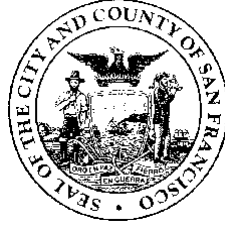


**ELECTIONS COMMISSION**  
*City and County of San Francisco*

Robin M. Stone, President  
Christopher Jerdonek, Vice President  
Lucy Bernholz  
Cynthia Dai  
Nancy Hayden Crowley  
Renita LiVolsi  
Michelle Parker



John Arntz, Director of Elections

**REGULAR MEETING AGENDA**  
**(updated 2/14/2023)**

**San Francisco Elections Commission**  
**Wednesday, February 15, 2023**  
**6:00 p.m.**  
**City Hall, Room 408**  
**1 Dr. Carlton B. Goodlett Place**  
**San Francisco, California 94102**  
**& Remote via WebEx**

The meeting will be held in person at the location listed above. As authorized by California Government Code Section 54953(e) and Mayor Breed's 45th Supplement to her February 25, 2020 emergency proclamation, it is possible that some members of the Elections Commission may attend this meeting remotely. In that event, those members will participate and vote by video. Members of the public may attend the meeting to observe and provide public comment either at the physical meeting location listed above or remotely / online. Instructions for providing public comment remotely / online appear on the last page of this agenda.

In addition to participating in real time, interested persons are encouraged to participate in this meeting by submitting public comment in writing by 12:00 p.m. on the day of the meeting to [elections.commission@sfgov.org](mailto:elections.commission@sfgov.org).

### **Video Conferencing**

To access this meeting using the WebEx application, use the following link:

<https://sfgov.webex.com/sfgov/j.php?MTID=m883428932f44d0dd6e7f76897596a247>

Webinar number: 2488 369 9301

Event password: sfvote (use 738683 from phones)

While you may enter your name before joining the meeting, you are not required to do so to participate.

### **Audio Conferencing**

To access the meeting by telephone, do the following:

Call 1-415-655-0001

Dial access code: 2488 369 9301

Phone password: 738683

For Global call-in numbers, use this link:

<https://sfgov.webex.com/sfgov/globalcallin.php?MTID=m16fa047949cb2f4a7189f8020e0832ec>

**For instructions on providing public comment remotely / online, please see the last page of this agenda.**

## **Order of Business**

### **1. Call to Order & Roll Call**

A member of the Commission will state the following (from the adopted 10/19/22 Elections Commission Land Acknowledgment Resolution):

*The San Francisco Elections Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula. As the indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost, nor forgotten their responsibilities as caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the ancestors and relatives of the Ramaytush Community and affirming their sovereign rights as First Peoples.*

### **2. General Public Comment**

Public comment on any issue within the Elections Commission's general jurisdiction that is not covered by another item on this agenda.

### **3. Discussion and Possible Action on Continuation of Remote Meetings**

Discussion and possible action regarding the resolution to continue remote meetings under the COVID-19 State of Emergency special rules.

**Attachments:** City Attorney Memo Regarding Public Meetings and Findings Motion.

### **4. Approval of Previous Meeting Minutes**

Discussion and possible action on previous Elections Commission meeting minutes.

**Attachments:** December 12, 2022 Draft Minutes; January 18, 2023 Draft Minutes.

### **5. Discussion and Possible Action on the Department of Elections' 2023 – 2025 Budget**

The Commission is required to conduct two public reviews of the Department's budget no less than 15 days apart. On January 27, the Director of Elections submitted its budget for Commission review. The Elections Commission's Budget and Oversight Committee convened & conducted the initial budget review on January 31. Today, February 15 is the Commission's second and final budget review. Upon its approval, the budget will be submitted to the Office of the Mayor no later than February 21.

**Attachments:** Department of Elections 2023 – 2025 Budget; Request for Elections Commissioner Laptop Computers (Hayden-Crowley).

### **6. Director's Report**

Discussion and possible action regarding the Director's Report.

**Attachments:** February 2023 Director's Report.

## 7. Commissioners' Reports

Discussion and possible action on Commissioners' reports for topics not covered by another item on this agenda: Meetings with public officials; oversight and observation activities; long-range planning for Commission activities and areas of study; proposed legislation which affects elections; others.

**Attachments:** Official Reappointment Letter of Director John Arntz (Stone); Elections Commission Bylaws (Stone); Robert's Rules Reference Guide (Stone); *The Promise of Fair Maps* Report (Dai).

## 8. Director of Elections 2022 Performance Evaluation

Discussion and possible action regarding the annual performance evaluation of John Arntz, the Director of Elections.

- a. Public comment on all matters pertaining to this agenda item, including whether to meet in closed session.
- b. Vote on whether to meet in closed session to consider item #8 pursuant to California Government Code §54957(b) and San Francisco Administrative Code §67.10(b). (Action)
- c. CLOSED SESSION. Closed Session is held pursuant to Brown Act section 54957(b) and Sunshine Ordinance section 67.10(b) to discuss the performance evaluation of a public employee. (Discussion and possible action)
- d. If closed session is held, reconvene in open session.
- e. Discussion and vote pursuant to Sunshine Ordinance section 67.12(a) on whether to disclose any portion of the closed session discussion regarding the public employee performance evaluation. (Action)
- f. Disclosure of action taken, if any, that must be disclosed pursuant to Brown Act section 54957.1 and Sunshine Ordinance section 67.12(b).

## 9. Reporting of Voting System Security Issues

Discussion and possible action regarding the DVSorter privacy flaw affecting San Francisco's Dominion Voting System and reporting of potential, similar voting system security issues to the Department of Elections.

**Guest Speaker:** J. Alex Halderman, Professor of Computer Science and Engineering at the University of Michigan and Director of Michigan's Center for Computer Security and Society.

**Attachments:** J. Alex Halderman Email and Attachment; Memo Re: DVSorter (Jerdonek); DVSorter website: <https://dvsorder.org>.

### **10. Discussion and Possible Action on Commission Policies Regarding Remote Public Comment & Parental Leave**

Discussion and possible action on considerations elevated in the City Attorney's January 20 memorandum and public opinion regarding the continuation of remote public participation, in addition to parental leave policies.

**Attachments:** City Attorney's Memo Regarding Legal Rules Governing Remote Participation by Members of Policy Bodies in Meetings Beginning March 1, 2023.

### **11. Agenda Items for Future Meetings**

Discussion and possible action regarding items for future agendas.

### **12. Adjournment**

There will be an opportunity for public comment on each agenda item.

Materials contained in the Commission packets for meetings are available for inspection and copying during regular office hours at the Department of Elections, City Hall Room 48. Materials are placed in the Elections Commission's Public Binder no later than 72 hours prior to meetings. Any materials distributed to members of the Elections Commission within 72 hours of the meeting or after the agenda packet has been delivered to the members are available for inspection at the Department of Elections, City Hall Room 48, in the Commission's Public Binder, during normal office hours.

**Cell phones, pagers and similar sound-producing electronic devices:** The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. The Chair may order the removal from the meeting room of any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

**Disability Access:** The Commission meeting will be held in Room 408, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

To obtain a disability-related modification or accommodation, including auxiliary aids or services, to participate in a meeting, please contact the Department of Elections at least 48 hours before the meeting, except for Monday meetings, for which the deadline is 4:00 p.m. the previous Friday. Late requests will be honored, if possible. Services available on request include the following: American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes. Please contact the Department of Elections at (415) 554-4375 or our TDD at (415) 554-4386 to make arrangements for a disability-related modification or accommodation.

**Chemical-Based Products:** In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded

that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

**KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67 of the San Francisco Administrative Code):**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE: Sunshine Ordinance Task Force; 1 Dr. Carlton B. Goodlett Place; Room 244; San Francisco, CA 94102-4689. Phone: (415) 554-7724; Fax: (415) 554-5163; Email: [sotf@sfgov.org](mailto:sotf@sfgov.org); Website: <http://sfgov.org/sunshine>. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Ordinance Task Force, at the San Francisco Public Library, and on the City's website at <http://sfgov.org>.

**Lobbyist Registration and Reporting Requirements:** Individuals that influence or attempt to influence local policy or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code sections 2.100 – 2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue; Suite 220; San Francisco, CA 94102. Phone: (415) 252-3100; Fax: (415) 252-3112; Email: [ethics.commission@sfgov.org](mailto:ethics.commission@sfgov.org); Website: <http://www.sfethics.org>.

## Public Comment Instructions for Remote Participants

### **When calling in by telephone (preferred):**

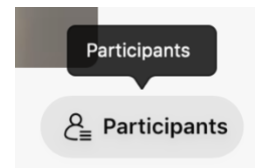
When your item of interest comes up, dial \*3 (star button followed by the number 3) on your phone to raise your hand and be added to the public comment line. You will then hear, "You have raised your hand to ask a question." Please wait until the host calls on you.

The line will be silent as you wait your turn to speak. Ensure you are in a quiet location. Before you speak, mute the sound of any equipment around you, including television, radio, or computer. It is especially important that you mute your computer if you are watching via the web link to prevent feedback and echo when you speak.

If you change your mind and wish to withdraw yourself from the public comment line, press \*3 again. You will hear the system say, "You have lowered your hand."

### **Using your computer web browser (when phone not available)**

Make sure the "Participants" side panel is showing by clicking the "Participants" button shown in the picture at the right.



Then, make sure the "Participants" panel is expanded in the side panel by pressing the small arrow indicator in the panel. You should see a list of Panelists, followed by a list of Attendees. At the bottom of the list of Attendees is a small button or icon that looks like a hand (see where the red arrow is pointing in the picture at the right).

Press the hand icon to raise your hand. The host will unmute you when it is time for you to comment. When you are done with your comment, click the hand icon again to lower your hand.

