

ELECTIONS COMMISSION
City and County of San Francisco



Gerard Gleason, President
Joseph B. Phair, Vice President
Richard P. Matthews
Rosabella Safont
Arnold Townsend
Malcolm Yeung
Winnie Yu

John Arntz
Director of Elections

Shirley Rodriques
Commission Secretary

Elections Commission Meeting
Wednesday, November 19, 2008
At 6:00 pm
City Hall Room 408

Order of Business

1. **Call to Order & Roll Call**
2. **Announcements**
3. **Public comment on any issue within the Elections Commission's general jurisdiction**
4. **Director's Report of the November 4, 2008 Consolidated Presidential Election**

• Overview of conduct of the November 4, 2008 Consolidated Presidential Election
• Status of post-election ballot processing
• Progress of post-election canvas
• Status of future staffing and organizational needs of the Department for the next year

5. **Commissioners' Reports**
 - Meetings with public officials
 - Oversight and Observation activities
 - Long-range planning for Commission activities and areas of study
- a. **Commissioners will report on their experiences and observations of the November 4, 2008 Consolidated Presidential Election.**

- b. **Discussion and possible action regarding further Commission observations, research or investigations needed for evaluation of the November 4, 2008 Consolidated Presidential Election.**

6. New Business

- a. **Discussion and possible action to approve the Minutes of the October 15, 2008 meeting, and the October 20, 2008 Special Meeting.**
- b. **Discussion and possible action regarding the Board of Supervisors establishment of a Voting Systems Task Force.**

7. Discussion and possible action on written and e-mailed communications from the public to the Commission; Communication from Mr. William J. Smith.

8. Discussion regarding items for future agendas

Adjournment

Disability Access

The Elections Commission meeting will be held in Room 408, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Commission meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact The Elections Office at (415) 554- 4375 or our TDD at (415) 554-4386 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-6060.

Know your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE, DONNA HALL, CLERK, CITY HALL, ROOM 409, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO,

CA 94102-4683 AT PHONE NO.: (415) 554-7724; FAX NO.: (415) 554-7854; E-MAIL:
DONNA_HALL@CI.SF.CA.US. Copies of the Sunshine Ordinance can be obtained from the Clerk of the
Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

Materials contained in the Commission packets for meetings is available for inspection at the Elections
Department, City Hall Room 48, in the Commission's Public Binder, no later than 72 hours prior to meetings.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at
this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s)
responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

**Individuals and entities that influence or attempt to influence local legislative or
administrative action may be required by the San Francisco Lobbyist Ordinance [SF
Campaign & Governmental Conduct Code §2.100] to register and report lobbying
activity. For more information about the Lobbyist Ordinance, please contact the Ethics
Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone
(415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.**



Memorandum

To: Elections Commission
From: John Arntz, Director
Date: November 14, 2008
Re: Following Election Plan

The November 4, 2008 Consolidated General Election was conducted and is being conducted according to the Election Plan for this election.

4.0



**NOVEMBER 4, 2008 CONSOLIDATED GENERAL
 ELECTION STATISTICS**

NOVEMBER 11, 2008

REGISTRATION STATISTICS

Total Registered Voters <i>(As of <u>Oct. 30</u>)</i>	477,539
American Independent	7,859
Decline-to-State/Non-Partisan	141,123
Democratic	269,779
Green	9,651
Libertarian	2,336
Peace and Freedom	1,623
Republican	45,168

VOTE-BY-MAIL VOTER STATISTICS

Permanent vote-by-mail ballots issued:	Approx:	167,149
Overseas vote-by-mail ballots issued:	Approx:	7,746
Regular vote-by-mail ballots issued:	Approx:	23,090
Early Voting ballots issued:	Approx:	19,023
Early Voting ballots issued: <i>(E-VOTE –Edge machine)</i>		186
Early Voting ballots issued: (Election day only)	Approx:	1,071
Total Vote-By-Mail Ballots Requested by Party <i>(As of <u>Nov 11th 5PM</u>)</i>	Issued	Returned
	217,194	
American Independent	3,095	2,437
Decline-to-State/Non-Partisan	60,939	48,826
Democratic	125,279	105,756
Green	3,613	2,915
Libertarian	882	697
Peace and Freedom	546	392
Republican	22,840	19,253
Total Number of Vote-By-Mail Ballots Returned		<u>180,276</u>

4.1

AVR 11/11/08-32

**San Francisco Elections Commission
Commissioner Joseph B. Phair**

Report on November 4, 2008 Election Precinct Polling Places Review

Further to the Elections Commission's (the Commission) authorization at its October 20, 2008 meeting, I visited and reviewed voting operations at eighteen (18) polling places from 6:30 AM to 6:00 PM during the November 4, 2008 election. Polling places visited were in Precinct 7 (west end) and Precinct 10 (east end). Following is a summary of findings and observations at these polling places.

In summary, no irregularities were observed. All polling places reported opening on time, adequate numbers of ballots (while some polling places came close to running out of ballots before noon, replacement ballots were delivered by the Department's FED personnel in time at those locations), adequate numbers of poll workers, competent Inspectors, generally adequate facilities, no major equipment problems (see specifics below) and no difficulties or voter issues regarding emptying the Sequoia optical scan equipment (OSE) during the voting period. Polling places located in open areas, such as garages in the City's western end, were cold and windy, but not excessively problematic.

Observations and recommendations, including those reported by the poll workers/Inspectors, are summarized below.

Precinct 7 Polling Places (numbers identify the specific polling place):

2734 Garage, 32 San Jacinto Way 6:30 to 8:15

Opened: On time. Observed opening and "zero out" of OCR. Polling place adequately arranged at opening.

Lines at Open: 13

Number Voting Booths: 6

Staffing: 2 adults, 3 students (one adult Chinese fluent)

Equipment: Some Difficulty starting the touch screen but it was working by 8:00 am.

OSE Count: 130 as of visit (no line at that time)

Touch Screen Vote: One voter was not able to use the equipment in morning due to a delay but this didn't prevent the person from voting.

Provisional Ballots: A few vote by mail ballots were dropped off in the morning

Ballot Availability: Adequate in morning

Supplies: Adequate

Conditions: Cold and windy

Observations, Comments and Recommendations: Poll workers were not well versed on touch screen operation. Did not observe touch screen use.

2733 School, 105 Aptos Ave 10:15

Opened: On time

Lines at Open: 32 reported. No line as of visit

Number Voting Booths: 6

Staffing: 3 adults, 3 students

Equipment: Inspector stated that he didn't like the touch screen. No problems reported.

OSE Count: 702 as of visit

Touch Screen Vote: 0 reported as of visit

Provisional Ballots: None reported as of visit

Ballot Availability: Adequate as of visit

Supplies: Adequate as of visit

Conditions: Excellent

Observations, Comments and Recommendations: Inspector reported that the voter information guides were a nuisance and they didn't have any State guides (but some were delivered by the FED later in the day).

2749 Garage, 95 Keystone Way 10:33 am

Opened: On time

Lines at Open: 15, voting reported to have continued "non stop" for 2 hours"

Number Voting Booths: 5

Staffing: 2 adults, 3 students

Equipment: No problems reported

OSE Count: 449 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Not reported

Ballot Availability: Running out at 9:30, but more delivered by 10:30 am

Supplies: Adequate as of visit, running out of pens

Conditions: Very small garage, crowded

Observations, Comments and Recommendations: Inspector was very concerned re ballot availability but the shortage was addressed before the polling place ran out. Not sure how this worked out during the rest of the day.

1111 Ingleside Library, 1649 Ocean 10:35 am

Opened: On time

Lines at Open: Not reported

Number Voting Booths: 6

Staffing: 4 (one no show)

Equipment: The OSE broke down. FED fixed it. The Inspector held the voted ballots in the blue box until the unit was working, then the Inspector fed all previously voted ballots into the OSE equipment. Equipment problem did not delay or prevent any voting.

OSE Count: 319 as of visit

Touch Screen Vote: 1 as of visit

5.1

Provisional Ballots: Not reported
Ballot Availability: No problems as of svisit
Supplies: Adequate as of visit
Conditions: Excellent
Observations, Comments and Recommendations: No difficulties as of visit

2751 Firehouse, 1000 Ocean Avenue 11:05

Opened: On time
Lines at Open: 39
Number Voting Booths: 5
Staffing: 5
Equipment: No problems reported as of visit
OSE Count: 508 as of visit
Touch Screen Vote: 4 as of visit
Provisional Ballots: Number not reported, but the provisional voter lists were reported as being late arriving at the polling place
Ballot Availability: No problems reported as of visit
Supplies: Adequate as of visit
Conditions: Acceptable interior, but a bit crowded and difficult outside due to very busy intersection
Observations, Comments and Recommendations: Some voters complained that this is not a good polling place location. It is located at a very busy intersection (on Ocean by City College, major Muni stop and heavy traffic). There is very limited parking (unless voters park in nearby merchant lot or Muni turn-around) and no pedestrian cross walk. DoE should consider not using this facility in the future.

2753 School 250 Forester Street, 11:25 am

Opened: On time
Lines at Open: Not reported
Number Voting Booths: 5
Staffing: 5 (2 adults/3 students)
Equipment: No problems reported as of visit
OSE Count: 463 as of visit
Touch Screen Vote: 0 as of visit
Provisional Ballots: Not reported
Ballot Availability: Came close to running out as of visit but additional ballots were delivered at 11:25 am
Supplies: No problems reported as of visit
Conditions: Excellent
Observations, Comments and Recommendations: Good location with adequate parking.

2752 Garage, 526 Flood Ave, 11:37

Opened: On time
Lines at Open: Big line (number not reported)

5.2

Number Voting Booths: 6

Staffing: 6

Equipment: Inspector reported having difficulty connecting the touch screen equipment to the electric source (plug problem). Two OSE jams, cleared by workers.

OSE Count: 776 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Not reported

Ballot Availability: Ran low early but got a redelivery.

Supplies: Low on pens as of visit

Conditions: Marginal. Very small and crowded garage. Limited parking

Observations, Comments and Recommendations: Try to locate larger facility. Staff at this location did an excellent job managing the small space. Had one problem with an elderly voter who was not listed and refused to vote provisionally, but the Inspector was able to resolve the situation.

Precinct 10 Polling Places (numbers identify the specific polling place):

3002 Playground facility, Arkansas and Mariposa Streets, 2:00 pm

Opened: Opened 5 minutes late (Park & Rec. employee late with key)

Lines at Open: 20

Number Voting Booths: 8 (not enough for this polling place)

Staffing: 4 adults and 2 students

Equipment: Touch Screen had 34 votes on it when the poll opened and the Inspector did the "zero out" test. The problem was fixed and the touch screen was operational. No other equipment problems reported as of visit.

OSE Count: 1224 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Inspector reported a lot of provisional ballots as of visit.

Ballot Availability: No problems as of visit

Supplies: Not enough "I voted" stickers or voter information books

Conditions: Excellent

Observations, Comments and Recommendations: Very good location with a lot of parking and interior space, but need to impress on Park and Rec. the importance of being on time to allow set up and opening of polling places on time.

3005 St. Teresa Church, Sammon Hall, 390 Mission Street, 2:40 pm

Opened: On time

Lines at Open: 50

Number Voting Booths: 6

Staffing: 5

Equipment: No problems reported as of visit.

OSE Count: 900 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: As of visit there were reported to be 12 vote by mail where voter was unable to surrender the mailed ballot

Ballot Availability: Ran out of ballots in the morning and had to hold 3 people while waited or more ballots. No voters were turned away due to insufficient ballots

Supplies: No problems reported as of visit.

Conditions: Excellent

Observations, Comments and Recommendations: None

3006 Garage, 613 Wisconsin Street, 2:51 pm

Opened: On time

Lines at Open: Not reported

Number Voting Booths: 6

Staffing: 3 adults, 1 student

Equipment: OSE jammed a number of times, twice while I was on site. Problems related to over-votes (2 while I was on site). The Touch Screen equipment wasn't working properly when the polling place opened therefore the unit had to be replaced.

OSE Count: 923 at 3:00 pm

Touch Screen Vote: 0 as of visit

Provisional Ballots: A number of non-SF voters voted in the presidential election. See below re individuals dropped from the voter list.

Ballot Availability: No problems reported as of visit

Supplies: No problems reported as of visit

Conditions: Adequate, some crowding in a very narrow space (like a hallway).

Observations, Comments and Recommendations: The Inspector reported that he had experienced a number of individuals who had been dropped from the voter list, situations where the husband was still on the list but the wife had been dropped for no evident reason.

3009 Recreation Center, Potrero Hill, 801 Arkansas Street, 3:37 pm

Opened: On time

Lines at Open: No line when opened

Number Voting Booths: 5

Staffing: 2 adults and 3 students

Equipment: No problems reported as of visit

OSE Count: 246 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Not reported

Ballot Availability: Adequate as of visit

Supplies: No problems reported as of visit

Conditions: Excellent

Observations, Comments and Recommendations: None

3008 School, 1251 Carolina Street, 3:37 pm

Opened: On time

Lines at Open: 21, very busy until 11:00 am

Number Voting Booths: 6

Staffing: 3 adults and 3 students

Equipment: Minor jamb of the OSE when in reached 900 votes, -- wouldn't feed. No problems after the unit was emptied (once prior to my visit)

OSE Count: 1080 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Reported about 24 provisional ballots as of visit, mostly individuals who were voting out of their registered polling place or vote by mail voters who did not have their mailed ballot to surrender.

Ballot Availability: No problem reported as of visit

Supplies: Adequate as of visit

Conditions: Excellent

Observations, Comments and Recommendations: None

3003 School 2641 25th Street, 3:57 pm

Opened: On time

Lines at Open: 15

Number Voting Booths: 6

Staffing: 3 adults and 2 students

Equipment: No problems reported as of visit

OSE Count: 875 as of visit

Touch Screen Vote: 13 as of visit

Provisional Ballots: A lot of provisional ballots, mostly out of precinct voters and late registrations that didn't get a voting registration acknowledgement in the mail.

Ballot Availability: No problems reported as of visit

Supplies: No problems reported as of visit

Conditions: Excellent

Observations, Comments and Recommendations:

3001 Firehouse, 299 Vermont Street, 4:20 pm

Opened: On time

Lines at Open: 5

Number Voting Booths: 6

Staffing: 5

Equipment: No problems reported as of visit

OSE Count: 980 as of visit (8 in line to vote at that time)

Touch Screen Vote: 1 as of visit

Provisional Ballots: A lot of provisional ballots. This polling place ran out of provisional ballot envelopes and had to send some voters (I observed two) to another polling place. One was a voter from Monterey voting in San Francisco, and one was a SF resident who did not have his vote by mail ballot to surrender and had to be sent to 3005 polling place.

Ballot Availability: Other than lack of provisional ballot envelopes, no other problem reported as of my visit.

Supplies: Adequate as of visit

Conditions: Acceptable, similar to a residence garage (cold and windy)

Observations, Comments and Recommendations: Not sure the workers were in adequate contact with their FED.

3011 Omega Boys Club, 1060 Tennessee Street, 4:45 pm

Opened: On time

Lines at Open: 15

Number Voting Booths: 6

Staffing: 2 adults and 4 students

Equipment: No problems reported as of visit

OSE Count: 1288 as of visit

Touch Screen Vote: 10 as of visit

Provisional Ballots: A lot of provisional ballots, mostly for individuals who were not on the voting list but said they had registered to vote in this precinct.

Ballot Availability: No problems reported as of visit

Supplies: No problems reported as of visit

Conditions: Excellent

Observations, Comments and Recommendations: Inspector doing a good job of handling the large number of provisional ballots.

3007 Muni Barn, 700 Pennsylvania Ave, 5:00 pm

Opened: On time

Lines at Open: 15

Number Voting Booths: 7

Staffing: 5

Equipment: No problems reported as of visit

OSE Count: 1198 as of visit

Touch Screen Vote: 5 as of visit

Provisional Ballots: Not a large amount, mostly vote by mail voters who did not have their mail in ballot to surrender, or individuals who said they had registered through CA DMV but did not appear on the SF voter lists.

Ballot Availability: No problems reported as of visit

Supplies: No problems reported as of visit

Conditions: Excellent, but a long walk in from sidewalk.

Observations, Comments and Recommendations: Inspector suggested that the SF Department of Elections phone number be put back on the voter registration form in the section that the registrant keeps, which is where it used to be. Now the phone number is only on the section of the form that is mailed/returned to the Department, thus this Inspector had to hand write the phone number on all forms that she used.

Also, it is the Inspector's opinion, based on her numerous experiences as an inspector that the DMV voter registration does not work and should be modified or improved. This Inspector also stated that there needs to be more and better

training regarding the seals used on the voting equipment and other items to better inform the poll workers of what and how to use these seals. There was also raised the question of where to measure the 100 feet from the polling place in which electioneering may not take place. Is it from the front door of the voting area, from the voting roster, from the front of the particular facility or some other position? This is important for polling places such as this Muni Barn, schools, churches etc. where the actual polling place is located in an inside room. Should electioneering be allowed inside the facility if it is 100 feet from the particular room being used for voting (i.e. down the hall)? I believe it should be measured 100 feet from the front door of the facility (i.e. along the sidewalk) to avoid voter problems inside, even if the hall is 100 feet from the voting room (i.e. classroom etc.). But this point needs to be cleared up (this Inspector got multiple answers from the DoE) and included in the Poll Worker's Manual as well as the pre-election poll worker training.

3010 The Futon Shop, 2150 Cesar Chavez Street, 6:00

Opened: On time

Lines at Open: 15, 150 voters in first hour

Number Voting Booths: 5

Staffing: 2 adults and 3 students

Equipment: One OSE jamb at 9:30 am caused by a ballot not dropping because the voter receipt had not been removed. Other than that, no problems reported as of visit

OSE Count: 703 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Not many (no number reported) as of visit

Ballot Availability: No problems reported as of visit

Supplies: No problems reported as of visit

Conditions: Excellent (very good cooperation and support from business owner)

Observations, Comments and Recommendations: None

SUMMARY OF EXPERIENCES FROM ELECTION DAY -- NOVEMBER 4, 2008

[GLEASON]

The following is a summary of Election Day activities at the precinct where I served as a poll worker (Inspector) for the recent General Election. This summary is meant only to provide an overview of my experience and observations that day while serving as a pollworker and related activities to serving as a pollworker. I submit this to you before the Commission meeting on November 19, 2008 in order to conserve time at that meeting.

Election Day: November 4, 2008
Precinct 2112 - 235 12th Avenue - Sutro Elementary School (SF Supervisor District 1)

Training class: Saturday November 1, 2008
Length: 1.5 Hours (Experience Inspector)

Ballot & Precinct supply pickup: after training class, Civic Auditorium
pick-up time process: less than 6 minutes

Pollworker crew other than myself

1 Adult clerk, 3 high school student clerks –
2 of the high school student clerks served as the required bilingual translators. I observed that translation services were needed several times that day. Students represented three participating SFUSD high schools (Galileo, Lowell, Washington). Pollworker arrival time at precinct: all arrived between 5:45AM and 5:55 AM.

Voters listed on Roster (Active & Supplemental): 1023
Voters who signed roster at precinct and voted: 445
Provisional Ballots cast: 13
Vote-by-Mail (VBM) Ballots dropped at Precinct: 73
Surrendered VBM Ballots: 3
VBM Ballots issued before the election as noted on roster: 396
Spoiled ballot cards: 50

Voters in line when Precinct opened at 7:00AM : 38

Examples of cause for Provisional ballot cast:

- 1) Not on roster: Voter stated she registered to vote in Orange County, was told she could cast a provisional ballot
- 2) Not on roster: Voter stated she thought she had registered when she completed a change of address with United States Postal Service
- 3) Not on roster: Voter appeared to have voter registration postcard from SF DOE verifying voter registration on August 18, 2008 at address in Precinct 2112. Her husband had his own copy of same SF DOE voter registration verification postcard, from the same date, and he was on the roster for Precinct 2112

One voter arrived at 7:20 PM with a yellow Vote-by-Mail ballot for Placer County (Auburn).

Voting Equipment

Sequoia Insight (optical scan): Public Counter at close of polls: 1782

Sequoia Edge (touchscreen/DRE): Public Counter at close of polls: 0

Ballot transfer: Sequoia Insight ballots started to jam at 670 on the LED Public Counter (670 cards in machine). This occurred at approximately 10:15 AM. After a call to the Field Election Deputy (FED) and the DOE Command Center, it was determined the FED could not arrive within a reasonable amount of time to transfer the ballots to allow voting to continue for voters waiting. I opened the doors to the ballot storage area, reaching my arm in, rearranged the pile of ballots cards in bin #2 and closed the storage area doors. This allowed ballots to now have room to continue to drop into bin #2. This gave us another 45 minutes of ballot accepting until our FED arrived and we completed the one transfer of ballots that day. The ballot transfer at Precinct 2112 was the first one our area FED had done that day. The ballots started to jam again in the evening, after 7:00PM and we were required to lift the ballot tabulator and reposition the receiving of ballots in storage bin #2 for the least few voters of the day.

The precinct did not have an SF DOE supplied table to use for roster signing and ballot distribution when I arrived at 5:45 AM. I believe SF DOE intended for us to use one of the many school cafeteria tables in the room. As those tables have built in benches, my one adult clerk could not sit at them (access issues and backless) and voters cannot completely approach the table to sign the roster. I called the SF DOE command center. A DOE table was delivered to the precinct at 6:05AM (within 15 minutes of the call).

Our precinct never received the Yellow (Voter Identification Required) Roster that was supposed to be delivered to our precinct. I overlooked inquiring about it to our FED.

Shortage of ballot pens (some disappeared with voters) was problematic during the first hour of voting. Our FED delivered a few additional ballot pens and the school office where the precinct was located provided us with several #2 pencils for voters to use to mark their ballots. The school office also provided band-aid for the numerous paper cuts from ballot handling.

Last voter of the day placed ballots in the Insight at 8:25PM

Voting machine memory packs and tally tape were picked up by Parking Control at 8:40PM (Parking Control had been there earlier, by re-routed due to voters still marking ballots).

Student clerks completed tasks and were dismissed at 9:15PM

Sheriff arrived to pick up ballots and other materials at 10:05PM

At the opening of our precinct we had 18 visiting election observers from Mexico, from various government agencies and NGOs. This group observed the setup of our precinct and the first 45 minutes of voting before leaving to visit other precincts in San Francisco and voting in other counties. An attached news article from the *Santa Cruz Sentential* of November 5 describes more on this group's visit. SF DOE arranged a visit and tour of the office for this same group on Sunday November 2, led by SF DOE spokesperson Giannana Miranda.

Special mention: Before the election, I signed up with a nonprofit group called Pollworkers for Democracy, which was organized by the Credo cellular phone service (a division of San Francisco-based Working Assets). I signed up with the group out of curiosity as to what they were doing. The organization claims to have recruited over 12,000 people to work the polls on November 4. During the preceding month before the election, Pollworkers for Democracy had arranged a series of telephone conference calls involving pollworker information and issues; one call hosted California Secretary of State Debra Bowen. One great surprise benefit of signing up with the group was that on Election Day, Robert McKennie who is the Pollworkers for Democracy coordinator for SF County, delivered hot coffee and food (bagels & cream cheese) to the crew at my precinct. Our entire staff of pollworkers at Precinct 2112 was extremely grateful for this kind and unexpected treat.

(Note: the LED counter at the end of the day is not divisible by the 4 ballot cards for 445 voters having signed the roster. There may be 2 extra cards from spoiled ballots that were inserted in error. This may have occurred at about 3:15PM.

All Numbers provided are from information collected from pollworkers at the end of the day at the precinct and have not been verified)

ELECTIONS COMMISSION
City and County of San Francisco



Gerard Gleason, President
Richard P. Matthews
Joseph B. Phair
Rosabella Safont
Arnold Townsend
Malcolm Yeung
Winnie Yu

John Arntz
Director of Elections

Shirley Rodrigues
Commission Secretary

City and County of San Francisco
Elections Commission

Approved:

Minutes of the Meeting held
City Hall, Room 408
October 15, 2008

1. President Gleason called the meeting to order at 6:04 pm.
2. **COMMISSION MEMBERS PRESENT:** Commissioners, Gerard Gleason, Richard P. Matthews, Winnie Yu, Rosabella Safont, Malcolm Yeung, Joseph B. Phair, Deputy City Attorney Mollie Lee and Director John Arntz.
EXCUSED: Commissioner Arnold Townsend.
3. **Presentation of Resolution thanking the Ballot Simplification Committee and the Deputy City Attorney for their work on the November 4, 2008 General election.** Commissioner Matthews described the work that the BSC does for each election along with its legal counsel, and committee clerk. He explained that the Commission has been remiss in not officially acknowledging the Committee's work over the years and especially for this year which had five elections. Below is the Resolution read by the Commissioner:

Resolution

Commending the Members of the Ballot Simplification Committee and its Legal Counsel who served for the November 4, 2008 Consolidated General Election

WHEREAS, elections in San Francisco include a large number of ballot measures, the exact legal text of which can be complex and confusing; and

WHEREAS, the Voter Information Pamphlet must contain summaries of these numerous ballot measures that are clear, understandable, fair, and accurate; and

WHEREAS, the Ballot Simplification Committee and its legal counsel have a very limited amount of time in which to complete their work, bounded by the deadlines for qualifying measures for the ballot and the printing requirements of the Voter Information Pamphlet

l.a.O

and ballot cards, and thus work almost daily, and sometimes in full-day sessions, for more than two consecutive weeks; and

WHEREAS, the Deputy City Attorney prepares a draft of 300 words or less when possible, which is then reviewed by members of the Ballot Simplification Committee, whose members have expertise in the use of the English language, and who hold public hearings which citizens and campaign supporters routinely attend in an effort to edit the language, often to their own advantage;

WHEREAS, the Ballot Simplification Committee and its legal counsel consistently provide excellent, reliable, fair summaries of these ballot measures;

NOW THEREFORE, the Elections Commission of the City and County of San Francisco recognizes, by this resolution, the outstanding contribution to the citizens of San Francisco made by the members of the Ballot Simplification Committee for the San Francisco General Election of 2008;

The Elections Commission presents this commendation to Ballot Simplification Committeepersons Betty Packard, Dana Chisnell, June M. Fraps, Ann Jorgenson, and Adele Fasick; Department of Elections' Publications Division Manager Barbara Carr; and Deputy City Attorney Mollie Lee, with our thanks for their excellent work for the voters of San Francisco under strenuous and difficult circumstances.

Done this 15th day of October 2008

Gerard Gleason

President, San Francisco Elections Commission

I so attest:

Shirley Rodriques

Secretary, San Francisco Elections Commission

Betty Packard, BSC Chairperson, told the Commission that it was a privilege to work with the excellent group of women who have made up the BSC over the past few years. She explained that the Committee has donated two months to the City and County of San Francisco over the last year with no compensation. It has been a big commitment by each member. In addition, Ms. Packard said that the outstanding assistance of Barbara Carr and John Arntz can't be measured, and that there have been approximately six different Directors or Acting Directors of Elections, with whom she has worked, and that Mr. Arntz is "numero uno".

President Gleason presented each member of the Ballot Simplification Committee a boxed writing pen on behalf of the Elections Commission.

G.A.1

4. DIRECTOR'S REPORT

Preparations for November 4, 2008 General Election. Director Arntz reported that the voting equipment was certified yesterday and the City can now use it for the November 4 election. VIPs (Voter Information Pamphlets) are in the mail, and the Chinese and Spanish VIPs will be sent out shortly. There is a large print VIP on line in English, Spanish and Chinese.

The number of voter registrations continues to increase and currently total approximately 450,000. One Hundred and Seventy Thousand vote-by-mail ballots have been mailed and 7,000 were sent to overseas voters – a record to date. The early voting counter at City Hall has seen 1500 voters to date. Half of all Pollworkers have already completed their training.

Commissioner Matthews asked if the pollworker training is emphasizing discouraging voters from using the DRE equipment unless voters request to use it. Director Arntz replied that every voter will be handed a paper ballot unless s/he requests to use the touch screen. He said this has been made clear in the pollworker training.

Commissioner Matthews reported that he attended training over the weekend and that pollworkers who have worked at previous San Francisco elections appear to be still under the impression that there must be at least five voters at each precinct using the DRE. He said that the reason for this misunderstanding may be that the only mention of the DRE was about setting it up. Another thing Commissioner Matthews noticed at the training session was the absence of information about the additional pages (other than the white pages) of the voter rosters that may contain a voter's name when their name is absent from the white pages.

Commissioner Matthews called the Commission's attention to page 3, item III of the Secretary of State's (SoS) approval, wherein there is a note that the certification is for one time only, and he asked the Director if the certification would likely be approved after the November election, for the duration of the contract. Director Arntz replied that the equipment must still go through the Election Assistance Commission process which has yet to be completed. Full certification will probably be considered by the SoS in January.

President Gleason listed procedures which are expected in the Election Plan and asked the Director to confirm that they were unchanged. These include Ballot handling, Ballot path, making of the remakes, and the three scenarios that determine remakes. The list is:

b.a. 2

Vote-by-Mail Ballots:

All vote-by-mail voters receive a paper optical scan ballot.

Precinct Ballots:

All precinct voters will be handed a paper optical scan ballot, with a verbal reminder that accessible voting via the Edge (touchscreen/DRE) is available.

Precinct Ballots / Optical Scan

At the close of polls, vote totals for all precinct optical scan ballots placed in the Insight machine will have a tabulation total printout (tape). This tabulation will be for all contests and measures, with the exception being the tabulation of Ranked Choice Voting (RCV) contests, which will only report the tabulation of First Choice. Images of First Second & Third choices on RCV ballots will be captured by the Insight memory unit. Insight memory units will be secured and delivered to the Department of Elections.

Optical Scan Tabulation Report at Precincts:

A copy of the Insight tabulation printout will be posted outside of precincts and the end of the Election Day.

Optical Scan Tabulation Reports:

The Department of Elections will use data from the Insight memory units for unofficial and official vote totals.

Precinct Ballots / Accessible Voting (DRE):

Votes recorded on the accessible voting Edge (touchscreen/DRE) system will be captured on the paper printout for the unit (VVPAT). The VVPAT as well as the memory unit for the Edge system from each precinct will be secured and delivered to the Department of Elections.

DRE Tabulation Report at Precincts:

No printed or transcribed total for votes on the Edge system will be posted outside of precincts at the end of Election Day.

DRE Tabulation Reports:

The Secretary of State has mandated that final, official vote totals from the Edge units must originate from paper optical scan ballots which are remade from data captured on the VVPAT. 100% of votes recorded on precinct and early voting Edge units will be remade onto paper optical scan ballots by the Department of Elections.

Ballot Remakes Required:

6.a.3

All damaged ballots which cannot be inserted or read by optical scan units at the Department of Elections will be remade. 100% of votes recorded by Edge units will be remade onto optical scan ballots.

All provisional ballots cast by voters who are out of their assigned precinct and issued a ballot style other than the exact same issued by their assigned precinct, will be remade, including only contest the voter is entitled to vote on as determined by their voter registration.

Director Arntz reviewed the above list and agreed that the information was correct with the following exception: Not all vote-by-mail voters receive a paper optical scan ballot because the overseas ballots are transferred once they are received at the Department of Elections.

Public Comment. *Brent Turner* said that the Director was working under unusual circumstances with the equipment the City has bought, and which Mr. Turner had urged not be purchased. He said that the SoS's report had two pages that reference source codes and he considers the report "scathing" and confirms that the system is not appropriate and has inherent insecurities. *Roger Donaldson* said he would like to see more investigation regarding the installation of software to ensure that there has been no tampering, and he reminded the Commission that there is no observable screen on the equipment and asked how that will be handled.

5. **COMMISSIONER REPORTS.** President Gleason reported that there will be observers from Mexico in San Francisco for the November election. There will be a get together the Sunday morning before election day and Commissioners will receive an email notice from President Gleason with more information. President Gleason reminded the Commission that he and Commissioner Matthews accepted an invitation to observe the election in Baja Norte last year.

President Gleason complimented the Pollworker Division on the clerk training he observed. He said it was very good and very thorough.

6. **NEW BUSINESS**

- a. **Discussion and possible action to approve the Minutes of the October 1, 2008 Commission Meeting.** Commissioner Matthews MOVED and Commissioner Phair SECONDED approval of the minutes.

The Roll Call Vote was UNANIMOUS to approve the minutes with the minor corrections offered by Commissioner Phair and Ms. Chandra Friese.

7. **OLD BUSINESS**

- a. **Discussion and possible action regarding preparations for the November 4, 2008 General Election.** Commissioner Matthews MOVED that the Director

6.a.4

provide to each Commissioner, prior to election day: A precinct map of San Francisco, list of polling places and addresses, an observer guide, and observer schedule of events. Commissioner Safont SECONDED the MOTION. The Roll Call Vote was UNANIMOUS.

Commissioner Matthews MOVED that the Department provide to the Elections Commission, as soon after the election as they are available: The IRIS (complaint) Log, the DRE (Direct Recording Equipment) usage results including the XL data set and the report provided by precinct, copies of all correspondence by voters or campaigns regarding their experiences, the Provisional Voting results including total number and reasons for voting provisionally, the number of votes accepted and rejected and the reasons, vote-by-mail numbers including numbers mailed to voters and returned (including those excepted and rejected with reasons), a memo from the Director of any deviations or modifications from or to the Election Plan – sent by Friday, November 14 so that the Commission may review before its November 19, 2008 meeting – and if no changes, a memo stating that fact. Commissioner Safont SECONDED the MOTION.

The Roll Call Vote was UNANIMOUS to receive these items.

b. Discussion and possible action regarding criteria for Commission post-election evaluation of election plans and conduct of election. [Phair]

Commissioner Phair called the members' attention to the outline of the discussions from the Budget and Oversight of Public Elections Committee (BOPEC) he provided in this meeting's packet. He explained that there may be some confusion about the list and the items discussed under the previous agenda item. Commissioner Matthews explained that in the past there have been requests for the data points mentioned earlier in today's meeting, but there is still the question of how the Commission is to make its evaluation and what constitutes valid observation of the election.

Commissioner Phair said that the data needed for evaluation of an election may change from year to year, and that the information may be discussed at the Committee or/and Commission level. He said that "data points" need to be decided for the focus of this election. Commissioner Phair gave the example of the business-site polling places that the Commission chose to observe during the June 2008 election.

Commissioner Safont said she was excited to observe and participate in her first election and that the first step for the Commission is to get valid information and the next is to develop some metrics and assign some percentages of error for the after-election evaluation.

Commissioner Yu said that there are two ways of viewing how to evaluate the election: quantitative/statistics and the qualitative/experiential factors. She said that a way to mesh the two sides would lead to a good evaluation plan.

6.a.5.

Commissioner Yeung acknowledged that this will be his first election as a Commissioner and that he is assuming that the Commission is seeking practical standards rather than legal standards for its evaluation. He said that the measuring of data over time is a good practical way to evaluate and asked if the Commission has, in the past, looked at any academic studies of elections that might help in creating a metrics.

Commissioner Phair said that his approach is that the Commission agree on some specific data points that it will gather, and after the election, look at that information.

Members agreed that the Commission look at the number of re-made ballots, by category and cause, for the November 4, 2008 general election.

Commissioner Rosabella Safont asked what was the percentage of equipment problems for the 560 precincts in the past. Director Arntz responded that the number varies, but that he expects that due to the expected high turnout there may be more issues or at least more "perceived" issues.

Commissioner Phair presented the motion: To facilitate the Commission's evaluation of the November 4, 2008 election, the Commission requests, in addition to the items previously requested at this meeting, that the Director provide information to the Commission in his Post Election Review of the following: Limitations of the Department of Elections' facilities, including precincts, pre-election staging areas (for equipment, ballots or other materials), training facilities, ballot processing facilities and any voting equipment problems, failures or difficulties associated with the equipment used in the election.

Commissioner Matthews **SECONDED** the motion.

Commissioner Yeung asked if the voter turnout numbers by San Francisco neighborhood could be included in the Commission's post election discussions.

The Roll Call Vote was **UNANIMOUS** to approve the **MOTION**.

c. **Discussion of Commissioner assignments and observations for the November 4, 2008 General Election.**

Commissioner Matthews requested that he be able to continue his observations of the DRE (direct recording equipment) voting machines, including preparations for use, election day usage, and all of the data resulting from DRE's after the election. He said he would need access to Pier 48 for a brief period of time. Commissioner Safont stated that she will be taking the Pollworker Training class on November 1st and plans to work as an Inspector for the November 4 General Election.

b.a.6

President Gleason said that he will be working as a pollworker for the election, but he has a concern regarding the transfer of ballots at the precincts throughout the day due to the limitations of the amounts of ballots the equipment can store. He asked if other Commissioners could observe the transfers and report on public response to them.

Director Arntz said that there will be regular transfers by two-thirds of the precincts from the machines to the red ballot boxes at approximately 10 am and 2 pm. If the FED (field election deputy) or Inspector feels that additional transfers need to be made, they will call Election Central and get approval to make the transfer.

Commissioner Phair suggested that the Commissioners have a general authorization to visit and observe the functioning of the election using the precinct maps and addresses.

Commissioner Matthews asked that ombudsmen Commissioners include the DRE in their observations of the precincts to assist him in his report.

Commissioner Phair added that the direction should be that all Commissioners are authorized to visit voting precincts for general observations of the voting process and report back to the Commission and to assist Commissioner Matthews, as their time permits, in his conduct of examining the DRE process.

Commissioner Gleason said he would make a report of his observations regarding the provisional ballots and will go over the initial data regarding the vote-by-mail ballots that the Department provides after the election. He added that he may need to ask for assistance from other Commissioners to complete this evaluation.

The action to approve the assignments discussed will be taken up at the next meeting of the Commission as this discussion was not posted as an action item on this meeting's agenda.

ADJOURNED at 8:04 pm.

6.a.7

ELECTIONS COMMISSION
City and County of San Francisco



Gerard Gleason, President
Richard P. Matthews
Joseph B. Phair
Rosabella Safont
Arnold Townsend
Malcolm Yeung
Winnie Yu

John Arntz
Director of Elections

Shirley Rodrigues
Commission Secretary

City and County of San Francisco
Elections Commission

Approved:

Minutes of the Special Meeting held
City Hall, Room 416
October 20, 2008

1. President Gleason called the meeting to order at 8:09 am.
2. **COMMISSION MEMBERS PRESENT:** Commissioners, Gerard Gleason, Richard P. Matthews, Winnie Yu, Rosabella Safont, Malcolm Yeung (arrived at 8:08 am), Deputy City Attorney Mollie Lee and Director John Arntz. **EXCUSED:** Joseph B. Phair. **ABSENT:** Commissioner Arnold Townsend.
3. **DISCUSSION AND POSSIBLE ACTION TO SUBMIT A REQUEST TO THE BOARD OF SUPERVISORS FOR A WAIVER ALLOWING CERTAIN CITY EMPLOYEES OR OFFICERS TO WORK ON THE NOVEMBER 4, 2008 GENERAL ELECTION.** Commissioner Matthews MOVED and Commissioner Safont SECONDED this item. The Roll Call Vote was UNANIMOUS to submit the request for waiver to the Board of Supervisors.
4. **DISCUSSION AND POSSIBLE ACTION TO APPROVE COMMISSIONER ASSIGNMENTS AND OBSERVATIONS FOR THE NOVEMBER 4, 2008 GENERAL ELECTION.** Commissioner Matthews MOVED and President Gleason MOVED this item. The Roll Call Vote was UNANIMOUS to approve the Commissioner Assignment and Observations for the November 4, 2008 General Election.

ADJOURNMENT at 8:10 am

6.a.8

November 4, 2008

Board of Supervisors City and County of San Francisco

*Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689*



AGENDA

**Tuesday, November 4, 2008
2:00 PM**

Regular Meeting

**35. 081227 [Voting Systems Task Force] Supervisor
Ammiano**

Ordinance amending the Administrative Code by adding Sections 5.400-410 to establish a Voting Systems Task Force comprised of individuals with backgrounds in good government, computer science or the computer industry, election administration, and accommodations of persons with disabilities, to make recommendations to the Board of Supervisors about voting system standards, design and development.

**Question: Shall this Ordinance be PASSED ON FIRST
READING?**

6.b.



William Smith

11/09/2008 07:02 PM

Please respond to

To elections.commission@sfgov.org

cc

bcc

Subject Election Law Changes: Prohibit ANY Use of Electronics While Voting

Sirs:

I phoned your office on Nov. 4 to describe an extremely irritating situation at precinct 2742 in which a man in an adjacent voting booth took a phone call, conducted a 5+ min. phone conversation, began laughing very loudly, and was finally asked by a poll worker (at my request) to finish his business and leave.

Henceforth, there must be a policy adopted (as is the case in other states) which PROHIBITS use of ANY electronic communication devices (cellular telephone, pagers, text messaging equipment, BlackBerry, iPod, iPhone, etc.) during the process of voting. Use of this equipment could be viewed by some as ELECTIONEERING - much in the same way as wearing political statement garb that endorses a candidate.

The gentleman next to me was loud, obtrusive, annoying, and highly disturbing to me as I voted. I want to see that ALL electronic equipment be silenced and turned off completely. Accepting calls, pages, and text messages must be prohibited upon initiating the voting process until such time as it is finalized and the person exits the voting area.

I urge this policy to become STATE LAW as soon as possible. This ruling should be printed in every voter information packet and posted prominently in each precinct. Failure to abide by these laws should result in fines, jail time, and expulsion from the voting area.

It is my understanding (unverified) that this is LAW in Tennessee.

William J. Smith

San Francisco, CA

7.0