

File No. 201102

Committee Item No. _____

Board Item No. 87

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: September 29, 2020

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OTHER

- Department of Election Memo - 9/11/20 _____
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Prepared by: Lisa Lew

Date: September 25, 2020

Prepared by: _____

Date: _____

1 [Waiver Permitting City Employees to Assist the Department of Elections with the November
2 3, 2020, Consolidated General Election]

3 **Motion granting a waiver from the prohibition imposed by Charter, Section 13.104.5, to**
4 **permit City employees to assist the Department of Elections with the November 3,**
5 **2020, Consolidated General Election.**

6
7 WHEREAS, San Francisco Charter, Section 13.104.5, prohibits City employees and
8 officers (other than the Director of Elections, Department of Elections employees, Elections
9 Commissioners, the Sheriff and Sheriff’s Department employees) from performing “any
10 function relating to the conduct of an election;” and

11 WHEREAS, Charter, Section 13.104.5, authorizes the Board of Supervisors, upon the
12 request of the Elections Commission, to waive this prohibition by motion; and


13 WHEREAS, On September 16, 2020, the Elections Commission requested that the
14 Board of Supervisors waive this prohibition to permit City employees to assist the Department
15 of Elections with the November 3, 2020, election; now, therefore, be it

16 MOVED, That the Board of Supervisors waives the prohibition imposed by Charter,
17 Section 13.104.5, to permit City employees to assist the Department of Elections before,
18 during, and after the November 3, 2020, Consolidated General Election.

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Memorandum

To: Elections Commission
From: John Arntz, Director 
Date: September 11, 2020
RE: Waiver Allowing City Employees to Assist the Department of Elections with the November 3, 2020, Consolidated General Election

This memorandum provides the Department of Elections' (Department) recommendation to the Elections Commission to request that the Board of Supervisors waive the prohibition under Charter section 13.104.5 that disallows City employees from assisting the Department in the conduct of elections, in relation to the November 3, 2020, Consolidated General Election. The Department seeks a general waiver of this prohibition so that the Department is able to utilize the services and expertise of City personnel when necessary.

As in past elections, the Department seeks the technical assistance of City employees to upload the vote tallies contained in the memory cards that are transported from each polling place to an upload site the Department organizes. The memory cards record the voting results from vote tabulation equipment in each polling place. In previous elections, City Hall was the location of the upload site; however, for the November 2020 election, the Department will organize the upload site inside the Bill Graham Civic Auditorium at 99 Grove Street.

Additionally, the Department asks that this waiver allow City employees to serve as poll workers, especially those employees who are bilingual Chinese-, Filipino-, Spanish-, Thai-, Korean-, Japanese-, Vietnamese-, and Burmese-speakers. While the Department asks that this waiver allow all City employees to volunteer as poll workers, the greatest need is for volunteers with bilingual skills.

Although the uploading of the voting information from the memory cards requires a few hours of activity after the polls close, and volunteering as poll workers requires service for one day, the Charter prohibits City personnel from providing such assistance to the Department. (13.104.5).

Except as provided below, no City employee or officer, other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission, may in any capacity perform any function relating to the conduct of an election that this Charter places under the Department of Elections. This section prohibits City personnel from providing to the Department of Elections services that are unique to that department. . . . The Elections Commission may, upon the recommendation of the Director of Elections request from the Board of Supervisors a waiver of this prohibition so as to allow City employees and officers to assist the Department of Elections. The Board of Supervisors shall approve or deny such requests from the Elections Commission by motion.

The Department seeks to conduct every election exclusively with its permanent and temporary personnel, and poll workers who are not employed with the City. However, the Department finds it necessary in some instances to utilize the skills of City personnel who work with other departments. Thus, after considering staffing needs and the number of applications received from people interested in serving as poll workers for the November 3, 2020, Consolidated General Election, I recommend that the Elections

Commission request from the Board of Supervisors a waiver of the prohibition of City employees performing election-related tasks and allowing City personnel to assist the Department in conducting this election.

The Department asks that this be a general waiver in order to provide flexibility in planning for the election. At this time the Department has identified the need for the assistance of approximately 10 people from other City departments to assist with the uploading of voting information. The attached list indicates the City departments whose personnel may support the uploading of voting data. The Department cannot provide a similar list associated with City employees who volunteer as poll workers since the Department has not sought applications from City employees regarding this service.

Attachment 1: List of Departments that employ City personnel who may assist with uploading voting information from polling places.



CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF ELECTIONS

Attachment 1

John Arntz, Director

September 11, 2020

Re: Waiver Allowing City Employees to Assist the Department of Elections with the November 3, 2020, Consolidated General Election.

TECHNICAL SUPPORT

Number of City Employees: 10

Departments: Department of Technology, General Services Agency, and City Attorney's Office.

English (415) 554-4375
Fax (415) 554-7344
TTY (415) 554-4386

sfelections.org
1 Dr. Carlton B. Goodlett Place
City Hall, Room 48, San Francisco, CA 94102

中文 (415) 554-4367
Español (415) 554-4366
Filipino (415) 554-4310

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Yee

Subject:

Waiver Authorizing City Employees to Assist the Department of Elections with the November 3, 2020 Consolidated General Election

The text is listed:

Motion authorizing City employees to assist the Department of Elections with the November 3, 2020 Consolidated General Election.

Signature of Sponsoring Supervisor: /s/Norman Yee