VOTING MODERNIZATION BOARD

BOARD MEETING

WEDNESDAY, OCTOBER 25, 2006

Community Redevelopment Agency of Los Angeles

Board Room

354 South Spring Street

Los Angeles, California

Reported by: Shelly Sutton, CSR No. 7488

Job No.: 06-29692
ATTENDEES:

BOARD MEMBERS:  John A. Perez, Chairperson
                Stephen J. Kaufman, Vice Chair
                Michael Bustamante (telephonically)
                Carl Guardino (telephonically)

STAFF:          Michael Kanotz
                Jana Lean
                Katherine Montgomery

PARTICIPANTS:    Kathleen Smith (Nevada County)
THE CHAIRMAN: I would like to call to order the October 2006 meeting of the California Voting Modernization Board. If you would please call the roll.

MS. MONTGOMERY: John Perez?

THE CHAIRMAN: Here.

MS. MONTGOMERY: Stephen Kaufman?

MR. KAUFMAN: Here.

MS. MONTGOMERY: Michael Bustamante?

MR. BUSTAMANTE: Here.

MS. MONTGOMERY: Carl Guardino?

MR. GUARDINO: Present.

THE CHAIRMAN: We have now established that we have a quorum. The first item is item three, Public Comment for items not on our agenda, I see no cards. We then move to item four, Adoption of September 20th, 2006 Actions and Meeting minutes. Is there a motion, or is there something for consideration first?

MR. KAUFMAN: I'm prepared to move adoption of the Actions and Meeting Minutes.

THE CHAIRMAN: Mr. Kaufman moves, is there a second?

MR. GUARDINO: Second.

THE CHAIRMAN: That was Mr. Guardino seconding. All in favor, signify by saying aye. Aye.

MR. KAUFMAN: Aye.

MR. GUARDINO: Aye.
MR. BUSTAMANTE: Bustamante abstains because I wasn't there.

THE CHAIRMAN: Very good. We have approval of that.

Next, we have item five, Change to Approve Project Documentation Plan, and the first item before us Five (A), is a discussion of Napa County. Jana, would you like to walk us through that?

MS. LEAN: Napa County is submitting a change of their Approved Project Documentation Plan regarding their VVPAT retrofit. The Voting Modernization Board approved a funding board and Napa received $881,111.44. They are proposing to refund an original amount awarded of $352,942.40. They are purchasing the Sequoia AVC EDGE upgrades, the Verivote printers, 375 units. At the July 16th, 2003 meeting of the Voting Modernization Board, the Board approved Napa County's Project Documentation Plan and awarded funding for the reimbursement of the County's purchase of 350 Sequoia AVC EDGE DRE units. Napa County purchased an additional 100 AVC EDGE units using HAVA 102 punch card replacement funds, and the County used the new equipment for first time at the March 2nd, 2004 Presidential primary elections. Napa was one of the first to apply for the Proposition 41 funding and began modernizing their equipment before the State's requirement for a VVPAT, the
Voter Verified Paper Audit Trail law was enacted.

The County was required to retrofit all of its Sequoia AVC EDGE DRE machines to include a printer. These newly equipped machines were successfully implemented countywide during the June 2006 primary election. Napa County is requesting that the Board allow the County to return funds from the VMB in order to qualify for retroactive reimbursement from HAVA for their purchase of a HAVA Section 301 complaint voting system, and concurrently requests funding from the VMB to fund their VVPAT retrofit costs.

Napa County would be required to refund the retrofit costs of $352,942.40 to the Voting Modernization Fund from the County's general fund before the County would be eligible for any VMB funding for VVPAT retrofit, or any retroactive reimbursement from HAVA.

Once the refund for the retrofit cost has been received and deposited back into the Voting Modernization fund and confirmation of the deposit has been received by the State Controller's Office, the VMB would notify Napa County and the Secretary of State's HAVA coordinator that the deposit has been completed.

The VMB could then amend the original funding award letter issued to Napa County to explicitly state that the VMB will allocate the $352,942.40 in funding
returned by the County to the Voting Modernization Fund for the purpose of the reimbursement for the VVPAT retrofit costs.

Napa County would then be required to submit to the VMB an acknowledgement letter certifying that the new funds will be used in accordance with the Voting Modernization Bond Act of 2002. Napa County could concurrently submit a payment request form which would require documentation to receive reimbursement for the VVPAT retrofit costs. It is our staff recommendation that Napa County's changed their Approved Project Documentation Plan be improved contingent upon receipt of the funds as outlined above. Once confirmation of the deposited funds is obtained, the VMB staff notify the Chair of the award. An amendment to the original July 16, 2003 award letter may be issued in the amount of $352,942.40 to fund the VVPAT retrofit costs.

As you recall, this is very similar, almost identical to what was already voted on by the Board for Orange County. So, this is just asking for the retrofit costs for the printers. Do you have any other questions?
MR. BUSTAMANTE: No, sir.

THE CHAIRMAN: Mr. Guardino?

MR. GUARDINO: No, no questions.

THE CHAIRMAN: Very good. Is there a motion?

MR. BUSTAMANTE: So move.

MR. KAUFMAN: Second.

THE CHAIRMAN: Mr. Kaufman seconds. Seeing no further discussion, would you please call roll?

MS. MONTGOMERY: John Perez?

THE CHAIRMAN: Aye.

MS. MONTGOMERY: Stephen Kaufman?

MR. KAUFMAN: Aye.

MS. MONTGOMERY: Michael Bustamante?

MR. BUSTAMANTE: Aye.

MS. MONTGOMERY: Carl Guardino?

MR. GUARDINO: Aye.

THE CHAIRMAN: Very good. We have four ayes, no objections, the item is approved.

Next is item six, Project Documentation Submittal Deadline. Consider a possible change of the January 1st, 2007 deadline for counties to submit their Project Documentation Plans. Jana?

MS. LEAN: The requirement for counties to submit Project Documentation Plans was established by the Voting Modernization Board in adoption of their funding
Proposition 41 does not have a deadline by which the funds need to be approved or distributed to the counties. The Board has approved the following dates for counties to submit their plan. This will be the fifth time that this deadline will be changed if we decide to change it today. At the December 17th, 2003 meeting of the Voting Modernization Board, the Board adopted the first deadline of January 1, 2005 for counties to receive approval from the Board on the Project Documentation Plan. Under this adoption, counties that did not receive the approval by the deadline would have forfeited their approved application. At the July 22, 2004 meeting of the VMB, the Board changed the deadline to July 1st, 2005. At the February 17th, 2005 meeting, the Board again changed the deadline to January 12, 2006. At the September 23rd, 2005 meeting of the Voting Modernization Board, the Board set the current deadline for counties to submit their Approved Project Documentation Plan to January 1, 2007. The required counties who have not submitted a Project Documentation Plan by December 31st, 2006, to submit quarterly status reports to the Board. At the September 20th, 2006 meeting of the
Voting Modernization Board, the Board received a final quarterly status report which reflected the county's modernization status through December 2006. This report indicated that six counties; Humboldt, Merced, Modoc, Nevada, Trinity and Yolo have not submitted their Project Documentation Plans to the Board.

Given that it is less than a month away from the November 7, 2006 general election, it appears that these counties will not be able to meet the current deadline, and have all requested final extensions of the deadline to June 2007.

There's six letters attached in your packets. Board has been to asked to assist in accelerating the voting system modernization progress in California. It should be noted that all the remaining counties will have state accessible and HAVA compliant voting systems November 7th, 2006 general election. Therefore, these counties have begun their modernization of their voting equipment, but may not have finalized vendor contracts in place at this time. In addition, if the deadline were changed, it would postpone the reallocation by the VMB of additional monies forfeited by counties that did not meet the deadline.

I thought we did want to discuss this at length, I assumed, so we'll wait for staff recommendation and tell
THE CHAIRMAN: Sure. I'm looking at the letters, and I see Trinity's in spring. Yolo, Nevada, Modoc and Humboldt is in June. I don't see where Merced even gives a suggestion of a time.

MS. LEAN: They did not submit a specific deadline. With conversations with them, they have asked -- actually, they were okay with the June 2007 deadline.

THE CHAIRMAN: Okay. I see that we have Kathleen Smith, the County Clerk Registrar of Voters for Nevada County with us. Would like to address us?

MS. SMITH: I'm sort of noncommittal. Would you like me to let you know where we're at?

THE CHAIRMAN: Come up and take a seat here so the other two on the phone can hear you better as well.

MS. SMITH: Okay. Good morning, and thank you. I am Kathleen Smith, County Clerk Registrar of Voters in Nevada County. And I did appear before you in your June 2004 meeting to be part of the that request to extend that deadline, and I want to share a short little story.

I had been the County Clerk for 22 days at that point, and I don't know if Mr. Kaufman remembers, but as I introduced myself and said that I just been appointed, your comments were, "What were you thinking?" I wanted you to know that Janice Atkinson took me aside and gave me
her business card after that meeting, and I have been
relying on her pretty heavily ever since.

But since that time, and in conjunction with
Nevada County having an approved Prop 41 allocation and
since June 1st of 2004, what we have accomplished is, we
issued RFP in October of 2004 that resulted in one
proposal from ES&S and we did a pilot project for the
March 2005 election, we had a small one, and we gave ES&S
the opportunity to negotiate a long-term contract.

November of 2004, of course we had a major
election. We conducted the March election with ES&S. And
then in August, ES&S's AutoMARK was certificated. So,
in October 2005, almost a whole year later, we decided to
we reissue another one in anticipation of other systems
being certified rather than precluded for purchasing the
one product.

So, in January of 2006, again, ES&S was the only
responder. But by April of 2006, we had failed to
negotiate an agreement, and there was some very particular
sticking points, and I recommended against proceeding with
that vendor. June election was held. September 2006, we
entered into an agreement Diebold Election Systems to rent
equipment so we would be HAVA Complaint for November 2006.
We also entered into an agreement with Shamrock Associates
for electronic system implementation support, and we have
been using their consulting services.

Our third RFP just hit the street October 16, 2006. I realize now we have issued one every October for the last three years. That RFP is due December 4th, and the documentation includes to the vendor that our project, or the system would be optional by June 30th, 2007, so the November election is proceeding, we're HAVA compliant, and we're on a parallel path, and we have every indication that there would be if not all four certified vendors being able to respond, we expect at least three responses.

THE CHAIRMAN: Okay. Mr. Kaufman, do you have any questions?

MR. KAUFMAN: I don't have any questions of Ms. Smith. I have some thoughts on the issue, but I will hold those.

THE CHAIRMAN: Mr. Bustamante, do you have any questions?

MR. BUSTAMANTE: Not at this time, no.

THE CHAIRMAN: Mr. Guardino?

MR. GUARDINO: No.

THE CHAIRMAN: Thank you, Ms. Smith. I guess it's now more appropriate to have a general conversation on the topic of extending the deadline again. Do you want to lead us off?

MR. KAUFMAN: Sure. In reading the letters and
hearing what we have heard over the last 12, 18 months,
I'm certainly moved by some of the counties, for example,
Nevada County as Ms. Smith has just related, seems to be undertaking efforts over the course of the last few years to get the system place.

There are others, from our distant viewpoint, my impression is they really, every deadline comes and goes without any activity. So, I'm less moved by others.

I recognize that from the beginning, from the outset, it's been the goal of this board to try and help counties get to where they need to go, but I'm concerned about those counties that don't seem to be helping themselves, and I'm also concerned there are 52 other counties out there awaiting a second round of funding, and the more we keep putting the second round of funding off, who knows when we're going to be able to do that, and if we're going to wait until June to actually get to that point, we might be prejudicing other counties, so I guess my initial thought in going through this was, I don't want to penalize counties. But having said that, I'm wondering if we can come up with a solution where certain counties get an extension but that doesn't prevent us from going through our second round of funding, and those particular six counties may be cut off from a potential second round of funding.
But rather than holding up everybody over the counties, I'm wondering if we can come up with some kind of hybrid solution that would do that.

THE CHAIRMAN: I tend to agree with you, and was going through a similar thought process as I'm sitting here. Could I ask, in laymen's terms, we've set aside a potential pot of money that these six counties can draw down. How much, do we know off the top of our head the total of the money we have set aside for those counties?

MS. LEAN: We can do it quickly, but it's approximately three-million dollars.

THE CHAIRMAN: So, that's approximately about three-million. And how much other money is there that's potentially usable for second round funding above that three-mill?

MS. LEAN: Well, that was going to have to wait until we were all said and done, because there's some of the counties who are not going to use their full allocation, but it's still available to them until there's a second funding round.

So, what was going to happen is staff was going contact those counties and say, we know that you had not initially requested this amount of money, this is the remaining of your allocation. So that money could potentially could go back to the fund, and then be
reallocated, but I don't have a set number at this time.

I know that it's approximately --

MR. BUSTAMANTE: How about if you just add what the total allocation requests to date are, rather than what they're going to actually spend? At least we'd know the outside number, we'd know the high number, and we may actually have even more money available, but at least we'd know the outside perimeters.

MS. LEAN: I don't have the exact numbers right now, but I think we have approximately about three point two-million that can be reallocated today, not including these six counties.

THE CHAIRMAN: Well, my sense in -- and Mr. Bustamante, I think you're coming from a similar point of view as Mr. Kaufman and I are --

MR. BUSTAMANTE: Yes, absolutely. For the counties that are working within the perimeters that we have set, and for one reason or another have not been able to pull the trigger on the machine decision, that's one thing, and for those counties that just have ignored the process or for whatever reason, have chosen not to participate, I think that's another, and I think maybe these other counties that have kind of not been a part of the process, when we say here are the deadlines, this is what's going to happen, I suspect we'll probably hear from some of
them, and if we don't, we don't. But that may also help
force trigger a response or some activity on their part as
well.

MS. LEAN: I have a suggestion, that we could --

MR. BUSTAMANTE: I just don't see the need to extend
the deadline out again for everyone. I think some
counties it's justified, others, I just don't see the
point.

THE CHAIRMAN: I tend to agree with you. I think
though that because we have been so willing to be
accommodating to the counties' requests up to this point,
that there is probably an unspoken expectation that we're
going to keep extending, and we probably only got a
response from the six counties that haven't yet done
anything with respect to their money, because they
probably are the only ones that felt that they are
impacted by our decision, and I think we should be mindful
of making sure that whatever we do, we structure and
situate to not catch by surprise the other 52 counties.

MR. KAUFMAN: I'm confused by your comment, Jana,
that other counties with respect to this deadline, do you
think it's the expectation of the other counties that they
can continue on forever and submit phase two or submit
other plans in eternity unless we come to them and say
this deadline isn't a real deadline? I kind of figured
that the year-end deadline was the deadline.

MR. BUSTAMANTE: Right.

MR. KAUFMAN: Even for those who have already gotten some funding, but have some money left under their allocation.

THE CHAIRMAN: I know for at least one county that I have heard from, the county of my residence, I think there's an expectation that they have basically reserved the money, they can do as many phases as they want to do, and basically there's not a clock running on them the same way that these six counties feel that there is a clock running on them.

And I think there was a question, for example, when we did approve some of Los Angeles's money, that went along those lines. We have reserved our application, essentially reserved our money, we're doing phase one now, and we'll let you know when we get around to phases two and three. And I think at that time, we left it open to infer that that was okay. And so, if we want to rein people in, which I think is an appropriate discussion to have, I think we need to be clear with all the counties that are in multi-phased approaches so that we understand what we're looking at doing, and so that they can communicate with us what real or perceived impediments exist.
MR. KAUFMAN: And that would definitely affect my perspective on the issue, because it's those kinds of counties like Los Angeles that I'm thinking of being the beneficiaries of a policy that would create a second allocation, and yet you're telling me that they could actually be harmed by it if they think that they still have money on the table under the phase one part.

THE CHAIRMAN: Right, so, perhaps what we need to do is put this off to our next meeting and fully communicate with all 58 counties, and I understand our next meeting is potentially in December and our deadline is in January, and a little bit of urgency is not necessarily a bad thing.

MR. BUSTAMANTE: You might want to consider a personnel meeting just for the issue in November.

THE CHAIRMAN: That's an interesting point, Mr. Bustamante.

MR. KAUFMAN: We have a meeting scheduled for November.

THE CHAIRMAN: Yes, we have a November meeting scheduled, we just don't anticipate any counties submitting Project Documentation Plans in November, which may, in fact, you may be right, Mr. Bustamante, that may make it the perfect meeting which to discuss this deadline and how it applies both to counties that haven't submitted
Project Documentation Plans and how it applies to counties who have multi-phase plans where they have only submitted one phase and interpret that to be a reservation of all their round-one funding.

MR. BUSTAMANTE: Right. I mean, inherent to the whole discussion of voter modernization, the idea or the concept was that counties would move quickly to modernize their voting equipment. I don't know that we necessarily consider a ten-year plan quickly. I know when I was college under the ten-year plan, my parents didn't think it was a quick thing.

THE CHAIRMAN: I know that those of us who are the original appointees never imagined that we'd still be on this commission at this point, because we thought that we would have been done.

MR. BUSTAMANTE: We're about to go through two gubernatorial terms and starting our third.

THE CHAIRMAN: And we're already on our third Secretary of State.

MR. BUSTAMANTE: Right.

THE CHAIRMAN: Ms. Smith, did you want to come forward?

MS. SMITH: I feel like I really need to respond to that. I just wanted to point out, that for those counties, like mine, that were already in optical-phase
situations, we weren't phasing out punch cards, we only
had choices March of this year. We had system certified
March of this year to choose from. And so, that has been
part of our strategy, to make sure that our voters have
the opportunity to review more than one product and make
the best choice for the long term for them. So, I
appreciate being able to point that out.

THE CHAIRMAN: I don't think any of us want to
foreclose opportunities with counties. I think all of us
want to maximize the opportunities, and that's really
what's motivated us, I think, to extend the deadlines
multiple times.

I think that the competing pressure that we're
feeling is early on, there were some counties that were
completely non-responsive, and there were other counties
that were being deliberative. And the counties that were
non-responsive were benefiting from consideration that we
were given the counties that were being deliberative.

At the same time, we have counties who moved
forward rather quickly, have been aggressive in trying to
update the systems, and have potentially other things that
they'd like to do that some of the unallocated money could
be used to assist them with.

So, at least for myself, while I don't want to
pull the rug out from the six counties who haven't done a
Project Documentation Plan, whatever unspent money there is in the balance, I would like to be sure that we have the opportunity to create an allocation system by which the remaining 52 counties could compete for that money. And quite frankly, with respect to the counties that are doing phased approaches, I think you have the same kind of mix.

You have counties that have been doing phased approaches in a very deliberative manner, and you have other counties that have essentially been trying to figure out what the minimum steps would be to reserve money and maximize future potentials as opposed to really moving to modernizing quickly, and I think --

MR. KAUFMAN: And meeting HAVA Requirements.

THE CHAIRMAN: Right, and I think we're also very understanding of the pressures on the counties to both modernize and make sure that they're doing the work in a way that not only allows for efficient voting systems, but for voting systems to give their voters the greatest level of confidence.

And so, I think we are all very aware of the pressures that the counties are under. So, I think Mr. Bustamante, yours is a good idea, if we could schedule this for November discussion, invite all 58 counties.

MS. LEAN: This discussion, as it was agendized, is
just for those six counties, and that's why we do have a
county here that is affected by this.

THE CHAIRMAN: Right.

MS. LEAN: What we could potentially do is, you can
make a motion to do it on a case by case basis on the
extending of the deadline. It doesn't have to be a
blanket for all six of these. We do have Nevada County
here, she does have a good case. If you guys wanted to do
that, you could potentially do that, or you could wait
until November and do a case by case basis on that. I
think that opening it up for the phase two or the second
phase or third phase counties, you're going to get a much
bigger discussion.

THE CHAIRMAN: I think we would benefit from that
discussion.

MS. LEAN: I think so. I wouldn't want to see these
six penalized for that though. I think it's a little bit
separate, and the policy of the Board has been until this
funding round is done, or until this deadline is met, you
have put off talking at all about phase two, and so that's
always been the policy of the Board.

THE CHAIRMAN: I think that's exactly the pressure
we're under. One is not wanting to penalize these six
counties if they truly are moving forward in a
deliberative manner, but really opening up the possibility
for round two -- as opposed to phase two -- round two allocations. And the distinction I'm drawing is some counties have had round one funding allocations on multiple-phased implementation, so what we're talking about is round one versus round two. Then, within the counties that have submitted requests in round one, making sure that they're moving forward in their multi-phased approaches as well.

MS. LEAN: We have been asking them to submit the quarterly status reports, and all the counties did respond to the last request, and it did appear that they were moving forward. A lot of them were waiting until after this election to submit a phase two plan, and understandably, because they're trying to fulfill all the requirements for HAVA, so they're totally compliant and ready to go, so I understand why they haven't moved forward. I think there's like eight counties in that boat. But a couple of those eight counties, there's big pots of money still left out for them.

THE CHAIRMAN: Let me ask this, because I'm drawn to Mr. Bustamante’s suggestion of scheduling this for discussion in November, but I also want to make sure that we don't do that in such a way that makes it difficult for counties as they are certifying the November 7th election.

MS. LEAN: Correct.
THE CHAIRMAN: So, if we do a November discussion, does that create opportunity for difficulty and are we better off maybe rolling from January to February and having a December or January discussion so that counties can finish the certification of the November 7th election.

I think it's in the same spirit as Mr. Bustamante’s but just informed by the difficulty of the work that has to be done to certify the election.

MS. LEAN: I think that's totally legitimate, but I think that these six counties are very nervous and they're going to want to know what you want to do with these six counties. But I think the bigger discussion definitely has to happen.

MR. KAUFMAN: I think I will repeat what the Chair has said. I do think that that discussion with the other counties is going to inform our ability to make a decision on these six, because part of the premises for us being elected to extend the deadlines is the fact that it's holding up possible reallocation to other counties, and if the other counties come and say no, we would rather you extend the deadline so we can finish playing out our phases under the first round of allocation, then they're all going to be pretty much in sync, and it seems to be a moot issue on that point, other than the fact that we keep
going on in perpetuity, and Lord knows when we'll be done
dishing out the money.

But putting that aside, I do think it's
important to inform the decision making, and we needed to
do a 30 day extension just to keep everybody in the same
place by the time of the next meeting, then that might be
a wise choice.

THE CHAIRMAN: How do you feel about that, Mr. Bustamante?

MR. BUSTAMANTE: I didn't hear the last part.

THE CHAIRMAN: The whole idea is to potentially roll
in the January 1st to February so that we can schedule
this broader discussion without it conflicting with the
ability of counties focused on the more pressing work of
certifying the November 7th election. Here's the concern,
if we have this discussion --

MR. BUSTAMANTE: I understand that. In fact, I would
suggest that, especially in light of the holidays and all
that, we might want to consider March 1st.

THE CHAIRMAN: I'm fine with that.

MR. BUSTAMANTE: Even more generous. Extra time.

MR. KAUFMAN: Which may give some of these counties
the ability to comply by the time the issued is dealt
with.

MR. BUSTAMANTE: Indeed.
THE CHAIRMAN: Why don't you put that in the form of a motion. Mr. Bustamante moves to extend the January 1st deadline to March 1st, 2007.

MR. BUSTAMANTE: There you go.

MR. KAUFMAN: Why don't we add, with the expectation that -- if you'll take a friendly amendment, with the expectation that a comprehensive meeting will be conducted by this Board to explore the possibility of extending it further or limiting the extension to the March 1st deadline.

MR. BUSTAMANTE: Whether or not to extend it further.

THE CHAIRMAN: So, let's try to rephrase that again.

So, Mr. Bustamante moves to extend the January 1st, 2007 deadline to March 1st, 2007, understanding that implicit in his motion is a call for the Board to have a third discussion about the possibility or not to further extend and at what point to discuss future rounds of allocations.

MR. BUSTAMANTE: You did it right. That was perfect.

THE CHAIRMAN: So, motion to extend the January 1st, 2007 deadline to March 1st, 2007, with an implicit expectation that the Board have a thorough discussion prior to that deadline about whether or not to consider further extensions and a discussion about future rounds of
allocations.

MR. KAUFMAN: I will second.

THE CHAIRMAN: Mr. Bustamante moves, Mr. Kaufman seconds. Mr. Guardino, anything on the question? Hearing none, Katherine, if you will call the roll.

MS. MONTGOMERY: John Perez?

THE CHAIRMAN: Aye.

MS. MONTGOMERY: Stephen Kaufman?

MR. KAUFMAN: Aye.

MS. MONTGOMERY: Michael Bustamante?

MR. BUSTAMANTE: Aye.

MS. MONTGOMERY: Carl Guardino?

MR. GUARDINO: (No audible response).

THE CHAIRMAN: Let's record Mr. Guardino as an abstention if you would, please. That's three aye's,

motion carries.

MR. KAUFMAN: We should possibly talk about that meeting then.

MR. GUARDINO: Could you hear me, Mr. Chairman?

THE CHAIRMAN: Now we can. How would you like to be recorded on that last vote?

MR. GUARDINO: I tried to make the motion and then second the motion, but for some reason, my phone is cutting in and out. So, the it was not an abstention, it was a yes vote.
THE CHAIRMAN: Very good. Let the record reflect, Mr. Guardino is also an aye on that last motion, making it unanimous, four ayes.

MR. KAUFMAN: We had talked briefly to bring the other two into the loop prior to the meeting about scheduling a date for December, and I guess given what we're talking about here and given the holidays, perhaps we should look at the January meeting then as the date for this comprehensive meeting, regardless of what else happens before.

THE CHAIRMAN: Just to bring everybody up to speed, we don't anticipate that any counties will submit Project Documentation Plans for our consideration in November. If that's the case, and since we're putting off this deadline until March 1st, in all likelihood, we will not have a November meeting.

Our December meeting is currently set for December 20th. It's unclear whether or not we'll have any Project Documentation Plans for consideration at that point. So, shall we schedule this discussion for our January meeting which is scheduled for --

MS. LEAN: We have not scheduled any meetings into 2007 yet.

THE CHAIRMAN: If we did the same scheduling pattern which is the third Wednesday?
MS. LEAN: Correct.

THE CHAIRMAN: What's the third Wednesday of January 2007?

MR. KAUFMAN: Looks like 17th. Looks okay on my calendar.

THE CHAIRMAN: Okay, are we allowed to schedule the January meeting?

MS. LEAN: Sure. Actually, at the next meeting, I would have proposed some dates for you to look at for next year, so we can.

THE CHAIRMAN: Can we set that?

MR. KANOTZ: Yes, I think we can schedule it now.

THE CHAIRMAN: Let's schedule a meeting for January 17th, 2007, and let's agendize this item for that meeting.

MS. LEAN: I will work with you on exactly how you want it presented.

MR. KAUFMAN: And I think we should proactively then communicate with all 58 counties well in advance of that.

THE CHAIRMAN: Yes.

MR. KAUFMAN: I guess I would urge any counties that haven't submitted plans not to wait around for us to move the date or wait around for March 1st, but urge as many as possible to submit their Project Documentation Plans either for a phase two or a phase one under the first allocation round as soon as possible, regardless of our
decision today and to put off the deadline.

MS. LEAN: I think I will need to talk with the Chair and figure it out, because this will be a whole different way we're going if we're going to limit round one.

THE CHAIRMAN: Very good. I will make myself available.

MS. LEAN: Thank you.

THE CHAIRMAN: Are there items to come before us before we move to adjourn?

MS. LEAN: The only other thing is, you do have in front of you some language regarding the amendments to Orange County's funding award.

THE CHAIRMAN: Right. When we discussed amending Orange County's funding award, we said that instead of making it a new allocation, there would be an amendment to the allocation, and that we draft the letter reflecting the amendment, staff has produced a draft letter. Has it been circulated to all five members?

MS. LEAN: No, but I can e-mail it.

THE CHAIRMAN: If you would e-mail it to everybody, it is an inform item, not an action item for us. That will come to everybody. Anything else before we adjourn?

Very good, then we stand adjourned. Thank you.

(Proceedings were adjourned at 12:00 p.m.)
STATE OF CALIFORNIA )
) SS.
COUNTY OF LOS ANGELES )

I, SHELLY SUTTON, a Certified Shorthand Reporter, for the County of Los Angeles and the State of California, do hereby certify:

That said proceedings was taken before me at the time and place therein set forth, and was taken down by me in shorthand and thereafter transcribed into typewriting under my direction and supervision; that the said transcript is a true record of the proceedings;

I further certify that I am neither counsel for nor related to any party to said action, nor in any way interested in the outcome thereof.

IN WITNESS WHEREOF, I have subscribed my name this 10th day of November, 2006.

______________________________
Certified Shorthand Reporter
for the State of California