CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF ELECTIONS John Arntz, Director

Memorandum

To: Elections Commission

From: John Arntz, Director

Date: June 18, 2018

RE: Director's Report: June 20, 2018, Elections Commission Meeting

Following is a brief listing of the work and related information in which the Department of Elections (Department) has been engaged since the previous report issued in relation to the canceled Elections Commission meeting on May 16, 2018.

I. **In consideration of the City reviewing the feasibility of the City's options to develop a highly accessible, open source voting system, and other voting system matters.**

A. The Director of the Department of Technology (DT) has drafted a job description for a project manager to set the specifications, costs, timelines, and implementation of a City-developed open source voting system.

B. The position is a Project Manager II, and tbe classification number for the position is 5504.

C. DT will post the job description on the City's website the Department of Human Resources provides to prospective job applications for City jobs and DT will also utilize a recruiter to search for qualified candidates.

D. The project manager will utilize Slalom's business case when considering next steps such as engaging the Secretary of State's Office (SOS) to determine how the SOS' review and approval process for voting systems can support the development of an open source system and components, evaluating open source licenses to apply to the City-developed system, determining whether partnerships can be formed with other jurisdictions, and determining the costs associated with the system's development according to specific components or process goals.

E. Los Angeles County (LA) awarded a contract to Smartmatic to assist with developing LA's voting system. As stated in press releases, LA's agreement with Smartmatic includes a five-year term, until 2023, and a cost of $282 million. Smartmatic will engineer, manufacture, and implement the system's components that LA designed during the past nine years. LA seems to have a second contact for $12 million with Digital Foundry through 2020 regarding the processing of ballots.

F. Regarding the City's voting system to replace the current system, for which the contract expires in December 2018, the Department and Dominion Voting have continued contract discussions for this new system. The pilot program to provide members of the public the opportunity to use the new system is tentatively scheduled for the end of July.

G. The State's FY 18/19 budget includes the Governor's allocation of $134 million for counties to upgrade voting equipment, research and develop voting systems, manufacture voting-related equipment, etc. The Secretary of State (SOS) is to specify funding amounts to each county based on counties' sizes, counties' number of registered voters, and the SOS' consideration of counties' need for upgraded voting systems.

H. Any use of these state funds to develop voting systems must result in a county obtaining the SOS' approval of such systems by July 2023. Otherwise, a county would need to refund the monies received to the State.

I. The State budget also includes $3 million for the SOS to create two new offices: the Office of Elections Cybersecurity to secure voting systems from cyber-attacks and misinformation warfare and the Enterprise Risk Management Office to increase communication amongst the counties and the SOS and to create best practices.

II. The Department continues to conduct post-election activities associated with the June 2018 election.

A. Pursuant to California Elections Code Sections 3009, 3019, 15101, 15210, the Department processed nearly 168,500 returned vote-by-mail ballots. Of those, nearly 165,000 are accepted, and 3,500 are challenged – nearly 2,000 are challenged from arriving too late to process. During the June cycle, the Department sent out notices on a daily basis to the voters whose vote-by-mail ballots could not be counted to explain the reason and possible actions the voters must take to correct the ballot envelope in time for the vote to be counted. Voters for whom the Department has an email address or telephone number on file were alerted to the issues through these additional means. Through this proactive outreach the Department obtained information and subsequently counted nearly 1,000 ballots.

B. Pursuant to California Elections Code Section 14310, the Department processed nearly 14,500 provisional ballots received from the polls. Of those, nearly 13,000 are accepted, and 1,500 are challenged.

C. Pursuant to California Elections Code Section 15301, the Department commenced the official Canvass that includes a hand tally of ballots cast in one percent (1%) of precincts, both at polling places and by mail. Random selection of precincts for one percent tally occurred on Thursday, June 14; the manual tally began on Monday, June 18.

D. The Department expects to complete the counting of ballots this week that were cast for the June election.

E. The Department will most likely certify the election next week and forward the certification documents to the Board of Supervisors so that the Board can declare the election results.

F. The next Mayor can assume office after being sworn in following the Board's declaration of the results.

G. The turnout for the June election will be approximately 53%, with more than 252,000 people casting ballots. The Department will have processed nearly 700,000 ballot cards cast by vote-by-mail voters. Nearly 20% of registered voters cast ballots at their polling places.

III. Simultaneously with the activities associated with the June 2018 election, the Department has been fulfilling many substantial actions in preparation for conducting the November 6, 2018, Consolidated General Election.

A. In accordance with local and state election laws, the June 12, 2018 nomination deadline for candidates running for the offices of Board of Supervisors, Districts 4 and 8 has been extended by five calendar days through 5 p.m. on Monday, June 18, because the incumbents in those offices have chosen not to pursue re-election.

B. In accordance with local and state election laws, the period for signatures in lieu of filing fee for candidates for the office of Assessor-Recorder, Public Defender, Board of Education, and Community College Board commenced on May 17 and will close on July 11.

C. The Department has been working on the implementation plan for adiminstering non-citizen voting in the 2018 School Board election, which in many ways will require the Department to run a second, simultaneous election this November.

1. The Department will create a Voter Registration Affidavit, as well as an accompanying eligibility checklist, in English, Chinese, Spanish, Filipino, Vietnamese, and Arabic and make the affidavit avialble on July 18. Per requirements in the recently enacted MEC Section 1004, the registration affidavit will include an immigration-related notice drafted by the Board of Supervisors, which will be translated into forty-eight languages.
2. The Department will adapt a number of existing documents for use in the School Board-only election, including a voter notification card, a vote-by-mail application, and a ballot pick-up authorization form. All of these documents will include the immigration-related notice and will be available on the Department's website, along with a section on frequently asked questions on non-citizen voting, a calendar of key election dates, and appropriately adapted versions of various voter lookup tools.
3. The Department will produce consolidated School Board-only election ballots and Voter Information Pamphlets in English, Chinese, Spanish, and Filipino; the VIP will also be available online. All methods of voting available

to citizen voters will also be available to non-citizen voters, including City Hall Voting Center, polling place, and vote-by-mail voting.

4. The Department will procure a supplemental EIMS database to hold and manage non-citizen voter records.
5. The Department will conduct extensive outreach through community-based organizations, and will coordinate with City agencies, the school district, and the Language Aaccessiblity Advisory Commitee, to build awareness of non-citizen suffrage and to address concerns about the School Board-only election.

D. Following the City's budget process and timelines, the Department has been collaborating with the Budget and Legislative Analyst's Office on the Department's proposed FY 2018-19 and FY 2019-20 budget to ensure adequate funding for fixed operating expenses as well as funding to carry out services and programs associated with the three citywide elections scheduled during the period encompassed by the budget.

E. The Department presented its proposed budget at the first Budget and Finance Committee Hearing on June 14 and will attend the second Budget and Finance Committee Hearing on June 21.