STATE OF CALIFORNIA
SECRETARY OF STATE’S OFFICE

In the Matter of:

Voting Modernization Board
Board Meeting

VOTING MODERNIZATION BOARD (VMB)

REMOTE VIA ZOOM

WEDNESDAY, FEBRUARY 9, 2022
10:00 A.M.
Reported by: Martha Nelson
APPEARANCES

VMB BOARD MEMBERS:

Stephen Kaufman, Chair
June Awano Lagmay
Gabriel Sandoval

CALIFORNIA SECRETARY OF STATE STAFF:

Jana Lean
Paula Ritter
Joan Hackeling
Robbie Anderson
NaKesha Robinson

PRESENTERS:

Robin Glanville
Kelly Sanders
Renee Bischof

PUBLIC COMMENT

Kim Alexander
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CHAIR KAUFMAN: It’s 10:02 a.m. I’m going to call the meeting to order. Good morning everybody. It’s good to see everybody, albeit a bit distant, but good to see these friendly faces that we’ve come to know and love.

BOARD MEMBER Sandoval: Good morning.

BOARD MEMBER AWANO LAGMAY: Good morning.

CHAIR KAUFMAN: Hey everybody.

MS. RITTER: Good morning.

CHAIR KAUFMAN: Paula, do you want to do the official roll call?

MS. RITTER: Sure thing.

Stephen Kaufman?

CHAIR KAUFMAN: Here.

MS. RITTER: June Awano Lagmay?

BOARD MEMBER AWANO LAGMAY: Here.

MS. RITTER: And Gabriel Sandoval?

BOARD MEMBER SANDOVAL: Present.

CHAIR KAUFMAN: Good morning fellow Commissioners.

BOARD MEMBER SANDOVAL: Good morning.

BOARD MEMBER AWANO LAGMAY: Good morning.

CHAIR KAUFMAN: I miss our Uber rides from the airport.

BOARD MEMBER AWANO LAGMAY: In a karaoketaxi.
CHAIR KAUFMAN: That’s right. That’s right. Okay.

Starting things off, do we have any public comment regarding matters that are not already on the agenda? Okay.

Seeing none, let us skip to item number four on the agenda which is adoption of the August 11, 2021 Action and Meeting Minutes.

I note that June sent a note out this morning with a small correction that Staff can implement in finalizing the minutes.

My one comment on the minutes is it looked like, at the beginning, the Court Reporter transcribed just a bunch of back and forth before the meeting was even called to order, some chitchat between Board Members and others.

And I guess I’ll just direct this comment to the Court Reporter. On an ongoing basis, if we can just start the minutes when the meeting is called to order instead of kind of off-the-record commentary beforehand, that would be preferable.

BOARD MEMBER SANDOVAL: Stephen, would you like to amend the minutes accordingly?

CHAIR KAUFMAN: You know, if it’s easily doable for the official record, we can amend the minutes --

BOARD MEMBER SANDOVAL: I’d like to amend them.

CHAIR KAUFMAN: -- accordingly.

BOARD MEMBER SANDOVAL: Yeah.
CHAIR KAUFMAN: So does somebody want to make any other comments about the minutes?

BOARD MEMBER SANDOVAL: No.

CHAIR KAUFMAN: All right. Does somebody just want to make a motion then to approve the minutes as modified?

BOARD MEMBER SANDOVAL: So moved.

BOARD MEMBER AWANO LAGMAY: I’ll second.

CHAIR KAUFMAN: Okay. All in favor, say aye?

BOARD MEMBER AWANO LAGMAY: Aye.

BOARD MEMBER SANDOVAL: Aye.

CHAIR KAUFMAN: Aye.

BOARD MEMBER AWANO LAGMAY: Aye.

CHAIR KAUFMAN: Okay. The minutes are adopted.

Okay, next order of business is a big order of business. It’s item number five which is project documentation plans and funding awards requests that have been submitted by, happily, five different counties for our consideration today.

We are, again, hoping that we’re coming to the end of our line here and appreciate that a number of counties kind of rallied here and submitted some funding award requests, some of which will use up their -- (clears throat) excuse me -- use up their allocations, others still have some money remaining on the table. But pleased to see that folks are trying to -- you know, are continuing to upgrade their
systems and add to their systems and taking advantage of the
fund that is now 20 years in existence.

So pleased to see this last round. Thank you all for
responding to our staff and our calls from our staff to get
it in while the getting’s still good. We will be
considering, after this, what we do with the remaining
funding going forward. But we are happy to be considering
these applications today.

And so I think we’ll take each one, one at a time,
and do them in order and give each county an opportunity, if
they want to, to be heard. And then we will go through all
five of these.

So with that, I’m going to turn it over to Staff to
present staff reports, beginning with Calaveras County or any
other -- anything else Staff wants to make us aware of
generally with respect to this agenda item.

MS. LEAN: Stephen, this is Jana. Can I do a quick
housekeeping item? I’m sorry we haven’t done this before
now.

But I’d like to introduce and formally announce, we
do have two new members or Staff Consultants to the Board,
and those two members are Joan Hackeling and Paula Ritter, so
they’ll be the ones presenting to the Board today.

So I think at the end of the meeting we can formally
adopt that they’re the new Staff to the Board. So if we can
do that? I just want to make sure that we have that introduction and that we have both of the names on record.

CHAIR KAUFMAN: Thank you, Jana.

Welcome. Formally, welcome to both of you. I guess we’ve seen the correspondence go back and forth. At this point, it’s the -- considering them new is a little odd. But anyway, a formal welcome to you both.

MS. HACKELING: Thank you.

CHAIR KAUFMAN: I didn’t even recognize this as your first meeting.

MS. RITTER: Thank you.

MS. HACKELING: Thanks so much.

CHAIR KAUFMAN: Okay. Whichever one of you is taking this item, or if you’re splitting it up, please proceed.

MS. HACKELING: Hi. Thank you for the introduction, and a pleasure to be with you all today. In terms of the Calaveras County PDP staff report, Calaveras County’s Phase 2 Project Documentation Plan meets the requirements for completeness pending submission of a signed agreement with the vendor.

Just as some background, in 2006, Calaveras County implemented Phase 1 of its Voter Modernization Strategy with the purchase of 22 precinct ballot counters and 20 AutoMARK Voter Assist terminals. Then in 2019, the County purchased and deployed the HART InterCivic Verity voting system, along
with 22 Touch Writer accessible voting devices, six digital ballot scanners, and four ballot printer devices. This equipment, which was first purchased with non-VMB funds, allowed the County to provide each voting location with three ADA voting devices, one ballot printer, and one ballot scanner. These quantities met the statutory requirements for VCA counties set out in the Elections Code section 4005 for each vote center.

The County has seen an increase in voter participation and has determined that it needs additional voting equipment at each voting location. The County also lacks sufficient equipment inventory to open additional voting locations or provide replacement equipment if needed.

Therefore, Calaveras County requests funds to implement Phase 2 of its Voting Modernization Strategy. The County requests funds for 16 ballot printer devices and two six-bay battery chargers for voting -- for those voting devices. The additional equipment will allow the County to provide each voting location with up to three ballot printers, open additional voting sites if determined necessary, and provide spare equipment if a machine needs to be replaced on Election Day.

It is our recommendation that Calaveras County’s Phase 2 Project Documentation Plan be conditionally approved pending a signed vendor agreement, and a Conditional Funding
Award Letter be issued in the amount of $89,202.38.

Vendor quotes were provided for the requested items.

The funds would be released upon the County’s submission of

signed vendor agreement invoices.

So that concludes this staff report. Thank you.

BOARD MEMBER AWANO LAGMAY: Outstanding.

CHAIR KAUFMAN: Is there anyone from Calaveras County

attending the meeting today who wishes to be heard regarding

this pending submission?

MS. GLANVILLE: Hi. I’m Robin Glanville, the

Assistant Clerk-Recorder in Calaveras County. I think Joan

did an excellent job. We just are very pleased that you guys

are hearing our request today, so thank you.

CHAIR KAUFMAN: Great. Well, welcome. Thank you for

joining us this morning. It looks like your application is

fairly thorough and complete. Sixteen years between

submission number one and submission number two but glad

that, you know, we’re still around to help with the progress

that you’re making.

I’m just kind of curious, do you still -- so is the

system that was paid for and approved in 2006 still in play

in your county or that’s long gone?

MS. GLANVILLE: No. We replaced it with the HART

Verity Count System.

CHAIR KAUFMAN: Okay. And now you’re building onto
that with this latest --

MS. GLANVILLE: Yes.


Fellow Commissioners, any questions for Calaveras County?

BOARD MEMBER AWANO LAGMAY: No questions.

BOARD MEMBER SANDOVAL: No questions.

CHAIR KAUFMAN: Okay. So then, with that, do we have a motion to approve Calaveras County’s funding award request in the amount of $89,202.38?

BOARD MEMBER AWANO LAGMAY: I move that the Staff recommendation as written be approved in this matter.

BOARD MEMBER SANDOVAL: Second.

CHAIR KAUFMAN: Okay. Paula, just for clarity on approving these, why don’t we just do roll calls so we’re not talking over each other on the Zoom meeting?

MS. RITTER: Okie-doke.

Stephen Kaufman?

CHAIR KAUFMAN: Aye.

MS. RITTER: June Awano Lagmay?

BOARD MEMBER AWANO LAGMAY: Aye.

MS. RITTER: And Gabriel Sandoval?

BOARD MEMBER SANDOVAL: Aye.

CHAIR KAUFMAN: Well, congratulations to Calaveras
Okay, we will get a Funding Award Letter. So actually, on the one, we’re going -- are we not doing the Funding Award Letter right away? Because you said it was contingent on the --

BOARD MEMBER AWANO LAGMAY: Contingent.

CHAIR KAUFMAN: -- signed vendor agreement, is that it?

MS. LEAN: So this is Jana Lean. We can give them a Conditional Funding Award Letter but they would only get payment once they’ve provided that signed agreement. And then once that is in, we can release funds.

CHAIR KAUFMAN: Got it. Okay.

Then let us jump to Humboldt.

MS. RITTER: Okay. I’m going to be presenting Humboldt today.

In Phase 1 of Humboldt County’s Voting Modernization Strategy, which was in 2007, they purchased the HART InterCivic eSlates, Judge Booth Controllers, and related election software in order to comply with the requirements of the Help America Vote Act.

In Phase 2, which was in 2012, the County replaced their optical scan units that were reaching end of life.

In Phase 3, which was in 2019, the County purchased
an automated vote-by-mail ballot return envelope
sorting/scanning system to assist with the processing of
vote-by-mail ballots.

In the current phase, which is Phase 4 of their
Voting Modernization Strategy, the County proposes to further
enhance their voting system with the purchase of 15 HART
InterCivic Verity print units, these are Ballot on Demand
units, along with licensing and support. The County has used
the Ballot on Demand units for all elections since November
2020 at its four-day voting sites.

Humboldt is in the process of implementing the Voters
Choice Act voting model and hopes to complete this process,
receive approval from the Secretary of State, and fully
transition to VCA for the November 2022 General Election.

The County has determined that the additional 15
Ballot on Demand units are necessary in order to provide a
sufficient level of services and ballot access to voters at
all polling places under the VCA model. The equipment for
which funding is requested will allow the County to print
every ballot style at any VCA location countywide.

Successful implementation of the VCA model will provide
voters with more choices on how, when and where they vote, as
well as expand voter services previously only offered at the
Elections Office.

Staff has reviewed Humboldt’s Project Documentation
Plan and determined that it meets the requirements for completeness, pending submission of a signed vendor agreement with the vendor.

So, similar to Calaveras, it’s our recommendation that Humboldt County’s Phase 4 Project Documentation Plan be conditionally approved pending a signed vendor agreement, and a Conditional Funding Award Letter be issued in the amount of $65,891.85.

Vendor quotes were provided with the PDP. And the funds would be released, again, upon the County’s submission of a signed vendor agreement and their invoices.

And that concludes the staff report for Humboldt.

CHAIR KAUFMAN: Thank you, Paula.

Is anybody joining us this morning from Humboldt County?

MS. SANDERS: Yes. Hi. I’m Kelly Sanders and I’m the Clerk-Recorder Registrar of Voters for Humboldt County.

CHAIR KAUFMAN: Hi, Kelly. How are you doing this morning?

MS. SANDERS: I’m good, thank you.

CHAIR KAUFMAN: Do you have anything you want to add for us, beyond the staff report that we received?

MS. SANDERS: No. I think that sufficiently covers what our plan is. And I just wanted to say thank you for the opportunity to request additional funding for -- to further
our projects here in Humboldt County.

CHAIR KAUFMAN: Okay. Well, thank you for responding.

And I just wanted to ask, I understand that you guys had this -- had the Ballot on Demand system in place for 2020. Just wondering if you could just share with us a little bit of your experience with folks using the system, the early voting, and how that played out for you?

MS. SANDERS: Yeah, that worked out nicely for us.

For the past two elections, we were VCA Like (sic), so that was our first introduction to that type of model. And that was the first time we deployed the Ballot on Demand units.

We only had them at very few locations because we didn’t purchase that many. They’re mostly here at the Elections Office. But it does allow us to print any ballot style for the voters. And it reduces the time the voters would have to wait.

It also increased how quickly we could process ballots from various locations because we could print out the correct ballot style, rather than printing out -- or handing them a paper ballot for a precinct that they don’t live in, and then having to come back to the Elections Office to be updated because they may have voted on contests that they weren’t eligible to vote on.

So I think it’s really going to help us provide
better service to voters in Humboldt County.

CHAIR KAUFMAN: Great. Thank you.

Fellow Commissioners, any questions of Ms. Sanders?

BOARD MEMBER AWANO LAGMAY: No questions.

BOARD MEMBER SANDOVAL: No questions.

CHAIR KAUFMAN: Okay. Then does somebody want to make a motion?

BOARD MEMBER AWANO LAGMAY: We were going to do a roll call, right?

CHAIR KAUFMAN: Well, first we need to make a motion.

BOARD MEMBER AWANO LAGMAY: Oh.

CHAIR KAUFMAN: We need a motion to approve the staff report and Humboldt County’s application.

BOARD MEMBER AWANO LAGMAY: I move that we approve the staff report for Humboldt County.

BOARD MEMBER SANDOVAL: Second.

CHAIR KAUFMAN: Okay. We have a first. And was that a second from Gabriel Sandoval? Okay.

BOARD MEMBER SANDOVAL: Yes.

CHAIR KAUFMAN: Paula, do you want to do the roll?

MS. RITTER: Yes. Stephen Kaufman?

CHAIR KAUFMAN: Aye.

MS. RITTER: June Awano Lagmay?

BOARD MEMBER AWANO LAGMAY: Aye.

MS. RITTER: And Gabriel Sandoval?
BOARD MEMBER SANDOVAL: Aye.

CHAIR KAUFMAN: Okay. We have a consensus.

Congratulations, Humboldt County. You get --

MS. SANDERS: Thank you very much.

CHAIR KAUFMAN: -- another round of funding.

All right, let us now go to San Diego County.

MS. HACKELING: Hi. This is Joan Hackeling again. I
will be presenting this staff report, the County’s plan for
the -- I’m sorry -- San Diego County’s Phase 2 Project
Documentation Plan meets the requirements for completeness,
pending submission of the outstanding signed vendor
agreements.

As background, in Phase 1 of its Voting Modernization
Strategy, the County was reimbursed by the Board for a new
voting system in 2006-07. Then in 2019 that system was
replaced with Dominion Voting Systems Democracy Suite 5.10A
which was paid for using other state funding and HAVA 301
funds. The Dominion system was used for the first time
during the March 2020 Presidential Primary Election. The
County also purchased 2,164 e-poll books from Tenex which
were used during the March 2020 Primary, as well.

For Phase 2, the County is now seeking Prop 41
funding to expand components that it believes are critical to
the efficient operation of their voting system as the County
transitions to a vote-center county for the June 2022 Primary
Election.

The County requests funding for a new server and printer for its mail ballot sorters, 55 mobile ballot printing kits for vote centers, and external supporting peripherals. The equipment requested will also allow the County to serve its growing population of voters which number more than 1.97 million as of November 1st, 2021.

It is our recommendation that San Diego County’s Phase 2 Project Documentation Plan be approved for funding in part, and that a Funding Award Letter be issued in the amount of $659,665 -- let me start that one again, sorry about that -- $659,600.62 for the items for which signed vendor contracts have been provided. That’s for the mobile ballot printing kit and selected external supporting peripherals.

Secondly, it is our further recommendation that San Diego County’s Phase 2 Project Documentation Plan be approved conditionally in part, pending submission of signed vendor agreements for the remaining reimbursable items requested, the mail ballot sorter/server and printer, and selected external peripherals, and that a Conditional Funding Award Letter be issued in the amount of $219,113.50. Vendor quotes were provided for these items. The funds would be released upon submission of signed vendor agreements and invoices.

And that concludes the staff report for San Diego County’s Phase 2 Project Documentation Plan.
CHAIR KAUFMAN: Okay. So assuming that they provide the additional signed contracts and what have you, their total funding award would be $878,714.12; right?

MS. HACKELING: Correct.

CHAIR KAUFMAN: Yeah. Okay.

Fellow Commissioners, do you have any questions of Staff regarding the proposed Project Documentation Plan for San Diego County?

BOARD MEMBER AWANO LAGMAY: I have a question I would have probably liked to have asked a representative from San Diego, which is the fact that with this allocation there’s still nearly -- there’s $6.6 million left, and this is the single largest county amount among all the remaining counties and constitutes about half of what the remaining funds are. And I just wonder if -- I just wanted to get a feel if San Diego had expressed to Staff any perspective on, you know, why they left so much behind and if they have any plans about, you know, the future? It’s just that it’s the largest single amount that I notice on the list.

MS. LEAN: Well, this is Jana Lean. I can give you some perspective from San Diego County. I’m not them but I can give you some perspective.

So they were able to purchase their system using other funds, so other state and federal funds, so they got
the entire system from that. There’s no matching
requirements for some of that money that was used. So you
know, the match for the VMB money, the 25 percent match,
could be. I don’t know if this is 100 percent but it could
be the reason why they used those other funds.

Also, we are authorizing or suggesting authorization
for the funds that are allowable under the Voting
Modernization Board Act, so there are some limits to that
funding. The other state and federal funds are not the same
type of limits and that could be the reason why. I think
they had first anticipated that they would use the VMB funds,
because they were the only funds available to them at the
time, to purchase their entire system. However, they did use
other funds.

BOARD MEMBER AWANO LAGMAY: So they have no regrets
about leaving the money behind?

MS. LEAN: Well, I think there’s always regrets about
leaving money behind. So if they could actually use the
money for assistance that they could use right now, that are
authorized under the funds, I do believe they would try to.

BOARD MEMBER AWANO LAGMAY: Um-hmm.

MS. LEAN: However, because they did purchase their
system using other pots of money, they don’t have that option
open to them right now.

BOARD MEMBER AWANO LAGMAY: Got it. Thank you so
CHAIR KAUFMAN: And I’m presuming, Jana, just kind of looking ahead, that because they purchased one system and then replaced that system, I mean, again, we have limitations on, right, on the fact that they can only either expand an existing system or add additional aspects to it but they can’t use our funds to, once again, replace equipment in which funding has already been awarded; right?

MS. LEAN: That’s correct, sir, and that’s under the law. It’s pretty strict and pretty restrictive on what you can use.

CHAIR KAUFMAN: Yeah. So --

BOARD MEMBER AWANO LAGMAY: Very good.

CHAIR KAUFMAN: -- so in terms of June’s question, which is an excellent question, and I was thinking about it, too, I mean, going ahead there’s no reason to believe that San Diego is going to apply again somehow if -- you know, when this money gets recirculated again? There’s nothing that they’re waiving on, so to speak, that you --

BOARD MEMBER AWANO LAGMAY: Got it.

CHAIR KAUFMAN: -- that you know of that would happen at the second round?

MS. LEAN: That’s correct. I mean, if there are other things that they could purchase once they transition to the VCA platform, you know, we do know that model, they may
potentially see other equipment that would be eligible.

I do know they anticipate doing the transition
earlier than June of this year because they have a Special
Election coming up, so they have Assembly District 80 which
has just been called, and that’s coming up on April 5th. And
they’re working really diligently and quickly to be able to
use that model in that election. They do not want to go back
to the traditional polling place model.

They were able to use the VCA Like or Lite, whatever
you want to call it, in the last two elections for the
November 2020 and the recent recall election, so they do not
want to confuse their voters. Therefore, they are trying to
push and do it quickly in order to get that implemented for
the Special Election. They don’t want to go back and forth
on voting models.

So once they actually do implement that, we’ll see.
Maybe there is some additional equipment, once they’ve fully
rolled out that new system, that they could use the Voting
Modernization funds for. But I do not, and I’d hate to put
words in Cynthia’s mouth, but I do not think that they would,

you know, need to or have the need or be able to, based on
what’s allowable under Voting Modernization Board funds, to
use the entire $6 million.

BOARD MEMBER AWANO LAGMAY: Very good. Thank you.

CHAIR KAUFMAN: Gabriel, anything?
BOARD MEMBER SANOVAL: No questions.
CHAIR KAUFMAN: Okay. Then would somebody like to make a motion with respect to San Diego County’s Project Documentation application?
BOARD MEMBER AWANO LAGMAY: I’ll defer to Gabriel this time.
CHAIR KAUFMAN: You get to do it this time.
BOARD MEMBER SANOVAL: I’d like to move that the Board adopts the staff report with regard to the allocation of funds to San Diego.
BOARD MEMBER AWANO LAGMAY: I second.
CHAIR KAUFMAN: Got a second.
Paula, call the roll.
MS. RITTER: Stephen Kaufman?
CHAIR KAUFMAN: Aye.
MS. RITTER: June Awano Lagmay?
BOARD MEMBER AWANO LAGMAY: Aye.
MS. RITTER: And Gabriel Sandoval?
BOARD MEMBER SANOVAL: Aye.
CHAIR KAUFMAN: Okay. Three down. This is by far the biggest agenda we’ve had for Project Documentation Plans in probably half a dozen years.
BOARD MEMBER AWANO LAGMAY: Yes. It’s exhausting me.
CHAIR KAUFMAN: Well, we’re being very efficient, so let’s keep it up.
And I don’t know who’s up but whoever is doing Santa
Barbara County, the floor is yours.

MS. RITTER: That would be me.

Santa Barbara County, in Phase 1 of their Voting
Modernization Strategy, and that was in 2003, was reimbursed
for the purchase of the Diebold AccuVote Optical Scan Voting
System.

In Phase 2, in 2006, the County was reimbursed for
the purchase of the AutoMARK Voter Assist terminal which
brought the County into compliance with HAVA Title III and
State Voting Systems standards and accessibility
requirements. And the County has since replaced those voting
system components purchased in Phase 1 and Phase 2 with a
fully compliant voting system that meets both current state
and federal mandates for voting systems utilizing HAVA 301 funds.

The County’s current application for Phase 3 requests
funds to improve the efficiency, accuracy, and security of
vote-by-mail processing and polling place voter processing.
The vote-by-mail component of Santa Barbara County’s voting
system has expanded dramatically in recent years. For the
2000 General Election, 30 percent of the county’s voters
requested vote-by-mail ballots. And in 2018, for the General
Election, 76 percent of the county voters were mailed vote-
by-mail ballots. In ’20 and ’21, due to the coronavirus

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pandemic, all active registered voters were automatically mailed a ballot for each election in which they were eligible to vote.

With the passing of Assembly Bill 37 in 2021, voters will continue to be mailed a ballot for all future elections. And voters are also returning their ballots closer to Election Day or returning their ballots at the polls or via ballot drop boxes on Election Day. And this has challenged the County to process a large number of ballots in a short amount of time while conducting the official count as required by law.

The County also looked to increase efficiencies in printing daily vote-by-mail ballots for over-the-counter-ballot requests. In a General Election year, there could be up to 80 different ballot type combinations for county voters. Conditional or same-day voter registration also requires that elections officials provide ballots to all persons wishing to register after the close of registration up until the close of the polls on Election Day. Together, these factors can make it challenging to estimate and order sufficient ballot types well in advance without unnecessary overages.

To meet these challenges the County requests funds to be reimbursed for the purchase of automated vote-by-mail sorting and signature verification equipment, ballot-on-
demand printing equipment, vote-by-mail envelope openers, extractors, sealers and printers, electronic poll books, and connectivity devices. The vote-by-mail envelope sorter/scanner allows for a more efficient processing of vote-by-mail ballots and automates many chain-of-custody functions. The ballot-on-demand units allow the County to print additional ballot types as needed. The envelope opener, sealer, and duplex printers improve the efficiency and productivity of the County’s operations. The e-poll books and connectivity devices allow for a higher level of service to voters who choose to vote at a polling place.

Staff reviewed San Diego’s [sic] Project Documentation Plan and determined that it meets the requirements for completeness. And it is our recommendation that Santa Barbara County’s Phase 3 Project Documentation Plan be approved and a Funding Award Letter be issued in the amount of $982,363.00

And that concludes the report for Santa Barbara.

CHAIR KAUFMAN: Thank you. Just to clarify the record, you said at one point in your summary that Staff had reviewed San Diego’s plan. I’m assuming you meant Santa Barbara? Just --

MS. RITTER: My apologies. I meant Santa Barbara.

CHAIR KAUFMAN: Yes. I’m sure you did your diligence on Santa Barbara. Thank you for that.
Do we have -- it looks like we do have a representative from Santa Barbara with us this morning. Is that Renee Bischof?

MS. BISCHOF: It is. Good morning, Chair Kaufman and Members of the Commission --

CHAIR KAUFMAN: Good morning.

MS. BISCHOF: -- and Secretary of State’s Office, and the public. It’s my pleasure to be here today representing Santa Barbara County. I’m the Chief Deputy Registrar of Voters for Santa Barbara County. And we really appreciate the ability to come forward to your Commission and request this additional funding to expand our voting system and the services that we provide to the voters of Santa Barbara County.

CHAIR KAUFMAN: Well, welcome.

MS. BISCHOF: Thank you.

CHAIR KAUFMAN: It seems like you’ve got kind of a wide variety of items that you’re presenting as part of your application that kind of support various parts of your program.

MS. BISCHOF: That’s correct. We’re really focused on our vote-by-mail component. We’ve continued to expand that over the years, as was mentioned in our Project Plan, and as Paula delivered in her staff report. But you know, we continue to see that area growing, and it’s going to continue
to grow with all these changes in the law. And we’re just
looking to supplement our equipment that we use to get those
ballots out in a timely fashion to our voters.

And then, also, with our polling locations, you know, we really wanted to have some type of system that could facilitate the voting process at our polling locations and be able to, potentially, reduce the number of provisional ballots that we have to issue out at the polling locations with the increase in vote-by-mail voting.

So you know, it’s our hope that these systems that we’re looking to acquire will help us in the future should we move to the Voters Choice Act or continue in our polling place model. That will be a benefit to both our County staff and the voters.

CHAIR KAUFMAN: So at the current time, you still have a polling place? You’re still going on the traditional polling place model instead of doing vote centers but you’re going to have ballot-on-demand abilities at those polling places to deal with people who may -- may or may not be in the wrong place?

MS. BISCHOF: We actually will have printed ballots at each of our polling locations. The ballot-on-demand units that are included in this request are for our inhouse processing of vote-by-mail ballots at our three office locations, as well as, you know, our main processing
facility.

Additionally, we will be looking to purchase a voting -- mobile voting facility. And we’ll use these ballot-on-demand printers where we can go ahead and go out into the community at various locations and offer voting at those, you know, harder to reach areas or harder to establish a polling location area. So that would be our goal with those units.

But if we were to move to a VCA, we may have to acquire either more ballot-on-demand printers or we would need to utilize our ICX units for issuing of ballots at the polls.

CHAIR KAUFMAN: Okay. Understood.

By the way, Santa Barbara, I think, wins the award for the largest gap in time between their original submission and their current submission, 19 years. That’s --

MS. BISCHOF: Yes.

CHAIR KAUFMAN: -- that’s impressive.

MS. BISCHOF: Yes. And we, as San Diego, have utilized other funding sources to upgrade our voting systems, so there’s the large gap. But we really do appreciate the opportunity to come back to the Commission and request this additional funding.

CHAIR KAUFMAN: Okay. Fellow Commissioners, any questions for --
BOARD MEMBER AWANO LAGMAY: No questions.
BOARD MEMBER SANDOVAL: No questions.
CHAIR KAUFMAN: Okay. Then can we entertain a motion from one or the other -- from one or the other of you? There are two counties left. You each get one.
BOARD MEMBER SANDOVAL: I move that the Board adopts the staff recommendation with regard to the allocation of funds to Santa Barbara.
BOARD MEMBER AWANO LAGMAY: And I will second.
CHAIR KAUFMAN: Okay. Paula, would you please call the roll?
MS. RITTER: Stephen Kaufman?
CHAIR KAUFMAN: Aye.
MS. RITTER: June Awano Lagmay?
BOARD MEMBER AWANO LAGMAY: Aye.
MS. RITTER: Gabriel Sandoval?
BOARD MEMBER SANDOVAL: Aye.
CHAIR KAUFMAN: Okay. Thank you. Congratulations to Santa Barbara County.
MS. BISCHOF: Thank you. Thank you.
CHAIR KAUFMAN: All right, our final county of the day, Sonoma County. Can we please hear the staff report on that one?
MS. HACKELING: Yes, of course.
Sonoma County’s Phase 3 Project Documentation Plan
meets the requirements for completeness.

As background, in Phase 1, as part of its implementation of a blended voting system, the County purchased HART eSlate Electronic Voting Appliances, or DRE, with verified ballot option printers. One eSlate Electronic Voting unit was placed in every polling place in the County in order to bring the County into compliance with the Help America Vote Act and state accessibility requirements.

In Phase 2, the County augmented their existing Mark-A-Vote optical scan voting equipment with Bowe, Bell & Howell automated vote-by-mail signature verification and sorting system. This acquisition allowed the County to accommodate their ever-growing vote-by-mail voter population.

Then in Phase 3, the County Registrar of Voters purchased additional in-person voting equipment, including laptops. This equipment was needed and used to administer the November 2020 General Election and the September 2021 Gubernatorial Recall Election while under COVID-19 health conditions, as allowed for under urgent legislation. It was also purchased in order to meet the in-person voting requirements of the Voter’s Choice Act model, which was adopted by the County Board of Supervisors on March 16th, 2021. This model will be implemented in Sonoma County for the June 2022 Primary Election.

The Registrar of Voters determined that an additional
75 ePoll book type equipment would be needed to meet these voting -- new voting requirements. Laptops were then purchased in lieu of ePoll books in order to interact with the County’s Elections Management system.

The Registrar of Voters will utilize voter check-in or roster laptops to provide the correct ballot for every voter regardless of the vote center they choose to visit. The use of the electronic roster solution allows any voter the ability to cast their ballot at any vote center and allows poll workers to verify the voter has not already cast a ballot in the election, thereby minimizing the issuance of provisional ballots. This solution reduces the amount of time a voter might need to fill out provisional voting documents. It also ensures that the voter has access to all the contests and measures applicable to their voting precinct, regardless of where they choose to cast their ballot.

It is our recommendation that Sonoma County’s Phase 3 Project Documentation Plan be approved and a Funding Award Letter be issued in the amount of $6,506.10.

And that concludes the staff report for Sonoma County’s Project Documentation Plan Phase 3.

Thank you.

CHAIR KAUFMAN: Thank you, Joan.

Is someone from Sonoma County with us this morning?
Okay. It seems not.

Commissioners, any questions of Staff regarding this funding award request?

BOARD MEMBER SANDOVAL: No questions.

BOARD MEMBER AWANO LAGMAY: I have no questions.

CHAIR KAUFMAN: Okay. Then I think it’s on you, June.

BOARD MEMBER AWANO LAGMAY: I move that the staff report for the funding award for Sonoma County be approved.

BOARD MEMBER SANDOVAL: Second.

CHAIR KAUFMAN: Okay. Paula, would you please call the roll?

MS. RITTER: Stephen Kaufman?

CHAIR KAUFMAN: Aye.

MS. RITTER: June Awano Lagmay?

BOARD MEMBER AWANO LAGMAY: Aye.

MS. RITTER: And Gabriel Sandoval?

BOARD MEMBER SANDOVAL: Aye.

CHAIR KAUFMAN: All right, Humboldt has -- or Sonoma has used up its allocation. Nice.

BOARD MEMBER AWANO LAGMAY: Wee. Great.

CHAIR KAUFMAN: Okay. Jana, Paula, Joan, whoever is in charge, somebody will, I presume, email me or send me some letters to sign and I will get them back to you so we can get them out to the counties.
Which then leads us to the next item on our agenda, not an insignificant item, and that is what do we do now that we’ve got -- we’ve now passed our deadline for people to submit their -- for counties to submit their Project Documentation Plans under the original phase of funding that was allocated by the VMB, and what do we do with the money remaining? You know, looking forward to hearing the staff report.

I’ll have to say, I read the staff memo and I kind of thought I was going to start by going one direction, and then I read it and realized the kind of -- the foresight of going a different direction. Because, as you’ve heard me say before, I am extremely interested in ending this Commission, as much as I like to brag about being the Chair of the Voting Modernization Board, I feel like it’s time to move on.

And I think the last thing we want to do is create a situation where we come up with a new allocation formula and just kind of invite a situation where there’s yet more money, again, sitting on the table at the end of that, and then we have to go to yet another process. So I was pleased to see the thinking that the staff had undertaken in trying to come up with a way to avoid that scenario.

And so why don’t I turn the floor over to whoever is going to be presenting on that issue so we can hear the recommendations from staff on how we allocate the remaining
funds? And then perhaps we can have a conversation and make
a decision and point ourselves in the direction of a
conclusion.

So with that, who’s up?

MS. RITTER: That would be me. And I’m going to
share a visual here.

CHAIR KAUFMAN: Okay.

MS. RITTER: So prior to the --

CHAIR KAUFMAN: And for the record, just for the
record, who’s me?

MS. RITTER: Oh, Paula Ritter.

CHAIR KAUFMAN: Okay, Paula.

MS. RITTER: And can you all see the table?

BOARD MEMBER AWANO LAGMAY: Yes. Yes.

CHAIR KAUFMAN: Yeah.

MS. RITTER: Okay. Great. Thank you so much.

So prior to this meeting there was approximately
$13.7 million left over from the initial allocation and that
was spread across 21 counties. And of those 21 counties, 9
counties presented Project Documentation Plans by the
December 20th, 2021 deadline for the final round of funding
that was set by the Board at the August 11th meeting.

Today’s awards total about $2 million.

Of the nine counties, five came forward today, four
completed plans -- four submitted plans but they weren’t
complete enough to be presented to the Board at this meeting today. And those represent a little less than $1 million. And it would be our recommendation that the Board hear those plans at a future meeting once the counties have had a chance to present them in a complete fashion.

CHAIR KAUFMAN: And just so I’m --

MS. RITTER: Oops.

CHAIR KAUFMAN: -- just so I’m clear, your recommendation is that we -- they had submitted by the deadline that we requested, they didn’t get their applications, their award requests processed, if you will, for this meeting, but the recommendation is that we still hear those requests under the first funding award allocations; correct?

MS. RITTER: That is 100 percent correct, yes.

CHAIR KAUFMAN: Okay.

MS. RITTER: So if the Board does decide to hear those Project Documentation Plans from the initial round of allocations for the final round of funding, that would leave approximately $10.8 million left in the fund that is unspent. And so we considered some different options, you referred to them earlier, for how to get rid of that money. The first option -- well, so what the Board would need to do is decide, number one, how to allocate the remaining funds, how the counties would need to apply for the funds, and then
set deadlines for the counties to submit their applications.

So as we looked at some different options the first option was to use the same formulas that were used with the initial allocation, which was a four-pronged approach, and it was an evenly-weighted approach using an allocation, 25 percent from the number of registered voters, 25 percent from turnout from the last four election cycles, 25 percent for the number of polling places, and 25 percent for the number of eligible voters.

So we re-performed the calculation using the same formulas but with updated information from the more current elections. And what that does is it allots really small amounts to some counties. And it wouldn’t really be worth their while, probably, to even come forward and apply. And it also doesn’t take into consideration which counties actually have any eligible expenses that could be reimbursed by the Board. And so we don’t recommend taking that approach.

Then we looked at --

CHAIR KAUFMAN: Can I ask you, before you jump ahead, can I just ask --

MS. RITTER: Yes.

CHAIR KAUFMAN: -- one question? And I don’t know if you can answer this or Jana can answer this. But when the original 25/25/25/25 categories were developed there was, you
know, a lot of thought that went into why those were appropriate at the time. Is there any reason why, as we sit here again 20 years later, the way that those particular formulas are weighted or kind of using those particular categories is any more or less relevant than they were when that issue was decided 20 years ago?

MS. LEAN: Well, the number of polling places is no longer relevant because counties are moving to the Voters Choice Act. There’s a lot less locations but that doesn’t mean that there’s not a need for additional funding for the VCA counties. So I would not suggest that that be considered in the formula allocation.

Turnout is always a kind of questionable one. And I understand why it was used back in 2002. However, you know, get-out-the-vote campaigns are not necessarily, I’m going to say, responsibility of county elections’ officials. I mean, the interest in the election could be many different factors. I think everyone knows that sitting here. It could be an issue that’s on the ballot. It could be the different candidates that are running. I mean, we do not want voter apathy, but I don’t necessarily believe that that is something that you, I mean, you absolutely could consider that again. But I would absolutely think the polling place allocation or that portion would need to be rethought.

The number of eligible voters, with the very
successful implementation of New Motor Voter, there have been a considerable increase in registration. So there has been a very small, very small, I’m going to say small, I mean, it’s still millions, but a small amount of eligible voters, so that could be weighted pretty easily across the counties.

So I think that would be the one. The polling place would be the one thing that you might want to reconsider as opposed to using this specific formula again.

CHAIR KAUFMAN: Okay. It’s not like I’m inviting an opportunity for us to kind of redo everything because I think we’re probably loathe to do that. But it’s something for us to keep in mind when we decide how we actually want to allocate. Okay.

Paula, I didn’t mean to take you off track but I just wanted to ask the question.

MS. RITTER: Well, thank you. I appreciate the question. So that was the first option we looked at.

The second option we looked at was making an assumption that, of the counties with remaining funds, nine of them came forward. That would mean that the other 12 counties really didn’t have a need for the funds.

So what if we excluded all the counties that had money left on the table that didn’t come forward and claim it? And so that reduced the number of counties in the allocation, again, using the same 25 percent weighted
formula, which we just had a discussion on, that would reduce
the number of counties to 39 counties. But again, do those
counties have eligible expenses that could be reimbursed by
the Board? And some of the amounts were really small.

So for those reasons, pretty much the same as the
first method, we don’t recommend that option for trying to
clear out -- trying to use up the remaining funds in the
Voting Modernization Fund.

So what we came up with as an alternative was that we
do the allocation of funds after applications are received
from the counties. So this method would give any county with
qualifying expenses the opportunity to apply for funding from
the Board without a preset allocation amount. And once the
deadline for submission of applications had passed the
allocations could be calculated using the same four-statistic
formula or a different formula as described. This method
should direct funds to where they’re most needed and have the
highest likelihood of depleting the remaining balance.

If the applications received under this method total
less than the remaining balance of approximately $10.8, we
would also suggest that the Board consider funding each
request in full, taking the county-required match into
consideration if there are no restrictions in place that
would prevent doing so. And that would be the method that we
would recommend going with.
And then as far as how the counties would apply for the remaining funds, just like with the initial application process in 2002, they’d be required to submit detailed plans on how they expect to spend the amounts that could be reimbursed by the Board. And those plans would have to be accompanied by some documentation, some forms. And we had issued guidance regarding eligibility prior to the final round of funding. And those same eligibility requirements would apply here as far as expenses that could be reimbursed by the Board.

And we also proposed some meeting dates -- let me pull this over here -- for consideration. If the Board decided to go with one of those options, we would propose that an application submission deadline be set of Wednesday, April the 6th, 2022. And then a Board meeting to be held on April 27th, 2022, at which time those applications would be reviewed and the reallocations of funds -- reallocation of funds calculation could also be reviewed. And then the PDP submission deadline we’re recommending is May 25th, 2022. And, again, a Board meeting on June 22nd to review those PDPs.

And then we’ve also suggested some future Board meeting dates, again, these are proposed, Wednesday, August 24th, Wednesday, October 26th, and those are with a cadence of every two months, and then a payment request deadline. So
if a county submitted their PDP and it was approved by the Board, they would need to submit their payment request with all their invoices by December 7th, and then a final Board meeting of December 14th.

CHAIR KAUFMAN: So the idea is counties, for April 6th, they would just have to submit some kind of application? It wouldn’t be a complicated, document-intensive submission? That would come with -- the PDP would come later, but this is basically an application, some form of application, to say we’re interested?

MS. LEAN: Yes. Paula, can you pull that up on the staff report, just so that we can have a visual as you’re walking through it?

MS. RITTER: Sure. What part of it did you want to see? I’m sorry.

MS. LEAN: Let’s go ahead and do the dates and the draft or the potential application.

CHAIR KAUFMAN: The April -- the application that would be due on April 6th.

MS. RITTER: Is it not on my screen? Because I thought I pulled it onto the screen.

MS. LEAN: No.

CHAIR KAUFMAN: No.

MS. LEAN: I can see the formula. That’s what I can see.
MS. RITTER: Uh-oh. Okay. Sorry. Here, let me start sharing. My apologies. I thought that was up on the screen as I’m blathering on about dates. There you go. Can you see it now?

MS. LEAN: Um-hmm.

CHAIR KAUFMAN: Yeah, those are the dates.

MS. LEAN: Do you want to scroll down a bit and --

CHAIR KAUFMAN: Can you scroll down to the application that would be due?

MS. RITTER: The application submission deadline of Wednesday, April 6th?

MS. LEAN: No, ma’am. The -- what the actual application would look like, the proposed application?

MS. RITTER: Oh, the form?

CHAIR KAUFMAN: Yeah.

MS. LEAN: Yes.

MS. RITTER: Yeah. Hang on one second.

CHAIR KAUFMAN: This is the application? Okay.

MS. RITTER: Let me make it smaller. There we go.

MS. LEAN: So this is similar to what was used previously in 2002. So it’s not a lot of information that we requested but it would give the Board at least an idea of what they’re requesting. As Paula went through previously, there are restrictions, of course, on the funds. But we did put out that memo that explained what it could be used for.
So it would be really clear to say, if you apply it has to be -- it has to fall within one of these categories. So we ask that if you're going to apply you have this deadline and here's the application to submit.

CHAIR KAUFMAN: Okay. Yeah. I mean, my interest is just making sure, as we're communicating with counties, that they have sufficient time to, you know, get something submitted to us. It's not immediate but it's a pretty tight deadline, recognizing that we want to keep things kind of tight so we can get this done.

But, yeah, I just didn't know how cumbersome it would be for them to get an application in by April 6th, but it seems reasonable and fairly to the point.

MS. LEAN: Well, we do know that counties and ourselves are working diligently to get through the redistricting process and preparing for June 7th Primary. So we know everyone is incredibly busy. We are sympathetic and understanding to the Board, you know, 20 years later, we're still here, there's still funds, so we were trying to balance the two. So this is what we came up with as a proposal. I think the team did an incredible job and the staff did an incredible job coming forward with this recent timeline.

None of these are set in stone, obviously. These are just, you know, some examples and possibilities. And all of this can be, of course, reconsidered for different dates. I
can tell you the counties might be really appreciative if you
moved it back a little bit, at least until after June. But
if we do want to have some deadlines set by the end of the
year, things would have to move pretty quickly. And we do
want to make sure that we’re on top of what we can do and fit
in, and I’m going to say fit in, all of the requirements for
review and going back and forth with counties in the middle
of all of our election prep activities.

As you know, Stephen, this is -- well, it is 20 years
later. We do have multiple, multiple things that have to
happen for the election. So we are all, and I know you are
all, very busy to fit this one. But we want to make sure
that we’re diligent and that we do give counties enough time
and our staff enough time to review any of the applications
that go back and forth with counties.

CHAIR KAUFMAN: Yeah, I’m aware of that. And I’m
assuming that you guys are as sensitive as anybody to the
counties and what they’re going through. I just -- you know,
we all know this because we’re all in the same business,
right, like every year, there’s no off year anymore. There’s
always something. So you know, we can push things back and
do this and that because we go, oh well, you know, you’ll get
here and you’ll be okay. but you know what’s going to happen
if it’s like we get to June and then there’s 30 days or
whatever for certification of the June election results. And
then there’s, you know, finalization of the ballot for
November. And then, you know, vote-by-mail ballots have to
go out and, I mean, it never ends.

So we have to set some kind of deadline. I guess I’d
like to get the applications in, at least the applications
in, in advance of the June election so we don’t slip after
that. It seems sometime in April or May is probably the last
opportunity to set that kind of deadline before the counties
are mailing -- you know, printing the ballots and getting
them, you know, vote-by-mail ballots, sent out to voters and
such. So I mean, after that, you know, we’re looking at July
or something and then it’s getting late in the year.

So I mean, we’ll take our -- I’ll take my lead from
you. I want to be respectful of the counties. On the other
hand, we may not be talking about that many at the end of the
day, and so we want to give them an opportunity but not kind
of drag this out too much.

I don’t know if there’s any other thoughts on that?

BOARD MEMBER AWANO LAGMAY: May I ask a question?

Is it necessary for the Board to meet on April 27th
to look at the applications? Because, pretty much, that’s
simply an indication of intent to file. I understand the
necessity of the meeting on June 22nd because that’s where we
actually start to review the PDPs. But is it -- are we
legally required to review, simply, the intent to apply, the
intent to make applications, at our April 27th proposed

meeting?

CHAIR KAUFMAN: Well, it seems like what the intent

here is, on that date, we would then know how many counties

are submitting. And we, as a Board, would then make a
decision about how to -- how we’re going to reallocate based

on the number of counties that submitted and whether --

BOARD MEMBER AWANO LAGMAY: Oh, I see.

CHAIR KAUFMAN: -- whether there’s actually amounts

that exceed the remaining funds.

Is that correct, Paula or Jana?

MS. RITTER: Yes, that’s correct.

BOARD MEMBER AWANO LAGMAY: I see, all right, and

that explains it. Thank you.

BOARD MEMBER SANDOVAL: Once again, the idea is to

use the original formula and have counties that have already

received funds to get a second bite of the apple, as it were?

CHAIR KAUFMAN: Yeah. Yeah.

BOARD MEMBER SANDOVAL: And --

CHAIR KAUFMAN: Although there’s a question about

maybe one aspect of that original formula.

BOARD MEMBER SANDOVAL: Right. And what is the

expectation that we’re actually going to get counties to

respond in such a quick fashion, given all that you’ve

identified? What is the expectation that we’ll be in the

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same position, you know, seven months from now where we’re
going to have $7 million left to allocate?

And then the ultimate question, I think we can start
thinking about, where do we go from there; right? So at what
point is there a decision made as to what to do with any
remaining funds? If you want to set a timeline, and whether
or not counties can comply with the deadlines and for
whatever reasons there may be, we may find ourselves in the
same situation in December.

MS. LEAN: Okay. Well, this is Jana Lean.

I think this is the point of trying to set this
specific deadline. And when the Board actually set a
deadline in the last meeting it did, actually, make counties
more aware and made them really understand that there is a
deadline to these funds --

BOARD MEMBER SANDOVAL: Right.

MS. LEAN: -- because there wasn’t a deadline
previously.

So I do think that it could accelerate things. If
for some reason we get to the end of the year, let’s say, and
we have -- no counties have come forward, I think we have to
reassess for what we’re going to do then. Now do all the
bond funds need to be sold and provided? I think we would
need a legal analysis on that, and I think we can take that
back but, I mean, I can’t answer that question today.
I do think that you did have nine counties that came forward once we set a deadline. And I think that is something that is always helpful to do. I can’t --

BOARD MEMBER SANDOVAL: Right.

MS. LEAN: -- we cannot guarantee that they’re going to -- that they’re -- we’re not going to be in the same spot. I do think that there are counties that have a need. And I think by setting this new application and seeing what they need, we will really see what the need is, and the wants.

So I do believe we have some counties that are participating today that do not -- no longer have an allocation but may be interested in the funds. So I think that would be helpful for the Board to have an idea of where it stands and which counties are really interested in coming forward to the Board with the different categories that are allowable.

And, Paula, if you can go back up a little bit and look at those categories?

Because there are limits and some, you know, expectations on what the funds could be used for. And so when we go back out to these counties with our proposal is, is make it extremely clear, this is what’s allowable, and try to make sure we steer folks to if they’re going to come forward, this is what they could be, it could be, the funds could be used for.
BOARD MEMBER Sandoval: I think it’s advisable at this time to get legal counsel or a legal opinion as to what will be -- can be done if we find ourselves in the same situation. And I do appreciate the explanation just provided. But maybe we can discuss that concurrently as we try to get the remainder of the funds allocated if, in fact, the Board approves this option.

Ms. Lean: Understood. We can take that back.

Board Member Awano Lagmay: I agree.

Board Member Sandoval: Thank you.

Chair Kaufman: Yeah. I mean, in looking at this, I guess I don’t -- again, I know you guys are trying to be as sensitive as possible to the counties. I think we’re all trying to be sensitive to the counties while also moving the ball forward.

And so, you know, I guess my generally inclination is let’s -- we don’t have any better time, I mean, let’s stick with the timeline. And if you get pushback of counties, if April 6th starts to become an obstacle and that’s kind of the pushback you get, I think we could probably take that up again on the 24th. But as you said, putting a deadline in place usually gets people moving. I know we did particular outreach. We talked about doing particular outreach last time to the specific counties.

But you know, I don’t think there’s going to be any
better time this year, really, for counties to respond. So why not find out sooner rather than later what the situation is?

BOARD MEMBER Sandoval: Yeah. And any communication to the counties, that they really understand what this is, what is it they’re receiving, and any kind of communication you have so that there’s no confusion as to what is actually being presented to them.

BOARD MEMBER Awano Lagmay: And looking at Appendix A-1, it is a very simple one-page form, very generic. It can’t be that difficult to submit that by April 6th. It’s not like a full-blown proposal which comes later.

So I am inclined to give this schedule a try. And if demanding information proves that April 6th is not workable, then I’d be willing to reconsider it. But I agree, we have to have something in place. And it’s not unreasonable, what we’re asking for by the April 6th deadline.

BOARD MEMBER Sandoval: Yeah.

Chair Kaufman: So if we do that, if we adopt the timeline, if you will, and the process, do we -- I’m just trying to think through this. We had that question about the formula. Again, I’m not -- I don’t think any of us are looking to reinvent the wheel on the formula.

Do we need to come up with an alternative today or is that something that we can decide, the actual formula, on the
24th after we consider -- well, I guess we could decide whether to adopt it as is, or if we think there’s an issue with, for example, that third category, polling places, or whether we want to adjust that, do we -- I would think we’d want to look at options for how we adjust things and not just jump in today. I think that’s something that we could still deal with on the 24th, once we see who’s at play; right? I mean, do you think, Jana and Paula, that having that as kind of an open-ended issue presents any obstacles to people submitting on April 6th?

MS. LEAN: I don’t believe so. And I think I’m going to take Staff’s recommendation on saying why don’t you apply and we’ll let you tell us what you would need and what your funding needs are without the specific this is how much you’re going to get, because then we’re going to see the real need.

I mean, there are options to the polling place, 25 percent if you could use precinct. Precincts are pretty stable. There’s an Election Code that says how many voters could be per precinct. And even with the Voters Choice model, it could still work within that, the number of precincts. So I think that might be --

CHAIR KAUFMAN: Yeah, because I don’t --

MS. LEAN: -- one --

CHAIR KAUFMAN: -- yeah, because I don’t want to
penalize counties that went to a Voters Choice model and say --

MS. LEAN: Exactly.

CHAIR KAUFMAN: -- oh, you’ve lost polling places so, therefore, you know, you’re getting a lesser share. I mean, I think they should be rewarded, not punished, so --

MS. LEAN: Absolutely. And that’s why I wanted to bring that up as a potential issue or as an issue.

CHAIR KAUFMAN: So, okay, so we could adopt the rest and, basically, solidify that on the 24th.

BOARD MEMBER SANDOVAL: Can I ask, based on your perch, Jana, whether counties need that information to make a decision as to whether or not they should respond to the solicitation from the Secretary of State’s Office? In other words, if they feel that we’re not going to be able to get a particular percentage because of these polling sites because we went down a different process, we’re not going to submit this application not knowing that there may be other funding opportunities.

So I’m wondering whether there should be some more clarity in the communication to them that we haven’t or the Board hasn’t decided how that’s going to be allocated in terms of percentages?

MS. LEAN: I would -- I think we can work out what that communication could look like. If you are amenable, we
can work directly with the Chair to work out what that
communication could be so that it is clear to counties. I do
not have a specific what it would look like today, sir --

BOARD MEMBER SANDOVAL: Sure.

MS. LEAN: -- but I think we could work on that. If
you’re amenable, we could work with the Chair on that.

BOARD MEMBER SANDOVAL: You know, the nature -- my
concern is that folks may not respond because it’s imperfect
in terms of the communication by saying we’re going to hold
to these categories. But if there’s some opportunity to look
beyond those that have been set, then I’m more than amenable
to having you work with the Chair to figure out that kind of
language and wordsmithing.

MS. LEAN: Okay. Let us take that back, we’ll work
on it, and we’ll work with Chair Kaufman on coming up with
the exact wording and communication to the county.

BOARD MEMBER SANDOVAL: Thank you.

CHAIR KAUFMAN: All right. So do we -- are one of
you inclined to make a motion that would adopt the staff
recommendation for a timeline for submission of further
funding award requests under a second allocation, and
adopting the kind of process and forms that have been
presented to us under the kind of third option, if you will,
that option three that relocates funds after the applications
are received from the counties, and then leaving open for
further review and discussion the question of what the
precise allocation formula will be in light of these
additional considerations that we’ve discussed this morning?

MS. LEAN: Okay, before that motion or further
discussion is done, there is the open question on the --

CHAIR KAUFMAN: Yeah.

MS. LEAN: -- additional four counties who submitted
under the first deadline and whether or not it would be
allowable for those counties to come forward since they met
the deadline, just not with a complete package?

CHAIR KAUFMAN: Okay. Thank you, Jana.

So does somebody want to make a motion with respect
to those four counties and consideration of their requests at
the next Board meeting?

BOARD MEMBER AWANO LAGMAY: I move that the four
counties that had incomplete paperwork be allowed to bring
forward their complete package at our next meeting.

BOARD MEMBER SANDOVAL: Second.

CHAIR KAUFMAN: Paula, do you want to call the roll
on that?

MS. RITTER: Stephen Kaufman?

CHAIR KAUFMAN: Aye.

MS. RITTER: June Awano Lagmay?

BOARD MEMBER AWANO LAGMAY: Aye.

MS. RITTER: And Gabriel Sandoval?
BOARD MEMBER SANOVAL: Aye.

CHAIR KAUFMAN: Okay. Great. Thank you, Jana.

Thank you, June.

So that will reduce the, you know, assuming that they successfully complete their presentations, that will reduce the overall amount.

So then that brings us back to kind of where I was before which is, essentially, adopting what’s on the table but leaving -- with option three but leaving the final issue of exactly how the funds will be -- what the formula will be for the allocation of funds, leaving that kind of on the table for further discussion and consideration.

BOARD MEMBER AWANO LAGMAY: I’m sorry. Point of clarification.

The four counties that we permitted to come to forward at the next meeting, is that to also state that that is the last date that they can do so? That is the deadline for action on them?

CHAIR KAUFMAN: I guess it wasn’t part of the motion. I think that was -- well, let me ask.

BOARD MEMBER AWANO LAGMAY: We’re doing it open-ended.

CHAIR KAUFMAN: Let me ask. Just let me see if we need to do a clarifying motion.

Let me ask Staff, I mean, is there anything on
Staff’s end -- well, where are we in that process at this point? I mean, they -- did they -- they had incomplete submissions. Where do those stand today?

MS. LEAN: Paula, can I turn that to you, please?

MS. RITTER: Sure. We’ve communicated with the counties and we’ve let them know exactly what they need to do to submit a complete package. So, yeah, that, yes, that would be the last opportunity they had to present that package and get approval from the initial funding round.

CHAIR KAUFMAN: Right. They can submit another application by April 6th for round two.

MS. RITTER: Correct.

CHAIR KAUFMAN: I mean, I’m fine with that. I don’t know if any -- if we need to do a clarifying motion with respect to our prior motion.

BOARD MEMBER AWANO LAGMAY: I’ll do a clarifying motion.

I amend the previously adopted motion and submit, in lieu, a motion that would allow the four counties who had incomplete paperwork to present their complete paperwork at our upcoming Wednesday, April 27th, 2022 meeting, at which time that is the last date that that -- that their paperwork can be submitted and considered.

CHAIR KAUFMAN: Under the first --

BOARD MEMBER AWANO LAGMAY: Under the first --
CHAIR KAUFMAN: -- for this first funding --

BOARD MEMBER AWANO LAGMAY: -- round, yes.

CHAIR KAUFMAN: -- the funding. Okay. Okay.

Gabriel?

BOARD MEMBER AWANO LAGMAY: Right. That is correct.

BOARD MEMBER SANDOVAL: Second.

CHAIR KAUFMAN: Okay. Gabriel seconds.

Paula, let’s do this one more time.

MS. RITTER: Stephen Kaufman?

CHAIR KAUFMAN: Aye.

MS. RITTER: June Awano Lagmay?

BOARD MEMBER AWANO LAGMAY: Aye.

MS. RITTER: And Gabriel Sandoval?

BOARD MEMBER SANDOVAL: Aye.

CHAIR KAUFMAN: Okay, so we’re clear on that.

BOARD MEMBER AWANO LAGMAY: So now it’s option three
and the timeline; right?

CHAIR KAUFMAN: Yeah. And I guess, honestly, I think
we jumped the -- well, let’s have a -- well, if there’s a
motion to be made, let’s have a motion made, then we can call
for any public comment if anybody has anything to add.

Are either of you inclined to make a motion along the
lines I was suggesting?

BOARD MEMBER AWANO LAGMAY: Go ahead, Gabriel.

BOARD MEMBER SANDOVAL: Sure, but I have a question
Are there any statutory constraints or anything that is prohibiting us from doing something that we’re going to move at this time? Are we within our responsibilities and powers to do that?

MS. LEAN: Yes, sir, you are. The Board themselves have discretion over how funds will be used and how they will be allocated.

BOARD MEMBER SANDOVAL: Okay. So I move that the Board adopt option three as presented by the staff with the understanding that the formula that will be ultimately used will be subject to further discussion and decision by the Board at an upcoming meeting.

BOARD MEMBER AWANO LAGMAY: And adoption of the timeline as proposed in the report?

BOARD MEMBER SANDOVAL: As well as the adoption of the timeline proposed by the staff.

BOARD MEMBER AWANO LAGMAY: I second.

CHAIR KAUFMAN: Okay. Is there any public comment on this item before we take a vote?

MS. ALEXANDER: Hi, Steve. This is Kim Alexander. I just -- it’s great to see you. I just have a quick question about if mobile voting units can be included in the list of potential new purchases that counties could be making with this additional funding?
CHAIR KAUFMAN: Okay. Thank you. Kim, good to see you, as well. I mean, I don’t think that we can veer from permissible expenditures, you know, under the original initiative.

Having said that, I guess I would just turn to Staff to ask the question of whether this is within the mobile voting options, which weren’t necessarily contemplated 20 years ago, are within the permissible categories as they exist at this point?

MS. LEAN: Hi Kim. This is Jana. So I want to get some clarity in what type of mobile voting unit you were talking about. Because I think when they come to us, once we get a question from the county, we’ll take a look at it and look at the certification with NaKesha, NaKesha Robinson, and then look at what’s certified and then what’s part of the voting system and make that determination at that time.


MS. RITTER: Stephen Kaufman?

CHAIR KAUFMAN: Aye

MS. RITTER: June Awano Lagmay?

BOARD MEMBER AWANO LAGMAY: Aye.

MS. RITTER: Gabriel Sandoval?

BOARD MEMBER SANOVAL: Aye.
CHAIR KAUFMAN: Okay. Great. We have a consensus on that.

So Jana, you and I can work on a communication to the counties, which we should try and do as expeditiously as our calendars allow, given the timeline here. So I’m prepared to work with you to get that done over the next few days if we can.

MS. LEAN: Let’s do it.

CHAIR KAUFMAN: And then we will see who’s out there awaiting funds. And, hopefully, some of these questions that we’re ruminating about will take care of themselves when we see what comes in the door.

But in the meantime, Jana, I guess I would also say to you and Staff, you know, if we can continue or start thinking about ways to adjust that Category 3 in the formula, the polling place, and how we might come up with a different way of saying that without veering too far from the original formula that was -- you know, again, a lot of time and effort and thought went into it. It has been the model that has been sustained for quite a number of years. And the less we can veer from that, I think the better footing we’ll be on, so let’s see what kind of little tweaks we could make to still respect that original notion of how to distribute funds or allocate funds. Okay?

MS. LEAN: Okay.
CHAIR KAUFMAN: All right. Is there any other business from fellow Commissioners or Staff that we should be considering this morning?

BOARD MEMBER SANDOVAL: I wanted just to thank the staff for their work on this, as well as welcome again, Joan and Paula. Nice to see you in person.

MS. RITTER: Thank you.

CHAIR KAUFMAN: Thank you, Gabriel. And I will --

BOARD MEMBER AWANO LAGMAY: Nothing from me.

CHAIR KAUFMAN: -- I will echo the appreciation for the staff reports today. This was more of a challenge than you all have been -- or more of a load than you all have been faced with in a while, so it’s good that you kind of worked those kinks out and got your sea legs back. I hope we have an equal amount of funding requests that we need to consider over the next few months. So, again, we can kind of finish fulfilling our purpose and get these funds distributed.

With that, do we have a motion to adjourn this fine meeting?

BOARD MEMBER AWANO LAGMAY: I move to adjourn.

BOARD MEMBER SANDOVAL: Second.

CHAIR KAUFMAN: Gabe seconds. All in favor, say aye?

Aye.

BOARD MEMBER AWANO LAGMAY: Aye.

BOARD MEMBER SANDOVAL: Aye.
CHAIR KAUFMAN: Okay. We are done for today, a full agenda. It was good to feel like we did something today, so thank you all. And we’ll be in touch in the next few days.

MS. LEAN: All right. Thank you.

BOARD MEMBER AWANO LAGMAY: Thank you.

CHAIR KAUFMAN: Bye everybody.

BOARD MEMBER AWANO LAGMAY: Bye-bye.

BOARD MEMBER SANDOVAL: Bye everyone.

(Thereupon, the hearing was adjourned at 11:25 a.m.)

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CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of May, 2022.

MARTHA L. NELSON, CERT**367
CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.

May 16, 2022

MARTHA L. NELSON, CERT**367