

**BOARD OF ELECTION COMMISSIONERS MEETING
THURSDAY, JANUARY 6, 2022 6:00 P.M.
VIRTUAL MEETING**

Call to Order by the Chairperson

Pledge of Allegiance

Roll Call

Approval of the Minutes of the November 17, 2021 meeting

- 1. Discussions regarding the communication from the City Clerk to the City Council on December 7, 2021 regarding the analysis of the proposals of electing school committee members based on six or seven district options.**
- 2. Discussions regarding the special legislation filed on December 21 regarding the City of Worcester Charter Change to a 6 District School Committee.**
- 3. Update concerning the 2020 re-districting process for the City Council Districts and the Ward and Precinct Changes in 2022.**

OLD BUSINESS

- 4. Discussions regarding Election Commissioners placing agenda items on the election commission agenda.**

Adjournment:

Next Meeting Date:

TO PARTICIPATE VIRTUALLY DURING THE MEETING:

PHONE NUMBER: 415-655-0001

ACCESS CODE: 160-935-9156#

ATTENDEE ID: #

Election Commission Meeting- November 17, 2021 (Virtual Meeting)

Chairperson Commissioner Kimberly Vanderspek
Vice Chair Commissioner Winfred Octave
Commissioner Richard Duffy (arrived after call to order)
Commissioner John Stewart (not present)
Commissioner Danaah McCallum

City Clerk: Nikolin Vangjeli

Pledge of Allegiance

Call to order by the Chairperson, Roll Call: 3 Yeas and 0 Nays.

Motion to Approve the Minutes of the October 14th, 2021 meeting, Roll Call: 4 Yeas and 0 Nays.

Motion to amend the minutes from the October 14th meeting, **Roll Call:** 4 Yeas and 0 Nays.

New Business

1. Chairperson Vanderspek recognized the City Clerk who spoke concerning the Item. All the Commissioners discussed methods on notifying the public about polling location changes.
2. Chairperson Vanderspek recognized the City Clerk who spoke concerning the Item. The City Clerk shared with the Commission that the City Council Committee is having meetings about the new changes to the School Committee Districts.
3. Chairperson Vanderspek recognized the City Clerk who spoke concerning the Item. The City Clerk gave an update on the Early Voting and Election Day. Chairperson Vanderpek made a motion to have the City Clerk provides the commission with the cost of the past elections, **Roll Call:** 2 Yeas and 1 Nay (Commissioner Octave is abstaining from vote). Motion to reconsider previous Roll Call, **Roll Call:** 3 Yeas and 1 Nays. **Roll call: 2 Yeas and 2 Nays**, Motion Failed.
4. Chairperson Vanderspek recognized the City Clerk who spoke concerning the Item. The City Clerk provided and update on voter turnout from the Municipal Election.
5. Chairperson Vanderspek recognized the City Clerk who spoke concerning the Item. The City Clerk went over the process of placing Items on the agenda. He also stated HR was not able to attend meeting, and offered that the discussion be postponed until they are available to speak on the matter. Commissioner McCallum asked for clarification on how the board governs itself.

Motion to Adjourn on a Roll call: 4 Yeas and 0 Nays.

Next Meeting Date: Thursday January 6th, 2022 at 6:00pm.



The City of
WORCESTER

City Clerk Department

Nikolin Vangjeli, City Clerk
Stephen A.J. Pottle, Deputy City Clerk
Clare M. Robbins, Assistant City Clerk

December 7, 2021

Mayor Joseph M. Petty and the
Members of the City Council
City Hall, 455 Main Street
Worcester, MA 01608

Dear Mr. Mayor and Councilors,

On November 23, 2021, the City Council voted to request the City Clerk provide City Council with a report concerning an analysis of the current proposals of electing school committee members based on six or seven districts. Using Dr. Nathaniel Persily illustrative district maps I have performed a technical analysis in an effort to explain the effect a possible six or seven district school committee option will have in Worcester's Municipal Elections.

Enclosed is my analysis.

Cordially,

Nikolin Vangjeli
City Clerk



The City of
WORCESTER

City Clerk Department

Nikolin Vangjeli, City Clerk
Stephen A.J. Pottle, Deputy City Clerk
Clare M. Robbins, Assistant City Clerk

M E M O R A N D U M

TO: Mayor Joseph M. Petty and the Members of the City Council

FROM: Niko Vangjeli, City Clerk

DATE: December 7, 2021

RE: Analysis of the proposals of electing school committee members based on six or seven district options

The purpose of this memo is to provide you information concerning my analysis of the current proposals of electing school committee members based on six or seven districts and the impact they may have on the Municipal Election Process.

I would like to reiterate that this analysis is based on the illustrative maps submitted from Dr. Nathaniel Persily on November 22, 2021.



The City of
WORCESTER

City Clerk Department

Nikolin Vangjeli, City Clerk

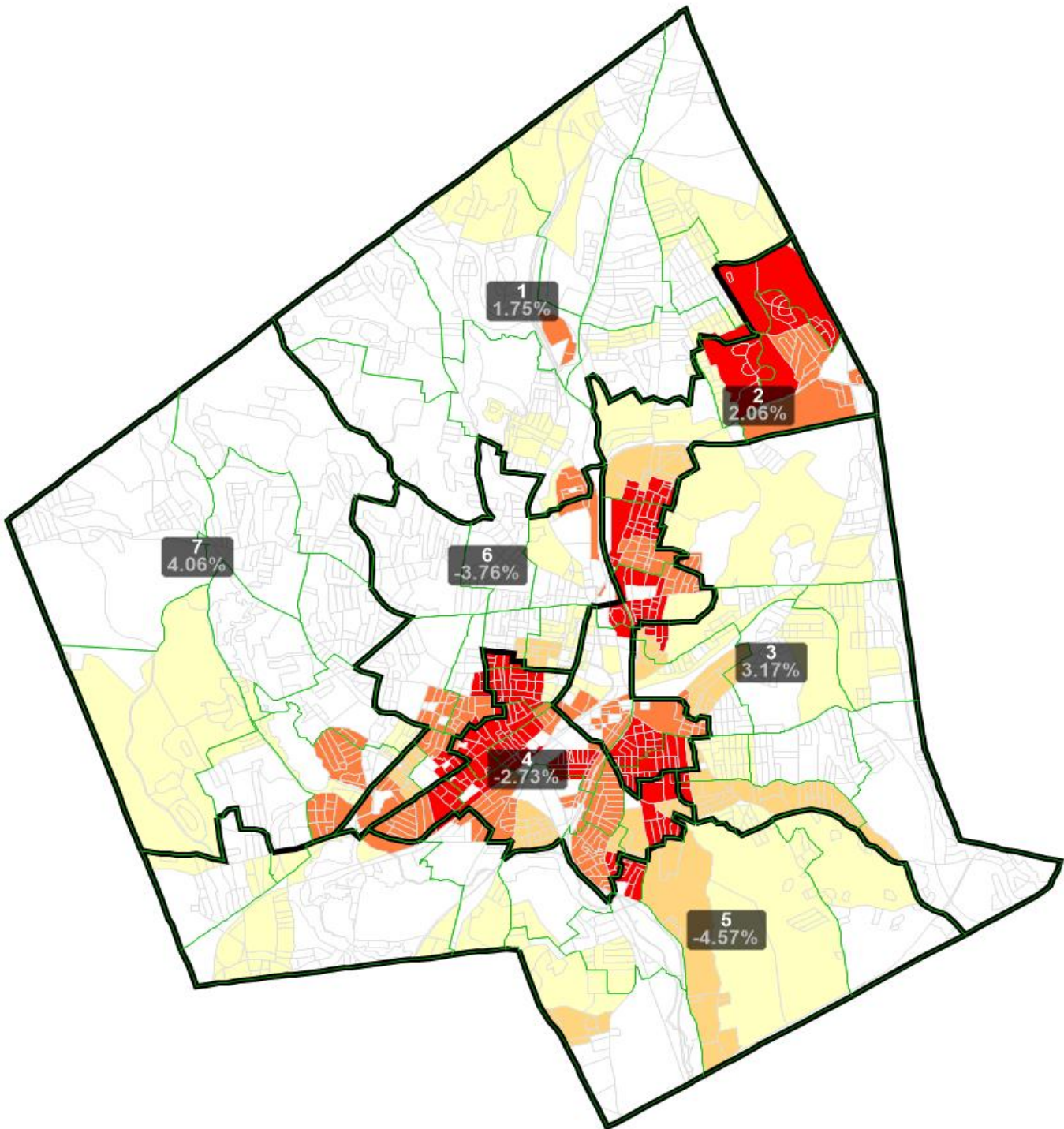
Stephen A.J. Pottle, Deputy City Clerk

Clare M. Robbins, Assistant City Clerk

SEVEN DISTRICT OPTION OF ELECTING SCHOOL COMMITTEE

SUBMITTED TO THE CLERK FROM DR. NATHANIEL PERSILY

11.22.2021





The City of
WORCESTER

City Clerk Department

Nikolin Vangjeli, City Clerk

Stephen A.J. Pottle, Deputy City Clerk

Clare M. Robbins, Assistant City Clerk

The Illustrative Seven District Plan contain these Council Districts:

School	Council Split Districts:
District 1	D1, D2
District 2	D1, D2, D3
District 3	D2, D3
District 4	D3, D4
District 5	D3, D4, D5
District 6	D4, D1, D5
District 7	D5

This would require 16 ballot styles just on the split council districts. The quantity of ballots does not reflect the affect of split precincts.

The Illustrative Seven District Plan contains three split precincts.

10-1	2-5	7-2
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The City of Worcester currently has 60 polling locations for the 5 City Council Districts. With this illustrative plan the city will need to operate 63 precincts on Election Day to accommodate the school committee split precincts. In addition, there has to be further analysis of *Massachusetts General Laws Chapter 54, Sections 2 and 6*.



The City of
WORCESTER

City Clerk Department

Nikolin Vangjeli, City Clerk

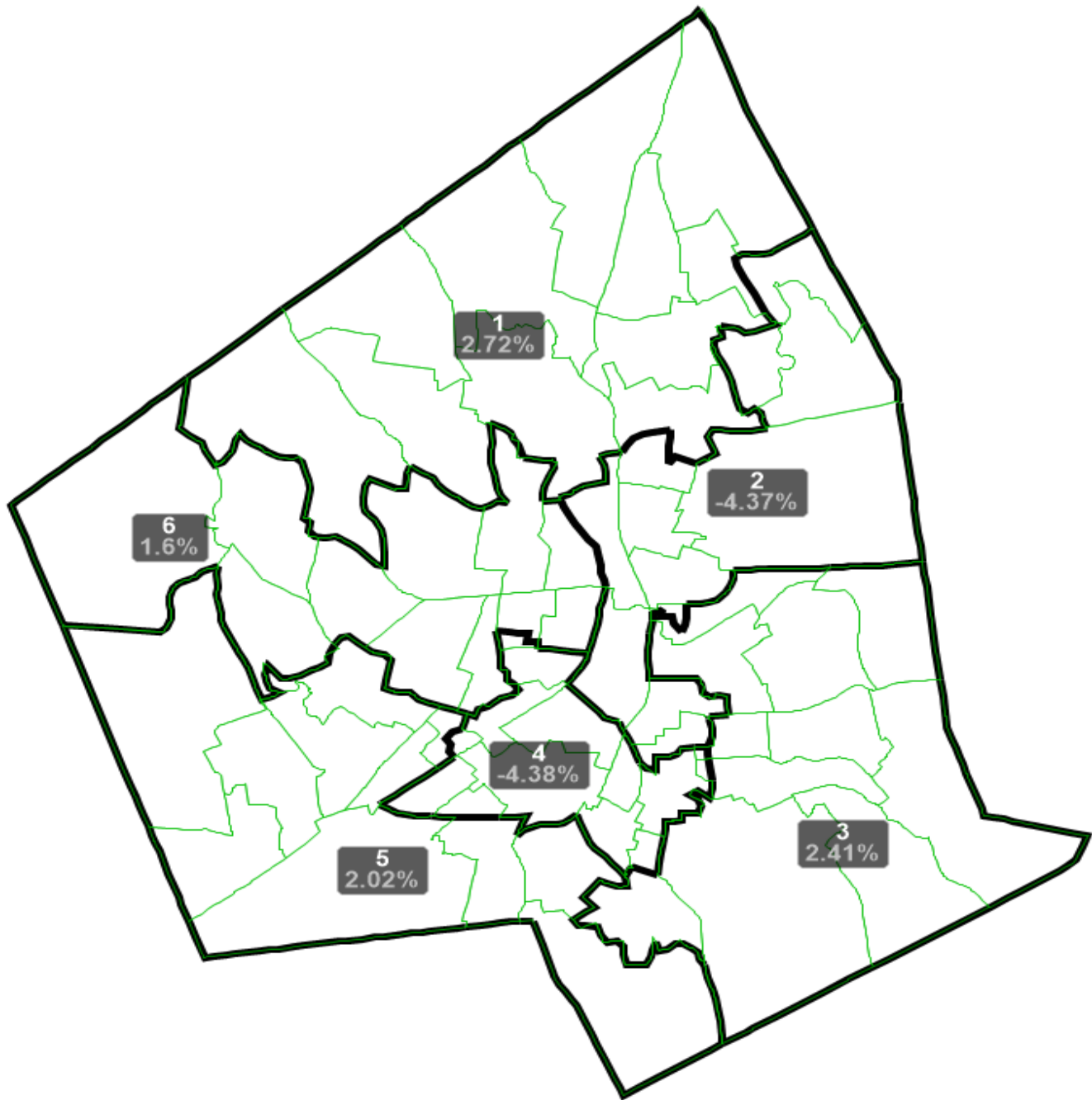
Stephen A.J. Pottle, Deputy City Clerk

Clare M. Robbins, Assistant City Clerk

SIX DISTRICT OPTION OF ELECTING SCHOOL COMMITTEE

SUBMITTED TO THE CLERK FROM DR. NATHANIEL PERSILY

11.22.2021





The City of
WORCESTER

City Clerk Department

Nikolin Vangjeli, City Clerk
Stephen A.J. Pottle, Deputy City Clerk
Clare M. Robbins, Assistant City Clerk

The Illustrative Six District Plan contain these Council Districts:

School	Council Split Districts:
District 1	D1, D5, D2
District 2	D1, D2, D3
District 3	D2, D3
District 4	D3, D4
District 5	D3, D4, D5
District 6	D5, D4, D1

This would require 16 ballot styles just on the split council districts. The quantity of ballots does not reflect the affect of split precincts.

The Illustrative Six District Plan contains nine split precincts.

4-2	5-5	3-6	8-5
5-1	8-3	2-5	
	10-1	3-2	

The City of Worcester currently has 60 polling locations for the 5 City Council Districts. With this illustrative plan the city will need to operate 69 precincts on Election Day to accommodate the school committee split precincts. In addition, there has to be further analysis of *Massachusetts General Laws Chapter 54, Sections 2 and 6*.



Election Administration

If the School Committee and City Council districts differ, we have to operate split precincts and more polling locations in Municipal Elections than in State Elections. Split precincts or sub-precincts can create election irregularities, such as forcing election officials to create a unique ballot for a small area with only 100 voters in it. You cannot make an entire precinct out of that small piece, so you end up with a small sub precinct within a larger voting precinct. That means different ballots for people in the same polling place and potential confusion for voters and poll workers alike.

Furthermore, as currently presented, we must design and print a dozen or more ballot types since some school committee district stretch out over several Council Districts. In order to limit voter confusion, the City Clerks office must notify all registered voters in writing of the correct locations before each Election. Furthermore, when precincts are split, if they do share a polling place, there is a likelihood that voters could be given the wrong ballot style. If this occurs and the election is close, it could be cause for a contested election and even lawsuit challenging the validity of Municipal Elections.

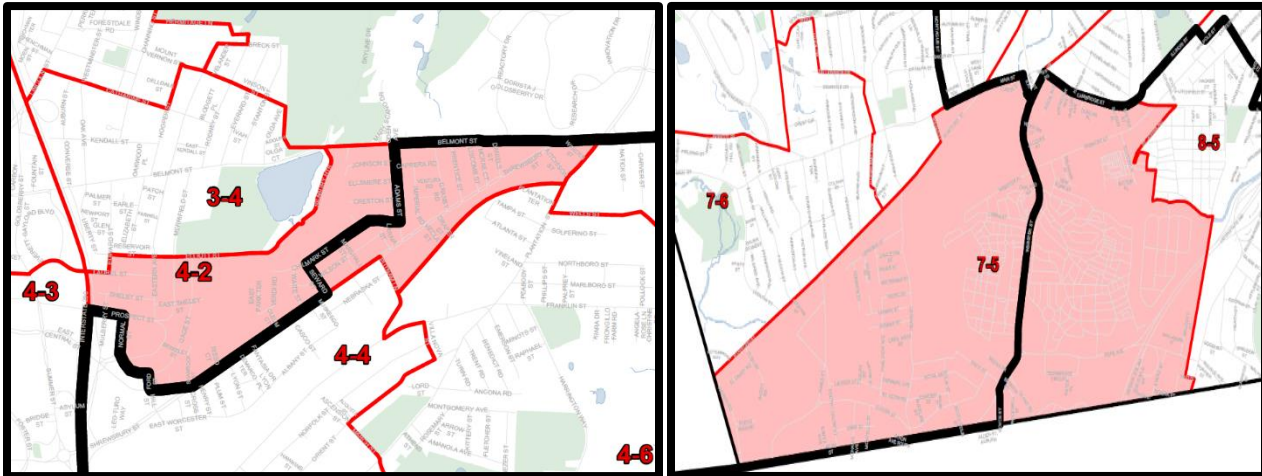
A Split Precinct for 2022 State Elections in Worcester

Precincts split by Senate District		Ballot Style	State Representative	State Senate
Ward 4 - Precinct 2 <i>District 2 City Council</i>	Ward 4 - Precinct 2 A	Ballot Style 1	Worc. District 2	Senate District 9
	Ward 4 - Precinct 2 B	Ballot Style 2	Worc. District 2	Senate District 8
Ward 7- Precinct 5 <i>District 5 City Council</i>	Ward 7 - Precinct 5 A	Ballot Style 3	Worc. District 5	Senate District 8
	Ward 7 - Precinct 5 B	Ballot Style 4	Worc. District 5	Senate District 6



Example of Split Precinct

Precinct boundary is Red. State Senate split precinct boundary is Black.



Election Day Polling Location Operations with Split Precincts

Split precincts need to be operated on Election Day as if they were “two separate precincts”. This will increase election operations because we need more polling places set-up, voter education, increase the number of voting machines, electronic poll pads, number of election officials, police officers, ballot types and supplies. Currently the City of Worcester has 50 polling locations and with the 2020 redistricting, we are going to increase to 60 precincts in Municipal Elections to accommodate a balance of the precincts in the 5 City Council District as required by *Massachusetts General Laws Chapter 54, Sections 2 and 6*.

Treating the precinct segments as “separate” precincts has significant advantages:

- It is easier to keep the voters and ballots for the different districts apart and, thus, avoid voters getting the wrong ballot.
- It simplifies programming voting equipment if a machine is dedicated to a single ballot type rather than multiple ballots styles and training election officers to call up the correct ballot for each voter.
- It is easier for election officers to understand how to run the precinct.

Edward M. Augustus, Jr.
City Manager



December 21, 2021

TO THE WORCESTER CITY COUNCIL

COUNCILORS:

I respectfully recommend adoption of the following order to approve the filing of the attached petition with the general court, which would amend the Worcester Home Rule Charter to provide for a new electoral system for electing members of the school committee, as received from Michael E. Traynor, City Solicitor, and forwarded for the consideration of your Honorable Body.

The new electoral system will create a school committee that will consist of the mayor, who shall chair the committee, six district members and two members elected at-large. Of the six school committee districts, at least two shall be majority-minority single member districts where Hispanic/Latino/a and Black residents together comprise a majority of the citizen voting age population.

Per the the city solicitor, the vote to adopt the order must be unanimous.

Respectfully submitted,

Edward M. Augustus, Jr.
City Manager



To: Edward M. Augustus, Jr., City Manager
From: Michael E. Traynor, City Solicitor
Date: December 20, 2021
Re: Home Rule Petition – School Committee Electoral System

In accordance with the terms of the October 26, 2021 consent decree in the United States District Court of Massachusetts matter of *Worcester Interfaith, Inc. et. al. v. City of Worcester et. al.*, Case No. 4:21-cv-40015-TSH and the City Council's December 7, 2021 vote selecting a new electoral system for electing members of the Worcester School Committee, I am enclosing the following order to approve the filing of the attached petition with the general court that will amend the Worcester Home Rule Charter to incorporate the chosen electoral system. Pursuant to the consent decree, the vote to approve the order must be unanimous.

The new electoral system will create a school committee that will consist of the mayor, who shall chair the committee, six district members and two members elected at-large. Of the six school committee districts at least 2 shall be majority-minority single member districts where Hispanic/Latino/a and Black residents together comprise a majority of the citizen voting age population.

The chosen electoral system requires amendments to five sections of the Charter. To illustrate these changes, also enclosed is a document comparing the current text of each section and the amended section.

Sincerely,

Michael E. Traynor
City Solicitor

CITY OF WORCESTER

Ordered that the city manager be and he is hereby authorized to file with the Great and General Court a home rule petition to amend sections 4-1(a), 4-1(c), 4-6, 7-4(b) and 7-6(a) of the Worcester Home Rule Charter, adopted by the voters in 1985, effective January 1, 1987, in conformance with the terms of the October 26, 2021 consent decree in the United States District Court of Massachusetts matter of *Worcester Interfaith, Inc. et. al. v. City of Worcester et. al.*, Case No. 4:21-cv-40015-TSH.

Be It Further Ordered that the city manager be and only he is hereby authorized to approve all amendments to the petition as filed except that the General Court may make clerical corrections or editorial changes in the form of the bill without the approval of the city manager.

AN ACT PROVIDING FOR THE CITY OF WORCESTER SCHOOL COMMITTEE ELECTIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. The charter of the city of Worcester is amended as set forth herein to provide that all biennial local municipal elections for the city of Worcester school committee shall be conducted under a district and at-large system, hereinafter referred to as the hybrid system.

SECTION 2. Under the hybrid system, the city of Worcester shall be divided into 6 school committee districts, of which at least 2 shall be majority-minority single member districts where Hispanic/Latino/a and Black residents together comprise a majority of the citizen voting age population. The hybrid system shall have two at-large seats elected by plurality voting. The district boundaries shall be drawn in consultation with an independent expert retained by the city pursuant to Paragraph R contained within the terms of the October 26, 2021 consent decree in the United States District Court of Massachusetts matter of *Worcester Interfaith, Inc. et. al. v. City of Worcester et. al.*, Case No. 4:21-cv-40015-TSH.

SECTION 3. The Worcester Home Rule Charter, adopted by the voters in 1985, effective January 1, 1987 (“Worcester Home Rule Charter”) is amended by deleting Section 4-1(a) in its entirety and inserting in place thereof the following: -

(a) Composition: - The school committee shall consist of the mayor, who shall chair the committee, six district members and two members elected at-large.

SECTION 4. The Worcester Home Rule Charter is further amended by deleting Section 4-1(c) in its entirety and inserting in place thereof the following: -

(c) Eligibility: -

(1) Any voter shall be eligible to hold the office of at-large school committee member provided, however, that the person shall have resided within the city for one year immediately prior to the election.

(2) Any voter shall be eligible to hold the office of a district school committee member provided, however, that the person shall have resided within the district for one year immediately prior to the election.

(3) For the 2023 school committee election only, if the school committee district boundaries have not been finalized by September 1, 2022, then the date by which a person must have been a resident of the district shall be sixty days following finalization of the school committee district boundaries.

(4) In the event that a district school committee member re-locates their residence to a different district within the city during their term of office, such school committee member will be permitted to serve the remainder of their two-year term but will not be eligible for reelection in the same district.

SECTION 5. The Worcester Home Rule Charter is further amended by deleting the text of Section 4-6 in its entirety and inserting in place thereof the following: -

(a) At-large school committee member: -

If a vacancy shall occur amongst the two at-large members of the school committee, said vacancy shall be filled in the same manner as provided in section 2-10(a) for the filling of vacancies in the office of councilor-at-large, from among the candidates for election to the office of at-large school committee members at the preceding regular municipal election.

(b) District school committee member: -

If a vacancy shall occur in the office of district school committee member it shall be filled in the same manner as provided in section 4-6(a) for the office of at-large school committee member, except that the list shall be of the candidates for the office of district school committee member in the district in which the vacancy occurs, provided, however, if there be no candidate on such list who remains eligible and willing to serve, the vacancy shall be filled at a special election called by the city council to be held within ninety days after the city council is notified by the board of election commissioners that the vacancy cannot be filled as aforesaid.

SECTION 6. The Worcester Home Rule Charter is further amended by deleting Section 7-4(b) in its entirety and inserting in place thereof the following: -

(b) Signature requirements:

The number of certified signatures of votes to appear on the petition accompanying the statement of a candidate for election to the office of councilor-at-large or school committee member-at-large shall be not less than three hundred. The number of certified signatures of voters from the district from which nomination is sought, required to appear on the petition accompanying the statement of a candidate for election to the office of district councilor or district school committee member, shall be not less than one hundred.

SECTION 7. The Worcester Home Rule Charter is further amended by deleting Section 7-6(a) in its entirety and inserting in place thereof the following: -

(a) Number, requirements: -

(1) The board of election commissioners shall divide the city into five districts for the purpose of electing district councilors under Article 2 of this charter. Each such district shall be compact and shall contain, as nearly as may be, an equal number of inhabitants, shall be composed of

contiguous existing precincts, and shall be drawn with a view toward preserving the integrity of existing neighborhoods.

(2) The board of election commissioners shall divide the city into six districts for the purpose of electing district school committee members under Article 4 of this charter, of which at least 2 shall be majority-minority single member districts where Hispanic/Latino/a and Black residents together comprise a majority of the citizen voting age population. Each such district shall be compact and shall contain, as nearly as may be, an equal number of inhabitants, shall be composed of contiguous existing precincts, and shall be drawn with a view toward preserving the integrity of existing neighborhoods.

SECTION 8. The changes to the city of Worcester's school committee electoral system as set forth in this act shall take effect for the city's municipal elections in November of 2023.

SECTION 9. This act shall take effect upon its passage.

COMPARISONS OF THE CURRENT AND PROPOSED CHARTER SECTIONS

Section 4-1. COMPOSITION, TERM OF OFFICE, POWERS

CURRENT:

(a) Composition: The school committee shall consist of the mayor, who shall chair the committee and six members elected at-large.

NEW:

(a) Composition: - The school committee shall consist of the mayor, who shall chair the committee, six district members and two members elected at-large.

CURRENT:

(c) Eligibility:

Any voter shall be eligible to hold the office of school committee member, provided, however, that he/she shall have resided within the City for one year immediately prior to the election.

NEW:

(c) Eligibility: -

(1) Any voter shall be eligible to hold the office of at-large school committee member provided, however, that the person shall have resided within the city for one year immediately prior to the election.

(2) Any voter shall be eligible to hold the office of a district school committee member provided, however, that the person shall have resided within the district for one year immediately prior to the election.

(3) For the 2023 school committee election only, if the school committee district boundaries have not been finalized by September 1, 2022, then the date by which a person must have been a resident of the district shall be sixty days following finalization of the school committee district boundaries.

(4) In the event that a district school committee member re-locates their residence to a different district within the city during their term of office, such school committee member will be permitted to serve the remainder of their two-year term but will not be eligible for reelection in the same district.

Section 4-6. VACANCIES

CURRENT:

If a vacancy shall occur amongst the six at-large members of the school committee, said vacancy shall be filled in the same manner as provided in section 2-10(a) for the filing of vacancies in the office of councillor-at-large, from among the candidates for election to the office of school committee at the preceding regular municipal election.

NEW:

(a) At-large school committee member:

If a vacancy shall occur amongst the two at-large members of the school committee, said vacancy shall be filled in the same manner as provided in section 2-10(a) for the filling of vacancies in the office of councilor-at-large, from among the candidates for election to the office of at-large school committee members at the preceding regular municipal election.

(b) District school committee member:

If a vacancy shall occur in the office of district school committee member it shall be filled in the same manner as provided in section 4-6(a) for the office of at-large school committee member, except that the list shall be of the candidates for the office of district school committee member in the district in which the vacancy occurs, provided, however, if there be no candidate on such list who remains eligible and willing to serve, the vacancy shall be filled at a special election called by the city council to be held within ninety days after the city council is notified by the board of election commissioners that the vacancy cannot be filled as aforesaid.

Section 7-4. PRELIMINARY ELECTIONS

CURRENT:

(b) Signature requirements:

The number of required signatures of voters to appear on the petition accompanying the statement of a candidate for election to the office of councillor at-large or school committee member shall be not less than three hundred. The number of certified signatures of voters from the district from which nomination is sought, required to appear on the petition accompanying the statement of a candidate for election to the office of district councillor, shall be not less than one hundred.

NEW:

(b) Signature requirements:

The number of certified signatures of votes to appear on the petition accompanying the statement of a candidate for election to the office of councilor-at-large or school committee member-at-large shall be not less than three hundred. The number of certified signatures of voters from the district from which nomination is sought, required to appear on the petition accompanying the statement of a candidate

for election to the office of district councilor or district school committee member, shall be not less than one hundred.

Section 7-6. DISTRICTS

CURRENT:

(a) Number, requirements:

The board of election commissioners shall divide the city into five districts for the purpose of electing district councilors under Article 2 of this charter. Each such district shall be compact and shall contain, as nearly as may be, an equal number of inhabitants, shall be composed of contiguous existing precincts, and shall be drawn with a view toward preserving the integrity of existing neighborhoods.

NEW:

(a) Number, requirements:

(1) The board of election commissioners shall divide the city into five districts for the purpose of electing district councilors under Article 2 of this charter. Each such district shall be compact and shall contain, as nearly as may be, an equal number of inhabitants, shall be composed of contiguous existing precincts, and shall be drawn with a view toward preserving the integrity of existing neighborhoods.

(2) The board of election commissioners shall divide the city into six districts for the purpose of electing district school committee members under Article 4 of this charter, of which at least 2 shall be majority-minority single member districts where Hispanic/Latino/a and Black residents together comprise a majority of the citizen voting age population. Each such district shall be compact and shall contain, as nearly as may be, an equal number of inhabitants, shall be composed of contiguous existing precincts, and shall be drawn with a view toward preserving the integrity of existing neighborhoods.

CITY OF WORCESTER

Ordered that the city manager be and he is hereby authorized to file with the Great and General Court a home rule petition to amend sections 4-1(a), 4-1(c), 4-6, 7-4(b) and 7-6(a) of the Worcester Home Rule Charter, adopted by the voters in 1985, effective January 1, 1987, in conformance with the terms of the October 26, 2021 consent decree in the United States District Court of Massachusetts matter of *Worcester Interfaith, Inc. et. al. v. City of Worcester et. al.*, Case No. 4:21-cv-40015-TSH.

Be It Further Ordered that the city manager be and only he is hereby authorized to approve all amendments to the petition as filed except that the General Court may make clerical corrections or editorial changes in the form of the bill without the approval of the city manager.

In City Council

December 21, 2021

Order adopted by a yea and nay vote of Ten Yeas and No Nays

A Copy. Attest:



Nikolin Vangjeli
City Clerk