

STATE OF CALIFORNIA
SECRETARY OF STATE'S OFFICE

In the Matter of:)
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)
)
)
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
NaKeshia Robinson

PRESENTERS:

Robin Glanville
Kelly Sanders
Renee Bischof

PUBLIC COMMENT

Kim Alexander

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1 P R O C E E D I N G S

2 FEBRUARY 9, 2022 10:02 A.M.

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

7 BOARD MEMBER SANDOVAL: Good morning.

8 BOARD MEMBER AWANO LAGMAY: Good morning.

9 CHAIR KAUFMAN: Hey everybody.

10 MS. RITTER: Good morning.

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

13 MS. RITTER: Sure thing.

14 Stephen Kaufman?

15 CHAIR KAUFMAN: Here.

16 MS. RITTER: June Awano Lagmay?

17 BOARD MEMBER AWANO LAGMAY: Here.

18 MS. RITTER: And Gabriel Sandoval?

19 BOARD MEMBER SANDOVAL: Present.

20 CHAIR KAUFMAN: Good morning fellow Commissioners.

21 BOARD MEMBER SANDOVAL: Good morning.

22 BOARD MEMBER AWANO LAGMAY: Good morning.

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

25 BOARD MEMBER AWANO LAGMAY: In a karaoketaxi.

1 CHAIR KAUFMAN: That's right. That's right. Okay.
2 Starting things off, do we have any public comment
3 regarding matters that are not already on the agenda? Okay.

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

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

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

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

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

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

23 BOARD MEMBER SANDOVAL: I'd like to amend them.

24 CHAIR KAUFMAN: -- accordingly.

25 BOARD MEMBER SANDOVAL: Yeah.

1 CHAIR KAUFMAN: So does somebody want to make any
2 other comments about the minutes?

3 BOARD MEMBER SANDOVAL: No.

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

6 BOARD MEMBER SANDOVAL: So moved.

7 BOARD MEMBER AWANO LAGMAY: I'll second.

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

9 BOARD MEMBER AWANO LAGMAY: Aye.

10 BOARD MEMBER SANDOVAL: Aye.

11 CHAIR KAUFMAN: Aye.

12 BOARD MEMBER AWANO LAGMAY: Aye.

13 CHAIR KAUFMAN: Okay. The minutes are adopted.

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

19 We are, again, hoping that we're coming to the end of
20 our line here and appreciate that a number of counties kind
21 of rallied here and submitted some funding award requests,
22 some of which will use up their -- (clears throat) excuse
23 me -- use up their allocations, others still have some money
24 remaining on the table. But pleased to see that folks are
25 trying to -- you know, are continuing to upgrade their

1 systems and add to their systems and taking advantage of the
2 fund that is now 20 years in existence.

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

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

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

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

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

24 So I think at the end of the meeting we can formally
25 adopt that they're the new Staff to the Board. So if we can

1 do that? I just want to make sure that we have that
2 introduction and that we have both of the names on record.

3 CHAIR KAUFMAN: Thank you, Jana.

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

8 MS. HACKELING: Thank you.

9 CHAIR KAUFMAN: I didn't even recognize this as your
10 first meeting.

11 MS. RITTER: Thank you.

12 MS. HACKELING: Thanks so much.

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

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

21 Just as some background, in 2006, Calaveras County
22 implemented Phase 1 of its Voter Modernization Strategy with
23 the purchase of 22 precinct ballot counters and 20 AutoMARK
24 Voter Assist terminals. Then in 2019, the County purchased
25 and deployed the HART InterCivic Verity voting system, along

1 with 22 Touch Writer accessible voting devices, six digital
2 ballot scanners, and four ballot printer devices. This
3 equipment, which was first purchased with non-VMB funds,
4 allowed the County to provide each voting location with three
5 ADA voting devices, one ballot printer, and one ballot
6 scanner. These quantities met the statutory requirements for
7 VCA counties set out in the Elections Code section 4005 for
8 each vote center.

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

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

23 It is our recommendation that Calaveras County's
24 Phase 2 Project Documentation Plan be conditionally approved
25 pending a signed vendor agreement, and a Conditional Funding

1 Award Letter be issued in the amount of \$89,202.38.

2 Vendor quotes were provided for the requested items.

3 The funds would be released upon the County's submission of
4 signed vendor agreement invoices.

5 So that concludes this staff report. Thank you.

6 BOARD MEMBER AWANO LAGMAY: Outstanding.

7 CHAIR KAUFMAN: Is there anyone from Calaveras County
8 attending the meeting today who wishes to be heard regarding
9 this pending submission?

10 MS. GLANVILLE: Hi. I'm Robin Glanville, the
11 Assistant Clerk-Recorder in Calaveras County. I think Joan
12 did an excellent job. We just are very pleased that you guys
13 are hearing our request today, so thank you.

14 CHAIR KAUFMAN: Great. Well, welcome. Thank you for
15 joining us this morning. It looks like your application is
16 fairly thorough and complete. Sixteen years between
17 submission number one and submission number two but glad
18 that, you know, we're still around to help with the progress
19 that you're making.

20 I'm just kind of curious, do you still -- so is the
21 system that was paid for and approved in 2006 still in play
22 in your county or that's long gone?

23 MS. GLANVILLE: No. We replaced it with the HART
24 Verity Count System.

25 CHAIR KAUFMAN: Okay. And now you're building onto

1 that with this latest --

2 MS. GLANVILLE: Yes.

3 CHAIR KAUFMAN: -- request? Okay. That's not
4 surprising.

5 Fellow Commissioners, any questions for Calaveras
6 County?

7 BOARD MEMBER AWANO LAGMAY: No questions.

8 BOARD MEMBER SANDOVAL: No questions.

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

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

14 BOARD MEMBER SANDOVAL: Second.

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

18 MS. RITTER: Okie-doke.

19 Stephen Kaufman?

20 CHAIR KAUFMAN: Aye.

21 MS. RITTER: June Awano Lagmay?

22 BOARD MEMBER AWANO LAGMAY: Aye.

23 MS. RITTER: And Gabriel Sandoval?

24 BOARD MEMBER SANDOVAL: Aye.

25 CHAIR KAUFMAN: Well, congratulations to Calaveras

1 County. And thank you for your submission and for all your
2 work in trying to make voters' lives easier.

3 Okay, we will get a Funding Award Letter. So
4 actually, on the one, we're going -- are we not doing the
5 Funding Award Letter right away? Because you said it was
6 contingent on the --

7 BOARD MEMBER AWANO LAGMAY: Contingent.

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

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

14 CHAIR KAUFMAN: Got it. Okay.

15 Then let us jump to Humboldt.

16 MS. RITTER: Okay. I'm going to be presenting
17 Humboldt today.

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

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

25 In Phase 3, which was in 2019, the County purchased

1 an automated vote-by-mail ballot return envelope
2 sorting/scanning system to assist with the processing of
3 vote-by-mail ballots.

4 In the current phase, which is Phase 4 of their
5 Voting Modernization Strategy, the County proposes to further
6 enhance their voting system with the purchase of 15 HART
7 InterCivic Verity print units, these are Ballot on Demand
8 units, along with licensing and support. The County has used
9 the Ballot on Demand units for all elections since November
10 2020 at its four-day voting sites.

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

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

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

25 Staff has reviewed Humboldt's Project Documentation

1 Plan and determined that it meets the requirements for
2 completeness, pending submission of a signed vendor agreement
3 with the vendor.

4 So, similar to Calaveras, it's our recommendation
5 that Humboldt County's Phase 4 Project Documentation Plan be
6 conditionally approved pending a signed vendor agreement, and
7 a Conditional Funding Award Letter be issued in the amount of
8 \$65,891.85.

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

12 And that concludes the staff report for Humboldt.

13 CHAIR KAUFMAN: Thank you, Paula.

14 Is anybody joining us this morning from Humboldt
15 County?

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

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

20 MS. SANDERS: I'm good, thank you.

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

23 MS. SANDERS: No. I think that sufficiently covers
24 what our plan is. And I just wanted to say thank you for the
25 opportunity to request additional funding for -- to further

1 our projects here in Humboldt County.

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

4 And I just wanted to ask, I understand that you guys
5 had this -- had the Ballot on Demand system in place for
6 2020. Just wondering if you could just share with us a
7 little bit of your experience with folks using the system,
8 the early voting, and how that played out for you?

9 MS. SANDERS: Yeah, that worked out nicely for us.
10 For the past two elections, we were VCA Like (sic), so that
11 was our first introduction to that type of model. And that
12 was the first time we deployed the Ballot on Demand units.
13 We only had them at very few locations because we didn't
14 purchase that many. They're mostly here at the Elections
15 Office. But it does allow us to print any ballot style for
16 the voters. And it reduces the time the voters would have to
17 wait.

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

25 So I think it's really going to help us provide

1 better service to voters in Humboldt County.

2 CHAIR KAUFMAN: Great. Thank you.

3 Fellow Commissioners, any questions of Ms. Sanders?

4 BOARD MEMBER AWANO LAGMAY: No questions.

5 BOARD MEMBER SANDOVAL: No questions.

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

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

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

11 BOARD MEMBER AWANO LAGMAY: Oh.

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

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

16 BOARD MEMBER SANDOVAL: Second.

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

19 BOARD MEMBER SANDOVAL: Yes.

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

21 MS. RITTER: Yes. Stephen Kaufman?

22 CHAIR KAUFMAN: Aye.

23 MS. RITTER: June Awano Lagmay?

24 BOARD MEMBER AWANO LAGMAY: Aye.

25 MS. RITTER: And Gabriel Sandoval?

1 BOARD MEMBER SANDOVAL: Aye.

2 CHAIR KAUFMAN: Okay. We have a consensus.

3 Congratulations, Humboldt County. You get --

4 MS. SANDERS: Thank you very much.

5 CHAIR KAUFMAN: -- another round of funding.

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

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

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

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

1 Election.

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

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

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

24 And that concludes the staff report for San Diego
25 County's Phase 2 Project Documentation Plan.

1 CHAIR KAUFMAN: Okay. So assuming that they provide
2 the additional signed contracts and what have you, their
3 total funding award would be \$878,714.12; right?

4 MS. HACKELING: Correct.

5 CHAIR KAUFMAN: Yeah. Okay.

6 Is San Diego County with us this morning? Okay.

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

10 BOARD MEMBER AWANO LAGMAY: I have a question I would
11 have probably liked to have asked a representative from San
12 Diego, which is the fact that with this allocation there's
13 still nearly -- there's \$6.6 million left, and this is the
14 single largest county amount among all the remaining counties
15 and constitutes about half of what the remaining funds are.

16 And I just wonder if -- I just wanted to get a feel
17 if San Diego had expressed to Staff any perspective on, you
18 know, why they left so much behind and if they have any plans
19 about, you know, the future? It's just that it's the largest
20 single amount that I notice on the list.

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

24 So they were able to purchase their system using
25 other funds, so other state and federal funds, so they got

1 the entire system from that. There's no matching
2 requirements for some of that money that was used. So you
3 know, the match for the VMB money, the 25 percent match,
4 could be. I don't know if this is 100 percent but it could
5 be the reason why they used those other funds.

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

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

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

21 BOARD MEMBER AWANO LAGMAY: Um-hmm.

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

25 BOARD MEMBER AWANO LAGMAY: Got it. Thank you so

1 very much.

2 CHAIR KAUFMAN: And I'm presuming, Jana, just kind of
3 looking ahead, that because they purchased one system and
4 then replaced that system, I mean, again, we have limitations
5 on, right, on the fact that they can only either expand an
6 existing system or add additional aspects to it but they
7 can't use our funds to, once again, replace equipment in
8 which funding has already been awarded; right?

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

12 CHAIR KAUFMAN: Yeah. So --

13 BOARD MEMBER AWANO LAGMAY: Very good.

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

20 BOARD MEMBER AWANO LAGMAY: Got it.

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

23 MS. LEAN: That's correct. I mean, if there are
24 other things that they could purchase once they transition to
25 the VCA platform, you know, we do know that model, they may

1 potentially see other equipment that would be eligible.

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

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

16 So once they actually do implement that, we'll see.
17 Maybe there is some additional equipment, once they've fully
18 rolled out that new system, that they could use the Voting
19 Modernization funds for. But I do not, and I'd hate to put
20 words in Cynthia's mouth, but I do not think that they would,
21 you know, need to or have the need or be able to, based on
22 what's allowable under Voting Modernization Board funds, to
23 use the entire \$6 million.

24 BOARD MEMBER AWANO LAGMAY: Very good. Thank you.

25 CHAIR KAUFMAN: Gabriel, anything?

1 BOARD MEMBER SANDOVAL: No questions.

2 CHAIR KAUFMAN: Okay. Then would somebody like to
3 make a motion with respect to San Diego County's Project
4 Documentation application?

5 BOARD MEMBER AWANO LAGMAY: I'll defer to Gabriel
6 this time.

7 CHAIR KAUFMAN: You get to do it this time.

8 BOARD MEMBER SANDOVAL: I'd like to move that the
9 Board adopts the staff report with regard to the allocation
10 of funds to San Diego.

11 BOARD MEMBER AWANO LAGMAY: I second.

12 CHAIR KAUFMAN: Got a second.

13 Paula, call the roll.

14 MS. RITTER: Stephen Kaufman?

15 CHAIR KAUFMAN: Aye.

16 MS. RITTER: June Awano Lagmay?

17 BOARD MEMBER AWANO LAGMAY: Aye.

18 MS. RITTER: And Gabriel Sandoval?

19 BOARD MEMBER SANDOVAL: Aye.

20 CHAIR KAUFMAN: Okay. Three down. This is by far
21 the biggest agenda we've had for Project Documentation Plans
22 in probably half a dozen years.

23 BOARD MEMBER AWANO LAGMAY: Yes. It's exhausting me.

24 CHAIR KAUFMAN: Well, we're being very efficient, so
25 let's keep it up.

1 And I don't know who's up but whoever is doing Santa
2 Barbara County, the floor is yours.

3 MS. RITTER: That would be me.

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

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

17 The County's current application for Phase 3 requests
18 funds to improve the efficiency, accuracy, and security of
19 vote-by-mail processing and polling place voter processing.
20 The vote-by-mail component of Santa Barbara County's voting
21 system has expanded dramatically in recent years. For the
22 2000 General Election, 30 percent of the county's voters
23 requested vote-by-mail ballots. And in 2018, for the General
24 Election, 76 percent of the county voters were mailed vote-
25 by-mail ballots. In '20 and '21, due to the coronavirus

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

4 With the passing of Assembly Bill 37 in 2021, voters
5 will continue to be mailed a ballot for all future elections.

6 And voters are also returning their ballots closer to
7 Election Day or returning their ballots at the polls or via
8 ballot drop boxes on Election Day. And this has challenged
9 the County to process a large number of ballots in a short
10 amount of time while conducting the official count as
11 required by law.

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

23 To meet these challenges the County requests funds to
24 be reimbursed for the purchase of automated vote-by-mail
25 sorting and signature verification equipment, ballot-on-

1 demand printing equipment, vote-by-mail envelope openers,
2 extractors, sealers and printers, electronic poll books, and
3 connectivity devices. The vote-by-mail envelope
4 sorter/scanner allows for a more efficient processing of
5 vote-by-mail ballots and automates many chain-of-custody
6 functions. The ballot-on-demand units allow the County to
7 print additional ballot types as needed. The envelope
8 opener, sealer, and duplex printers improve the efficiency
9 and productivity of the County's operations. The e-poll
10 books and connectivity devices allow for a higher level of
11 service to voters who choose to vote at a polling place.

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

18 And that concludes the report for Santa Barbara.

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

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

24 CHAIR KAUFMAN: Yes. I'm sure you did your diligence
25 on Santa Barbara. Thank you for that.

1 Do we have -- it looks like we do have a
2 representative from Santa Barbara with us this morning. Is
3 that Renee Bischof?

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

6 CHAIR KAUFMAN: Good morning.

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

15 CHAIR KAUFMAN: Well, welcome.

16 MS. BISCHOF: Thank you.

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

21 MS. BISCHOF: That's correct. We're really focused
22 on our vote-by-mail component. We've continued to expand
23 that over the years, as was mentioned in our Project Plan,
24 and as Paula delivered in her staff report. But you know, we
25 continue to see that area growing, and it's going to continue

1 to grow with all these changes in the law. And we're just
2 looking to supplement our equipment that we use to get those
3 ballots out in a timely fashion to our voters.

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

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

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

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

1 facility.

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

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

13 CHAIR KAUFMAN: Okay. Understood.

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

17 MS. BISCHOF: Yes.

18 CHAIR KAUFMAN: -- that's impressive.

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

24 CHAIR KAUFMAN: Okay. Fellow Commissioners, any
25 questions for --

1 BOARD MEMBER AWANO LAGMAY: No questions.

2 BOARD MEMBER SANDOVAL: No questions.

3 CHAIR KAUFMAN: Okay. Then can we entertain a motion
4 from one or the other -- from one or the other of you? There
5 are two counties left. You each get one.

6 BOARD MEMBER SANDOVAL: I move that the Board adopts
7 the staff recommendation with regard to the allocation of
8 funds to Santa Barbara.

9 BOARD MEMBER AWANO LAGMAY: And I will second.

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

12 MS. RITTER: Stephen Kaufman?

13 CHAIR KAUFMAN: Aye.

14 MS. RITTER: June Awano Lagmay?

15 BOARD MEMBER AWANO LAGMAY: Aye.

16 MS. RITTER: Gabriel Sandoval?

17 BOARD MEMBER SANDOVAL: Aye.

18 CHAIR KAUFMAN: Okay. Thank you.

19 Congratulations to Santa Barbara County.

20 MS. BISCHOF: Thank you. Thank you.

21 CHAIR KAUFMAN: All right, our final county of the
22 day, Sonoma County. Can we please hear the staff report on
23 that one?

24 MS. HACKELING: Yes, of course.

25 Sonoma County's Phase 3 Project Documentation Plan

1 meets the requirements for completeness.

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

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

14 Then in Phase 3, the County Registrar of Voters
15 purchased additional in-person voting equipment, including
16 laptops. This equipment was needed and used to administer
17 the November 2020 General Election and the September 2021
18 Gubernatorial Recall Election while under COVID-19 health
19 conditions, as allowed for under urgent legislation. It was
20 also purchased in order to meet the in-person voting
21 requirements of the Voter's Choice Act model, which was
22 adopted by the County Board of Supervisors on March 16th,
23 2021. This model will be implemented in Sonoma County for
24 the June 2022 Primary Election.

25 The Registrar of Voters determined that an additional

1 75 ePoll book type equipment would be needed to meet these
2 voting -- new voting requirements. Laptops were then
3 purchased in lieu of ePoll books in order to interact with
4 the County's Elections Management system.

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

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

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

23 Thank you.

24 CHAIR KAUFMAN: Thank you, Joan.

25 Is someone from Sonoma County with us this morning?

1 Okay. It seems not.

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

4 BOARD MEMBER SANDOVAL: No questions.

5 BOARD MEMBER AWANO LAGMAY: I have no questions.

6 CHAIR KAUFMAN: Okay. Then I think it's on you,
7 June.

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

10 BOARD MEMBER SANDOVAL: Second.

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

13 MS. RITTER: Stephen Kaufman?

14 CHAIR KAUFMAN: Aye.

15 MS. RITTER: June Awano Lagmay?

16 BOARD MEMBER AWANO LAGMAY: Aye.

17 MS. RITTER: And Gabriel Sandoval?

18 BOARD MEMBER SANDOVAL: Aye.

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

21 BOARD MEMBER AWANO LAGMAY: Wee. Great.

22 CHAIR KAUFMAN: Okay. Jana, Paula, Joan, whoever is
23 in charge, somebody will, I presume, email me or send me some
24 letters to sign and I will get them back to you so we can get
25 them out to the counties.

1 Which then leads us to the next item on our agenda,
2 not an insignificant item, and that is what do we do now that
3 we've got -- we've now passed our deadline for people to
4 submit their -- for counties to submit their Project
5 Documentation Plans under the original phase of funding that
6 was allocated by the VMB, and what do we do with the money
7 remaining? You know, looking forward to hearing the staff
8 report.

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

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

23 And so why don't I turn the floor over to whoever is
24 going to be presenting on that issue so we can hear the
25 recommendations from staff on how we allocate the remaining

1 funds? And then perhaps we can have a conversation and make
2 a decision and point ourselves in the direction of a
3 conclusion.

4 So with that, who's up?

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

7 CHAIR KAUFMAN: Okay.

8 MS. RITTER: So prior to the --

9 CHAIR KAUFMAN: And for the record, just for the
10 record, who's me?

11 MS. RITTER: Oh, Paula Ritter.

12 CHAIR KAUFMAN: Okay, Paula.

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

14 BOARD MEMBER AWANO LAGMAY: Yes. Yes.

15 CHAIR KAUFMAN: Yeah.

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

17 So prior to this meeting there was approximately
18 \$13.7 million left over from the initial allocation and that
19 was spread across 21 counties. And of those 21 counties, 9
20 counties presented Project Documentation Plans by the
21 December 20th, 2021 deadline for the final round of funding
22 that was set by the Board at the August 11th meeting.
23 Today's awards total about \$2 million.

24 Of the nine counties, five came forward today, four
25 completed plans -- four submitted plans but they weren't

1 complete enough to be presented to the Board at this meeting
2 today. And those represent a little less than \$1 million.
3 And it would be our recommendation that the Board hear those
4 plans at a future meeting once the counties have had a chance
5 to present them in a complete fashion.

6 CHAIR KAUFMAN: And just so I'm --

7 MS. RITTER: Oops.

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

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

16 CHAIR KAUFMAN: Okay.

17 MS. RITTER: So if the Board does decide to hear
18 those Project Documentation Plans from the initial round of
19 allocations for the final round of funding, that would leave
20 approximately \$10.8 million left in the fund that is unspent.

21 And so we considered some different options, you
22 referred to them earlier, for how to get rid of that money.
23 The first option -- well, so what the Board would need to do
24 is decide, number one, how to allocate the remaining funds,
25 how the counties would need to apply for the funds, and then

1 set deadlines for the counties to submit their applications.

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

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

19 Then we looked at --

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

22 MS. RITTER: Yes.

23 CHAIR KAUFMAN: -- one question? And I don't know if
24 you can answer this or Jana can answer this. But when the
25 original 25/25/25/25 categories were developed there was, you

1 know, a lot of thought that went into why those were
2 appropriate at the time. Is there any reason why, as we sit
3 here again 20 years later, the way that those particular
4 formulas are weighted or kind of using those particular
5 categories is any more or less relevant than they were when
6 that issue was decided 20 years ago?

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

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

25 The number of eligible voters, with the very

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

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

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

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

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

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

22 So what if we excluded all the counties that had
23 money left on the table that didn't come forward and claim
24 it? And so that reduced the number of counties in the
25 allocation, again, using the same 25 percent weighted

1 formula, which we just had a discussion on, that would reduce
2 the number of counties to 39 counties. But again, do those
3 counties have eligible expenses that could be reimbursed by
4 the Board? And some of the amounts were really small.

5 So for those reasons, pretty much the same as the
6 first method, we don't recommend that option for trying to
7 get rid of -- trying to use up the remaining funds in the
8 Voting Modernization Fund.

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

19 If the applications received under this method total
20 less than the remaining balance of approximately \$10.8, we
21 would also suggest that the Board consider funding each
22 request in full, taking the county-required match into
23 consideration if there are no restrictions in place that
24 would prevent doing so. And that would be the method that we
25 would recommend going with.

1 And then as far as how the counties would apply for
2 the remaining funds, just like with the initial application
3 process in 2002, they'd be required to submit detailed plans
4 on how they expect to spend the amounts that could be
5 reimbursed by the Board. And those plans would have to be
6 accompanied by some documentation, some forms. And we had
7 issued guidance regarding eligibility prior to the final
8 round of funding. And those same eligibility requirements
9 would apply here as far as expenses that could be reimbursed
10 by the Board.

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

22 And then we've also suggested some future Board
23 meeting dates, again, these are proposed, Wednesday, August
24 24th, Wednesday, October 26th, and those are with a cadence
25 of every two months, and then a payment request deadline. So

1 if a county submitted their PDP and it was approved by the
2 Board, they would need to submit their payment request with
3 all their invoices by December 7th, and then a final Board
4 meeting of December 14th.

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

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

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

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

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

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

22 MS. LEAN: No.

23 CHAIR KAUFMAN: No.

24 MS. LEAN: I can see the formula. That's what I can
25 see.

1 MS. RITTER: Uh-oh. Okay. Sorry. Here, let me
2 start sharing. My apologies. I thought that was up on the
3 screen as I'm blathering on about dates. There you go. Can
4 you see it now?

5 MS. LEAN: Um-hmm.

6 CHAIR KAUFMAN: Yeah, those are the dates.

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

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

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

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

14 MS. RITTER: Oh, the form?

15 CHAIR KAUFMAN: Yeah.

16 MS. LEAN: Yes.

17 MS. RITTER: Yeah. Hang on one second.

18 CHAIR KAUFMAN: This is the application? Okay.

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

20 MS. LEAN: So this is similar to what was used
21 previously in 2002. So it's not a lot of information that we
22 requested but it would give the Board at least an idea of
23 what they're requesting. As Paula went through previously,
24 there are restrictions, of course, on the funds. But we did
25 put out that memo that explained what it could be used for.

1 So it would be really clear to say, if you apply it has to be
2 -- it has to fall within one of these categories. So we ask
3 that if you're going to apply you have this deadline and
4 here's the application to submit.

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

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

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

23 None of these are set in stone, obviously. These are
24 just, you know, some examples and possibilities. And all of
25 this can be, of course, reconsidered for different dates. I

1 can tell you the counties might be really appreciative if you
2 moved it back a little bit, at least until after June. But
3 if we do want to have some deadlines set by the end of the
4 year, things would have to move pretty quickly. And we do
5 want to make sure that we're on top of what we can do and fit
6 in, and I'm going to say fit in, all of the requirements for
7 review and going back and forth with counties in the middle
8 of all of our election prep activities.

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

16 CHAIR KAUFMAN: Yeah, I'm aware of that. And I'm
17 assuming that you guys are as sensitive as anybody to the
18 counties and what they're going through. I just -- you know,
19 we all know this because we're all in the same business,
20 right, like every year, there's no off year anymore. There's
21 always something. So you know, we can push things back and
22 do this and that because we go, oh well, you know, you'll get
23 here and you'll be okay. but you know what's going to happen
24 if it's like we get to June and then there's 30 days or
25 whatever for certification of the June election results. And

1 then there's, you know, finalization of the ballot for
2 November. And then, you know, vote-by-mail ballots have to
3 go out and, I mean, it never ends.

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

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

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

19 BOARD MEMBER AWANO LAGMAY: May I ask a question?

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

1 intent to make applications, at our April 27th proposed
2 meeting?

3 CHAIR KAUFMAN: Well, it seems like what the intent
4 here is, on that date, we would then know how many counties
5 are submitting. And we, as a Board, would then make a
6 decision about how to -- how we're going to reallocate based
7 on the number of counties that submitted and whether --

8 BOARD MEMBER AWANO LAGMAY: Oh, I see.

9 CHAIR KAUFMAN: -- whether there's actually amounts
10 that exceed the remaining funds.

11 Is that correct, Paula or Jana?

12 MS. RITTER: Yes, that's correct.

13 BOARD MEMBER AWANO LAGMAY: I see, all right, and
14 that explains it. Thank you.

15 BOARD MEMBER SANDOVAL: Once again, the idea is to
16 use the original formula and have counties that have already
17 received funds to get a second bite of the apple, as it were?

18 CHAIR KAUFMAN: Yeah. Yeah.

19 BOARD MEMBER SANDOVAL: And --

20 CHAIR KAUFMAN: Although there's a question about
21 maybe one aspect of that original formula.

22 BOARD MEMBER SANDOVAL: Right. And what is the
23 expectation that we're actually going to get counties to
24 respond in such a quick fashion, given all that you've
25 identified? What is the expectation that we'll be in the

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

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

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

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

16 BOARD MEMBER SANDOVAL: Right.

17 MS. LEAN: -- because there wasn't a deadline
18 previously.

19 So I do think that it could accelerate things. If
20 for some reason we get to the end of the year, let's say, and
21 we have -- no counties have come forward, I think we have to
22 reassess for what we're going to do then. Now do all the
23 bond funds need to be sold and provided? I think we would
24 need a legal analysis on that, and I think we can take that
25 back but, I mean, I can't answer that question today.

1 I do think that you did have nine counties that came
2 forward once we set a deadline. And I think that is
3 something that is always helpful to do. I can't --

4 BOARD MEMBER SANDOVAL: Right.

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

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

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

19 Because there are limits and some, you know,
20 expectations on what the funds could be used for. And so
21 when we go back out to these counties with our proposal is,
22 is make it extremely clear, this is what's allowable, and try
23 to make sure we steer folks to if they're going to come
24 forward, this is what they could be, it could be, the funds
25 could be used for.

1 BOARD MEMBER SANDOVAL: I think it's advisable at
2 this time to get legal counsel or a legal opinion as to what
3 will be -- can be done if we find ourselves in the same
4 situation. And I do appreciate the explanation just
5 provided. But maybe we can discuss that concurrently as we
6 try to get the remainder of the funds allocated if, in fact,
7 the Board approves this option.

8 MS. LEAN: Understood. We can take that back.

9 BOARD MEMBER AWANO LAGMAY: I agree.

10 BOARD MEMBER SANDOVAL: Thank you.

11 CHAIR KAUFMAN: Yeah. I mean, in looking at this, I
12 guess I don't -- again, I know you guys are trying to be as
13 sensitive as possible to the counties. I think we're all
14 trying to be sensitive to the counties while also moving the
15 ball forward.

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

25 But you know, I don't think there's going to be any

1 better time this year, really, for counties to respond. So
2 why not find out sooner rather than later what the situation
3 is?

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

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

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

18 BOARD MEMBER SANDOVAL: Yeah.

19 CHAIR KAUFMAN: So if we do that, if we adopt the
20 timeline, if you will, and the process, do we -- I'm just
21 trying to think through this. We had that question about the
22 formula. Again, I'm not -- I don't think any of us are
23 looking to reinvent the wheel on the formula.

24 Do we need to come up with an alternative today or is
25 that something that we can decide, the actual formula, on the

1 24th after we consider -- well, I guess we could decide
2 whether to adopt it as is, or if we think there's an issue
3 with, for example, that third category, polling places, or
4 whether we want to adjust that, do we -- I would think we'd
5 want to look at options for how we adjust things and not just
6 jump in today. I think that's something that we could still
7 deal with on the 24th, once we see who's at play; right?

8 I mean, do you think, Jana and Paula, that having
9 that as kind of an open-ended issue presents any obstacles to
10 people submitting on April 6th?

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

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

23 CHAIR KAUFMAN: Yeah, because I don't --

24 MS. LEAN: -- one --

25 CHAIR KAUFMAN: -- yeah, because I don't want to

1 penalize counties that went to a Voters Choice model and
2 say --

3 MS. LEAN: Exactly.

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

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

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

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

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

24 MS. LEAN: I would -- I think we can work out what
25 that communication could look like. If you are amenable, we

1 can work directly with the Chair to work out what that
2 communication could be so that it is clear to counties. I do
3 not have a specific what it would look like today, sir --

4 BOARD MEMBER SANDOVAL: Sure.

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

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

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

17 BOARD MEMBER SANDOVAL: Thank you.

18 CHAIR KAUFMAN: All right. So do we -- are one of
19 you inclined to make a motion that would adopt the staff
20 recommendation for a timeline for submission of further
21 funding award requests under a second allocation, and
22 adopting the kind of process and forms that have been
23 presented to us under the kind of third option, if you will,
24 that option three that relocates funds after the applications
25 are received from the counties, and then leaving open for

1 further review and discussion the question of what the
2 precise allocation formula will be in light of these
3 additional considerations that we've discussed this morning?

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

6 CHAIR KAUFMAN: Yeah.

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

11 CHAIR KAUFMAN: Okay. Thank you, Jana.

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

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

18 BOARD MEMBER SANDOVAL: Second.

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

21 MS. RITTER: Stephen Kaufman?

22 CHAIR KAUFMAN: Aye.

23 MS. RITTER: June Awano Lagmay?

24 BOARD MEMBER AWANO LAGMAY: Aye.

25 MS. RITTER: And Gabriel Sandoval?

1 BOARD MEMBER SANDOVAL: Aye.

2 CHAIR KAUFMAN: Okay. Great. Thank you, Jana.
3 Thank you, June.

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

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

13 BOARD MEMBER AWANO LAGMAY: I'm sorry. Point of
14 clarification.

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

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

21 BOARD MEMBER AWANO LAGMAY: We're doing it open-
22 ended.

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

25 Let me ask Staff, I mean, is there anything on

1 Staff's end -- well, where are we in that process at this
2 point? I mean, they -- did they -- they had incomplete
3 submissions. Where do those stand today?

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

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

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

12 MS. RITTER: Correct.

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

16 BOARD MEMBER AWANO LAGMAY: I'll do a clarifying
17 motion.

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

24 CHAIR KAUFMAN: Under the first --

25 BOARD MEMBER AWANO LAGMAY: Under the first --

1 CHAIR KAUFMAN: -- for this first funding --

2 BOARD MEMBER AWANO LAGMAY: -- round, yes.

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

4 Gabriel?

5 BOARD MEMBER AWANO LAGMAY: Right. That is correct.

6 BOARD MEMBER SANDOVAL: Second.

7 CHAIR KAUFMAN: Okay. Gabriel seconds.

8 Paula, let's do this one more time.

9 MS. RITTER: Stephen Kaufman?

10 CHAIR KAUFMAN: Aye.

11 MS. RITTER: June Awano Lagmay?

12 BOARD MEMBER AWANO LAGMAY: Aye.

13 MS. RITTER: And Gabriel Sandoval?

14 BOARD MEMBER SANDOVAL: Aye.

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

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

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

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

24 BOARD MEMBER AWANO LAGMAY: Go ahead, Gabriel.

25 BOARD MEMBER SANDOVAL: Sure, but I have a question

1 for you.

2 Are there any statutory constraints or anything that
3 is prohibiting us from doing something that we're going to
4 move at this time? Are we within our responsibilities and
5 powers to do that?

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

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

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

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

18 BOARD MEMBER AWANO LAGMAY: I second.

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

21 MS. ALEXANDER: Hi, Steve. This is Kim Alexander. I
22 just -- it's great to see you. I just have a quick question
23 about if mobile voting units can be included in the list of
24 potential new purchases that counties could be making with
25 this additional funding?

1 CHAIR KAUFMAN: Okay. Thank you. Kim, good to see
2 you, as well. I mean, I don't think that we can veer from
3 permissible expenditures, you know, under the original
4 initiative.

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

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

17 CHAIR KAUFMAN: Okay. Thank you. Thank you, Kim.

18 Okay. I guess we're ready for a vote on the motion.
19 So Paula, do your thing.

20 MS. RITTER: Stephen Kaufman?

21 CHAIR KAUFMAN: Aye

22 MS. RITTER: June Awano Lagmay?

23 BOARD MEMBER AWANO LAGMAY: Aye.

24 MS. RITTER: Gabriel Sandoval?

25 BOARD MEMBER SANDOVAL: Aye.

1 CHAIR KAUFMAN: Okay. Great. We have a consensus on
2 that.

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

8 MS. LEAN: Let's do it.

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

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

25 MS. LEAN: Okay.

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

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

7 MS. RITTER: Thank you.

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

9 BOARD MEMBER AWANO LAGMAY: Nothing from me.

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

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

20 BOARD MEMBER AWANO LAGMAY: I move to adjourn.

21 BOARD MEMBER SANDOVAL: Second.

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

24 BOARD MEMBER AWANO LAGMAY: Aye.

25 BOARD MEMBER SANDOVAL: Aye.

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

4 MS. LEAN: All right. Thank you.

5 BOARD MEMBER AWANO LAGMAY: Thank you.

6 CHAIR KAUFMAN: Bye everybody.

7 BOARD MEMBER AWANO LAGMAY: Bye-bye.

8 BOARD MEMBER SANDOVAL: Bye everyone.

9 (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

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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.



MARTHA L. NELSON, CERT**367

May 16, 2022