

Elections Commission
City & County of San Francisco

Lucy Bernholz, President
Becca Chappell, Vice President
Cynthia Dai, Commissioner
Christopher Jerdonek, Commissioner
Robin Shapiro, Commissioner



John Arntz, Director of Elections

Martha Delgadillo, Commission Secretary

SPECIAL MEETING MINUTES **DRAFT******
(Approved on XXX)

San Francisco Elections Commission

Wednesday, April 6, 2022

6:00 p.m.

City Hall, Room 408

1 Dr. Carlton B. Goodlett Place

San Francisco, California 94102

In Person & Remote meeting via WebEx

Order of Business

1. Call to Order & Roll Call

Meeting called to order at 6:03 pm

Present: President Lucy Bernholz (Remote), Vice President Becca Chappell, Commissioner Cynthia Dai, Commissioner Chris Jerdonek, and Commissioner Robin Shapiro

Late: Commissioner Jung joined the meeting during Item 3 at 6:29 pm.

Also present: Director of Elections John Arntz, Deputy City Attorney Ana Flores, and Commission Secretary Martha Delgadillo

2. Welcome and Introduction of New Commissioner

Commissioner Robin Shapiro was introduced and welcomed to the Commission. She introduced herself and gave a brief background on her education and experience.

The meeting recessed at 6:22 pm due to technical difficulties with remote access and the inability to view the meeting on WebEx. In addition, technical difficulties with audio interference from the adjacent Redistricting Task Force (RTF) meeting combined with the Elections Commission meeting audio.

3. General Public Comment

Began at 6:30 pm

Comments Made In Person:

Tess Wellborn expressed concern with appointees changing maps after the public left the meeting on Saturday April 2, 2022, and changes in other districts.

John Decastro complained about mapping choices. He also was not happy with the choice of the Elections Commission's appointees.

Naj Daniels complained about the RTF not being fair with map choices.

Casey Rios Asberry accused the RTF of gerrymandering and also mentioned the Sunshine Law.

Tucker Stewart wants the three appointees of the SFEC removed for gerrymandering.

Tab Buckner requested that the RTF should listen to the public and is requesting an investigation.

John McCormick asked what the function of the RTF is. They are not hearing the needs of communities.

Race Bannon expressed concerns about the appointees and mentioned gerrymandering.

Michael Pupay complained about mapping.

Emily Lee complained about legitimacy of the RTF and the integrity of changes made by them.

Sandra Lee Fewer asked the Elections Commission to act on this issue.

Reverend Charles Grace expressed concern over changes made at approximately 3:00am.

Angel Arioja said that nothing beneficial happens in the middle of the night and requested a special meeting to figure out why this happened and perhaps change the people on the RTF.

Ian James said they hope to have a higher authority look into the RTF's decision to make a change at 3:00am.

Alex stated the Commission is losing their trust and suggested taking a look at the three people the Commission appointed to the RTF.

Al Fung expressed being disappointed by the injustice being committed.

Xander Eileen Parker expressed concern about the lack of concern shown to people living in certain San Francisco communities.

Curtis Bradford stated that the RTF is trying to divide communities and said that they admitted to breaking the law.

Coleen Rebecca said they expect a fair and accessible process. Wrongdoings should be exposed.

Steve Leaves expressed concern about the RTF appointees. The Commission should investigate what the RTF has done.

Wasim Hajj asked that the maps not be twisted because of their impact on districts.

Alexander Prestia asked for an investigation.

David Wu expressed concern about the SFEC appointees and called for a special hearing.

Gabby Burgos said their voices are not being heard and requested a special meeting and an investigation.

Lori Leadermann accused the RTF of a bait-and-switch with the districts. They also stated communities are being divided, and some districts will not have the services they need.

Don Misumi stated that the RTF has been unresponsive to requests of their needs.

Patricia Smith stated the RTF is gerrymandering. Something has to be done about it.

Mary Watkins asked for something to be done about the appointees' decisions.

Sunny Angulo, a City & County of San Francisco Employee, said the level of disdain is unacceptable. The reputation of the Elections Commission is at stake.

Michael Pearlstein asked that a special hearing be called.

Imani Cheeks requested to remove appointees who cannot ensure equitable access.

Comments Made Remotely via WebEx

Lisa Aubrey requested an investigation and public hearing for consideration to remove the appointees selected by the Elections Commission.

Erica Zweig called in support of a hearing for possibly removing the three candidates selected by the Elections Commission.

Oliver Saria requested getting to the bottom of why this is happening.

Angelica Kabande expressed concern about the integrity of the RTF. The public process has changed.

A resident of district 5 said they disagree with the decisions being made. Extraordinary measures need to be taken to investigate the actions of the RTF.

Sana with San Francisco Rising said that cultural districts are being broken apart and requested a special hearing.

Zachary Sexton asked that the Elections Commission's appointees be removed because they are ignoring civil rights and gerrymandering.

An unidentified caller asked the Commission not to use the maps created by the appointees of the Commission.

Lauren Girardin of the League of Women Voters expressed concern about the maps. The letter submitted by the League includes their recommendations.

David Pilpel requested that commissioners and anyone else who comments to identify themselves when speaking, due to not having a visual feed for the meeting because of technical difficulties.

Leilani requested an investigation to look into how the maps have been determined.

An unidentified caller asked the RTF to be consistent with the law and act accordingly.

An unidentified caller said there are no repercussions if the RTF goes beyond the deadline.

After hearing the comments from the public, a tentative time for a meeting on Sunday, April 10, 2022 was discussed, possibly for 3:00 pm. A brief discussion also took place regarding the items of discussion on the agenda. Items to be discussed during Sunday's special meeting are possible changes and/or replacements of RTF appointees, if necessary.

Public Comment ended at 8:23 pm.

4. Discussion and Possible Action on Resolution on Continuation of Remote Elections Commission Meetings

Vice President Chappell read the resolution.

Motion to approve the resolution was made by Commissioner Jung. Seconded by Commissioner Jerdonek.

Public Comment - None

MOTION

President Bernholz	Yes
Vice President Chappell	Yes
Commissioner Dai	Yes
Commissioner Jerdonek	Yes
Commissioner Jung	Yes
Commissioner Shapiro	Yes

6 Yays 0 Nay 0 Abstain
Motion passes

5. Approval of Minutes of Previous Meetings

Draft minutes of the January 19, 2022 and November 20, 2019 regular meetings were presented.

Commissioner Dai moved to approve the November 20, 2019 meeting minutes.
Seconded by President Bernholz.

Public Comment

David Pilpel said the November 20, 2019 minutes require minor changes. The January 19, 2022 minutes lack a vote and rescinding of the vote on page 3. He suggested not adopting the January 19, 2022 meeting minutes so they can be edited as necessary.

MOTION

President Bernholz	Yes
Vice President Chappell	Yes
Commissioner Dai	Yes
Commissioner Jerdonek	Yes
Commissioner Jung	Yes
Commissioner Shapiro	Yes

6. Review of February 15, 2022 Consolidated Special Municipal Election

Commissioner Jerdonek commented on election locations and asked about signatures. Commissioner Dai asked Director Arntz for clarification on the processes around checking voter signatures. President Bernholz asked about mail-in voting numbers. Director Arntz explained how votes are processed and that the system will catch anyone using two voting forms. He also discussed the reports he submitted and actions taken with mail-in voting and voter signatures.

Commissioner Jung moved to confirm the election was conducted according to plan, and that it was free, fair, and functional. Seconded by Commissioner Dai.

Public Comment – None

MOTION

President Bernholz	Yes
Vice President Chappell	Yes
Commissioner Dai	Yes
Commissioner Jerdonek	Yes
Commissioner Jung	Yes
Commissioner Shapiro	Yes

6 Yays 0 Nay 0 Abstain
Motion passes

7. April 19, 2022, Special General Election

Commissioner Jerdonek asked Director Arntz if there were sufficient poll workers to help with so many elections coming so quickly. Director Arntz said they have been able to keep up with elections so far. President Bernholz asked if online training is still being offered and conducted. Director Arntz confirmed it was.

Public Comment - None

Commissioner Jung moved to approve the Elections Plan. Seconded by Commissioner Dai.

MOTION

President Bernholz	Yes
Vice President Chappell	Yes
Commissioner Dai	Yes
Commissioner Jerdonek	Yes
Commissioner Jung	Yes
Commissioner Shapiro	Yes

6 Yays 0 Nay 0 Abstain
Motion passes

8. Director's Report

Director Arntz noted that on the last page of his report, there is information on a mailer going out in March. Commissioner Jung commented positively on the report.

Public Comment

Dr. David Jefferson commented on internet voting and the possibility of electronic return of vote ballots, for the disabled population. Dr. Jefferson was reminded this topic was not part of the Director's report.

9. Dominion Voting Systems Contract Extension

Commissioner Jerdonek presented a draft resolution that requested that the Dominion contract be renewed for only one year for now, instead of two. The resolution would be presented to the Board of Supervisors.

The Commission discussed the resolution, the contract options, and the contracting procedural process. Director Arntz explained that delaying the contract process for the second year would not be suitable due to the Presidential Election. He also stated that no other system could be substituted within the time restraints of upcoming elections.

Commissioner Jerdonek commented on the negative remarks made by the Dominion Sales Representative about the voters of San Francisco and said this should not be ignored. Commissioner Jung suggested striking lines 4 and 5 on Page 3 of the resolution and expressing clearly our preference. He also stated there was no proof that the Dominion Representative made those comments.

Commissioner Chappell, Commissioner Shapiro, and President Bernholz agreed that the channel to hold Dominion accountable should not be through the contract. The potential for delay for Director Arntz is not an optimal choice given the deadlines.

Commissioner Chappell suggested revisiting this issue at a later time.

DCA Flores suggested working out the specifics of the resolution prior to the next regular meeting. Commissioner Jerdonek could work with President Bernholz and Vice President Chappell on the resolution and present it again at the next regular meeting.

Public Comment

David Schmidt, California Clean Money Campaign Volunteer Coordinator for San Francisco, stated they have gathered over 2,000 signatures for Open Source Elections. They support Commissioner Jerdonek's resolution.

Jim Soper, National Voting Rights Task Force, commented on the findings of Dr. Alex Halderman, who says there are serious problems with the Dominion Voting System.

Trent Lange, President of the California Clean Money Campaign, agreed that preserving the options given by the contract is the best course for now.

10. Open Source Voting

Commissioner Jerdonek asked Director Arntz to provide an update. Director Arntz gave an update and stated the required forms were being submitted.

Matt Roe, invited speaker from VotingWorks, commented on not having sufficient information and guidance from the Secretary of State (SOS). The aspects of the system were documented in the October document plan. He has not received any information from the SOS on the May 7, 2022 deadline. He would like to work with the department to get feedback and incorporate the features into the system.

Public Comment

None

11. Commissioners' Reports

None.

Public Comment

None

12. Discussion and possible action regarding items for future agendas (Taken out of Order and Presented After Item 3)

- a) Discussion and possible action on removal and replacement of Elections Commission Appointees to the San Francisco Redistricting Task Force, if necessary.

The Commission discussed the possibility of convening a meeting on Sunday, April 10, 2022, including logistics, resources, and Commissioner availability. DCA Flores asked Secretary Delgadillo to look into the availability of a conference room on the following Sunday, tentatively at 3:00 pm, given that there are religious gatherings that day. All members of the Elections Commission confirmed they can attend so quorum could be met. Agenda items were discussed. The agenda would post within the required timeline of 72 hours prior to the meeting.

Commissioner Dai asked if the appointees would have to be replaced should the Commission take action to remove any of them. DCA Flores stated they do not need to be replaced.

Commissioner Bernholz asked if the members of the RTF should be contacted and invited to speak at the meeting on Sunday.

Commissioner Jung asked questions regarding next steps, including what the Commission's authority for taking action is.

Commissioner Dai brought up that the RTF has 9 members. DCA Flores responded that if one, two, or three of the task force members were to be removed, the RTF would still meet quorum.

DCA Flores cited Ordinance No. 9421, which convenes the RTF. On page 3, it refers to appointees and says they may be removed by their appointing authority without proving misconduct because they serve at the pleasure of the authority. Misconduct does not have to be proved.

Commissioner Shapiro asked about the timing of the deadline of delivery of census data and if this information would be considered when it comes to extending the deadline.

Public Comment

An unidentified person thanked the commission for their service and for taking the initiative to convene a meeting so soon.

An unidentified person thanked the commission for showing up on a Sunday to discuss options.

An unidentified person thanked the commission for listening to their concerns.

David Pilpel said that he is not clear if there is a requirement of 72 hours before a regular meeting and 24 hours for special meetings.

13. Meeting was adjourned at 10:23 pm