

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
July 25, 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
Matthew Lin, Manager - IT
Amanda Robledo, Acting Purchasing Agent
Abigail King, Law Clerk
Trish Sheehy

Guests:

Helene Gabelnick, League of Women Voters Chicago

- I. Call to Order: The meeting was called to order at 10:01 A.M.
- II. Roll Call: All Board members were present.
- III. Consideration of Agenda: The agenda was accepted as presented.
- IV. Approval of Minutes:
 - A. Minutes of the Regular Board Meeting of June 13, 2023
Commissioner Brown moved to approve the Minutes of the Regular Board meeting of June 13, 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 reported:

Last week Mr. Holiday attended Management and Leadership classes in Milwaukee, Wisconsin with the National Association of Election Officials (a/k/a "Election Center"). They were very informative and helpful.

Our Polling Places Department has sent out letters to both Democratic and Republican Committeepersons in regards to preparation for the March 19, 2024 Primary Election. These preparations involve examining a list of sites used as polling places, showing that these locations' accessibility, and the rules showing what is needed to meet ADA and other polling place requirements. The list was provided with current locations along with their accessibility status. Only those polling places that are accessible will be used. The committeepersons have been

informed of the polling places that do not meet the requirements, and of the polling place proprietors who have asked to be removed, that is, to no longer be used as a polling place. The committeepersons are helping us find new locations for polling places. We are asking for a commitment from the committeepersons to find other places. Some meetings have been set up with our Polling Places Department and the committeepersons.

Mr. Holiday is in the process of continuing updating our contingency of operations plan with the Director of Public Information Max Bever. This will be done soon.

The new Judicial Districts will be implemented by August 8th. We are not certain what is going on with the School Board Districts, but we are prepared for them when we receive them.

On Thursday, presentations of new poll books will be held here, in our 8th floor conference room at 10:00 a.m. Mr. Holiday invited the Commissioners to attend. After all the vendors have presented, the committee will evaluate and a vendor will be chosen. The implementation of the new poll books will be phased in with a few precincts in each ward in March, then a full rollout for the November election.

Tomorrow, Mr. Holiday will be touring our current warehouse with officials of the City Office of Budget and Management (OBM). They will also tour the location that we would like to have as a new warehouse, along with another location that was recommended that really doesn't meet the needs of the Board for warehouse space.

The staff is continuing to clean up from the previous elections and preparing for the upcoming elections.

The Chair had some questions about the polling place matter that Mr. Holiday mentioned. The Chair confirmed that we are asking the committeepersons to identify possible polling places for us. The Chair asked Mr. Holiday for a ballpark percentage of the number of polling places that need to be replaced. Mr. Holiday said he isn't sure, but maybe 10% or more. Mr. Holiday added that our staff is continuously out on the street looking for new polling place locations. The staff knows where we have a need. Commissioner Kresse asked if the letter was sent to the Party Chairs as well as Ward Committeepersons. Mr. Holiday said he will check with the Polling Place Department if it was sent to the Party Chairs. If it hasn't been sent to the Party Chairs, Mr. Holiday will have it sent.

Commissioner Brown asked if for the upcoming elections there is a strategy or plan for the security of workers and others? Mr. Holiday said that he's started discussing and to formulate different things. Other than general precautions, there's nothing in place yet. He understands Commissioner Brown's. Commissioner Brown suggested that there may be some national strategies that Mr. Holiday could research. General Counsel Adam Lasker stated that it's traditional that we meet with various law enforcement and security officials, including the U.S. Department of Homeland Security, FBI, State's Attorney's Office, Attorney General, Chicago Police Department and others, before each election. We have conversations and partner with them on these issues.

The Chair asked what percentage of the new e-pollbooks are we going to use in March. Mr. Holiday said he hasn't decided yet as to the number that is going to be used and the number of precincts. Discussion ensued.

A. Assistant Executive Director's Report

Assistant Executive Director Sandra Aspera reported:

Three companies responded to the RFP (Request for Proposal) for e-pollbook replacement. They are scheduled to give presentations on July 27th, July 28th and August 1st.

All Staff evaluations have been completed.

Ms. Aspera is pleased to report that we have a highly qualified candidate for the ADA (Americans with Disabilities Act) Compliance Officer vacancy. This person has completed the interview and recommendation process.

Several projects have been completed by the Warehouse staff including: the repair of damaged ESCs (Equipment Supply Carriers) and placing them back in proper rotation order; inventory of Early Voting equipment; and emptying and sorting content from the transfer cases. In addition, they're working on ongoing projects such as sorting, inventory and recycling past elections materials.

Tomorrow Ms. Aspera will be at the warehouse with the City representatives.

Ms. Aspera also attended the Election Center conference in Milwaukee.

B. Public Information Director's Report

Public Information Director Max Bever reported:

Mr. Bever began by stating he would be saving his comments for our new website development vendor for New Business, but we are very excited to start work as the Communications Department on that project.

We continue our work with the Chicago Public Library (CPL) to turn over custody of over approximately 600 historical records, ledgers and poll books. It looks like that might happen in October. Again, the Board would hold ownership of all of these records, but custody would be transferred so they could be presented and stored and better preserved at the Harold Washington Library with Special Projects and other historical records. We successfully restored and treated the mold and other remediation for those records. They are currently being stored with our vendor. Once we settle on a date, as well as the rest of the details and complete our inventory, they will be transferred to the Harold Washington Library. Mr. Bever will continue to work with the Chicago public libraries to publicize this and let people know that they can come in person and look at these records at a location other than our warehouse.

It is budget season, both with Cook County and the City of Chicago. Mr. Bever continues to work with the Executive Director, Assistant Executive Director and our Finance Director on providing all materials, comments and summaries that are needed as part of that process. Commissioner Brown asked if that would be provided to the Board members prior to submission. Mr. Bever assured her it.

Commissioner Brown asked about public interaction. Mr. Bever said that our Community Services team is quite hard at work, attending many different events throughout the City. Mr. Bever has spoken at a few other events. He thinks we should plan a bigger outreach calendar for the rest of the Summer, while we still have nice weather. Mr. Bever will follow-up with the Commissioners on a fuller calendar with outreach events through the rest of the year.

Commissioner Kresse asked, with regards to the turnover of the historical records to CPL, is Mr. Bever or CPL anticipating any sort of a media event to go with that? Mr. Bever said that at the very least a press release, but he thinks we could work on having either a press conference or a tour. The Chicago public libraries are very keen on publicizing this. We've already taken videos and photos of the remediation.

Commissioner Kresse gave kudos to Mr. Bever on the signage in the windows of the Supersite. Mr. Bever said that we did put up election reminders, the upcoming election dates, QR code with reminders for people to register to vote, to update their registration and any other voter details. They are up on that corner now over at Clark and Lake. Mr. Bever said that they look pretty good.

Commissioner Brown asked Mr. Bever if we have any public outreach events planned or large voter registration drives? Mr. Bever said that we have not organized a specific event yet, but many of our community partners are active out there in the field. We know we have League of Women Voters here today. Chicago Votes has been out there as. We haven't yet organized our own specific event, but Mr. Bever would be happy to talk with our Community Services team. Commissioner Brown said she knows of a few groups that are looking into these things. Mr. Bever said he wants to publicize as many that are out there.

VI. Old Business:

- A. Infrastructure Projects and Changes in Election Administration: No further updates at this time.
- B. Electronic Poll Books: Already mentioned in the Executive Director's report.
- C. Voting Equipment: Nothing to report at this time.
- D. Legislation: Mr. Lasker said the Legislature is not in session, so he has nothing new to report.

VII. New Business

- A. Approval of an RFQ bid award and contract with Clarity Partners, LLC for development of the chicagoelections.gov website.

Acting Purchasing Agent Amanda Robledo stated that the Purchasing Department ("Purchasing") is requesting the Board's consideration and approval to award the RFP website development of the chicagoelections.gov website to Clarity Partners, LLC.

Ms. Robledo provided the following in support of the request:

The Purchasing Department issued a Request for Proposal (RFP) for Website Development to seek redesign and re-platform for the chiagoelections.gov website.

In response to the revised RFP, the Board received a total of nine responses from the following vendors: ANE Data Solutions; Clarity Partners, LLC; DataMade; EI Design; GIZRA; GraveFlex; Interpersonal Frequency; TimeZoneOne and Wojo Design. These vendors provided pricing ranging from the lowest price of \$177,978.00 to the highest of \$420,006.00.

An evaluation committee reviewed all nine proposals and have recommended Clarity Partners, LLC.

Clarity Partners is a well-regarded local web developer based in Chicagoland that specializes in building and maintaining websites for government entities. They are an MBE-led firm with deep experience in the public sector that has previously partnered with Cook County Government, Chicago Park District, Chicago City Clerk's Office, Cook County Clerk of the Circuit Court, Metra, Pace and more, to refresh and redevelop their websites to better serve the public. Clarity Partners received the overall highest scoring totals from the committee – particularly in technical competence, quality and responsiveness – and provided a comprehensive and competitive pricing proposal that fits within the Board's budget for this project.

Purchasing confirms the appropriate steps and analysis were executed for all proposals presented and considered for the RFP. Purchasing is recommending Clarity Partners LLC to be awarded a contract for the website development not to exceed \$216,000.00

Commissioner Brown asked about some proposed contract exceptions requested by the vendor. Mr. Lasker said that in his analysis, he agrees and found nothing alarming about the requested exceptions. Commissioner Brown asked if Mr. Lasker saw any need for any material changes. His response was that there may be some material changes, but not detrimental to the Board. The indemnity clause will expressly state that Clarity is responsible only for losses caused by its own conduct or negligence will only be to that caused by their own conduct or their own negligence. The Chair asked if this agreement includes maintenance and upkeep. Mr. Bever said that this contract will include that maintenance through the length of this contract, then if all goes according to plan, we plan to enter into a yearly maintenance contract with this vendor moving forward.

Commissioner Brown wanted to confirm that the total price is \$216,000, no matter how long it takes. Mr. Bever stated that the \$216,000 is for this year-long contract, then we will enter into a maintenance contract with them after July 2024, after this contract expires. Mr. Lasker clarified that the \$216,000 is for development and implementation.

Commissioner Kresse in order to put the matter on the record, asked if the website that they're building for us will in any way be connected to our vote tabulation system, so it could be used as a portal into that system to have a way of jeopardizing the security of our voting Messrs. Bever, Lasker and Holiday said that there will be no such connection. Mr. Bever made the following comments: This was a very competitive process. When we first received the RFI (Request for Information) we had 20 firms respond back to us. By the end of this process we had 9 very qualified firms respond. But at the end of the day Clarity Partners ultimately is the firm that has the most experience in this field as well as worked with many of the people involved in this process already. Once the selection was made known, we heard from Rahul Patel, our Election Security Officer, who works with Clarity Partners for Cook County governments and had very high praise. We heard from Jong Lee who has worked with Clarity Partners at Cook County as well, and he had very high praise about how they can integrate with our VRXG. So, we are looking forward to hitting the ground running. Our first kick-off meeting will be Monday, July 31st. The expected timeline for the completion, and the new site going live, will be the end of November to approximately December 15th. December 15th is our hard date because we want to have that live ahead of the new Vote-by-Mail applications as we get ready for the March 2024 Primary. Given their deep experience within the public sector, the website committee felt that they were the best to hit the ground running knowing what a public entity in government needs, as well as to integrate with our existing systems.

Commissioner Brown asked about the difference between this and what the Board did recently with ANE. Mr. Bever said that that is the next part of "New Business", with a slight amendment to our current website vendor's contract. The ANE contract is now going to be six months long. So, ultimately our contract with our current vendor, ANE Data Solutions would end December 31st, right after our new website goes live. Discussion ensued between Commissioners Brown and Kresse and Mr. Bever regarding the overlap in the contract periods for ANE and Clarity. Mr. Holiday stated that to ensure the functionality of the Board's website that this short overlap was necessary.

Commissioner Kresse moved to approve the bid award in relation to the Request for Proposals for Website Development that was reissued on July 6, 2023, and to authorize the execution of a contract with Clarity Partners, LLC for those related goods and

services, with a durational term of July 25, 2023 through July 25, 2024, and with total compensation not to exceed \$216,000.00 through the completion of the project. Commissioner Brown seconded the motion. The motion was passed by 3:0 vote of the Board.

B. Approval of a contract amendment with ANE Data Solutions for website maintenance services.

Mr. Bever noted that what was presented to the Board previously was a year-long contract; the main changes in this amendment is to shorten it to 6 months, so we can hand off duties of the website to our new vendor by the end December, as well as have ANE Data Solutions work with the Board for all migration of the website as well as handling other technical needs or expertise as part of this process.

The Chair said that the compensation of the current contract was set at \$5,000 per month, this amendment raises it to \$10,000. Mr. Bever said that this amendment will be for \$10,000 per month for a total of \$60,000. Some other clarifications within that amendment are the removal of the duties for ANE Data Solutions for online Vote by Mail applications, that will be under our new vendor Clarity Partners moving forward, and; the plan to be live ahead of opening day in December 2023.

Commissioner Kresse moved to approve amendments to the Board's Professional Services Agreement with ANE Data Solutions LLC, including material changes to the Scope of Services, a reduction in the durational term to expire on December 31, 2023, and amending the compensation to that of \$10,000 per month, not to exceed \$60,000 over the amended term of the Agreement. The motion was seconded by Commissioner Brown. The Board voted 3:0 to approve the motion.

VIII. Legal Report

General Counsel Adam Lasker reported:

We are going to hold off publishing the election calendar until the customary time of August. We have heard that unofficially the Illinois State Board of Elections will be certifying five new judicial subcircuits. Because they are brand new, there are some discrepancies in the statute; we would like the State Board to announce this publicly before we publish.

As Mr. Holiday said in his report, we still don't have the School Districts drawn by the Legislature. Mr. Lasker wanted to remind everyone that this is in relation to the November General Election and not the Primary. These are non-partisan offices with petition circulation currently scheduled to begin on March 26, 2024 for those offices. The Legislature has given themselves until April 1st to draw those districts. There has been talk that they might legislatively change the circulation period. Again, the Legislature is not in session.

The good news is the judicial subcircuits, our staff is going to be ready to go in August and the circulation doesn't begin until September 5th. Whereas with the School District, our office hasn't done it yet because there's no legislation, but they're champing at the bit.

Mr. Lasker noted that in prior years the Board would pass a resolution to calculate the signature requirements in Ward Committeepersons races due to the fact that this is not spelled out in the statute. Mr. Lasker reminded the Board that in 2020 that issue was contested in front of the Electoral Board, as it enforces the signature requirements. That case went through the Circuit Court on Judicial Review and ultimately to the Appellate Court. The Appellate Court published a decision in *Ramirez vs. the Board of Elections* that affirmed the method by which the Board has

been calculating the signatures, specifically which election results are used to calculate the signature requirements. So, as we now have a binding Appellate Court decision, Mr. Lasker will not be asking the Board to consider a resolution this time on this matter. Thus, we will be releasing the calendar with Ward Committeeperson signature requirements based on the 2022 General Election results, consistent with the decision in *Ramirez*.

Commissioner Kresse asked if the County Clerk is going to follow *Ramirez*. Mr. Lasker said that the County Clerk has not published their requirements yet, and he is not sure what they are going to do. However, he did send them the *Ramirez* decision, and they are aware of it.

IX. Financial Report

- A. Balance Sheet and Voucher Listings for the City of Chicago - 2023 Appropriation – 23-04 dated July 25, 2023 in the amount of \$ 3,180,756.18

Commissioner Brown moved to approve the Balance Sheet and Voucher Listings for the City of Chicago - 2023 Appropriation – 23-04 dated July 25, 2023 in the amount of \$ 3,180,756.18. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board.

- X. Public Comment: No request to make public comment was received.

- XI. Executive Session: None needed.

- XII. Adjournment: Commissioner Kresse moved to adjourn. Commissioner Brown seconded the motion. The meeting was adjourned at 10:38 a.m.

Submitted,

A handwritten signature in black ink, appearing to read "William J. Kresse". The signature is written in a cursive style with a large, prominent loop at the end.

Commissioner William J. Kresse
Secretary