

**CITY COMMISSIONERS  
FISCAL YEAR 2022 BUDGET TESTIMONY  
MAY 4, 2021**

Good Afternoon President Clarke and Members of City Council. I am Commissioner Lisa Deeley, Chairwoman of the City Commissioners. Joining me today are Commissioners Al Schmidt and Omar Sabir, Deputy Commissioners Nick Custodio, Seth Bluestein, and Devin Uqdah, and Budget Officer Muhammad Salim. I am pleased to provide testimony on the Office of the City Commissioners' Fiscal Year 2022 Operating Budget.

We are here to request \$25,172,880 to fund our operations for Fiscal Year 2022. This request includes \$11,110,589 in Class 100, for employee compensation, \$ 9,061,474 in Class 200, for professional service contracts, election board payroll, and polling place rentals, \$4,015,972 in Class 300, for materials and office supplies, and \$984,845 in Class 400, for computers, furniture, and equipment.

Our request is \$7,126,028 more than what the administration is proposing. While the administration's proposal is an increase from the budget passed last fiscal year, it is less than what their FY 2021 pre-COVID budget proposal was. The administration's proposal does not fund us at an adequate enough level to operate and prepare for the 2022 Primary and General Elections. I mean no disrespect to those who are on the ballot this year, but the eyes of the world are going to return to Philadelphia next year for the Governor and US Senate elections. Control of the United States Senate will run through Philadelphia, and the situation has become even more high profile since Senator Pat Toomey announced that he would not be running, leaving an open seat. It is going to feel a bit like 2020 in the scope, intensity, and scale of the work and expectations from Philadelphia citizens, and others worldwide. We would have liked to have begun this preparation in December, following our partial recovery from the November Election. However, we have been bogged down outfitting the ballot processing space in our new warehouse, so these preparations have become part of the budget process.

This time last year, we appeared before you and said that we were not being funded at an adequate level and that we would expect to need a midyear transfer to make it through the fiscal year. We ended up receiving a \$10 million grant to fund most of the highly demanded election services and long term investments in equipment to handle the surge in mail voting that were not in our original budget request, and yet we still required a \$9,746,830 mid-year transfer to make it through the fiscal year. Further, we had to delay the acquisition of electronic pollbooks until next fiscal year. The administration's proposal would cut all funding for electronic pollbooks - our request would restore that funding. The acquisition of electronic pollbooks would be a one-time expense, with annual maintenance.

We have been trying to replace our paper pollbooks with electronic pollbooks for several years now. These e-pollbooks were supposed to be implemented in the 2019 General with the new voting system, but the equipment did not pass the pilot election phase of the testing and the purchase was cancelled. We would like to restart the process. The electronic pollbooks will allow for faster and more efficient voter check-in at polling places and for voters to look up their correct polling place if they are in the wrong location. It will also shave several days off of the counting of mail ballots, as it will more quickly allow the staff to cross reference the ballots that arrived after the creation of the poll books to ensure that these voters did not vote in person, a key step that we take to ensure accurate election results.

Since the transition to a new voting system in 2019, our department has become much more technical. With the new vote by mail equipment that was purchased last year with the funds from the CTCL grant, the amount of new technology that our department relies on has increased. This reliance on technology is

only going to expand as we continue to modernize our elections to the level that befits a large election jurisdiction like Philadelphia. However, we have not expanded our IT capabilities during this time. Our IT staff remains the same two people, one of which pulls double duty helping to oversee the voter registration program. We have leaned heavily on OIT and an outside consulting firm to assist our staffers, but this is not sustainable long-term. In December, we met with the consultants and representatives from OIT and CAO to discuss what we learned from the 2020 General Election. One of the main takeaways from that meeting was recommendations for additional staffing. Unless we enact the recommended IT staffing increases, we will be unable to transition the work currently being done by the consultants inhouse, we will have to rely on them going forward, and we will be unable to take on any new technology related projects. Our request would provide funding for the four new IT positions so that we can continue to modernize the department. It is important that we move on these new positions quickly so that everyone can become acclimated in time for the 2022 primary.

A main point taken from the staffing recommendation was that additional operational, supervisory staff as well as staff to assist with budgeting and HR are needed. Like most of Council, the administrative staff in the Commissioners offices have traditionally focused on public outreach and constituent service. While some Deputy Commissioners main focus is on operations, the changes in elections in the last several years have outpaced and overwhelmed our small administrative staff. Not only has this adversely affected our public outreach and constituent service, but it has made it harder to supervise and oversee overall operations. Our budget request would provide funding for the recommended additional operational supervisory, deputy executive directors who will each have a different area of operations that they will focus on and an administrative officer to oversee HR and Budget, allowing the Deputy Commissioners to be removed from the day to day of those departments and allow them to focus on preparations for the mid-term election and on moving our department forward.

We are very grateful for the generous grant that we received from the Center for Tech and Civic Life. It allowed us to open satellite offices and install drop boxes without having to come back to Council for additional taxpayer funds. I know there are some in Harrisburg who view us taking private grant funds from a non-partisan nonprofit negatively, but I will not apologize for saving Philadelphia taxpayers \$10 million and expanding voting access. We will continue to pursue grant funding in the future to alleviate the pressure on Philadelphia taxpayers, whether it be federal, state, or private.

What most people do not realize about the CTCL grant is that \$5 million of the \$10 million went towards the new equipment to more effectively send and count the mail ballots. This equipment was on prime display at the Convention Center last November and represents a major investment in Philadelphia elections that will serve us for over a decade with no upfront cost to taxpayers. We will now be able to count ballots like other large mail ballot jurisdictions such as Denver and Orange County, California. While the first year of service and maintenance was covered by the grant, our budget request contains the funds needed to continue to pay for the ongoing service and maintenance. In addition, it has become clear that the specialized nature of the printing, mail sorting, and inserting equipment requires a new unit of dedicated staff to run said equipment. This new mail ballot services unit will be made up of one team leader and five staffers. The size of this unit was recommended by the vendor, and is included in our budget request.

Absent the Legislature in Harrisburg passing a law to allow for some period of pre-canvassing, as you saw with our operation at the Convention Center, counting all the mail ballots timely takes an army of temporary staff. We require this additional temporary staff because we cannot start counting the mail ballots until Election Day, when our permanent staff is running the in-person election. With the lower

number of mail ballots that we are seeing during the DA-Controller Election, we expect to spend about \$200,000 in temporary staff for each election in 2021. For the 2022 Primary, we expect to receive enough mail ballots that we will have to return to a twenty-four-hour counting operation. If our expectations hold true, this means we will need to spend about \$400,000 on temporary staff next spring. Without this temporary staff, we will not be able to post any mail ballot results on election night and it will take much longer for the results of the election to be known. Our budget request contains the funding for the temporary staff to count the ballots on Election Day and beyond so that we can deliver clarity to the election outcomes as quickly as possible.

Since the passage of Act 77 and Act 12, postage has been a growing expense. We now expect to pay about a million dollars a year in postage alone. Part of this is due to our desire to continue to pay for the return postage of ballots. Providing return postage makes it easier for voters to return their ballots since they do not have to buy a stamp. Our budget includes the additional postage cost, including continuing to pay for the return postage of the ballots.

We have seen recently that some states, such as Georgia, and now Florida, are enacting laws designed to reduce access to voting; and the witch-hunt in Arizona with Maricopa County's ballots that the big lie about the 2020 Election is still ongoing. To this day, we are still receiving emails from people saying that the 2020 Election was a fraud that either we or the Secretary of State acted illegally – and these are just a few of the accusations that are the least “out there”.

As I watched the news the other day about Florida's new law, I heard a phrase that really bothered me: “Ensure that only legitimate votes are counted.” This implies that there are illegitimate votes being cast and that these new restrictive laws are necessary. In reality, these types of laws are attacks on lower income, mostly minority, voters in large urban areas, such as Philadelphia. There are plenty of people out there willing to believe that there are such a thing as illegitimate votes. The biggest problem facing democracy in this country today is that there are bad actors willing to misinform the populous, most of the time making very good money while doing it, and that people are so willing to be so easily misinformed. Memes on Facebook are becoming news sources.

As a trusted source, our department must gear up to combat misinformation and provide accurate information in a rapid speed. Right now, as everything else that you see coming out of our department, communications and social media are performed by administrative staff, but it is not their sole duties. The bulk of our communications is handled by my deputy, who has other responsibilities. It is not unusual for the roll out of things to be delayed because it is a busy news day. By the time October of last year hit, the media requests, and the need to combat misinformation campaigns became so bad that the city had to bring in a media consultant to handle all the inquiries from around the world. This media consultant stated that the level of press interest in our election was like nothing else that he had seen in his nearly thirty years in the business. One cannot just parachute into election administration a month before a presidential general and expect to be able to answer every question, and our staff still had to provide a lot of information. Our budget request would allow us to establish a small, fulltime communications team, not unlike what Council has. It will help us better disseminate information, for example, no more press releases sent at 6:30PM on a Friday, and to quickly respond to press inquiries without sacrificing operational priorities.

We have continued to prioritize the values of diversity and inclusion in making sure the demographics of our department reflect the citizens we serve. As of December 2020, our demographics were: 55 white, 72 minority, 62 females. The demographics of our recent hires are: 8 African American, and 5 white, 1 Asian, and 1 Hispanic or Latino.

Language access continues to be a prime focus and our Language Access Coordinator, Michelle Montalvo does a fantastic job. Currently our staff contains six staffers who speak Spanish, two who speak Malayalam, one who speaks Italian, one who speaks Bengali, and two who speak Urdu, Punjabi, and Hindi. Staff and poll workers can also use the language line to assist with translation. We also had 244 divisions covered by a bilingual interpreter this past November. But we are always looking to do better and we will continue to work to recruit more interpreters. Our budget request includes funding for a dedicated Spanish interpreter to work in the County Board of Elections office in City Hall so that we can better serve the Hispanic and Latino voters.

Language access is set to be one of the biggest focuses of our department during the next year. We are eagerly awaiting the results of the 2020 Census. We fully expect that when the language results are announced that Chinese will have grown to the threshold that we will be legally required to support it along side Spanish and English by section 203 of the Voting Rights Act. We are still evaluating the expected costs of this mandate, though we expect the biggest budgetary impact will be faced by Procurement in the form of additional advertising. We are also in conversations with the Law Department and advocates about going beyond our section 203 requirements to support additional languages. We look forward to discussing this further with you as we begin to develop proposals.

I mentioned earlier that the Procurement Department, which handles all of the newspaper advertising for the city, places our newspaper advertising. The newspaper ads come out of their budget. Like Council, we advertise beyond our legally required papers to include Spanish language and community papers. The costs of these advertisements have increased in the last couple of years. We have resisted those who have requested that we cut our advertising in the additional papers. We wish to continue to advertise in these papers and strongly support an increase in Procurement's advertising budget.

One of the biggest outward facing aspects of our department is our website. It is about ten years old, not optimized for mobile devices, a dot com instead of dot gov, and several of the features are no longer available because the programs they were built on are no longer supported. In the next year, we are working to launch a new, modern website that will be more secure, be mobile friendly, will utilize a dot gov url to verify that it is the official website of Philadelphia's Elections, and will restore and add new features. To accomplish this, we will be working with OIT to utilize the best of the phila-dot-gov platform but customized to meet the needs of our department. Included with this launch will be a companion mobile application that will provide smartphone users information from the website and additional features. We expect to pay for this using funding available from our state election security grant.

I have just spent a long while telling you what is in our budget request but let me take a minute to address what is not in the request. While we plan on shoring up the holes and making sure that the areas of the city such as West Philly, the southwest, and the Roxborough-Manayunk area that do not have a dropbox get one, our request does not include funds to expand the number of dropboxes beyond that. It also does not include funds to reestablish satellite election offices beyond what currently exists at City Hall and, if the pandemic subsides, our office at Delaware and Spring Garden Streets. These projects will require additional funds, additional staffing, and additional impacts on other departments' budgets, particularly the Department of Public Property. We are already asking for seven million dollars above what the Administration proposed but are willing to discuss these projects and funding if Council is interested.

During these unprecedented times, managing elections in the midst of a global pandemic, we continue to be committed to protecting and supporting the votes of every citizen of Philadelphia. We have a lot that we hope to accomplish in the next eighteen months, and we require the staffing and funding to be able to do it. Without that, we will be forced to cut and scale back our preparation of the 2022 midterms when we

will again be under the microscope. We hope that you agree that this is all necessary and that you are able to appropriate us the necessary funds. If you are not able to appropriate us these funds, we then hope to work with you on priorities and deciding on what should be cut.

I would just like to take a moment before I finish to thank our dedicated staff who has been working long hours onsite to prepare for our third election during this pandemic, often times doing the work of two or three people.

We appreciate this opportunity to present our testimony and are happy to answer any questions you have at this time.