



County of San Mateo

Inter-Departmental Correspondence

Department: ASSESSOR-COUNTY CLERK-
RECORDER-ELECTIONS

File #: 16-488

Board Meeting Date: 9/12/2017

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Mark Church, Chief Elections Officer & Assessor-County Clerk-Recorder
Subject: California Voter's Choice Act (Senate Bill 450) Authorization to Conduct All-Mailed Ballot/Vote Center Elections for the June 5, 2018 Statewide Direct Primary Election

RECOMMENDATION:

Adopt a resolution authorizing:

- A) The County's Chief Elections Officer to proceed with the implementation of the California Voter's Choice Act (Senate Bill 450) and related statutory requirements; and
- B) The June 5, 2018 Statewide Direct Primary Election to be the first countywide All-Mailed Ballot/Vote Center election held under the provisions of the California Voter's Choice Act.

BACKGROUND:

The California Voter's Choice Act (Senate Bill 450) was signed into law on September 29, 2016, authorizing 14 counties, including San Mateo, to conduct any election as an All-Mailed Ballot/Vote Center election commencing in 2018. The legislation was part of a sweeping collection of election reforms designed to increase voter participation, enlist public engagement, and expand voting options for all voters. The California Voter's Choice Act (VCA) fundamentally changes the manner in which elections are to be conducted in the future, by establishing an All-Mailed Ballot/Vote Center model, utilizing Ballot Drop-Off locations strategically placed throughout the county.

In March 2017, the Board was at the forefront of the VCA legislative process as one of the first counties in the State to actively support the passage of this new legislation. The passage of the VCA was made possible, in many respects, by our successful experience in conducting the November 3, 2015 Countywide Local Consolidated All-Mailed Ballot Election under the authority of Assembly Bill 2028 (All-Mailed Ballot Election). Many of the recommendations and methodologies contained in our AB 2028 report to the State Legislature and the Secretary of State were incorporated into the VCA. The following discussion outlines the basic requirements, responsibilities and benefits of the VCA.

DISCUSSION:

Under the VCA All-Mailed Ballot/Vote Center model, all voters will be mailed a ballot 29 days before the election with a postage paid envelope to return the ballot. Vote Centers, located across the County, will replace polling places. Voters who currently vote by mail would experience no change. Voters who do not want to return their ballot by mail could return ballots at Ballot Drop-off locations across the county.

Vote Centers: Vote Centers will resemble polling places providing voters the option to vote in person. While previously, in a typical polling place election, voters could only vote at their local polling place or one of our three 29-day Vote Centers, voters will now be able to cast their ballots at any Vote Center countywide. Additionally, at each Vote Center, voters will be able to update their voter registration, use an accessible voting device, conditionally register to vote, and cast a provisional ballot. Vote Centers will have secure access to the County’s Election Management System (EMS) to verify voter registration, so poll workers will be able to verify, in real time, the voting status of each voter in that election. Each Vote Center will be equipped with at least 10 eSlate electronic voting machines, including three machines that are accessible to voters with disabilities. This will ensure that Vote Centers have a sufficient number of voting machines to serve the expected turnout and meet all accessibility standards under Americans with Disabilities Act (ADA).

Vote Center Formula: The VCA has established the following schedule and formula for the establishment of Countywide Vote Centers. These numbers are based on an estimate of 390,000 registered voters for the June 2018 Election:

PERFORMANCE MEASURE:

Days before Election Day	Number of Registered Voters Per Vote Center	Vote Centers Accessible to the Public
10	50,000	8
3	10,000	39

All Vote Centers would be open at least eight hours per day including weekends, and open 7am to 8pm on Election Day. The County will continue to operate three Vote Centers in South San Francisco, San Mateo and Redwood City 29 days before the election. These Vote Centers are included in the numbers above.

Ballot Drop-Off Locations: At least one Ballot Drop-off location is required for every 15,000 registered voters, resulting in 26 Ballot Drop-Off Locations countywide. Ballot Drop-off locations shall be available beginning no less than 28 days before the day of the election.

Vote-by-Mail Ballots: A vote by mail ballot packet will be mailed beginning 29 days before Election Day to each registered voter, with information on voting options and ballot return information. Voters may request a vote by mail ballot in a language other than English, pursuant to Section 203 of the Voting Rights Act. Voters with disabilities may request a ballot that can be read and marked privately and independently pursuant to the Help America Vote Act (HAVA).

Voter Education and Outreach Plan: The VCA requires the County to develop a Voter Education and Outreach Plan that informs voters on all aspects of the election including Vote Center and Ballot Drop-Off locations. The plan shall initiate outreach activities and provide materials that are accessible to voters with disabilities and voters who do not speak English. Public meetings will be held with

community organizations and individuals that advocate on behalf of, or provide services to, individuals with disabilities, and voters of language minority groups.

The County will work with our established Voting Accessibility Advisory Committee (VAAC) and the newly formed Language Accessibility Advisory Committee (LAAC) to develop our Voter Outreach and Education Plan, which will be incorporated into the County's Election Administration Plan (EAP) and submitted to Secretary of State's office for review and approval.

Election Administration Plan: The County's Chief Elections Officer is required under the VCA to prepare a **draft** EAP for the administration of elections conducted in accordance with the new law. The EAP is required to cover a wide variety of factors that describe the implementation of the VCA within the County. The EAP shall include: the development of a voter education and outreach plan; public consultations, public hearings and comment periods; voter education workshops; and Vote Center and Ballot Drop-off location and accessibility plans.

As required by the VCA, the **draft** EAP is to be developed in consultation with the public and specifically with the language and disability communities. The County's Chief Elections Officer is currently preparing a **working draft** EAP for the first two public hearings which will be with the language community on Thursday, October 12 and the disability community on Monday, October 16. After the required comment periods are completed with these communities, the **draft** EAP will be adopted and published for the next public hearing, which will be with the general public in January 2018. After the required comment period is completed with the general public, the County's **final** EAP will be adopted without further action from the Board and submitted to the Secretary of State for approval.

Within two years of conducting the first election under the law, and every four years thereafter, the County's Chief Elections Officer must hold further meetings to consider revisions to the **final** EAP.

Community Outreach: Similar to our community outreach and public awareness efforts under AB 2028, the County will be reaching out to community organizations, agencies, schools, and other groups to raise community awareness of the new All-Mailed Ballot/Vote Center Election model. This will be combined with a broad media campaign using direct mail, news media, social media, and public-access media to announce the roll out of the VCA.

VCA Public Hearing Schedule: The proposed VCA Public Hearing dates and locations are set forth below.

Public Hearing with Language Community

Thursday, October 12, 2017, 5:30 p.m. to 8:30 p.m.

County Clerk-Recorder's Office, 555 County Center, Redwood City

Public Hearing with Disability Community

Monday, October 16, 2017, 1 p.m. to 5 p.m.

BOS Chamber, Hall of Justice, 400 County Center, Redwood City

Public Hearing of Election Administration Plan

Thursday, January 18, 2018, 1 p.m. to 5 p.m.

BOS Chamber, Hall of Justice, 400 County Center, Redwood City

Voting Technology: The County will be deploying our existing Hart Intercivic Electronic Voting System and eSlate voting machines at all Vote Centers during the June 5, 2018 Statewide Direct

Primary Election. Our voter registration database administered by the State of California, VoteCal, will be linked to a network of personal computers through a VPN connection at all County Vote Centers. This will provide real time access to the voter registration database by Vote Center staff, enabling staff to determine the registration and voter status of every voter countywide in real time. This system was successfully used in the November 3, 2015 All-Mailed Ballot Election under AB 2028.

It is our plan to begin the process of evaluating newly State certified voting systems in FY2018-19 to replace our aging voting system which is now reaching the end of its useful life. The new voting system will be designed to operate in a Vote Center model using state-of-the-art technology deploying the use of e-poll books, ballot scanners, and ballot on demand systems. It is our goal to have a new voting system in place for the 2020 Presidential Primary Election.

County Counsel has reviewed and approved the resolution as to form.

Approval of this Resolution contributes to the Shared Vision 2025 of a Collaborative Community. The All-Mailed Ballot/Vote Center model affords voters more opportunities to make decisions that impact their communities, thereby strengthening the democratic process.

FISCAL IMPACT:

The exact amount of the fiscal impact is unknown at this time. The June 5, 2018 Statewide Direct Primary Election will be the first of its kind, both due to the All-Mailed Ballot/Vote Center model authorized by VCA, and several legislative mandates which will have an impact on the cost of conducting elections for counties statewide. The VCA will have a positive impact on mitigating many of the additional costs resulting from these legislative mandates. Senate Bill 415 (SB 415), the California Voter Participation Rights Act, moved the County's jurisdictions holding odd-numbered year elections to even-numbered year elections by 2020. This will result in a significant increase in the number of jurisdictions that will participate in the June 2018 Election. This change will lead to much larger elections, resulting in larger sample ballot pamphlets, longer and more complex official ballots, and more ballot styles. AB 1436 Conditional Voter Registration Law and AB 1461 DMV New Motor Voter Law will increase voter registration and turnout, adding additional costs. Adoption of the VCA will incur startup costs that will increase election costs in the short-term when compared to a traditional polling place election. Vote Centers will be open longer and staffed by County employees at higher hourly rates than traditional poll workers. Vote Center staff will also require additional training to manage the complexity and technology requirements of Vote Centers. Creating multiple secure connections between Vote Centers and the County's voter registration database will result in a greater cost due to equipment, set up, testing, and support. These costs will eventually be off-set by a significant reduction in the numbers of voting machines that will need to be deployed under the All-Mailed Ballot/Vote Center model. Future elections will also require less outreach and voter education, as voters will be more familiar with the new election model, further lowering expenditures.