

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

August 9, 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 [absent]
Lance Gough, Consultant
Trish Sheehy

Guests:

C. Betty Magnus, Operation P.U.S.H.
Brian Whiteley, ES&S
Josh Miller, Arrow Messenger
Helene Gabelnick, League of Women Voters Chicago
Kim Leung, Asian-Americans Advancing Justice

- I. Call to Order: The Chair called the meeting to order at 10:03 a.m.
- II. Roll Call: All of the Board members 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 June 14, 2022
Commissioner Brown moved to approve the Minutes of the Regular Board Meeting of June 14, 2022. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.
- V. Executive Director's Report
Executive Director Charles Holiday reported:

We have completed the redistricting, redrawing of the precinct lines. Mr. Holiday is proud to announce that we have reduced the number of precincts from 2,069 to 1,290 a reduction of 779 precincts. We're scheduled for the implementation of the new precinct lines for this coming weekend and we will be testing and proofing up until August 29th. We expect to publish maps, district schedules and have available walk-sheets on August 29th. Mr. Holiday thanked the Board's team that

worked on this: from Districts and Boundaries; Larry Hanson, Oscar Peterson and Trang Tran, along with Rick Thurman and Al Chase from the IT Department. Mr. Holiday also thanked Board consultant Lance Gough because he worked with us on this project as well.

On August 20th through the 24th Mr. Holiday will be attending the 37th Annual National Conference of the Election Center in Denver, Colorado.

Mr. Holiday stated that the Board's Director of Public Information, Max Bever is in the office but on another call. So, Mr. Holiday provided the Communications Director's Report:

Mr. Bever is finalizing a new permanent Vote-by-Mail roster form, getting everything ready and translated for the start of Vote-by-Mail applications tomorrow.

Mr. Bever is taping a podcast, fully in Hindi, with Kimi Mehta.

Mr. Holiday reported that he, Mr. Bever and Ms. Mehta recently had a visit to the Consulate of India and received an invitation for the Consulate's National Hindi Day which is next Monday, August 15th.

Continuing with the Executive Director's report, Mr. Holiday stated that we're preparing for the upcoming election. Mr. Holiday expects that General Counsel Adam Lasker will have more details in his report.

Commissioner Kresse expressed thanks to everyone who worked on the remapping of the precincts; it was an excellent job. Commissioner Kresse asked Mr. Holiday that by reducing 779 precincts, considering 5 election judges per each precinct, we're essentially reducing the number of judges that we'll need by almost 3,800. Mr. Holiday said that is correct and in some of the wards where we have a high number of voters we will work out a system where they can get a couple of extra judges. Commissioner Kresse thanked Mr. Holiday and the others again and said "excellent work, thank you".

A. Assistant Executive Director's Report

Assistant Executive Director Sandra Aspera reported:

Ms. Aspera met with the Office of Budget Management to discuss the proposed annual budget, to clarify budget requests that are being submitted.

Preparations for the 2022 General Election: Ms. Aspera has already begun ordering supplies such as ballot paper for Early Voting and Election Day touchscreens.

Last week the Judges' Department began mailing the Judge's application to those who applied by mail.

Tomorrow, August 10th, is the first day a registered voter may make an application for a Vote-by-Mail ballot.

Ms. Aspera has two debriefing meetings of the 2022 Primary Election scheduled. An initial meeting with Dominion this afternoon and a meeting with ES&S next week.

Since the Executive Director has announced the number of precincts, Ms. Aspera will be coordinating with the impacted departments as to any necessary adjustments, for example Polling Places, Judges of Election and the Warehouse.

Working with the IT Department, Ms. Aspera has conducted an internal audit of the SIM cards. This will enable us to reduce the number of cards to be purchased. This will result in a major cost savings for the Board.

The Warehouse continues to remove supplies and equipment to provide an inventory of what should be purchased.

Ms. Aspera will, along with Mr. Holiday, be attending the Election Center's Annual Conference in Denver later this month.

- B. Public Information Director's Report [absent]
[Mr. Holiday presented Public Information Director Max Bever's report during the Executive Director's report]

VI. Old Business:

- A. Infrastructure Projects and Changes in Election Administration: Mr. Holiday stated that he has no updates on this subject.
- B. Electronic Poll Books: Mr. Holiday stated that he has no updates on this subject.
- C. Voting Equipment: Mr. Holiday stated that he has no updates on this subject.
- D. Legislation: General Counsel Adam Lasker stated that he has nothing new to report. The General Assembly is not in session.

VII. New Business

- A. Consideration and Adoption of the First Revised 2023 Election Calendar

Mr. Lasker addressed this issue.

This Election Calendar for 2023 was approved on July 19th. On that day we discussed the signature issues for these new elected positions in the police district councils. As a reminder, there will be three people elected to each of the 22 police districts. The signature requirement in the Chicago City Council ordinance that establishes these offices is a bit ambiguous. This signature requirement is based upon the total number of Registered Voters in each police district. Candidate signature requirements are usually based upon election results from a prior election, and, as such, once the election results are certified, the numbers don't change. However, the number of Registered Voters within any police district theoretically fluctuates on a daily basis. The ordinance doesn't indicate which date to select for the calculations. So, Mr. Lasker chose the close of Registration for this past June 2022 Primary as the appropriate date. It's a date that has meaning; it's current; it's recent. So, that's the date he has incorporated into the First Revised 2023 Election Calendar. by taking the registration data from the close of registration of this June 2022 Primary and calculating the signature requirements for each of the Police District Councils. He has placed that information into this revised version of the calendar along with the disclaimer to inform people that, unlike signature requirements based on past election results, these are essentially estimates.

Commissioner Kresse stated that it is his understanding that the Superintendent of Police has until August 30th to change the boundary lines of the 22 police districts. Commissioner Kresse asked Mr. Lasker if there's any word that the Superintendent is not going to change the boundary lines. Mr. Lasker stated that he has not heard any word that the Superintendent is going to change anything. The ordinance does say the Superintendent has until the beginning of the petition circulation period, which is August 30th. Hopefully, there are no changes coming.

Colloquy ensued between Commissioner Kresse and Mr. Lasker.

Commissioner Kresse moved to adopt the First Revised 2023 Election Calendar.

Commissioner Brown seconded the motion. The motion passed by unanimous vote of the Board.

- B. Approval of a Resolution for the disposal of FOIA and Electoral Board materials stored beyond their statutory retention dates.

Mr. Lasker apologized for the late distribution on this resolution.

Mr. Lasker noted that the Board's esteemed Legal Counsel, Joan Agnew, was at the Board's warehouse recently and saw what she described as "a mountain of materials" that related to prior Electoral Board proceedings and Freedom of Information ("FOIA") request matters. So, in order to make space for the incoming new materials, we are requesting this resolution authorizing the disposal of the Electoral Board and FOIA materials, all created prior to July 1, 2017; all of these materials have surpassed their statutory retention periods and are subject to disposal.

Commissioner Kresse asked Mr. Lasker that when he says "disposal", how are we disposing of them? Are we going to use a commercial shredding service? Mr. Lasker said that that is what is frequently used; Mr. Lasker believes that is the normal procedure.

Commissioner Brown made a motion to approve the Resolution for the Disposal of FOIA and Electoral Board materials which have been stored beyond their statutory retention dates. Commissioner Kresse seconded the motion. The motion passed and the Resolution was approved by 3:0 vote of the Board.

VIII. Legal Report

General Counsel Adam Lasker reported that the Board has received 1 petition for Discovery Recount related to the 2022 Primary Election. This is in the Republican Party Primary for the office of Congress in the First Congressional District. The petition was filed by the second-place finisher, Jeff Regnier versus the first-place finisher at the moment Eric Carlson. There are 9 Chicago precincts as part of the petition, so we will be recounting those for Discovery purposes. There are 18 precincts that the Cook County Clerk's Office ("County") will be recounting on the separate petition filed with them. Mr. Lasker is not sure, as this Congressional District extends into Will County, whether they've filed a Discovery Recount petition with Will County.

Staff is currently preparing the voluminous documents and ballots related to the Discovery Recount. We'll be setting it up at the warehouse. Mr. Lasker's understanding is the County is planning to begin their part of the recount on or about August 15th. As a courtesy to all parties, we will start our recount after the County is done.

Secondly, we have some pending Electoral Board cases. As the Board will recall, the Electoral Board first convened on four cases related to Independent and New Party candidates. Two of those cases have recently come to a resolution based on a candidate withdrawal. We will wait to convene the Board when we have more cases with final decisions before calling those two. We also have seven newer cases all related to Republican Party Resolutions filling vacancies in nomination. Those seven cases have had Hearing Officers assigned by Mr. Lasker, as the Electoral Board has already been convened and adopted Rules of Procedure that authorize him to assign Hearing Officers. These seven cases have been assigned to Hearing Officers Barbara Goodman, Yamil Colón, Linda Crane and Frank Tedesso. The initial

hearings on these seven newer cases begin this afternoon. Mr. Lasker will keep the Board informed as to when it will be needed to reconvene as the Electoral Board.

IX. Financial Report

- A. Balance Sheet and Voucher Listings for the City of Chicago – 2022 Appropriation – 22-05 dated August 9, 2022 in the amount of \$ 1,032,369.49.

Commissioner Kresse made a motion to approve the Balance Sheet and Voucher Listings for the City of Chicago – 2022 Appropriation – 22-05 dated August 9, 2022, in the amount of \$1,032,369.49. Commissioner Brown seconded the motion. The motion passed by unanimous vote of the Board.

- B. Balance Sheet and Voucher Listings for the County of Cook – 2022 Appropriation – 22-05 dated August 9, 2022 in the amount of \$ 2,625,691.80.

Commissioner Brown moved to approve the Balance Sheet and Voucher Listings for the County of Cook – 2022 Appropriation – 22-05 dated August 9, 2022 in the amount of \$2,625,691.80. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board.

X. Public Comment

Helene Gabelnick, League of Women Voters of Chicago

Ms. Gabelnick wanted to know if the Board knows yet, what the ballot arrangement is going to be with the Constitutional Amendment and also for the referendum for the Cook County Forest Preserve tax increase. Whether those are going to be together, whether those are going to be on a separate ballot or how that's going to be arranged. Mr. Lasker stated that we usually consult with the County and try to have our ballots similar with the County on those matters. We've been placing Constitutional questions toward the front of the ballot, as compared to where all other referenda would go toward the end of the ballot. That's probably how it's going to work out this time, but he's not aware that we've made a final decision on that yet.

Chicago has also received several local petitions before the deadline for precinct and ward matters. Ms. Gabelnick asked if those would be placed with the referendum. Mr. Lasker said that these would be placed toward the end of the ballot.

Commissioner Kresse took the opportunity to thank a number of people who were attending this meeting: Mr. Lasker, Mr. Holiday, Mr. Lance Gough, Ms. Trish Sheehy and his fellow Commissioner June Brown, in participating in the two events we held on Friday at the Board offices for the American Bar Association annual meeting here in town. Commissioner Kresse also wanted to thank all the staff people that were involved as well, especially Mr. Clinton Hurde and Ms. Geneva Morris who did a great job. The ABA members who participated were all talking about how impressed they were with our operations. They didn't understand the intensity and the extensiveness of what we do in running an election. They were very grateful for that and ABA officials have indicated that they plan on conducting similar tours at all election authorities in all future cities where they have annual or mid-year meetings. It was wonderful event. Attendees included some State Attorneys General and State Supreme Court Justices. They were all very much impressed with what we do.

Commissioner Brown wanted to tell the Chair, that “they made you proud, the whole group, as the Chair” and that it was really a great program. Of course, having Jocelyn Benson, the Secretary of State from Michigan, as the speaker in the morning was wonderful. The Chair stated that she’s sorry she missed it due to personal reasons

- XI. Executive Session: none needed.
- XII. Adjournment: Commissioner Kresse moved to adjourn the meeting. Commissioner Brown seconded the motion. The motion passed by unanimous vote of the Board and the meeting was adjourned at 10:29 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 line extending to the right.

Commissioner William J. Kresse
Secretary