**Elections Commission Meeting**

**Wednesday, May 15, 2013**

**6:00 p.m.**

#### City Hall, Room 408

#### 1 Dr. Carlton B. Goodlett Place

#### San Francisco, California 94102

**DRAFT MINUTES**

1. Call to Order & Roll Call

President Jill Rowe called the meeting to order at 6:00 pm. PRESENT: Commissioners Jill Rowe, Gerard Gleason, Winnie Yu, Rosabella Safont, Richard Matthews. NOTIFIED ABSENCE: Commissioner Catalina Ruiz-Healy. ALSO PRESENT: Deputy City Attorney Mollie Lee, Director of Elections John Arntz, and Commission Secretary Tachina Alexander.

1. **Public comment on any issue within the Elections Commission’s general jurisdiction unless otherwise included in an item on this agenda.** NO PUBLIC COMMENT
2. **Presentation by Catherine Hazelton of the James Irvine Foundation.** Commissioner Gleason gave a brief introduction/background of Ms. Hazelton, Senior Program Officer at the James Irvine Foundation,\* who has developed and leads the Future of California Elections (FOCE) Project. Ms. Hazelton then gave the following presentation.

The James Irvine Foundation is the largest private multi-issue foundation

focused entirely on California. One of our 3 grant-making areas is called

California Democracy in which we make grants to improve civic participation and

governance in California. As part of that program we have sought to improve

elections policies, and practices in California by expanding voter participation,

particularly among groups who haven’t been participating as high as their

population levels would suggest. We also work to improve the effectiveness and

efficiency of elections systems and practices. In 2011 we brought together two

dozen organizations to establish a vision/road map and found that they had the

same goals. In 2012 they got into full formation and by the end of the year they

accomplished five of their goals. Breaking news which is about 2-hours old: they

have been advocating for the new health benefit exchange that’s going to be

created in California as part of Obamacare to be an MVRA

covered agency, meaning that it will be required to make voter registration

available to everyone who signs up for the healthcare benefit exchange. This

was mandated today by the Secretary of State and in October when the system is

live the 1 million Californians who are expected to register in the first year will be

given a seamless opportunity to register to vote online. The members of the

Future of California Elections are helping the Secretary of State build technology

to prepopulate voter registration forms so that when someone signs up for the

health benefit exchange their information would automatically be inserted into an

online voter registration form and all they have to do is indicate if they want to

register to vote, if they’re a citizen, and if they want to designate a party

preference.

In 2013, FOCE advanced a set of priority goals

* Voter registration rebuild and expand (including prepopulating forms) the availability of the California Online Registration system with particular attention to making it accessible to voters with disabilities and minority language voters, colleges and universities statewide
* Voting information continue efforts to improve the content and usability of both print and online editions of state and local voter information guides, including accessibility to voters with disabilities and minority language voters
* Voting options - examine the challenges associated with delivery and counting of vote-by-mail ballots (such as signature verification, rejection rates and postal issues) and partner with policymakers, election officials and others to address those challenges. SF has a lower acceptance rate of vote-by-mail ballots than many other counties. For the last election, the rejection rate in San Francisco was 1.66% and the statewide average was 1.01% so FOCE (Future of California Elections) will be researching to find out what’s going on.
* Language access - work with the Secretary of State and election officials to ensure state and local compliance with applicable federal and state laws on minority language access to the electoral process. For instance, there is a 3% Rule which states that if 3% of the voters predominately speak a particular language they need to be provided information in that language. There is also an effort to change the law to allow non-citizen multilingual poll workers to provide language assistance to voters; that bill is expected to pass this year.

Commissioner Gleason asked if there was a set calendar for the next year or are

there periodic meetings?

Ms. Hazleton stated that they are planning on doing one annual public conference

at the beginning of next year in January, but the workgroups meet weekly so the

work is ongoing.

Commissioner Gleason stated that one of the Commission's ongoing concerns

has been voters who attempt to register through the DMV but arrive at a polling

place on election day only to be told their registrations did not go through.

Commissioner Gleason is hoping that FOCE will look at the issue of

DMV voter registrations.

Ms. Hazleton stated that she does believe that it is a part of the best practices

and training related to the MVRA project. Part of that training includes a liaison at

the county elections office to track those and getting them back so there is some

accountability built in there. She said she would pass the Commission's concerns

on to the group that has been writing the recommendations.

Commissioner Rowe stated that passing on a comment would be welcomed and

asked for any information that they can provide us. It’s definitely something we’ve

been discussing for quite a long time and maybe they have some information that

might alleviate our concerns going forward, so if there’s a way to get that back to

us we’d welcome it.

Commissioner Matthews stated what angers me the most about this issue is that

the Secretary of State refuses to talk to us about this issue and has done so

continuously for 2 years. In this article in the “California Watch” (handout provided

and placed in the public binder) the

Secretary of State’s spokesperson is quoted as saying “While the

Secretary of State has no authority over other government agencies and how they

conduct their work, Secretary of State staff would remind them of their important

duty to promptly hand over voter registration applications.” That completely

infuriates me. The Secretary of State is responsible for voter registrations of the

people in California as well as chasing down any habitual hiccup in the system.

So anything that FOCE can do that we, a duly charted body, have not been able

to get the Secretary of State’s attention on this issue for two years or more would

be tremendously helpful.

Ms. Hazleton stated that she will send a note to the entire group that the

Commission is passionate about this issue. Commissioner Mathews stated that he

expects that the Commission in turn will lend its voice to the FOCE in any way

possible.

Commissioner Rowe asked if there is any research showing whether increased

online registration translates into significantly higher rates of actual voting?

Ms. Hazelton said yes there is. In the November election those who registered

online and voted were somewhere in the low 70 percents. The demographics

were different because they skew younger for those who register online.

(Commissioner Gleason distributed a vote-by-mail chart which was placed in the

public binder.)

Ms. Hazleton stated that she is a San Francisco voter, and praised her SF voting

experience

NO PUBLIC COMMENT

**Break – 6:46pm**

**Reconvened – 6:55pm**

1. **Discussion and possible actions regarding reducing and consolidating precincts.**

Commissioner Gleason stated that San Francisco is operating on 420 consolidated precincts. The California Elections code focuses on a maximum of 1,000 registered voters in a precinct and they need to reconfigure. Commissioner Gleason referred to a draft letter which had been distributed to the Commissioners and placed in the public binder.

Commissioner Matthews suggested that the letter have a specific call to action before being sent to the Board of Supervisors.

Commissioner Gleason stated that he left it out on purpose to get some input from the Deputy City Attorney.

Deputy City Attorney Mollie Lee stated that as long as you’re directing it to the Board of Supervisors and State Legislation Committee it’s fine to recommend specific action.

Commissioner Matthews askedDo you want them to authorize our lobbyist in Sacramento to advocate changes to the elections code or what?

Commissioner Gleason answered yes changes to the code and specifically look at 12223A.

Commissioner Matthews stated not just look at it but change the formula so that any county could subtract the number of permanent vote-by-mail voters from their count of 1,000 and re-precinct for an election that way.

Commissioner Rowe stated that she would like to work with Commissioner Gleason on the letter and change some of the language. Commissioner Rowe requested a vote that she be authorized to change some of the language of the letter, to make a specific call to action, and to send it to the Board of Supervisors.

Commissioner Matthews moved that Commissioner Gleason’s letter be turned over to the Commission President for further revision along the lines we discussed and forwarded to the Board of Supervisors with copies to the Secretary of State and State Legislation Committee. Commissioner Safont seconded it. NO PUBLIC COMMENT. Roll call vote was UNANIMOUS to approve.

1. **Discussion and possible action regarding voter registration through the California Department of Motor Vehicles**

Commissioner Gleason referred to an article that was passed out and placed in the public binder entitled “California Watch” and he believes that the Secretary of State is well aware of this issue and that this is a continual problem. He further believes that we’ve passed along enough information to people who will take some action with it.

NO PUBLIC COMMENT

1. **Discussion regarding the bylaws of the Elections Commission.**

Commissioner Rowe referred to the proposed amendments to the bylaws that were distributed as attachments to the agenda. She proposed to discuss if all the redlines were appropriate and if any changes need to be made, then circulate a proposed final copy, notify the public, then vote on them at the next meeting.

Comments on the proposed changes:

Commissioner Matthews stated Article 8 Section 7 Subsection 3 Attendance.

One of the things we discussed years ago there is only 1 member that is

appointed by the Mayor therefore that’s the only person who should be

accountable to him. I’m not uncomfortable with the way we left it a few years

ago where the secretary reports to the Mayor’s office on the Mayor’s

appointee but I’m not uncomfortable with telling the Mayor’s office that the

information is online. He reported that what the Commission came up with

previously is that we’d post it on our website

and it would be available for anyone who wanted to see it. Tachina reported

that she has not been posting attendance records online but has been

reporting Commissioners'

attendance quarterly to the mayor’s office. Commissioner Matthews proposed

that Article 8 Section 7 subsection 4 be replaced with a statement that

Commissioners attendance shall be reflected on the Elections Commission

website.

NO PUBLIC COMMENT

1. **Director’s Report.**

Director Arntz

Division Reports

1. Administrative (Budget/Personnel) – creating staffing plans, materials and supplies, based on the budget submission to the Mayor’s office. The Director appeared before the legislation committee regarding AB498 (a bill to simplify the status of ex-offenders on whether they can register to vote or not) to support the bill. There is a 500 page referendum associated with a bill that President Chiu is trying to reduce to 100 pages in the voter guide. Supervisor Wiener is trying to reduce it to 20 pages and anything that’s not printed would be placed in the public libraries and online.
2. Ballot Distribution – reviewing processes.
3. Campaign Services – slow; nothing of note for November or June
4. Outreach Division – busy handing out accessibility brochures, reminding people to visit the Department's website for information, continuing to attend naturalization ceremonies, they registered 223 new citizens of which 63 people were San Franciscans, they attended the Richmond Community Health Fair, and will be attending the Asian Heritage Street Celebration, May Citizenship ceremonies, and Project Homeless Connect.
5. Poll Worker Division - created a power point training presentation on disability and sent it to the Mayor’s office which is reviewing it and the Pollworker Division is waiting on their feedback. Next network meeting is May 30th and instructions for setting up voting equipment is the topic. They’ve also been testing their online availability tools for the letters and correspondence with the poll workers. They’ve met with the Asian Law Caucus and reviewed online poll worker training and received positive feedback. They will be making some adjustments.
6. Precinct Services – has been looking at mailbox addresses vs. business addresses. 66 business addresses were identified that will no longer be used for registration purposes.
7. Publications – all the ballot shells, templates for the ballots for November are done and now we’re waiting for content. All the common pages (ranked choice voting, registration, etc., that you see from election to election in a voter guide) have been reviewed and are ready to go.
8. Technology Division – working with everyone else
9. Voter Services - conducting the usual maintenance on voter files. They will be sending out postcards to people whose addresses have changed according to the post office. Last week 20,000 were mailed out and in June another 56,000 will go out to people who haven’t voted in the last 2 statewide elections, who haven’t changed their names, addresses, or party affiliation.

* Inactive Voter Registration Record – If a voter is listed as inactive, the Elections Department doesn’t send them any correspondence, they are in the green pages of the roster, but if they show up for an election and say they still live at the address they registered at voter, they can still vote.
* Cancelled Record – If a voter is listed as canceled, the Elections Department doesn’t send them any correspondence, they’re not printed in the voter guide, if they show up at an election and say they still live at the address they registered at and it’s past the deadline to register, they cannot vote.

After four years if you haven’t changed your name, address, or party affiliation you become cancelled. To become inactive: We send you a voter guide and instead of sending the guide back to us the Post Office sends a file from the National Change Of Address notifying us that you moved. Once we get this information back from them we would inactivate you and send you a postcard saying hey we inactivated you but are you there.

1. Warehouse - archiving things for retention, preparing to move at some point.

Commissioner Yu wanted to know is there a way to verify that none of the “ghost” (non- responders/inactive voters) people show up as voters? Director Arntz replied that we get all of the vote-by-mail ballots back, we scan them, and take a picture of the envelopes and rosters. So if you try and vote absentee and at the polling place we would know because we compare the signatures and the bubbles on the rosters.

Commissioner Gleason inquired about the 66 addresses that were deemed unusable most of which were business addresses. Director Arntz stated that the Department will send someone out there to go and look and talk to people and verify if it is a legitimate address or not.

Commissioner Gleason wanted to know to what extent is the Department involved in giving the actual cost and what’s required of the voter pamphlet?

Director Arntz said that he’s not out there advocating but when asked a question I do provide answers. Furthermore, I do think that the printing of the referendum is not the best use of the Department’s resources. Because I know if we spend $1.8 million to print that one measure and mail it out the City is going to first look at our budget and see where they can find savings and going forward that will cause a problem for the Department.

Commissioner Gleason stated that the ballot simplification committee is a distillation and has a public review process so how they can say we’ll cut it off at 100 pages or 20?

NO PUBLIC COMMENT

8. Approval of Minutes from previous meeting.

Commissioner Gleason motioned to approve the minutes of the April 17, 2013

meeting and Commissioner

Safont seconded it. The roll call vote was UNANIMOUS to APPROVE.

NO PUBLIC COMMENT

9. Commissioner’s Report

10. Announcements

City Attorney Mollie Lee will no longer be working with the Elections

Commission and will be replaced by Josh White beginning June 3, 2013. Each

of the Commissioners commended Deputy City Attorney Lee for her work on

behalf of the Commission, and thanked her for her service.

There will not be a meeting in July.

11. DIscussion and possible action regarding items for future agendas

Commissioner Gleason expects to complete the President's Annual Report for 2012 shortly and asked that it be placed on a future agenda.

11. Adjournment 7:46pm

Commissioner Matthews excused himself from the meeting at 7:15pm