CITY OF LONG BEACH

DEPARTMENT OF THE CITY CLERK

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April 4, 2006

ELECTIONS OVERSIGHT COMMITTEE
City of Long Beach
California

RECOMMENDATION:

Recommendation that the Elections Oversight Committee (EOC) receive and file the City Clerk's Election Cycle Report, which outlines key planning phases, milestones and issues related to the April 11, 2006, Primary Nominating Election; and as deemed appropriate, refer the report and related EOC comments back to the full City Council on April 4, 2006.

DISCUSSION

The purpose of this report is to:

- Inform voters, candidates and media regarding the "elections process";

- Outline the "election cycle" planning phases, including the brief discussion of key milestones achieved (where relevant) and highlighting planning issues that have arisen during each phase (where relevant);

- Provide and opportunity for dialogue between the EOC, the community and the City Clerk Department prior to Election Day with the aim of conducting a successful election.

Background and quantitative information regarding the April 11, 2006, election is listed as follows:

Poll Operating Hours: 7:00 a.m. 8:00 p.m.

Registered Voters: 214,352 (as of March 27, 2006)

Number of Contested Public Office: 14

Number of Ballot Groups: 33

Qualified Write-In Candidates: 1

Human Resource Requirements: 1,391 Poll Workers, 33 Filed Supervisors, 32 City Clerk Staff, and 30 support staff from various City Departments.

Elections Vendor: Martin and Chapman, Anaheim, California

Historical Turnout:

40,219 ballots cast, 19.3% Voter Turnout (April 14, 1998)

41,417 ballots cast, 17.5% Voter Turnout (April 9, 2002)

Precincts:

311 Voting Locations

45 Mail Ballot Precincts

Required Language Assistance: Spanish, Tagalog, Khmer, Vietnamese, and Korean.

Vote-By-Mail Ballots (as of March 29, 2006)

Application Method	Ballots Issued
Permanent Absentee Voters	26,021
Mail Ballot Precincts	2,310
Regular Absentee	3,172
Sample Ballot	6,198
Public Counter	14
Internet	88
Total	**37,803**

For purposes of discussion, the "elections cycle" is presented in the following five phases as outlined below:

Phase I – Prepare and Implement

Voter Registration:

The Los Angeles County Registrar Recorder/County Clerk (RR/CC) produces and maintains the official voter registration roll of registered voters in the City of Long Beach. This must be kept current for several main purposes: [1] processing of nomination petitions against valid registered voter records; [2] timely mailing of sample ballots and other election materials; [3] providing each voter with their unique ballot that relates to their home address and political districts.

If a person changes their name, address or political party, they must re-register to be eligible to vote. The voter registration roll is constantly being updated.

Key Milestones: Since January 2004, the City Clerk Department has had direct access to the RR/CC Elections and Voter Registration Management System.

Issues:

- The statewide voter registration database does not validate voter registrations that do not match the following criteria contained in files maintained by the

California Department of Motor Vehicles: [1] a voter's California Driver License number; [2] a voter's first and last name; [3] a voter's date of birth. This new program affects registrations filed between January 1, 2006 and March 27, 2006.

- RR/CC and the City Clerk Department are working to reconcile as many of these invalid registrations as quickly as possible.

- As of March 27, 2006, it is estimated that approximately 1,000 Long Beach voters have been affected by state validation process. In cases where validation does not occur, such voters will not be issued Sample Ballots, poll location information, candidate statements, absentee ballot applications, and absentee ballots. Furthermore, their names will not appear on precinct rosters (lists) on Election Day. Should any of these voters want to cast a ballot, they will be required to vote as "provisional voters." However, if validation has not occurred by close of the 21-day canvass period, their votes will not be counted. In a close contest decided by a few votes, litigation over such uncounted ballots could occur.

- The City Clerk Department is awaiting a reply from the Assistant Secretary of State as to whether other alternatives to this dilemma are possible.

- Precinct rosters will be printed on April 3, 2006.

Candidate/Measure Filing:

The Long Beach City Charter and the California Elections Code sets forth the rules, regulations and procedures that all candidates and campaign committees must follow. When a person decides to run for office, there is a formal process they must follow to file and run. The same is true for proponents of a ballot measure. The City Clerk Department is the official agency that provides election assistance to all candidates and campaigns for City offices, while the RR/CC process filings for Long Beach Unified School District and the Long Beach Community College District.

Key Milestone: All candidates' nomination papers were filed pursuant to Charter and Elections Code requirements.

Issues:

- Two lawsuits were filed over the ballot designations and candidate statements of candidates in Long Beach Unified School District contests. Both cases were expedited through the Superior Court; however, these actions delayed final production of the Sample Ballots for several ballot groups by 10 days.

Ballot/Sample Ballot Preparation:

After the close of the filing period, tolling of the public review period, and adjudication of any actions brought in Superior Court, and the City Clerk Department determines the eligible local candidates and measures. To help voters make informed choices, the City Clerk Department publish and mail sample ballot booklets that contain the ballot choices, candidate statements, local

measures and the arguments for and against and rebuttals to those arguments. The 2006 Primary Nominating Election required the preparation of 33 different ballot styles in six different languages.

Key Milestone: Sample Ballots were mailed to 213,509 registered voters within the statutory window period (Election Code Section, 13300), with most mailed March 15, 2006.

Issues:

- Compliance with Department of Justice language assistance requirements added to workload associated with: producing sample ballots; revision of voting instructions and graphics; issuance of correction notices the week of March 20, 2006.

- Compliance with court orders regarding candidate ballot designations and statements delayed final production of Sample Ballots for several ballot groups by 10 days.

- In response to voter telephone calls regarding "non-receipt" of sample ballots or absentee ballots, the City Clerk Department validate registration status and send, when appropriate, a sample ballot or absentee ballot.

Supply Assembly and Delivery:

Process the set up of 311 voting sites with staffing, voting equipment, and legal procedures and requirements for a single 16 to 18 hour work day. Precincts are outfitted with a specific set of ballots, a roster of eligible voters, signs, vote tabulating equipment, telephones, procedures, a myriad of office supplies and a four-person team.

Key Milestones: The distribution of precinct supplies begins April 3, 2006.

Issues:

- Spanish voting instructions were revised to clarify how voters must mark an official ballot for write-in candidates. These instructions were inserted into all absentee ballots envelopes and will displayed in all voting booths.

Absentee Ballot Operation:

In 2001, the law changed to allow voters the opportunity to vote absentee. Four years ago, 17,478 absentee ballots were cast in the City of Long Beach; today more than 37,803 absentee ballots have been issued.

Using the 2004 Primary Nominating Election as a guide, the City Clerk Department estimate that absentee ballots may constitute more than 50% of the ballots cast.

Once the completed ballots are received by the City Clerk Department, the signature verification process begins. Absentee ballots are sorted by precinct and

then voter's signatures are compared to a digital image of the signature on the voter's registration form. Once verified, the votes can be prepared for counting.

Key Milestones: Beginning March 13, 2006, Martin and Chapman mailed out 28,460 absentee ballots. As of March 28, 2006, that total had risen to 37,803.

Issues:

- As a result of voter telephone calls, the City Clerk Department learned that some voters received "duplicate" absentee ballots. In these instances, voters have been asked to only vote one ballot and to destroy the duplicate ballot. In the event, that a voter returns two ballots in one envelope, with one signature, that ballot will not be counted pursuant to Elections Code Section 3014. The City Clerk Department has established a process by which to identify potential duplicate absentee ballot return envelopes.

- After an inquiry was made by the City Clerk Department to Martin and Chapman, it was confirmed that duplicate ballots were issued to voters in two ballot groups. While Martin and Chapman report that changes have been made to prevent a re-occurrence of duplicate issuance, a definitive count on the actual number of duplicate absentee ballots is pending.

- Moreover, 1,555 of the issued absentee ballots have been returned as undeliverable. Most were returned due to a change of address. A database has been created to sort and trouble shoot the returns.

Recruit & Train Poll Workers:

More than 1,391 trained poll workers are needed to staff the 311 polling sites on Election Day. Poll workers provide a community service that is fundamental to our democracy. They welcome voters, facilitate voting, conduct precinct operations in accordance with election law and follow defined procedures. The City Clerk Department conducts training sessions to prepare every poll worker for their Election Day responsibilities.

Key Milestones: Training of poll workers will begin on April 1, 2006.

Issues:

- The City Clerk Department needs approximately 90 poll workers that are Spanish speaking.

Pre-Election Testing:

Rigorous testing of the Opto-Mark vote counters is done to prepare for an election. Test decks are used to simulate voting conditions on Election Day. The test decks are made up of test ballots created from hand-marked, checked, re-checked, and tabulated test ballots that reflect all the possible voting choices for all ballot styles used in an election. By running the pre-marked and tabulated ballots through the counting machines and checking the results against the pre-marked result grid for that ballot style, the test deck trials determine if the

counting and reporting features on each vote tabulation machine are working accurately.

Key Milestone: Pre-election testing of the Opto-Mark vote counters was be conducted on March 30, 2006, and again on April 11, 2006, between the hours of 10:00 a.m. and 2:00 p.m. Testing was announced as open to the public to all campaign committees.

Delivery of Voting Supplies:

Beginning April 3, 2006, polling place supply boxes can be picked up by the Chief Election Inspector assigned to each of the 311 polling places. Each box contains ballots, ballot marking pens, signage, the roster of voters, etc. For security purposes, the Inspector must sign for the supply box. The supplies for the 2006 Elections can be picked up from the Water Treatment Facility located near the intersection of Redondo Avenue and Spring Street.

Phase II – Ballots Cast

The last person standing in line at the time poll workers announce closure of the poll, will be the last person allowed to vote.

At the close of polls, the poll workers will reconcile the number of voters who signed the precinct roster against the number of ballots issued. At the polling place, voted ballots, delivered absentee ballots, and provisional ballots are deposited in sealed ballot boxes and envelopes. All precinct ballots are placed in a box and sealed for transport, by two poll workers, to "elections central." Upon arrival, ballot boxes, absentee envelopes and provisional envelopes are checked to ascertain that the seals have not been broken.

Phase III – Tabulate

Prior to tabulation, the ballots are processed, according to the Elections Code so that the ballot counters can properly read write-in votes, torn ballots and ballot markings. Absentee ballots received as of 12:00 noon on April 10, 2006, are processed for counting on Election Day.

The City of Long Beach uses optical scan "readers" to accumulate the vote totals in each precinct. These "readers," use the state certified Opto-Mark voting software to record the absentee ballots and ballots cast at a specific precinct on Election Day. All optical scan readers are connected to network of personal computers that will tabulate, report and display votes cast.

All ballots will be counted as pursuant to the Secretary of State Uniform Vote Counting Standards that were promulgated March 23, 2006.

Tabulation results are not released until after the polls close at 8:00 pm. Election security is fundamental to the tabulation operation. Results are tabulated on an internal network that is housed in a secure location and isolated from the Internet, guarded by Police Department personnel and accessible only by authorized City staff.

Beginning at 8 P.M., on Charter Cable System Channel 8, a live broadcast will begin from Election Central. The broadcast will be based on live-news format and will be sent over the City's Internet site.

Phase IV – Report

On Election Night, returns or semi-official election results are reported for every race. The vote totals are presented in raw numbers and percentages by contest and number of precincts reporting.

The election night reporting schedule is:

Vote by Ballots Only	8:30 p.m.
Precinct Ballots	Beginning 9:00 p.m., and 30 minutes thereafter, on the half hour.

Phase V – Validate

Results are considered unofficial until the 21-day canvass is completed and the election results are certified by the City Clerk. During this 21-day canvass, a hand count of not less than 1% of the votes cast in every contest is performed to validate the results. When validation is complete and the results are consistent, the City Clerk will certify the election, present the certified results in a public meeting before the City Council.

FISCAL IMPACT

The City Clerk Department FY 06 budget contains $2.1 million for administration of the 2006 elections. It is anticipated that compliance with the language provisions of the Voting Rights Act and related public education requirements have created expenses not anticipated when the FY 06 Budget was adopted.

TIMING CONSIDERATIONS

It is recommended that EOC forward this report, if so desired, to the full City Council, during its meeting of April 4, 2006, as a part of its regular agenda.

Respectfully Submitted,

Larry Herrera
City Clerk