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- - -
November 12, 2021
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COMMISSIONERS PRESENT:
LISA DEELEY, CHAIRWOMAN
AL SCHMIDT, COMMISSIONER
OMAR SABIR, COMMISSIONER

HELD AT:
City Commissioners Office
240 Spring Garden Street
Philadelphia, PA 19123

REPORTED BY: Patricia Slater
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PROCEEDINGS

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CHAIRWOMAN DEELEY: Good

morning.

I call the November 8, 2021 meeting at of the Return for 2021 General and Special Election to order.

First, I will preserve the ordered and decorum of these meetings. Everyone in attendance should be on notice that shouting out or interruption 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 choose to do so, please succinctly state your objection, objection is not an opportunity for speech making.

1 We will know move to public
2 comment.

3 Commenter's shall state
4 where they live, or if they are
5 not a resident of Philadelphia,
6 that they are a Philadelphia
7 taxpayer. Public comment is not
8 an opportunity for dialogue or
9 Q&A, it is public comment; a
10 chance for you to tell us you
11 think. Each speaker shall have
12 two minutes. However, I may
13 extend this time at my discretion.

14 All public comments must be
15 relevant or germane to board
16 business.

17 Finally, is it is my
18 responsibility to preserve the
19 order and decorum of the meetings.
20 As such, profane, slanderous, or
21 discriminatory or personal attacks
22 will not be tolerated.

23 Anyone here looking to make
24 a statement or argument on a

1 particular category of mail
2 ballots, please hold off until
3 that part of the meeting.

4 We will now move to
5 secretary -- if anyone is here for
6 public comment, please come up at
7 this time.

8 (No response.)

9 CHAIRWOMAN DEELEY: Hearing
10 none.

11 We will now move to
12 Secretary Commissioner Sabir for
13 e-mail public comment.

14 COMMISSIONER SABIR: Good
15 morning.

16 We have received no e-mail
17 public comments.

18 CHAIRWOMAN DEELEY: No public
19 comments.

20 We will proceed to new
21 business.

22 Garrett Dietz will present
23 on the mail ballot deficiency
24 determination.

1 MR. DIETZ: Good morning,
2 Commissioners.

3 CHAIRWOMAN DEELEY: Good
4 morning, Garrett.

5 MR. DIETZ: I have five
6 categories for you today for
7 review for absentee and mail-in
8 ballots.

9 The first category we have,
10 the completely blank declaration
11 envelope. There is no writing
12 writing present.

13 We have 108 ballots in this
14 category.

15 CHAIRWOMAN DEELEY: 108?

16 MR. DIETZ: Yes.

17 CHAIRWOMAN DEELEY: I vote
18 to not count.

19 Commissioner Schmidt?

20 COMMISSIONER SCHMIDT: I vote
21 to not count.

22 CHAIRWOMAN DEELEY:
23 Commissioner Sabir?

24 COMMISSIONER SABIR: I vote

1 to not count.

2 CHAIRWOMAN DEELEY: With
3 those votes, blank declaration
4 envelopes will not be counted.

5 MR. DIETZ: The next
6 category is declarations where it
7 is missing a signature, but the
8 date is present. There are 15
9 ballots in this category.

10 CHAIRWOMAN DEELEY: Is there
11 anyone here who would like to
12 offer argument on a missing
13 signature?

14 (No Response.)

15 CHAIRWOMAN DEELEY: Hearing
16 none.

17 I vote to not count.

18 COMMISSIONER SCHMIDT: I
19 vote to not count.

20 COMMISSIONER SABIR: I vote
21 to not count.

22 CHAIRWOMAN DEELEY: Those
23 votes will not be counted.

24 MR. DIETZ: The next category

1 I have is where the ballots were
2 not enclosed in the secrecy
3 envelop, and I have 515 ballots in
4 this category.

5 CHAIRWOMAN DEELEY: Is there
6 anyone here who would like to
7 offer argument on the ballots not
8 enclosed in secrecy envelop
9 category?

10 COMMISSIONER SABIR: Madam
11 Chair, yes.

12 For clarity, are the ballots
13 included in the unsealed secrecy
14 envelopes or not in the secrecy
15 envelopes at all?

16 MR. DIETZ: They were
17 outside the secrecy envelopes.

18 CHAIRWOMAN DEELEY: Thank
19 you.

20 COMMISSIONER SABIR: Thank
21 you.

22 CHAIRWOMAN DEELEY: So it is
23 has been well documented my
24 feelings on this secrecy envelop

1 issue. And, you know, I believe
2 that one day either the law will
3 change or a court will determine,
4 but until that time I will still
5 vote to count the secrecy
6 envelope, because I do believe it
7 should be counted.

8 Commissioner Schmidt?

9 COMMISSION SCHMIDT: While I
10 would like to count those votes
11 and would have advocated several
12 times per the legislature that we
13 be permitted to do it, the law in
14 my opinion is very clear we are
15 not able to count ballots not
16 enclosed in a secrecy envelope.

17 I vote to not count.

18 CHAIRWOMAN DEELEY:

19 Commissioner Sabir?

20 COMMISSIONER SABIR: I vote
21 to not count.

22 CHAIRWOMAN DEELEY: The votes
23 in the secrecy envelope will not
24 be counted.

1 MR. DIETZ: The next
2 category I have is, rather than a
3 signature we have a mark of a
4 voter on the right side of the
5 declaration envelope, but
6 unfortunately it is missing the
7 signature or information of a
8 witness.

9 CHAIRWOMAN DEELEY: Is there
10 anyone here who would like to
11 offer argument on the mark of a
12 voter affixed on the right side of
13 declaration envelope missing
14 signature of witness?

15 COMMISSIONER SABIR: Yes,
16 Madam Chair.

17 If I may?

18 CHAIRWOMAN DEELEY: Yes.

19 COMMISSIONER SABIR: Is the
20 mark possibly the voters signature
21 or an unrecognizable marking?

22 MR. DIETZ: We checked their
23 voter registration in all cases.
24 There is only three in this

1 category.

2 We check their voter
3 registration and it is clearly not
4 their signature on file, so
5 therefore we believe it's a mark.

6 CHAIRWOMAN DEELEY: Thank
7 you. I vote to not count.

8 COMMISSIONER SCHMIDT: I
9 vote to not count.

10 COMMISSIONER SABIR: I vote
11 to not count.

12 CHAIRWOMAN DEELEY: Those
13 votes will not be counted.

14 MR. DIETZ: And our last
15 category is where the declaration
16 ballot was filled out by somebody
17 other than the voter, where it's
18 clear that the name signed is not
19 the voter that was issued to. And
20 we have 30 in this category.

21 CHAIRWOMAN DEELEY: Is there
22 anyone here who would like to
23 offer argument on a sign by an
24 individual other than the voter

1 category.

2 (No response.)

3 CHAIRWOMAN DEELEY: Hearing
4 none, I vote to not count.

5 COMMISSIONER SCHMIDT: I
6 vote to not count.

7 COMMISSIONER SABIR: I vote
8 to not count.

9 CHAIRWOMAN DEELEY: Those
10 votes will not be counted.

11 CHAIRWOMAN DEELEY:
12 Commissioner Schmidt, do you have
13 items to be added to the agenda?

14 COMMISSIONER SCHMIDT: I do
15 not.

16 CHAIRWOMAN DEELEY:
17 Commissioner Sabir, do you have
18 items to be added to the agenda?

19 COMMISSIONER SABIR: No, I
20 do not.

21 CHAIRWOMAN DEELEY: There are
22 no new items on the agenda.

23 Thank you.

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(Whereupon, the hearing
concluded at or about 9:53 a.m.)

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CERTIFICATE

I, hereby certify that the proceedings is a true record of the testimony given by the witness.

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.)