



**Contra
Costa
County**

To: Board of Supervisors
From: Joseph E. Canciamilla, Clerk-Recorder
Date: February 13, 2018
Subject: Voting System Upgrade

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Clerk-Recorder, or designee, County Clerk-Recorder or designee to execute a contract, subject to approval by the County Administrator and approval as to form by County Counsel, with Dominion Voting Systems, Inc., in an amount not to exceed \$6,750,000 for the purchase, licensing, storage, and six years of maintenance of Dominion's Democracy Suite voting system, for the period March 1, 2018 through December 31, 2023.

FISCAL IMPACT:

The County purchased its current voting system in 2005 for approximately \$8 million using a combination of Federal HAVA funds, State Prop 41 Funds and County matching funds. While the system has adequately met the County's needs, it is old technology and the equipment is failing. The lifespan of the equipment when purchased was 10 years.

In anticipation of the need to replace the voting system and the uncertainty of receiving State or federal aid to do so, the Board of Supervisors, in FY 16/17, authorized a special budgetary cost center (0043/2351) to begin accumulating funds to replace the voting system. The funds derive from a surcharge to all agencies conducting elections, including

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 13, 2018

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Scott Konopasek
925-335-7808

the County. State subsidy of voting system replacement costs may also become available next fiscal year.

There is currently a balance of \$4.7 million available for the purchase of a new voting system and associated costs. The initial purchase cost, first year of maintenance, and first three years of offsite ballot box storage is estimated to cost \$4,496,500 including applicable taxes. Annual maintenance and storage costs are expected to range from \$400,000 to \$600,000, which will be mitigated by anticipated savings in operational costs and through elections fees.

BACKGROUND:

Our current election system is still operating several years after its ten-year life expectancy. The system is nearing the end of its operational life. The department is experiencing a high failure rate of equipment and relies on staff to cannibalize parts from machines or to find obsolete parts online to keep the systems running. This has been going on for several years due to the State's slow time frame for approving and certifying new voting systems.

BACKGROUND: (CONT'D)

Elections Division staff kept abreast of potential new replacement systems. They attended voting system demonstrations of several Secretary of State certified voting systems, including ES&S, Clear Ballot, Hart, and Dominion. Dominion Systems offered a viable alternative that not only meets Contra Costa County's immediate needs, but is flexible enough to meet them into the foreseeable future. The proposed voting system improves the operational efficiency and security of our election processes. The Elections Division will be using the system as a test in the March Vote-by-Mail election.

Under the contract, the County is purchasing 300 ImageCast Evolution voting units, related hardware, embedded software, and related software and hardware support. On October 17, 2017, the California Secretary of State conditionally approved use of Dominion's Democracy Suite Version 5.2. This Board's approval of the Elections Department contract with Dominion is contingent on Dominion's compliance with all of the terms and conditions set forth in the Secretary of State's approval, which is attached to this board order.

The Elections Department has developed appropriate security procedures regarding the preparation and operation of the system, and confirms that the vendor has established a County user group and provided the Elections Department with the Democracy Suite Use Procedures, Version 5.2CA.11, all of which are required by the Secretary of State's conditional approval of the system.

Additional terms of the contract include: (1) the vendor leasing storage premises to store the 300 voting system units on behalf of the County, at a County cost of \$100,000 per year for the first three years of the contract, (2) County's right to terminate the contract with 30 days notice and a pro rata refund to County, and (3) vendor's obligation to upgrade the voting system and devices if they fail to comply with the Secretary of State's conditional approval or federal or state law

The proposal, staff analysis, and recommendations are attached

CONSEQUENCE OF NEGATIVE ACTION:

The County would continue to "make-do" with its current failing voting system, which could result in delays providing election results and/or the inability to have sufficient working equipment available to conduct a large election.

CLERK'S ADDENDUM

Jan Warren, resident of Walnut Creek.

ATTACHMENTS

Staff Report

CA Secretary of State Conditional Approval of Dominion Voting System Inc. Democracy Suite Version 5.2