RESOLUTION - ACTION REQUESTED 2019-698

MEETING: December 10, 2019
TO: The Board of Supervisors
FROM: Keith Williams, Treasurer/Tax Collector
RE: Voting System Replacement Funding

RECOMMENDATION AND JUSTIFICATION:
Approve an Amendment to the Agreement with the State of California for "Voting System Replacement Contract 2018" Increasing the Amount by $216,797 to Purchase New Voting Equipment; and Authorize the Board of Supervisors Chair to Sign the Amended Agreement.

On April 2, 2019 the Board of Supervisors approved an agreement with the State of California in the amount of $207,000 for voting system replacement (res. no. 2019-175). The State has subsequently made additional funding available and dropped the matching fund requirement for counties with less than 50 precincts. Mariposa County qualifies for the new funding with no matching funds requirement.

Budget adjustments will be made at mid-year.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board has previously approved grant funding for voting system upgrades.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not approve the agreement and continue to match the state funds for the system upgrade.

FINANCIAL IMPACT:
FY 19/20 budget adjustments will be reflected at mid-year.

ATTACHMENTS:
SOS Amended Agreement (PDF)
SOS Original Agreement (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: Rosemarie Smallcombe, District I Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
STATE OF CALIFORNIA
STANDARD AGREEMENT AMENDMENT
STD. 213 A (Rev 08/03)

1. This Agreement is entered into between the State Agency and Contractor named below:

STATE AGENCY’S NAME
Secretary of State
CONTRACTOR’S NAME
Mariposa County

2. The term of this Agreement is: February 1, 2019, or upon approval by Dept. of General Services, if required, whichever is later through June 30, 2022.

3. The maximum amount of this Agreement after this amendment is: $423,797.40

4. The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:

   1. The amount of the Agreement is hereby increased by $216,797.40 and shall not exceed $423,797.40, which includes $9,797.40 for election management system (EMS) specific funds.

   2. The term of the Agreement is hereby extended through June 30, 2022.

   3. Exhibit A – Scope of Work, Section E. Use of Funds. Item 9., is hereby added to the Agreement, as stated below:

      9. The replacement or enhancement of a county Election Management System (EMS), used by the county to track voter registration or voter preference, including for example, a voter’s vote-by-mail status. This shall not include maintenance and operations (M&O) expenses.

   4. Exhibit B – Budget Detail and Payment Provisions, Item 7. Retroactive Payments, is hereby replaced in its entirety, as stated below:

      7. **Retroactive Payments**

      Counties may claim reimbursement for expenses and activities permissible under the terms of this Agreement that occur after April 29, 2015 and before June 30, 2022.

   5. Exhibit D – Special Terms and Conditions, Section A. Auditing, Item 1., is hereby replaced in its entirety, as stated below:

      1. Receipt of Voting System Replacement funds by County indicates agreement, to be reimbursed by the Secretary of State, by first providing matching funds spent on voting system replacement activities described in Exhibit A – Scope of Work, Section E – Use of Funds as follows:

         a. Counties with 50 or fewer precincts will require no match of funds.

         b. Counties with 51 or more precincts will require 3:1 or 75%:25% match of funds.

   6. Exhibit B-1 – Funding Detail, is hereby added to the Agreement and attached hereto.

   Except as stated herein, all other terms and conditions shall remain the same.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

<table>
<thead>
<tr>
<th>CONTRACTOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONTRACTOR’S NAME (If other than an individual, state whether a corporation, partnership, etc.)</td>
</tr>
<tr>
<td>Mariposa County</td>
</tr>
</tbody>
</table>

| PRINTED NAME AND TITLE OF PERSON SIGNING |
| Miles Henry, Board Chair |
| ADDRESS |
| P.O. Box 247 |
| Mariposa, CA 95338 |

| STATE OF CALIFORNIA |
| AGENCY NAME |
| Secretary of State |

| PRINTED NAME AND TITLE OF PERSON SIGNING |
| Cindy Halverstadt, Chief, Management Services Division |
| ADDRESS |
| 1500 11th Street, Sacramento, CA 95814 |

CALIFORNIA
Department of General Services
Use Only

**APPROVED**
JAN – 8 2020
OFFICE OF LEGAL SERVICES
DEPT. OF GENERAL SERVICES

APPROVED AS TO FORM:
STEFAN W. DAHLEMM
COUNTY COUNSEL
FUNDING DETAIL

The allotted contract amount with both fiscal year (FY) allotments are not to exceed a total contract budget of **$423,797.40** as shown in the table below:

<table>
<thead>
<tr>
<th>Total Budget</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 18/19 – Existing Contract Amount for replacement/upgrade to County voting systems</td>
<td>$207,000.00</td>
</tr>
<tr>
<td>FY 19/20 – Additional Funding for replacement/upgrade to County voting systems</td>
<td>$207,000.00</td>
</tr>
<tr>
<td>FY 19/20 – Additional funding specifically for election management system (EMS) replacement</td>
<td>$9,797.40</td>
</tr>
<tr>
<td><strong>New Contract Amount</strong></td>
<td><strong>$423,797.40</strong></td>
</tr>
</tbody>
</table>