



County of San Mateo

Inter-Departmental Correspondence

Department: ASSESSOR-COUNTY CLERK-
RECORDER-ELECTIONS

File #: 19-682

Board Meeting Date: 7/9/2019

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Mark Church, Chief Elections Officer & Assessor-County Clerk-Recorder

Subject: Agreement with Dominion Voting Systems Corporation for Leasing a Voting System

RECOMMENDATION:

Adopt a resolution authorizing an agreement with Dominion Voting Systems Corporation for leasing the Democracy Suite 5.2 Voting System and associated services, for the term of July 1, 2019 through June 30, 2022, with an option to renew for up to two additional three-year terms, for an amount not to exceed \$5,821,147.45.

BACKGROUND:

In 2018, San Mateo County was among the first five counties to implement the California Voter's Choice Act (VCA). This law brought many changes to the voter experience, including Vote Centers where all registered voters in the county can cast their ballots, up to thirty days of in-person voting, a Vote by Mail ballot for every voter, and the ability to register and vote provisionally at a Vote Center through Election Day.

The transition from a polling place model to the All-Mailed/Vote Center model brought significant change to the management and operation of elections in San Mateo County. New technologies were required to fulfill the obligations of the law, as well as changes to long-held practices and procedures. This process is not complete. Additional human and technological infrastructure is required to ensure the efficiency and success of not just the next election, but the next decade of elections and beyond. These investments must include:

- Voting System Replacement
- Mail Sorter Replacement
- Mail Extractor Desks Purchase
- Election Night Results Software Replacement

- Helpdesk Software Replacement
- Electronic Poll Books
- Smartsheet Software Application

The acquisition most urgently needed to successfully conduct the upcoming Presidential Primary and General Election is a replacement for the county's electronic voting system. The San Mateo County Registration & Elections Division first implemented the Hart Voting System, and the eSlate electronic voting machines in the November 7, 2006 California Gubernatorial General Election. This system is nearing the end of its operational life. On February 27, 2019, Secretary of State Alex Padilla announced in County Clerk/Registrar of Voters Memorandum #19015 that he would exercise his authority under Elections Code Section 19232 to withdraw certification and conditional approval of all California voting systems not tested and certified to the California Voting System Standards (CVSS), effective August 27, 2019, including the Hart Voting System. As of February 27, 2019, the systems certified under CVSS were Democracy Suite 5.2 (Dominion Voting Systems, Inc.), Voting Solutions for All People (County of Los Angeles) and Verity Voting 3.0.1 (HART Intercivic, Inc). The state has offered assistance to counties in purchasing new voting systems, allocating San Mateo County up to \$2,474,000 in reimbursement for expenditures.

While all California counties were affected by this decision, the need for a new voting system in San Mateo County is more acute due to the successes of the VCA model. In the November 2018 election, San Mateo County's voter turnout soared to its highest rate in a Statewide General Election since 1982. Of the 290,058 ballots cast in that election, 256,053 (88.2%) were returned by mail. Both as a percentage and as a raw number, this was a substantial increase in returned paper ballots, as previously only approximately 60% of voters were registered as permanent vote by mail voters.

The Chief Elections Officer issued a Request for Information regarding certified voting systems on January 24, 2019. After an extensive review of the responses received, multi-day, on-site vendor demonstrations, and testing sessions with voters with disabilities, the Chief Elections Officer determined that the Democracy Suite system from Dominion Voting Systems, Inc. ("Dominion"), was best suited to the needs of San Mateo County.

DISCUSSION:

Dominion's system will improve the operational efficiency of the election process. It meets San Mateo County's most urgent immediate and future needs of faster ballot processing and more simplified ballot proofing. Indeed, the system's process for importing and proofing translated text will reduce the time to proof the ballot. Its process for centrally scanning and adjudicating ballots offers a more efficient scanning process, allowing San Mateo County to scan ballots more quickly and with fewer rescans required, and provides simultaneous adjudication across multiple workstations. The system fulfills all state certification standards and exceeds federal standards. With a verifiable paper trail for every ballot and no connection to the internet, the system ensures the security of every vote. The system supports Risk Limiting Audits and Ranked Choice Voting, options growing in popularity which are not supported by the current system.

Leasing this system will exhaust the current funds of the voting system trust fund which was created for this purpose. In order to ensure the trust fund will be replenished in preparation for future replacements or upgrades no later than 2029, the cost per voter charge to jurisdictions will be raised from \$0.22 to \$0.32.

Under the VCA, San Mateo County voters receive the highest level of service possible in California elections. This new technology will build on these achievements, offering a more intuitive voting experience, greater transparency, faster results, and cost-saving efficiencies.

The resolution contains the County's standard provisions allowing amendments of the County's fiscal obligations by a maximum of \$25,000 (in aggregate).

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

SHARED VISION 2025

Approval of this resolution contributes to the Shared Vision 2025 outcome of a Collaborative Community by improving voting system technology which will result in greater voter accessibility and engagement in the electoral process.

FISCAL IMPACT:

The lease of the Democracy Suite 5.2 Voting System will cost up to \$5,821,147.45. This amount includes \$1,852,341.65 for the initial three-year term of the Dominion Democracy Suite 9-year Lease Costs, plus \$1,802,341.65 for each successive optional three-year term, and \$364,122.50 for optional equipment purchases. This lease will be partially funded by a \$2,474,000 matching grant from the California Secretary of State and the remaining amount will be covered by the Assessor-County Clerk-Recorder-Elections Trust Fund. There is no Net County Cost.