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# **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 Marisa Davis, Commission Secretary

### **REGULAR MEETING MINUTES (Approved June 28, 2023)**

San Francisco Elections Commission Wednesday, May
17, 2023
6:00 p.m.
City Hall, Room 408
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102
& Remote meeting via WebEx

# Order of Business

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

President Stone called the meeting to order at 6:08 p.m.

**Present:** President Robin Stone, Vice President Christopher Jerdonek, Commissioner Cynthia Dai, Commissioner Nancy Hayden Crowley (left meeting at 9:00PM), Commissioner Renita LiVolsi; Commissioner Michelle Parker (arrived at 7:11 PM).

**Also Present:** Director of Elections John Arntz, Deputy City Attorney Ana Flores, Deputy City Attorney Jaime Huling Delay, Commission Secretary Marisa Davis.

Not Present: Commissioner Lucy Bernholz (excused absence).

Commissioner Dai stated the Commission's acknowledgment of the Ramaytush Ohlone people.

### 2. General Public Comment

Via WebEx

There were no public commenters.

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## 3. Approval of Previous Meeting Minutes

Discussion and possible action regarding the previous Elections Commission meeting minutes of April 19, 2023. Commissioner Dai had comments and indicated she would send an email of her comments to President Stone and Commission Secretary Davis. President Stone to review.

### 4. Director's Report

Director Arntz shared details and answered Commissioners questions pertaining to his monthly report, specifically regarding budget issues as related to grant funding reductions, staff attrition, salaries, and the impact on the Department in the next fiscal year. The Director also shared that he will present to the Board of Supervisors legislation seeking for San Francisco to opt-out of AB1416 (state legislation authorizing counties to disclose proponents and opponents on ballots) alongside the budget as a cost-saving measure.

President Stone asked about Electronic Registration Information Center (ERIC). The Director stated that there is currently proposed legislation at the state level for California to join ERIC but that counties do not generate the information records themselves.

There were no public commenters.

## 5. Commissioners Report

Vice President Jerdonek discussed the DVSOrder privacy flaw and concerns about Dominion contract language. DCA Flores to review VP Jerdonek's concerns regarding the contract language and possible remedies as well as inform the Commission as to what the Director can/cannot do regarding the contract.

Vice President Jerdonek shared a review of historical support of open source voting by elected and public officials in San Francisco. He also acknowledged the Department's efforts to add previous Requests for Information (RFIs) for new voting systems.

President Stone reviewed agenda attachments regarding meeting processes and procedures as it relates to the Commission bylaws, Robert's Rules of Order, and the Sunshine Ordinance in an ongoing effort to ensure the Commission is compliant with all rules and regulations, that meetings are operating with decorum and time efficiency with regards to communication, comments and debates.

#### **Public Comment**

Via WebEx

Brent Turner expressed concern about the Dominion contract and requested the City Attorney's feedback.

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# 6. Possible Closed Session Concerning Director of Elections 2022 Performance Evaluation (Continued from April 19 meeting)

### **Public Comment**

Via WebEx

Brent Turner stated dissatisfaction with Director Arntz's performance regarding open source voting and a lack of transparency around Dominion contracts.

President Stone authorized Director Arntz to exit the meeting.

#### **VOTE TO MOVE INTO CLOSED SESSION**

President Stone YAY
Vice President Jerdonek YAY
Commissioner Bernholz ABSENT
Commissioner Dai YAY
Commissioner Hayden Crowley YAY
Commissioner LiVolsi YAY
Commissioner Parker YAY

6 Yays 0 Nays 1 Absent Vote passes unanimously.

The Commission convened in closed session at 7:30 p.m.

The Commission reconvened in open session at 8:25 p.m.

Vice President Jerdonek moved to disclose no portion of the closed session discussion. Commissioner Parker seconded.

# MOTION TO NOT DISCLOSE ANY PORTION OF THE COMMISSION'S CLOSED SESSION

President Stone YAY
Vice President Jerdonek YAY
Commissioner Bernholz ABSENT
Commissioner Dai YAY
Commissioner Hayden Crowley YAY
Commissioner LiVolsi YAY
Commissioner Parker YAY

6 Yays 0 Nays 1 Absent

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Motion passes unanimously.

### 7. Redistricting Process Initiative

President Stone shared a brief summary of the Commission's discussions and actions pertaining to redistricting over the previous months and outlined differences and legal requirements of committees, task forces, and advisory groups for the Commission's consideration.

Commissioners LiVolsi and Dai shared perspectives on the purpose, intent, scope, and mission of forming a temporary advisory committee to provide the Commission with recommendations. Commissioner Parker shared updates on conversations with members of the Board of Supervisors and indicated she would join Commissioners Dai and LiVolsi on a formal committee.

President Stone moved to establish a temporary and formal redistricting committee to operate independently from the Commission, in compliance with rules and laws, and provide updates to the full body accordingly. Commissioner Parker seconded the motion.

# MOTION TO ESTABLISH THE TEMPORARY FAIR, INDEPENDENT, AND EFFECTIVE REDISTRICTING FOR COMMUNITY ENGAGEMENT (FIERCE) COMMITTEE

President Stone YAY
Vice President Jerdonek YAY
Commissioner Bernholz ABSENT
Commissioner Dai YAY
Commissioner Hayden Crowley YAY
Commissioner LiVolsi YAY
Commissioner Parker YAY

6 Yays 0 Nays 1 Absent Vote passes unanimously.

President Stone appointed Commissioners Dai, LiVolsi, and Parker to the FIERCE Committee.

Commissioner Dai indicated the FIERCE Committee wants to facilitate a meeting on Wednesday, May 24 should all the required meeting space, agenda, and public notice requirements be met. Details and proposed action items from this meeting would be shared in a report for the Commission at the June 2023 regular meeting.

There were no public commenters.

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# 8. Agenda Items for Future Meetings

President Stone stated an email survey was sent to the Commissioners regarding the proposed offsite retreat date.

Commissioner Dai requested the regular San Francisco Elections Committee meeting be moved from Wednesday, June 21 to <u>Wednesday</u>, <u>June 28</u> as she will be out of town and unable to connect remotely. Commissioners stated they could accommodate the date change.

There were no public commenters.

### 14. Adjournment

Meeting adjourned at 9:38 p.m.