



## Agenda Submittal

**Agenda #:** 29  
**Type:** Resolution  
**File #:** 19-228  
**Agenda date:** 3/26/2019  
**Status:** Regular Calendar  
**Department:** Information Technology - Registrar of Voters  
**Contact:** Tim Flanagan, CIO/Registrar of Voters, 784-2703  
**Final action:** 3/26/2019

**Title:** Receive a presentation from the Registrar of Voters' Office and consider approving the recommendation to continue the use of traditional polling places for 2020 Direct Primary and General Elections; Approve a resolution authorizing the submission of the application for State funds for \$1,409,500 to replace existing voting system; Authorize the County Administrator or designee to conduct all negotiations, execute and submit all documents including, but not limited to applications which may be necessary for the completion of the agreement; and Authorize the Registrar of Voters' Office to execute a Request for Information Proposal to evaluate and select a new voting system

**Governing body:** Board of Supervisors

**District:** All

**Attachments:** 1. A - Presentation, 2. B - Resolution, 3. C - Agreement, 4. D - Letter from State, 5. Presentation, 6. Adopted Resolution, 7. Minute Order

Date	Ver.	Action By	Action	Result
3/26/2019	1	Board of Supervisors	Adopted	

Published Notice Required? Yes ☐ No ☒  
Public Hearing Required? Yes ☐ No ☒

### **DEPARTMENTAL RECOMMENDATION:**

The Registrar of Voters (ROV) recommends the Board of Supervisors to:

1. Receive a presentation from the Registrar of Voters' Office and consider approving the recommendation to continue the use of traditional polling places for year 2020 Direct Primary and General Elections;
2. Approve a resolution (Attachment B) authorizing the submission of the application for State funds for \$1,409,500 to replace existing voting system;
3. Authorize the County Administrator or designee to conduct all negotiations, execute and submit all documents including, but not limited to application which may be necessary for the completion of the agreement (Attachment C) ; and
4. Authorize the Registrar of Voters' Office to execute a Request for Information to evaluate and select a new voting system.

### **SUMMARY:**

ROV has reviewed the option of changing to Regional Voting Centers (RVC) under Voters Choice Act (VCA) as an option for conducting elections in Solano County. At this time, the Board is asked to accept the department's recommendation to continue the use of traditional polling places and revisit the option to change to Regional Voting Centers after the 2020 election cycle

ROV will present to the Board the difference between the two elections models, what the financial impact would be, and how the two options affect citizens voting in Solano County. Based on the research conducted,

utilizing polling places will have not have a significant impact on the department's FY2019/20 operational budget. Adopting the RVC model will require an additional of \$1,060,045 for equipment and \$497,550 in operational costs as compared to the costs to prepare for and conduct a traditional polling place model election. These costs are estimates pending the receipt of vendor quotes for new equipment.

On February 27, 2019, ROV was notified by the State that the county vote tabulation equipment had been decertified and not allowed for use in the upcoming 2020 elections.(Attachment D) The Board is asked to authorize the department to conduct a Request for Information (RFI) from currently certified vote tabulation equipment vendors and prepare a contract for board approval to receive new vote tabulation equipment in time for the upcoming 2020 elections.

### **FINANCIAL IMPACT:**

ROV is utilizing vote tabulating equipment that is over 15 years old. While this equipment counts ballots accurately and is still supported and maintained by the manufacturer, the department has received grant funding to upgrade this equipment to modern technology. On February 27, 2019 the California Secretary of State notified the ROV that the equipment would be decertified, and that new equipment must be procured before the March 3, 2020 Primary Election.

The State has established procedures to require the County to certify by resolution (Attachment B) the approval of its application before submission of the application. The department is requesting authorization to execute a grant application (Attachment C) with the Secretary of State for \$1,409,500 which would require matching funds from either county general funds, or federal grant funds. The contract to execute the state grant expires on June 30, 2021. The department has an outstanding federal grant of \$605,017 which does not expire and can be drawn as soon as the need arises.

These funds can be used to upgrade voting equipment technology, which depending on the model chosen would be an estimated \$3,912,562 for the RVC model, or \$2,852,517 for poll place elections. After utilization of both grant funds, the estimated impact to the general fund would be \$1,898,045 for RVC vote center equipment, or \$838,000 for traditional poll place equipment. The purchase of the traditional poll place equipment will be included in the FY2019/20 recommended budget, which is dependent on the RFI responses.

The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2018/19 Adopted Budget.

### **DISCUSSION:**

ROV has prepared a presentation which describes the differences between implementing the Regional Vote Centers or keeping the existing traditional polling places.

In 2018, State legislation was passed that allowed 14 counties to implement the new voting model allowing counties to reduce polling places by 70% but requiring locations to be open for 10 days prior to election day including Saturday and Sunday. Regional Voting Centers allow any voter to vote at any of the new vote center locations, and deliver all election related services provided by ROV at every location.

The RVC impact for voters in Solano County:

- Every Voter receives a Vote by Mail ballot.
- Increase in Vote by mail drop off boxes from 7 to 15.
- Reduce polling places from 100 to 25 Vote Centers.
- Voters can vote at any Vote Center (vs. assigned to a specific location).
- 5 vote centers open for 10 days including Saturday and Sunday before Election Day.
- Have 25 vote centers open for 4 days including Saturday and Sunday before Election Day.

The impact for the ROV Operation:

- Must staff all locations with Extra Help instead of volunteer poll workers (for access to confidential records);
- Provide all ballot types/styles at all locations (ballot on demand).
- New Poll place scanners that can accept ballots from all precincts in the county are required.
- New Accessible voting equipment and central count equipment to match the poll place scanner software is required.
- Increase costs in location charges due to the number of days required to operate.
- Multiple outreach events in every city as well as mailings to all voters.

In 2018, only 5 of the 14 counties allowed to adopt the RVC model chose to do so: Madera, Napa, Nevada, Sacramento and San Mateo all switched to the new model. In 2020, an additional 6 counties are switching - Alameda (pending board approval), El Dorado (pending Board approval), Los Angeles (without being required to mail a ballot to every voter), Mariposa, Orange, and Santa Clara (pending Board approval). During the post-election meetings with the 5 original counties, the department learned of issues with technology failures, long lines due to same day registration processing issues, and 90% of in-person voting taking place on election day despite having Saturday and Sunday voting options for voters.

On February 27<sup>th</sup>, 2019 the California Secretary of State issued a memorandum to County Registrars notifying the decertification of their existing voting equipment. Based on this notice, the county can purchase equipment only certified to the current California Voting System Standards (CVSS).

The following vendors were listed as currently certified:

- Los Angeles County Voting System for All People (VSAP) version 1.0
- Hart Intercivic Verity Suite 3.0.1
- Dominion Democracy Suite 4.2

The department has internally reviewed each of these three systems, however, the ROV recommends conducting a Request for Information (RFI) from each of the three vendors, collecting feedback from the public, and holding public meetings with external stakeholders to get feedback on the purchase recommendation before presenting to the board for approval. ROV plans to expedite the RFI and meetings to the extent possible with intentions on returning to the board in July to award the contract. The ROV would target receipt of equipment in August or September 2019 to allow for ample time to train, test and modify operational procedures for the new equipment.

## **ALTERNATIVES:**

The Board could choose to request the ROV to move forward with implementation of a Regional Vote Center model, reducing the number of in-person polling places, but increasing the number of days that in-person voting would be available for elections. This is not recommended at this time due to the higher one-time costs, the higher on-going operational expense, the risk it poses to upcoming high profile/high turnout election, and the lack of statewide data to confirm the intent of a Regional Vote Center model to increase voter turnout.

The Board could choose to not approve the agreement with the Secretary of State's Office. This would result in a potential loss of \$1,409,500 in State revenues that offset County costs. This is not recommended as the replacement costs for a new voting system and FY2019/20 budget item would increase to cover the entire purchase costs.

The Board could elect to not delegate signing authority to staff. This action is not recommended since delegated authority will enable efficient application and execution of the agreement.

The Board could also choose to not allow ROV to move forward with issuing an RFI for voting equipment, however the current equipment cannot be used for any future statewide elections and we would be required to process a sole-source procurement to prepare for the March 2020 primary election.

**OTHER AGENCY INVOLVEMENT:**

The Registrar of Voters' Office has consulted with County Counsel and General Services on a purchasing method to expedite the procurement process to meet the necessary timeline. Through this consultation the best model for execution is a Request for Information with Quote (RFI-Q).

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION