

Elections Commission City & County of San Francisco

Lucy Bernholz, President
Becca Chappell, Vice President
Christopher Jerdonek, Commissioner
Viva Mogi, Commissioner
Charles Jung, Commissioner



John Arntz, Director of Elections
Martha Delgadillo, Commission Secretary

MEETING MINUTES ****DRAFT****

San Francisco Elections Commission
Wednesday,
January 19, 2022
3:00 p.m.
Remote meeting via WebEx

Order of Business

1. Call to Order & Roll Call

Meeting called to order at 3:04 p.m.

Present: President Lucy Bernholz, Vice President Charles Jung, and Commissioners Christopher Jerdonek, Becca Chappell, and Viva Mogi

Also present: Director of Elections John Arntz, Deputy City Attorney Ana Flores, and Commission Secretary Martha Delgadillo

2. General Public Comment

None.

3. Resolution on Continuation of Remote Elections Commission Meetings

Vice President Jung moved to adopt the resolution. Commissioner Jerdonek seconded.

Public Comment

None.

ROLL CALL VOTE ON THE MOTION

President Bernholz	Yes
Vice President Jung	Yes
Commissioner Jerdonek	Yes
Commissioner Mogi	Yes
Commissioner Chappell	Yes

Yays 5 Naves 0 Abstain 0
Motion passes

4. Approval of Minutes of Previous Meetings

Commissioner Jerdonek submitted proposed revisions on Item 12 of the December 15, 2021 Draft Minutes. The draft minutes stated the newspaper reporter had made comments, but it was the Dominion sales representative Steven Bennett who made comments.

Vice President Jung moved to approve the December 15, 2021 Draft Minutes, with the suggested revisions from Commissioner Jerdonek. Commissioner Chappell seconded.

Public Comment

None.

ROLL CALL VOTE ON THE MOTION

President Bernholz	Yes
Vice President Jung	Yes
Commissioner Jerdonek	Yes
Commissioner Mogi	Yes
Commissioner Chappell	Yes

Yays 5 Naves 0 Abstain 0
Motion passes

5. Commissioner Mogi Term End

President Bernholz thanked Commissioner Mogi for her service, and Commissioner Mogi thanked the Commission for being a part of it for her full term. If necessary, she will join next month's meeting if an appointment has not been made to replace her.

Discussion ensued regarding vacancies on the Commission. Commissioner Jerdonek suggested President Bernholz write letters to encourage filling vacant seats.

Public Comment

Brent Turner thanked Commissioner Mogi for her service.

6. Election of Commission Executive Officers

Commissioner Jerdonek nominated President Bernholz for the 2022 term as President. Vice President Jung seconded. There were no other nominations for President.

ROLL CALL VOTE ON THE MOTION

President Bernholz	Yes
Vice President Jung	Yes
Commissioner Jerdonek	Yes
Commissioner Chappell	Yes
Commissioner Mogi	Yes

Yays 5, Nay 0, Abstain 0

Motion passes.

Deputy City Attorney (DCA) Flores recommended rescinding the vote due to not having taken public comment. Motion to rescind the vote was taken without objection.

Vice President Jung nominated Commissioner Chappell for Vice President. President Bernholz seconded. There were no other nominations for Vice President.

Deputy City Attorney (DCA) Flores recommended rescinding the vote due to not having taken public comment. Motion to rescind the vote was taken without objection to nominate Commissioner Chappell for Vice President made by Vice President Jung. Seconded by President Bernholz.

DCA Flores recommended rescinding the vote for Presidency due to not having taken public comment.

Motion to rescind nominations and voting for President and Vice President for the 2022 terms.

Public Comment

David Pilpel supported President Bernholz and Commissioner Chappell for their terms.

ROLL CALL VOTE ON THE MOTION

President Bernholz	Yes
Vice President Jung	Yes
Commissioner Jerdonek	Yes
Commissioner Mogi	Yes
Commissioner Chappell	Yes

Yays 5 Nays 0 Abstain 0
Motion passes

Motion to nominate President Bernholz for 2022 was made by Commissioner Jerdonek. Vice President Jung seconded. There were no other nominations for President. Motion to nominate Commissioner Chappell for Vice President made by Vice President Jung. Seconded by President Bernholz.

MOTION ROLL CALL VOTE ON THE MOTION

President Bernholz	Yes
Vice President Jung	Yes
Commissioner Jerdonek	Yes
Commissioner Mogi	Yes
Commissioner Chappell	Yes

Yays 5 Nays 0 Abstain 0

Motion passes

7. Open Source Voting

Director Arntz provided a proposed plan to conduct an Open Source Voting Pilot Program in the meeting packet. It also had a draft letter to the Secretary of State requesting approval of the application to conduct the pilot program.

Commissioner Jerdonek reported that on Monday, January 10, 2022, the Board of Supervisors Rules Committee recommended the legislation proposed by Board of Supervisors President Shamann Walton. On January 11, 2022, the Board of Supervisors passed the item on first reading by 11-0. On January 25, 2022, the Board of Supervisors will consider the item on final passage.

Public Comment

Jim Soper commented on Open Source Voting (OSV) and the advantages to its use.

Brent Turner thanked the commission for their support of Open Source Voting.

8. Budget Meetings

The department's budget must be considered at two public hearings. The proposed date for the first meeting is Friday, January 28, 2022, to convene the Budget and Oversight of Public Elections Committee (BOPEC). A proposal was made to combine the February 2022 Commission meeting with the second meeting on Monday, February 14, 2022. Appropriate public notice will be made. They will both be held at 3:00 pm.

Public Comment

David Pilpel asked for the time of the meetings on January 28 and February 14, 2022.

Brent Turner requested having accessibility via WebEx when in-person meetings resume to make it easier for the public to access meetings.

9. Commissioners' Reports

Commissioner Jerdonek summarized information he gleaned from watching the January 2022 meeting of the Bay Area Urban Area Security Initiative (UASI). He also mentioned the letter received from David Jefferson.

President Bernholz reported sending a letter to the Dominion sales representative in response to a negative story published in the San Francisco Examiner on November 14, 2021. Commissioner Mogi suggested giving him an opportunity to respond to the Commission. President Bernholz reported on the submissions from by David Jefferson on voting equipment.

Commissioner Jerdonek moved to authorize President Bernholz to send a letter to the Secretary of State (SoS) forwarding the information that David Jefferson sent to the Commission, asking her to look into the matter, and requesting a response.

Public Comment

David Pilpel agreed that a letter to the SoS, requesting an acknowledgement and response to the Elections Commission, would be appropriate.

Jim Soper, National Voting Rights Task Force, stated that the Secretary of State should follow up on voting equipment reviews.

Brent Turner commented on certification and consumer fraud issues with proprietary software.

David Jefferson reported that he had not sent the material submitted to the Elections Commission to the SoS due to the notification process.

ROLL CALL VOTE ON THE MOTION

President Bernholz	Yes
Vice President Jung	Yes
Commissioner Jerdonek	Yes
Commissioner Mogi	Yes
Commissioner Chappell	Yes

Yays 5 Nays 0 Abstain 0
Motion passes

10. Director’s Report

Director Arntz reported on having begun to receive early ballots for the February 15, 2022 election. Commissioner Mogi asked if there is a tally of how many ballots there are at all locations. Director Arntz confirmed that it is done on a daily basis.

Public Comment

None.

11. Discussion and possible action regarding items for future agendas

a) Budget

Public Comment

David Pilpel asked if the BOPEC meeting would have the AB 361 findings and mentioned that he had suggested minor edits to the meeting minutes.

12. Annual Performance Evaluation of Director of Elections

Public comment will be taken and then the Commission will vote to move into closed session. After the closed session, the Commission will vote pursuant to the Sunshine Ordinance on what, if anything, will be made public.

Public Comment

Brent Turner expressed that he is pleased that Director Arntz is ready to push for a demonstration by VotingWorks. He stated that strong and consistent oversight should be done by the Commission on this crucial issue.

David Pilpel expressed positive thoughts for the evaluation of Director Arntz.

Vice President Jung moved to go into closed session. Commissioner Mogi seconded.

ROLL CALL VOTE ON THE MOTION

President Bernholz	Yes
Vice President Jung	Yes
Commissioner Jerdonek	Yes
Commissioner Mogi	Yes
Commissioner Chappell	Yes

Yays 5 Nays 0 Abstain 0
Motion passes

Closed session commenced at 4:34 pm. Present in closed session were President Bernholz; Vice President Jung; Commissioners Jerdonek, Chappell and Mogi; Deputy City Attorney Flores; and Commission Secretary Delgadillo.

Open session resumed at 5:12 pm.

President Bernholz reported that the Commission decided to report that the action taken was that the President will synthesize the Performance Evaluation of the Director of Elections and provide that feedback to Director Arntz with all due haste.

13. Adjournment

Meeting was adjourned at 5:14 pm