

ELECTIONS COMMISSION
City and County of San Francisco



Richard P. Matthews, President

John Arntz

Chris Jerdonek, Vice President
Charles Jung
Jill Rowe
Rosabella Safont
Winnie Yu

Director of Elections

Elections Commission Meeting
Wednesday, August 20, 2014
City Hall, Room 408
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102

1. Call to Order & Roll Call

President Richard Matthews called the meeting to order at 6:00. Commissioners Jerdonek, Jung, Rowe, Safont, and Yu were all present. Also present: Director of Elections John Arntz and Deputy City Attorney Andrew Shen.

2. Public comment on any issue within the Elections Commission's general jurisdiction unless otherwise included in an item on this agenda.

None.

3. Approval of Minutes from previous meeting

Moved by Commissioner Safont and seconded by Commissioner Rowe to approve the minutes of the June 18, 2014 meeting as edited by Commissioner Jerdonek, whose suggested edits were included in the packet. There was no public comment. The vote was UNANIMOUS to APPROVE.

4. Commissioners' Reports

Commissioner Jerdonek reported that he met with Director Arntz and Deputy City Attorney Shen last month to discuss the one-percent public manual audit. He met to discuss logistical issues of the audit and to explore with Director Arntz what options the Department might have for including all ballots in the audit. Commissioner Jerdonek said that at the last Commission meeting, he expressed interest in making the preliminary election totals available to the public on the Department website in a format that is easier to analyze. As a result, he started learning more about the reporting capabilities of WinEDS. He thanked Director Arntz for providing him with samples of some of the various output formats. He will continue looking into this.

Commissioner Jerdonek reported that he attended a voting equipment test held at the Department last month. Representatives from the Secretary of State's office and Dominion Voting Systems were demonstrating a database script to the Department. The script addresses two rare issues that can occur with Dominion's tabulation equipment. Director Arntz, Department staff, and Commission President Matthews also attended.

Commissioner Jerdonek reported on his continued work on the Commission website, which he first reported on at the last Commission meeting. He stated that a lot of what he will discuss in his report was done in conjunction with then-Commission Secretary Debra Hayes. He said that he attended two classes given by the City's Department of Technology about how to update the website. Commissioner Jerdonek said that he found that the files stored internally on the Commission's website lacked organization and so were hard to locate. He also said that the site had exceeded the maximum allowed number of nesting levels. He reported that he spent a fair amount of time adding organization to the files and simplifying the nesting structure of the site. He also simplified how meeting information is displayed by moving the agendas and minutes for BOPEC and the Commission from four separate pages to a single grid on the main meeting page. He also made various other clean-ups.

Commissioner Jerdonek discussed a memo he included in the agenda packet regarding a recent report of the San Francisco Civil Grand Jury. He stated that in early July, the Civil Grand Jury released a report concerning Commission web sites generally in San Francisco. The report made four recommendations, and his memo listed the three recommendations that the Commission could address on its own website. He said that he addressed the first recommendation by adding disability accommodation language to a prominent place on the website. Regarding the second recommendation, he noticed that the Commission website did not list the Commission's 2012 and 2013 Annual Reports. He added the 2013 Annual Report to the website, but he and Secretary Hayes could not locate the final version of the Commission's 2012 report.

Commissioner Jerdonek then reported on three changes he would like to make next. He stated that the Commissioner Attendance page of the website had not been updated for a long time, so he will start updating that section again beginning with today's meeting. This will address the final Civil Grand Jury recommendation mentioned in the memo.

Second, Commissioner Jerdonek reported on the legal memos for the Elections Commission that he had collected PDF versions of and mentioned at the last Commission meeting. He said that he was planning to post a chronological index of these memos on the website to make them easier for people to access.

Third, he would like to give Commissioners the option of including on the website a way for members of the public to contact them individually. This would be optional and up to the individual Commissioner. For example, a Commissioner could provide an e-mail address next to their name.

Commissioner Jerdonek reported on the second memo that he prepared for the Commission and included in the agenda packet. The memo presented information about uncounted ballots in the June 3, 2014 Election using the data that Director Arntz gave the Commission at the last meeting. He summarized the memo's findings and noted that the percentage of uncounted ballots seemed significantly higher in neighborhoods that have a reputation of being poorer. He said that he would be interested in discussing at a future Commission meeting ways that those numbers could be brought down.

Commissioner Jung asked Commissioner Jerdonek to confirm that he would only be posting legal memos that were previously made public. Commissioner Jerdonek confirmed that he would double-check with the City Attorney's Office before posting any of the memos.

Commissioner Rowe said that she had a copy of the 2012 Annual Report that she could send to Commissioner Jerdonek for posting on the website.

President Matthews thanked Commissioner Jerdonek very much for all the great work on the Commission's web page, and noted how much clearer and improved it is now.

President Matthews asked Deputy City Attorney Shen to confirm whether it was okay to add personal contact information to the website without voting on the issue. Deputy City Attorney Shen replied that a vote was not necessary and that commissioners could individually provide their contact info to Commissioner Jerdonek. Deputy City Attorney Shen also suggested that Commissioners may wish to create an e-mail address like "Commissioner.Smith@gmail.com" to keep their Commission e-mail separate from their personal e-mail.

There was no public comment.

5. Director's Report

Administrative division: Processing purchase orders for the November election. Ready to start hiring temp workers for the election; approximately 60 in the next month and 120 more in October. These workers also require training.

Ballot Distribution division: Working with RFID tags to replace the previous system of scanning barcodes on memory packs from precinct ballot tabulators as they arrive at City Hall on Election Night. This will expedite the tracking of memory packs. This group is also in contact with a software vendor that provides an Internet-based routing and mapping program. The Department has to create many different kinds of routes for each election – for the sheriff deputies, the field election deputies, district leads, parking control officers, the Department's own Precinct Services division, etc. They are testing software that would provide optimal routes, as well as permit messaging and transmission of data without the driver having to operate a smartphone or other device while driving; both an efficiency and safety issue.

Additionally, the Department will implement a pilot project using Near Field Communication tags (NFC). This will permit the sheriff deputies to "swipe" their smartphone on the precinct equipment when they pick up the various bags from polling places on Election Night. This will provide near-real time data of when the various pieces of election data are in whose possession. If successful, the Director intends to expand it to all precincts for use in November 2015 election which is also when the Sheriff contest is on the ballot.

The routing software and the use of NFC in conjunction to the Department using GPS units in its vehicles. For instance, there were 25 vans in use in the last election that had GPS tracking on them to gather data about routes, times, time per polling place, and so forth. This data yielded, for instance, that sheriff deputies had an average time of 15 minutes per polling place to process and take possession of all the bags (containing voted and unvoted ballot cards, rosters, etc.). This data permits the Department to

improve routes, see where there might be opportunities to increase efficiency in the custody transfer process on Election Night, etc.

On August 20, a purchase order was approved to buy two pieces of equipment to open the vote-by-mail envelopes and to “butterfly” the envelopes so that workers no longer have to manually reach into the envelope and extract folded cards, unfold them and so on. The Director said that repetitive motion is a significant difficulty for workers, especially given the possibility of 600,000 ballot cards (125,000 four-card ballots) being returned from voters.

Campaign Services: Most deadlines regarding the submission of material to be printed on ballots or in the voter information pamphlets for the November election are mostly passed. There were 216 paid arguments submitted, which is a high number, on a par with the numbers submitted for November presidential elections.

Outreach: Been involved in social media, especially Twitter (@SFElections) and Facebook. The Department has learned that Facebook charges money to make sure that all posts get transmitted to all Facebook members who have clicked to “Like” the Department’s Facebook page, therefore they are focusing more attention on transmitting via Twitter. The Department plans each Monday morning to post at least three items on its social media platforms for the upcoming week. The number of the Department’s followers increases each week.

They are creating another public service announcement involving the “Be a Voter” brand. This time, the theme will be “How do you do it?” The production is going well. Comcast will air it 350 times in October.

There will be advertisements about ranked choice voting as well, though they will be on stationery things such as bus shelters because they have more text and are necessarily more complicated.

Pollworker Division: Availability letters from previous pollworkers are coming into the Department. The scheduling of presentations for the recruiting of high school students is underway.

The Department has developed new plastic voter information kiosks for use at the polling places, replacing the cardboard ones that have been in use for a few years now. These should be more durable. They will include all the information in Filipino, the fourth language that the law requires the Department to use on all materials. The Department will stage the facsimile ballots for the additional four languages – Japanese, Korean, Filipino, and Vietnamese – on each kiosk and will place these ballots according to the correct ballot types for each polling place.

Poll Location division: There are at least 22 precincts that require the locating of polling places for November and there are 40 sites from June that have no indicated whether these will also be polling places in November. Potentially the Department may need to locate site for these additional 40 sites as well for a total of 62 new locations for November.

Ballot Simplification Committee: Their work is done. The Director expressed his gratitude to Deputy City Attorney Andrew Shen for his yeoman work.

Publications: There will be 35 ballot types for the November 4 election. Currently, it appears that four cards will be used per ballot; the Director hopes it will not have to extend to five cards, which depends on the layout which is ongoing.

September 5 is E-60 (i.e., 60 days before Election Day), which is when overseas voting begins.

Technology division: Improving the front page of the Department's website, with an auto-subscribe option as well as installing a Tweet widget to display the Department's Twitter posts. This widget is also scrolling on the SFGov website, and because of the lack of government activity over weekends, the Department's weekend Tweets get prominently displayed there when working on weekends.

The polling place locator is now live on the website.

Video streaming of processing of vote-by-mail ballots will be carried on YouTube this November, but will not permit recording nor stopping of the stream.

Unique to San Francisco, on the Department's website, anyone will be able to follow the lifecycle of vote-by-mail ballots from the time the ballots cards are printed to when counts those cards. Voters will be able to follow the progress of ballot cards that were rejected by a machine, for instance, a write-in vote on a ranked-choice ballot. People will be able to track how those cards are handled, when they re-enter the computer room for re-tabulation, etc.

Additionally, the Department will place tables on its website showing the number of cards that have been received, accepted, challenged, reasons for the challenges, counted, readied for counting, and all of this information will be available in tables organized by district and precinct and which will be easily downloaded.

Voter Services: Before early voting is underway, the division did a timing study at the early voting counter. The transaction time was about 1.5 minutes per voter. To set up signs giving estimates of time remaining in line at different points in the line (a la Disneyland lines), they held a mock election to estimate the times as they relate to place in line.

Commissioner Jerdonek commended Director Arntz for creating the e-mail announcement list for the public and thanked him for adding new sections to the Election Plan regarding the Election Observer Panel and 1% Manual Tally. He also spoke favorably of the Department's Twitter feed.

Commissioner Jerdonek asked Director Arntz if the Department had looked into airing the video PSAs at movie theaters. Director Arntz replied no.

Commissioner Jerdonek asked Director Arntz if the number of ballot cards per voter would be reduced if the ballots were bilingual instead of trilingual, given that the Department will have to print ballots in a fourth language (Filipino) in the future. Director Arntz replied that they had not done that analysis, but that it was likely that they would use bilingual ballots in the future. Commissioner Jerdonek also asked if the Department had looked into printing the citywide postcard in one language at a time to simplify the card and save space. Director Arntz replied that they had not yet looked into that.

Public Comment: Roger Donaldson pointed out that Los Angeles County is considering a lottery to improve voter turnout, and possibly San Francisco should consider that.

6. Discussion regarding the Elections Commission process for forwarding various documents to the Board of Supervisors as occasionally required by the San Francisco Charter. Examples include the Election Plan, the Sheriff's security plan, and the Commission President's annual report. The secretary (or whomever is performing secretarial functions in the absence of a secretary) should take care to forward the required documents to the Board, and to "cc" the Commissioners as a check that it is getting done. No public comment. No motion offered.

7. Discussion regarding the execution of the one-percent manual tally required by Cal. Elections Code sec. 15360. Commissioner Jerdonek asked Deputy City Attorney Shen to summarize his legal findings regarding the one-percent manual tally. Deputy City Attorney Shen replied that the law requires that all ballots be included in the manual tally. Commissioner Jerdonek asked if the law says anything about the timing of the random selection. Deputy City Attorney Shen replied that the law does not. Following a discussion begun by Commissioner Jerdonek, Director Arntz agreed that from now on, the precincts that will be the subject of the one-percent manual tally will be selected after all ballot cards are processed rather than before the count is complete.

Director Arntz said that the Department will assign one person to sort cards into boxes by precinct; a big task given that 125,000 voters and four cards per ballot yields 600,000 cards. These boxes will then be transferred to the warehouse when full, as there is not the room in City Hall for that many voted ballot cards. The Department will designate one vehicle to transfer the cards from City Hall to the warehouse and will track the vehicle using a GPS unit which will allow the Department to maintain a historical record of this vehicles movement. At the warehouse, the ballots are guarded by sheriff deputies, according to the law.

Commissioner Jerdonek thanked Director Arntz for the change.

Public comment: Roger Donaldson voiced his approval of Director Arntz's decision.

8. Discussion and possible action regarding adoption of the Election Plan for the November 4, 2014 election. It was moved by Commissioner Rowe and seconded by Commissioner Safont to adopt the Election Plan provided by Director Arntz. Commissioner Jerdonek then moved to refer this to the Budget and Oversight of Public Elections Committee. No public comment. On the subsidiary motion to commit, the YES votes were Commissioners Safont, Yu, Jung, and Jerdonek; the NO votes were Commissioners Rowe and Matthews. The Election Plan is referred to BOPEC.

It was moved by Commissioner Rowe and seconded by Commissioner Safont that the Commissioner President contact the Sheriff Department for its security plan and forward that to the Board of Supervisors per SF Charter sec. 13.103.5. No public comment. The vote was UNANIMOUS to APPROVE.

9. Discussion and possible action regarding the City employee waiver for the November 4, 2014 election. It was moved by Commissioner Rowe and seconded by Commissioner Safont to approve and forward the City employee waiver requested by Director Arntz. No public comment. The vote was UNANIMOUS to APPROVE.

10. Discussion and possible action regarding authorizing the Commission President to send a letter to the Board of Education regarding the vacancy on the Election Commission and their selection of their appointee. It was moved by Commissioner Matthews and seconded by Commissioner Safont to authorize the Commission President to send a letter to the Board of Education reminding them of the vacancy on the Elections Commission, and to remind them that the appointee of the Board of Education is, according to Sec. 13.103.5 of the SF Charter, to be “broadly representative” of the general public, not a specific constituency.

Public comment: Roger Donaldson said that as of June 5, the Board of Education had not calendared the matter; the Clerk responded to his inquiry saying that they were considering budget matters at that time.

The vote was UNANIMOUS to APPROVE.

11. Discussion and possible action regarding process for hiring an executive secretary for the Elections Commission. It was moved by Commissioner Rowe and seconded by Commissioner Safont to authorize the President to contact and hire the second and, if necessary, third place finalist from the previous round of secretary hiring, if it is possible to do so; and that if that does not result in a secretary being hired, to reopen the hiring process with the Department of Human Resources. No public comment. The vote was UNANIMOUS to APPROVE.

12. Items for future agendas. Commissioner Jung would like to discuss the Department's recommendations for post-election notice to vote-by-mail voters about reasons their ballots were rejected.

Adjourned at 7:41 p.m.