



**COUNTY OF SAN LUIS OBISPO  
BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Clerk-Recorder		(2) MEETING DATE 1/23/2018		(3) CONTACT/PHONE Tommy Gong, Clerk-Recorder 805-781-5080	
(4) SUBJECT Request to approve the award of a contract to Dominion Voting (Clerk's File) in the amount of \$498,000 for specified voting systems and to authorize a budget adjustment of \$498,000 from unanticipated revenues provided from state and federal grants to Fund Center (FC) 11003 – Clerk-Recorder Elections Division and update the department's fixed asset list. 4/5 vote is required. All Districts.					
(5) RECOMMENDED ACTION It is recommended that your Board: <ol style="list-style-type: none"> <li>1) Approve a contract with Dominion Voting in the amount of \$498,000 to replace the Clerk's Office current voting system; and</li> <li>2) Authorize a budget adjustment, by 4/5th vote, in the amount of \$498,000; and</li> <li>3) Authorize the County Clerk-Recorder to sign all necessary documents to accept and receive Voting Modernization Bond of 2002 funding for the acquisition of the new voting system; and</li> <li>4) Authorize the County Clerk-Recorder to sign all necessary documents to accept and receive Help America Vote Act Funding for the acquisition of the new voting system; and</li> <li>5) Amend the Clerk-Recorder's fixed asset list for the replacement voting system in the amount of \$300,000.</li> </ol>					
(6) FUNDING SOURCE(S) Unanticipated Revenue - State and Federal Aid - Other		(7) CURRENT YEAR FINANCIAL IMPACT \$498,000.00		(8) ANNUAL FINANCIAL IMPACT \$50,515.00	
(9) BUDGETED? No					
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)					
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A					
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) 19001837				(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: 1718081 <input checked="" type="checkbox"/> 4/5th's Vote Required <input type="checkbox"/> N/A	
(14) LOCATION MAP		(15) BUSINESS IMPACT STATEMENT?		(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW Nikki J. Schmidt					

(18) SUPERVISOR DISTRICT(S)

All Districts



## COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Clerk-Recorder / Tommy Gong, Clerk-Recorder  
805-781-5080

DATE: 1/23/2018

SUBJECT: Request to approve the award of a contract to Dominion Voting (Clerk's File) in the amount of \$498,000 for specified voting systems and to authorize a budget adjustment of \$498,000 from unanticipated revenues provided from state and federal grants to Fund Center (FC) 11003 – Clerk-Recorder Elections Division and update the department's fixed asset list. 4/5 vote is required. All Districts.

### **RECOMMENDATION**

It is recommended that your Board:

- 1) Approve a contract with Dominion Voting in the amount of \$498,000 to replace the Clerk's Office current voting system; and
- 2) Authorize a budget adjustment, by 4/5th vote, in the amount of \$498,000; and
- 3) Authorize the County Clerk-Recorder to sign all necessary documents to accept and receive Voting Modernization Bond of 2002 funding for the acquisition of the new voting system; and
- 4) Authorize the County Clerk-Recorder to sign all necessary documents to accept and receive Help America Vote Act Funding for the acquisition of the new voting system; and
- 5) Amend the Clerk-Recorder's fixed asset list for the replacement voting system.

### **DISCUSSION**

The Clerk-Recorder obtained its current optical scan voting system (GEMS) in 1999 to replace the previous punch card ballot system. While GEMS has served this county well over the past 17 years, its server hardware is ten years old and the certified configuration operates on outdated Windows Server software. Essentially, the County's current vote tabulation system is at end of life and in need of replacement. GEMS was acquired before the Presidential Election of 2000, so funding which became available to counties both with the Proposition 41 Voting Modernization Bonds Act of 2002 as well as the Help America Vote Act, is still largely available to the County. Some required enhancements were made with this funding, such as purchasing the Automark ballot marking machines for voters with disabilities,

improving the pollworker training curriculum, and measuring and assessing the accessibility of polling places; but much of the funding was saved for the next generation voting system.

Until recently, there have been no new voting systems certified for use in California since 2007. Vendors have reflected the need for security, consideration of the voter experience, and the public trust in the system that voters use to cast their ballots. As a result, paper ballots and optical scan ovals continue to be the standard, but with system enhancements to speed up the programming, counting, adjudicating, and auditing processes. Today, with memory and storage capacity increased exponentially, full scans of ballots are possible; and with new software technology, systems can detect issues with ballots and allow staff to adjudicate a ballot contest electronically, log the action taken for audit purposes, and save the time spent manually duplicating, correcting, and enhancing physical ballots. The need for these enhancements was evident during the past Presidential General election when almost 100,000 VBM ballots were received. Most ballots requiring intervention are VBM ballots. The 322% increase in the County with VBM voting has necessitated the use of technology to keep up with the volume of ballots the County receives each election.

Ballot on demand (BOD) technology has also been embraced by numerous counties in California to fulfill voter requests for vote-by-mail ballots. BOD systems allow a county to maintain inventory of paper ballot stock and print only the ballots required to issue a ballot over the counter or in the mail. BOD takes the guesswork out of the quantity of ballots required in the office for an election.

Since voting has become computerized, it has been recognized that the lifespan of such equipment is not expected to last any longer than one's computer or cell phone before requiring replacement. With this in mind, the acquisition of equipment today necessitates finding ways to finance for future voting systems through depreciation and/or reflecting the use of voting equipment during each election, which could be billed to the jurisdictions whose election that the County conducts. The Clerk-Recorder will be contemplating these approaches during budget development and billing to outside agencies for election services.

In search for a new voting system, the County issued a request for proposals on September 13, 2017. The County received four qualified proposals, which were reviewed by Clerk-Recorder staff, including in-house demonstrations that were viewed by members of the public and the Director of Information Technology. An objective review of the submissions resulted in Dominion Voting Systems being selected as the preferred vendor. By obtaining a replacement voting system from Dominion Voting Systems, including a ballot creation system, a high-speed vote counting system, and a BOD system, the County will be well-positioned to effectively and efficiently conduct elections.

#### **OTHER AGENCY INVOLVEMENT/IMPACT**

The following agencies have been or will be involved in the following capacities:

Central Services Purchasing Division - facilitated the Request for Proposal and negotiated contract terms with vendor

Information Technology Department – provided assistance with preparation of RFP

Information Technology-Executive Steering Committee – reviewed and approved this voting system replacement project in July 2017.

County Counsel - approved the agreement as to form and legal effect.

### **FINANCIAL CONSIDERATIONS**

The purchase price for the system is \$498,000, including software licenses, installation services, and three additional years of prepaid licensing and warranty beyond the first year's maintenance.

Annual warranty, license, and maintenance of the voting system is \$50,515. As referenced above, the first four years is provided by the grant funding, with subsequent years provided by General Fund.

Funding will be provided by a combination of Proposition 41 Voting Modernization Bond Act of 2002 funds as well as the Help America Vote Act federal funds.

### **RESULTS**

- The Clerk-Recorder will conduct elections using an integrated voting system that reflects industry standards and allows more efficient ballot counting, and ballot on demand technology to print only the number of ballots required.
- A new voting system will modernize vote tabulation with high speed counting machines, full ballot image scans, software that will detect ballot exceptions (overvotes, stray marks, blank ballots, write-ins) which can be adjudicated electronically by staff, streamlining the vote counting process. As modern voting systems are designed for high volume, it will accommodate the increase in VBM ballots the County has been experiencing.
- A reliable, accurate, and modern vote tabulation system that the public expects with counting their votes. Increased public trust and satisfaction with increased transparency and quicker results and certification of elections.

### **ATTACHMENTS**

1. Dominion Voting Contract - Clerk's File