DATE: January 7, 2020, Regular Meeting
TIME: 6:00 PM
PLACE: Isaac Newton Senter Auditorium
County Government Center – 70 W. Hedding Street, 1st Floor
San Jose, CA 95110

MINUTES

Opening

1. Call to Order/Roll Call.

Chairperson Dunkerley called the meeting to order at 6:04 p.m. A quorum was present.

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
<th>Arrived</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peter Hertan</td>
<td>Vice Chairperson, Seat No. 1</td>
<td>Absent</td>
<td></td>
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<tr>
<td>Craig Dunkerley</td>
<td>Chairperson, Seat No. 3</td>
<td>Present</td>
<td></td>
</tr>
<tr>
<td>Michael Lomio</td>
<td>Commissioner, Seat No. 4</td>
<td>Present</td>
<td></td>
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<tr>
<td>Stephen Chessin</td>
<td>Commissioner, Seat No. 5</td>
<td>Present</td>
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<tr>
<td>Swanee Edwards</td>
<td>Commissioner, Seat No. 6</td>
<td>Absent</td>
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</tr>
<tr>
<td>Chris Roat</td>
<td>Commissioner, Seat No. 7</td>
<td>Present</td>
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2. Public Comment.

No public comments were received.

Regular Agenda - Items for Discussion

3. Approve minutes of the December 3, 2019 Regular Meeting.

3 RESULT: APPROVED [4 TO 0]
MOVER: Stephen Chessin, Commissioner, Seat No. 5
SECONDER: Chris Roat, Commissioner, Seat No. 7
AYES: Dunkerley, Lomio, Chessin, Roat
ABSENT: Hertan, Edwards

4. Consider recommendations relating to the Office of the Registrar of Voters procurement process.

   a. Receive verbal report relating to the procurement process for voting systems.

   Taken out of order after Item No. 8.

   Matt Moreles, Assistant Registrar of Voters, reported that all implementation tasks are complete except for the refresher training which will be conducted closer to
election day. He further noted that all hardware has been received and that some parts did not pass inspection. Mr. Moreles advised of an issue with a custom-designed support transformer which will not be ready in time for the March 2020 election and noted that resolution efforts with the vendor are ongoing. He further advised of an add-on feature to the ballot readers that will print a serial number for easy ballot reference, however it will not be certified before the March 2020 election. Mr. Moreles advised of collaboration efforts with the State to assess the feasibility of conducting risk-limiting audits for the March 2020 election.

Mr. Moreles reported that proofing of ballots is currently underway, that the ballot artwork is expected to be delivered on schedule, and that logic and accuracy testing is scheduled to start on January 27, 2020. He further noted that poll worker training has begun and that election plans are on schedule.

Discussion ensued relating to poll worker training and the requirement that poll workers committed for all ten voting days are hired as County employees, due to stipend limitations.

4.a RESULT: RECEIVED

b. Receive verbal report relating to the procurement process for electronic polling books.

Mr. Moreles reported that the hardware is received, implementation items are complete, and that acceptance testing is currently underway. He further noted that the vendor is performing a customized configuration and that the polling books will be ready in time for the March 2020 election. Shannon Bushey, ROV, noted that the customized configuration will include an option on the screen for the voter to request a cross-over ballot.

4.b RESULT: RECEIVED

c. Receive verbal report relating to the procurement process for ballot on demand printing system.

Mr. Moreles reported that all units have been received and acceptance tested which will be used for training in the next week. He further noted that ballot data will be loaded into the units in late January 2020 and subsequently packaged for deployment.

4.c RESULT: RECEIVED

5. Receive report from the Office of the Registrar of Voters relating to State certification requirements for equipment to include detection and correction of single-event errors. (ID# 99831)

Mr. Moreles reported that he spoke with Susan Lapsley, Deputy Secretary of State, who stated that voting systems are tested for hardening against "bit flipping" errors and
Directed him to the California Voting System Standards (CVSS) Section No. 4.4.6.1 which lists the various types of hardware testing conducted during voting system certification.

Commissioner Chessin commented that the list of testing does not include testing for protection against ionizing radiation causing "bit flips," and provided details relating to various levels of error correction protection. Mr. Moreles stated that he would clarify whether Commissioner Chessin could contact Ms. Lapsley directly to discuss possible additional language in the CVSS.

5 RESULT: RECEIVED

6. Receive report from Office of the Registrar of Voters relating to voter data including the number of registered voters per party preference in Santa Clara County.

Mr. Moreles reported that in response to voters reporting errors of no-party preference status, ROV efforts to determine the cause is underway, including analyzing voter registration data from the Department of Motor Vehicles (DMV). He further noted that the percentage of no-party preference voters steadily increases year over year, at a rate of less than one percent, however, between January 2018 to October 2018, which includes the time frame that the DMV began its new Motor Voter program, and the time that the DMV realized the party preference question was potentially unclear, the percentage of no-party preference registrations in Santa Clara County increased by approximately three percent; and, further advised that the two-percent increase difference is equal to approximately 16,000 voters. Finally, Mr. Moreles noted another potential reason for the influx of no-party preference registrations from the DMV, due to erroneous duplication and subsequent merging by the ROV, and noted that this data is still under review.

Discussion ensued relating to efforts to inform voters that they can request a new ballot if they receive the wrong one.

6 RESULT: RECEIVED

7. Consider recommendations relating to voter party preference issues. (ID# 99888)

Possible action:

a. Discuss recent Sacramento Bee article relating to unexpected changes to voter registrations when voters update their address with the Department of Motor Vehicles.

b. Discuss and approve a recommendation that the Office of the Registrar of Voters permit voters to query their current party registration online and update their party preference, if needed.
In response to an inquiry by Commissioner Chessin, Ms. Bushey stated that ROV is in the process of updating the online registration query to include party preference information. Mr. Moreles clarified that the updated query is expected to go live on January 17, 2020. He further noted that if a voter discovers they are registered with the wrong party preference, they are referred to go through the normal registration process that verifies information against DMV and other databases.

7 RESULT: RECEIVED

8. Discuss possible collaboration with the City and County of San Francisco relating to an open source voting system, including the possible adoption of a resolution endorsing the concept of an open source voting system, and approve recommendations, if any. (ID# 100098)

Taken out of order after Item No. 3.

One individual addressed the Commission.

In response to an inquiry by Commissioner Chessin, Ms. Bushey stated that if the system was State certified, ROV would consider implementing open source voting. She further noted that Los Angeles spent 8-10 years developing an open source voting system and spent approximately $15-20 million in Research and Development.

In response to an inquiry by Commissioner Chessin relating to whether ROV would support the concept of collaboration with San Francisco, Mr. Moreles clarified that it depends on the type of collaboration, that extensive staff time would require approval from County Administration, and that policy implications would require direction from the Board of Supervisors.

Commissioner Chessin stated that Christopher Jerdonek, Commissioner, Elections Commission of the City and County of San Francisco, informed him that if County of Santa Clara expressed interested in collaboration with San Francisco, a discussion to define collaborative efforts would be the next step.

Commissioner Lomio suggested that Commissioners seek the endorsement of a Member of the Board of Supervisors interested in spearheading the idea rather than make a recommendation to the ROV.

Discussion ensued relating to implementation cost and long term savings.

The Commission approved endorsing the concept of an open source voting system and to recommend to the Board of Supervisors that the County explore collaboration with the City and County of San Francisco relating to the development of an open source voting system.
8 RESULT: APPROVED [4 TO 0]
MOVER: Stephen Chessin, Commissioner, Seat No. 5
SECONDER: Craig Dunkerley, Chairperson, Seat No. 3
AYES: Dunkerley, Lomio, Chessin, Roat
ABSENT: Hertan, Edwards

9. Discuss Citizens' Advisory Commission on Elections Work Plan for Fiscal Year July 1, 2020 through June 30, 2021 (FY 2021) and Accomplishments for FY 2020, to be submitted to the Clerk of the Board by April 1, 2020, and subsequently forwarded to the Board of Supervisors through the Finance and Government Operations Committee. (ID# 99887)

Taken out of order after Item No. 7.

Commissioners Dunkerley and Roat volunteered to develop the annual work plan on an ad hoc basis.

9 RESULT: RECEIVED

Standing Reports

10. Discuss City of Sunnyvale consideration of district elections, and approve recommendations, if any. (Chessin)

Commissioner Chessin reported that on December 10, 2019, the City adopted an ordinance and a map that defines City districts. He further reported that a charter amendment will be Measure B on the March 2020 election ballot. Finally, Commissioner Chessin requested that this item be placed on the February 2020 agenda.

10 RESULT: RECEIVED

11. Discuss potential changes to City of Santa Clara district elections, and approve recommendations, if any. (Chessin)

Commissioner Chessin reported that the City's charter amendment will be Measure C on the March 2020 election ballot and noted that it will not change districts. He further noted that new districts will be established after the 2020 census.

11 RESULT: RECEIVED

12. Receive verbal committee reports:

a. Voter Outreach Committee. (Edwards)

   No report was received.

b. Technology Trends Committee. (Chessin)

   Commissioner Chessin reported that the next meeting was rescheduled to February 13, 2020 in Conference Room 157.
12.b RESULT: RECEIVED

13. Receive Office of the Registrar of Voters reports:

   a. Receive report relating to the status of Office of the Registrar of Voters-related items at the December 12, 2019 Finance and Government Operations Committee meeting. (ID# 100099)

   Ms. Bushey reported that at the recent Finance and Government Operations Committee, ROV reported that the vote center search is completed and noted that the list of planned vote center locations will be made available to the public. She further provided information relating to the setup of each vote center. Discussion ensued relating to the functionality of the standard line and the express line during fluctuation, the use of greeters to direct voters, and the number of workers at each vote center.

   Ms. Bushey advised of recruitment efforts, training sites, ballot drop-off locations, and outreach events. She further reported that the Election Administration Plan was approved by the State. Evelyn Mendez, Election Division Coordinator, ROV, provided information relating to advertising plans.

   Discussion ensued relating to posting of general interest outreach events on the ROV website.

   Ms. Bushey reported that the first direct mailer was recently sent out and that another will be sent the first week of February 2020. She further noted that there will be 21 local measures on the March 2020 ballot; that approximately 300,000 no-party preference ballots were recently mailed out and approximately 30,000 requests for cross-over ballots were received; that ballots will be mailed out on February 3, 2020; and, that military and overseas ballots will be mailed out on January 17, 2020. Ms. Bushey advised of the development of 154 ballot types in eight languages, for eight parties, which equals 9,856 versions of the election ballot and further noted a clerical error that occurred on candidate documents and the resolution thereof.

13.a RESULT: RECEIVED

   b. Receive report from the Office of the Registrar of Voters (ROV) relating to ROV staff attendance at elections officials' conferences and/or information received. (ID# 100100)

   Virginia Bloom, Assistant Registrar of Voters, reported that on January 9-10, 2020, two managers will attend the California Association of Clerks and Election Officials Legislative Tracking meetings.

13.b RESULT: RECEIVED
c. Receive report from the Office of the Registrar of Voters relating to Legislative Tracking File 2019-2020 Session and approve recommendations, if any. (ID# 99912)

Ms. Mendez reported that the legislative session began on January 6, 2020 and noted that a new report will be available in the next month.

Commissioner Chessin noted that Federal bills currently tracked by the Commission are not included in the report.

Discussion ensued relating to possible reasons that a bill author would cancel a hearing relating to the bill.

13.c RESULT: RECEIVED

d. Receive report from the Office of the Registrar of Voters relating to Campaign Finance Disclosure Filings and approve recommendations, if any. (ID# 99884)

Ms. Bloom reported that five fines were recently collected. She further noted that the first pre-election report is due on January 23, 2020, and the second semi-annual report is due January 31, 2020.

13.d RESULT: RECEIVED

e. Receive report from the Office of the Registrar of Voters (ROV) relating to other ROV items of interest to the Commission.

Ms. Bushey reported that the Santa Clara County is fifth in the State for voter pre-registration of 16- and 17-year-olds. She further reported that ROV will provide a report relating to the State audit at the January 14, 2020 Board of Supervisors meeting.

13.e RESULT: RECEIVED


No report was received.

Future Agenda Items

15. Discuss previously proposed future agenda items.

a. Recommendation for an Independent Redistricting Commission. (February 2020)


c. Recommendation for elimination of automatic recount policy. (April 2020)

16. Propose future agenda items.

No future agenda items were proposed.
Announcements

17. Announcements and correspondence:

   a. Chairperson's announcements.
      Chairperson Dunkerley made no announcements.

   b. Commissioners' announcements.
      No announcements were made.

   c. Chairperson Training is scheduled for Thursday, January 30, 2020 at 4:00 p.m. in Isaac Newton Senter Auditorium, County Government Center, 70 West Hedding Street, San Jose.

   d. There is currently one vacancy on the Commission, appointed by Supervisorial District Two. For Internet access to the vacancies list and applications visit http://www.sccgov.org/sites/cob/bnc.

   e. The County of Santa Clara provides reimbursement to appointed Commissioners for family care expenses incurred during the time spent performing their official County duties. For additional information please contact the Office of the Clerk of the Board at (408) 299-5001.

Adjourn

18. Adjourn to the next regular meeting on Tuesday, February 4, 2020 at 6:00 p.m. in Isaac Newton Senter Auditorium, County Government Center, 70 West Hedding Street, San Jose.

   Chairperson Dunkerley adjourned the meeting at 7:49 p.m.

Respectfully submitted,

Jean Anton
Deputy Clerk