanimously to pass the motion. The meeting was adjourned at 10:30 a.m.

Submitted,

A handwritten signature in blue ink, appearing to read "William J. Kresse". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Commissioner William J. Kresse
Secretary