ORDER ADOPTING THE BEXAR COUNTY ELECTIONS VOTING SYSTEM AND SOFTWARE AND THE EXPRESS VOTE UNIVERSAL VOTING SYSTEM FOR EARLY VOTING IN PERSON, EARLY VOTING BY MAIL, ELECTION DAY VOTING AND PROVISIONAL BALLOTS FOR MAY 2, 2020 ELECTION AND ALL FUTURE ELECTIONS

WHEREAS, Bexar County, Texas is participating in the County-Wide Polling Place Program ("Voting Centers program") implemented by the Texas Secretary of State pursuant Section 43.007 of the Texas Election Code; and

WHEREAS, Section 43.007 of the Texas Election Code allows Bexar County to eliminate county election precinct polling places and establish countywide polling places for:

(1) each general election for state and county officers;
(2) each election held on the uniform election date in May and any resulting runoff;
(3) each election on a proposed constitutional amendment;
(4) each primary election and runoff primary election if each political party participating in the election agrees to the use of county-wide polling places; and

WHEREAS, under the Voting Centers program, a voter may vote at any voting center, and each countywide polling place must allow a voter to vote in the same elections in which the voter would be entitled to vote in the county election precinct in which the voter resides; and

WHEREAS, Chapter 122 of the Texas Election Code sets standards for voting systems and requires the Texas Secretary of State to approve voting systems; and

WHEREAS, on September 13, 2019, the Texas Secretary of State certified and approved for use in Texas elections the Election Systems & Software's EVS 6.0 4.0 system and the Express Vote Universal Voting System which has many components, including but not limited to, the ExpressVote Ballot Marketing Device; ExpressTouch Direct recording for curbside voting; DS200 precinct digital scanner and tabulator; DS450 and DS850 high speed central scanners and tabulators for tabulating mail ballots, the ExpressVote voting unit; and election management software (collectively, the "Voting System"); and

WHEREAS, Bexar County adopted the use of the Voting System for elections commencing in November 2019; and

WHEREAS, on January 21, 2020, the Board ordered the General and Special Elections for Trustees for single member Districts 2, 4, 8 and 9 be conducted on Saturday May 2, 2020 by Bexar County Elections Administration, jointly with other political subdivisions as determined by Bexar County Elections Administration; and

WHEREAS, before a voting system may be used in elections, Section 123.001 of the Texas Election Code requires the governing authority of a political subdivision to adopt the voting system to be used in its elections by resolution, order or other official action of the governing authority.

IT IS, THEREFORE, ORDERED BY THE BOARD OF TRUSTEES OF THE ALAMO COMMUNITY COLLEGE DISTRICT THAT:

Section 1. The Board hereby approves and adopts the Voting System adopted by Bexar County and approved by the Texas Secretary of State, as referenced above, for use in Early Voting in Person, Early Voting by Mail, Election Day Voting, and Provisional Ballot Voting in all future elections held by the Alamo Community College District in Bexar County, commencing with the Trustee General and Special Elections to be conducted on Saturday, May 2, 2020 by Bexar County Elections Administration.

Section 2. The Voting System approved and adopted by this Order is Election Systems & Software's EVS 6.0 4.0 system and the Express Vote Universal Voting System, which has many components including, but not limited to, the ExpressVote Ballot Marketing Device; ExpressTouch Direct recording for curbside voting; DS200 precinct digital scanner and tabulator; DS450 and DS850 high speed central scanners and tabulators for tabulating mail ballots; ExpressVote voting unit; and election management software. Election Systems & Software is the vendor.

Section 3. The Board hereby relies on the Texas Secretary of State's Report of Review and Certification of the Voting System, attached hereto and incorporated herein by reference. The recitals above are hereby made a part of this Order for all purposes.

Section 4. It is officially found, determined, and declared that the meeting at which this Order was approved was open to the public, and public notice of the time, place, and subject matter was given as required by Chapter 551 of the Texas Government Code.

PASSED AND APPROVED the 18th day of February, 2020.

Marcello Casillas, Chair
Alamo Community College District
Board of Trustees

ATTEST:

Anna Uriegas Bustamante, Secretary
Alamo Community College District
Board of Trustees

The State of Texas

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REPORT OF REVIEW OF ELECTION SYSTEMS & SOFTWARE EVS 6.0.4.0 SYSTEM

PRELIMINARY STATEMENT

On June 26-27, 2019, Election Systems & Software ("ES&S" or the "Vendor") presented the EVS 6.0.4.0 system for examination and certification. The examination was conducted in Austin, Texas. Pursuant to Sections 122.035(a) and (b) of the Texas Election Code, the Secretary of State appointed the following examiners:

1. Mr. Tom Watson, an expert in electronic data communication systems;
2. Mr. Brian Mechler, an expert in electronic data communication systems;
3. Mr. Brandon Hurley, an expert in election law and procedure; and
4. Mr. Charles Pinney, an expert in election law and procedure.

Pursuant to Section 122.035(a), the Texas Attorney General appointed the following examiners:

1. Dr. Jim Sneeringer, an expert in electronic data communication systems; and
2. Mr. Ryan Vassar, an employee of the Texas Attorney General.

On June 26, 2019, Mr. Mechler, Mr. Pinney, and Dr. Sneeringer witnessed the installation of the EVS 6.0.4.0 software and firmware that the Office of the Texas Secretary of State (the "Office") received directly from the Independent Testing Authority. Mr. Pinney and Ms. Macy Cotton, a staff attorney with the Office, examined the accessibility components of the ExpressVote, the ExpressVote XL, and the ExpressTouch.

On June 27, 2019, the Vendor demonstrated the system and answered questions presented by the examiners. Test ballots were then processed on each voting device. The results were accumulated and later verified for accuracy by staff of the Secretary of State.

Examiner reports regarding the EVS 6.0.4.0 system are attached hereto and incorporated herein by this reference.

On August 7, 2019, pursuant to Section 122.0371 of the Texas Election Code, the Office held a public hearing for interested persons to express views for or against the certification of the EVS 6.0.4.0 system.

BRIEF DESCRIPTION OF EVS 6.0.4.0

The EVS 6.0.4.0 system is an updated version of EVS 6.0.2.0, which the Office certified in March 2019 for use in Texas elections. EVS 6.0.4.0 includes software enhancements to the existing election management system and updates to other previously certified hardware components, including the ExpressVote and ExpressVote XL ballot marking devices, the ExpressTouch curbside DRE, the DS200 precinct scanner, and the DS450 and DS850 central scanners.

EVS 6.0.4.0 has been evaluated at an accredited independent voting system laboratory for conformance to the 2005 Voluntary Voting System Guidelines (VVSG). EVS 6.0.4.0 was certified by the Election Assistance Commission (EAC) on May 3, 2019.

The components of EVS 6.0.4.0 are as follows:

Component	Version	Description
ExpressTouch	1.0.3.0	Direct-recording electronic voting machine (only for curbside voting)
DS200	2.17.4.0	Precinct scanner
DS450	3.1.1.0	Central scanner
DS850	3.1.1.0	Central scanner
ExpressVote (HW 1.0)	1.5.2.0	Ballot marking device
ExpressVote (HW 2.1)	2.4.5.0	Ballot marking device
ExpressVote XL (HW 1.0)	1.0.3.0	Ballot marking device
ElectionWare	5.0.4.0	Election management software
ExpressLink	1.5.1.0	Election management software
Event Log Service	1.6.0.0	Election management software
ExpressVote Activation Card Printer	N/A	Voting machine ballot activation device
ExpressVote Previewer	1.5.2.0/2.4.5.0	Election management software
PaperBallot	5.0.4.0	Election management software
Removable Media Service	1.5.1.0	Election management software
Toolbox	3.5.0.0	Election management software

FINDINGS

The following are the findings, based on written evidence submitted by the Vendor in support of its application for certification, oral evidence presented at the examination, and the written reports of the voting system examiners (all of whom recommended certifying the EVS 6.0.4.0 system for use in Texas elections).

The EVS 6.0.4.0 system, including its hardware and software components, meets the standards for certification as prescribed by Section 122.001 of the Texas Election Code. Specifically, the EVS 6.0.4.0 system and its components, among other things:

1. Preserve the secrecy of the ballot;
2. Are suitable for the purpose for which they are intended;
3. Operate safely, efficiently, and accurately and comply with the voting system standards adopted by the Election Assistance Commission;
4. Are safe from fraudulent or unauthorized manipulation;
5. Permit voting on all offices and measures to be voted on at the election;
6. Prevent counting votes on offices and measures on which the voter is not entitled to vote;
7. Prevent counting votes by the same voter for more than one candidate for the same office or, in elections in which a voter is entitled to vote for more than one candidate for the same office, prevent counting votes for more than the number of candidates for whom the voter is entitled to vote;
8. Prevent counting a vote on the same office or measure more than once;
9. Permit write-in voting;
10. Are capable of permitting straight-party voting; and
11. Are capable of providing records from which the operation of the system may be audited.

CONCLUSION

Accordingly, based upon the foregoing, I hereby certify Election Systems & Software's EVS 6.0.4.0 system for use in Texas elections.

Signed under my hand and seal of office, this 13th day of September 2019.

JOSE A. ESPARZA
DEPUTY SECRETARY OF STATE

Discussion and Possible Action To Approve and Adopt the Bexar County Elections Voting System and Software and the Express Vote Universal Voting System for Early Voting in Person, Early Voting by Mail, Election Day Voting and Provisional Ballots for May 2, 2020 Elections and All Future Elections.

Presented to the Committee of the Whole of the BOARD OF TRUSTEES of the ALAMO COMMUNITY COLLEGE DISTRICT on February 4, 2020 and to be presented to the BOARD OF TRUSTEES at a regular meeting on February 18, 2020.

MINUTE ORDER:

"The Board hereby approves the Attached Order Adopting the Bexar County Elections Voting System and Software and the Express Vote Universal Voting System for Early Voting in Person, Early Voting by Mail, Election Day Voting and Provisional Ballots for May 2, 2020 Elections and All Future Elections."

PURPOSE:
To approve and adopt the Bexar County Elections Voting System and Software and the Express Vote Universal Voting System for Early Voting in Person, Early Voting by Mail, Election Day Voting and Provisional Ballots for May 2, 2020 Elections and All Future Elections as required by Section 123.001 of the Texas Election Code.

BACKGROUND:
Bexar County, which conducts all elections for the Alamo Community College District, adopted a new voting system with new and updated equipment and software and began using it in the November 2019 General Election. Section 123.001 of the Texas Election Code requires that before a voting system may be used in elections, the governing authority of a political subdivision must adopt it by resolution, order or other official action to be used in its elections.

IMPLICATIONS:

Financial:	None
ATTACHMENT:	Order To Approve and Adopt the Bexar County Elections Voting System and Software and the Express Vote Universal Voting System for Early Voting in Person, Early Voting by Mail, Election Day Voting and Provisional Ballots for May 2, 2020 Elections and All Future Elections.