**Elections Commission Meeting**

**Wednesday, June 19, 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, Catalina Ruiz-Healy and Richard Matthews. ALSO PRESENT: Director of Elections John Arntz, Deputy City Attorney Josh White, and Commission Secretary Tachina Alexander.

1. **Approval of Minutes from previous meetings.**

Commissioner Matthews motioned to approve the Minutes of the May 15, 2013 Elections Commission Meeting and it was seconded by Commissioner Safont.

The roll call vote was UNANIMOUS to APPROVE the minutes.

**3**. **Discussion and possible action regarding the bylaws of the Elections**

**Commission.**

Public comment: David Pilpel had no objections however he suggested a few

tweaks such as “Executive Secretary” be changed to “Commission Secretary”

and “Annals” be changed to “Annual”

Commissioner Matthews motioned that the Bylaws be adopted with the

suggested edits as is. Commissioner Ruiz-Healy seconded it. The roll call vote

was UNANIMOUS to APPROVE.

**4. Director’s Report.**

Director Arntz

Division Reports

1. Administrative (Budget/Personnel) – adopted budget that was $150,000 less than projected. 16 temporary positions transitioned into permanent which reduced the temporary salary. Mayor’s office presentation was brief; split payment in the budget closing out the fiscal year. They will also be submitting an amendment to the resolution voting contract to extend it another 3 years.
2. Ballot Distribution – Preparing for November. There is a new deadline for Supervisors which ended in June. There are only 2 candidates this time around.
3. Warehouse Services – Receiving supplies and inventorying them as they arrive.
4. Outreach Division – Will be renaming their networking group to Voter Information Network. Their next meeting is July 25th and will be discussing how to promote Rank Choice Voting online, and Voter Guides online vs. Paper. They want to hire one Spanish bi-lingual to read and translate and one tri-lingual Mandarin, Cantonese, and Chinese. They are already planning for the drop-off vote-by-mail locations. They have attended the citizenship ceremonies and continue more outreach with project homeless connect on July 9th Fashion Institute connect and other programs.
5. Poll Worker Division – Will be having their second networking meeting focusing on job cards. Next meeting on July 18th regarding closing procedures.
6. Precinct Services – Locating polling places for November. They have gone to every school to see where to place polls. They have received a $30,000 grant and that will be used to buy audio and sight disability software.
7. Publications – Posted positions for Proofreader date for ballot simplification
8. Technology Division – Working on links to re-register people, cancel or update online application for checklist on phone.
9. Voter Services – Continuing voter file maintenance, experienced a drop in voter registration, sending out 8,000 postcards and confirmations.

Commissioner Comments:

Commissioner Rowe – How are the events selected?

Director Arntz – Department stays in contact with vendors via postcards saying

“Don’t forget about us.” Constantly building mailing list database since 2002

through events, field work, and word of mouth.

Commissioner Rowe – Who provides phones for phone apps?

Director Arntz – The Department and we get plans that coincide with the election

Time.

**5. Discussion and Possible action regarding Proposed San**

**Francisco Ordinances 130413 and 130434**

Commissioner Gleason **-** The Board of Supervisors has before them two proposed ordinances to deal with limiting or condensing the number of pages of legal text for measures to voters in the Voter Information Pamphlet. This matter will be heard by the Board's Rules Committee on on June 28, 2013 if I understand the Director correctly.  
These proposed ordinances are before the Board to deal with the, at the time, unforeseen issue from the Boards action on June 19, 2012 when they did not allow an amendment reducing the number of pages of material to accompany referendum signature gathering on a particular matter. Rather, at the time, the Board adopted that a wide array of material including EIRs, department memos, correspondence and general planning documents needs to be part of the material accompanying signature gathering. Now all of this same material is part of the legal text of a referendum for the November ballot, and that legal text is required by San Francisco Municipal Elections Code to be printed and sent to all voters. This is a massive cost and burden to the Department of Elections. And at the same time condensing or not sending it denies voter the usual and immediate access to legal text of measures which we always provide in San Francisco. Whether this was at the time, intentional or a mistake, the change sought to remedy this would be permanent. That is something this Commission should address

commissioner Rowe – Does that do anything to solve the problem?

Commissioner Gleason – If we leave it, it can be utilized by someone else.

Commissioner Matthews – There is no guarantee it will work forever. Let’s call them on the carpet. We oversee elections and let’s tell them, by making this a one-time thing we’ll make it harder the next time. Let’s stop them the next time someone wants to create 500 pages of legal text out of nowhere that we then have to deal with.

Commissioner Ruiz-Healy – This is not what the spirit of the voter information pamphlet should be so let’s do it.

Commissioner Rowe - in requiring that the full legal text submitted with the petitions include something like an environmental impact statement or something else that would be similarly long. The suspicion is that is an effort to make the petition process more difficult therefore less likely to succeed. So if this doesn’t become a permanent solution to that problem we believe that they would be less likely to require that extra material be added on.

Commissioner Gleason - The commission needs to say that we want to provide people with 100% of the legal text. In my letter to the Board of Supervisors I said we’re going to let you get away with it one time because you made a mistake and we can’t afford that mistake. We don’t want you to change that ability to provide people with 100% of the legal text delivered at the same time with all the other materials.

Commissioner Ruiz-Healy - We’re trying not to create an incentive to create massive amounts of legal text regardless of whether or not you need to lug it around. We already have a Ballot Simplification Committee to do that very job.

Commissioner Rowe - According to legislative digest, the proposed solution is that the Director of Election has the discretion to omit legal text and include an excerpt.

Director Arntz - The anti-referendum initiative ordinance which is 42-pages after this that is coming down the pike after this meeting. So even if you do go to the rules committees on this issue you will still have this issue coming behind it. The elections code does allow the county council to write a summary of measure if the full text is not printed on the ballot or in the voter guide. That’s a compromise solution and it’s something that could go to the ballot simplification committee to get public feedback. I think it should apply to both the referendum and the anti-referendum ordinance. Currently our local code requires that we publish everything so we would need some kind of measure to allow us to publish a summary. The ability for the Board of Supervisors to do so currently exists (Attachment: Excerpt California Elections Code 9280)

Commissioner Yu - In paragraph 2 of the code 9280 in the event the entire text is not printed on the ballot or voter guide there shall be printed an impartial analysis is that what you’re referring to that would go through the city attorney and ballot simplification committee?

Director Arntz – Yes

Commissioner Gleason – In the 2nd paragraph 1st line is says “the measure’ that means you can apply this singularly to each measure right?

Director Arntz – That I don’t know you would have to ask Josh but I would assume so. To me there’s a door to get to the next room as far as this issue goes

Deputy City Attorney Josh White – I don’t know off the top of my head

Commissioner Matthews – In the 2nd paragraph it says “in the event” the entire text of a measure is not printed has that event come about any time since you’ve been Director?

Director Arntz – No

Commissioner Yu – Which Supervisors introduced the legislative digest for 130413 and 130434?

Commissioner Matthews – Supervisor Weiner the 20 day one and Supervisor Chew the 100 day one.

Commissioner Matthews moved that the President or designee appear before The Board of Supervisors at the appropriate meeting to represent the opinion of The Elections Commission on this matter as discussed; specifically represent the position that whatever statute gets adopted that creates the exception for this coming Election’s requirements of publication in the voter information pamphlet sunset the day after this election.

PUBLIC COMMENT: David Pilpel – In state elections code 2nd sentence 1st paragraph the City Attorney shall prepare and impartial analysis… If the City Attorney didn’t do so or found that it wasn’t impartial they could presumably go to court to try and get that struck or modified prior to publication. I also think this analysis is different from the summary of the measure itself so to do both would be more confusing to voters.

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

**6. Commissioner’s Reports**

NONE

**7. Announcements**

No July meeting

Commissioner Rowe has been in contact with the Mayor’s office that has

assured her that they will appoint a 7th member to the commission soon which

may hopefully be by our next meeting in August.

8. Discussion and possible action regarding items for future

agendas

Commissioner Gleason – Annual Report

Public Comment - NONE

**9. Public comment on any issue within the Elections**

**Commission’s general jurisdiction unless otherwise**

**included in an item on this agenda.**

David Pilpel – Recently at a state legislation committee meeting where they

reviewed a bill that would restrict a type of charter amendments or types of ballot

measures could appear. I think state should deal with state election and how we

govern our local elections should be for how the city to decide.

10. Adjournment 7:20pm