

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, FEBRUARY 12, 2019 AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President John Wm. Zaccone
 Secretary Maria R. Guastella

Commissioners Jose Araujo, John Flateau, Michael Michel, Alan Schulkin,
Simon Shamoun, Frederic M. Umane

Michael J. Ryan, Executive Director
Pamela Perkins, Administrative Manager
Georgea Kontzamanis, Operations Manager
Steven H. Richman, General Counsel
Raphael Savino, Deputy General Counsel
Travis Grodin, Contract Attorney, Office of the General Counsel
Michael Bryant, Contract Attorney, Office of the General Counsel
Valerie Vazquez, Director, Communications & Public Affairs
Steven Guglielmi, Director, Personnel
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Wendy Byrne, NYC LWV
 Kate Doran, LWV
 Kati Garrity, CFB

President Zaccone called the meeting to order at 1:45 P.M.

Commissioner Umane requested to add an Executive Session for
litigation and personnel matters.

Commissioner Araujo moved to adopt the minutes for the February 5, 2019 meeting. Commissioner Flateau seconded the motion, with Commissioner Michel abstaining. The motion was adopted.

Mr. Richman presented the Draft Designating Petition and Opportunity to Ballot Petition Rules. Copies of the Draft Rules and memorandum were circulated for review. Mr. Richman provided an overview. Commissioner Umane requested to change the language in Rule C2 (i) from “be identical to” to “substantially identical.” He noted that the language can be an issue with apartment numbers on Cover Sheets and Petitions. After discussion, Commissioner Flateau moved to change the language in Rule C2 from “be identical to” to “substantially match.” Commissioner Schulkin seconded the motion. In a roll call vote with four (4) in favor (Flateau, Schulkin, Shamoun, Umane) and four (4) opposed (Araujo, Guastella, Michel, Zaccone), the motion was not adopted. Commissioner Araujo raised concerns about changing the Petition Rules mid-year and suggested adding a footnote for point of reference instead. The Commissioners will revisit Rule C2 (i) next election cycle. Commissioner Umane requested to clarify the language in Rule D4 to add, “If a Cover Sheet was filed, deficiencies shall be corrected...” and include

Rule C1's case law reference. Commissioner Araujo raised concerns about changing the Petition Rules mid-year and suggested adding a footnote for point of reference instead. After discussion, Rule D4 will be revisited next petition cycle. Commissioner Araujo moved to adopt the Designating Petition and Opportunity to Ballot Petition Rules as submitted. President Zaccone seconded the motion, which was unanimously adopted. The adopted Designating Petition and Opportunity to Ballot Petition Rules will be posted on the Board's website and printed for the public.

Mr. Richman presented the Draft Filing Calendar for Designating/OTB Petitions for the June 25, 2019 Primary Election. Copies of the Draft Calendar and memorandum were circulated for review. Staff recommended scheduling the Designating Petition Hearings on Wednesday, April 24, 2019 at 10:00 A.M., continuing on Thursday, April 25, 2019, and Friday, April 26, 2019, if required, and the OTB Hearings on Tuesday, May 7, 2019 at 1:30 P.M. There would be no Commissioners' Meeting on Tuesday, April 23, 2019. Commissioner Schulkin moved to adopt the Filing Calendar for Designating/OTB Petitions for the June 25, 2019 Primary Election as submitted. Commissioner Umane seconded the motion, which was unanimously adopted. The

adopted Filing Calendar will be posted on the Board's website and at the Front Counters for the public.

Mr. Ryan provided pre-election reports for the February 26, 2019 Special Election. The information follows:

- A total of 4.5 million eligible voters;
- A total of 1,232 poll sites will be open;
- A total of 5,901 Election Districts (EDs);
- The following amount of equipment will be deployed:
 - 4,054 Scanners;
 - 1,255 Ballot Marking Devices (BMDs);
 - 3,427 Supply Carts;
- A total of 55,839 individual pieces of equipment will be deployed citywide.

Mr. Ryan will provide the balance of the Special Election report at the next meeting.

Commissioner Schulkin inquired if the Electronic Poll Book bill specifies the amount required in a poll site. Mr. Richman reported that there is no specific amount. The bill grants the discretion to the county

board of elections to purchase them in the amount appropriated within their own budget. Mr. Ryan reported that the Board received preliminary information from the State Board about Electronic Poll Books. The State Board estimates each Electronic Poll Book to cost \$3,000 each. A full analysis has not been conducted yet, but the City Board estimates it would cost a total of \$20 million. There are a total of 1,200 poll sites and each poll site would require at least two (2) Electronic Poll Books; some larger sites might require three (3). Back-up Electronic Poll Books would be necessary as well. Mr. Ryan reported that the Board is in the early stages of evaluating the capability of Electronic Poll Books. Executive Management and staff have been planning with the Chief Clerks and Deputy Chief Clerks and are creating a list of options for short-term and long-term plans with either a Electronic Voting List or Electronic Poll Books for Early Voting. Mr. Ryan reported that after the Special Election there will be a formal way to integrate the Commissioners into the process to share all information gathered. The Board's Agency Chief Contracting Officer (ACCO) has researched Electronic Poll Books and has been exploring vendors with Executive Management. It was noted the Board has to adhere to very strict PPB Rules and Mr. Ryan will find out if there are specific prohibitions for the Commissioners' involvement of procuring the

Electronic Poll Books. Commissioner Umame inquired if the current Tablets can be programmed as Electronic Poll Books. Mr. Ryan reported that the Tablets could potentially be integrated and staff is currently looking into options. Commissioner Umame noted that it is a short time frame to implement Electronic Poll Books if the bill is passed this year. He recommended for the Board to develop a detailed evaluation process for each Electronic Poll Book vendor or hiring a consultant to help determine which vendor would serve the Board's needs.

President Zaccone moved to convene Executive Session for personnel and litigation matters. Commissioner Umame seconded the motion, which was unanimously adopted.

After Executive Session, the open public meeting reconvened.

For informational purposes, the Executive Director and Deputy Executive Director will be attending a meeting at City Hall on February 20, 2019 at 6:00 P.M. regarding the City Charter Commission Expert Forum. The main topic to be addressed is rank choice voting.

President Zaccone moved to adjourn the meeting. The motion was seconded, and unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, February 19, 2019 at 1:30 P.M.