

MEETING OF THE
COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, JUNE 25, 2013
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Frederic M. Umane
 Secretary Gregory C. Soumas

Commissioners Jose Araujo, Julie Dent, Michael Michel, Simon Shamoun,
J.P. Sipp

Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Steven H. Richman, General Counsel
Raphael Savino, Deputy General Counsel
Valerie Vazquez, Director, Communications & Public Affairs
Dorothy Delayo, Director, Personnel
John Ward, Finance Officer
Anibal Luque, Temporary Contract Attorney, OGC
Matthew Bobrow, Law Student Intern, OGC
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Monica Bartley, CIDNY
 Sophie Mancall-Bitel, Campaign Finance
 Angela Travers, Community Impact
 Kate Doran, LWV
 Jordan Melendez, NY Daily News
 Cathy Gray
 K. Loving, CFB
 Michael Benjamin
 John D. Smith
 Matthew S., Gale Brewer
 Artyov Matasov, Council

David Seitzer, Council
B. Kearney, DOI
Alex Voetsch, NYDLC
Susan Lerner, CC/NY

President Umame called the meeting to order at 1:38 P.M.

President Umame reported that action was taken in Executive Session at the June 18, 2013 meeting; the Commissioners eliminated Bank Time, effective July 1, 2013. President Umame requested to amend the June 18, 2013 minutes to reflect that report. President Umame reported that the approved minutes of the June 11, 2013 meeting have been revised. Commissioner Araujo moved to adopt the minutes of the June 18, 2013 meeting as amended and the revised minutes of June 11, 2013 meeting. Commissioner Michel seconded the motion, which was unanimously adopted.

Ms. Sandow provided an overview of the 2013 New York State Election Commissioners' Association (ECA) Summer Conference which was held from June 18, 2013 through June 21, 2013. She announced that Commissioner Dent was re-elected to the ECA's

Executive Committee. The following topics were discussed at the conference:

- Proposed dates for the 2014 and 2015 ECA Conferences;
- Legislative proposals;
- Federal grant programs;
- MOVE Act ballot delivery vendor contact;
- Poll worker training;
- Poll worker split-shifts;
- Felon voting rights;
- ES&S voting system review;
- Voting system vendor contracts;
- City Board's Voting Machine Technician (VMT) training program;
- Email user group for all NY county board of elections;
- Emergency preparedness.

Mr. Ward presented the Comparative Expenditures Report dated June 25, 2013. A copy of the report is in the agenda.

President Umane reported that the State Board's Election Case Law Update for 2013 is in the agenda.

President Umane reported that the U.S. Supreme Court decision for *Shelby County, Alabama v. Holder, Attorney General, et. al.* is in the agenda. President Umane asked Mr. Richman to summarize this decision and how it affects the Board. Mr. Richman reported that the Office of the General Counsel has reviewed the decision in consultation with the New York City Law Department. He summarized that in a 5 - 4 decision, the U.S. Supreme Court struck down the statistical formula contained in Section 4 of the Voting Rights Act of 1965 which is used to determine "covered" jurisdictions. There have been changes in demographics, voting patterns and voting history since the 1960's. The majority invites the other two (2) branches of the Federal Government - Congress and the President - to enact an updated statistical formula. Until such time as that action is taken by the Executive and Legislative Branches, the pre-clearance requirements of Section 5 are no longer operable. Any changes to the NYS Election Law that are adopted by both Houses and are signed by the Governor are effectuated upon adoption. Rules adopted by the Board's Commissioners are effectuated upon adoption. Poll site changes in the

“covered” jurisdictions are no longer required to be submitted for pre-clearance.

President Umane opened the floor for questions and/or comments by Angela Travers, a member of the public.

Secretary Soumas moved to adjourn the meeting. Commissioner Araujo seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners is scheduled for Tuesday, July 2, 2013 at 1:30 P.M.