

MEETING
STATE OF CALIFORNIA
SECRETARY OF STATE
VOTING MODERNIZATION BOARD

RONALD REAGAN BUILDING
AUDITORIUM
300 SOUTH SPRING STREET
LOS ANGELES, CALIFORNIA

MONDAY, DECEMBER 5, 2005

1:00 p.m.

Reported by: Katherine Montgomery
Secretary of State, Elections

Appearances

Panel Members

John Perez, Chairperson
Stephen Kaufman
Michael Bustamante
Carl Guardino (by Telephone)

Staff

Jana Lean
Michael Kanotz
Katherine Montgomery

Proceedings

CHAIRPERSON PEREZ: Good afternoon, I would like to call to order the December 5th meeting of the Voting Modernization Board. Would you please call the role?

MS. MONTGOMERY: John Perez?

CHAIRPERSON PEREZ: Here.

MS. MONTGOMERY: Board Member Kaufman?

BOARD MEMBER KAUFMAN: Here.

MS. MONTGOMERY: Board Member Bustamante?

BOARD MEMBER BUSTAMANTE: Here.

MS. MONTGOMERY: Tal Finney?

MS. MONTGOMERY: Board Member Guardino?

CHAIRPERSON PEREZ: Has Carl called in yet?

MS. LEAN: No. Not yet. He is supposed to dial into this number here.

CHAIRPERSON PEREZ: So if he calls, I'll just answer.

MS. LEAN: That would be perfect Sir. If he calls.

CHAIRPERSON PEREZ: Well first, we obviously have a quorum. What was the determination on Mr. Finney?

MS. LEAN: He was AWOL last week. I did try to contact him, but I never heard a response back.

CHAIRPERSON PEREZ: Okay, The next item on the agenda is Item III, has anyone submitted a public comment?

MS. LEAN: No sir.

CHAIRPERSON PEREZ: Okay, item number IV on the Agenda is the adoption of the November 16th actions and meeting minutes.

MS. LEAN: I know that we got those late from our court reporter, we got them on Friday. So, if you'd like we can move the actual adoption of the minutes to the next meeting, so you'll have enough time to review them.

CHAIRPERSON PEREZ: Sure. Can I get someone to second that?

BOARD MEMBER KAUFMAN: I'll second it.

CHAIRPERSON PEREZ: All in favor?

BOARD MEMBER KAUFMAN: Aye.

BOARD MEMBER BUSTAMANTE: Aye.

CHAIRPERSON PEREZ: All opposed?

CHAIRPERSON PEREZ: None. Very good. Next item, item V -Project Documentation Package Review and Funding Award. I guess we only have one county today and that's Ventura.

MS. LEAN: That's correct.

CHAIRPERSON PEREZ: So, what do we know about Ventura?

MS. LEAN: Ventura County, the staff is recommending the funding award at \$4,576,270.14 their full allocation. Ventura County is purchasing the Optech Insight Precinct Ballot Counters- 400 Units, the AVC Edge DRE- 375 Units and 400 Units of the VeriVote DRE Printers.

Ventura County anticipates receiving their equipment between mid-December 2005 through March 2006. The county plans to begin using this equipment in the June 6, 2006 Primary. Just so you're noted, the AVC Edge DRE units being

purchased by Ventura County includes a VeriVote printer, which is a VVPAT (Voter Verified Paper Audit Trail).

Ventura County's Project Documentation Package meets all the requirements for completeness under Proposition 41.

The Sequoia AVC Edge DRE units, the VeriVote printers, the Optech Insight units, and the Optech 400-C units are certified for use in California.

But as you are aware the software used to run the AVC Edge units currently has a condition on the certification for its use, as the software cannot be used in a primary election within California. This condition is expected to be resolved shortly; however, no application has been received by the Secretary of State's Office at this time.

Ventura County will be converting from a Datavote punch card voting system. Ventura County believes that the deployment of the one DRE unit and one optical scan unit in all polling places will bring the county into full compliance with the requirements of the Help America Vote Act (HAVA). The DRE units will provide access to those voters with disabilities and will also satisfy the second-chance voting requirements by not allowing over votes and identifying under votes to each voter.

Ventura County plans to hold a mock election in March of 2006 to test the new system and verify that the system is integrated properly with the candidate filing system and the ballot tabulation of the optical scan ballots and DRE units. The county plans to conduct an extensive public relations program to educate the voters on the new system. The county plans to solicit feedback from staff, poll workers, and voters after the mock election and will adjust their procedures accordingly for the June 2006 Primary.

Ventura County will only receive VMB payments once they have submitted invoices for their voting equipments.

Please note that the staff-proposed funding award is based upon allowable reimbursement under Proposition 41 for voting equipment and hardware and software only. The installation and training and extended warranty costs listed in the Ventura County plan would not be covered as a reimbursable claim under Proposition 41.

It is the staff recommendation that Ventura County's Project Documentation Plan be approved and a funding award letter be issued in the amount of \$4,576,270.14. Any questions?

BOARD MEMBER KAUFMAN: Is Ventura County here?

MS. LEAN: Yes, Gene Browning from Ventura County Elections is here.

CHAIRPERSON PEREZ: Gene, do you have anything that you'd like to add to the staff report?

GENE BROWNING: Uh, it pretty much says it all.

CHAIRPERSON PEREZ: So, let me just make sure I get this right. You're going to have one DRE per precinct and then everyone else is going to vote on the optical scan system?

GENE BROWNING: Correct. One per polling place.

CHAIRPERSON PEREZ: You have what? 375 polling locations or precincts?

GENE BROWNING: Depending on consolidation we have around 308 as in this last election in November up to possibly 330, typically.

CHAIRPERSON PEREZ: And this is purely out of curiosity, what can you share with us about your decision to go with the one DRE per polling place as opposed to maybe to one with ballot marking system that might be more suitable to your optical scan system?

GENE BROWNING: Primarily, that would have to do with the logistics of the software, the ballot tabulation process and building the election... readily transferable if you use the same vendor to supply products so that you can do the ballot layout portion for both the paper ballot and the touch screen voting system. The integration aspect is basically, fairly transparent.

BOARD MEMBER KAUFMAN: I have one quick question. I was just curious about the Mock Election that you're planning on staging. I was just interested in some details on that.

GENE BROWNING: That mock election will entail basically verifying the data that will be transported out of the election information management system is readily integratable into the ballot layout and ballot tabulation system and then having them select a couple of precincts to have them act as an election day precinct, to see if everywhere from staging the equipment, moving it on to trucks, having it picked up, delivered, set up and used by a couple of selected election officers and then the return. Basically a dry run, if you will.

BOARD MEMBER KAUFMAN: How many members of the public are you going to have participate? Voters?

GENE BROWNING: Probably like two or three. In terms of the public, whoever may be available- maybe even county employees.

CHAIRPERSON PEREZ: If I could, let's just take a quick pause- Board Member Guardino has joined us. Carl where we are now is item V (A); we have put off the approval of the meeting minutes and action items from the last meeting until the next meeting due to the delay in receiving the meeting minutes. We have received the staff recommendation for Ventura County and we're engaging in a question and answer period with Ventura County's Assistant Registrar.

BOARD MEMBER GUARDINO: Thank you Mr. Chairman.

CHAIRPERSON PEREZ: Was there anything else for Ventura County?

BOARD MEMBER KAUFMAN: No, that was it, thank you.

CHAIRPERSON PEREZ: Mr. Bustamante?

BOARD MEMBER BUSTAMANTE: No.

CHAIRPERSON PEREZ: Mr. Guardino anything based on your review of the written materials on Ventura County?

BOARD MEMBER GUARDINO: No Mr. Chairman.

CHAIRPERSON PEREZ: Is there a motion?

BOARD MEMBER KAUFMAN: I'll ah move to accept the staff recommendation to award Ventura County an award letter in the amount of \$4,576,270.14.

BOARD MEMBER BUSTAMANTE: I'll second that.

CHAIRPERSON PEREZ: It has been moved and seconded, so pending no further questions, all in favor please say "aye."

BOARD MEMBER KAUFMAN: Aye.

BOARD MEMBER BUSTAMANTE: Aye.

BOARD MEMBER GUARDINO: Aye.

MS. MONTGOMERY: John Perez?

CHAIRPERSON PEREZ: Aye.

MS. MONTGOMERY: Board Member Kaufman?

BOARD MEMBER KAUFMAN: Aye.

MS. MONTGOMERY: Board Member Bustamante?

BOARD MEMBER BUSTAMANTE: Aye.

MS. MONTGOMERY: Board Member Guardino?

BOARD MEMBER GUARDINO: Aye.

CHAIRPERSON PEREZ: Okay, we have approval. The next item on the agenda is item VI, Other Business. Do we have any business to discuss?

MS. LEAN: No sir.

CHAIRPERSON PEREZ: And finally then, adjournment. Do I hear a motion?

BOARD MEMBER GUARDINO: Yes.

CHAIRPERSON PEREZ: Mr. Guardino moves.

MS. LEAN: I'd like to remind everyone that the next meeting in January 18th in Sacramento at 10:30 a.m.

CHAIRPERSON PEREZ: Very good.

BOARD MEMBER KAUFMAN: I'd just like to say that I appreciate the opportunity to have the meeting in L.A..

CHAIRPERSON PEREZ: Okay, so all in favor of adjourning say "aye."

All: Aye.

CHAIRPERSON PEREZ: Hearing no "noes", we are adjourned. Thank you everyone.