

CITY OF CRANSTON
BOARD OF CANVASSERS
Regular Meeting of May 26, 2023 – OFFICIAL MINUTES

The Cranston Board of Canvassers met on May 26, 2023, in a meeting advertised in accordance with the Rhode Island Open Meetings Act on May 23, 2023. In the absence of a chairperson, the meeting was called to order by the Registrar, Nicholas Lima, at 3:01 p.m. It was held in Council Chambers, Third Floor, at Cranston City Hall.

MEMBERS PRESENT: James Donahue, Quilcia Moronta

MEMBERS ABSENT: Jeffrey Barone (Board Alternate)

NON-MEMBERS PRESENT: Nicholas Lima (Registrar / Director of Elections), Kirk McDonough (Board Alternate), Members of the Public

The Registrar declared a quorum present.

AGENDA

- I. CALL TO ORDER BY THE REGISTRAR (NO VOTES TAKEN)
- II. OATH OF OFFICE OF NEW BOARD MEMBERS (NO VOTES TAKEN)
- III. NOMINATIONS FOR CHAIRPERSON (VOTES MAY BE TAKEN)
- IV. ELECTION OF CHAIRPERSON (VOTES MAY BE TAKEN)
- V. PUBLIC ACKNOWLEDGEMENTS – CHAIRPERSON (NO VOTES TAKEN)
- VI. APPROVAL OF THE AGENDA (VOTES MAY BE TAKEN)
- VII. APPROVAL OF MINUTES OF PRIOR MEETINGS – 3-22-2023 (VOTES MAY BE TAKEN)
- VIII. PUBLIC COMMENT (VOTES MAY BE TAKEN)
- IX. OLD BUSINESS - NONE
- X. NEW BUSINESS
 - A. THE BOARD MAY DISCUSS AND DECIDE TO FIX A DATE AND/OR ALTERNATE DATES FOR THE CRANSTON CITY COUNCIL WARD 6 SPECIAL PRIMARY AND SPECIAL ELECTION, FOR SUBMISSION TO THE RHODE ISLAND BOARD OF ELECTIONS FOR APPROVAL (VOTES TO BE TAKEN)
- XI. UPDATES FROM THE REGISTRAR (ALL ITEMS FOR INFORMATIONAL PURPOSES ONLY; NO VOTES TO BE TAKEN)
 - A. NCOA ADDRESS UPDATE PROJECT
 - B. STATUS OF BOARD OF CANVASSERS-SUPPORTED LEGISLATION IN THE RHODE ISLAND GENERAL ASSEMBLY
 - C. REVIEW OF UPCOMING BOARD OF CANVASSERS SEMINARS, EVENTS, AND THE 2023-2024 DRAFT ELECTIONS CALENDAR
- XII. ADJOURNMENT (VOTES MAY BE TAKEN)

OATH OF OFFICE OF NEW BOARD MEMBERS (NO VOTES TAKEN)

Mr. Lima administered the Oath of Office to James Donahue and Kirk McDonough. Mr. Lima said there are two original copies of the oaths; one is presented to the Board member, and the other is retained as a permanent record of the Board of Canvassers in accordance with state law. Mr. Lima said he would notarize them once the members have had a chance to sign them.

NOMINATIONS FOR CHAIRPERSON (VOTES MAY BE TAKEN)

Mr. Donahue indicated he was willing to serve as chairperson. Mr. Lima asked for any nominations three times in accordance with *Robert's Rules of Order*. Hearing no further nominations, Mr. Lima declared the nomination period closed.

ELECTION OF CHAIRPERSON (VOTES MAY BE TAKEN)

Mr. Lima said Mr. Donahue is the only nomination for Board chair. He called for a roll call vote on the election of James Donahue as chairperson of the Cranston Board of Canvassers.

PASSED ROLL CALL VOTE – 2-0 – Ms. Moronta and Mr. Donahue voting aye.

Mr. Lima declared Mr. Donahue elected as chair, and passed the gavel to Chairman Donahue to conduct the remainder of the meeting.

PUBLIC ACKNOWLEDGEMENTS – CHAIRPERSON (NO VOTES TAKEN)

Mr. Donahue thanked Mr. Lima and asked if any of the members had public acknowledgements. There were none.

APPROVAL OF THE AGENDA (VOTES MAY BE TAKEN)

Mr. Donahue asked for a motion to approve the agenda as posted.

MOTION: By Ms. Moronta and seconded by Mr. Donahue to approve the agenda as posted.

PASSED ROLL CALL VOTE – 2-0 – Ms. Moronta and Mr. Donahue voting aye.

APPROVAL OF MINUTES OF PRIOR MEETINGS – 3-22-2023 (VOTES MAY BE TAKEN)

Mr. Donahue asked for a motion to approve the minutes.

MOTION: By Ms. Moronta and seconded by Mr. McDonough to approve the agenda as posted.

FAILED ROLL CALL VOTE – 1-0 – Ms. Moronta voting aye. Mr. Donahue abstained.

Mr. Donahue asked Mr. Lima if he could vote on the minutes as he was not present or a member of the Board at the time. Mr. Lima explained that the act is purely ministerial and that if he were to abstain, there would not be a quorum of the Board remaining to approve the minutes.

PASSED ROLL CALL VOTE – 2-0 – Ms. Moronta and Mr. Donahue voting aye.

PUBLIC COMMENT (VOTES MAY BE TAKEN)

Mr. Donahue asked if this item was just for docketed items. Mr. Lima said in the past, there have not been limits placed, but that is up to the Board to decide going forward. There were no members of the public present who appeared to speak.

OLD BUSINESS - NONE

Mr. Donahue said there are no old business items posted on this agenda.

NEW BUSINESS

A. THE BOARD MAY DISCUSS AND DECIDE TO FIX A DATE AND/OR ALTERNATE DATES FOR THE CRANSTON CITY COUNCIL WARD 6 SPECIAL PRIMARY AND SPECIAL ELECTION, FOR SUBMISSION TO THE RHODE ISLAND BOARD OF ELECTIONS FOR APPROVAL (VOTES TO BE TAKEN)

Mr. Donahue asked Mr. Lima to present his report. Mr. Lima said he has been in regular communication with the state Board of Elections and Secretary of State's office. He said there was a serious shooting incident outside of the BOE office this week, and there office is currently closed. Although their staff are unharmed, the building was struck by gunfire during the workday. Despite this the BOE staff were able to get Mr. Lima two draft calendars for the special primary and special election, providing options for primary dates of Aug. 8 and Sept. 5, and special election dates of Sept. 5 or Oct. 3.

Mr. Lima said he had multiple concerns about the earlier option. He said the General Assembly plans to wrap up its session by June 16, and there are multiple bills currently pending that would change how special elections are conducted, what dates they may be set for, how mail ballot applications work, whether voters need to disaffiliate, and how mail ballot drop boxes work, among other bills. Many of these have a strong chance of passing, but we may not know until the legislature concludes its business. Mr. Lima said the most important bill to watch is one that would allow for the combining of polling places for special primaries and special elections. He said the House has voted on nearly all of the bills, but none have passed thus far in the Senate. Mr. Lima said he has reached out to Senate leadership to find out what their intentions are, and will hopefully hear back soon so that the Board of Canvassers can plan accordingly.

Mr. Lima said he would review the inventory of polling places in Cranston with BOE staff in June, and determine if the existing square footage of available facilities can legally accommodate the number of potential voters expected. He said the biggest challenge is that under state law, schools are not closed for special elections, and half the Ward 6 default polls are schools and are therefore unavailable to us. This includes Glen Hills School and Garden City School. Mr. Lima said that the CLCF Gym was used in 2022, while Garden City was under construction, however he was informed there are major construction plans this summer and fall at CLCF that will likewise make that location unavailable.

Mr. Lima created a radius map around Ward 6, and noted that every other available polling location outside of the ward but near to it is a school building. The nearest non-school locations are the Cranston Portuguese Club, located in Ward 1, and the Pastore Youth Center in Ward 3. He said that those locations could be used in case of an emergency, but they are located so far outside the boundaries of the ward it would be almost nonsensical to consider them otherwise.

Mr. Lima said the Central Library is available, although is a smaller location than the Schofield Armory, which is likewise available. His preference is to put more voters at the Armory than the Library, because the Armory has a larger parking area and can accommodate more voting equipment, check-in tables, and privacy booths. Mr. Lima said the Garden City area (Precinct 0714) and the Howard area (Precinct 0719) could be combined and easily accommodated at Central Library, while the current Armory precinct (0711) and the Glen Hills School (Precinct 0718), combined, would create a large poll at the Armory. He added that with a 5% to 15% turnout for a special election like this, neither location would come close to exceeding the volume of voters they normally handle for general elections.

Discussion ensued. Mr. Lima explained that, pending state law changing, we do not know at this time whether there would need to be two separate precincts at the Armory or one large polling place. We are hoping for the latter, he explained, as it is less confusing for voters given we have the same ballot style in both precincts, and is more efficient in terms of staff and voting equipment distribution. Current law prohibits combining polling places in excess of 3,500 assigned registered voters, which Mr. Lima said is likely to change but the bill has not yet passed the General Assembly. Mr. Lima said that out of 350 poll workers in the city, he is not concerned about getting the 20-25 poll workers that this special election will require for each date.

Mr. Lima said the Board of Elections left it up to us to determine which dates to choose, as they could support us logistically for both. However, it would be preferable for the BOE to line up our Special Primary and Special Election with the Foster Town Council special elections, as well as with the Coventry Special Referenda Election, both of which are on Oct. 3, with a Foster primary on Sept. 5. This will allow for better coordination of early voting periods, voting equipment deliveries, election technician coverage, logic and accuracy testing, mail ballot deadlines and tabulation, and other functions. It also lines us up by holding a primary on the same date as half the state already is due to Congressional District 1, and the city can benefit from the increased BOE support for that primary. That may also help turnout, as the CD-1 Special Primary

will generate a lot of media attention, and our early voting, mail ballot, and primary deadlines will line up with it which will be the least confusing scenario for voters.

Mr. Lima reviewed with the Board the next steps for approval of polling places, which will require public notice and a public hearing, a unanimous vote of the Board of Canvassers, and approval by the Board of Elections. This timeline will take several weeks, which is another reason why the August primary date is less preferable, as the accelerated timeline would force us to make decisions now, not knowing if various laws will change or not. Mr. Lima said items like a post card mailer to the 4,500 Ward 6 voter households, informing them of our polling places selections, would also be rushed and may not be possible to get out in time for the primary given the deadline schedule.

Mr. Lima reviewed the entire proposed election calendar that was provided by the state Board of Elections, and explained to the Board what each date and deadline was for and what the Board's role, if any, is. He said the Board of Elections still needs to approve the Board's action today, but once the BOE approves the calendar, he would begin to post dates, calendars, and deadlines on the city's website.

Mr. Donahue asked for the Board's thoughts on Mr. Lima's presentation. Ms. Moronta agreed with the dates proposed by Mr. Lima due to the various factors outside of our control. Mr. Donahue asked whether the earlier date option was pretty much impossible.

Mr. Lima said it would be technically possible, but challenging, and any wrenches thrown into the mix could have serious consequences. Ms. Moronta said there were too many laws affecting special elections that could change in the next two weeks in order to be able to make decisions that would need to be made now with the earlier date. Discussion continued. Mr. Lima discussed his plans to inform voters, including adding colorization to the post card mailpiece to match practices the state now uses for official election mail. Ms. Moronta said it just makes sense to do this right given the timeframe and challenges of trying to make the early date work, which could have serious consequences. It was noted that elections require extensive advance planning in order to mitigate potential problems and ensure voters are not disenfranchised.

Mr. Donahue said the detail on the election calendar is excellent. Mr. Lima said the BOE's Deputy Director Miguel Nunez did all of the work on that. Mr. Donahue noted that special elections are rare in Cranston, and did note the concern everyone has that the seat will be vacant on the City Council for nearly five to six months. He asked if this is a typical timeframe, and Mr. Lima said it is typical in the other cities and towns that hold special elections for vacancies more frequently than Cranston has. Mr. Lima noted that is one of the reasons the local boards and the BOE supported the legislation to allow for more flexibility in the setting of special election dates, because state law has in the past tied the hands of election officials to make elections happen as quickly as possible.

Mr. McDonough said he has looked through the history of turnout in the past and thought a low turnout of 1,200 to 1,500 voters is likely for a special election like this, although he cautioned that it is still important to prepare for more just in case. Mr. Lima said that, logistically, he will receive a spreadsheet from the Board of Elections indicating their minimum recommendations for printed ballots, poll workers, voting booths, PollPads, and DS-200 tabulators, per precinct, based on a formula the BOE

uses built off of years of turnout data and the expected turnout, with a high margin for error. Mr. Lima said he will share that information with the Board when he receives it as we begin to shift into a logistical planning phase.

Mr. Lima said he always asks for extra election equipment above and beyond what the BOE's formula sets as the minimum. The BOE is able to fulfill some of these requests, but not all, because they typically deploy all of their equipment statewide to the areas they feel need it most, which leaves little room for local requests for additional equipment. He said the good thing about a special election is the BOE should have excess equipment available regardless, so we can more easily overstaff and overequip our locations to account for any error in turnout projections. Mr. Lima said the BOE's philosophy is equipment sitting in the state warehouse on election day doesn't do any good, so they try to deploy everything they reasonably can.

Mr. Lima said if there is a primary, he would like to open City Hall for early voting on Labor Day as it is the day before the primary and we would need to set up polls that day anyway, and our staff always have work to do the night before an election. He doesn't expect many early voters, as it is not required to be open and most towns choose not to, but he likewise does not want anyone to show up attempting to vote on the holiday only to find City Hall closed the day before the primary. He said the cost will be minimal to the city, likely under \$1,000.

MOTION: By Ms. Moronta and seconded by Mr. McDonough to fix the election calendar establishing Sept. 5, 2023 for the Ward 6 City Council Special Primary and Oct. 3, 2023 for the Ward 6 City Council Special Election, and to submit those dates to the state Board of Elections for approval.
PASSED ROLL CALL VOTE – 2-0 – Ms. Moronta and Mr. Donahue voting aye.

Mr. Donahue thanked Mr. Lima for his presentation.

UPDATES FROM THE REGISTRAR (ALL ITEMS FOR INFORMATIONAL PURPOSES ONLY; NO VOTES TO BE TAKEN)

Mr. Lima said that with several new members, he placed these items on the agenda so the Board can be brought up to speed with what is going on.

A. NCOA ADDRESS UPDATE PROJECT

Mr. Lima said the office previously conducted this project every two years, but now conducts National Change of Address voter list maintenance up to four times per year thanks to the new requirements of the Let RI Vote Act. This means the office is more frequently working on NCOA changes – where a voter record has been identified as a mismatch with newer United States Postal Service records that show a new address – but at the same time, the increased frequency will result in a reduced volume for each project and more of a rolling effort to keep the voter rolls updated based on USPS data. In the past, there have been thousands of records to process every year, requiring several rounds of mail notification to voters, but Mr. Lima now expects each project to involve several hundred records instead. Mr. Lima said the office processed 1,400 at

the start of the year, but only received around 260 in the most recent batch, which is quite manageable. Our staff codes each record as an in-city, out-of-city, or out-of-state address change, and the state sends out the initial correspondence to the former and current address of record, allowing the voter time to respond. Depending on the type of move, we are allowed to automatically cancel the voter record or move them to the more recent USPS address, which also generates a letter to the voter to confirm the change is correct.

B. STATUS OF BOARD OF CANVASSERS-SUPPORTED LEGISLATION IN THE RHODE ISLAND GENERAL ASSEMBLY

Mr. Lima said at the last meeting of the Board, they discussed a wide variety of election bills in the General Assembly, most of which have a genesis with the local boards of canvassers as part of our statewide coordinated efforts to improve election laws, better allocate our finite budgets and resources, and improve experiences for voters. Mr. Lima said several of the bills were written by himself and submitted by members of the Cranston legislative delegation. There are nine bills they have really been pushing for, which combined could save the city hundreds of thousands of dollars in expenses over time, allowing us to refocus resources from antiquated processes to those that better facilitate voting and saving our staff hundreds of hours of otherwise unnecessary processing time.

Mr. Lima said our elections have changed, as have our job duties and roles. We have a cybersecurity and physical security focus that we never really had before, there's more attention and scrutiny of the elections process than ever before in American history, and there is significantly more use of early voting and mail voting. He said our laws need to be adjusted to accommodate for these changes to prevent election officials from being overwhelmed, which harms our ability to serve the voters. Mr. Lima noted in the last two years, nearly 40% of the state's local election officials have chosen to retire early or move on to other professions because of the added responsibilities and stressors the job entails.

Mr. Lima said the House of Representatives has indicated they are fully on board with all of the bills, however he does not know where the bills stand in the Senate at this time. He is hoping that changes over the next two weeks as the session begins to wrap up, and he and his colleagues from other towns and the state election offices are working hard to convince any skeptical senators that these are priority bills that are sorely needed with five consecutive elections now coming up for us. Discussion ensued.

C. REVIEW OF UPCOMING BOARD OF CANVASSERS SEMINARS, EVENTS, AND THE 2023-2024 DRAFT ELECTIONS CALENDAR

Mr. Lima noted that there is legislation pending to move the Presidential Preference Primary from the end of April to April 2, and that will move up presidential candidate declaration into December of this year. Mr. Lima said we could begin to receive nomination forms to verify signatures for presidential candidates during Christmas week and particularly the following week, which is much earlier than usual during the accelerated calendar. Although the bill has not yet passed, Mr. Lima said the date must

be changed because it conflicts with Passover, and state law prohibits holding an election on a religious holiday.

Mr. Lima reviewed the tentative dates for the remainder of the 2024 calendar for the Board to keep in mind, including the final canvass meetings, election dates, and provisional ballot adjudication. Mr. Donahue asked if Mr. Lima could email these dates to the Board as a reminder, and he said he would shortly.

Mr. Lima said the next 18 months will be considerably busy, which follows us having to hold a previous statewide special election in 2021 and undergo redistricting in 2022. The last time the Board went through a year without having to conduct an election was 2019, after which there were four consecutive elections conducted during the pandemic. He said we are all looking ahead to taking some time off in 2025.

ADJOURNMENT (VOTES MAY BE TAKEN)

MOTION: By Mr. McDonough and seconded by Ms. Moronta to adjourn.
PASSED UNANIMOUSLY – VOICE VOTE

The meeting was adjourned at 4:00 p.m.

Respectfully Submitted,

Nicholas J. Lima
Registrar / Director of Elections
Cranston Board of Canvassers

APPROVED by the Cranston Board of Canvassers: June 27, 2023