

ELECTIONS COMMISSION
City and County of San Francisco

Christopher Jerdonek, President
Jill Rowe, Vice President
Charles Jung
Dominic Paris
Rosabella Safont
Winnie Yu



John Arntz, Director of Elections

MEETING MINUTES

San Francisco Elections Commission
Wednesday, April 15, 2015
6:00 p.m.
City Hall, Room 408
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102

1. Call to Order & Roll Call

President Jerdonek called the meeting to order at 6:01 p.m. Present: Commissioners Jerdonek, Jung, Paris, Rowe, and Yu. Commissioner Safont had an excused late arrival at 6:27 p.m. during item 4. The seat appointed by the City Attorney is currently vacant. Also present: Director of Elections John Arntz and Deputy City Attorney Joshua White.

2. General Public Comment

None.

3. Approval of Minutes for previous meeting

Moved by Vice President Rowe and seconded by Commissioner Jung to approve the draft minutes of the March 18, 2015 Elections Commission Meeting. No public comment. The vote was UNANIMOUS to approve.

4. Commissioners' Reports

President Jerdonek reported that the Special Meeting to interview Department employees for the annual review of the Director will be held on Thursday, April 23 at 3:30 p.m. in Room 34 of City Hall. He invited three employees to be interviewed, and they all agreed to attend.

President Jerdonek reviewed that at the last meeting, the Commission had voted for him to contact the runners up from last spring's hiring process for the Commission Secretary and to proceed with the hiring process if one was interested. He did contact them. The first person declined. However, the second person was interested and did meet HR requirements. Her name is Nadya Hewitt, and she will likely be starting next week. President Jerdonek will be coordinating the training.

President Jerdonek reported that Commission members now have City e-mail addresses, and he thanked Director Arntz for setting those up. He stated that the addresses will help Commissioners in carrying out Commission business.

Commissioner Paris stated that he did not have any activities to report yet, but that he would eventually like to add some items to the agenda, including around ensuring that students have adequate voter education.

No public comment.

5. Director's Report

Director Arntz reported on departmental activities:

Admin Group: The Admin Division is organizing Emergency Training for everyone in the Department. The City conducts training so that roles and procedures are understood. On a weekly basis the emergency procedures are reviewed at weekly staff meetings.

The Department is updating training for people who drive City vehicles while on the job. Director Arntz noted that this information is part of the orientation information and also that an updated video on defensive driving would now be a part of intranet orientation.

Director Arntz reported that the Department of Elections would need to find a location for poll training. Room 34 is now becoming a bike room before the 2016 elections. Replacement space has not yet been found. The Department is considering holding trainings mostly on weekends because City Hall will have more space available then.

The Port has indicated that the Department of Elections can stay at Pier 48 where the warehouse is located through the November 2016 election. The Port took the topic up with the Giants who control the space. There is no confirmation yet on Pier 31 being the next warehouse for the Department.

Director Arntz reported that the Admin Department is working on the implementation of Filipino language and services in the Department. Hard-copy forms, website content, pamphlets and ballots are being updated in Filipino; and the Spanish and Chinese sections are also being updated. They are now starting the process for the website. Physical implementation will begin in May to include the Filipino language. Due to the addition of the Filipino language, bilingual ballots will debut in November. The ballots would not have been able to accommodate four languages simultaneously because they would be too difficult to read and process. The Department is starting to advertise in the newspaper and will send notices to voters letting them know they can have a ballot mailed to them. There is also talk of doing some sort of PSA to educate voters.

Director Arntz said that the Mayor's Office informed him of a vacancy on the Community College Board that was just filled, so that will be included in this November's election. Now both the District 3 Board of Supervisors seat and the Community College Board

seat will be added to the usual offices appearing on the November election. The Mayor and Board nominees have an earlier nomination process than do other local offices.

The Ballot Distribution Division is finalizing the RFID program and making sure that the software is coded appropriately to the various processes. The initial testing phases have started. A lot of time was spent in other counties including Contra Costa, Alameda, and Santa Clara in taking pictures and documenting their processes. The Department has also been consulting with these counties to see how they handle language requirements at the polls.

Ballot Distribution is the first group to use data to make projections and compare those to the actual numbers. The Department is working on developing content for the Voter Services Division. The Department wants to start developing content to measure processes and have a historical reference for future elections. This coincides with the idea of open data. The more the Department develops internal data, the more data can be provided to the public.

Outreach is working with SFGovTV on another Elections Connections video. SFGTV has created 2 videos so far: "Ballot Simplification Committee" and "Poll Workers." The third video is on "Processing of Ballots". Currently, there is nothing on the Department website drawing attention to these documentaries, so something will be placed on the website and on the home page rotating panel. Election Connection is a 13-part series, with each part focusing on a different aspect of San Francisco elections.

Director Arntz reported that Voter Outreach has been very involved with planning the implementation of Filipino. They attended the Bay Area Outreach Committee Meeting. The three counties of San Francisco, Contra Costa, and Alameda are working together to develop a common message for the June and November 2016 elections. Director Arntz reported that he has not yet seen any results or decisions made by the Committee.

Poll Worker Division: April 13 through April 24 are "High School Voter Education Weeks" throughout the state. These weeks are the result of new state legislation that was promulgated in January. The Department contacted over forty public and private high schools. Each high school can designate students to be voter outreach coordinators for their site. The Department of Elections works with students to do registration drives and education around election processes. The Department is tying together outreach and polling place content and maintaining the "Be a Voter" brand across divisions so that people can identify with that slogan.

Director Arntz reported that the Secretary of State's Office is overseeing a Help America Vote fund. San Francisco is eligible to receive about \$30,000 in grant funds. The Poll worker group will apply in order to create a video to show the many ways that people can find polling places.

Publications: The Publications group has been really involved in reviewing the English to Filipino edits as well as Chinese. The group has also assisted with the formatting of

forms and hopes to finish that within the next week. Information consolidation is also happening.

Technology Division: The group completed a timesheet application for tracking time in comparison to specific procedures. This will allow analyses of elections and staff activities going forward. The group is also looking at getting a microwave internet connection for Pier 48 with the company MonkeyBrains. This is the same company that provided Wi-Fi for the America's Cup events. The division is also working on network configurations for secondary sites, in case of emergency. The Department is looking for feedback on web site tools and applications. The Department will be reviewing the website on an annual basis in January.

Voter Services will be getting ready for the Filipino implementation. They have brought in three new employees. The warehouse is getting ready for the RFID launch and looking at more efficient use of space.

Commissioner Jung asked Director Arntz to clarify the purpose of the timesheet application. Director Arntz replied that it is not meant to replace or be used as a sign-in sheet, nor is it to measure productivity. Rather the purpose is to determine how much time is spent on different types of tasks, which will be useful for allocating resources for future elections.

Commissioner Paris asked for more information about the Voter Education weeks. Director Arntz replied that the Department acts as a resource to the high schools rather than acting as the primary driver of the program. The bill that passed was AB 1817.

Commissioner Jung asked Director Arntz if he is aware of any comparison of budget allocations for Departments of Elections across counties, for example the cost per voter. Director Arntz replied that there is a lot variability in terms of revenue and expenses across counties. For example, San Francisco has fewer district elections than other counties, which bring revenue to other counties in the form of district reimbursements. Also, space is much more limited in San Francisco compared to other counties. Director Arntz said he is not aware of any cross-county comparisons of this sort.

Commissioner Paris asked if there are any state laws governing mandatory budget allocations per counties or laws governing parity across counties. Director Arntz replied that he doesn't know of any.

No public comment.

6. Discussion and possible action regarding San Francisco's next voting system

President Jerdonek stated that he scheduled this item to provide an opportunity for discussion before the Department begins the process of purchasing a new voting system. The Department's current contract with Dominion Voting Systems ends at the end of 2016. The contract for the current voting system was signed in December 2007 at a cost of \$12.5 million for an initial four-year period. President Jerdonek asked Director Arntz to provide an overview of the purchasing process.

Director Arntz explained that he will first issue a Request for Information (RFI). After that, he will develop and issue a Request for Proposal (RFP) that sets the criteria for what is desired in the voting system. A pilot program is usually specified as one of the requirements of the RFP. After the bids on the RFP are received, a panel reviews the bids and a decision will be made. Director Arntz stated that the RFP would need to go out in 2016 and preferably at the beginning of that year. He aims to complete the process prior to the November 2016 election, which could allow setting up the new voting system when moving into the new Warehouse after the November 2016 election.

Vice President Rowe asked how the panel is selected and how the purchasing process is decided, for example whether the process is something required by the City or if it is something that Director Arntz decides.

Director Arntz said that he selects the panel. He will probably use a process similar to the last time a new voting system was selected. Last time he selected seven people and tried to aim for as much balance as possible. He selected three people from inside the Department, three from outside, and one who has no involvement with elections. The panel included no members of the public. He developed the process in consultation with the City Attorney's Office and the Office of Contract Administration (OCA).

Commissioner Jung asked Deputy City Attorney White if there is anything that would prevent the Commission from designating one of its members to be on the panel. Deputy City Attorney White said he didn't think there would be any issue, but he would have to confirm.

President Jerdonek said that he wanted to raise three areas for discussion that he thought were important in the consideration of a new voting system. The first is related to auditability and the use of paper ballots. He referenced a two-page document from the Verified Voting Foundation that he included in the agenda packet called "Principles for New Voting Systems." It contains a best practice list of audit-related characteristics that voting systems should satisfy and is the best summary on this topic that he has found. President Jerdonek said that Philip Stark, a professor at UC Berkeley who worked with Director Arntz on risk-limiting audits for the Department, is part of the Foundation.

Vice President Rowe asked President Jerdonek about the Verified Voting Foundation and how he learned about the document. President Jerdonek said that the Foundation is a national organization and is one of the leading advocates on issues related to auditability, for example in promoting the use of paper ballots over paperless DRE's. He said that Dr. Stark let him know about the document.

Commissioner Paris said that versatility should be a consideration when choosing the next voting system, for example to support not just ranked-choice voting but also other systems like preferential voting and approval voting.

President Jerdonek raised open source as another consideration, which is something that the Board of Supervisors passed a resolution in support of in December. President Jerdonek asked Director Arntz how he was planning to incorporate support for open source into the purchasing process. Director Arntz said that he would include it in the RFP but doesn't know the wording yet. Director Arntz said that the Commission also passed a resolution in support of the use of an open source voting system in the past.

President Jerdonek asked Director Arntz if the RFI responses will be public. Director Arntz replied that they will be, since he is not planning to ask for any financial information.

President Jerdonek raised the issue of the number of candidates that the voting system should allow voters to rank in an RCV contest. San Francisco's first two RCV voting systems let voters rank only three candidates, but the Charter says that voters should be allowed to rank all of the candidates. President Jerdonek referenced the agenda packet document that he circulated to the Commission on this topic, which includes a number of other reasons why more rankings should be supported.

Since San Francisco has been limited to three rankings for two voting system cycles, President Jerdonek asked Director Arntz if he would be open to including in the RFP language that would specify a minimum number of rankings higher than three, like six or eight, in case the system doesn't support ranking all the candidates. Alternatively, the RFP could give greater preference the more candidates the system lets voters rank, as opposed to wording that is all or nothing. Director Arntz replied that he was.

Commissioner Paris asked if the current system lets voters rank write-in candidates. Director Arntz replied that it does.

Commissioner Yu said she would be interested in knowing the possible impact of more rankings on staffing and ballot processing time, to ensure that the Department would have adequate resources.

Commissioner Yu also asked about the possibility of pushing the timeline for the RFI and RFP sooner, given that the Commission meets only once a month and especially if the Commission wants to participate more in the process. Deputy City Attorney White noted that, whether or not the Commission is allowed to sit on the panel that will evaluate the RFP bids, the Commission would be free to discuss the purchasing process at every regular meeting and could also call special meetings.

Vice President Rowe suggested choosing at the current meeting the most qualified Commissioner to participate in the panel so as not to risk delaying the process. President Jerdonek said he would be interested in participating but wasn't sure if it was permitted. Deputy City Attorney White said that a contingent motion could be made that would depend on what he later finds.

Commissioner Safont stated that she thought it would be good if a Commissioner could be on the panel, not only to decide on the issues at hand, but also because the

Commissioner could report back to the Commission and help the Commission understand more.

Commissioner Yu said that if a Commissioner isn't allowed to participate on the panel in a voting role, it would be good even if the Commissioner could participate only as a non-voting member or as an observer. So she would like Deputy City Attorney White to explore possibilities like that as well.

The Commission discussed whom to select to be on the panel.

Vice President Rowe moved that the Commission appoint President Jerdonek or his designee to participate on the panel to the extent that the City Attorney's Office determines is allowed. Commissioner Paris seconded the motion. President Jerdonek asked whether he would be limited to advocating only on those issues that the Commission has voted on. Vice President Rowe said that her intent was that President Jerdonek be empowered to participate as any other member of the panel and not need to come back to the Commission for permission. Deputy City Attorney offered the clarification that the Commission would not be sitting on the panel, but rather the individual that the Commission has selected.

Public comment: Mr. David Cary stated his support for the motion. He also encouraged the Commission to adopt a position on the minimum number of rankings, not just for the Department but also to send a message to vendors who are still developing their system. He suggested ten rankings as a recommended minimum. He also pointed out the sample ballot from Dominion at the end of President Jerdonek's memo, which shows six rankings in addition to a simpler ballot design.

No further discussion on the motion. The vote was UNANIMOUS to approve.

President Jerdonek said that at the Board of Supervisors Rules Committee meeting where the idea of open source voting systems was discussed, one of the Supervisors asked Director Arntz if the RFP could be structured so that San Francisco is not locked in to a system for a long period of time if an open source system were to become available only after a system is purchased. President Jerdonek asked Director Arntz if that option was possible to provide more flexibility. Director Arntz replied that that was his intent. His intent is to lease the equipment rather than purchase it. He said that this approach would also let San Francisco switch if San Francisco were to design and develop its own voting system.

Commissioner Paris said that he thinks it should be a very high priority to find a voting system that is able to accommodate as many rankings as possible.

Commissioner Paris moved that the Commission adopt as policy that supporting as many rankings as possible be a priority when purchasing new voting systems. Director Arntz stated that he thought the Commission already has such a policy from previous years. Director Arntz also said that the Charter already has such language. President Jerdonek seconded the motion. President Jerdonek said he wasn't sure if the wording

of the motion though adds to the Commission's current position in combination with the Charter. President Jerdonek pointed out the wording in the 2005 RFP at the bottom of page 2 of his memo, which says in bold underline, "The City would prefer that the ballot permit the voter to cast as many choices as there are candidates for that office." He asked if there was any way the wording of the motion could be made stronger than what already appeared in the last RFP.

Commissioner Jung asked Director Arntz when he is planning to issue the RFI. Director Arntz said probably within the next two weeks or by the end of May. Director Arntz also said that he was planning to go to Denver in May to observe the Denver election. Director Arntz said that he is planning to allow three weeks for responding to the RFI.

Commissioner Yu asked if there was any chance the Commission could see the wording of the RFI prior to its being issued. Director Arntz said that the RFI is really just an announcement that starts the process to see who is interested and does not impact the RFP or replies to the RFP. It also does not trigger any timelines. Deputy City Attorney White also clarified that the RFI does not start to narrow the process of what is allowed going forward.

Commissioner Paris said that he no longer thought his motion as stated was necessary and withdrew his motion.

President Jerdonek said that he liked Mr. Cary's suggestion to have a specific number. The Charter does say that all candidates should be allowed to be ranked, but the problem is that if the equipment can't meet that limit, then the Charter only requires three as a minimum. So he wonders if it would be worth making a statement that if all rankings can't be met, then more is better, or else suggesting a specific number to shoot for like eight or ten to give vendors a more concrete goal.

Vice President Rowe said that she reads the Charter language as being a requirement, and it makes an exception only if it is not technologically feasible, in which case the exception is no fewer than three. Vice President Rowe said she feels that it is pretty clear to the Director that he should shoot for all if possible, and the maximum possible if not. She hesitates to give another number because the Commission hasn't seen the responses to the RFP.

Commissioner Paris said he thinks the font could be the limiting factor, so he doesn't think an actual number should be suggested.

President Jerdonek said his concern is that the current language is stated as an "all or nothing" requirement. If an equipment company can't meet the theoretical limit of all candidates, which seems likely, for example if there are thirty candidates, then there is no incentive for the company to guarantee more than the stated minimum of three.

Commissioner Jung agreed and said it was hard for him to believe that it could be impossible for a new system not to support ranking all candidates. Rather, it could be impractical or expensive.

President Jerdonek asked Director Arntz if there was wording that could incentivize vendors to support more rankings if they are not able to support the theoretical limit of all.

Director Arntz said that it depends on many factors like ballot formatting and the particular system. He understands the desire to support as many as candidates as possible within certain limitations. However, he doesn't feel there is currently enough information to make a decision until responses to the RFI are received.

Commissioner Yu asked Director Arntz if he could provide the Commission with the full 2005 RFP. Director Arntz replied that he would do so. Commissioner Yu also expressed interest in revisiting the RFP language to add flexibility, once we see the responses to the RFI.

Commissioner Paris asked Deputy City Attorney White if he could look into other options for language that could perhaps strengthen the language around rankings without unreasonably binding ourselves. Deputy City Attorney White replied that he could, though he thought that such a discussion might better take place in the context of the RFP.

7. Discussion and possible action regarding the Commission Annual Report for the 2014 calendar year

President Jerdonek stated that he would be holding this item over to the next meeting to give Commissioners time to draft revisions for consideration at the next meeting.

Public comment: Mr. John [last name not known] stated that he was a graduate of UC Hastings College of the Law and raised various items and questions that he wanted the Commission Annual Report to address before approving it.

Vice President Rowe asked Deputy City Attorney White about the process of revising the draft Commission Annual Report. Deputy City Attorney White said that under the Commission Bylaws the previous President provides an initial draft of the report, but that the Commission can revise the draft before voting to approve it.

Vice President Rowe stated that she didn't think the 2013 Commission Annual Report was ever voted on by the Commission, so she asked if that could be put on a future agenda for approval. President Jerdonek said that would be fine.

8. Agenda items for future meetings

Commissioner Paris said that he would like to discuss at a future meeting the implementation of AB 1817, which is related to voter registration at high schools. For example, he wants to ensure that the implementers know that sixteen and seventeen year olds are allowed to register to vote. He said that he first wanted to talk with the Board of Education about the bill.

President Jerdonek said that he invited San Francisco's Chief Data Officer Joy Bonaguro to give a presentation about open data at the next Commission meeting, since open data is a topic that has come up before at several meetings.

President Jerdonek said that he also wanted to discuss a proposed RCV reporting policy at the next meeting that he would be working with Director Arntz on.

No public comment.

Adjourned at 7:33 p.m.