

MEETING
STATE OF CALIFORNIA
SECRETARY OF STATE
VOTING MODERNIZATION BOARD

SECRETARY OF STATE
1500 11th STREET
AUDITORIUM
SACRAMENTO, CALIFORNIA

MONDAY, NOVEMBER 19, 2007

10:30 A.M.

TIFFANY C. KRAFT, CSR, RPR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 12277

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

PANEL MEMBERS

Mr. John A. Perez, Chairperson, telephonic
Mr. Stephen Kaufman, Vice Chair, telephonic
Mr. Tal Finney, telephonic
Mr. Carl Guardino, telephonic

STAFF

Ms. Judith Carlson
Mr. Lowell Finley
Ms. Jana Lean
Ms. Katherine Montgomery

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INDEX

	Page
I. Call to Order	1
II. Roll Call and Declaration of Quorum	1
III.Public Comment	1
IV. Adoption of August 15, 2007, Actions and Meeting Minutes	
V. Project Documentation Plan Review and Funding Award Approval: Receive staff report for approval of funding awards.	1
(A) Nevada County - Item held over from August 15th Meeting	
VI. Adjournment	6
VII.Reporter's Certificate	7

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1 PROCEEDINGS

2 CHAIRPERSON PEREZ: First item before us are
3 review of minutes from our previous meeting. Do any have
4 any corrections or any issues with the minutes?

5 VICE CHAIRPERSON KAUFMAN: I'll move approval.

6 BOARD MEMBER FINNEY: Second.

7 CHAIRPERSON PEREZ: Moved and seconded. Any
8 further discussion? All those in favor say aye.

9 (Ayes)

10 STAFF CONSULTANT LEAN: We have to clarify for
11 the court reporter. We have Steve Kaufman as approving
12 the minutes or a motion and Tal Finney is seconding.

13 CHAIRPERSON PEREZ: We have Kaufman moving
14 approval, Finney seconding approval. Kaufman, Finney, and
15 Perez all voting aye.

16 STAFF CONSULTANT LEAN: Thank you, John.

17 CHAIRPERSON PEREZ: No problem.

18 The next item before us we have is project
19 documentation review from Nevada County.

20 STAFF CONSULTANT LEAN: At the August 15th
21 meeting of the Voting Modernization Board in Los Angeles,
22 Nevada County came forward. And the staff report remains
23 the same from the August 15th meeting.

24 Staff recommends funding the award of their total
25 allocation of \$866,431.28. They're purchasing the Hart

1 Intercivic system. They are purchasing 72 of the eSlate
2 optical scan and 74 of the -- sorry. That was eScan
3 optical scan and 74 eSlate DRE units.

4 Nevada County has begun receiving their
5 equipment. According to statements today, they received
6 the equipment, and they are going to start acceptance
7 testing.

8 Nevada County expects that its project completion
9 date will be upon certification of the February 5th, 2008,
10 presidential primary election.

11 The eSlate DRE units actually have a
12 voter-verified paper audit trail. So that meets the
13 requirements of the law.

14 Nevada County's project documentation package
15 meets the requirements for completeness. And the eScan
16 and eSlate with the corresponding components are certified
17 for use in California.

18 Nevada County began comprehensively researching a
19 replacement of their voting system in June 2004. And
20 Nevada County has made several attempts to upgrade their
21 voting system to become HAVA compliant. With the Request
22 for Proposals, the county has issued three different RFPs:
23 One in October 2004, one in October 2005, and another one
24 in October of 2006.

25 And on June 12th, 2007, Nevada County entered

1 into a contract with Hart Intercivic for their new voting
2 system.

3 Nevada County will be implementing a blended
4 optical scan and DRE voting system. The County believes
5 that the deployment of one eScan optical scan unit and one
6 eSlate DRE unit in the polling places will bring the county
7 into full compliance with the requirements of the Help
8 America Vote Act.

9 Nevada County plans to use the paper-based
10 optical scan units as their primary voting system, thus
11 allowing a majority of their voters to vote on paper
12 ballots. The County believes this approach will assist in
13 avoiding some of the controversies surrounding the current
14 DRE technology, while still adhering to state and federal
15 accessibility requirements.

16 Nevada County is currently developing an
17 extensive outreach program to introduce this new voting
18 systems to its voters.

19 Nevada County will only receive VME payments once
20 it has submitted detailed invoices for certified voting
21 equipment. And please note that the staff proposed
22 funding award is based upon allowable reimbursements under
23 Prop. 41 only for equipment and hardware and software.

24 The professional services optional extended
25 warranty line items and identified non-certified voting

1 software listed in Nevada County's contract with Hart
2 would not be covered as reimbursable claim under Prop. 41.

3 It is our staff recommendation that Nevada
4 County's project documentation plan be approved and a
5 funding award letter be issued in the amount of
6 \$866,431.28.

7 In your packets, there is a letter that was
8 issued from the Secretary to Nevada County regarding the
9 status of the re-certification of the Hart Intercivic
10 6.2.1.

11 We also have Lowell Finley here to address any
12 questions that you may have regarding the voting systems
13 certification. Do you have any questions at this time?

14 BOARD MEMBER GUARDINO: By the way, I didn't want
15 to interrupt. This is Carl Guardino, and I've been on the
16 line for a while, but know that you needed me for a
17 quorum. I wanted to let you know I'm here.

18 CHAIRPERSON PEREZ: Thank you, Carl.

19 Any questions on Nevada County?

20 BOARD MEMBER FINNEY: None from me.

21 Howdy, Carl.

22 CHAIRPERSON PEREZ: Stephen, do you have any
23 questions?

24 VICE CHAIRPERSON KAUFMAN: I think the
25 Secretary's letter takes care of the situation given last

1 time. And I believe the letter makes it clear now that it
2 is certified.

3 CHAIRPERSON PEREZ: Do we have a motion?

4 VICE CHAIRPERSON KAUFMAN: I'll make a motion to
5 not keep Nevada County here any longer. I will move
6 approval of the staff recommendation.

7 BOARD MEMBER FINNEY: Second.

8 CHAIRPERSON PEREZ: Kaufman moves. Tal Finney
9 seconds.

10 Anything else on that question?

11 Hearing nothing, we'll do the roll call for the
12 reporter.

13 Take a roll call.

14 VICE CHAIRPERSON KAUFMAN: I apologize for the
15 noise in the background. This is Steve Kaufman. I vote
16 aye.

17 CHAIRPERSON PEREZ: Steve Kaufman, aye.

18 Carl Guardino?

19 BOARD MEMBER GUARDINO: Aye.

20 CHAIRPERSON PEREZ: Tal Finney?

21 BOARD MEMBER FINNEY: Aye.

22 CHAIRPERSON PEREZ: Tal Finney, aye.

23 And this is John Perez. I vote aye as well as.
24 So we have four aye votes.

25 Jana, do you have anything else to come before

1 us?

2 STAFF CONSULTANT LEAN: The only thing I need to
3 do is make sure I get the funding award letter to you so
4 you can sign it and I can give it to Nevada County.

5 CHAIRPERSON PEREZ: Very good. We'll use my
6 electronic signature on that.

7 STAFF CONSULTANT LEAN: Yes, I can.

8 CHAIRPERSON PEREZ: Let's just for the record I
9 authorize you to use my signature on that.

10 With that, again apologize that the fog has
11 grounded us here in southern California. But want to make
12 sure we got to Nevada County today.

13 BOARD MEMBER FINNEY: That is announcing our
14 Sacramento flight is finally leaving.

15 CHAIRPERSON PEREZ: Very good. Thank you all.

16 (Thereupon the Voting Modernization

17 Board meeting adjourned at 10:41 a.m.)

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1 CERTIFICATE OF REPORTER

2 I, TIFFANY C. KRAFT, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing hearing was reported in shorthand by me,
7 Tiffany C. Kraft, a Certified Shorthand Reporter of the
8 State of California, and thereafter transcribed into
9 typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said hearing nor in any
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 21st day of November, 2006.

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TIFFANY C. KRAFT, CSR, RPR

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Certified Shorthand Reporter

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