

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Board Meeting
5-3-2021

THIS MEETING WAS HELD VIA TELECONFERENCE IN ACCORDANCE WITH
H.B. 197, 133rd G.A. §12 (2020)

Attending:

Jeff Hastings, Chairman
Inajo Davis Chappell, Board Member / via teleconference
Lisa M. Stickan, Board Member
David Wondolowski, Board Member
Anthony W. Perlatti, Director
Tony Kaloger, Deputy Director

Mark R. Musson, Assistant Prosecutor, Cuyahoga County / via teleconference
Mary Bejjani, Clerk to the Board
Linda Walker, Clerk to the Board

The Cuyahoga County Board of Elections Meeting began at 9:32 a.m. Hereinafter referred to as the CCBOE/Board.

Chairman Hastings noted that all Board Members were in attendance, and Board Member Davis Chappell was present via video conference.

Agenda Item 1: Approval of the minutes from the March 30, 2021, and April 5, 2021, Board Meetings.

Chairman Hastings moved to approve the minutes from the March 30, 2021, and April 5, 2021, Board Meetings. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 2: Certification of the Post-Election Audit for the March 16, 2021, Mayfield Village Election.

Brian Cleary, Ballot Department Manager, presented information from the Board packet concerning the post-election audit for the March 16, 2021, Mayfield Village Election.

Chairman Hastings moved to certify the post-election audit for the March 16, 2021, Mayfield Village Election. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 3: Approval to outsource the printing and mailing of Vote-by-Mail ballots for the August 3, 2021, 11th Congressional Special Primary Election.

¹ Narrative that is underlined in the CCBOE minutes relates to a motion that was acted on by the Board.

Chairman Hastings moved to approve to outsource the printing and mailing of Vote-by-Mail ballots for the August 3, 2021, 11th Congressional Special Primary Election. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 4: Preliminary approval of the ballot order for the August 3, 2021, 11th Congressional Special Primary Election.

Chairman Hastings moved to approve the preliminary ballot order for the August 3, 2021, 11th Congressional Special Primary Election. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 5: Acknowledgement of Appointment to Elected Office

Chairman Hastings moved to acknowledge the appointment to Elected Office. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 6: Acknowledgement of Candidate Withdrawals

Chairman Hastings moved to acknowledge candidate's withdrawals. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 7: Preliminary authorization for the allocation of voting booths for the August 3, 2021, Special & 11th Congressional Special Primary Election. Allocation quantities are based on Social Distancing and room size per polling location. A total of 2405 voting booths will be allocated + 486 DS200 precinct scanners + 159 ADA AutoMark voting units and 649 Electronic Poll books.

Chairman Hastings moved to approve preliminary authorization for the allocation of voting booths for the August 3, 2021, Special & 11th Congressional Special Primary Election. Allocation quantities are based on Social Distancing and room size per polling location. A total of 2405 voting booths will be allocated + 486 DS200 precinct scanners + 159 ADA AutoMark voting units and 649 Electronic Poll books. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 8: Approval to Award a Contract with Berman Moving and Storage to provide services for the Delivery and Return of Voting Equipment for all Elections occurring between May 16, 2021, through May 2, 2022, in the amount not-to-exceed \$107,844.00.

Chairman Hastings moved to approve to award a contract with Berman Moving and Storage to provide services for the Delivery and Return of Voting Equipment for all Elections occurring between May 16, 2021, through May 2, 2022, in the amount not-to-exceed \$107,844.00. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 9: Approval to Purchase Supplemental Equipment—Additional Five (5) Agilis Inbound Mail Sorting Stackers from Runbeck Election Services, a Sole-Source Provider, in the amount not-to-exceed \$131,500.00, utilizing Center for Tech and Civic Life (CTCL) Grant Funding.

Chairman Hastings moved to approve the purchase of supplemental equipment—an additional five (5) Agilis Inbound Mail Sorting Stackers from Runbeck Election Services, a sole-source provider, in the amount not-to-exceed \$131,500.00, utilizing Center for Tech and Civic Life (CTCL) Grant Funding. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 10: Approval of Vouchers

Chairman Hastings moved to approve vouchers. Board Member Wondolowski seconded. The motion passed unanimously.

Board Member Davis Chappell requested the CCBOE meeting minutes reflect staff's follow-up on a request that Board Member Wondolowski made regarding the CCBOE's award of a contract to Tenex Software Solutions for an Election Asset Inventory Management Software System. Board Member Wondolowski's request was in response to an assertion made at the "public comments" portion of a previous CCBOE meeting that the award of this contract was not pursuant to Ohio's bidding requirements for a public agency. Board Member Wondolowski noted that Director Perlatti's investigation and following explanation make it clear the CCBOE followed Ohio's bidding requirements when it awarded this contract to Tenex.

Director Perlatti read the following summary:

"Tenex Election Asset Inventory Management Software System (AIM): In 2019, the Cuyahoga County Board of Elections (CCBOE) sought to procure a software product to maintain inventory of various election supplies and equipment, to electronically track the distribution and return of equipment, and keep equipment maintenance records in a single software program.

At the Secretary of State 2019 Summer Conference, attending CCBOE staff and Director Perlatti engaged in conversations with vendors about their inventory software products. Following this conference, CCBOE staff held individual informational meetings at the BOE office with multiple vendors to learn more about the inventory systems. With the information learned from the vendors, CCBOE staff created the specifications to be included in a Request for Bids (RFB). Former CCBOE Fiscal Officer, Sheila McNea, incorporated the specifications into RFB #47082 that was released on October 20, 2019.

The CCBOE received bids from four (4) vendors by the November 1, 2019 bid deadline. Bids were received from Easyvote Solutions, Konnech, Inc., Tenex Software Solutions, and Wireless Data Solutions. The bids submitted by Easyvote Solutions and Konnech, Inc. were at a lower cost than Tenex Software Solutions. After carefully reviewing the bids, CCBOE staff found that the two (2) lowest bids were not representative to all the specifications outlined in the RFB. Specifically, both bidders did not meet the requirement in the "General" section, Item #4, "Accept input from PC, by IOS, or by Android mobile phone/tablet". Neither software system from the lowest bidders was programmed to accept input by IOS. Our Election and Compliance Administrator at the time, Tony Kaloger, contacted both vendors and confirmed their systems were not able to accept input by IOS at that point in time. Mr. Kaloger also spoke to references provided by both vendors who confirmed the systems inability to accept input by IOS. This requirement is necessary for the software product to not limit the devices available for use by the CCBOE. Especially important is the ability to use the software with the iPads owned by the CCBOE.

Based on the information above the CCBOE deemed Tenex's bid to be the lowest bid responsive to all specifications outlined in the RFB. The bid from Wireless Data Solutions was cost prohibitive.

The RFB was not modified once it was released on October 20, 2019. If either Easyvote Solutions or Konnech, Inc's products been able to meet the RFB specification to accept input by IOS, they would have been awarded the contract."

Agenda Item 11: Approval of Personnel Agenda

Chairman Hastings moved to approve the personnel agenda as presented in the Board Packet. Board Member Wondolowski seconded. The motion passed unanimously.

Director Perlatti advised the Board that there will be job postings for the Elections Officials Assistant Manager, Ballot Assistant Manager, and Registration Assistant Manager positions.

NEW BUSINESS

- Director Perlatti provided an update on the May 4, 2021, Primary Election. Early voting closes at 2:00 p.m. today, and 40 people voted over the weekend for a total of 194 early In-Person voters. The Vote-by-Mail deadline was at noon on Saturday, May 1, 2021. On Saturday, the CCBOE received 50 requests for ballot applications, and those ballots were issued. There have been 14,326 Vote-by-Mail ballots that have been returned. The CCBOE has 100% of the Precinct Election Officials trained, including stand-by workers. This is the first election the electronic timesheets will be utilized for processing Election Day Officials payroll. The electronic payroll process will require fewer resources and allow the CCBOE to process the payroll quicker. The delivery of Election Day equipment is being completed by Berman's. The Emergency Management Command Center will be up and running for Election Day. The Halle Building is ready for Election night processes.
- Deputy Director Kaloger provided an update on the new voting equipment acquisition. Last Thursday, the Voting Equipment acquisition selection committee along with Board Members' Davis Chappell and Stickan conducted Zoom calls with tabulation vendors, Clear Ballot, ESS, and Hart. The purpose of each call was to receive an update on the certification process for the new software and/or hardware updates which included determining where each vendor was at with laboratory testing, EAC certification, and approval from the SOS' Office. Specifically, inquiring what equipment and software will be available when the CCBOE makes its equipment purchase later this year. Each of the Vendors also provided written information regarding these matters. Discussion also focused on the challenges other County Boards of Elections, were addressing as to the functionality of a particular vendors equipment. The next step in the selection process is the Mock Election scheduled for Thursday, May 27, 2021. The mock election will occur in two sessions. A morning session will include election day workers and election official trainers. The session for this group will consist of the set-up and tear down of the election equipment. At the conclusion of the demonstrations, participants will be asked to complete a survey. For the second session, the CCBOE will invite voter advocacy groups, elected officials, and the public. This group will also be asked to complete a user survey. The invitations will be going out at the end of this week. The committee plans to arrange a meeting time with Board Members' Davis Chappell and Stickan to discuss final details.
- Director Perlatti stated that Tuesday, May 4, 2021, is the filing deadline for the August 3, 2021, Special & 11th Congressional Special Primary Election. So far, there have been four (4) Democratic candidates who have turned in petitions, and one Republican candidate. All these candidates have

submitted enough valid signatures to appear on the ballot. He also noted the write-in deadline and independent deadline filing dates are approaching.

PUBLIC COMMENT

Reverend Pamela M. Pinkney provided public comments regarding several items on the Agenda.

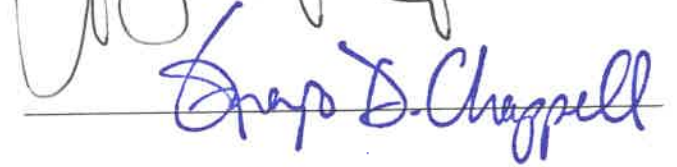
Chairman Hastings moved to recess at 9:59 a.m. Board Member Wondolowski seconded. The motion passed unanimously.

Certification: I have reviewed the above minutes and certify that they are an accurate summary of the actions taken by the Cuyahoga County Board of Elections at its meeting held on **May 3, 2021**.

Jeff Hastings, Chairman

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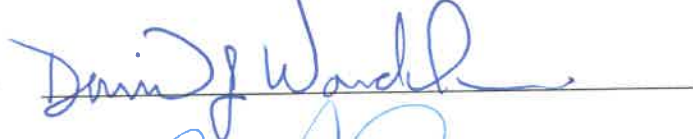
Inajo Davis Chappell, Board Member

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Lisa M. Stickan, Board Member

A handwritten signature in blue ink, appearing to be 'Lisa M. Stickan', written over a horizontal line.

David J. Wondolowski, Board Member

A handwritten signature in blue ink, appearing to be 'David J. Wondolowski', written over a horizontal line.

Anthony Perlatti, Director

A handwritten signature in blue ink, appearing to be 'Anthony Perlatti', written over a horizontal line.