

MEETING OF THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, DECEMBER 15, 2015
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Michael Michel
 Secretary Bianka Perez

Commissioners John Flateau, Alan Schulkin, Simon Shamoun, Frederic M. Umame

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Georgea Kontzamanis, Operations Manager
Steven H. Richman, General Counsel
Raphael Savino, Deputy General Counsel
Valerie Vazquez, Director, Communications & Public Affairs
Nina M. Crispino, Director, Personnel
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Anna-Maria Thomas
 Kate Doran, LWVNYC
 John D. Smith
 Katharine Loving, CFB

President Michel called the meeting to order at 1:44 P.M.

There was consensus among the Commissioners to table the minutes for the December 8, 2015 meeting until the next meeting.

Commissioner Umane requested to add a Commissioners' Finance Committee Report to the agenda.

Mr. Richman presented the Draft Independent Nominating Petition Rules for 2016. Copies of the draft were distributed. Mr. Richman provided an overview of the draft and requested for approval. Commissioner Umane requested to discuss Cover Sheet Rule C2 (b) on Page #5 concerning apartment numbers, and noted that this matter was addressed at the previous meeting for the Designating Petition Rules. Commissioner Umane moved to approve the Draft Independent Nominating Petition Rules for 2016, but without the requirement for apartment numbers. There was no second to the motion. There was discussion about the following: candidates potentially disqualified due to an error with their apartment number, uniformity for both sets of 2016 Rules for Designating Petitions and Independent Nominating Petitions, and additional instructions concerning apartment numbers and the matching process for Candidate Records Unit (CRU) staff during the petition process. Commissioner Umane requested to add the word "optional" or "recommended" as a compromise to the apartment number rule. There

was a consensus among the Commissioners to table the Draft Independent Nominating Petition Rules for 2016 until the next meeting.

Mr. Ryan reported on the New York State Assembly Hearing concerning Election Day Operations which was held on December 10, 2015. The State Board testified extensively before the City Board testified. During the City Board's Q&A session, electronic poll books, tablets, municipal employees and students as poll workers, and poll worker split shifts were discussed. It was noted that there was brief discussion on the Board's Proposal concerning the readability of the ballots because that issue was discussed at the previous Assembly Hearing. Mr. Ryan reported that Assembly Member Brian Kavanaugh requested to meet with the Commissioners to have an early conversation about "Instant Run-Off" for the 2017 elections, and requested for potential dates in the future. For informational purposes, Commissioner Umane recommended for the Commissioners to Google "Rob Richie" as a resource for news articles about voting advances around the country.

Mr. Ryan reported on the New York City Council Committee on Governmental Operations Hearing which was held on December 14, 2015. Intro. 302, a Local Law to amend the New York City Charter in relation to additional reporting by the Board of Elections to the Council regarding

performance, was addressed at the Hearing. The Board testified that it is preempted by State Law because the Board is a non-mayoral agency, and by law, the Board issues Annual Reports with all pertinent information. Committee Chair Ben Kallos praised the Board's Annual Report for the length of detailed information.

Commissioner Umane provided an overview of the Commissioners' Finance Committee Report. Commissioners Umane and Flateau had a meeting with Mr. Ryan and Mr. Suss, the Agency Chief Contracting Officer, to review numerous contracts. Two (2) categories of contracts were discussed:

1. The MIS consultant contract renewals have a two (2) year renewal clause, and they are "up to the amount needed" contracts so the Board would have the funds available, if necessary. The Finance Committee was advised that these consultants have done a great job assisting the Board and it is critical to have these consultants to assist the MIS and EVS Departments during the upcoming busy election cycle. They also discussed the possibility of developing the Board's own internal ability for what the consultants achieve in the future.

The three (3) MIS consultant contract costs for the two (2) year renewals are as follows:

- Information Methods Inc – Up to \$495,000
- N-Tier – Up to \$1,130,000
- Sage Smith – Up to \$1,425,000

The Finance Committee recommends renewing these contracts. Commissioner Umame requested for the full Board to adopt the Commissioners' Finance Committee Report. The full Board unanimously adopted the report.

2. The Legal Staffing contract is up for renewal. Two (2) temporary attorneys assist the Board in the petition process and other general legal matters. It was reported by the General Counsel that these temporary attorneys have done a great job in the past. The two (2) year renewal contract is up to \$350,000. The Finance Committee recommends renewing this contract. Commissioner Umame requested for the full Board to adopt the Commissioners' Finance Committee Report. The full Board unanimously adopted the report.

The Commissioners' Finance Committee extensively discussed the trucking contracts, but they are not prepared to report on it yet. Mr. Suss is compiling additional information for the Finance Committee

concerning estimates and various alternatives to deal with the bad performance in Queens this past election. Mr. Ryan reported that the Translation Services Contract and Wave Length Fiber Service are not ready to be reported on yet. Mr. Suss will provide an update for the Commissioners in January 2016 on what to anticipate in the future.

Commissioner Umane moved to convene Executive Session for purposes of personnel. Commissioner Flateau seconded the motion, which was unanimously adopted.

Following Executive Session, the public meeting resumed and Mr. Ryan reported on the following actions taken in Executive Session:

- I. Temporary employees presently on staff will receive notices of termination on Friday, December 18, 2015. Any employees who will be retained, subject to the approval of the Borough Commissioners, will receive notices to return to work the following Monday with an effective pay week of December 20, 2015 through December 26, 2015;
- II. Commissioner Shamoun will serve as the Acting Staten Island Republican Commissioner with respect to personnel because

the Staten Island Republican Commissioner resigned as of last Friday.

Commissioner Umane moved to adjourn the meeting. President Michel seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, December 22, 2015 at 1:30 P.M.