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City of Alexandria, Virginia

MEMORANDUM

DATE: SEPTEMBER 6, 2017

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: MARK B. JINKS, CITY MANAGER /s/

DOCKET TITLE:
Allocation of Funds for the Replacement of Alexandria's Voting Machines

ISSUE: Allocation of funds for the replacement of voting machines for the City of Alexandria.

RECOMMENDATION: Authorize the use of $595,000 of FY 2017 year-end surplus funds to fund the purchase of new voting machines for use beginning this fall.

BACKGROUND: The City's current voting system consists of two components: eSlate and eScan. They are from the same vendor and are controlled by the same suite of proprietary software programs.

(a) **eSlate** is an electronic system also known as a Direct Recording Electronic (DRE) voting system. It was purchased in 2003 to comply with state law and the 2002 Help America Vote Act which requires all localities to provide *"at least one voting system equipped for individuals with disabilities at each polling place, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters."* The eSlate allows voters to cast their ballots privately and independently, but does not produce a voter-verifiable or auditable paper trail.

(b) **eScan** is a paper-based digital scanning system. It was purchased in 2011 to expand voting capacity in the City. These machines provide a voter-verifiable and auditable paper trail.

During its 2016 session, the Virginia General Assembly passed legislation that after July 1, 2020, no county or city shall use any DRE. Since the eScan, on its own, does not satisfy accessibility requirements, I recommended earlier this year and City Council approved in May, when it adopted the new 10-year CIP, $895,000 in the FY 2020 year of the CIP to purchase a new voting system that would comply with legal requirements for accessibility and have an auditable paper trail just ahead of the state law deadline.

In August, 2017, citing concern for the security and integrity of Virginia's elections, the Virginia Department of Elections in conjunction with the Virginia Information Technology Agency (VITA), began a review of all DREs still in use in Virginia including Alexandria's eSlate system. While results of this review are not yet complete, on August 21 the Department of Elections issued a warning that all DREs (including eSlate) could be decertified prior to the November 2017 General Election. Since then we have learned that decertification is likely. Furthermore, in the event of decertification, the State said it would be impermissible for Alexandria to continue using its current equipment. This probability puts the City at risk for not having an electronic voting machine

facilities accessible for persons with disabilities. Therefore, the Electoral Board began to accelerate its consideration of new voting machines.

ASSESSMENT OF POTENTIAL NEW EQUIPMENT: Beginning in 2016, the Alexandria Electoral Board and its staff began researching all four, paper-based voting systems that have been certified by the State Board of Elections for use in Virginia. All four systems include two integrated components, a scanner and a ballot-marking device, and operate in a similar fashion. Voters can either (1) go to a voting booth, mark a paper ballot, and insert that paper ballot into a scanner, or (2) use the accessible ballot-marking device to make their choices, print a ballot from that device, and insert that paper ballot into the same scanner used by all other voters. All precinct election results are then combined onto one results tape at the end of the day. (The City's current eSlate/eScan system totals the votes cast on each piece of equipment separately and prints two different results tapes.)

After reviewing the four systems at conferences and trade shows, the Electoral Board narrowed its choice to three systems and asked staff to observe those systems in use as well as convene with the systems vendors for detailed presentation. Staff observed one system during a 2016 town election in Dumfries (Prince William County); a second system during a 2017 special election in the City of Fairfax; and the third system during a 2017 town election in Vienna (Fairfax County).

On August 28 and 29, the three selected machines were made available unmarked for public viewing and testing. Invitations were sent to the political parties, election officers, the Alexandria eNews Election Information group, the Human Rights Commission, the Commission on Persons with Disabilities, and the Alexandria chapter of the National Federation of the Blind.

EQUIPMENT SELECTION: On August 30, the Alexandria Electoral Board met to review the three systems and was unanimous in its selection of the VERITY voting system. In addition to 10-year cost considerations, VERITY received the highest ratings in each of the four evaluated categories:

1. Technical requirements, including accessibility features, system security, ballot design flexibility and reporting options
2. Service and maintenance choices
3. Rollout and training for staff and election officers
4. Feedback from the community

The Voter Registration Office will have a demonstration system available for voters who want to test the accessible ballot-marking device prior to the election, and will work with the City's Communications staff to provide voters with information on the new system.

FISCAL IMPACT: It will cost approximately $595,000 to purchase two scanners and one accessible ballot-marking device for every precinct (plus backups), which is significantly less than the $895,000 included in the current FY 2020 year of the adopted Capital Improvement Plan. This price includes a trade-in allowance for our current system. The cost for training, licensing and support can be accommodated within the Office of Voter Registration's FY 2018 budget.

Because the FY 2020 CIP funding for the voting machine purchase is not available in FY 2018, an interim funding source of FY 2017 year-end surplus monies is needed. While a precise amount of FY 2017 year-end available monies is not known at this time, it is clear that FY 2017 ended the year with enough financial margin to clearly be able to pay for this early voting machines purchase. When the next City CIP is prepared for FY 2019 to FY 2028 the $895,000 for voting machine purchase in FY 2020 will be deleted.

STAFF:
Members of the Alexandria Electoral Board
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Anna Leider, General Registrar
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