



# Voting Modernization Board

## Modernizing Voting Equipment in California

### VOTING MODERNIZATION BOARD BOARD MEETING MINUTES

Wednesday, March 19, 2003  
Secretary of State Building

John A. Pérez, Chair  
Stephen Kaufman, Vice Chair

Michael Bustamante  
Tal Finney  
Carl Guardino

I. Call to order by Chairman John A. Pérez at 10:08 am.

II. Roll Call administered by Debbie Parsons

Present: John A. Pérez, Carl Guardino, Stephen Kaufman

Absent: Michael Bustamante, Tal Finney

Note: Tal Finney arrived late

III. Public Comment: None.

IV. Adoption of February 19, 2003 Minutes

Chairman Pérez made one correction to the minutes.

**A motion was made by Stephen Kaufman and seconded by Carl Guardino to adopt the meeting minutes of the February 19, 2003 meeting. The minutes were approved with the Chairman's correction.**

V. Project Documentation Package Review and Funding Award Approval:  
Receive staff reports for approval of funding awards from Jana Lean.

A. San Francisco plans a two-phased approach. The City and County of San Francisco has secured the Phase 1 voting system equipment which was implemented during the November 2000 General Election. San Francisco uses Optech IIIIP Eagle Optical Scan and Optech IV-C Optical Scan Ballot Tabulators from Election Systems and Software, Inc. (ES&S). The Phase 2 voting system has not yet been determined. The City and County of San Francisco's "Phase 1 Project Documentation Package" meets the requirements for completeness. The ES&S Optech Eagle optical scan system is certified for use in California. Staff noted that while San Francisco's current system appears to meet the requirements for reimbursement under Proposition 41, it should be noted that any money allocated for this system would reduce the amount of money San Francisco will have to purchase another system during their second phase.

If San Francisco's second phase includes a DRE system, it will bring their county into compliance with both state and federal accessibility laws. San Francisco plans to incorporate a "Phase 2" into their overall plan to select a system that will address their city charter, which mandated Ranked Choice Voting. San Francisco is considering to further upgrade their system to DRE technology. At this time, California does not have a certified voting system that can administer elections using Ranked Choice Voting.

The City and County of San Francisco will only receive VMB payments once they have submitted “invoices” for their voting equipment. Staff recommended approval of San Francisco’s Phase 1 Project Documentation Package.

Chairman Pérez and the Board asked John Arntz, the Acting Director of the Department of Elections in San Francisco, questions regarding the project documentation package submitted to the Board. Chairman Pérez was concerned that Phase 2 is so large. Mr. Arntz said San Francisco is as compliant as possible making the polling places accessible and Phase 2 addresses the new state and federal accessibility laws. He said they would do everything possible to have at least one DRE in each polling place. The county has a November 4, 2003 charter mandate deadline for Ranked Choice Voting. They plan to do that with the current optical scan voting system.

Chairman Pérez asked Mr. Arntz if the list of priorities on the executive summary for their new voting system had been met. Mr. Arntz said yes, they had all been met.

The Board was concerned about parts of the contract with the vendor and suggested that future agreements with vendors should be created with tighter language to protect San Francisco and VMB funds. The Board has great concerns that the Phase 1 contract language fell short of the mark in optimizing options for further modernization.

**A motion was made by Stephen Kaufman and seconded by Carl Guardino to approve the City and County of San Francisco’s “Phase 1 – Project Documentation Package” and issue a “Funding Award” letter in the amount of \$2,431,303.50. All voted Aye, motion passed.**

- B. Solano County is one of the nine decertified counties that have to replace their voting system, Votomatic, by March 2004. Solano County purchased the Diebold AccuVote Touch Screen System, the Diebold Absentee Scanner Unit and the Diebold AccuVote Optical Scan Units. Solano County plans to receive their new voting equipment in April 2003 and the acquisition will be fully completed by July 2003. The county plans to use their new voting equipment for the first time at their November 2003 UDEL election. Solano County has projected that their completion date will be upon certification of the November 2004 General Election.

Solano County’s “Project Documentation Package” meets all of the requirements for completeness. The Diebold AccuVote touch screen system is certified for use in California. Solano County will only receive VMB payments once they have submitted “invoices” for their voting equipment.

Staff’s recommendation to the Board is to approve Solano County’s “Project Documentation Package” and issue a “Funding Award” letter in the amount of \$2,297,314.22.

Chairman Pérez asked Solano County’s Registrar of Voters, Laura Winslow, why there was a million dollar gap between their county’s match and the VMB’s allocation, because the VMB appears to only be covering approximately 56% their new voting system. Ms. Winslow responded that the formula that was chosen was not the best formula for her county. Each machine was approximately \$3,400.00. They could have purchased fewer units, but did not want to impact voters and have long lines at the polls so chose not to.

**A motion was made by Carl Guardino and seconded by Stephen Kaufman to approve Solano County’s “Project Documentation Package” and issue a “Funding Award” letter in the amount of \$2,297,314.22. All voted Aye, motion passed.**

VI. ADJOURNMENT

**There being no further business or public comment to come before the Board, a motion was made by Tal Finney and seconded by Stephen Kaufman to adjourn the meeting at 10:40 am.**

*Minutes submitted by Debbie Parsons*