



County of Fresno

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Legislation Details (With Text)

File #: 19-0222 **Name:** Voter's Choice Act for Legislation

In control: County Clerk/Registrar of Voters

On agenda: 3/12/2019 **Final action:** 3/12/2019

Enactment date: **Enactment #:**

Title: Consider County Clerk's recommendation to implement the Voter's Choice Act in March 2020; and Provide direction to the County Clerk to: Option 1: Implement the Voter's Choice Act Model; or Option 2: Continue with the current precinct model and take the steps to acquire the necessary equipment to continue using this model, and consider an additional service to the precinct model adding three satellite election offices

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Attachments A-F, 3. Additional Information

Date	Ver.	Action By	Action	Result
3/12/2019	1	Board of Supervisors	directed staff	
3/12/2019	1	Board of Supervisors	directed staff	Pass

DATE: March 12, 2019

TO: Board of Supervisors

SUBMITTED BY: Brandi Orth, Fresno County Clerk/Registrar of Voters

SUBJECT: Voters Choice Act Legislation

RECOMMENDED ACTION(S):

- 1. Consider County Clerk's recommendation to implement the Voter's Choice Act in March 2020; and**
- 2. Provide direction to the County Clerk to:**
Option 1: Implement the Voter's Choice Act Model; or
Option 2: Continue with the current precinct model and take the steps to acquire the necessary equipment to continue using this model, and consider an additional service to the precinct model adding three satellite election offices.

Legislation now provides that all California counties have the opportunity to transition to the Voters Choice Act (VCA), California Elections Code sections 4005-4008, in 2020. The VCA authorizes a county to automatically mail every voter a ballot, provide additional secure ballot drop-off boxes located throughout the county and to establish regional Voting Assistance Centers, replacing multiple precinct locations. Voting Assistance Centers will allow voters to cast a ballot in-person at any vote center in their county. The County of Fresno must decide to either continue the current precinct model or implement the VCA in 2020. This item is countywide.

ALTERNATIVE ACTION(S):

Your Board may choose to support the move to implement the VCA or support remaining in a precinct voting

model. Continuing with the present precinct model will require a larger capital outlay for the purchase of the new voting system. It is expected that the larger capital cost will be significantly offset by grants and matching funds.

FISCAL IMPACT:

The Net County Cost is dependent on which option your Board provides direction on. The following is a summary of the costs associated with options one and two:

- Option One - Implement VCA Model. The VCA model has an ongoing increase of approximately \$131,000 per election (5% of the total election costs) vs. the current precinct model. The VCA also has one-time costs of \$319,000 (\$69,000 IT implementation and \$250,000 for one-time voter outreach and education).
- Option Two - Current precinct model. The one-time equipment costs associated with the current precinct model will be \$1.6 million more than the VCA model. In addition, staff is recommending adding three satellite offices with an approximate ongoing cost of \$35,500 per election.

State and Federal grant funds may be utilized to offset the one-time costs in options one and two. It should be noted the State grant funds do have a match requirement; however, the Federal grant funds may be utilized for the match.

Whichever option your Board directs, the Department will return to your Board for the purchase of voting equipment or other implementation costs as appropriate.

DISCUSSION:

On February 12, 2019, your Board directed the County Clerk/Registrar of Voters (County Clerk) to provide attendance records from the VCA community outreach meetings which were held on February 13th, 15th, and 16th, 2019. Your Board also directed the County Clerk to provide a cost analysis of the current vs. proposed VCA voting systems.

Community Outreach Meetings

To assist in evaluating the option to implement the VCA in Fresno County, five community outreach meetings were held and attended by a total of 98 constituents. Those meetings were held in Kerman, Sanger, Clovis and two in Fresno. At the meetings, the current precinct model was explained as well as the VCA model and a discussion was held as to which model would best serve the voters. The conversations were robust with many questions and concerns expressed and the County Clerk appreciated the public's willingness to engage in this conversation. Common themes in these discussions were:

- The VCA model would represent a big change and would require extensive communication to voters;
- Some voters may need to travel further to Voting Assistance Centers, compared to traditional precinct locations and that may cause difficulty for voters who do not have access to transportation;
- Under the VCA Model - issuance of vote by mail ballots would increase 35% (from 65% to 100%). Some of the voters may be opposed to receiving a vote by mail ballot, but the voters will have the option to deposit their vote by mail ballots at numerous ballot drop off locations throughout the County;
- Voting Assistance Centers would provide a higher level of service to voters and would be especially advantageous for voters who cannot get to their assigned precinct location and are now required to vote provisionally;
- Staff at Voting Assistance Centers could be better trained as opposed to Precinct Officers under the traditional precinct model;
- Voting Assistance Centers would be more dependent on technology and equipment;

- Voting Assistance Centers would provide more days and opportunities for voters to participate;
- Traditional precinct locations do not serve voters well if they are not assigned to that precinct location and are required to vote on a provisional ballot; and
- Ballot drop off boxes would save postage and allow voters to avoid mail delays.

The majority of the attendees at the meetings favored the VCA model over the current precinct model. However, some individuals strongly favored the current traditional precinct model and were opposed to the VCA model. A few individuals felt that either model was good. During these sessions, some individuals expressed their concern for the possibility of non-citizens voting, lack of voter ID required by State law, and the impact of extended hours on precinct watching.

To further evaluate implementation of the VCA, the County Clerk spoke with counties that have converted to the VCA Model and other counties considering conversion. The VCA was successfully adopted by five counties (Sacramento, San Mateo, Napa, Nevada and Madera) and it is now optional for all counties. Each of these five counties has committed to continuing to use the VCA model in 2020. Additionally, Los Angeles County has decided to implement the VCA and roughly a dozen additional counties have indicated that they are conducting an evaluation process similar to Fresno County.

Cost Analysis Current vs. Proposed VCA

The Department utilized data from the November 2018 election to construct the cost analysis comparing the traditional precinct model and the VCA Model. The Department concluded that this data would provide for an adequate comparison between both models even though the data does not reflect the nuances related to primary elections (i.e. party ballots). It should be noted, these numbers do not reflect the costs of the basic equipment and programs for ballot layout that are the same regardless of which model is used. The purpose of this comparison is to explain the operational cost difference in the precinct model vs. the VCA model. It should be noted the detail for these costs is provided in the Attachments to this item.

VCA Ongoing Costs

<u>Item</u>	<u>(reduction)/additional costs</u>
Precinct ballot printing (Attachment B)	(61,303)
Voting Assistance Center staff (Attachment C)	78,245
VCA vote by mail (additional distribution) (Attachment D)	189,835
Paper roster and street index	(9,100)
Provisional ballot processing	(30,000)
Drayage of voting location materials	(13,700)
Voting Location materials costs	(40,000)
Election night staff	(13,000)
Drop box labor	35,500
Training materials	(5,000)
Total ongoing increase for VCA model per election	\$131,477

VCA One-time Costs*

<u>Item</u>	<u>(reduction)/additional costs</u>
IT implementation	\$69,000
Outreach/voter education (see Attachment E)	\$250,000

VCA One-time Savings - Voting Systems Equipment*

Current precinct model (268 precincts)	\$3.3 million
VCA model (50 voting assistance centers)	<u>\$1.7 million</u>
Total one-time savings	(\$1.6 million)

*Note - State and Federal grant funds may be utilized to offset these costs.

The equipment costs for the precinct model are higher due to the need for a higher number of ballot tabulators and accessible voting units at traditional precinct locations (approximately 268) compared to the 50 voting assistance centers associated with the VCA model (which have more equipment per location but fewer total units required). However, vote by mail requirements and the difference in staffing costs for the additional days make the VCA model slightly more expensive to operate on an ongoing basis.

Advantages/Disadvantages

Advantages of continuing the use of the current precinct model:

- Voters are familiar with the current system;
- Precinct locations are closer to voter's residences; and
- Vote by mail ballots are only issued to those voters who request them (less printing/mailing costs).

Advantages of changing to the VCA Model:

- Vote centers are open 4 to 10 days - more opportunities for voters to receive service;
- Voter registration available at all sites as opposed to just the Main Election Office;
- Reduced total number of staff to be recruited and trained potentially resulting in better trained staff and consistent service; and
- Voters may vote at any voting assistance center without using a provisional ballot.

Disadvantages of the Precinct model:

- Provisional ballots - voters who do not go to their assigned precinct location must be issued a provisional ballot, which can mean the voter potentially misses voting on candidates and issues for their proper precinct in addition to additional processing costs;
- Precinct locations are open for only one day; and
- Staffing is difficult due to large numbers, legal requirements, and 15 hour work days resulting in inconsistent service.

Disadvantages of the VCA model:

- Change in general may be confusing, especially in the beginning;
- Voters who receive a vote by mail ballot may not want one (additional printing/mailing costs); and
- Additional ongoing costs primarily associated with increased staffing hours and vote by mail requirements.

Voting equipment for the current paper-based precinct model election system used by the County is over 20 years old. Regardless of the VCA, Fresno County will need to purchase a new voting system. The voting model used by the County will have a significant impact on the quantity and type of equipment purchased and thus the cost of the purchase (see Attachment A). This capital outlay may be offset by grant funds, but potential additional costs may be incurred by switching voting models. It is prudent to explore the VCA model as an option for the Fresno County at this time.

The County Clerk's staff have dedicated much time studying the issues associated with these two systems and seeking community input. Based on this review, it is recommended that the County of Fresno implement the VCA Model and change to the Voting Assistance Center model as the voters in general will be better served with this model. If the Board does not support this recommendation, then the Department will move forward with continuing the traditional precinct model.

If the Board of Supervisors favors continuing the current precinct model, an additional service may be added to introduce three satellite offices (locations to be determined), open for four days for voters to receive the correct ballot (thereby reducing the number of provisional ballots); allow voter registration and the same level of service currently offered at the main elections office. The cost of providing this additional service is

approximately \$35,500 per election, an increase of 1.4% to total election bill.

As requested by your Board, Attachment F shows the details and costs if the current Supervisorial District Two Special Election were conducted under the VCA model. The VCA has reduced requirements for special elections. In this scenario, if the VCA model had been implemented, the total cost between a precinct model and the VCA model would be \$15,045 less as detailed in Attachment F.

Pending Legislation:

Recently introduced legislation, Assembly Bill No. 363 (AB 363) by Gonzalez, is proposing new requirements for those counties who remain in the precinct model. AB 363 would require that a certain number of precinct locations (by formula in the bill equating to 46 for Fresno County) also be open the Saturday, Sunday and Monday before election day, for minimum of 8 hours per day. This would add increased costs to the precinct model, while also increasing the number of provisional ballots.

Also, Senate Bill 72 (SB 72) by Umberg, is proposing new requirements for those counties who remain in the precinct model. It would require counties to operate early voting satellite offices. SB 72 would require the Secretary of State to determine the number of satellite offices each county must open and staff. Currently the bill does not specify the amount of days each satellite office must be open prior to the election.

REFERENCE MATERIAL:

BAI #6, February 12, 2019

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A - Capital Expenditure Comparison

Attachment B - Ballot Printing Cost Savings

Attachment C - VCA Staff Costs

Attachment D - Additional Vote by Mail Ballot Distribution

Attachment E - Voter Outreach and Education

Attachment F - Supervisorial District Two Special Election Comparison of Costs (Current Precinct vs. VCA model)

CAO ANALYST:

Yussel Zalapa