



Memorandum

To: Elections Commission

From: John Arntz, Director

Date: October 16, 2008

Re: **Waiver Allowing City Employees to Assist the Department of Elections with the November 4, 2008 Consolidated General Election**

This memorandum requests that the Elections Commission approve the Department of Elections' (Department) request for the Board of Supervisors to waive the prohibition under Charter section 13.104.5 that disallows City employees from assisting the Department in the conduct of elections. The Department seeks a general waiver of this prohibition so the Department is able to utilize the services and expertise of City personnel when necessary; however, the Department presently expects to require the assistance of approximately 10 people from other City departments.

The Department will require technical assistance to upload the vote tallies contained in the memory packs that will be transported from each polling place to City Hall, as well as preparing the information for results reporting. The memory packs record the voting that occurs in the polling places on vote tabulation machines. The City personnel will assist in uploading the voting information contained inside the memory packs into the central count system located in the Department's computer room in City Hall Room 48.

While the uploading of the voting information from the memory packs will last a few hours after the polls close, the Charter prohibits City personnel from providing such assistance to the Department. (13.104.5).

Except as provided below, no City employee or officer, other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission, may in any capacity perform any function relating to the conduct of an election that this Charter places under the Department of Elections. This section prohibits City personnel from providing to the Department of Elections services that are unique to that department. . . . The Elections Commission may, upon the recommendation of the Director of Elections request from the Board of

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Supervisors a waiver of this prohibition so as to allow City employees and officers to assist the Department of Elections. The Board of Supervisors shall approve or deny such requests from the Elections Commission by motion.

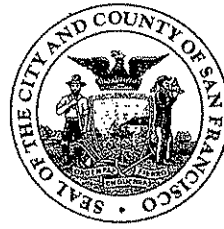
The Department does seek to conduct elections exclusively with its permanent and temporary staff, but we find it necessary in some instances to utilize the skills of City personnel who work with other departments. Thus, after considering staffing needs for the November 4, 2008 Consolidated General Election, I recommend that the Elections Commission request from the Board of Supervisors a waiver of the prohibition of City employees performing election-related tasks and allow City personnel to assist the Department of Elections.

The Department requests that this be a general waiver in order to provide flexibility in planning for the election. Still, at this time the Department has identified the need for the assistance of six people from other City Departments. The five personnel are expected to work in the departments listed in the attachment to this memorandum.

I will be glad to answer any questions you might have on this matter.

Encl; waiver request list

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October 16, 2008

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November 4, 2008 Consolidated General Election**

TECHNICAL SUPPORT

Number of City Employees: 10

Departments: Department of Technology, General Services Agency, and City Attorney's Office.

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The MOTION as proposed at the Wednesday, October 15, 2008 meeting reads as follows:

That for the November 4, 2008 General Election: all Commissioners have a general authorization to visit voting precincts for general observations of the voting process and report back to the Commission; and that ombudsperson Commissioners, as their time permits, include the DRE in their observations of the precincts to assist Commissioner Matthews in his report examining the DRE process.

ADDITIONAL ASSIGNMENTS DISCUSSED WERE:

President Gleason - will be working as a pollworker for the election, will 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. President Gleason may need assistance from other Commissioners to complete this evaluation.

Commissioner Phair – will observe scheduled transfer of ballots at the precincts throughout the day (at 10 am and 2 pm).

Commissioner Safont - will be a precinct Inspector for the November 4 General Election.

Commissioner Matthews - will 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.

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