STATE OF CALIFORNIA

SECRETARY OF STATE
VOTING MODERNIZATION BOARD

VOTING MODERNIZATION BOARD MEETING

TELECONFERENCE MEETING
(California)

WEDNESDAY, JULY 29, 2020
10:00 A.M.

Reported by:
Peter Petty
APPEARANCES

VMB BOARD MEMBERS:

Stephen Kaufman, Chair
June Awano Lagmay
Gabriel Sandoval

CALIFORNIA SECRETARY OF STATE STAFF:

Jordan Kaku
Jana Lean
Stacey Jarrett
Robbie Anderson
NaKesha Robinson

PRESENTERS:

Dean Logan, Registrar, County of Los Angeles

PUBLIC COMMENT:

None
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CHAIR KAUFMAN: Then let’s call this meeting to order. This is the meeting of the Voting Modernization Board. Today is Wednesday, July 29th. It is now 10:06 a.m. And Jordan, do you want to take roll?

MS. KAKU: Sure, so Stephen Kaufman?

CHAIR KAUFMAN: Present.

MS. KAKU: June Awano Lagmay?

MS. AWANO LAGMAY: Present.

MS. KAKU: And Gabriel Sandoval?

MR. SANDOVAL: Present.

MS. KAKU: Okay.

CHAIR KAUFMAN: All right, good morning everybody.

MR. SANDOVAL: Good morning.

MR. LOGAN: Good morning.

MS. AWANO LAGMAY: Good morning.

CHAIR KAUFMAN: It’s good to see everyone. I see we have a few folks in the audience as well as our folks from L.A. County joining us this morning. I want to thank everyone again for kind of going the extra mile to plug in via our online service here. And welcome everybody to this month’s meeting.

I want to just say that in the midst of
everything and in the middle of a crazy election season, I appreciate both the staff and fellow Commissioners and our guests from L.A. County making time to be with us this morning.

Jordan, do we have any public comment on matters that are not on the agenda?

MS. KAKU: I have not received any notice.

CHAIR KAUFMAN: Okay, thank you. Then let's move on to Item 4 on our agenda, which is the adoption of the May 6th, 2020, Actions and Meeting Minutes. I'm sorry I may have missed it, I didn't see the action. I got the minutes from the May meeting. I didn't see the action item, so I don't know if my fellow Board members did receive those and have them?

MS. AWANO LAGMAY: No, just the minutes.

CHAIR KAUFMAN: Okay.

MR. SANDOVAL: I have the actions.

MS. AWANO LAGMAY: Oh, you do?

(Overlapping colloquy.)

CHAIR KAUFMAN: Yeah, I'm not sure those were sent online if you got them. If you got a packet, you may have received them. I know I approved them at one point, Jordan, I think before they were finalized anyway.

MS. KAKU: Okay.

CHAIR KAUFMAN: So maybe Gabe might be in the
MR. SANDOVAL: So I'd like to make a motion to approve the actions from the May 6th, 2020, meeting in addition to the Minutes.

CHAIR KAUFMAN: Second to the Minutes.

MS. AWANO LAGMAY: I concur to -- I'm sorry, I second that motion to approve the actions and meeting minutes.

CHAIR KAUFMAN: Okay. And again, Jordan, just because we're doing this online and it's hard to hear everybody talk at once let's just do a roll call vote.

MS. KAKU: Okay, sounds good. So Stephen Kaufman?

CHAIR KAUFMAN: Aye.

MS. KAKU: Okay, June Awano Lagmay?

MS. AWANO LAGMAY: Aye.

MS. KAKU: And Gabriel Sandoval?

MR. SANDOVAL: Aye.

MS. KAKU: Okay.

CHAIR KAUFMAN: Okay.

Let's go to Item 5 on our agenda, which is the Standing Items. We have received the reports from staff on a couple of items. So first up is the update on the Secretary of State's Notice of Withdrawal Certification and
Conditional Approval of Voting Systems. It seems like that's pretty well taken shape at this point. But who's going to be reporting on that this morning?

MS. KAKU: That would be NaKesha Robinson.

CHAIR KAUFMAN: NaKesha where are you, NaKesha?

MS. ROBINSON: I'm here, can you hear me okay?

CHAIR KAUFMAN: Yes.

MS. AWANO LAGMAY: Yes.

MR. SANDOVAL: I do, thank you.

MS. ROBINSON: Thank you. Good morning everyone, Members of the Board, public, staff. As of February 28th, 2020, voting systems not tested and certified to CVSS may no longer be used except for those jurisdictions that have received a conditional approval for extension of use by the Secretary of State.

As of today, 57 counties have implemented a CVSS certified voting system. One county, Yolo, will use a blended system configuration for the remainder of this year. The county will retain the use of Legacy accessible devices in the polling place. However, the county has updated the voting system for tabulation to a CVSS certified voting system.

And I also have an update on recent OVSTA testing. Our office will complete testing of an update to the Los Angeles County VSAP Voting System Version 2.1 this
week. A public hearing regarding the system will be held on August 31st, at 10:00 a.m. via WebEx. Official notice and details will be posted on our website soon.

That concludes my report.

CHAIR KAUFMAN: Okay. Well, so the L.A. testing is happening this week?

MS. ROBINSON: It is finishing up this week. We have been actively testing over the last month.

CHAIR KAUFMAN: Okay. All right, any questions from Board members regarding CVSS?

MS. AWANO LAGMAY: No, no questions.

MR. SANDOVAL: No questions.

CHAIR KAUFMAN: All right, thank you, NaKesha. Are you doing the updates of Item V(B) on the status of counties with remaining VMB funds?

MS. ROBINSON: That will be Jordan.

MS. KAKU: That would be me.

CHAIR KAUFMAN: That would be Jordan. Okay, Jordan?

MS. KAKU: Okay, so I'll share it so everyone, so folks can see. Can everybody see the sheet?

MR. SANDOVAL: Yes.

MS. KAKU: Okay, so as you can see from here El Dorado County was paid for their August project documentation plans, so they no longer have funds.
Los Angeles County has been paid for the $46 million from May and so that gives them the remaining $170,000.

Orange County, I'll touch on that later in the other items. They submitted a check to us for about $50,000, but we'll go over that later as I said.

San Luis Obispo still hasn't submitted their funding request. However, I spoke to the registrar a couple of days ago and he said he will be submitting it pretty soon. So we should expect their funds to go down.

Do you have any questions about --

(Overlapping colloquy.)

CHAIR KAUFMAN: I'm sorry if I was interrupting you. San Luis Obispo, that's a partial right?

MS. KAKU: Yes.

CHAIR KAUFMAN: They still have other funds left?

MS. KAKU: Yes.

CHAIR KAUFMAN: Okay. And I saw somewhere in the notes here that you anticipate that we're still going to see some of these counties come forward this year.

MS. KAKU: Yes, so that's the next part of this I'm going through. So we recently surveyed the counties with remaining funds. San Diego has said that they will be coming forward, they're just not sure if it's going to be the September or December, meetings. And they also didn't
respond to me about how much they plan to come forward for. But then we also have counties that are interested that may come forward including Colusa, Humboldt, Placer, San Bernardino, Santa Barbara and Siskiyou. Oh, and then a new one that just came up, Marin County.

CHAIR KAUFMAN: And Marin has 658, okay. When you say a new one that just came up you mean they indicated that they are ready to move forward with another submission?

MS. KAKU: Yeah, they just emailed me a couple of days ago asking what the deadlines are for the next two project documentation fundings.

CHAIR KAUFMAN: Good.

MS. KAKU: When we surveyed them, they went back and forth a couple of times. They said yes, then they said no, and then yes and then no. But now they are asking so we'll see.

CHAIR KAUFMAN: Cool.

Then Gabriel, June, any questions of Jordan regarding the status of remaining VMB funds?

MS. AWANO LAGMAY: Jordan, it was a little garbled. Can you tell me again what the $50,000 from Orange County is for, please?

MS. KAKU: Sure, I can go over it now.

MS. AWANO LAGMAY: (Indiscernible.)
MS. KAKU: They just submitted a letter and a check for about $50,000 for the sale of some surplus voting equipment that they sold. They haven't submitted the information about the voting equipment yet, so I'm still waiting for that from them. But once they do, what we'll do is add that funding back to the remaining amount. And just set up a sub account with the Controller's Office is all.

MS. AWANO LAGMAY: Thank you.

MS. KAKU: You’re welcome.

CHAIR KAUFMAN: Waiting for them basically.

MS. KAKU: Yes.

CHAIR KAUFMAN: Okay. Gabriel?

MR. SANDOVAL: I don’t have any questions at this time.

CHAIR KAUFMAN: Okay. All right, well still some money in the pot.

MS. KAKU: San Diego takes up about 60 percent of it, so once that's gone it will be much smaller.

CHAIR KAUFMAN: Okay, well we’ll see what they have (indiscernible).

MS. KAKU: Yeah.

CHAIR KAUFMAN: Meanwhile, you guys will continue to outreach with them before the end of the year?

MS. KAKU: Yes, and I think they've been in
communication with Jana or Robbie, one of them. So we’ll probably hear more from them throughout the year.

CHAIR KAUFMAN: Fine.

All right, let us move on then to Item Number 6 on the agenda. This was the Project Documentation Plan Review and Funding Award Approval for Los Angeles County for Phase 4. L.A. County is becoming a frequent visitor of the VMB here. And I realize this is going to be the last piece to eat up their entire initial funding amount. So let's take the staff report on L.A. County.

MS. KAKU: Okay, let me share -- hold on, let me find out who’s the background noise. Okay. Can everybody see the screen or the project documentation?

MR. SANDOVAL: Yes.

MS. KAKU: Okay.

MR. SANDOVAL: Yeah.

MS. KAKU: So before us we have Los Angeles County coming forward for their Phase 4 Project Documentation Plan that was submitted. Initially the County was awarded the $49,636,590.28 for Phase 1. They came forward in February of 2004 and were dispersed $610,353.95.

The county came forward again for their Phase 2 in May of 2019 and were awarded $2,803,990.25.

The County came forward recently for their third
Phase in May of 2020. And they were awarded $46,052,245.84, leaving them with the remaining $170,000.24. So today they are coming forward to claim the remaining $170,000.

So Los Angeles is coming forward for the Phase 4 with their the VSAP. One second. Okay, and so the VSAP 2.0 Voting System was conditionally certified on January 24th of this year by the Secretary of State's Office. The County’s second phase of the VSAP 2.0 system was fully implemented during the March 2020 Presidential Primary Election.

And so L.A. County’s Phase 4 Project Documentation Plan appears to meet the funding application requirements for completeness. The VSAP 2.0 System and corresponding components are certified for use for Los Angeles County.

So the County launched the VSAP project in 2009 in response to a growing voting system needs and unique challenges as a result of the increasing voting population and complexity of election administration.

(Interference on the line.)

CHAIR KAUFMAN: Somebody needs to mute.

MS. KAKU: Jaqueline Coto, (phonetic) you’re on here twice, so I’m just muting you. (Indiscernible.)

The County claims that the previous voting system
did not offer the technical and functional elasticity necessary to accommodate their growing demands of their electorate’s diversity and size. As such, the Registrar’s Office sought to create a new comprehensive system that could fulfill the goals of an increased accuracy, transparency, and security with a human-centered focus.

Los Angeles County adopted a multi-phased approach to modernizing its voting system. In 2004, the County purchased the AccuVote system units. And in May of 2019, the County was reimbursed for the first phase of implementing the VSAP system.

The County was also awarded funds for their new Vote-by-Mail Tally System. This included a redesigned vote-by-mail system, a modernized tally system, and a certified ballot on demand system. These components were fully implemented during the November 2018 General Election.

For Phase 3 more recently, the second phase of the VSAP project with the Voting Modernization Board, the County contracted with Digital Foundry, Smartmatic USA Corporation, IBML, and E-PLUS Technologies to complete the VSAP 2.0 system. So this system is the in-person voting experience consisting of an expansion of the Vote-by-Mail Tally system that was part of the Phase 2 modernization; ePollbooks, a new ballot layout application, also known as VBL; an Interactive Sample Ballot, ISB; an ISB Remote
Accessible Vote-by-Mail System, RAVBMS; and Ballot Marking Devices (BMDs).

So the County was awarded the $46,052,245.84 at the May 2020 meeting for several invoices from this project.

For this final phase of voting modernization, Los Angeles County has come forward to claim the remaining $170,000 from their VMB funds for the completion of the purchase of their new Tally System and Ballot Layout for the VSAP. So the County will only receive VMB payments once they have submitted a payment request with a detailed invoice for its certified voting equipment software.

Please note that the staff-proposed funding award is based upon allowable reimbursement under Prop 41 for certified voting equipment under the Act.

So it is our recommendation that Los Angeles County’s Phase 4 Project Documentation Plan be approved and a Funding Award Letter be issued in the amount of $170,000.24.

CHAIR KAUFMAN: Thank you, Jordan.

Are there questions for Jordan from fellow Commissioners?

MS. AWANO LAGMAY: No.

CHAIR KAUFMAN: Okay, then with that let’s turn to Dean to provide any comments they wish to submit in
addition to the staff report. And Dean, I don't know, are you taking the lead on this? Or is that --?

MR. LOGAN: I will take the lead on this.

CHAIR KAUFMAN: Okay. So let's recognize LA County Registrar or Recorder/County Clerk Dean Logan.

MR. LOGAN: Okay, thank you Mr. Chairman and Members of the Board. I will be relatively brief today. I just want to take this opportunity to thank the Board, the Secretary of State staff for their work and collaboration with us as we have gone through, what you have heard, is a multi-phase project that was very complicated and complex. But also puts us in a position where L.A. County now has a certified voting system that has a strong future and ability to adapt to changing conditions. And has moved us out of the category of Legacy systems that existed for so long.

So I'm not going to go into a lot of specificity about the funding award of $170,000.24. Essentially, everything that you approved at the last meeting when you allocated the $46 million applies to this amount. There were just paperwork and invoices that were needed to complete that, the final transaction. You can see that the full cost of the system far exceeds the allocation of the Prop 41 money. And we have provided documentation and I’d gotten preliminary approval from the state that we meet all
the requirements for that.

So with that I will just again say thank you. And I know that this has been a longer journey than you all had anticipated from the beginning. I take some pleasure in the previous report. And then I think there was a lot of speculation that L.A. County would be the last county standing on that list. And so I am pleased to say that with your action today that while I enjoy talking to all of you, enjoy seeing your faces, that it's been nice knowing you in this respect. (Laughter.) And I will look forward to being an observer of the process moving forward.

But I think that it's a tribute to this Board and a tribute to the various administrations of the Secretary of State and to the project team and stakeholders that have worked with L.A. County to bring this system to fruition. I really do think that it aligns to the vision and the hope of Prop 41 and subsequent laws and actions that have been important in this time. That we have to have secure and accessible voting systems. So I'm very proud of the work that we have done here and appreciate your support in that.

MS. AWANO LAGMAY: Thank you, Dean.

CHAIR KAUFMAN: Thank you, Dean. Appreciate the comments and yeah, it's been a pleasure to be able to finally use up the money that has long been allocated to L.A. County in implementing this system. And I think you
guys might get the frequent flier deal with four trips to
the VMB. I don't know, it will be a close call in the end,
but I'm glad to see that you are using up your allocation
here.

Do either of my fellow Commissioners have any
questions or comments to put on the record regarding this
last submission?

MS. AWANO LAGMAY: Not on the record, but Dean I
see crutches in the background. What did you do your leg?

MR. LOGAN: For the record, I'm not charging you
for those. (Laughter.) No, I had some surgery on my left
ankle, so I am hobbling around a little bit right now. But
doing well, thanks.

MS. AWANO LAGMAY: We wish you a fast recovery.

Thank you.

MR. LOGAN: Thank you.

CHAIR KAUFMAN: And I'm sure that you will be in
full recovery and back in action so you can be running
around from location to location for the November 3rd
election.

MR. LOGAN: Yeah, with appropriate personal
protective equipment.

CHAIR KAUFMAN: Of course.

Okay, Do we have a -- hear and motion to approve
L.A. County -- oh sorry, I should just ask the question do
we have any public comment with respect to Item 6 on our agenda?

Okay, hearing none do we have a motion to approve Los Angeles County’s funding award request and issuance of a funding award letter in the amount of $170,000.24?

MS. AWANO LAGMAY: I'll move to approve the remaining $170,000 with great pride, Dean.

CHAIR KAUFMAN: Okay, don’t forget the 24 cents.

MS. AWANO LAGMAY: And 24 cents.

MR. LOGAN: That's okay.

CHAIR KAUFMAN: June Lagmay moves, Gabe, do we have a second?

MR. SANDOVAL: Second.

CHAIR KAUFMAN: Great.

Jordan, again just for the record why don’t you do a roll call vote?

MS. KAKU: Okay, so Stephen Kaufman?

CHAIR KAUFMAN: Aye.

MS. KAKU: Okay. June Awano Lagmay?

MS. AWANO LAGMAY: Aye.

MS. KAKU: And Gabriel Sandoval?

MR. SANDOVAL: Aye.

MS. KAKU: Okay.

CHAIR KAUFMAN: Great, congratulations L.A. County. You're welcome.
MR. LOGAN: Thank you very much.

MR. SANDOVAL: Thank you.

MS. AWANO LAGMAY: Thank you.

MS. KAKU: Thank you.

CHAIR KAUFMAN: We will go get that funding award letter out to you forthwith and you will be on your way. And (indiscernible) --

(Overlapping colloquy.)

MR. LOGAN: Mr. Chair if I could just, if I -- and I failed to say this before -- I did want to on the record also specifically thank the Secretary of State staff after the last meeting and award.

As we all know, we're in very challenging fiscal constraints due to the COVID pandemic. And that award action at the last Board meeting was right around the time that the County's budget was being adopted so we were -- and even from a cash flow standpoint -- to execute that payment relatively quickly. And the Secretary of State's office was extremely generous and cooperative in helping us get that. So we were excited when we received that check, and it's much appreciated.

CHAIR KAUFMAN: Thank you for those comments, appreciate that. And well done, staff, yeah. It's not often that you can crank out a $46 million check that quickly, so I would imagine there were a few smiles at the
MR. LOGAN: Indeed.

CHAIR KAUFMAN: Great, okay.

Well thank you everybody on that, and we will move equally promptly what's the remaining portion of that fund.

Okay, let us see, Jordan, I know you covered a little bit perhaps of your other business earlier. But what other business do we have to cover here today?

MS. KAKU: So I just had two items myself. So the first one was the Orange County check, which I will, once I get more information from them, share that with you guys.

And then the second item I have is the letter that the Board received on July 15th that I sent all of you from the Citizens Oversight. We were just named in the cc basically, but not otherwise in the letter, so just in case it comes up.

CHAIR KAUFMAN: Yeah, I think it's just pertinent to say for the record that we've received and reviewed the letter. I don't think that it requires any action of the VMB and is not particularly applicable to our duties and responsibilities. But it's received and noted.

MS. KAKU: Okay, so those were my only two items.

CHAIR KAUFMAN: Okay. And then let's just take a
look at again what our schedule is for the rest of the year.

    MS. KAKU: Okay, let me pull it up really quick. (Indiscernible.) We have September 30th and December 16th. Let me pull it up, so you might be able to just see that.

    MR. KAUFMAN: Okay.

    MS. AWANO LAGMAY: Okay.

    CHAIR KAUFMAN: All right. Well you guys will keep us posted on whether anybody actually is going to come to us in September that close to the election. But it sounds like there's some folks that have made some noise out there. San Diego County, sounds like they'll either be September or December and maybe we’ll hear from Marin and others though.

    MS. KAKU: Yeah.

    CHAIR KAUFMAN: We will keep those meetings on the calendar and right now, if we have some business to do then we'll do it.

    MS. KAKU: Okay.

    CHAIR KAUFMAN: All right, fellow Commissioners, any things that you guys want to add or talk about?

    MS. AWANO LAGMAY: No.

    MR. SANDOVAL: I'm good.

    CHAIR KAUFMAN: Okay. Then unless the staff has anything else why don’t we entertain a motion to adjourn
these fine proceedings?

MR. SANDOVAL: (Indiscernible.)

Is that Gabe? Gabriel, was that a motion? Did I hear that?

MR. SANDOVAL: Yes.

CHAIR KAUFMAN: I heard some kind of noise happen. I didn't know if that was actually a motion.

MR. SANDOVAL: Right.

(Overlapping colloquy.)

MS. AWANO LAGMAY: I second the motion.

CHAIR KAUFMAN: All right. Two seconds, all in favor of adjourning say, “Aye.”

(Chorus of ayes.)

CHAIR KAUFMAN: Thank you, everybody. Thank you staff again for pulling off a seamless meeting. And we will look forward to seeing everybody else again in September.

ALL: Thank you, thank you.

CHAIR KAUFMAN: Thanks all. Bye.

(Whereupon, the meeting was adjourned at 10:35 a.m.)

--oOo--