

File No. 101458

Committee Item No. 5

Board Item No. 47

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Rules

Date December 2, 2010

Board of Supervisors Meeting

Date 12/7/10

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form (for hearings)             |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

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Completed by: Linda Wong

Date November 29, 2010

Completed by: L.W.

Date 12/6/10

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.



1 [Administrative Code - Extending operation of Voting Systems Task Force]

2  
3 **Ordinance amending the San Francisco Administrative Code by amending Sections**  
4 **5.400 and 5.410 and adding Section 5.415 to extend the operation of the Voting**  
5 **Systems Task Force to June 30, 2011.**

6 NOTE: Additions are single-underline italics Times New Roman;  
7 deletions are ~~strike-through italics Times New Roman~~.  
8 Board amendment additions are double-underlined;  
9 Board amendment deletions are ~~strikethrough-normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. The San Francisco Administrative Code is hereby amended by amending  
11 Article XXVIII to read as follows:

12 ARTICLE XXVIII: - VOTING SYSTEMS TASK FORCE

13 SEC. 5.400. - ESTABLISHMENT AND ORGANIZATION OF THE VOTING SYSTEMS  
14 TASK FORCE.

15 (a) The Board of Supervisors hereby establishes a Voting Systems Task Force ("Task  
16 Force") consisting of nine voting members appointed by the Board of Supervisors, and  
17 including two individuals representing good government groups, four individuals with  
18 substantial background in computer science or the software or computer industry, two  
19 individuals with a background in or knowledge of election administration, and one individual  
20 with a background working in accommodation of persons with disabilities. The Task Force  
21 shall also include as an ex-officio non-voting member a representative of the San Francisco  
22 Elections Commission who is also a member of that Commission at the time of appointment.

23 (b) The voting members of the Task Force shall serve at the pleasure of the Board of  
24 Supervisors for a term of two years and six months from the date that all nine members have  
25

1 been appointed. The Board of Supervisors shall fill any vacancies occurring in the voting  
2 membership of the Task Force.

3 (c) The Office of the City Administrator shall provide administrative support to the Task  
4 Force.

5 (d) The Task Force shall schedule regular meetings once a month.

6 SEC. 5.405. - POWERS AND DUTIES OF THE VOTING SYSTEMS TASK FORCE.

7 (a) The Task Force shall have the authority to hold hearings and take testimony  
8 regarding voting systems and related matters.

9 (b) The Task Force shall provide the City with recommendations on:

10 (1) Standards and guidelines to gauge the adequacy, accuracy and trustworthiness of  
11 any voting system to be developed or acquired and the adequacy of any vendor or other entity  
12 which might develop and deliver such a system;

13 (2) Methods for generating or acquiring designs for a voting system which meets  
14 applicable Federal, State, County and City laws, regulations and other requirements and all  
15 other goals for the voting system while minimizing system life-cycle costs;

16 (3) Models for development of a voting system including proprietary, disclosed and  
17 open source software and hardware approaches and which address aforementioned voting  
18 systems requirements and assure a cost effective, highly reliable, maintainable system;

19 (4) Business models, including the City and County of San Francisco acting as its own  
20 vendor, which promote the transparency of all aspects of design, development, production  
21 and the business relationship of all parties associated with production, delivery,  
22 implementation and use of the voting system;

23 (5) Any other considerations related to voting systems which will promote public trust in  
24 the conduct and results of elections.

1 (c) During each year of its operation the Task Force shall submit to the Board of  
2 Supervisors an annual report summarizing its recommendations.

3 SEC. 5.410. - SUNSET PROVISION.

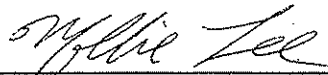
4 The Voting Systems Task Force shall terminate by operation of law on June 30,  
5 2011~~December 31, 2010~~, and after that date the City Attorney shall cause this Article to be  
6 removed from the Administrative Code.

7 SEC. 5.415 – RETROACTIVITY.

8 If the Voting Systems Task Force terminates on December 31, 2010, before the ordinance  
9 extending its termination date to June 30, 2011 goes into effect, the ordinance extending the  
10 termination date shall apply retroactively so that the Voting Systems Task Force will be deemed to have  
11 remained in continuous operation from its inception through and until June 30, 2011. All appointments  
12 to the Task Force as of December 31, 2010 shall remain effective through June 30, 2011, subject to the  
13 appointment and removal process established by Section 5.400. If necessary, the City Attorney shall  
14 cause Article XXVIII to be added back to the Administrative Code, and Article XXVIII shall remain as  
15 part of the Code through June 30, 2011.

16 APPROVED AS TO FORM:  
17 DENNIS J. HERRERA, City Attorney

18 By:

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20 Mollie Lee  
21 Deputy City Attorney  
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23  
24  
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## LEGISLATIVE DIGEST

[Administrative Code - Extending operation of Voting Systems Task Force]

**Ordinance amending the San Francisco Administrative Code by amending Sections 5.400 and 5.410 and adding Section 5.415 to extend the operation of the Voting Systems Task Force to June 30, 2011.**

### Existing Law

In November 2008, the Board of Supervisors ("Board") established a Voting Systems Task Force ("Task Force") to investigate and make recommendations to the Board about voting system standards, design and development. During each year of its operation, the Task Force is required to submit annual reports to the Board summarizing its recommendations regarding voting systems.

The ordinance establishing the Task Force includes a sunset provision stating that the Task Force shall terminate by operation of law on December 31, 2010.

### Amendments to Current Law

The proposed ordinance would amend the Administrative Code to extend operation of the Voting Systems Task Force to June 30, 2011. The ordinance provides that current members of the Task Force will keep their appointments during the six-month extension, subject to existing law stating that members serve at the pleasure of the Board.

The proposed ordinance includes a retroactivity section stating the extension will apply retroactively if the proposed ordinance does not go into effect prior to December 31, 2010. The Task Force would be deemed to be in continuous operation even if there is a gap between termination of the Task Force under existing law and the effective date of the proposed ordinance.

### Background Information

Supervisor Campos requested this legislation because the Voting Systems Task Force reports that it requires additional time to get public input on its draft report and to finalize the report.