



Agenda Date: 5/3/2005
Agenda Placement: 6J

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Britt Ferguson for Nancy Watt - County Executive Officer
County Executive Office
REPORT BY: Nancy Oweong, Buyer II , 253-4476
SUBJECT: Sale of surplus voting booths

RECOMMENDATION

County Executive Officer/Purchasing Agent requests the following:

1. Declare certain items of personal property as surplus and no longer required for public use; and
2. Authorize the Purchasing Agent to dispose of these items of personal property by direct sale to the Los Angeles County Elections Department.

EXECUTIVE SUMMARY

470 used voting booths, which are not fixed assets, have been identified as surplus and no longer required for County use. The Registrar of Voters has removed these items from service and has identified them as surplus equipment because they no longer are required for current voting systems used by the County. Board approval for the sale of these voting booths to the Los Angeles County Elections Department for the sum of \$2,400 is requested.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	Unexpected revenue to the General Fund from the sale of surplus equipment.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	These voting booths are surplus and no longer required for County use. Additionally, by selling these items to Los Angeles County, the County will recognize unexpected revenue to the General Fund of \$2,400, and the

	Elections Department will no longer incur a monthly cost of \$269 to store this equipment.
Is the general fund affected?	Yes
Future fiscal impact:	None.
Consequences if not approved:	The Elections Department would incur additional storage costs of \$269 per month.
Additional Information:	None

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

470 used voting booths, which are not fixed assets, have been identified as surplus and no longer required for County use. The Registrar of Voters has removed these items from service and has identified them as surplus equipment because they are no longer required for the current voting systems used by Napa County.

These booths were purchased originally in the mid 1970s as part of the Datavote voting system. The booths were used at each polling place (3 to 10 at each of 98 polling places) to hold the Datavote marking device into which the voter inserted the punchcard ballots. With the advent of electronic voting for early voting and at the polling places, the booths are no longer needed. The voting booths were last used in October 2003 for the recall election.

Although these voting booths are no longer suitable for County use, they do have the potential of being serviceable to another jurisdiction's elections department. In response to an inquiry placed with other California elections officials, the Los Angeles County Elections Department has expressed an interest in purchasing these surplus voting booths. Los Angeles County is the only jurisdiction that has expressed an interest in acquiring these used voting booths and has offered to purchase them from the County for the sum of \$2,400. Los Angeles County has agreed to pay the costs of having these voting booths packaged and shipped to them as a condition of the sale.

If these voting booths were not made available for sale to another government agency, the Board would be requested to authorize their disposal at public auction, where the proceeds from any sale are expected to be minimal due to the limited demand for this type of equipment. In making a decision as to whether to recommend the sale of surplus equipment to another governmental agency or whether the equipment should be sent to public auction, variables such as whether the surplus equipment has any significant dollar value that the County could reasonably recover, the general condition and usefulness of the surplus equipment, and whether any governmental agency has expressed a need for the surplus equipment are considered.

Government Code Section 25504 authorizes the County's Purchasing Agent to dispose of, by direct sale or other means, any surplus personal property belonging to the County that is not required for public use, subject to such regulations as may be provided by the Board of Supervisors. This action may be approved by a majority vote of the Board, rather than by a 4/5 vote, which has been the usual requirement for disposal of County surplus property in the past. Board approved regulations are contained in County Code Section 2.36.040 and the Purchasing Manual, Section 2-11.3.

Because the Government Code is subject to incremental amendment by the Legislature, different sections of the code have different requirements for Board approval for the disposal of surplus property. For example, Section 25363 of the Government Code requires a 4/5 vote of the Board of Supervisors for disposal of surplus property by public auction, whereas Section 25504 requires only a majority vote of the Board for a direct sale, a lease, or other means of disposal. Also, contrary to previous communications to the Board, staff has determined that Government Code Section 25372, which deals with the donation of surplus property to other government agencies, schools, and tax-exempt health and human service organizations, does not require a 4/5 vote of the Board.

With the Board's approval, 470 surplus voting booths will be sold to the Los Angeles County Elections Department, for the amount of \$2,400 with Los Angeles County also bearing the expense for packaging and shipping the equipment. The proceeds from the sale will be deposited into the County's General Fund.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Britt Ferguson