



# City of Del Mar Staff Report



TO: Honorable Mayor and City Council Members

FROM: Andrew Potter, Administrative Services Director  
Via Scott W. Huth, City Manager

DATE: December 15, 2014

SUBJECT: Discussion of Options to Conduct a Public Vote for the City Hall/Town Hall Project and Authorization for the City Manager to Enter into a Sole Source Procurement, and to Negotiate and Execute an Agreement with Everyone Counts for Advisory Vote Services

## REQUESTED ACTION/RECOMMENDATION:

Staff recommends that the City Council:

1. Receive the report of the options for a future public vote for the City Hall/Town Hall project and provide direction; and
2. Authorize the City Manager to enter into a Sole Source Procurement to negotiate and execute an agreement with Everyone Counts for advisory vote services; and
3. Allocate \$25,000 from previously budgeted funds for Public Facilities planning-related services for the advisory vote.

## DISCUSSION/ANALYSIS:

On December 1, 2014, the City Council directed staff to return with options to solicit public input on the future redevelopment of 1050 Camino del Mar. Based on a review of various options, staff is recommending that the City Council authorize staff to contract with a professional firm to administer an advisory vote from registered voters in Del Mar.

City staff has researched a number of potential vendors that provide such services. Staff has been working with a local firm, Everyone Counts, to discuss this type of election. Everyone Counts provides services to administer online voting for municipal and private elections. Everyone Counts has been in existence since 1997 and has worked with a large number of government entities to facilitate various elements of municipal elections, including the City of Denver, CO, State of Oregon, Honolulu, HI, and Franklin County, WA, as well as a large number of private entity elections for agencies such as the World Meteorological Organization (an agency of the United Nations), Deloitte, KPMG, and the Academy of Television Arts & Sciences.

---

## City Council Action:

Staff is recommending that the City Council authorize staff to execute a contract with Everyone Counts to conduct an online election. Everyone Counts would assist the City with developing appropriate ballot questions (estimating 3-5 core questions, with a mixture of ranked voting questions as well as majority-style questions), ballot materials, communication to voters, and facilitate the online system to authenticate voters to allow them to cast their ballots. The City would be responsible for mailing ballot materials to registered voters. Everyone Counts will also set up a computer kiosk in City Hall to allow voters to cast their ballots if they do not have access to a computer at home. And, the City will make paper ballots available to those that request paper ballots.

The total cost for this advisory vote election is estimated to be \$24,500.

<b>TASK</b>	<b>COST</b>
Advisory Vote Services (Everyone Counts)	\$20,000
Printing and mailing ballot materials (estimated)	\$4,500
<b>TOTAL</b>	<b>\$24,500</b>

Everyone Counts has indicated that since the initial set up work would be done under this contract, the City would have access to conduct two additional advisory vote elections for \$5,000 each, within the next 18 months.

Section 7.04.090 of the Del Mar Municipal Code allows for exemptions from bidding in “situations where solicitations of bids or proposals for goods, services and/or professional services would be, in the discretion of the awarding authority, impractical, unavailing, impossible, or not in the best interests of the City.” Should the City Council direct staff to issue a Request for Proposals for this service, then the City would likely not be able to conduct the vote until March 2015. In order to expedite the advisory vote, staff is recommending that the City Council authorize the City Manager to enter into a Sole Source Procurement with Everyone Counts. The services required by the City for this advisory vote are specialized and utilizing the services of a local San Diego vendor would be beneficial to the City.

Depending on the Council’s direction, the timeline for the advisory vote could be as follows:

<b>TASK</b>	<b>POTENTIAL DATE(S)</b>
Staff solidifies contract with vendor, identifies election process, and develops draft ballot questions	December 16, 2014 – January 9, 2015
City Council approves the final ballot questions	January 20, 2015
Ballot materials mailed to registered voters	January 22, 2015
Public awareness campaign about online vote	Week of January 26, 2015
Online voting open to voters	February 2 – 13, 2015
Vote tabulation by vendor (including processing any paper ballots)	Week of February 16, 2015
Council discussion of community feedback	March 2, 2015

Based upon City Council direction, staff will work with the selected election professional to develop the ballot language and solidify the voting process. However, Should the City Council wish to explore alternatives other than an advisory vote, the City Council has the following options:

1. *Mail Ballot with County Registrar of Voters (ROV)*: For this option, the City would contract with the County ROV for an upcoming election to be conducted with a mail ballot. No polls would be opened; all voters would be required to return their ballots via mail. However, the Registrar of Voters does not have any elections officially scheduled in 2015. Therefore, the City would likely bear the full cost of the election. The current estimate for the City is \$35,000 - \$60,000. The next scheduled consolidated election is the June 7, 2016 Presidential Primary.
2. *Consolidated Election with County ROV*: Similar to Option 1, the City would contract with the County ROV for an upcoming election to conduct a traditional poll election. Polling places in Del Mar would be opened and absentee voters would have the ability to submit their votes via a mail ballot. However, as described in Option 1, the County does not have any elections officially scheduled in 2015. Therefore, the City would likely bear the full cost of the election. The current estimate for the City is \$85,000 - \$110,000. The next scheduled consolidated election is the June 7, 2016 Presidential Primary.
3. *Special Election*: The City would hold its own special election and contract with the County ROV to administer the election process. If the City conducted a polls election, the cost range is \$85,000 - \$110,000. For a special Vote-by-Mail only election, the cost projection is \$35,000 - \$60,000.

Note that with Options 1, 2, and 3 listed above, the City would be limited to the types of questions that can be asked of voters. The City would be limited to questions that solicit a yes or no vote since these types of elections are used to adopt ordinances.

#### FISCAL IMPACT:

The City Hall planning effort to date is within the adopted Capital Improvement Program budget (CIP#FA01) for Fiscal Years 2013-2014 and 2014-2015 which included \$306,883 for Public Facilities planning related services and \$431,000 approved during the Fiscal Years 2013-2014 and 2014-2015 Operating and Capital Budget Update on June 16, 2014.

Staff is requesting that the City Council allocate \$25,000 from the \$431,000 that was previously budgeted for Public Facilities planning related services for the advisory vote.

ENVIRONMENTAL IMPACT:

In accordance with California Environmental Quality Act (CEQA) standards, facility planning is not defined as a project and is therefore exempt from the provisions of CEQA. A future development project would be subject to CEQA review.

PRIOR CITY COUNCIL REVIEW:

During the last eighteen months, the City Council has addressed the numerous topics associated with City Hall/Town Hall planning at multiple, noticed meetings.

- December 1, 2014: Discussed the development options for a public vote
- November 17, 2014: Review of Workshop Results and Direction for Voting Options
- October 27, 2014: City Hall/Town Hall Council Workshop #3 - Scenarios Review
- October 20, 2014: Financial Analysis of Master Planning Scenarios
- October 6, 2014: Master Planning – Mixed-Use Scenarios Review
- July 7, 2014: City Hall Mixed-Use Goals & Assessment Criteria
- June 16, 2014: Direction to prepare alternative scenarios/Master Planning Phase
- June 9, 2014: City Hall/Town Hall Council Workshop #2
- June 2, 2014: City Hall Funding Program; City Hall Sites Assessment report; Current City Hall Renovation Costs
- May 19, 2014: Highest and Best Economic Use Analysis for 1050 Camino del Mar; Public Private Partnership Overview; Opinion of Probable Construction Costs, City Financing Bond Capacity;
- May 5, 2014: City Hall Revised Schedule and Recommended Program
- April 21, 2014: City Hall Program Verification
- April 7, 2014: Community Forum
- March 17, 2014: Space Planning Verification and Cost Estimate Consultant Selection
- March 3, 2014: City Hall Planning Schedule
- February 18, 2014: Survey Results
- January 6, 2014: Draft Community Survey
- December 9, 2013: City Council Workshop Report and Next Steps
- December 2, 2013: City Council Workshop #1
- September 3, 2013: Site Selection to redevelop 1050 Camino del Mar
- July 15, 2013: Preliminary Space Needs; Priority to replace City Hall
- July 1, 2013: Goals and Criteria for Success for evaluation of Alternative Sites.
- June 17, 2013: Process for Facility Planning

ATTACHMENTS:

Attachment A – Proposal from Everyone Counts

# CITY OF DEL MAR ADVISORY ELECTIONS

---

## SCOPE – ELECTION REQUIREMENTS

---

The City of Del Mar is seeking an online solution that will enable the City to conduct an Advisory Election, in this case, to gauge community support for specific designs and options for the proposed City Hall / Town Hall development. Registered voters will have the option to choose between two specific development options, and other optional items to enhance the project.

### CITY OF DEL MAR ELECTION ELEMENTS:

- 3000 registered voters will be served in this election
- Ballot definition has not been fully designed; the anticipated ballot will have between 3-5 core questions.
- The City of Del Mar has asked for the ability to support up to three elections would be supported by this system in a 12 month period.
- Elections will be conducted primarily online with an option to print out a PDF version of the ballot for voters who wish to cast a vote using a paper ballot.
- The election may have a mixture of Ranked voting questions as well as Majority style questions (where the ballot issue with the most votes wins).
- This City will make available voter kiosk(s) in City Hall building to allow for voters to come in and cast votes should they desire to vote in a polling place; The City indicated it will use existing iPads and/or PC hardware for this purpose.
- Additionally, to accommodate ADA voters, the City would like to lever the expertise of Everyone Counts as a resource to help achieve this at the kiosk locations.
- In developing the ballots themselves, the City would like to work closely and lever the Everyone Counts team for our Elections expertise to help develop and frame ballot questions, build the actual ballots for online and PDF and to also perform tabulation inclusive of physical ballots returned.
- Voter Authentication is required for a secure election, and Everyone Counts is asked to advise on the best method to achieve security and simplicity for the voter to access the ballot.

## SOLUTION – ELECT® SECURE ONLINE VOTING

---

Everyone Counts, Inc. will provide the City of Del Mar a turnkey solution that includes our elect software to enable Secure Online Voting and can also be used in kiosk settings at the City Hall. Our solution addresses the host of needs outlined by the City of Del Mar for its Advisory Elections and can be leveraged for up to three elections in a twelve-month period.

## SOLUTION

Everyone Counts, Inc. is a Software as a Service company, specializing in combining technology and Elections Administration expertise to deliver your election. Our solution will provide our fully hosted online voting system, capable of handling all City of Del Mar eligible voters. In addition, you get the benefit of our elections expertise, having delivered secure, binding elections around the globe for nearly two decades. We are the only company that can proudly boast a 100% success rate on all elections we have conducted – none have been contested, and we aim to keep that record going with the City of Del Mar.

The online voting solution we propose for the City of Del Mar is eLect®—the Next Generation Election Administration and Voting System. Our solution offers unrivalled security and transparency, an intuitive user interface (UI), and industry-leading accessibility features that ensure access for both election officials and voters via online methods.

eLect provides secure electronic voting via any web-enabled device. eLect has been used by voters around the world, most notably the largest politically binding e-voting project in the world—the iVote project in New South Wales, which included a remote Internet voting solution for eligible electors in the 2011 State General Election. The City of Del Mar will be offered the same proven solution for online voting used in this election.

Everyone Counts will be responsible for the tabulation of all votes following the close of the voting period, both those delivered through the online service and any paper ballots that may have been issued and returned. Upon close, results are provided for each election contest.

## SECURITY & AUTHENTICATION

At Everyone Counts, security is an active philosophy and the central focus of our solution. We offer fully encrypted ballots to ensure voter anonymity, prevent tampering, provide security, and allow for vote cancellation, ensuring one person, one vote. All information transmitted between the voter's browser and the election server is encrypted using Secure Socket Layer (SSL) transmission that employs AES 256-bit encryption, with 2048-bit keys. The SSL protocol enables voters to securely communicate in a way that is designed to prevent and detect eavesdropping, tampering, and communications forgery.

Election security includes protecting the physical components of the voting system. All hardware servers associated with an election are stored within a secure facility to ensure that all systems contained within the data center are protected. Everyone Counts' eLect platform is deployed in enterprise-class data centers that are leading providers of data center and connectivity services. Services include managed application and network services and disaster recovery solutions. Our co-locations maintain an automatic geo-failover site for all services.

## Authentication

In order to verify the voter's identity, Everyone Counts recommends two-factor authentication. This method couples "secret" information with a secure and private credential that is generated by the system and mailed to the each voter's confirmed and registered address. The secret information can be the voter's date of birth and/or the last four (4) digits of the social security number (SSN).

The information selected must be in the current eligible voter registration database. This method is considered to be the most secure for absentee style elections

## PROPOSAL DETAIL & PRICING

---

The following section details the components included in this voting solution and the associated pricing.

### ELECT® ELECTION ADMINISTRATION

#### eLect® Software

- Everyone Counts' eLect® Election Administration and Voting Platform with perpetual-state-of-the-art updates
- Platform includes election administration system, voting and tabulation system
- Secure hosting in Everyone Counts' redundant data centers
- Data encryption and secure digital ballot box
- Denial of Service (DoS) and Distributed Denial of Service (DDoS) protection
- Dedicated virtualized election environment
- 24/7 monitoring of platform and infrastructure
- Universal accessibility features

#### Election Administration

- Full project management services, including project planning, project management, and stakeholder communication management
- Election administration services, including setup, testing, and administration for up to three (3) elections
- Mapping, importing, and exporting of election data
- Ballot building and proofing
- Credentialing and voter notification support
- User Acceptance Testing (UAT) support
- Logic and Accuracy (L&A) testing and support
- Election tabulation and reporting
- Expert Tier-2 technical help desk support

## Hardware

VOTING KIOSK— Configuration, and setup of a ten-inch (10”) tablet and associated accessories, and secure floor-standing enclosure. City of Del Mar must provide WiFi and power. Everyone Counts will provide or the City of Del Mar can provide their equipment for configuration as Voting Kiosk.

CENTRAL SCAN — Scanner and personnel to operate scanner provided by Everyone Counts for tabulation of paper ballots.

## Professional Services

ONSITE SUPPORT — Provided during key election day activities, such as kiosk setup, onsite technical support for paper scanning and tabulation.

## INCLUDED WITH YOUR VOTING SYSTEM

Description of Services	
elect Online Voting	<ul style="list-style-type: none"> <li>• Voter Authentication</li> <li>• Online Ballot Marking and Submission</li> </ul>
elect Online Voting - Administrative Website	<ul style="list-style-type: none"> <li>• Election Official Access Only</li> <li>• Provides online entry of paper ballots</li> <li>• Includes additional reporting</li> </ul>
Project Management	<ul style="list-style-type: none"> <li>• Kick Off Meeting to gather election specifics</li> <li>• Single point-of-contact for all needs</li> </ul>
Ballot Setup	<ul style="list-style-type: none"> <li>• Drafting of online ballot to customer specifications</li> <li>• Up to 3 ballot styles</li> <li>• 3 to 5 contests/questions</li> </ul>
Voter Setup	<ul style="list-style-type: none"> <li>• Two credentials created for each voter</li> <li>• Credentials may also be imported for each voter such as Voter ID</li> </ul>
Hosting	<ul style="list-style-type: none"> <li>• Secure, robust hosting of election in the highest level data center</li> </ul>
Testing	<ul style="list-style-type: none"> <li>• Logic and Accuracy testing conducted by Everyone Counts</li> <li>• Additional testing made available for customer and other stakeholders to use test credentials prior to the election</li> </ul>

Voter Notification	<ul style="list-style-type: none"> <li>Email Notification of election including PINS to voters at beginning of election</li> <li>Weekly Reminders to voters who have not yet submitted a ballot</li> </ul>
Reporting	<ul style="list-style-type: none"> <li>Participation Reports</li> </ul>
Support	<ul style="list-style-type: none"> <li>Project Manager and Election Team available to customer</li> <li>Helpdesk available to customer and voters - weekdays 8 AM – 5 PM PT</li> <li>Context-specific help throughout application</li> </ul>
Lost PIN Replacement	<ul style="list-style-type: none"> <li>Resend lost PINS to voters within one business day of request. This is processed in batches and voter eligibility is confirmed before PIN is sent.</li> </ul>

COMPONENT	PRICE
<b>SOFTWARE</b>	
elect Software License	Included
Election Administration	Included
Voting Kiosk Configuration (equipment supplied or provided)	Included
Central Scanning	Included
<b>PROFESSIONAL SERVICES</b>	
On-site Election Support	Included
<b>TOTAL FOR FIRST ELECTION</b>	<b>\$20,000</b>
<b>TOTAL FOR SUBSEQUENT ELECTIONS</b>	<b>\$5,000</b>

## PROJECT TIMELINE

INITIATION	OWNER	DATE(S)
Contract Signing	City of Del Mar	December 15, 2014
Project Kickoff, Requirements Definition, and Election Planning	EC, City of Del Mar	December 16, 2014
COMMUNICATION MANAGEMENT	OWNER	DATE(S)
Communicate to registered voter population through mail and digital means	EC	January 1–18, 2015
ELECTION PERIOD	OWNER	DATE(S)
Online Voting open to voters	EC	January 19–30, 2015
POST-ELECTION	OWNER	DATE(S)
Communicate results of election to Del Mar City Council	EC	February 17, 2015

## ACCEPTANCE

A signature on this document indicates acceptance of the proposed solution and associated pricing in this proposal. The following sets out the basic procurement terms. Final pricing based with any modifications, payment terms, and license agreements are outlined in the Master Service Agreement. All fees are due and payable in full no later than thirty (30) days after invoice according to the following general payment terms schedule:

## INVOICE SCHEDULE

- 50% of invoice paid upon signing
- 50% of invoice paid at close of election

## CONTRACT TERMS

---

\_\_\_ One (1) year contract term

Accepted with the following modifications:

---

---

---

---

Everyone Counts, Inc,

City of Del Mar, CA

By:

By:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Date)