

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

San Francisco Elections Commission Special Meeting Minutes

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 (Remotely), Vice President Becca Chappell, Commissioner Cynthia Dai, Commissioner Chris Jerdonek, and Commissioner Robin Shapiro

Tardy: 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 also introduced herself and gave a brief background on her education and experience.

Meeting went into recess at 6:25 pm. An explanation was given regarding technical difficulties with remote access to the meeting and the inability to view the meeting on WebEx. Also, due to technical difficulties with audio interference from the adjacent Redistricting Task Force (RTF) meeting audio combining with the Elections Commission meeting audio.

3. General Public Comment

Began at 6:27 pm

Several members of the public expressed their concerns regarding decisions made by the San Francisco Elections Commission (SFEC) appointees to the Redistricting Task Force (RTF) on Saturday, April 2, 2022, at 2:53am. Public comment was concentrated on decisions and changes made by RTF members on a district map titled 4B after voting had already taken place, they change their minds at 2:53am on Saturday, April 2, 2022 after the public had left. Some persons requested having them removed from the RTF. Accusations were made of gerrymandering, and requests were made for an investigation.

Tess Wellborn expressed concern with appointees changing maps after public left the meeting.

John Decastro complained about mapping choices.

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

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

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

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

John McCormick asked what is the function of the RTF? 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 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 stated nothing that is beneficial happens in the middle of the night. Requested a special meeting to figure out why this happened and perhaps change the persons on the RTF.

Ian James is hoping to have a higher authority to look into the RTF decision to make a change at 3:00am.

Alex stated the commission is losing their trust. Suggested taking a look at the three persons appointed by the RTF.

Al Fung expressed being disappointed in the injustice being committed.

Xander Eileen Parker concerned with lack of concern for the persons living in SF communities.

Curtis Bradford stated the RTF is trying to divide communities. Also, they admitted to breaking the law.

Coleen Rebecca said they expect and fair and accessible process. Wrong doings should be exposed.

Steve Leaves expressed concern about the RTF appointees. Investigate what the RTF has done.

Wasim Hajj asked that the maps are not twisted because of the 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 stated their voices are not being heard. Requested a special meeting and an investigation.

Lori Leadermann accused the RTF of a bait and switch with districts. Stated communities are being divided and some districts will not have the services needed.

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

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

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

Oliver Sarie is requesting getting to the bottom of why this is happening.

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

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

Angelica Kabande concerned about integrity of RTF. The public process has changed.

A self-proclaimed resident of district 5, disagrees with decisions being made. Extraordinary measure needs to be taken to investigate the actions of the RTF.

Sana with San Francisco Rising is asking that cultural districts broken apart. Requesting a special hearing.

Zachary Sexton is asking to remove the SFEC appointees because they are ignoring civil rights and gerrymandering.

An unidentified call is asking the SFEC to not use the maps created by the appointees of the SFEC.

Lauren Girardin, League of Women Voters expressed concern about maps. The letter submitted by them includes the recommendation.

David Pilpel asked for commissioners to identify themselves and anyone else who comments due to not having visual feeding for the meeting, due to technical difficulties.

Sunny Angulo, a City & County of San Francisco Employee stated this level of distain is unacceptable. The reputation of the SFEC is at stake.

Leilani is requesting an investigation to ask how maps have been determined.

Michael Pearlstein is asking to call a special hearing.

Imani Cheeks is requesting to remove appointees who cannot ensure equitable access.

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

An unidentified caller stated there are no repercussions if they go beyond the deadline.

After hearing the comments from the public, the SFEC proposed a tentative time for a meeting on Sunday, April 10, 2022, tentatively 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 meeting minutes.

Public Comment

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

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

Comments were made by Commissioner Jerdonek on elections locations; Commissioner Dai asked Director Arntz for clarification on the voting signature processes; and President Bernholz asked a question regarding mail-in vote numbers. Director Arntz explained how votes are processed, and that the system will catch anyone using two forms of voting. He also discussed the reports he submitted, and actions taken with mail-in voting and voter signatures.

Commissioner Jung made a motion to confirm the election 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 stated the poll workers have been able to keep up with elections so far. There may be problems for the June election, but he doesn't expect to have recruitment issues in November. President Bernholz asked if online training is still being offered and conducted. Director Arntz confirmed it was.

Public Comment - None

Commissioner Jung made a Motion 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

David Jefferson started to comment on internet voting and the possibility of electronic return of vote ballots, for the disabled population. Dr. Jefferson was reminded this item was not on the director's report.

9. **Dominion Voting Systems Contract Extension**

Commissioner Jerdonek presented the intention of the resolution, and proposed to renew the Dominion contract for one-year only, for now, instead of two years. The resolution will be presented to the Board of Supervisors.

The Commission discussed the resolution, the contract options, and the contracting 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 the Commission about the negative remarks made about the SFEC in the press by a Dominion Sales Rep and stated that 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 Rep 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 delay might cause for the functional deadline for Director Arntz is not an optimal choice.

Commissioner Chappell suggesting revisiting this issue at a later time.

DCA Flores suggested working out the specifics of the resolution prior to the next regular meeting. President Bernholz, and Vice President Chappell will work with Commissioner Jerdonek on the resolution and present 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. They are open to the possibility to using open source on a larger scale next year.

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

Trent Lange, President of the California Clean Money Campaign, agrees preserving the option of the contract renewal is the best course for now.

10. Open Source Voting

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

Matt Roe, VotingWorks, commented on not having sufficient information and guidance from the SOS. The aspects of the system were documented in the October document plan. He has not received any information from the SOS for 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.

Commissioner Jung asked questions regarding next steps.

DCA Flores cited Ordinance No. 9421 which convenes the RTF. RTF appointees may be removed by their appointing authority without proving misconduct because they serve at the pleasure of the authority.

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

Public Comment

Members of the public stated they are happy that the special meeting will happen on Sunday and that the Elections Commission has considered having the special meeting to possibly move forward with actions on concerns by the public. Suggestions were made to look to look at possible changes on the RTF process.

David Pilpel stated he is not clear if there is a requirement of 72 hours before a regular meeting and 24 hours on special meetings. Made suggestions to consider this when scheduling the meeting.

13. Meeting was adjourned at 10:23 pm