



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

C-13

333 West Ocean Blvd • Long Beach, California 90802

February 20, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to execute a lease-purchase agreement and related financing documents with Banc of America Public Capital Corporation for the financing of a new voting system from Hart InterCivic system in an amount not to exceed \$900,000, including state sales tax, payable over a five-year period, and increase appropriations in the General Fund (GP) and the City Clerk Department (CC) by \$900,000 to expend the proceeds. (Citywide)

DISCUSSION

On January 9, 2007, the City Council approved by Resolution Number 07-0018 (see attached) to execute an agreement with Hart InterCivic, Inc., for a new voting system including hardware, software and support services and for an election management system in an amount not to exceed \$900,000.

The Department of Financial Management conducted a bid process to secure the most favorable financing terms. Requests for bids were solicited from 20 finance corporations. Of the 20 vendors, one firm was from Long Beach and two firms were minority-owned business enterprises (MBEs). Two firms responded. After an evaluation of the proposals, Banc of America Public Capital Corporation offered the best terms with a rate of 3.93 percent for five years and is, therefore, recommended to provide the required financing.

This matter was reviewed by Assistant City Attorney Heather A. Mahood on February 8, 2007 and Budget and Performance Management Bureau Manager David Wodynski on February 12, 2007.

TIMING CONSIDERATIONS

City Council approval to execute the recommended lease-purchase agreement is requested on February 20, 2007, to maximize the most favorable interest rates as well as to procure the voting system before the May 1, 2007 special election.


FISCAL IMPACT

The total amount to be financed under the Banc of America Public Capital Corporation agreement will not exceed \$900,000 and will be financed over a five-year period. The total debt service (principal and interest) for the agreement is approximately \$993,000. Of that amount approximately \$149,000 will be paid in FY 07. Future debt service payments of \$198,000 will be included in the FY 08 and future proposed budgets. Sufficient appropriations to make the FY 07 debt service payment exists in the General Fund (GP) and the City Clerk Department (CC); however, an appropriation increase of \$900,000 is required to expend proceeds from the lease-purchase agreement, which is included in the recommendation.

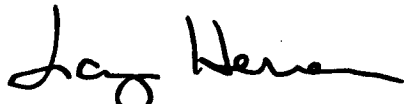
SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL A. KILLEBREW
DIRECTOR OF FINANCIAL MANAGEMENT




LARRY HERRERA
CITY CLERK

K:\EXEC\COUNCIL LETTERS\TREASURY\02-20-07 CCL - VOTING SYSTEM.DOC

ATTACHMENT

APPROVED:



GERALD R. MILLER
CITY MANAGER



CITY OF LONG BEACH

~~R-17~~

DEPARTMENT OF THE CITY CLERK

333 W. Ocean Blvd.

Long Beach, CA 90802

(562) 570-8101

FAX (562) 570-6789

ELECTIONS BUREAU

January 9, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize: [1] the City Manager to execute an agreement with Hart InterCivic, Inc. for new voting system hardware, software, and support services and for an election management system in an amount not to exceed \$900,000; [2] the City Treasurer to seek system financing for purpose of system procurement; and [3] an increase in Fiscal Year 2007 (FY 07) City Clerk Department budget appropriations by \$142,920 for the procurement of vote-by-mail tracking software, ADA accessible voting booths, and rental of modular office trailers for establishment, if City-owned open space is available, of an elections distribution center. (Citywide)

DISCUSSION

With completion of the 2006 election cycle, the archaic condition of the City's voting system became apparent in several areas: the lack of precinct level over/under-vote protection, the lack of a modern tally system, problematic sample ballot printing, and problematic vendor support of absentee mailings in April 2006. For the City to maintain and improve the integrity of the voting process, these shortcomings must be mitigated.

After extensive market research performed by the City Clerk Department, on December 7, 2006, the City Council authorized the City Clerk to take necessary actions to procure Hart InterCivic's (Hart) central count voting system.

The City Clerk Department first met with the Financial Management Department to: [1] confirm that fund balance is available from 2006 election reimbursements to offset the cost of requested election enhancements; [2] confirm that partial reimbursement (estimated at 50 percent) of the requested voting system costs could be recovered from the Long Beach Unified School and Long Beach Community College Districts; [3] agree that system costs could be recovered over four election cycles occurring over the next seven years; and [4] identify potential cost saving benefits or cost baselines that could be used as Focus On Results--Long Beach performance measures.

The next step was to conduct an onsite demonstration of the Hart's voting system, configured to the City's standards.

From this demonstration and through additional market research, including successful use in other California counties, the City Clerk Department concluded that the Hart InterCivic "Ballot Now" system will meet the City's needs for the next ten to fifteen years. Additionally, the "Ballot Now" system is certified by the State of California.

The benefits of the "Ballot Now" system, and the proposed election enhancements set forth under recommendation number [3] above, are as follows:

- Improve ballot counting accuracy with a leading edge State-certified voting system;
- Provide voter friendly "big ballots" (see attached example);
- Enhance accommodations for disabled and bilingual voters;
- Improve transparency in election night canvass activities and integrated internet reporting;
- Improve transparency in the counting of votes for write-in candidates;
- Provide an audit trail at the time ballots are examined for certified write-in candidates, questionable markings, and mandatory recounts;
- Improve tracking of outgoing, incoming and processed absentee ballots for voters and election staff via desktop and Internet access.

Determining cost effectiveness of election system enhancements is difficult, but the City Clerk Department is committed to maintaining cost-effectiveness of the proposed system in two ways. First, by avoiding historical cost increases passed on by the City's previous elections vendor; and second, by establishing performance benchmarks for the cost of printing of official and sample ballots.

The 2006 election cycle, costs billed by the City's previous election vendor increased 36 percent (\$260,352) over the 2002 costs. To avoid recurrence of similar historical cost increases, the City Clerk Department through the requested election enhancements, will seek to identify opportunities for effectiveness and efficiency improvements that will materialize with the new system and election materials printer.

Hart has assured the City that the proposed system can be installed and ready for use for either a May 1, 2007 Sixth District Special Election, or if approved by City Council at a later date, a citywide special election on the same date. The proposed Hart contract contains provisions that are required by vendors doing business with the City, including but not limited to insurance, hold harmless, non-discrimination, and equal benefits.

FISCAL IMPACT

The cost of the "Ballot Now" voting system and support services (including 8 Ballot Now scanning stations to facilitate the counting of more than 65,000 ballots on Election Day) is \$900,000. It is recommended that a lease financing be used to provide capital for the voting system acquisition. The City Treasurer has estimated, based on today's market, that a five-year financing plan would cost approximately \$16,500 per month, or an average of \$195,000 per year, for a total acquisition and support cost of \$972,000. An appropriations increase in the General Fund (GP) and the City Clerk's Department (CC) to expend the \$900,000 in lease-financing proceeds and to make the necessary \$195,000 in annual debt service payments will

January 9, 2007

Page 3 of 3

be requested when the Department of Financial Management brings lease-financing to the City Council for approval.

It is anticipated that the total acquisition cost can be reimbursed up to 50 percent, through the billing for election services to the Long Beach Unified School and the Long Beach Community College Districts, when they have contested races. All reimbursements will be deposited in the General Fund.

The cost for the other requested election enhancements, including vote-by-mail tracking software, ADA accessible voting booths and the rental of modular office trailers is \$142,920. Sufficient fund balance in FY 07, created by the additional 2006 election reimbursements, exists in the General Fund. An appropriations increase, is required in the General Fund (GP) and the City Clerk Department (CC) to allow for the expenditure of these funds, and is included in the recommended action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


LARRY HERRERA
CITY CLERK

see media

17. 07-0018

Recommendation to authorize: [1] the City Manager to execute an agreement with Hart InterCivic, Inc. for new voting system hardware, software, and support services and for an election management system in an amount not to exceed \$900,000; [2] the City Treasurer to seek system financing for purpose of system procurement; and [3] an increase in Fiscal Year 2007 (FY 07) City Clerk Department budget appropriations by \$142,920 for the procurement of vote-by-mail tracking software, ADA accessible voting booths, and rental of modular office trailers for establishment, if City-owned open space is available, of an elections distribution center. (Citywide)

Larry Herrera, City Clerk, spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Conny McCormack, Registrar-Recorder/County Clerk, Los Angeles County, spoke.

Robert Shannon, City Attorney, spoke.

Councilmember O'Donnell spoke.

Larry Herrera, City Clerk, spoke

A motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Schipske, to approve recommendation. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich and Lerch

18. 07-0012

Recommendation to authorize City Manager to execute a Sixth Amendment to Agreement No. 26085 to extend the contract term to May 31, 2007 with ACE Parking Management, Inc., to provide parking management services in the Downtown area. (Districts 1,2)

This Contract was withdrawn.