



Voting Modernization Board

Modernizing Voting Equipment in California

VOTING MODERNIZATION BOARD BOARD MEETING MINUTES

Friday, June 17, 2005
Secretary of State Building

John A. Pérez, Chair
Stephen Kaufman, Vice Chair

Michael Bustamante
Tal Finney
Carl Guardino

- I. Call to order by Vice Chairman Stephen Kaufman at 10:25 am.
- II. Roll Call administered by Debbie Parsons, quorum established.

Present: Stephen Kaufman, Tal Finney, Michael Bustamante
Absent: John A. Pérez, Carl Guardino

III. Public Comment: None

IV. ADOPTION OF FEBRUARY 17, 2005 MEETING MINUTES

A motion was made by Tal Finney and seconded by Michael Bustamante to adopt the meeting minutes of the February 17, 2005 meeting. Motion passed.

V. STAFF REPORTS ON RELATED ISSUES:

- (A) Jana Lean presented an update report to the Board on the Voting Modernization Fund Pool Money Investment Board Loan and Bond Sale Status. The loan will have to be renewed in October 2005.
- (B) Jana Lean presented an update on the status of the VMB Conflict of Interest Code. The Conflict of Interest Code was approved by the FPPC and is currently at the Office of Administrative Law, it should be approved within 30 days. The Board members have to fill out Form 700's within 30 days after the next VMB meeting. VMB staff attorneys will be available to assist the members with their forms if needed.

VI. PROJECT DOCUMENTATION PACKAGE REVIEW AND FUNDING AWARD APPROVAL:

(A) Glenn County - Jana Lean presented the staff report on Glenn County's Project Documentation Package. Glenn County's Project Documentation Package met all the requirements for completeness. Glenn County anticipates receiving their new voting equipment from Sequoia Voting Systems, Inc., in November 2005. The Sequoia AVC Edge DRE unit and the VeriVote printers are certified for use in California, however the software used to run the AVC Edge units currently have a "condition" on the certification for its use. According to a representative from Sequoia, the condition is expected to be resolved within the

next three months. The staff recommendation is to approve Glenn County's "Project Documentation Package" and issue a "Funding Award" letter in the amount of \$180,968.11.

A motion was made by Michael Bustamante and seconded by Tal Finney to approve Glenn County's "Project Documentation Package" and issue a Funding Award letter in the amount of \$180,968.11. Motion passed.

(B) Mono County - Jana Lean presented the staff report on Mono County's Project Documentation Package. Mono County's Project Documentation Package met all the requirements for completeness. Mono County is also purchasing the Sequoia AVC Edge DRE units and the VeriVote printers, which are conditionally certified for its use and expected to be resolved within the next three months. The staff recommendation is to approve Mono County's "Project Documentation Package" and issue a "Funding Award" letter in the amount of \$91,998.83.

A motion was made by Michael Bustamante and seconded by Tal Finney to approve Mono County's "Project Documentation Package" and issue a Funding Award letter in the amount of \$91,998.83. Motion passed.

(C) Stanislaus County - Jana Lean presented the staff report on Stanislaus County's Phase 1 Project Documentation Package. Stanislaus County's Phase 1 Project Documentation Package met all the requirements for completeness. Stanislaus County plans to implement their new voting equipment in two phases. They chose Elections Systems and Software, Inc. (ES&S) as their vendor and acquired the ES&S optical scan voting system in September 2004 and will use it for the first time in November 2005. The ES&S Model 100 and 650 optical scan voting system units are certified for use in California. The county selected optical scan technology, being a paper based system, to avoid the controversy regarding the DRE's and voter verified paper audit trail. The staff recommendation is to approve Stanislaus County's "Phase 1 - Project Documentation Package" and issue a "Funding Award" letter in the amount of \$1,126,459.50.

A motion was made by Tal Finney and seconded by Michael Bustamante to approve Stanislaus County's "Phase 1 - Project Documentation Package" and issue a Funding Award letter in the amount of \$1,126,459.50. Motion passed.

PUBLIC COMMENT

Alfie Charles – Sequoia Voting Systems. Mr. Charles stated that the Sequoia software that has a condition placed on its certification is undergoing federal testing which should be done within 30 days. Mr. Bustamante questioned Mr. Charles on the reason for the further testing, Mr. Charles stated that was a change in software requested by Secretary of State staff from the previous administration that would allow a type of report that is generated and transferred into the Calvoter system. He anticipates having full certification to the software in July 2005.

Vince Minto – County Clerk-Recorder/Assessor, Glenn County – Mr. Minto stated that Glenn County would use Datavote as a fallback in case the software that is conditionally certified does not pass testing.

Christy Robles – Assistant County Clerk, Mono County – Ms. Robles stated that Mono County would use their optical scan system as a fallback in case the Sequoia software does not pass final certification.

Lee Lundrigan – Registrar of Voters, Stanislaus County – Ms. Lundrigan thanked the Board for having her there. She stated she has used the ES&S system since the recall when they rented the system so the county workers are very familiar with the equipment and will be ready for the next election. Their next phase is to use the Model 100's at the polls. Mr. Bustamante questioned why the county is implementing in phases instead of full conversion at one time. Ms. Lundrigan stated that the equipment needed for full conversion is not certified yet and they are just waiting on it to become certified.

VII. INTERIM STATUS REPORT ON COUNTY VOTING MODERNIZATION PLANS

Debbie Parsons presented a staff report on the status of counties voting modernization plans. Currently, nine counties have completed their project documentation and have received payment from the VMB. Three counties, San Diego, Kern and Solano, had changes since they came before the Board due to the decertification of their systems and need to re-submit their plans. Seven counties, Fresno, Kings, Mariposa (Phase II), Modoc, Monterey, Yuba and Merced did not respond to the survey. Of the responses received, eight counties stated they were waiting on systems to be certified before they could decide on their voting modernization plans. Lastly, 39 counties plan to submit their project documentation plans and come before the VMB by January 1, 2006.

VIII. OTHER BUSINESS – July Meeting Date Change

Staff discussed the option of changing the meeting date of the July meeting due to a conflict with another meeting scheduled at the Secretary of State's office. Staff would survey the members for a new date.

IX. ADJOURNMENT

There being no further business or public comment to come before the Board, a motion was made by Michael Bustamante and seconded by Tal Finney to adjourn the meeting at 11:00 am. All Ayes, Motion passed.

**Minutes submitted by Debbie Parsons*