

ELECTIONS COMMISSION
City and County of San Francisco

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



John Arntz, Director of Elections

MEETING MINUTES

San Francisco Elections Commission
Wednesday, February 15, 2017
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 6:03 p.m.

Present: Commissioners Donaldson, Jerdonek, Jung, Paris, Safont, and Yu.

Excused absence: Commissioner Rowe.

Also present: Director of Elections John Arntz and Deputy City Attorney Joshua White.

2. General Public Comment

Mr. Brent Turner spoke about the voting system certification hearing at the California Secretary of State's Office.

Ms. Denise Dorey spoke against proprietary voting system software.

3. Approval of Minutes of Previous Meeting

Moved by Commissioner Jung and seconded by Commissioner Safont to approve the draft minutes of the January 18, 2017 Elections Commission meeting. No public comment. The vote was UNANIMOUS to approve.

4. Commissioners' Reports

President Jerdonek reported that he appointed Commissioner Donaldson to replace himself as Chair of the Budget and Oversight of Public Elections Committee. He stated that he was re-designating himself and Commissioner Donaldson as the two Commissioners authorized to speak on behalf of the Commission on the topic of open source voting. He reported that he and Commissioner Donaldson met with the Mayor's Budget Office about open source voting the Tuesday before the Commission meeting, after the Mayor's Budget Director Melissa Whitehouse reached out to them.

President Jerdonek said that he spoke about open source voting to over one hundred people at a civic tech event called Reboot Democracy. He was also invited to speak about open source voting at an event organized by FairVote California.

Commissioner Paris reported that San Mateo County will be holding a special election for School Board on March 7, and he volunteered to be a polling-place inspector.

No public comment.

5. Director's Report

Director Arntz said the Department would be hiring a staff person to assist with the open source voting project instead of hiring a consultant, as previously stated during the last BOPEC meeting.

Director Arntz reached out to Travis County, TX and Los Angeles County to learn more about their efforts to develop a voting system. Travis County issued an RFP on October 6, 2016, as well as a Statement of Intent describing their plan to create a consortium or entity to manage their system and that other jurisdictions could join.

Director Arntz reviewed the information he added to his Director's Report in response to questions from the BOPEC meeting, including information about the COIT funding process.

Director Arntz reported on the Retirement Board election and how the Department publicly posted digital images of the ballots online after redacting identifying marks. He also reported on the warehouse move from Pier 48 to Pier 31. He will be going before the Budget and Finance Committee to seek a release of the reserve funds for the move. The amount was initially \$2.5 million, but the amount was reduced to \$2.1 million by the Mayor's Budget Office.

The Commission discussed the report and asked clarifying questions.

Public comment:

Mr. David Cary spoke in support of using the open source voting project's planning phase to keep the project moving forward.

Mr. Brent Turner stated in regard to Travis County's project that the California Association of Voting Officials (CAVO) was the first organization to use a consortium model and advocate for the pooling of resources.

Mr. Alec Bash spoke in support of using the planning phase of the open source voting project to lay the groundwork for the system, and asked that funds be requested for use once the planning phase is complete.

Mr. Jim Soper suggested working with members of the State Legislature to request funds for the development and certification of an open source voting system.

Mr. Alex Rattray asked if minutes for the Director's meeting with the Mayor's Budget Office were available.

A member of the public spoke in support of paper ballots and using an open source voting system.

President Jerdonek asked Director Arntz for his initial thoughts on the potential to work with Travis County on developing a system. Director Arntz described some of the differences that Travis County's system has in relation to California laws and what San Francisco is accustomed to.

6. Review of Department's proposed budget

Commissioner Donaldson summarized BOPEC's discussion of the budget at its last meeting. He said that BOPEC voted unanimously to recommend approval of the budget pending answers to questions around Proposition N implementation costs and the process of obtaining more funds for open source voting through COIT.

Director Arntz said that no changes were made to the proposed budget since the BOPEC meeting.

President Jerdonek asked Director Arntz for more details about AB 2252 and the budget item for an accessible vote-by-mail system. Director Arntz said there are 6 or 8 vendors in the state offering such a system.

Public comment:

Mr. Alec Bash expressed concern about the open source voting system project losing time due to not having funds available after the planning phase completes.

Mr. Brent Turner said that the Travis County and Los Angeles County projects might not be licensed under the GPL and that San Francisco should lead.

Commissioner Donaldson moved that the Commission approve the budget with the condition that the Department request an additional \$4 million for the open source voting project for the second fiscal year. Commissioner Paris seconded the motion.

Director Arntz indicated that he could make the request and use the Travis County information as supportive documentation.

The vote on the motion was UNANIMOUS to approve.

7. Open Source Voting

Commissioner Donaldson summarized BOPEC's discussion of open source voting during its open source voting and budget agenda items. President Jerdonek summarized the three documents that were included in the Commission agenda packet for this item.

President Jerdonek summarized the meeting that he and Commissioner Donaldson had with the Mayor's Budget Director Melissa Whitehouse and Kenneth Bukowski, the Interim Executive Director of the Department of Technology and Interim Chief Information Officer of San Francisco.

Commissioner Jung expressed surprise to hear that the Budget Director began by saying they were seeking to decide "yes" or "no" on whether to pursue an open source voting system, given the length of time this issue has been discussed in San Francisco and the amount of support.

Commissioner Paris asked Director Arntz some questions about project next steps and the process of bringing on a staff person to assist with the open source voting project.

Members of the Commission asked further clarifying questions.

Public comment:

Mr. Alec Bash said that funding for the staff position should be reflected in the second year of the two-year budget since the position is for three years.

Mr. Brent Turner spoke in support of using General Public License (GPL) version 3 for the open source license and encouraged the Department to reach out to Brian Fox and Dr. Juan Gilbert for expertise.

A member of the public asked about contingencies for funding the staff position if COIT does not approve additional funds.

Mr. Jim Soper said that security is lacking from the proprietary voting systems that are currently in use.

Mr. David Cary expressed concern about the high-cost approach being used in Travis County and Los Angeles County and encouraged San Francisco to take a more agile approach.

Ms. Amee LeCheminant said that San Francisco should look at Prime III, which is being used in New Hampshire.

A member of the public asked about the vetting process that will be used to select among applicants to work on the project.

A member of the public encouraged the Commission to be a leader in the election issue.

Mr. Alex Rattray encouraged the Commission to look at open source systems being used in other countries, including Switzerland and Estonia, as well as making the code easy to access.

Commissioner Jung asked Mr. Bash and Mr. Cary to elaborate on their suggestion to form a Citizen's Advisory Committee. Commissioner Jung also asked how other Commissioners feel about the idea of forming such a committee.

Commissioner Paris asked Deputy City Attorney White about the process of forming a Citizen's Advisory Committee.

President Jerdonek asked Director Arntz about the existing committees that the Department has, like the Pollworker Information Network.

Deputy City Attorney White offered to put together for the next meeting options for forming a Citizen's Advisory Committee.

8. Agenda items for future meetings

Commissioner Yu reiterated Commissioner Jung's request for an agenda item on the topic of forming a Citizen's Advisory Committee.

President Jerdonek suggested having an agenda item about the implementation of Proposition N, in regards to non-citizen voting, and also an agenda item to follow up on the topic of Slate Mailer Organization filings that the Commission discussed at a past meeting.

Public comment:

Mr. Brent Turner suggested having an agenda item regarding Dr. Juan Gilbert's open-source vote-by-mail system.

President Jerdonek announced a 5-minute break. The Commission recessed from 7:43 p.m. to 7:48 p.m.

9. Public Employee Appointment / Hiring: Elections Commission Secretary (Class 1446 Secretary 2)

President Jerdonek stated that the Commission would be interviewing candidates for Commission Secretary during this item.

No public comment.

Moved by Commissioner Safont and seconded by Commissioner Donaldson to begin closed session. The vote was UNANIMOUS to approve.

The Commission went into closed session at 7:49 p.m. Per San Francisco Administrative Code Section 67.16 of the Sunshine Ordinance, the people in attendance during the closed session (or some part of it) were Commissioners Donaldson, Jerdonek, Jung, Paris, Safont, and Yu; Deputy City Attorney Joshua White; and three candidates for Elections Commission Secretary.

The Commission resumed open session at 8:56 p.m.

President Jerdonek reported that the Commission voted to disclose that the Commission made a selection for Commission Secretary and empowered him to proceed with the remainder of the hiring process.

Adjourned at 8:56 p.m.