

STATE OF CALIFORNIA
SECRETARY OF STATE
VOTING MODERNIZATION BOARD MEETING

SECRETARY OF STATE
1500 11TH STREET
SACRAMENTO, CALIFORNIA 95814

TUESDAY, APRIL 1, 2014
10:30 A.M.

TIFFANY C. KRAFT
CERTIFIED SHORTHAND REPORTER
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APPEARANCES

BOARD MEMBERS

Mr. Stephen Kaufman, Chair

Mr. Michael Bustamante, Vice Chair

Mr. Tal Finney (telephonic)

STAFF

Executive Officer: Jana Lean

Staff Consultant: Katherine Montgomery

Staff Counsel: Robbie Anderson

HAVA Consultant: Susan Lapsley

PLACER COUNTY

Mr. Steven Eye, Placer County Election's IT Supervisor

Ms. Lisa Harris, Placer County Elections Manager

Mr. Jim McCauley, County Clerk Recorder, Placer County

Ms. Gina Myren, Administrative Services Officer

Mr. Jim Suber, Runbeck

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PROCEEDINGS

1
2 CHAIR KAUFMAN: Now that you have joined us, we
3 are going to call the meeting of the Voting Modernization
4 Board to order. Welcome, everyone. Hello, Katherine.

5 MS. MONTGOMERY: Stephen Kaufman.

6 CHAIR KAUFMAN: Here.

7 MS. MONTGOMERY: Michael Bustamante?

8 VICE CHAIR BUSTAMANTE: Present.

9 MS. MONTGOMERY: Tal Finney?

10 BOARD MEMBER FINNEY: Present.

11 CHAIR KAUFMAN: We have a quorum, which is a good
12 thing.

13 Do we have any public comment cards?

14 MS. MONTGOMERY: We have the written comment
15 submitted by Judy Alter, but no public.

16 CHAIR KAUFMAN: Okay. I don't know if your mike
17 is working.

18 We received a letter in advance from Judy Alter,
19 Director of Protect California Ballots, regarding actions
20 for SB 360, which are part of the materials that were
21 distributed, I believe, to be put in the record.

22 MS. MONTGOMERY: Yes.

23 CHAIR KAUFMAN: Okay. Next on the agenda is
24 adoption of May 18th, 2012, actions and meeting minutes.
25 These were circulated to us for the last meeting.

1 Have you guys had a chance to take a look at them
2 and do we have a motion to adopt those action and meeting
3 minutes?

4 VICE CHAIR BUSTAMANTE: I'll move to adopt.

5 BOARD MEMBER FINNEY: I'll second.

6 CHAIR KAUFMAN: Bustamante moves. Finney
7 seconds.

8 Since he's not here, let's do roll call votes.

9 MS. MONTGOMERY: Stephen Kaufman?

10 CHAIR KAUFMAN: Aye.

11 MS. MONTGOMERY: Michael Bustamante?

12 VICE CHAIR BUSTAMANTE: Aye.

13 MS. MONTGOMERY: Tal Finney?

14 BOARD MEMBER FINNEY: Aye.

15 CHAIR KAUFMAN: Okay. Those action and meeting
16 minutes are approved.

17 I did not see the February 24 meeting minutes in
18 my packet. Did you get them?

19 VICE CHAIR BUSTAMANTE:

20 MS. MONTGOMERY: I e-mailed them to you. They're
21 not printed out. I apologize.

22 CHAIR KAUFMAN: I didn't see them in either
23 packet.

24 VICE CHAIR BUSTAMANTE: Maybe it was in the
25 previous e-mail for the previous meeting maybe?

1 MS. MONTGOMERY: I could have done that. I'm
2 sorry. I apologize.

3 VICE CHAIR BUSTAMANTE: I don't remember seeing
4 them.

5 CHAIR KAUFMAN: I went through my e-mail packet
6 this morning and didn't see it. Okay. Well, we will have
7 to defer.

8 MS. MONTGOMERY: I can certainly send those to
9 you. I'm sorry.

10 CHAIR KAUFMAN: Okay. Tal, did you see them?

11 BOARD MEMBER FINNEY: Yes, I did.

12 CHAIR KAUFMAN: You did. Okay. Well, we could
13 take it on Tal's good word if you've had a chance to take
14 a look at them.

15 VICE CHAIR BUSTAMANTE: Are you going to move?

16 BOARD MEMBER FINNEY: I'll move.

17 VICE CHAIR BUSTAMANTE: I'll second.

18 CHAIR KAUFMAN: Okay. Let's do a roll --

19 MS. MONTGOMERY: Stephen Kaufman.

20 CHAIR KAUFMAN: He wasn't there at the last
21 meeting.

22 Why don't we defer approval of those until those
23 of us who were here actually have a chance to take a look
24 at them to make sure they accurately reflect whatever
25 happened.

1 MS. MONTGOMERY: I'm sure we'll meet again soon.

2 CHAIR KAUFMAN: I'll sure we'll meet again soon.

3 Okay. Thank you.

4 Obviously, some of us didn't miss a document when
5 we were downloading.

6 Okay. Next on our agenda is a project
7 documentation and plan review and funding award approval
8 for Placer County.

9 So Katherine are you or Robbie who will make the
10 presentation?

11 MS. MONTGOMERY: That will be me.

12 And are you folks from Placer County?

13 Unidentified speakers: Yes, we are.

14 CHAIR KAUFMAN: Why don't we have the staff
15 presentation and then we'll hear from all of you.

16 MS. MONTGOMERY: Placer County's Phase 2 project
17 documentation plan meets the requirements for
18 completeness.

19 Placer County first purchased an optical scan
20 voting system in 2002.

21 In 2006, Placer County added the touch screen
22 component to meet HAVA Title 3 voting system requirements.

23 Since 2001, the number of voters requesting vote
24 by mail, also known as VBM, ballots has more than
25 quadrupled in Placer County.

1 Of the counties 204,000 plus registered voters,
2 63 percent have requested permanent VBM status with the
3 possible additional five percent depending on the
4 election, residing in an all-mail ballot precinct.

5 Placer County maintains the purchase of ballot
6 sorting systems, such as the Runbeck Agilis -- I think I'm
7 saying that right -- will help it keeping up with the
8 increasing number of VBM voters in this county.

9 Currently, Placer County manually processes each
10 return VBM pallet. This process requires that staff
11 handle every envelope numerous times. First to sort in
12 terms of precinct level and then checking signatures on
13 envelopes to determine eligibility, noting receipt in the
14 data management system, auditing branches for accuracy and
15 transparency, opening envelopes for counting and
16 duplicating ballots when necessary.

17 Accordingly, Placer County states this
18 time-consuming and labor-intensive workload has greatly
19 increased its labor costs. Placer County hopes to reduce
20 its VBM labor costs by at least 75 percent by purchasing
21 the Agilis automated VBM sorting scanning system from
22 Runback Election Services. The Runback Agilis a
23 third-party combination of hardware and software to
24 support the voting system and does not itself require
25 certification as a voting system used in California.

1 Placer County is also hoping to improve the
2 process by which they provide daily vote by mail and
3 over-the-counter ballot requests by purchasing two Runbeck
4 Sentio ballot printing systems, also known as ballot on
5 demand printers. Every election requires a different set
6 of ballots, known as ballot types, which vary accordingly
7 to the combination of federal, State, and county and local
8 district offices that are up for election, as well as any
9 measures that have qualified for the ballot. During
10 election year, Placer County can count up to 150 different
11 ballot types.

12 The county must provide a sufficient number of
13 ballots for each voter, along with enough overage for each
14 ballot type to allow for newly registered voters,
15 provisional voters, and spoiled or replacement ballots.
16 The number of ballots ordered must also take into account
17 expected voter turnout for a given election.

18 In addition to the difficulties previously
19 explained, Placer County is also thinking ahead to the
20 potential issues they will place once Chapter 947 statute
21 2012 goes into effect. This legislation creates
22 conditional voter registration also referred to as
23 same-day voter registration in California. Once the
24 statewide voter registration system is up and running,
25 it's currently expected by 2016. Voters will be able to

1 register up until the close of the poles on election day,
2 greatly complicating the task of estimating how many
3 ballots and of what type to order.

4 Placer county believes the ballot on demand
5 printers will allow the county to reduce ballot printing
6 costs by an estimated 45 percent, greatly minimizing
7 ballot spoilage and help managing the issues that will be
8 created by conditional voter registration.

9 This is the first time the county has come before
10 this Board to request funding for a ballot on demand
11 printer. Although not technically a voting system,
12 arguably this voting equipment can be used to improve the
13 administration of elections. Ballot on demand printers
14 can potentially increase security by eliminating the need
15 to store pre-printed ballots, while simultaneously
16 lessening the potential for human errors when providing
17 ballots to voters over the counter at the elections
18 office.

19 Placer County's attempt to modernize the way they
20 handle the increasing number of VBM voters and the
21 impending same-day registration of voters while
22 potentially saving tax payor money by using ballot on
23 demand printers can certainly be seen as in line with the
24 spirit of the Voting Modernization Board Act of 2002.
25 Sentio is certified for use in California, as well as

1 specifically certified to print Premiere ballot on demand
2 ballots.

3 Placer County will need to obtain pallet printing
4 and storage certifications from the Secretary of State's
5 office in order to use the Sentio ballot on demand system.

6 The third component of Placer County's request
7 for funding is the Dominion non-volatile Accuvote-OS
8 memory card. The non-volatile memory cards are for use
9 with Placer County's precinct ballot scanners and will
10 eliminate costly battery replacement in the cards each
11 election and will provide a more stable system with
12 reduced equipment failure on election day.

13 Placer County states that fewer equipment
14 failures will provide a more efficient election day for
15 poll workers and permanent staff in greater confidence in
16 the voting experience for the voters of Placer County.
17 The Dominion Accuvote-OS memory cards have been certified
18 for use in California.

19 Please note that the staff proposed funding award
20 is based upon allowable reimbursement under Prop. 41 for
21 voting equipment hardware and software only. The extended
22 service maintenance line items listed in the Placer County
23 contracts with Runbeck Election Services would not be
24 covered as a reimbursable claim under Proposition 41.

25 Also while recommending the approval of funding

1 for the purchase of two ballot on demand printers, we
2 would like to make it clear to the county that the cost
3 for ink or paper for the ballot on demand printers is not
4 a reimbursable expense under Proposition 41.

5 Placer County will only receive VBM payments once
6 it has submitted detailed invoices for its voting
7 equipment. It is our recommendation that Placer County's
8 Phase 2 Project Documentation Plan be approved and funding
9 award letter be issued in the amount of \$315,725.

10 CHAIR KAUFMAN: Thank you. Why don't we hear
11 from Placer County and then we can ask questions of both
12 staff and Placer County.

13 Is there one or more people who would like to --

14 MS. HARRIS: We're all here for a reason. Would
15 you like me to introduce who you see before you before we
16 start?

17 CHAIR KAUFMAN: Yes. You all made the trip here.

18 MS. HARRIS: Exactly.

19 My name is Lisa Harris, and I'm the Placer County
20 Elections Manager.

21 MR. EYE: I'm Steven Eye (phonetic), the Placer
22 County Election's IT Supervisor.

23 MR. MC CAULEY: I'm Jim McCauley, the County
24 Clerk Recorder for Placer County.

25 MS. MYREN: I'm Gina Myren, the Administrative

1 Services Officer.

2 MR. SUBER: My name is Jim Suber. I'm with
3 Runbeck. I'm Vice President of Business Development.

4 CHAIR KAUFMAN: Thank you all for coming.

5 MS. HARRIS: Thank you.

6 CHAIR KAUFMAN: Did you have anything that you
7 wanted to say specifically or are you just here to answer
8 questions?

9 MS. HARRIS: I'm basically here to answer
10 questions for you guys. So we're all yours. And I know
11 that this is the first time for the BOE so obviously we
12 want to answer any questions you have on that and any
13 other system operationals or concerns you might have.

14 CHAIR KAUFMAN: Okay. I actually had one
15 question about the -- I guess what you referred to as the
16 BOD. I guess it's directed more to staff.

17 We have that sentence in there it says it's not
18 technically a voting system, but it's voting equipment
19 that can be used to further the administration. Can you
20 just address that issue? Maybe it's you, Robbie, or you,
21 Katherine, to address the issue just so we're all clear
22 here that it's acceptable to provide funding for this
23 mechanism under our mandate.

24 I guess that's you, Susan.

25 HAVA CONSULTANT LAPSLEY: That would be me,

1 although it would be fun to them listen to them try to
2 explain it.

3 The ballot on demand system is not part of the
4 voting system. It is a hardware and software that is used
5 to print ballots. It's separate and apart from the voting
6 system and isn't tied into the voting system.

7 What we do here at the Secretary of State's
8 Office, because we are responsible for certification
9 facilities and different factors, we do review it and
10 certify it. So --

11 CHAIR KAUFMAN: So it gets certified but not as a
12 voting system. It's certified voting equipment.

13 HAVA CONSULTANT LAPSLEY: Not to get into the
14 weeds, but there are other voting systems that their
15 ballot on demand is built in to as part of their voting
16 system, but this one is not. This one is separate and
17 apart.

18 CHAIR KAUFMAN: Did you have any questions about
19 that?

20 VICE CHAIR BUSTAMANTE: Yeah, I was just curious
21 what's staff's justification for bringing this forward and
22 saying it's covered under our charge?

23 HAVA CONSULTANT LAPSLEY: That's me, too. I help
24 advise on voting system issues. HAVA, I think their
25 reliance -- and if I'm speaking out of turn, please kick

1 me.

2 I think that HAVA has not -- their reliance is on
3 HAVA in the interpretation by HAVA and HAVA Director for
4 the Secretary of State's Office. And HAVA money, you have
5 different pots of money. One of them is 301 as you guys
6 know. Part of that 301 money is 251 money, which is more
7 broad in its application rather than just straight voting
8 systems. It's to improve the administration of elections.

9 The ballot on demand, while not part of the
10 voting system, is something in our estimation that
11 improves the administration of elections. HAVA has
12 through their advisory opinions, they have said the
13 ballots -- you cannot use the HAVA money to print ballots,
14 which makes total sense. It's something counties are
15 supposed to do, states of supposed to do regardless.

16 However, the hardware on here, the ballot on
17 demand presents -- is an efficiency to the voting system.
18 Without ballot on demand gauging how many ballots you
19 have, especially with the increase in vote by mail,
20 provisional voting, all those different changes we're
21 making here in California, the functionality of ballot on
22 demand is an improvement to the administration of election
23 and makes it more efficient and makes it more streamlined
24 and makes it a better process.

25 So from a HAVA standpoint, we have taken the

1 position that you can use this 251 to improve the
2 administration of elections money to buy the hardware.
3 You can't use it -- and the software. You can't use it to
4 buy ballots. You can't use it to buy ink. You can't use
5 it to buy those things that would constitute the actual
6 ballots.

7 But this piece of equipment that makes the
8 process more efficient would be reimbursable and I think
9 that's what staff relied upon in making their assessment.
10 If you analogize on the back end the sorting equipment has
11 always been reimbursable. HAVA has reimbursed for it. To
12 draw a line in the sand and say that on the front end
13 something that makes it more efficient we're not going to
14 reimburse for, but on the back end, to sort and do all the
15 things we have to do anyway we're going to be reimbursing
16 for, there is a logical disconnect that doesn't make any
17 sense.

18 So our position has been that as long as there's
19 the correct parameters on there that this is reimbursable.
20 From a HAVA perspective, that being said, at any point
21 they can come back and say, no, you can't do that. You
22 shouldn't done that, and the county would be responsible
23 to reimburse the costs and pay back.

24 VICE CHAIR BUSTAMANTE: I asked the question
25 because based on the reading of the staff report, it

1 sounds like this effort -- it seems it's more to help
2 reduce administrative costs within the county than to
3 necessarily improve the voting experience. Is that
4 accurate?

5 MS. MONTGOMERY: That may have been my fault for
6 not emphasizing the security of not having to store
7 re-printed ballots. I did concentrate on that wasn't --

8 VICE CHAIR BUSTAMANTE: This is going to help
9 reduce the fact that the county has to do every vote by
10 mail application by hand one at a time. And this is going
11 to essentially save the county money with its staff costs,
12 it's administrative costs, as opposed to most of the
13 things that we've been dealing with, which is to actually
14 modernize the actual voting experience and to ensure that
15 a vote is a vote as opposed to everyone and a half
16 times -- that a vote is a vote every time. That's the one
17 thing that struck me as I read that.

18 MR. ANDERSON: I think it will --

19 CHAIR KAUFMAN: Are you addressing the ballot on
20 demand or the sorting issue, which is the first one which
21 is --

22 VICE CHAIR BUSTAMANTE: It's the first one --

23 CHAIR KAUFMAN: -- sort of a function of doing
24 which is different from this ballot on demand printer.
25 Those are two different items.

1 VICE CHAIR BUSTAMANTE: Yeah. There's like three
2 items.

3 CHAIR KAUFMAN: There's three items, but I wanted
4 to make sure that you were speaking to number two which we
5 were talking about.

6 VICE CHAIR BUSTAMANTE: Sorry for switching.

7 EXECUTIVE OFFICER LEAN: The number three
8 component you're talking about, the ballot sorting, that
9 is actually something that the Board has approved funding
10 for in other counties because we considered it a part of
11 the component of the vote by mail voting system.

12 I think that's kind of what we were looking at
13 from the ballot on demand. It obviously would help
14 modernize, and I think that's how we got there, would
15 modernize voting with looking forward to same-day
16 registration or what is called conditional registration I
17 think this would be essential to have. So I think if
18 we're looking at it in a modernization aspect, I think
19 absolutely this would be something that if you would
20 allow -- it would be something that would definitely help
21 not just this county, but other counties moving forward
22 and modernizing how voters are voting.

23 CHAIR KAUFMAN: Did I understand Susan's comment
24 correctly that there are other voting systems that this is
25 already included?

1 EXECUTIVE OFFICER LEAN: Correct.

2 CHAIR KAUFMAN: It's part and parcel of a system,
3 but this is a separate stand-alone piece.

4 HAVA CONSULTANT LAPSLEY: It's a functionality of
5 the type of system they have in Placer County.

6 CHAIR KAUFMAN: We could have -- would have,
7 could have, and maybe have approved a system that included
8 this piece along the way?

9 EXECUTIVE OFFICER LEAN: Correct. If it was
10 rolled up into the actual voting system they were
11 purchasing, yes.

12 CHAIR KAUFMAN: Okay.

13 VICE CHAIR BUSTAMANTE: I have a question for the
14 county just separate from all of this stuff.

15 We had a presentation at our last meeting about
16 the idea of vote by mail as kind of waning. Yet, you
17 know, everything I see, vote by mail is increasing. And
18 obviously, you guys are kind of trending up as opposed to
19 others that perhaps think down the line may be trending
20 down.

21 What do you think about the idea of early voting
22 and do you guys do that in your county?

23 MR. MC CAULEY: Yes, we do. They would have to
24 come into the office if they want to do early voting. We
25 don't have satellite offices out and about.

1 But I feel that all the pieces that we're
2 requesting funding for is going to make the voter's
3 experience more easy, will be more correct. If the voter
4 come in, as soon as we get his address he wants to
5 register to vote, same day registration. We don't have to
6 store 150 different ballot types. We can go to the
7 computer punch out for ballot and it's there. She doesn't
8 have to wait 15 minutes to get the ballot.

9 So I feel that all the things we're requesting
10 are good things. And do they help staff time a little
11 bit? Yes. But I'm doing it because I want the voter to
12 have the best possible experience voting, period. That's
13 why.

14 CHAIR KAUFMAN: Could you explain for me the
15 third piece of equipment I had a little trouble
16 understanding exactly what it is, the Accuvote-OS memory
17 cards. All I kept reading about is they don't require
18 batteries. I wasn't clear about what they do.

19 MR. MC CAULEY: I'll let Steve handle it.

20 MR. EYE: The current Accuvote memory cards that
21 hold ballot and hold the votes that are counted --

22 CHAIR KAUFMAN: This is if you're using the
23 electronic voting --

24 MR. EYE: No, the actual optical scan. They fill
25 out a paper ballot and feed it through a scanner once they

1 filled it out.

2 CHAIR KAUFMAN: In the polling place?

3 MR. EYE: In the polling place. The memory card
4 that holds that precinct's information and counts all the
5 votes, that memory card currently has a small battery in
6 it. Those have to be replaced every election. They cause
7 failures, the new one, the new memory cards that Dominion
8 has produced is non-volatile. It's like a USB thumb
9 drive, if you use that. There's nothing that needs.

10 So they hold -- they don't die, basically, which
11 we see -- even though we replace batteries every election,
12 you still see a certain amount of failure of those
13 batteries. When you're buying 250 batteries every time,
14 you're bound to get one that doesn't hold a charge or five
15 to ten percent is generally the case.

16 CHAIR KAUFMAN: So in your county, the 25, 30
17 percent people who are left not voting by mail at this
18 point, it sounds like from your numbers, are voting in the
19 polling place. Their ballots are being counted in the
20 polling place when they submit or they're being tallied in
21 the polling place. They submit them, and then devices
22 then go back to central county --

23 MR. EYE: And then we upload those. We upload --

24 CHAIR KAUFMAN: The data --

25 MR. EYE: Yes, into our central server.

1 CHAIR KAUFMAN: But you don't have to count the
2 ballots there because they've already been running at the
3 polling place?

4 MR. EYE: Correct. Unless the memory card fails,
5 and then we have to count them again.

6 CHAIR KAUFMAN: Okay. Got it.

7 Tal, did you have any questions?

8 BOARD MEMBER FINNEY: No. I'm good.

9 VICE CHAIR BUSTAMANTE: I'll move the staff
10 recommendation.

11 CHAIR KAUFMAN: Okay. Do we have a second on
12 that?

13 BOARD MEMBER FINNEY: Second.

14 CHAIR KAUFMAN: Seconded by Tal Finney. Shall we
15 take a roll call vote?

16 MS. MONTGOMERY: Stephen Kaufman?

17 CHAIR KAUFMAN: Aye.

18 MS. MONTGOMERY: Michael Bustamante?

19 VICE CHAIR BUSTAMANTE: Aye.

20 MS. MONTGOMERY: Tal Finney?

21 CHAIR KAUFMAN: Tal?

22 BOARD MEMBER FINNEY: I said aye.

23 CHAIR KAUFMAN: We didn't hear you.

24 Okay, Placer County. Congratulations. Your
25 award of \$315,725. And we'll be getting you a letter to

1 confirm that.

2 MS. HARRIS: Thank you so much. Appreciate it.

3 CHAIR KAUFMAN: You're welcome. And thank you
4 for making the trip to address us.

5 MS. HARRIS: And thank you, Secretary of State's
6 office.

7 CHAIR KAUFMAN: Okay. The next item on our
8 agenda is kind of a continuance from our prior meeting at
9 which staff presented us with a proposal for amending our
10 funding application and procedure guide in light of SB
11 360, the legislation that took effect at the beginning of
12 this year expanding -- well, among other things expanding
13 the universe of voting equipment that this Board can
14 consider in its purview.

15 And as you recall, at the last meeting, we were
16 not able to approve these changes because we didn't have a
17 quorum and now we do. There have been a couple of
18 modifications that were made to the procedures that were
19 presented to us at the last meeting as a result of some
20 comments that were given.

21 Robbie, do you want to quickly mention what
22 changes have been made since the last meeting?

23 MR. ANDERSON: Yeah. It's on page 2. We
24 modified the application submittal deadline. It still
25 kind of read strangely because information from the

1 original guide. So we just made it clear, "to be eligible
2 for the initial round of funding, counties were required
3 to submit applications for funding consideration to the
4 VMB by 4:00 p.m. on September 3, 2002."

5 And then we did add a new clause on page 2. "The
6 additional funding rounds" -- and this states, "the VMB
7 may establish additional funding rounds and procedures for
8 the application process for those additional rounds."

9 CHAIR KAUFMAN: Okay. Tal, since you weren't
10 here last time and didn't get a chance to ask any
11 questions, do you have any questions of staff regarding
12 the proposed changes to the procedures?

13 BOARD MEMBER FINNEY: I reviewed the material and
14 I don't have any questions.

15 CHAIR KAUFMAN: Okay. Michael?

16 VICE CHAIR BUSTAMANTE: I'm good.

17 CHAIR KAUFMAN: I just had a couple of questions
18 or issues. And I think what I'd like to do -- I have a
19 couple potential changes. But I think we can talk about
20 them, if we're okay. We could approve the procedures
21 subject to these changes being implemented so that we
22 don't have to come back again and do this again.

23 VICE CHAIR BUSTAMANTE: Sure.

24 CHAIR KAUFMAN: And namely, at the last meeting,
25 it was suggested that we change the references within the

1 document from SB 360 to the actual Election Codes that
2 were changed as a result of SB 360 so that on a going
3 forward basis we're now referencing the actual
4 legislation.

5 VICE CHAIR BUSTAMANTE: You mean the Code?

6 CHAIR KAUFMAN: Yeah, in the Elections Code. So
7 I would request, unless there is any other thought, that
8 we go ahead and do that.

9 And I think, you know, you have this definitional
10 section where you talk about SB 360. I think that's fine
11 to explain where it came from. But then in the rest of
12 the document, we should indicate in there what it
13 codified. And then the rest of the document, wherever SB
14 360 is referenced, it should reference either Election
15 Code Section, whatever et seq. or the particular Code
16 section, if appropriate.

17 MR. ANDERSON: Okay.

18 CHAIR KAUFMAN: And then the last suggestion that
19 I had was on page 6 under the section entitled
20 "application submittal deadlines." And somewhat
21 conforming to the change you made on page 2 where you
22 talked about additional funding rounds. What I would
23 suggest to modify this language would be it starts with
24 "initially." I would -- instead of "initially," I would
25 say -- I can reread this -- "to be eligible for the

1 initial round of funding," and then I would include, "the
2 application for funding consideration and authorizing
3 resolution were to be received by the VMB no later than
4 4:00 p.m. on September 3, 2002." Then I would add another
5 sentence that says, "The VMB will establish application
6 deadlines for any additional funding rounds." So it just
7 makes clear where we came from and where we are today.

8 MR. ANDERSON: That was the VMB --

9 CHAIR KAUFMAN: I can read it back to you.

10 Conceptually, did that --

11 MR. ANDERSON: Yeah.

12 CHAIR KAUFMAN: -- sound all right to everybody?

13 VICE CHAIR BUSTAMANTE: Do you just eliminate the
14 second sentence?

15 CHAIR KAUFMAN: Under the "currently"?

16 VICE CHAIR BUSTAMANTE: Uh-huh.

17 CHAIR KAUFMAN: I think that still stands.

18 EXECUTIVE OFFICER LEAN: Project documentations
19 are after the application.

20 CHAIR KAUFMAN: After the application, correct.

21 But actually, what I would do is take out the
22 word "currently." So I would just say, "The project
23 documentation and package and all required attachments
24 must be received by 4:00 p.m. by a date to be specified by
25 the Board."

1 So to read it back, I would take out "initially"
2 and just say, "to be eligible for the initial round of
3 funding, the application for funding consideration and the
4 authorizing resolution were to be received by the VMB not
5 later than 4:00 p.m. on September 3, 2002."

6 The new sentence would be, "The VMB will
7 establish application deadlines for any additional funding
8 rounds." And additional funding rounds would be initial
9 capped because you designed it earlier on in the document.

10 MR. ANDERSON: Got it.

11 CHAIR KAUFMAN: And then we take out "currently"
12 and just say "the project documentation." Okay. So does
13 anybody want move adoption subject to those changes?

14 BOARD MEMBER FINNEY: I'll move it.

15 CHAIR KAUFMAN: Tal moves.

16 VICE CHAIR BUSTAMANTE: I'll second.

17 CHAIR KAUFMAN: Bustamante seconds.

18 MS. MONTGOMERY: Stephen Kaufman?

19 CHAIR KAUFMAN: Aye.

20 MS. MONTGOMERY: Michael Bustamante?

21 VICE CHAIR BUSTAMANTE: Aye.

22 MS. MONTGOMERY: Tal Finney?

23 BOARD MEMBER FINNEY: Aye.

24 CHAIR KAUFMAN: Okay. So we have new procedures
25 in place, which will now allow the counties to move

1 forward and presumably county of Los Angeles, which is
2 itching to come before us. It will allow them to move
3 forward with their new applications.

4 EXECUTIVE OFFICER LEAN: Would you like to see it
5 one more time before we publish it?

6 CHAIR KAUFMAN: Why don't you run it by me just
7 to make sure that what we've talked about is done prior to
8 publication. Okay.

9 Any other business from staff?

10 MS. MONTGOMERY: We have no other business.

11 CHAIR KAUFMAN: Board members, anything else you
12 want to raise?

13 VICE CHAIR BUSTAMANTE: No.

14 CHAIR KAUFMAN: Okay. Then I guess we'll take a
15 motion to adjourn.

16 VICE CHAIR BUSTAMANTE: Here here.

17 CHAIR KAUFMAN: I think we have a unanimous vote
18 to adjourn.

19 Thank you, everybody.

20 (Whereupon the hearing adjourned at 11:04 AM.)

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CERTIFICATE OF REPORTER

I, TIFFANY C. KRAFT, a Certified Shorthand Reporter of the State of California, and Registered Professional Reporter, do hereby certify:

That I am a disinterested person herein; that the foregoing hearing was reported in shorthand by me, Tiffany C. Kraft, a Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said hearing nor in any way interested in the outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of April, 2014.

TIFFANY C. KRAFT, CSR, RPR
Certified Shorthand Reporter
License No. 12277