

MEETING OF THE
COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK
HELD ON TUESDAY, NOVEMBER 26, 2013
AT 1:30 P.M.
42 BROADWAY, 6th FLOOR, COMMISSIONERS' HEARING ROOM
NEW YORK, NY 10004

PRESENT: President Frederic M. Umame

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

Michael J. Ryan, Executive Director
Dawn Sandow, Deputy Executive Director
Pamela Perkins, Administrative Manager
Raphael Savino, Deputy General Counsel
John Ward, Finance Officer
Dorothy Delayo, Director, Personnel
Giacomo Kmet, Temporary Contract Attorney, OGC
Anibal Luque, Temporary Contract Attorney, OGC
Kenneth Moltner, Counsel to the Commissioners
Steven B. Denkberg, Counsel to the Commissioners

GUEST: Kevin Ramnaraine, CFB
Kate Doran, LWV
Rachel Fauss, Citizens Union
Rushelle Sharpe, DOI
Lindsey Ramsiella, DOI
Ian Hoffman, Common Cause/NY
Paul Alzate, Common Cause
John D. Smith
Cathy Gray
Michael Benjamin
A.B. Britton, KLC GOP USA
Anna-Maria L. Thomas

President Umane called the meeting to order at 1:43 P.M.

Commissioner Dent moved to approve the minutes from the October 22, 2013, October 29, 2013 and November 12, 2013 meetings. Commissioner Michel seconded the motion, with Commissioner Araujo abstaining on October 22, 2013 minutes. The motion was adopted. Commissioner Araujo noted that he abstained on the October 22, 2013 minutes because he was not present at that meeting.

Mr. Ryan provided a review of the Board's Testimony for the NYC Council Committee on Governmental Operations Hearings which was held on November 21, 2013 concerning proposed legislation affecting the conduct of elections in the City of New York. A copy of the Board's Testimony is in the agenda. Mr. Ryan reported that the City Council's proposed instant run-off voting (IRV) bill is still in the early stages of consideration and the Committee Members had significant questions with respect to the implementation. New York State Assembly Member Brian Kavanagh testified with respect to his proposed IRV bill which is substantially different than the City Council's proposed IRV bill. Mr. Ryan reported that some Committee Members are willing to withdraw their

legislation if the State Legislation addresses the totality of their concerns. The Board offered to work with the City Council with respect to the IRV implementation and made a strong recommendation for an appropriate period of time to be built into the implementation process, if the bill is passed. President Umame reported that Commissioner Kellner's Testimony contained samples of ES&S' IRV ballots currently used in Minneapolis, MN. Issues such as a different vote tabulation process, multiple page ballots, and multiple language requirements have to be considered for this potential implementation in New York City. President Umame reminded that IRV implementation would only be for Run-off Elections in New York City, not in New York State, and there would be an extensive time consuming certification process by the State Board and then by the City Board. Mr. Ryan reported that the City Board's Testimony made it clear that the Board cannot implement IRV with the current voting system without extensive technical and State Board certification changes. Poll Worker training will have to be changed as well. Mr. Savino reported that Commissioner Kellner advocated abolishing the Run-off Election. There would be a required proposal on the ballot for the voters with respect to abolishing the Run-off Election, if the City Council's bill should be passed. Commissioner Shamoun noted that it is a recurring theme that the

electronic voting machine's software prevents certain operations and it needs to be addressed. Mr. Ryan reported that he contacted the vendor ES&S and requested an enhanced and advanced communication with the State Board so the City Board can get their needs met acknowledging that the State Board has the authority to certify any changes to the voting machine's software and hardware for New York City.

Mr. Ryan reported that the New York State Election Commissioners' Association (ECA) Winter Conference is scheduled for January 13, 2014 through January 16, 2014 in Albany, NY. He requested preliminary approval to take the next steps necessary to have staff attend the conference. Once the list of staff members is established, it will be presented to the Commissioners for approval. Commissioner Araujo moved to approve Mr. Ryan's request. President Umame seconded the motion, which was unanimously adopted.

Mr. Ward presented the Comparative Expenditures Report dated November 26, 2013. A copy of the report is in the agenda.

Mr. Ryan requested to add an Executive Session to the agenda for purposes of potential litigation.

President Umane moved to convene an Executive Session for purposes of litigation, which was seconded and unanimously adopted.

Following Executive Session, the open public meeting resumed and President Umane reported the following actions taken in Executive Session:

- I. The Commissioners unanimously granted 420 hours from the Sick Bank to Shanette Brown, an Administrative Assistant in the General Office, for her continued rehabilitation and treatment for significant illness;
- II. The Commissioners voted to continue prior practices regarding payments at poll sites. There was a vote of six (6) in favor (Araujo, Dent, Michel, Rendino, Shamoun, Sipp) and one (1) abstention (Umane). The motion was adopted.

Commissioner Dent moved to adjourn the meeting. President Umane

seconded the motion, which was unanimously adopted.

The next stated meeting of the Commissioners will be held on Tuesday, December 3, 2013 at 1:30 P.M.