

STATE OF CALIFORNIA
SECRETARY OF STATE'S OFFICE

In the Matter of:)
)
)
Board Meeting)
_____)

VOTING MODERNIZATION BOARD (VMB)

REMOTE VIA ZOOM

TUESDAY, JANUARY 17, 2023

10:00 A.M.

Reported by:
Martha Nelson, CERT

CALIFORNIA REPORTING, LLC
229 Napa Street, Rodeo, California 94572 (510) 224-4476

APPEARANCES

VMB BOARD MEMBERS:

Stephen Kaufman, Chair

June Awano Lagmay

Gabriel Sandoval

VMB STAFF PRESENT:

Jana Lean, Chief of Elections

Paula Ritter, VMB Staff Consultant

Joan Hackeling, VMB Staff Consultant

INTERESTED PARTIES:

Andrew McDonald, San Diego County Assistant Registrar

Robin Glanville, Calaveras County Assistant Clerk-Recorder

Olivia Hale, San Joaquin County Registrar

Ethan Jones, Chief Consultant, California State Assembly Elections Committee

INDEX

	Page
I. Call to Order	4
II. Roll Call and Declaration of Quorum	4
III. Public Comment	4
IV. Adoption of August 26, 2022, Actions and Meeting Minutes	4
V. Status Update on County Payment Request Submissions	5
VI. County Requests for an Extension on the January 31, 2023 Payment Request Deadline	7
VII. Status Update on Closing the Voting Modernization Board	--
VIII. Other Business	43
IX. Adjournment	44

P R O C E E D I N G S

1
2 JANUARY 17, 2023

10:03 A.M.

3 CHAIR KAUFMAN: Let me officially call the meeting of
4 the Voting Modernization Board to order and request that we
5 call the roll.

6 MS. RITTER: Okay. I will call the roll.
7 Stephen Kaufman?

8 CHAIR KAUFMAN: Here.

9 MS. RITTER: June Lagmay?

10 BOARD MEMBER LAGMAY: Here.

11 MS. RITTER: And Gabriel Sandoval?

12 BOARD MEMBER SANDOVAL: Present.

13 CHAIR KAUFMAN: And we have our usual quorum.

14 Good morning, everybody. Thank you for joining us.
15 Happy New Year to those who may still be lagging behind and
16 getting with the New Year. We've now had a three-day
17 weekend, so we should all be now firmly on track in the new
18 year moving forward.

19 But before we do that, let's look backward and
20 consider -- well, I guess actually we have public comment.

21 So before we consider our meeting minutes, let's see
22 if there's any public comment for items that are not on the
23 current agenda?

24 Okay, seeing none, we can move to item four on our
25 agenda, which is adoption of the August 26, 2022, meeting

1 minutes and action items. It seems like so long ago.

2 Let me ask my fellow Board members if you have any
3 changes or corrections to the minutes? June is usually the
4 super sleuth on this --

5 BOARD MEMBER LAGMAY: Stop it.

6 CHAIR KAUFMAN: -- so I will turn to her first.

7 BOARD MEMBER LAGMAY: No. We reviewed them and I have
8 no further adjustments to what is before us now.

9 CHAIR KAUFMAN: Okay. Great.

10 Gabriel?

11 BOARD MEMBER SANDOVAL: Same. Any suggested
12 revisions have been already submitted, and I have no other
13 additions to make at this time.

14 CHAIR KAUFMAN: Excellent. So with that in mind, do
15 we have a motion to approve the minutes?

16 BOARD MEMBER SANDOVAL: So moved.

17 BOARD MEMBER LAGMAY: Seconded.

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

19 BOARD MEMBER SANDOVAL: Aye.

20 BOARD MEMBER LAGMAY: Aye.

21 CHAIR KAUFMAN: Aye.

22 Alright, let us turn to item five on the agenda,
23 which is a Status Update on the County Payment Request
24 Submissions. This is the last round of funding that we
25 considered at the August 26, 2022 meeting.

1 So with that staff, do you want to provide a status
2 update?

3 MS. RITTER: Yes. So there were ten counties that
4 had approved project documentation packages. Of those ten
5 counties, four have submitted their payment requests. Six
6 counties have not yet submitted their payment requests, and
7 we'll discuss this on the next item, but there will be three
8 counties that are going to be requesting an extension. All
9 the other counties have indicated that they will be able to
10 submit on time.

11 CHAIR KAUFMAN: Okay. And on time being by January
12 31st?

13 MS. RITTER: Correct.

14 And in terms of dollars and cents, there was \$5.1
15 million total PDPs; \$1.6 million has been submitted and \$3.5
16 million is still outstanding.

17 CHAIR KAUFMAN: Okay. I don't know whether to deal
18 with this on this item or the next item.

19 But on the little chart you sent around, I noticed
20 that there was a blank for San Diego. Just wondering where
21 that stands?

22 MS. RITTER: I was able to get in touch with them and
23 they will be needing an extension. And there should be
24 someone here from San Diego to make that request to the
25 Board.

1 MR. MCDONALD: Hi, this is Andrew McDonald. I'm the
2 Assistant Registrar and I'll be addressing that when you're
3 ready. Thank you.

4 CHAIR KAUFMAN: Okay. We'll deal with that on the
5 next item. Okay.

6 Are there any questions from my fellow Board members
7 regarding the status as it stands now?

8 BOARD MEMBER LAGMAY: Solano needed proof of receipt,
9 and what happens if you don't get the receipt in the time
10 allowed?

11 MS. RITTER: They actually did submit it --

12 BOARD MEMBER LAGMAY: Okay.

13 MS. RITTER: -- a couple of days ago, so we should be
14 good.

15 BOARD MEMBER LAGMAY: Thank you.

16 BOARD MEMBER SANDOVAL: What's the total amount of
17 funds for those counties that are going to be asking for an
18 extension? For those counties that are asking for an
19 extension, what's the total amount of the \$3.5 million?

20 MS. RITTER: \$1.6 million.

21 BOARD MEMBER SANDOVAL: Okay. Thank you.

22 MS. RITTER: Sure.

23 CHAIR KAUFMAN: Okay. Alright, then if that is it,
24 why don't we move on to item six, which is taking up the
25 issue of those counties that have requested an extension

1 beyond the January 31st deadline.

2 MS. RITTER: Would you like me to call on the
3 counties by name, one by one, so we can go through it?

4 CHAIR KAUFMAN: Yeah. Why don't you run through each
5 county and we can deal with their circumstances?

6 MS. RITTER: Okay.

7 Is there a representative of Calaveras County on the
8 call?

9 MS. GLANVILLE: I'm Robin Glanville, the Assistant
10 Clerk Recorder representing Calaveras County.

11 CHAIR KAUFMAN: Good morning. Thank you for joining
12 us.

13 MS. GLANVILLE: Good morning. Thank you.

14 BOARD MEMBER SANDOVAL: Good morning.

15 CHAIR KAUFMAN: Why don't you proceed with giving us
16 the circumstances for the record of the extension request?

17 MS. GLANVILLE: Of course. So we have a signed
18 purchase order that we submitted to our administrative
19 department, and we're waiting on that to be approved before
20 we submit it to the vendor to request the equipment. And we
21 don't foresee being able to meet the January 31st deadline at
22 this time.

23 CHAIR KAUFMAN: Do you have any sense of your timing?

24 MS. GLANVILLE: I've asked the vendor for the date
25 for when we expect to receive the equipment, and I have not

1 received a response yet, so I do not have a hard date of when
2 we expect to receive the equipment in hand.

3 CHAIR KAUFMAN: And Paula, can you just remind us of
4 the process for the distribution of funds and, in relation to
5 our funding approval award that we gave, what needs to happen
6 in order for the funds to be paid out?

7 MS. RITTER: So this county needs to submit the
8 payment request and it has to include the vendor invoices and
9 proof that they received the equipment. And then we
10 internally process that and send it to accounting. If
11 everything is in order, we can process it fairly quickly,
12 within a day or two usually. If there are questions, we may
13 have to go back and forth.

14 And then once we send it to accounting, it could be
15 anywhere from two weeks to four weeks before we actually get
16 the check and send it to the county so they can cash it.

17 CHAIR KAUFMAN: Okay. But none of that can happen
18 until the equipment's delivered?

19 MS. RITTER: Correct.

20 CHAIR KAUFMAN: Okay.

21 BOARD MEMBER SANDOVAL: What was the last
22 communication you received from the vendor?

23 MS. GLANVILLE: Friday was the last I received.

24 BOARD MEMBER SANDOVAL: And what was that
25 communication?

1 MS. GLANVILLE: She provided an updated invoice, an
2 updated quote for us since the numbers have changed, and that
3 was the last I've heard from her. I emailed again this
4 morning, but I haven't heard back yet regarding the actual
5 date when we can receive the equipment in hand.

6 BOARD MEMBER SANDOVAL: What was the last
7 communication you received, if any, about the delivery of
8 equipment?

9 MS. GLANVILLE: It was supposed to be received before
10 the November election and we were working on this in May of
11 2022.

12 BOARD MEMBER LAGMAY: Oh, lord.

13 MS. GLANVILLE: So --

14 BOARD MEMBER SANDOVAL: And do you have any concerns
15 that this vendor is not going to be able to deliver in a way
16 that they are communicating to you?

17 MS. GLANVILLE: They will. I'm sure they'll be able
18 to deliver timely. I don't see why they wouldn't be able to,
19 especially since it's an off year right now.

20 BOARD MEMBER LAGMAY: May I ask if they've offered
21 any reason why the delay is taking so long?

22 MS. GLANVILLE: It wasn't on their part. It was on
23 my part. I got busy with the election. We were trying to do
24 it during the primary. And so that was completely my fault,
25 not theirs.

1 BOARD MEMBER LAGMAY: Thank you.

2 CHAIR KAUFMAN: Okay. So you would expect in the
3 normal course that there will be delivery of equipment coming
4 in the near future?

5 MS. GLANVILLE: Yes.

6 CHAIR KAUFMAN: Okay. Should we, I don't know,
7 Paula, should we just consider all of the various counties
8 and then do one motion to approve an extension, a deadline
9 for everybody? Does that make the most sense or do you think
10 we need to --

11 MS. RITTER: In my opinion, that does make the most
12 sense. I don't know if Jana has a different opinion on that.

13 MS. LEAN: No, I think that works.

14 BOARD MEMBER SANDOVAL: Can you also explain what it
15 would mean for us as a Board if we granted this extension?

16 MS. RITTER: Calaveras specifically or --

17 BOARD MEMBER SANDOVAL: I'm speaking to the state --

18 MS. RITTER: Okay. Sorry.

19 BOARD MEMBER SANDOVAL: No worries. We had a
20 discussion during the last meeting about what our roles here
21 look like this year, 2023. Can you let us know what that
22 would mean if we were to grant an extension past the January
23 31st date?

24 MS. LEAN: Paula, I'll take this one.

25 MS. RITTER: Thank you.

1 MS. LEAN: Okay. So thank you, Gabriel, for asking
2 that question.

3 If there was an extension that was granted, we would
4 have to hold a final meeting of the Board to have the final
5 determination of closing any funds and closing the Voting
6 Modernization Fund. I would say that we'd need at least one
7 more meeting to do that if you give the extension, and that
8 we would have that meeting closer to the date of that
9 extension.

10 BOARD MEMBER SANDOVAL: So we were planning to have
11 that already, right? We were going to have a date to
12 dissolve this organization. So are you telling us that this
13 additional extension will not change our need to have an
14 additional meeting? We would just have one more meeting as
15 opposed to two more meetings?

16 MS. LEAN: I would assume we would have one more
17 meeting. Once we get to the topic of the status of closing,
18 I think we have to have that discussion then. But I believe
19 you would need to have one final meeting before we could do
20 that final step.

21 CHAIR KAUFMAN: Okay. And if I can just jump in? My
22 understanding was we had to get the legislative process
23 going, which you guys will probably report to us on in item
24 number seven. So the legislative process had to get going
25 this year and then when that legislation passes, we would

1 have a final meeting to close up per the legislation;
2 correct?

3 MS. LEAN: That's correct, sir. But I do believe
4 that you could make a determination now regarding the
5 extension and that you would like us to work with the
6 legislature to get that final legislation done with a
7 specific date in mind for finishing the Board funds so that
8 you're not going to have any more payments from that voting
9 modernization fund.

10 CHAIR KAUFMAN: So there can be a certain number put
11 in the legislation, right?

12 MS. LEAN: Absolutely. We need to have that number
13 before you can have any potential closing of the fund.

14 CHAIR KAUFMAN: So it seems to me we should probably,
15 in considering an extension, come up with a date. Again,
16 maybe we're -- maybe we need to have the information from
17 item number seven to fully consider all of this, but maybe we
18 have another meeting just to make sure the funds have been --
19 that the equipment's been delivered, that everybody's final,
20 there are no more extensions, what have you, to be able to
21 inform the legislation that then gets enacted after that.
22 Yes? No? Not necessary?

23 BOARD MEMBER SANDOVAL: Can't we just have a
24 directive to the staff to do that, right? A motion where we
25 articulate that upon issuance of any remaining funds that

1 they are directed to work with the legislature to put in
2 legislation to dissolve this organization and figure out what
3 to do with any remaining monies. Can that happen?

4 CHAIR KAUFMAN: I don't know.

5 Jana, again, should we -- I don't want to -- are we
6 jumping ahead here to item -- is any of this information
7 going to be provided in the next agenda item?

8 MS. LEAN: Unfortunately, no, sir.

9 CHAIR KAUFMAN: Okay.

10 MS. LEAN: Robbie Anderson is not available for this
11 meeting today. He is out ill.

12 CHAIR KAUFMAN: Okay.

13 MS. LEAN: And so I was going to step in to just give
14 a brief update and that we have been in contact with the
15 treasurer's office. We do not have any more information to
16 provide, at least I cannot provide any more information at
17 this meeting. We will have some additional information at any
18 potential subsequent meeting. We could give some brief
19 updates to the Chair on what we determine and what we find
20 out from those discussions.

21 And then I do know that we will need to work with the
22 legislature to find out how we can get this into the specific
23 legislation, but it's the cart and the horse. And so we're
24 trying to figure that out, like what the funds, the final
25 funds, would be, so that we can have specific language to

1 move forward. So we are in a spot where we're kind of in
2 limbo until we can determine that. But I think we can get
3 there pretty quickly.

4 And I know this has been going on 21 years, sir. I
5 totally understand. And I know that we have been able to get
6 a lot of funds out to counties. And unfortunately, based on
7 the provisions of what is in the Bond Act and the funding
8 that they've received from different sources, we have not
9 seen a specific want to move forward with the remaining
10 funds, and that's why we're here today.

11 And I know I'm pretty much giving you exactly what
12 you already know, but I wanted to state that on the record.

13 CHAIR KAUFMAN: Thank you, Jana. No, I just, I want
14 to have a process here that is as unbureaucratic as possible,
15 given the circumstances. I don't want to schedule additional
16 meetings if they're not required, and I don't want the
17 counties to have to jump through more hoops, but we do have
18 to put some kind of ending date on everybody's ability to
19 submit their paperwork and get their equipment delivered so
20 that we have something certain to be put in legislation, so
21 I'm just trying to figure that out from a timing standpoint.

22 And to Gabriel's point, you know, I think we can
23 probably decide on some dates and give directives without
24 having to have yet another meeting. But I want to make sure
25 that we know what our kind of timing considerations are, if

1 we're going to do that, so --

2 BOARD MEMBER LAGMAY: Mr. Chair, may I make a
3 suggestion? If we could hear from San Diego and San Joaquin?
4 And that would, you know, close up item five, and then we
5 could devote all our attention to item six.

6 CHAIR KAUFMAN: Actually, I think it's item -- no
7 offense. I think we're on item ---

8 BOARD MEMBER LAGMAY: Six and seven.

9 CHAIR KAUFMAN: Yes.

10 BOARD MEMBER LAGMAY: Sorry.

11 CHAIR KAUFMAN: Yeah, yeah.

12 BOARD MEMBER LAGMAY: Yes. Thank you.

13 CHAIR KAUFMAN: It's okay, just for the record.
14 Yeah, that's fine.

15 I guess, Jana, if you can just think about what a
16 rational and reasonable date is from a timing standpoint,
17 just to consider everything, as we hear from the other
18 counties, just to consider what Paula went through, which was
19 kind of once they get their equipment delivered, how long it
20 takes to get, you know, payment issued and such? So if we
21 can just think about that, you know, as we consider these
22 extension requests and try and come up with an appropriate
23 date.

24 MS. LEAN: Yes, sir.

25 CHAIR KAUFMAN: Okay.

1 Alright, so let's hear from the other counties.

2 Who's next up?

3 Paula, you want to --

4 MS. RITTER: Yes.

5 CHAIR KAUFMAN: -- identify folks?

6 MS. RITTER: Yes.

7 Can a representative of San Diego County step
8 forward, please?

9 MR. MCDONALD: Sure. This is Andrew McDonald, the
10 Assistant Registrar with San Diego County. Unfortunately, my
11 camera is not working today. I do apologize for that, but I
12 can go ahead and move forward with the details.

13 So thank you for taking the time to hear San Diego
14 County Registrar of Voter's request for the extension of
15 funds. Our county was approved to implement the Voters
16 Choice Act model by our Board of Supervisors on October 19th,
17 2021. The Registrar's Office quickly began drafting our EAP
18 plan, or Election Administration Plan, through the months of
19 December 2021 and through January 2022 and the earlier part
20 of February.

21 We held over 20 public meetings and hearings
22 throughout the county and across our language and accessory
23 advisory communities, and we gathered feedback related to the
24 development of the Election Administration Plan.

25 In addition, the California Secretary of State

1 approved the EAP on March 16th, 2022. So 2022 is the first
2 time we actually implemented the Voters Choice Act countywide
3 for both the June statewide direct primary and the November
4 general elections. This model is quite different than our
5 traditional polling place model, where we migrated from 1,600
6 polling places to over 200-plus vote centers.

7 The type of equipment and the amount of equipment
8 used at the polling place model, as opposed to the vote
9 center model, is drastically different. The VCA model calls
10 for electronic rosters, or e-poll books as we call them,
11 internet connectivity for communications between the poll
12 books and the voter registration system, ballot marking
13 devices, printers, ADA cards, uninterruptable power supplies,
14 and laptops to successfully conduct vote center elections.

15 That said, our county has conducted two of these
16 elections under this voting system model. We would like the
17 opportunity to extend the funds so we can fully digest the
18 data regarding these elections and consider extending the
19 funds through November 2023 so we're better positioned to
20 make data-driven and factual decisions with these supportive
21 resources.

22 All that to say, 2022 was an election-year cycle and
23 it was very difficult to get anything done that year on
24 procuring the right equipment without knowing the data behind
25 what we really needed. So now that we're in an off-cycle

1 year, we want to take this opportunity to make those data-
2 driven decisions to buy the right equipment to support our
3 1.9 plus million active registered voters.

4 CHAIR KAUFMAN: Thank you for that. I guess I'm a
5 little confused, so I'm going to ask staff first and then
6 maybe ask you to follow up.

7 MR. MCDONALD: Sure.

8 CHAIR KAUFMAN: It sounds to me like, Paula, was San
9 Diego not -- it sounds to me like these are funds that are
10 still outstanding but there has not been an award made. Am I
11 confused by this, Paula?

12 MS. RITTER: No, there was an award made. Here's the
13 staff report. And we awarded San Diego County \$878,000 based
14 on the project documentation plan that was submitted for the
15 hardware that you can see there listed on the screen.

16 MR. MCDONALD: Oh, I got my camera working. Hello,
17 everybody.

18 CHAIR KAUFMAN: Hi.

19 MS. RITTER: Hi.

20 CHAIR KAUFMAN: So that being the case, we issued the
21 award based on certain equipment that was submitted.

22 So I'm a little confused, sir, by your remarks that
23 you're still trying to figure out exactly what you need,
24 because I thought that the award was based on kind of what
25 you guys had already submitted to us.

1 MR. MCDONALD: Yeah, so at the time -- and again, I
2 was asked to attend this meeting on behalf of Cynthia Paes,
3 the Registrar, who couldn't make it today, and also Liliana
4 Lau, who actually administers these funds.

5 However, you know, this hardware is what we thought
6 we would need at the time. But again, we've only conducted
7 two elections under this VCA model. And so this is some of
8 the equipment, but we believe we'll actually need more
9 electronic poll books, more than anything out of this
10 equipment, that actually is not even on this list.

11 CHAIR KAUFMAN: Well, I don't think at this point we
12 can go back and start adding more stuff into the mix. I
13 think the awards were set as of the last meeting and that the
14 request at this point, my understanding is, the request at
15 this point is merely to seek an extension of time to submit
16 the documentation and receive the equipment and such based on
17 the award that was made in August of 2022.

18 So I'm a little concerned about your comments that
19 this is still kind of in flux and there's potentially another
20 request coming because I think the time has already passed
21 for that.

22 MS. LEAN: I have a question too, sir. This is Jana.

23 CHAIR KAUFMAN: Sure, Jana.

24 MR. MCDONALD: Hey Jana.

25 CHAIR KAUFMAN: Go ahead.

1 MS. LEAN: Okay. So your Phase 2 equipment that you
2 came forward to the Board with, so none of this equipment was
3 received and you have not submitted, I know you haven't
4 submitted? I know you haven't submitted payment requests,
5 but that's a question that I have.

6 MR. MCDONALD: So we have already purchased the new
7 voting system. This was additional equipment that we thought
8 we would need on top of what we've already purchased because
9 again, you know, only having two election cycles underneath
10 us, now we completely understand what we need. So none of
11 this equipment that you see has actually been procured until
12 we actually could digest the data and figure out exactly what
13 we needed.

14 So when Liliana first wrote this, it was what we
15 thought we assumed we needed. But upon looking back, we're
16 still trying to digest the data to understand exactly what we
17 need, so none of this has actually been procured.

18 CHAIR KAUFMAN: Well, I'll just jump in here. It
19 seems to me that, I mean, basically the issue on the table
20 for you is if we issue an extension here today, you all are
21 going to have to figure out, in whatever time we decide the
22 extension will go to, what part of this equipment you need
23 and work on getting it delivered. And whatever that may be
24 on this list that you decide you no longer need, you know,
25 will be eliminated and ultimately not counted in the final

1 number.

2 But based on what we approve, I think that's the
3 universe before you of potential equipment that you can
4 obtain under the funds that we have agreed to provide to the
5 county.

6 MR. MCDONALD: I understand. And that sounds
7 acceptable. I just -- you know, we were hoping that we could
8 use it for something else, but if that's the Board's choice,
9 then that's acceptable to me.

10 CHAIR KAUFMAN: Well, I think that that's the process
11 that we approved.

12 MR. MCDONALD: Yeah.

13 CHAIR KAUFMAN: I'll certainly allow my other Board
14 members to jump in if they choose to, but I think that that's
15 the process that we approved and undertook in August.

16 BOARD MEMBER LAGMAY: I agree with the Chair.

17 CHAIR KAUFMAN: So, I mean, is there -- Gabriel, did
18 you have anything to say on that? Sorry. I didn't mean to
19 jump in.

20 BOARD MEMBER SANDOVAL: Yeah, I agree. I'm not
21 certain exactly what's happening in terms of, you know, it's
22 just surprising to me that this is even on the agenda, given
23 what we just heard.

24 But I appreciate your communication, Mr. McDonald.

25 MR. MCDONALD: Thank you.

1 CHAIR KAUFMAN: Okay, so do you have any -- so I
2 mean, I know you've talked about November 2023, but do you
3 have any sense of, we'll just take it into consideration, but
4 do you have any sense of timing for you all to be able to
5 make decisions and submit under the funding award that was
6 done in August for the equipment that's laid out here?

7 MR. MCDONALD: Yeah. So in February, we'll have our
8 complete election debrief between all of our divisions, at
9 which time we'll be able to digest that data and start
10 procuring equipment.

11 BOARD MEMBER LAGMAY: So therefore, a rough
12 projection of when a reasonable extension would work for you?

13 MR. MCDONALD: In working with our Department of
14 Purchasing and Contracting, and having to go back and amend
15 contracts, I would say the earliest would be late summer.

16 BOARD MEMBER LAGMAY: May I ask the question, going
17 back to Calaveras, if they have a similar projection of an
18 extension date that would work for them?

19 MS. GLANVILLE: I did call the vendor. I haven't
20 heard from her, but it would probably be very similar.

21 BOARD MEMBER LAGMAY: Okay.

22 CHAIR KAUFMAN: You don't anticipate it would take
23 place until the summer?

24 BOARD MEMBER SANDOVAL: Late summer.

25 CHAIR KAUFMAN: Calaveras?

1 MS. GLANVILLE: I don't know that late summer will be
2 when we acquire the equipment. Last time, when we were going
3 to do the purchase, we had the quotes, as you know, in May
4 and were -- they told us we could receive it before the
5 November election. So I would anticipate the same time
6 frame, if not earlier.

7 CHAIR KAUFMAN: Okay. Thank you.

8 MS. GLANVILLE: Thank you.

9 CHAIR KAUFMAN: Alright, well, let's see what the
10 next county has to say.

11 I'm just going to say, generally, and let this guide
12 the comments of, I guess, is it L.A. or the next county, you
13 know, I think if we're talking about late summer or summer
14 extensions, we're talking about a whole new legislative,
15 potentially, a whole new legislative calendar, which could
16 throw our ability to close shop down. So I don't know that
17 that's going to be the direction that the Board's going to
18 follow, but let's hear from our next county and hear what
19 considerations there are there.

20 So Paula, do you want to introduce the next county?

21 MS. RITTER: Yes. Is a representative of San Joaquin
22 County available to make a request?

23 MS. HALE: Yes. I'm Olivia Hale, the Registrar of
24 Voters for San Joaquin County.

25 So we actually had a huge change in guard in our

1 department. So our late registrar passed away about three
2 days before the June election, resulting in my promotion from
3 -- well, I became the Assistant Registrar in March of 2022,
4 and then our registrar passed in June. They made me the
5 Registrar in August and I just brought on an Assistant
6 Registrar in October.

7 So with that being said, we had a lot of
8 transitioning that delayed us in a lot of ways, but we worked
9 really hard as a team and we have achieved most of it. We
10 had four different items. We were purchasing -- the late
11 Registrar -- was able to secure our Balotar upgrade that we
12 had done, and I think the funding for that was already put in
13 place.

14 We purchased poll pads from KNOWiNK. They've been
15 able to deliver those poll pads. We're in the process of
16 getting the invoices processed so that we can then submit
17 them for funding.

18 And our last item is a sorter that we bought from
19 Blue Crest, and they have it. It's being shipped to the San
20 Joaquin County right now. The problem is that we had a
21 logistics issue. The new sorter that we purchased won't fit
22 in the doorways of the room in which we house the current
23 sorter..

24 So we're working with our General Services Department
25 here in our building. They actually have a nice room that

1 it'll fit in and it'll make the elevators and all of that.
2 And so we're acquiring a new space, a large room to house all
3 of our sorting equipment and becoming our new mail room,
4 which is good for a Registrar of Voters Department because,
5 yes, we do need more room. We're just waiting on the
6 Assistant Director of General Services to give us the thumbs
7 up. BlueCrest is prepared to get that sorter delivered
8 before the 31st.

9 We had a couple of questions, though. That room is
10 not finished. It's going to need the ceiling redone or the
11 ceiling done and the floor put in before we can actually use
12 it as a work room for staff. As a quick fix, just so we can
13 make the requirements of the funding, was to go ahead and
14 just have the sorter moved into that room. We would cover
15 it, do one side of the flooring and then move it over.

16 If we have a written agreement and everything's been
17 paid for, if the vendor were to keep the BlueCrest sorter,
18 like if they were to keep the sorter at their warehouse here
19 in town until we were able to finish that flooring, could we
20 have an extension just for that purpose?

21 And we wanted to know what the Board's opinion was? I
22 know it's very strict about the rules, but we do have a
23 written agreement that was drafted by our council with the
24 vendor and all of that. And we would be able to submit the
25 invoices because we're already processing them with our

1 county department.

2 So I guess that's where we're at -- we're just having
3 a logistics issue, but everything's been secured. Most of
4 the equipment's been delivered outside of the sorter. And so
5 that's where we're at in our county.

6 CHAIR KAUFMAN: Thank you for that. And thank you
7 for all your efforts, despite what sounds like some trying
8 times in your department. And congratulations on your
9 appointment, by the way.

10 MS. HALE: Thank you. Even though it's quite
11 interesting, it's been quickly acquired, it feels like. But
12 yes, we definitely dug in. Our late Registrar had laid all
13 the groundwork for VMB and we had a really good team working
14 on that. Fortunately, the assistant was our business analyst
15 prior, so he was able to kind of carry that and assist us
16 with getting everything up to speed.

17 So I guess what we're asking for is just enough time
18 to get it moved into place and get that room finished, so --

19 BOARD MEMBER LAGMAY: I have two questions.

20 Paula's chart says 260 e-poll books have not
21 delivered. You're pressing the vendor. Has that been
22 resolved?

23 MS. HALE: Yes, it has. They actually drop-shipped
24 them on Friday and we should receive them this week. And
25 they've already issued us the invoice. And my county team

1 has got that invoice in process and those poll pads should be
2 at our warehouse by end of week.

3 BOARD MEMBER LAGMAY: So the only thing is the sorter
4 that won't fit through the door - that is your remaining
5 issue; correct?

6 MS. HALE: Correct. And I have emails and the
7 written agreement to prove that it's already been acquired
8 and built for San Joaquin. They just need to have a space
9 they can put it.

10 BOARD MEMBER LAGMAY: I don't understand. If you pay
11 for it and can take possession of it, can it not be moved to
12 another -- any other place on your property while you're
13 waiting for the room to be finished instead of the vendor
14 holding on to it?

15 MS. HALE: You know what, we could try since the
16 vendor, you know, they did come out and measure and they told
17 us everything would fit, and then later they were like, oh,
18 it's not going to fit. So I think I could ask them to
19 deliver it to our warehouse and then maybe come back to put
20 it in place once we have the room finished. That could be an
21 option and something I could work on.

22 Because it's such a huge, heavy, large piece of
23 equipment, I was trying to avoid that. But if that's
24 necessary that -- I actually, as you brought up your
25 question, just thought of that -- they could probably do

1 that.

2 BOARD MEMBER LAGMAY: Mr. Chair, what do you think?

3 CHAIR KAUFMAN: Yeah, it seems that once the county
4 takes possession of it one way or another, that it's been
5 delivered, unless staff has some other question or concern
6 about that.

7 MS. LEAN: No, as long as we have some proof it's
8 actually in their possession, I think that's what we need -
9 we don't want to recommend that you authorize funds or pay
10 out funds if they don't have it physically. And so that's
11 been the question before where they're like, no, no, no,
12 we're going to get it, but we want to actually see that they
13 received it so we have some way of auditing.

14 CHAIR KAUFMAN: Yes, I think that's the issue. I
15 mean, you may very well get your facility in order based on
16 whatever extension we grant.

17 But putting that aside, I think, yeah, if you've got
18 a warehouse that can accept the equipment, once it's
19 delivered to the county, I think we'd be satisfied with that.

20 MS. HALE: Sounds good. I guess it's up to me to put
21 the pressure on the vendor that, you know, they've created
22 this inconvenience by their mismeasuring and that, you know,
23 we need them to accommodate. The good news is they are our
24 current vendor and we already have one sorter of with them
25 that's a smaller version, so I'm pretty sure that because of

1 that ongoing relationship they'll be willing to accommodate,
2 so I'll work on that.

3 CHAIR KAUFMAN: I would hope so.

4 MS. HALE: Yes.

5 CHAIR KAUFMAN: Okay, so with that, you know, I guess
6 I get back to what we were talking about before San Joaquin.
7 I'll speak for myself.

8 I guess, you know, I'm willing to consider a
9 reasonable extension for those counties that need a little
10 additional time to receive their equipment and, you know, get
11 all the paperwork together so that we can issue payments and
12 such. But I'm mindful of wanting to get this done this year
13 and be done with this and not drag this into another, you
14 know, yet another calendar year.

15 So you know, again, I don't know what all our time
16 factors are with respect to legislation and being able to,
17 you know, give the legislature a final number to be able to
18 put in legislation, but it seems to me it's not late summer.
19 You know, I was thinking if we're going to do this, you know,
20 a couple months down the road, March or something, March or
21 April.

22 But, Jana, do you have any -- I know Robbie's not
23 here, but do you have any more insight into when that would
24 kind of have to occur in order for all the ducks to fall in a
25 row?

1 MS. LEAN: So we were really hoping to work with our
2 legislative team here to get it in by the beginning of
3 February, so that was what we were shooting for. That's why
4 we thought if we had a January meeting, we could, if we had
5 those directions from the Board, we could do that. So with
6 that --

7 CHAIR KAUFMAN: Do we have to have a final number to
8 do that or can it be amended? Like can the number be amended
9 once the legislation is moving forward?

10 MS. LEAN: We can ask them if we can put in a blank,
11 if we ask the Treasurer's Office. The Treasurer was pretty
12 clear that they needed an actual number.

13 BOARD MEMBER LAGMAY: It could be a range, perhaps,
14 that would, that would tighten it a little bit, you know,
15 between X and Y, no more than Y, or something like that.

16 MS. LEAN: No, ma'am, that's not the direction that
17 they gave us.

18 BOARD MEMBER LAGMAY: Okay.

19 MS. LEAN: So we will take that back if we can put
20 forward some language, and put at least some placeholder for
21 language in a potential bill with a blank. I know that when
22 you do a spot bill, you can do that, but we weren't going to
23 include it in any kind of a stand-alone bill.

24 So, I'm sorry, I'm trying to think of -- I mean, I know
25 you can get it -- we have -- I do know we have a couple very

1 expert folks on the line, but we won't ask them.

2 Let me take that back and I can get you a response.

3 CHAIR KAUFMAN: I don't know if we have time to take it
4 back if we've got to make a decision today about whether
5 we're granting extensions or not. I mean, I --

6 MS. LEAN: I would think no later than the second
7 week of February that we need to have a distinct number. And
8 I know that's not a lot of time, but I would think past that,
9 we're looking at whether or not we can try to get some
10 language in and see if they're willing to do that. But I
11 would think we'd want to have it buttoned up by then.

12 CHAIR KAUFMAN: Okay.

13 BOARD MEMBER LAGMAY: Stephen, and for my benefit,
14 you were saying that, you know, any delay would take us into
15 a new legislative session. For my benefit, could you just
16 quickly define when the new legislative session, the old one
17 ends and the new one begins?

18 CHAIR KAUFMAN: Well, there are -- I shouldn't have
19 said that, I don't know about the legislative session, but in
20 order to get bills passed, there's -- as Jana said, there's
21 probably folks online who are more adept at this than I am --
22 but you have to have, you know, bills introduced by a certain
23 period of time --

24 BOARD MEMBER LAGMAY: Okay.

25 CHAIR KAUFMAN: -- that then need to go through

1 consideration and then get approved and signed by the
2 governor. There's a time frame for all of this happening.

3 BOARD MEMBER LAGMAY: A reasonable time frame.

4 CHAIR KAUFMAN: Yeah, which puts that, usually puts
5 that process, I think, in, you know, by in mid-summer that
6 bills have to be enacted ,and then they go to the governor,
7 so mid to late summer, so -- but they have to go through the
8 process before that.

9 BOARD MEMBER LAGMAY: Well, bills enacted by mid-
10 summer --

11 CHAIR KAUFMAN: I don't know.

12 Ethan Jones, do you want to pipe up? Not to put you
13 on the spot.

14 MR. JONES: Sure. Hi. Hi, everybody. So I will --
15 I guess, my general caveat here is I don't know all the
16 details about what we'd be talking about here in terms of
17 legislation and what that might mean for how best to
18 accomplish this through the legislative process.

19 Generally speaking, the deadline for new bills to be
20 introduced is a little over a month away. We actually have
21 an internal deadline this coming Friday to get language, bill
22 language, and the legislative counsel to be drafted. The
23 legislative process does have its flexibilities. And so it
24 sort of depends on a variety of factors, including how
25 extensive the policy is that we're talking about, how much is

1 still to be figured out and nailed down versus how much, you
2 know, we know now.

3 So you know, I guess what I'm saying is you don't
4 have to have exact -- all the exact details tied up in a nice
5 bow at this point in the process or even a month from now.
6 That's something that, you know, you have the legislative
7 process to work through. But depending on how significant
8 the legislative changes you're looking for are, you know, the
9 further along we get in the legislative process the harder it
10 is to introduce substantive new policy into legislation and
11 still get that done this year.

12 I know that's a bit of a, you know, non-
13 answer/answer, but without more details -- and I don't know
14 that this meeting is the forum for getting into more details
15 at this point --

16 CHAIR KAUFMAN: Right.

17 MR. JONES: -- I don't know that I can provide too
18 much more information.

19 CHAIR KAUFMAN: I appreciate that. And I realize I'm
20 putting you on the spot.

21 I think the salient point is that new bills need to
22 be introduced in the next few weeks, and that's what we're
23 talking about here. So you know, I think we're not looking
24 to complicate the process here. We're looking to wind things
25 down. And it seems like it's getting overly complicated.

1 We also don't want to cut off funding for counties
2 that have been awarded grants by our Board. On the other
3 hand, you know, ample time has been provided to get this
4 done.

5 So you know, it sounds like, from my perspective,
6 that we could perhaps give folks a couple of weeks or so
7 extension to get their acts together. But then anything
8 beyond that is going to potentially complicate our goal,
9 which is to get funds dispersed and get the Voting
10 Modernization Board and the fund wrapped up this year.

11 So I'll turn to my fellow Commissioners for
12 additional thoughts or comments.

13 BOARD MEMBER LAGMAY: As for myself, I agree that I
14 would recommend that we, the Board, proceed to submit to the
15 legislature the necessary materials to start closing the
16 Board. We can provide, simultaneously, a moderate extension
17 for the two remaining counties that are having difficulties
18 to run concurrently. But I think we must submit the bill
19 request and the bill information. As far as what date to
20 make that extension, that could be a separate point of
21 discussion, but that's my point of view.

22 BOARD MEMBER SANDOVAL: I'm in total agreement with
23 the positions taken by Stephen and by June. Ample time has
24 been given. In-depth discussions were had in the last couple
25 of meetings regarding this particular issue. The granting of

1 an extension as being requested by certain counties that
2 would lead ultimately to the receipt of product by the late
3 summer is inconsistent with the legislative needs, as
4 articulated recently by our colleague Jana.

5 So I am in agreement that we move forward with
6 legislative action, provide a brief window for individuals
7 who can demonstrate that they have received product or
8 whatever outstanding issues they need to comply with. But in
9 the end, I think it's important for us to move forward. The
10 argument that we want to give funding to counties will always
11 remain, right, because voting is important, the election
12 process is important. But this has been going on for quite
13 some time and I think it's important for us to understand
14 that we need to move forward on this front.

15 CHAIR KAUFMAN: Okay. So I'm going to throw out
16 that -- and Jana, I'll ask you to comment on this -- you
17 know, that we could agree to grant a brief extension to
18 perhaps February 15th, an extra couple of weeks, to allow
19 folks approximately one month from today, or even to the
20 17th, depending on timing, that's the Friday before the
21 President's Day weekend, you know, which will give folks a
22 month to figure this out and get things done, and then let
23 the chips fall where they may from there. But it will enable
24 us to move forward and know what our universe is and what our
25 numbers are for the purposes of moving forward with

1 legislation to wrap things up.

2 Jana, do you have any comments about that?

3 MS. LEAN: No, sir. That gives us direction, so we
4 will move forward with what the plan was, as we discussed
5 previously. So our staff, which has been Robbie Anderson,
6 will reach out and will work closely with Paula and myself to
7 reach out to the Treasurer's Office and/or the Department of
8 Finance to follow the process that was done for the
9 dissolving of other bond funds, and that was the request or
10 at least the pathway that they suggested to our office.

11 So we would request the Treasurer's Office to review
12 the Voting Modernization Bond Act and the language, and then
13 the General Obligation Bond Law and move forward with
14 amending Election Code section 19251, and that is where we
15 would look at creating a fact sheet to include the amount of
16 bond funds issued, the amount of bond funds unissued to be
17 extinguished in any outstanding commercial paper that we
18 have, to refund any commercial paper that is currently in
19 existence, and then the amount of the unused proceeds in any
20 disposition of the funds would be added into legislation to
21 move forward to amend that code section.

22 So that would essentially be reducing -- asking the
23 legislature to reduce the amounts of unauthorized bond debts
24 to what has not already been issued. So that is how we would
25 essentially be dissolving the bond funds of what has not yet

1 been issued. So we can do that. We'll move forward with
2 that plan. And then we will have to have the final amount
3 based on how many remaining funds are actually submitted,
4 because I think that will get us to where we need to be.

5 CHAIR KAUFMAN: Okay. And it sounds like, under that
6 scenario, you'll basically be able to issue payments sometime
7 in the spring for those counties that are able to submit by
8 that date?

9 MS. LEAN: Absolutely, sir. So if you extend it to
10 the 17th, if they get the invoices in by that time, we would
11 want to give our accounting departments at least enough time
12 to get all that issued, and then we'd have to roll up the
13 remaining balance with our accounting and treasurer's office
14 to make sure that we have everything already issued by the
15 controller and then it's been received and deposited so we
16 have it all set.

17 So in terms of your time frame, are you're thinking -
18 - by the end of April? Is that what you anticipate? Because
19 that's the -- if I'm looking at the calendar -- that's what I
20 would think would be a reasonable time frame.

21 CHAIR KAUFMAN: Yeah, that sounds about right. So
22 the legislation could start with the estimated number and
23 could potentially be adjusted once that becomes final?

24 MS. LEAN: Yes. And we can report back to the chair
25 on any progress that is being made or if there's any

1 questions that come up.

2 CHAIR KAUFMAN: So can I turn to one of my fellow
3 Board members and ask if there's a motion to extend the
4 deadline for submission of the paperwork and delivery of
5 equipment from the 31st of January to February 17th?

6 BOARD MEMBER LAGMAY: So a quick question before the
7 motion is made.

8 So the other counties on the chart, such as Humboldt
9 and Los Angeles, they're -- even though they volunteered to
10 submit by January 31st -- the deadline for all will be
11 extended to February 17th, so there's no confusion?

12 CHAIR KAUFMAN: Jana, do we -- should we -- is it
13 cleaner if we do one deadline or should we leave the deadline
14 and just grant the extension for the three? Should we keep
15 everybody else -- I'm inclined to just move the deadline
16 unless you think that affects you.

17 MS. LEAN: No, I think that would be reasonable -- we
18 just need to communicate with anyone else who has any
19 outstanding balance.

20 So, can you -- if you can take that back, Paula?

21 MS. RITTER: Yes.

22 Also, a representative from L.A. just joined the call
23 and I was not expecting them to make a request, but I wanted
24 to give them an opportunity to speak if they wanted to, if
25 that's okay.

1 CHAIR KAUFMAN: Okay. Well, we don't have a motion
2 yet, so why don't we take their comments?

3 Los Angeles, are you on the line? Alright, well, if
4 you're on the line and trying to talk, you're muted. And if
5 not, we will move ahead.

6 But let's just -- I would say, June, in answer to
7 your question, let's just do a blanket extension to the 17th.

8 BOARD MEMBER LAGMAY: I think that's reasonable. I
9 think that's wise, so that there are not two sets of
10 deadlines floating in space there.

11 CHAIR KAUFMAN: Yeah. Okay. So, do we -- I'm sorry,
12 I've lost track. Do we have a motion by one of you?

13 BOARD MEMBER LAGMAY: Gabriel, do you want to do it?

14 BOARD MEMBER SANDOVAL: Go ahead, June.

15 BOARD MEMBER LAGMAY: Alright. I move that the
16 deadline be extended from January 31st to February 17th for
17 the remaining counties to submit their -- what is it -- their
18 paperwork, their payment request applications. And in
19 addition, that staff be instructed to begin submission of
20 materials to the legislature for closing the Voting
21 Modernization Board and correct dispersal of the remaining
22 bond funds.

23 BOARD MEMBER SANDOVAL: Second.

24 CHAIR KAUFMAN: Second? There we go. We have a
25 first, we have a second.

1 Do you want to call the roll on this vote?

2 MS. RITTER: Yes.

3 Stephen Kaufman?

4 CHAIR KAUFMAN: Aye.

5 MS. RITTER: June Lagmay?

6 BOARD MEMBER LAGMAY: Aye.

7 MS. RITTER: And Gabriel Sandoval?

8 BOARD MEMBER SANDOVAL: Aye.

9 CHAIR KAUFMAN: Thank you.

10 And to those counties that are affected by this, I
11 think San Joaquin, it sounds like, San Joaquin, it sounds
12 like you have a path forward to get your stuff done and
13 delivered by February 17th. Seems like you're on track with
14 that.

15 MS. HALE: Thank you so much.

16 CHAIR KAUFMAN: For Calaveras, I would just say, I
17 know that this has taken kind of a backseat to other things
18 that have been going on, but you have a month to try and
19 bring it together. It sounds like you've been in contact
20 with your vendors, so hopefully you can work with them to
21 expedite whatever needs to be done to try and, you know, get
22 your invoicing, get your equipment set.

23 And for San Diego, I know you said you have a meeting
24 in February, but perhaps, you know, you all can, again,
25 expedite your thinking and make decisions and hopefully work

1 with your vendor within this time frame. It sounds like
2 you've got a lot at play, so I'm not sure how it's all going
3 to play out for you with respect to the funding award that
4 was granted in August.

5 In any event, we, you know, appreciate the fact that
6 everybody's trying their best under difficult circumstances,
7 but hopefully you can also appreciate that this has been in
8 the works now for decades, not just years, and this needs to
9 come to a close at some point, and we made that decision back
10 in August of 2022. So those are the realities that we're
11 dealing with and we're all dealing with, and hopefully
12 everybody can make the decisions that they need and maximize
13 the benefits within the new deadline.

14 So with that, is there any other business that we
15 need to discuss?

16 Jana, you mentioned in your presentation, and I think
17 it would be a good idea for you, the staff, to kind of report
18 to me as Chair as we embark on the legislative process, and
19 also to provide an update as of February 17th in terms of
20 what we have and who's been able to satisfy their
21 documentation concerns. And we can go from there.

22 We will assume that there will be a final meeting
23 later in the year once the legislation is enacted that would
24 require us to close things down. If during the process we
25 decide that there are additional issues that need to be

1 considered as this is working its way through the legislative
2 process, I'll work with staff to make that decision and we
3 can get another meeting scheduled if we need to do that.

4 MS. LEAN: Yes, sir.

5 BOARD MEMBER LAGMAY: Sounds good.

6 CHAIR KAUFMAN: Okay. Alright, with that then, do I
7 have a motion to adjourn this meeting?

8 BOARD MEMBER SANDOVAL: So moved.

9 BOARD MEMBER LAGMAY: Second.

10 CHAIR KAUFMAN: Okay. Gabriel Sandoval moves, June
11 Lagmay second. All in favor, say aye.

12 BOARD MEMBER SANDOVAL: Aye.

13 CHAIR KAUFMAN: Aye.

14 BOARD MEMBER LAGMAY: Aye.

15 CHAIR KAUFMAN: Okay, this meeting is adjourned.

16 Thank you all.

17 (Thereupon, the hearing was adjourned at 11:01 a.m.)

18 --oOo--

19

20

21

22

23

24