

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

MEETING OF THE COMMISSIONERS

* * * * *

WEDNESDAY, OCTOBER 27, 2021

* * * * *

COMMISSIONERS PRESENT:

- LISA DEELEY, CHAIRWOMAN
- AL SCHMIDT, COMMISSIONER
- OMAR SABIR, COMMISSIONER

HELD AT:
Gas Commission Meeting Room
1515 Arch Street, 8th Floor
Philadelphia, Pennsylvania

REPORTED BY: Samantha Clearfield

STREHLOW & ASSOCIATES
COURT REPORTERS - VIDEOGRAPHERS
54 FRIENDS LANE, SUITE 116
NEWTOWN, PENNSYLVANIA 18940
WWW.STREHLOWCOURTREPORTING.COM
(215) 504-4622 FAX (215) 504-7155

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

* * * * *

P-R-O-C-E-E-D-I-N-G-S

* * * * *

CHAIRWOMAN DEELEY: Good morning. I will call to order the October 27, 2021, meeting of the Philadelphia City Commissioners.

First I will preserve the order and decorum of these meetings. Everyone in attendance should be on notice that shouting out or interrupting the proceedings will not be tolerated. Those who violate this will be asked to leave.

The Sunshine Act permits anyone attending a public meeting to object to a perceived violation at any time during the meeting.

If you chose to do so, please succinctly state your objection. Objecting is not an opportunity for speech making.

We will now move to public comment. Commenters shall state where they live or, if they are not a resident of Philadelphia, that

1 with this step, which caused a delay in the
2 set up of your machines. I also mentioned
3 that one of our machines had to be rebooted
4 and that the instruction guide didn't have
5 instructions for replacing the yellow seal.

6 Specifically how to get a new one, how
7 to replace it and how to record it's number.
8 I also reported that the Judge of Elections in
9 my polling place chose not to install their
10 yellow seal and recommend that my division do
11 the same.

12 In order to make it easier for us
13 should we need to reboot our machines, which
14 is a pretty common occurrence with the
15 machines, I noticed that the recently revised
16 training guide still does not have the
17 necessary information.

18 So I am concerned that the confusion,
19 delays and lack of security I observed with
20 polling communication will happen again.

21 I am wondering what can be done by the
22 Board before next week's election so that poll
23 workers correctly and consistently seal the
24 compartments whether a machine needs to be

1 rebooted or not.

2 CHAIRWOMAN DEELEY: Thank you. Anyone
3 else here for public comment, please step
4 forward.

5 MR. GARELLA: Good morning,
6 Commissioners. My name is Rich Garella. I'm
7 with Protect Our Vote Philly and I'm a
8 resident of Philadelphia.

9 Last May, this Board or I should say
10 two members of this Board voted and this Board
11 ultimately decided to disenfranchise 1,400
12 Philadelphia voters simply because they didn't
13 put the date on their declaration envelope,
14 which is a really meaningless piece of
15 information.

16 They did this apparently based on
17 improper and incorrect advice from the State
18 Department and from whatever else might have
19 been advising them saying that the Supreme
20 Court decided that those dates were necessary
21 for votes to be counted in the future.

22 That's a Supreme Court opinion that has
23 never been made. A Supreme Court ruling that
24 has never been made.

1 We don't know what the Supreme Court
2 would decide if it did that case again. So
3 we're urging you this time to decide not to
4 segregate the ballots beforehand and to not
5 disenfranchise any voters who simply fail to
6 put the date on their ballots.

7 If indeed anyone complains about that,
8 the courts can decide it. This Board should
9 not pre-empt the court's decision and chose to
10 disenfranchise Philadelphia voters as it did
11 last time. Thank you.

12 CHAIRWOMAN DEELEY: Thank you. Anyone
13 else here for public comment? Hearing none,
14 we'll now proceed to the report from Secretary
15 Commissioner Omar Sabir for emailed public
16 comments.

17 COMMISSIONER SABIR: Good morning.
18 There were no emailed public comments.

19 CHAIRWOMAN DEELEY: Thank you. We will
20 now proceed to old business with a report from
21 Executive Director Joe Lynch.

22 Joe Lynch is unable to make it today
23 because he's working to prepare for the
24 election. He has prepared the Executive

1 Director report and it will read by Supervisor
2 of Elections Garrett Dietz. Hi Garrett.

3 MR. DIETZ: Hi Commissioner, good
4 morning. I'll be stepping in for Joe and
5 giving the Sunshine Report from our various
6 units.

7 I'll start with the Voter Registration
8 Report from Kevin Richardson.

9 For the election cycle to date, we have
10 processed 97,663 applications of which 8,641
11 were paper. All applications are up to date.

12 The Data Unit is working on pulling the
13 deceased from the dupe room.

14 The Imaging Unit is working on
15 processing electronic applications coming in
16 from other counties and pulling deceased in
17 the dupe room.

18 Correspondence is working on pulling
19 deceased.

20 Documents Unit is working on ID cards.

21 All polling places have been entered
22 into SURE and the ID cards have been printed
23 and labeled and mailed out.

24 Continue to the Election Board report

1 from Gina Fields.

2 Last week, we had 265 people come out
3 to the CORA Center for in-person training.
4 Overall 2,090 poll workers attended in-person
5 training for this election, 1,241 people
6 attended online training.

7 Total confirmed Board workers working
8 this election is 6,018. Another 550 -- the
9 Election Board unit left messages for that
10 haven't been returned yet and they've
11 confirmed 1,428 that they are not working this
12 election.

13 The Election Board is doing make up
14 classes Wednesday at CORA Training Center,
15 Friday at the United Lutheran Seminary,
16 Saturday at West Philadelphia High School and
17 Sunday at South Philadelphia High School.

18 The next report is from the Polling
19 Place Unit from Charles Stroman. The
20 following six polling place emergency
21 relocations were submitted and approved by
22 court order on October 26, 2021 and will
23 effect the general election that will be held
24 on November 2, 2021.

1 In the 41st Ward, the 18th, 19th, 20th
2 and 22nd divisions have all been relocated
3 from the Lutheran Church of Good Shepherd at
4 7234 Erdrick Street to the Forrest Little
5 Schoolhouse at 7300 Cottage Street. The
6 reason for the relocation is refusal by the
7 owner.

8 In the 42nd Ward, the 6th and 22nd
9 divisions have both been relocated from the
10 Wyoming Branch Library at 231 East Wyoming
11 Avenue to the Feltonville Intermediate School
12 at 238 East Wyoming Avenue. The reason for
13 the relocation is the elevator is inoperable
14 and will not be repaired in time for election
15 day and therefore the library is not
16 handicapped accessible. All polling place
17 changes are court ordered.

18 Next I'll give my report from the
19 County Board of Elections. As of yesterday,
20 we have approved 110,275 vote-by-mail
21 applications. Of those, 68,767 are paper
22 applications and 41,508 are electronic
23 applications. This is including permanent
24 ballot voters who applied in the primary and

1 replacement ballots requested by voters.

2 Ballot application processing is
3 up-to-date through yesterday's ballot
4 application deadline.

5 Starting today, emergency absentee
6 applications and ballots are available at 140
7 City Hall. Voters are only eligible for
8 emergency absentee ballots if they are unable
9 to attend their polling place due to an
10 unexpected absence from the municipality,
11 illness, or physical disability.

12 By law, voters are only eligible for an
13 emergency absentee ballot if they did not know
14 that they would not be able to attend their
15 polling place until after yesterday's standard
16 ballot application deadline.

17 Our City Hall site is still open to
18 print replacement ballots for those who have
19 already applied and to drop off voted ballots.
20 We will continue to be open Monday through
21 Friday, 9 to 5 and until 8p.m. on election
22 day.

23 The last report from the warehouse from
24 John Hansbury (ph). They are sending the last

1 506 ballots today from all the applications
2 that we processed yesterday.

3 As far as voted ballots inbounds,
4 48,406 ballots have been returned. Of those,
5 44,342 are from USPS, 984 are from City Hall
6 office ballot bin, 2,990 from drop boxes, 27
7 from mobile events and 72 ballots given
8 directly to staff.

9 Of those 48,406 received ballots, we
10 believe 47,887 are valid so far.

11 And that is my report.

12 CHAIRWOMAN DEELEY: Thank you, Garrett.
13 I want to take this time to thank you and your
14 staff in 142 for really doing a great job
15 being the only satellite office this election.
16 We appreciate that and all the other things
17 that you're doing in addition. So thank you.

18 We will now proceed to new business and
19 I have a few motions. I motion that we
20 approve the Joint Emergency Regulations
21 Concerning Rules and Guidelines for COVID-19
22 safety at polling sites on election day.
23 November 2, 2021.

24 A document that has been posted on

1 Philadelphiavotes.com and is available at the
2 public comment table as to the polling place
3 health and safety guidelines for the
4 2021 general and special election.

5 COMMISSIONER SCHMIDT: Second.

6 CHAIRWOMAN DEELEY: All in favor?

7 COMMISSIONER SABIR: Aye.

8 CHAIRWOMAN DEELEY: Aye.

9 COMMISSIONER SCHMIDT: Aye.

10 CHAIRWOMAN DEELEY: Motion passes. I
11 also motion that we approve the November 2021
12 absentee and mail-in application challenge
13 procedures document that has been posted on
14 Philadelphiavotes.com and is available at the
15 public comment table as the challenge
16 procedures for the absentee and mail-in
17 ballots and applications for the 2021 general
18 and special election.

19 COMMISSIONER SCHMIDT: Second.

20 CHAIRWOMAN DEELEY: I vote aye.

21 Commissioner Schmidt?

22 COMMISSIONER SCHMIDT: Aye.

23 CHAIRWOMAN DEELEY: Commissioner Sabir?

24 COMMISSIONER SABIR: Aye.

1 CHAIRWOMAN DEELEY: The motion carries.

2 I motion that we approve the 2021
3 general election ballot canvas procedures
4 document that has been posted on
5 Philadelphiavotes.com and is available at the
6 public comment table as the procedures which
7 absentee and mail-in ballot receipt and
8 sorting, the absentee ballot and mail-in
9 ballot pre-canvas and canvas, the ExpressVote
10 XL pre-canvas and the rules for pre-canvas and
11 canvas of the 2021 general and special
12 election are to be conducted.

13 COMMISSIONER SCHMIDT: Second.

14 CHAIRWOMAN DEELEY: I vote aye.

15 Commissioner Schmidt?

16 COMMISSIONER SCHMIDT: Aye.

17 CHAIRWOMAN DEELEY: Commissioner Sabir?

18 COMMISSIONER SABIR: Aye.

19 CHAIRWOMAN DEELEY: The motion carries.

20 I motion that we authorize and deputize
21 the Philadelphia Board of Elections staff to
22 prepare for and conduct a pre-canvas and
23 canvas of the absentee and mail-in ballots at
24 the Philadelphia ballot processing center.

1 The absentee and mail-in -- I'll start over.

2 I motion that we authorize and deputize
3 the Philadelphia Board of Election staff to
4 prepare for and conduct a pre-canvas and
5 canvas of absentee and mail-in ballots at the
6 Philadelphia ballot processing center. The
7 absentee and mail-in pre-canvas is to begin on
8 election day at 7:00 a.m. and is to be
9 conducted in accordance with the Board's
10 historical practices and procedures,
11 procedures approved here today, the election
12 code and other applicable law.

13 The absentee and mail-in canvas is to
14 begin on or after 8 p.m. on election day and
15 is to be conducted in accordance with the
16 Board's historical practices and procedures,
17 procedures approved here today, the election
18 code and other applicable law.

19 The canvas is to begin on Friday,
20 November 5, 2021 at 9:00 a.m.

21 Philadelphia Board of Elections staff
22 shall take an oath prior to conducting the
23 pre-canvas administered by the Board's
24 executive director and prior to conducting the

1 canvas administered by the Board.

2 COMMISSIONER SCHMIDT: Second.

3 CHAIRWOMAN DEELEY: I vote aye.

4 Commissioner Schmidt?

5 COMMISSIONER SCHMIDT: Aye.

6 CHAIRWOMAN DEELEY: Commissioner Sabir?

7 COMMISSIONER SABIR: Aye.

8 CHAIRWOMAN DEELEY: The motion carries.

9 COMMISSIONER SCHMIDT: Madam Chair, I
10 have a motion -- it's been the policy of this
11 department that all employees and the
12 commissioners office, civil servants, exempt
13 employees and the commissioners are required
14 to submit outside employment request forms.

15 The policy follows the Mayor's
16 executive order on outside employment and
17 self-employment. Since all departmental
18 employees are required to submit outside
19 employment request forms, I move that any
20 exempt employees who fail to submit the
21 request form on an annual basis by
22 October 31st of each year also be
23 automatically separated, be automatically
24 separated on November 1st.

1 I would add that to my knowledge all
2 employees are currently in compliance with
3 this and I would make a motion that we
4 formally adopt it by this Board.

5 CHAIRWOMAN DEELEY: Second.

6 COMMISSIONER SABIR: Madam Chair, if I
7 may. I'm in favor of the motion, however, I
8 would request that we have some training along
9 with this motion, the same thing we had
10 before.

11 Ethics provides training when it comes
12 to our forms, income and employment. Also 30
13 days prior to October the 31st that a reminder
14 can come up from human resources to our staff
15 to remind them about the form.

16 My vote is aye. I'm in favor.

17 CHAIRWOMAN DEELEY: Motion carries. I
18 vote aye. Commissioner Schmidt?

19 COMMISSIONER SCHMIDT: Aye.

20 CHAIRWOMAN DEELEY: Commissioner Sabir?

21 COMMISSIONER SABIR: Aye.

22 CHAIRWOMAN DEELEY: The motion carries.

23 Commissioner Schmidt, do you any items
24 to add to today's agenda?

1 COMMISSIONER SCHMIDT: I do not, Madam
2 Chair.

3 CHAIRWOMAN DEELEY: Commissioner Sabir,
4 do you have any items to add to today's
5 agenda?

6 COMMISSIONER SABIR: No.

7 CHAIRWOMAN DEELEY: With no items
8 remaining on the agenda, this meeting is
9 adjourned to the call of the Chair.

10 Thanks everybody.

11 * * * * *

12 (Whereupon the meeting concluded at 11:16 a.m.)

13 * * * * *

14

15

16

17

18

19

20

21

22

23

24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

C E R T I F I C A T I O N

I hereby certify that the proceedings and evidence noted are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter, and that this is a correct transcript of the same.

Court Reporter-Notary Public

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the certifying reporter.)

