

Minutes
Sunshine Ordinance Task Force
March 2, 1999

1. Call to order at 4:10 p.m.

2. Approval of minutes

Bob Planthold absent
Angela Armstrong absent
Hilda Bernstein absent
Nancy Sutley absent

All others present.

No minutes to approve. Angela has not responded to phone calls to reach.

3. Rachel passed out logs

- (a) New complaint from this morning.
- (b) New correspondence regarding less than 10 days' notice.

4. Questions on vacancies

Any way to speed up process. Johnny if you know someone have them apply for two vacancies—David.

David asked Susan for information on HIV Planning Council (?).

Susan: They will adhere to a passive body part of Sunshine Ordinance; 13 page memo from City Attorney's Office should cover it.

David: Copy should be distributed to Task Force; Coalition on Homeless complaint—should a hearing be held to discuss this. City Attorney's Office cannot research; hearing to be scheduled for 3/25/99 meeting; leave to David's discretion to invite department heads party to complaint; copy of Times Mirror decision to be mailed to members.

5. Discussion laws regarding public meetings

Johnny: Covering Board of Appeals meeting; President requested that a camera be removed; massage parlor owner contesting revocation of license; due to undercover policemen testifying, it was asked by the President that the camera present be turned off. Person with camera complied since wanted to film a later part of the meeting; this bothered Johnny who then wanted this issue clarified by the City Attorney's Office; Johnny proceeded to read THE OPINION OF THE City Attorney Office. The camera should have been allowed to remain at public meeting. No longer ambiguous as to the issue.

David W: How often does this happen? Any way to track?

Bruce: Does this mean that if this happens again—sufficient information to have camera remain in room.

Susan & David: Unclear on question.

Susan: This should be enough. Polity body can make request but person doesn't have to comply.

Rauch: Also attended meeting. Seemed as if it was not given as a request.

Bruce: Can this be a part of training program?

Susan: Will let person who handles training know to add this.

David: Johnny will type a letter for David's signature to send with memo to Board of Appeals. Could raise further questions as to how to keep police undercover. Did police have another way to disclose (or not) the identity of the policemen at the hearing.

9. Bruce: Add an agenda item regarding the building of an underground garage. Who approved it?

6. Back to hearing on pending complaint.

Doug Comstock to make a brief presentation to discuss item, 3-5 minutes.

Doug: Election 6/3/97 (Special). All local issues. Problem: who had rating materials for 3 ¼ - 4 hours before it was handed over to Board of Elections. No reason for delay. Wet ballots; dried in microwave.

Asked for information for 30 days. 30 days to file for election fraud. Went to 180 days limit which is harder to prove.

Receipts received for only 12% of ballot boxes; complications; problems with non-profit picking up ballot boxes; 56 poll workers from Walden House; no contract with non-profit (Walden House), but checks went directly to Walden House; no listing of who even printed the ballots; Doug then discussed.

Document 7 went over. Asked for documentation surrounding printing of ballots, any contracts with a non-profit group, and requested voter legends; went through documents 7 through 8.; only 66 receipts available for review out of 500+; request not confided with.

David: What do you want from hearing?

Doug: Ballot receipts; who had them; Walden House—is there a contract; printing; number of ballots.

Bruce: Clarifying issue?

David: Remember this is a sunshine ordinance complaint regarding release of information.

Naomi: Department of Elections; most letters responded to by Germaine Wong; Germaine gave response that state that Elections gave information as requested, but that some information was not available.

David: Is there information available to respond to request?

Naomi: She believes so, responded that documents weren't available.

Bruce: Covered elections before; should be a chain of instructions to follow to keep elections aboveboard; call Naomi (Elections); insure that the chain of custody be kept.

Naomi: Chain was in place and was followed. Department is very careful to follow a process; chain of custody is taken very seriously.

Bruce: Was Charlie Walker a driver?

David: We could talk about this for hours, but does this follow Sunshine Ordinance; make questions relate to Sunshine Ordinance.

Bruce: What happened to receipts?

Naomi: Receipts; driver given receipt that they turn in ballot box; receipts are never kept; 2-part receipt; the original given to driver/pollworker, but copy not kept; each box has a barcode so receipts not needed.

Bruce: Who printed ballot?

Naomi: Sequoia Printing.

Bruce: What happened to 4 ½ hours?

Susan: Task Force needs to pull back and keep it to the issue at hand.

David: Are there written procedures between State law and pollworkers handbook?

Naomi: Dictated by State law to govern elections.

David: Is there something that discusses order of custody?

Naomi: No written procedures as such that discusses practices of covering elections.

Johnny: Is there a contract for printing firm?

Naomi: No contract signed. A bid was put out but no contract was completed; company has been used since 1991 when she joined department; City has used this printer for a long term; maybe a RFP in existence.

David W: How does printer know to print ballots?

Naomi: Person in Elections handles orders.

Rachel: Purchasing group under Administration Office handles orders.

Johnny: Maybe request made to wrong department

David: Department should be able to refer person to correct department; is there any information today that can be responded to Document 11?

Naomi: Yes, but it was given before.

Bruce: Document 20; did Doug ever receive the names of the drivers?

Naomi: Drivers were inspectors on listing of pollworkers.

Doug: Received a listing of 200 names.

Naomi: This was a list of the staff; no listing as to who was responsible for ballot boxes from satellite locations.

David: Are there any written procedures?

Naomi: Each manager writes up own procedures.

David: Could you provide these procedures now?

Naomi: Yes, but they have gone through changes since then.

David: This information could be helpful to Doug. Are there any listings of records; retention and destruction not pursuant to State law?

Naomi: No, only is pursuant to State law.

David: Request to Susan on City's retention/destruction policy.

Johnny: Question on No. 1 of Document 7; Germaine asked for clarification; Johnny is going through requests on Document 7 one by one to see if any response was received; David continued to go over issues on request; issue on ballot boxes; checks given directly to Walden House.

Doug: Wanted to know drivers from precincts to satellite location.

Naomi: Department cannot provide since information not kept.

Bruce: Issue of chain of procession.

Nicole: Issue is information available to answer request.

Rauch: Clarification needed on 66 receipts received.

David: This is why he asked for retention schedule.

Johnny to Doug: Did you receive any information on ballots?

Doug: Yes, but not answered to his satisfaction; received doc tag but no other information; who designed ballots; no envelopes, order to printing company; only received docket receipt.

David: City paid an invoice.

Naomi: Asking for clarification as to what she needs to provide.

Doug: Who authorized design of ballot? Where is the order form?

Rauch: How long are receipts "not" kept?

Naomi: Usually not kept—usually only for a couple of weeks.

Johnny: Follow up in writing from Task Force; (2) procedures specific to pollworkers; (3) Bruce; contract for printing of ballots.

Nicole: Went over requests to Department of Elections pursuant to Documents 7 and 11.

Doug: Is there a knowledgeable person who can direct him to proper departments.

Naomi: Depends on manager.

David: Ultimately Naomi is responsible.

Bruce: Very helpful; need to make a resolution to establish a chain of procession of ballots and ballot boxes; letter to be provided by Task Force to Department of Elections.

Resolution to be continued; Bruce has something written that will be discussed at next meeting.

Is this out of line?

7. Announcement made of San Franciscan for Sunshine meeting on Thursday night.
8. Johnny made motion/seconded by David W. All in favor.
9. David out until 19th

Bruce: Full disclosure regarding underground garage. Who is responsible for this?

David: What is the issue regarding this?

Bruce: Secrecy, is this; to provide complaint to Rachel.

Rauch: We will be able to have a quorum on 3/23?

David: Yes

David: Coalition on Homelessness; HIV Planning Council; Copy of redraft of Sunshine Ordinance to be provided; may have to do a special meeting; Rachel needs to look at calendar.

Meeting adjourned at 6:30 p.m.