



**R-40**

**Date:** June 19, 2007

**To:** Honorable Mayor and City Council

**From:** Vice Mayor Bonnie Lowenthal, Chair, Elections Oversight Committee

**Subject:** **RECOMMENDATION TO RECEIVE AND FILE THE "CITY CLERK DEPARTMENT OVERVIEW OF ELECTION ADMINISTRATION ISSUES" REPORT AND IMPLEMENTATION OF RECOMMENDATIONS CONTAINED THEREIN**

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The Elections Oversight Committee, at its meeting held June 5, 2007, considered communications relative to the above subject.

It is the recommendation of the Elections Oversight Committee to the City Council to receive and file the "City Clerk Department Overview of Election Administration Issues" report, and direct the City Clerk to work internally with the City Manager to explore the acquisition of a permanent elections center, issuance of requests for proposal for elections equipment and support, printing of voter rosters in-house, and implementation of the other recommendations contained in the report.

Respectfully submitted,

ELECTIONS OVERSIGHT COMMITTEE

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Vice Mayor Bonnie Lowenthal, Chair

Prepared by:  
Gloria Harper



# CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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June 19, 2007

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Receive and file the "City Clerk Department Overview of Election Administration Issues" report, and direct the City Clerk to work internally with the City Manager to explore the acquisition of a permanent elections center, issuance of requests for proposal for elections equipment and support, printing of voter rosters in-house, and implementation of the other recommendations contained in the report.

## DISCUSSION

On June 5, 2007, the City Clerk Department presented its report regarding election administration to the Elections Oversight Committee. (The report is attached to this memorandum.) In this report, the Department presented various ways that it could continue to improve election administration in Long Beach. Specifically, it was recommended that the Department work on the following issues either internally or in conjunction with the City Manager's Office: (1) finding a permanent elections center, (2) changing the layout of the sample ballot to make it more user-friendly, (3) adding a warning to the ballot advising voters not to make extraneous marks, (4) Internet tracking of absentee ballots, (5) obtaining better service from the U.S. Postal Service, (6) assigning poll locations more quickly to avoid voter confusion, (7) enhancing the poll worker recruitment program, (8) further implementing asset tracking system, (9) improving speed of ballot processing, and (10) minimizing election expenses through a variety of cost-savings measures.

The City Clerk Department is committed to constantly improving election administration in the City of Long Beach. This report represents our best efforts to consider what areas we might be able to improve upon in time for the April 2008 election. Included in this report are some ideas that originated from Council or the public. However, the Department continues to welcome any Council or citizen input about how we can improve the quality of our elections while conserving scarce taxpayer resources.

## TIMING CONSIDERATIONS

The Department wishes to explore many of these potential improvements soon so as to have time to implement them for the April 2008 election. Therefore, while action is not urgent, the Department requests that Council provide any input it may have on these issues in time for the Department to act on that input in advance of next April.

HONORABLE MAYOR AND CITY COUNCIL

June 19, 2007

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FISCAL IMPACT

There is no direct fiscal impact of the requested action to further explore these recommendations. Ultimately, changes in election administration procedures could result in cost increases or savings, which the Department will discuss with city management and the Mayor and Council as part of the normal budget process.

SUGGESTED ACTION:

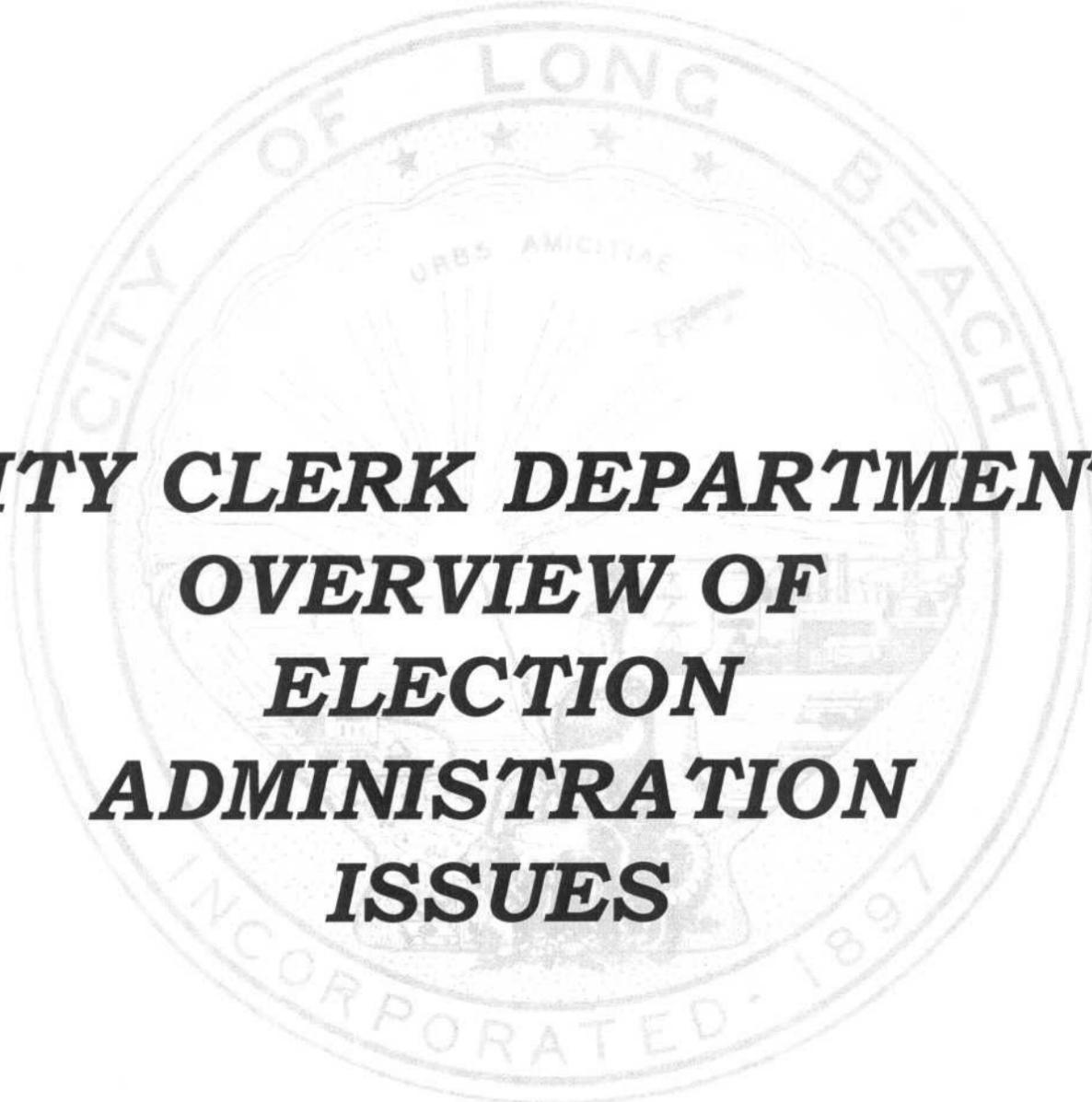
Approve recommendation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "L. Herrera", is written over the typed name.

LARRY HERRERA  
CITY CLERK

ATTACHMENT – "City Clerk Department Overview of Election Administration Issues"



***CITY CLERK DEPARTMENT  
OVERVIEW OF  
ELECTION  
ADMINISTRATION  
ISSUES***

***REPORT GIVEN TO ELECTIONS OVERSIGHT  
COMMITTEE  
JUNE 5, 2007***

# *Overview of Election Administration Issues*

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# *Overview of Election Administration Issues*

## **INTRODUCTION**

On January 30, 2007, the City Council called for a special municipal election to be held on May 1, 2007. Roughly concurrent with this decision, the Council decided on January 9, 2007 to acquire the Hart Intercivic voting system to conduct our municipal elections. Since the beginning of this year, the City Clerk Department has worked tirelessly to meet the dual challenges of implementing a new voting system while preparing for and conducting a special election.

Administering the special election, like any election, involved managing many different processes, such as poll worker training and recruitment, voter education and outreach, candidate processing and support, etc. A complete description of all of these activities would result in an unduly lengthy report. Thus, this memorandum focuses on key issues from the May 1, 2007 election, and seeks to identify areas of improvement for future elections. Departmental recommendations are summarized at the end of the report.

Before exploring ways that we might be able to improve our elections administration, I would like to thank Becky Burleson, Elections Bureau Manager, and all of the City Clerk Department staff who helped do so much to ensure that the May 1, 2007 special municipal election was conducted with the integrity and transparency that our citizens deserve: Allison Bunma, Jan Davey, Monique DeLaGarza, Diane Doss, Theresa Douglass, Rico Garcia, Daisy Gomez, Dina Lopez, Gini Galletta, Kathy Garvin, Donesia Gause, Gloria Harper, Irma Heinrichs, Nancy Muth, Merianne Nakagawa, Bryan-Huy Nguyen, Jan Pittman, Justin Sanchez, Jan Smith, and Zulema Uriarte-Elizalde. Individuals from various other city departments such as the City Attorney's Office, City Manager's Office, Police, Public Works, Technology Services, and the Long Beach Gas & Oil Department also helped out in ways too numerous to list. Elections are as good as the team that runs them, and so I am pleased to lead such a strong team.

## **EXECUTIVE SUMMARY OF PROPOSED ACTIONS**

In this report, the City Clerk Department proposes to take the following actions:

- (1) Work with city management to find a permanent elections center;
- (2) Consider changing the layout of the bilingual sample ballot to make it more user-friendly;
- (3) Add a warning to elections materials advising voters that extraneous marks may void their ballots;
- (4) Work with the County Registrar to comply with upcoming absentee tracking and Internet reporting requirements at a minimal cost to the City;
- (5) Meet with the Postal Service to explore how we might increase the quality of service and potentially reduce mail costs;

# Overview of Election Administration Issues

- (6) Strive to assign polling locations more quickly so as to reduce voter confusion from changed locations;
- (7) Enhance our poll worker recruitment program to meet potential greater need for workers in April 2008;
- (8) Further implement our asset tracking system to include all elections equipment;
- (9) Meet internally and with Hart to improve throughput of ballots on election night without sacrificing quality; and
- (10) Minimize election expenses by taken the following actions in coordination with City Management (discussed in depth in the attached May 9 letter to Council):
  - a) **Print Voter Rosters In-House**—Work with Technology Services to determine if we can bring this function in-house in time for the April 2008 election, instead of contracting this out to an outside vendor;
  - b) **Issue RFP for Translations**—Work with the Purchasing Department to put out a Request for Proposals so as to lower the price of translations as much as possible;
  - c) **Issue RFP for Elections Material Printing**—Issue a Request for Proposals for future elections to see if we can further improve our elections material while decreasing their cost;
  - d) **Sell Obsolete Ballot Scanners**—Work with the Purchasing Department to determine how the City can generate the maximum amount of revenue from the sale or lease of obsolete scanning equipment; and
  - e) **Explore Precinct Consolidation**—Consider to what extent we are allowed to consolidate precincts for the April 2008 election, and to what extent we want to do so if it is indeed allowable under the Elections Code.

## ELECTIONS CENTER

The first issue that the City Clerk Department faced when planning this election was the lack of a central “Elections Center.” In order to conduct elections, we need a central location where we can train poll workers, store and distribute supplies, and collect ballots (and other supplies) on election night.

For the 2006 elections, we rented a modular office trailer at Long Beach Gas and Oil for use as a temporary elections center. We worked with the City Manager’s Office in an attempt to find vacant City space that might help us avoid the cost of renting a modular office for the May 2007 election, but to no avail.

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While our modular office at Long Beach Gas and Oil served as an adequate temporary solution for the 2006 and May 2007 elections, we are in the process of identifying a permanent elections center. Now that we are conducting our elections internally (as opposed to using an outside vendor), we bear the burden of storing and maintaining our election equipment. We believe that finding a permanent location where this equipment could be stored and where we could prepare for elections would improve our election administration and save the City money over the long run. We plan on discussing this issue further with city management to find a solution.

## **HART VOTING SYSTEM IMPLEMENTATION**

Implementing our new voting system while preparing for the special municipal election on a tight timeline was a unique challenge for this election cycle. City Clerk staff rose to the challenge and made significant personal sacrifices by working late and on weekends to ensure that the election went smoothly.

Before Election Day, I visited the Orange County Registrar's Office to discuss their experience with the Hart system, as they have been using it for several years. After talking with them, I became aware of two types of ballot marks that our staff needed to be on the lookout for: extraneous marks that would void the ballot per Election Code Section 14287 (as discussed further below), and marks made outside the box that our scanning machines might miss but that could count as votes.

In the recent Orange County supervisor's race, extraneous marks were a key issue, as some ballots with such marks were missed in the original count, and thus a different candidate was declared the winner in the recount after such ballots were discovered and voided. To prevent such a result here, all ballots were carefully inspected by hand. Inspectors were instructed to separate any "questionable" ballots from those that were properly completed, so that extra attention could be given to these ballots at the time they were scanned.

Additionally, inspectors were instructed to look for generic marks that would not void a ballot but might result in a vote being cast. For example, a small number of voters indicated their voting preferences by drawing arrows, writing "this one" next to their choice, or by using other such marks. Those ballots were also separated by inspectors for additional review. Final rulings by scanning operators on whether or not to count the votes were made according to the Secretary of State's Statewide Vote Counting Standards, and these rulings were made under my direct supervision in consultation with Assistant City Attorney Heather Mahood.

## **SAMPLE BALLOT DESIGN AND IMPLEMENTATION**

In past years the City's sample ballot had a dull, generic appearance that we believe reflected poorly on the professionalism of our Department and may have led some voters to throw away the sample ballot along with their "junk mail." This year, we hired a Long Beach design firm (NHaK) to help us create a new design that would better represent our City while helping us comply with our bilingual translation requirements

# Overview of Election Administration Issues

under the federal Voting Rights Act. This was a one-time expense, as we plan on using the same design template for future elections.

We received generally positive feedback from residents about our new sample ballot design, and many voters found it easier to use than the old sample ballot with its confusing layout. However, some residents complained about the extensive length of the sample ballot, which totaled up to 80 internal pages. The length of this sample ballot also caused our printing expense to be greater than in previous elections; for example, our June 2006 Council District 3 sample ballot was only 10 internal pages. This year, printing of our sample ballot totaled \$361,314.32 due to its extensive length. The benefit of printing all of the proposition language is that it maximizes the transparency of the election process, and allows citizens to easily examine the actual language of the propositions that they are voting on.

Future sample ballots with fewer propositions will likely contain fewer pages, and thus be less expensive. Regardless of the number of propositions, we could spare some of the printing expense if we avoided printing proposition language in its entirety and instead simply referred concerned citizens to our website or offered to mail them the proposition language upon request. However, these cost savings would come at the price of an arguably less transparent election. The City Clerk Department will continue to consider this tradeoff at future elections.

Additionally, several constituents recommended that we consider changing the layout of our sample ballot to further separate the original English text with the Spanish translation. Currently, the layout is as follows: Proposition A (English), Proposition A (Spanish), Proposition B (English), Proposition B (Spanish), etc. The suggestion was to group the English and Spanish sections together, so as to change the layout to: Proposition A (English), Proposition B (English)... Proposition A (Spanish), Proposition B (Spanish), etc. We plan to further contemplate this potential change, and consult the City Attorney to ensure that any changed sample ballot design continues to be in compliance with the federal Voting Rights Act.

## BALLOT DESIGN AND PRODUCTION

This election was the first time we used our new “big ballot” design in conjunction with our new voting system. This ballot design allows voters to mark their preferences directly next to the candidates or propositions being voted on. Additionally, short descriptions of the propositions are printed on the ballots themselves, thus providing a further convenience to voters.

Another benefit of the “big ballot” is that it allows us to print graphic voter instructions on the ballot itself. These instructions show the voter how to complete the ballot, instead of merely providing textual instructions, which we believe is much more effective. We are among the first voting jurisdictions in California to provide such graphic instructions on the ballot.

After discussing our ballot design with Deputy Secretary of State Lowell Finley, he advised us that he was supportive of any efforts such as ours to make ballots more

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user-friendly. However, he advised us that if we wanted to use such graphic instructions we should pass a municipal ordinance giving us explicit authority over the design of our ballot so as to supersede the default layout rules contained in the Election Code. After discussions with the City Attorney and City Council, Long Beach Municipal Code Section 1.21.080 was added, giving us this authority in time for the May election.

For future elections, we are contemplating adding the following warning (or other words to the same effect) to our ballot: "All distinguishing marks or erasures are forbidden and make the ballot void." As further discussed below, some voters wrote extraneous comments on their ballots, resulting in them being voided according to the Elections Code. Orange County is currently including a warning flyer with elections material it is distributing for a small election being conducted this summer, and we will be consulting them afterwards to see how effective their efforts are at discouraging this behavior before deciding how to proceed.

## **USE OF TRANSLATED VOTING MATERIALS**

We continued to make election materials available in the following languages for the May 2007 election: English, Spanish, Korean, Vietnamese, Tagalog, and Khmer. The ballot and sample ballot were printed in both English and Spanish, while materials in other languages were posted at the polls and sent to those on file as requesting them and to those who requested them for this election.

We received a sizable number of complaints about the translated materials, with many residents deriding our decision to make election materials available in foreign languages. As we explained in a press release to the community (Attachment 1 to this report), the City is bound by the federal Voting Rights Act to make its elections materials available in minority languages. A recent lawsuit filed by the United States Department of Justice against the City of Walnut for refusing to comply with this federal mandate is a reminder that the City could face substantial consequences if it were to ignore federal requirements. Therefore, constituents were advised to discuss their complaints related to this matter with their federal representatives who are responsible for the Voting Rights Act.

## **ABSENTEE TRACKING AND INTERNET REPORTING**

As discussed in a Council letter dated May 9 (Attachment 2 to this report), Elections Code Section 3017 requires that all jurisdictions track absentee ballots and provide online disclosure by March 1, 2008. We discussed obtaining this capability in time for the May 2007 election, but after being advised by the vendor that the cost would exceed \$60,000, we decided to postpone full tracking capability with Internet reporting.

Because all jurisdictions are required to provide full absentee tracking and reporting, Los Angeles County must also come up with a solution. They may be able to modify existing software at little cost to meet this requirement, as opposed to

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purchasing new software. We plan to work with the County to discuss how we might be able to use this modified software at minimal cost to the City.

## **UNITED STATES POSTAL SERVICE ISSUES**

The United States Postal Service is a key partner in Long Beach municipal elections. We depend on them to deliver election materials to voters in a timely fashion, and so we endeavor to maintain a productive relationship with them. One example of how the Postal Service assists us is their willingness to conduct final "floor sweeps" on Election Day, in which they thoroughly search the downtown branch where we receive our mail to ensure that any absentee ballots we receive by 8 p.m. that day are counted.

One service that we are currently reviewing is the Address Change Service (ACS) that we order from the Postal Service. In any election, we will have thousands of sample ballots and a smaller number of absentee ballots returned to us because of changed or invalid addresses. The Postal Service charges us \$.75 per sample ballot that is returned, which can quickly add up. In order to reduce this charge, the ACS service scans the bad addresses for which deliveries cannot be made, after which the Postal Service destroys the undeliverable mail and then hands us a compact disk with a list of the undeliverable addresses. This service only costs \$.21 per undeliverable mail piece; thus, with 24,304 addresses reported to us this way to date, we have saved \$13,124 for this election.

Early in the election cycle, the Postal Service was not processing our returns correctly using the ACS service. After we complained to the postmaster, they began processing the mail correctly, and we were refunded overcharges that had resulted from their oversight in not processing the returned mail with the ACS service.

One issue for further consideration is whether we should save further costs by simply instructing the Postal Service to destroy undeliverable mail, although we would not have a record of which addresses were considered undeliverable by the Postal Service. The tradeoff to consider is that currently we share this information with the County Registrar Recorder to help purge the voter rolls of bad addresses. Thus, this needs to be further discussed with the County Registrar as well as the Postal Service to determine the best future course of action.

Overall, we were concerned that the Postal Service was not delivering election material with the first-class treatment and priority they are supposed to be afforded, and I communicated this concern to the Postmaster. While the vast majority of materials were delivered appropriately, some materials took weeks to deliver, and a few were reported as not being received at all. For future elections, we plan on making contact with the Postmaster well in advance of the election to better coordinate our efforts and ensure that we are receiving the best possible service.

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## **OUTREACH EFFORTS**

As discussed in a previous memorandum to City Council, the City Clerk Department made significant efforts to publicize the May 1 Special Election and educate voters about the new "big ballot." Some of the efforts undertaken by the Department included: distributing flyers at parks, libraries, and through City employee paychecks; posting electronic messages on City-controlled message boards; placing posters at City bus stops and on buses throughout the City; and placing posters in kiosks outside of City Hall. These efforts were undertaken because of the ability to reach relatively large numbers of people at a relatively low cost. For example, the advertising space at bus stops, on the buses, and on City message boards was all freely provided to the City. In addition, Hart covered much of the printing costs as part of their contract with the City. In the future, we will continue to explore ways to publicize City elections while utilizing minimal City funds to do so.

Additionally, the City Clerk Department sent postcards to voters who had their polling place change before the election or who had their polling place assigned only after the sample ballots were printed. For future elections we hope to assign polling places earlier so as to make such mailings on our part unnecessary.

## **VOTER BALLOT ERRORS**

The City Clerk Department constantly strives to minimize errors made by voters, so as to carry out voter intent as much as possible. Three problem types we keep close track of are: undervotes, overvotes, and extraneous marks.

"Undervotes" result when an individual votes on less than the full number of contests on his or her ballot. For example, some ballots had markings indicating a vote for a 6<sup>th</sup> District Councilmember, but no marks for any of the propositions. This may not necessarily indicate a problem; voters have the right to only vote for some of the contests if they so choose. The problem arises if the voter is not aware that he or she can vote on more contests, and thus unintentionally undervotes, or if the individual makes a mark that cannot be read by the machine. We attempt to address the first concern by designing the ballot so as to make it clear to the voter that he or she should vote both sides of the ballot. To ensure that the vote tabulating machines are counting the votes correctly (and not counting some as "undervotes"), we hand-inspected all ballots before they were run through the machines, and separated any with potential problem marks (such as a ballot with the words "this one" next to a candidate instead of the bubble filled in) for especially careful processing. While this procedure does slow down our processing time, we believe that the greater accuracy it ensures is worth waiting for.

An "overvote" is when an individual votes for more than the allowed number of candidates/options for a particular race. For example, some individuals voted for two candidates in the 6<sup>th</sup> Council District; their votes on that race were disqualified. (There were 36 such overvotes in the Sixth District out of a total of 2506 ballots cast.) While we attempt to avoid overvotes by writing "vote for one" above the contest, we are continuing to look for other ideas to educate voters about avoiding this error.

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Finally, under Elections Code Section 14287, “No voter shall place any mark upon a ballot that will make that ballot identifiable.” The intent of this statute is to ensure that all ballots are anonymous and cannot be traced back to the voter. Some ballots had such disqualifying notes or marks, such as signatures or initials that disqualified the ballot. We are currently considering what steps we can take to educate voters about not making such marks, including adding a possible additional instruction on the ballot and potentially adding a warning to the sample ballot.

## **POLL ADMINISTRATION**

The City operated 167 consolidated precincts for the May 1 election. Operating this number of precincts, as opposed to the 311 precincts that normally are open for county elections, saved the City a significant amount of money in terms of leasing election sites and hiring poll workers. One issue that we are considering is to what extent we are allowed to consolidate for future elections, and to what extent we want to consolidate if we are allowed to do so.

While we had a sufficient number of poll workers for our 167 consolidated precincts, it will be much more difficult to obtain the requisite number of workers if we expand to 311 precincts in April 2008. To prepare for this possible greater need, we will be meeting internally to discuss how we can enhance our poll recruitment program.

All polls opened on Election Day, although we are aware of two polls that opened late (one due to a poll inspector who accidentally slept in, and the other due to a business owner that forgot to let us onto the property). These polls opened later that morning, and in the meantime voters were either allowed to vote on the sidewalk or directed to the nearest poll. After the polls closed, ballots were all turned in and accounted for by 10:10 p.m.

We were better able to track these ballot boxes with the new “Asset Tracker” system we acquired this year, which allowed us to electronically track all ballots in the City as they were checked out to poll workers, submitted to the Election Center, deposited downtown, and ultimately secured in our records department after being processed. This electronic system was a vast improvement over our previous system of tracking ballots with numerous clipboards, which was much more susceptible to leading to an election official’s worst nightmare—a missing ballot box. We intend to build on our electronic system by adding poll workers to the database so as to ensure that every election worker is accountable for the ballots that they handle. Additionally, we intend to use our asset tracking system to tag all election equipment so as to keep a better inventory of it.

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## **ELECTION DAY ISSUES**

We received scattered complaints of election violations prior to and on Election Day from campaigns and members of the public. For example, citizens complained of impermissible "electioneering" on Election Day, which cannot be conducted within 100 feet of the polls. (Election Code Section 18370) Complaints were referred to the Long Beach Police Department and the City Prosecutor's Office when appropriate. Both the Prosecutor's Office and the Long Beach Police Department made themselves available on Election Day to help with complaints, which the City Clerk Department greatly appreciates.

Processing at City Hall went smoothly on election night, with the counting of all votes received that day (with the exception of absentee ballots submitted at the polls and provisional ballots) completed by 2:20 a.m. The counting of Sixth District ballots was given priority given the community's interest in this race, and this was completed soon after midnight. The vote counting process was slower than in past years, which was partially a result of our slower (but more accurate) machines, and partly a result of our methodical hand-checking of all ballots. While this slowing was expected and all campaigns were advised of this before election night, we are examining ways that we may speed up the processing and counting of ballots without sacrificing any of the accuracy of the election. One such improvement that we have identified is having many more workers inspecting the ballots when they first arrive at City Hall, so as to avoid a bottleneck that would slow down the count. Additionally, we expect that City Clerk staff will become faster at processing and counting ballots with each successive election after this first run with the Hart system.

The "resolution" of ballots (determining and verifying a voter's choices) was done so as to maximize transparency and to centralize accountability. In past elections, 40 volunteers armed with blue highlighters would make decisions about how a voter intended to vote (based on hesitation marks or other such markings that did not comply with the instructions), and I would sometimes have to overrule these decisions when they came to my attention in a recount. This time, five operators made such decisions, and a permanent record of their decisions was made. Furthermore, I was overseeing this process at all times, so the difficult calls were ultimately made by me in consultation with Assistant City Attorney Heather Mahood—not one of 40 temporary workers.

Additionally, these decisions were all publicly made, in the City Council chambers. Anybody could observe the process from the audience area, and we issued observer badges to any member of the public who wished to stand near the operators or in the Council Lounge with the ballot inspectors. Additionally, we projected the resolution of Sixth District ballots on a big screen, due to high public interest in this race. Observers were able to comment on decisions to me or to Becky Burleson, but were not allowed to interfere with the process by discussing decisions with the operators. We hope that this greater public access will result both in increased public confidence in our elections and in constructive criticism from the public that will help us improve future elections.

# *Overview of Election Administration Issues*

## **CONCLUSION**

I hope that this overview of our May 1 election administration helps answer any questions you might have about our processes and helps explain some of the issues our Department is dealing with for future elections. We will be working on the issues outlined in this memorandum in the coming months with internal discussions and with discussions with other City departments. Additionally, we look forward to any policy guidance that the Elections Oversight Committee or the City Council would like to provide our Department. Finally, we hope that individual Councilmembers and citizens will provide their input about how we can continue to strive for an election process with the utmost integrity at the cost to City taxpayers. Please do not hesitate to contact the City Clerk Department at (562) 570-6101 with any questions or suggestions.

# *Overview of Election Administration Issues*

## **ATTACHMENT 1—PRESS RELEASE REGARDING BILINGUAL ELECTION MATERIALS**



## **CITY OF LONG BEACH**

### **DEPARTMENT OF THE CITY CLERK**

333 W. Ocean Blvd.

Long Beach, CA 90802

(562) 570-6101

FAX (562) 570-6789

**PRESS RELEASE**  
**April 5, 2007**

**CONTACT: LARRY HERRERA, City Clerk**  
**Long Beach City Clerk Dept.**  
**562-570-6101 phone**

### **BILINGUAL BALLOTS AND SAMPLE BALLOT BOOKLETS USED FOR MAY 1, 2007 SPECIAL ELECTION**

All registered voters in Long Beach should have received their sample ballots by now in the mail. Voters will notice that this year's sample ballot booklet, like the sample ballot booklet sent out for the June 2006 elections, is in both English and Spanish.

"The City Clerk Department is proud to produce a sample ballot booklet that can be understood by Spanish and English speakers alike," said Larry Herrera, Long Beach City Clerk. "Our Department always seeks to comply with the Voting Rights Act, both to minimize potential liability for the City and because it is simply the right thing to do."

Under Section 203 of the Voting Rights Act, local governments are required to produce their election materials in foreign languages when there are significant numbers of foreign-language speakers present in the jurisdiction. In Long Beach, the U.S. Department of Justice requires us to produce election materials in Spanish, Korean, Khmer, Tagalog, and Vietnamese. All sample ballot booklets and official ballots are in a bilingual format with both English and Spanish, while voting materials are available in the other languages upon request. For further information about the City's legal requirements under the federal Voting Rights Act, go to [www.usdoj.gov/crt/voting/index.htm](http://www.usdoj.gov/crt/voting/index.htm).

"We encourage all registered voters, whatever language they may speak, to come out and vote on May 1st. The recent Signal Hill election, in which a Councilmember won by only one vote, reminds us that every vote really does count."

To view the sample ballot booklet or other election materials in any of the above languages, please visit <http://www.longbeach.gov/cityclerk>. Additionally, questions regarding the May 1, 2007 Special Municipal Election may be directed to the Long Beach City Clerk Department at 570-6101.

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**ATTACHMENT 2—COUNCIL LETTER DATED MAY 9, 2007**



**Date:** May 9, 2007  
**To:** Mayor and Members of the City Council  
**From:** Larry Herrera, City Clerk  
**Subject:** Potential Future Election Cost Savings

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I am proud to report that our new election system performed admirably for the May 1 Special Election. While final election results are still unknown pending the final count of absentee and provisional ballots, it is not too early to assess the strengths and weaknesses of our election process. For example, we have already identified several potential ways that we may speed ballot processing of ballots so that we can handle the larger number of ballots expected in our next election without any sacrifice in accuracy. This year, our election system allowed ballot processing to be more transparent to the public than ever before, and we hope that this openness will result in suggestions from the Council and citizens regarding how we can improve our election administration.

One issue that is always on the top of our minds is how to run our elections in a cost-effective manner. We have identified several potential ways to minimize the cost of future elections, which I would like to share with you in this memo.

We have identified potential cost-savings in the following areas:

- (1) **Absentee Ballot Tracking**—After authorization by Council, we were prepared to buy an absentee ballot tracking system this year from a vendor that would have helped us track the mailing and receipt of absentee ballots and post their status on the Internet. Under Elections Code Section 3017, such tracking is mandated in all jurisdictions by March 1, 2008. However, after negotiations with our vendor, it became clear that the cost of this tracking would be approximately \$60,000. Additionally, we learned that we might be able to obtain such tracking functionality from the County next year at a minimal cost, as they face the same requirements. Thus, this year we used a much less expensive Track by Mail system from the U.S. Postal Service that provided some of the tracking functionality but without Internet posting. While this service is not a solution in the long run, we look forward to working with the County to comprehensively track absentee ballots without bearing the significant expense of buying such a tracking system on our own.
- (2) **Election Center**—This year, we issued election supplies, conducted poll worker trainings, and collected ballots at a modular trailer we rented at Long Beach Energy. While we worked with City Management to find vacant City space that might have helped us avoid the cost of renting this unit, we were unable to find such a space in time for the May 1 election. We will continue to work with City Management to identify such a location,

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with the hope that we can avoid storage fees for our election equipment and that we will not have to rent such a trailer for future elections.

- (3) **Voter Rosters**—Under the Elections Code, we are required to print rosters of all eligible voters by precinct for use at the polls. Production of these rosters requires software that can process the voter file from the L.A. County system into voter rosters. Martin & Chapman has always printed these rosters for us, and while we would have liked to take this function in-house this year, the timeline of the special election prevented us from doing that. We will now be working with Technology Services to determine if we can bring this function in-house in time for the April 2008 election.
- (4) **Translations**—Translated voting materials mandated by the federal Voting Rights Act make our elections more accessible to the public, but they also are a significant cost. In previous years, translation mistakes have been one of our greatest concerns. This year, we were able to avoid such errors by choosing a court-certified translator who translated the materials, and by the help of city employees and officials who helped double-check our materials. In the future, we would like to work with the Purchasing Department to put out a Request for Proposals so as to lower the price of translations as much as possible.
- (5) **Ballot Printing**—After years of Martin & Chapman printing our ballots, we switched to K&H printing, which we believed could deliver a higher quality ballot at a lower price. This is the first year that we had an improved ballot design with graphic instructions explaining and showing voters how to complete their ballots. We are planning on issuing a Request for Production for future elections to see if we can further improve our ballots while decreasing their cost.
- (6) **Obsolete Ballot Scanners**—The City owns four ballot scanners that are now obsolete with our switch to the Hart Intercivic voting system. These scanners are worth several thousands of dollars each, and we will work with the Purchasing Department to determine how the City can generate the maximum amount of revenue from the sale or lease of this equipment.
- (7) **Precinct Consolidation**—We consolidated the number of ballots from 313 to 167 for the Special Election, which saved the City a significant sum of money it would have spent leasing and operating those additional polling sites. For the June 2008 municipal election (if one is required), it makes sense for us to share the 311 precincts with the County, which is prohibited from consolidating them as we are allowed to do in City elections. However, we may have the option of consolidating precincts once again for the April 2008 election, depending on what we are allowed

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to do under the Elections Code. This could involve possible inconvenience to voters, and so this would be a policy decision that I will discuss with the Elections Oversight Committee after further consultation with the City Attorney's Office.

I plan on meeting with the City Manager's Office over the coming months to discuss what cost-savings can be realized in time for the April 2008 election. I look forward to reporting to the Elections Oversight Committee regarding what efficiencies we can realize while preserving the utmost integrity of our elections. In the meantime, please contact me directly with any suggestions you have about how we can make our election administration more accurate or efficient.

Heather Mahood, Assistant City Attorney  
Christine Shippey, Assistant City Manager  
Mike Killebrew, Finance Director  
David Wodynski, Budget Director  
Rebecca Burleson, Elections Bureau Manager  
Monique De La Garza, Administrative Office

## **ATTACHMENT 3—ORGANIZATION CHART FOR MAY 1, 2007 SPECIAL MUNICIPAL ELECTION**

# CITY OF LONG BEACH -- CITY CLERK DEPARTMENT -- MAY 1, 2007 SPECIAL MUNICIPAL ELECTION ORGANIZATION

