**AGENDA ITEM:** Resolution approving an amendment to Agreement No. 18G30146, Sierra County Agreement No. 2019-009, between the California Secretary of State and the County of Sierra for voting system replacement funds.

**SUPPORTIVE DOCUMENTS ATTACHED:** Memo ☑ Resolution ☑ Agreement ☑ Other See attached resolution and agreement amendment

**BACKGROUND INFORMATION:** The legislature has allocated an additional $208,967.40 to Sierra County for the replacement of the County's voting system and enhancement/replacement of the election management system. The proposed amendment also changes the required matching funds so any county with fewer than 50 precincts will require no match of funds.

**FUNDING SOURCE:** GRANT/SOS  
**GENERAL FUND IMPACT:** No General Fund Impact  
**OTHER FUND:**  
**AMOUNT:** $251,967.40 N/A

**ARE ADDITIONAL PERSONNEL REQUIRED?**  
☐ Yes, -- --  
☒ No

<table>
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<tr>
<th>IS THIS ITEM ALLOCATED IN THE BUDGET?</th>
<th>☑ Yes ☐ No</th>
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<th>IS A BUDGET TRANSFER REQUIRED?</th>
<th>☐ Yes ☒ No</th>
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**BOARD ACTION:**  
☐ Approved  
☐ Approved as amended  
☐ Adopted  
☐ Adopted as amended  
☐ Denied  
☐ Other  
☐ No Action Taken

☐ Set public hearing  
For: _____________________  
☐ Direction to: ________________  
☐ Referred to: ________________  
☐ Continued to: ________________  
☐ Authorization given to: ________________________________________

Resolution 2019- __________
Agreement 2019- __________
Ordinance ________________  
Vote:  
Ayes: _____________________  
Noes: _____________________  
Abstain: ________________  
Absent: _____________________  
☐ By Consensus

**COMMENTS:**

______________________________  
CLERK TO THE BOARD  
______________________________  
DATE
RESOLUTION APPROVING AMENDMENT TO THE VOTING SYSTEM REPLACEMENT CONTRACT

Resolution 2019-

WHEREAS, the legislature passed Assembly Bill 1824 which requires the Secretary of State to use funds appropriated to him or her in the Budget Act of 2018 for voting system replacement to award contracts to counties that would reimburse counties for funds spent by the counties on voting system replacement activities; and

WHEREAS, Sierra County entered into an agreement with the Secretary of State to receive the maximum grant amount of $43,000 for participating in activities outlined in Agreement No. 18G30146, Sierra County Agreement No. 2019-009; and

WHEREAS, the legislature has allocated an additional $208,967.40 for the replacement/upgrade to Sierra County’s voting systems and election management (EMS) replacement.

NOW, THEREFORE, BE IT RESOLVED that the Sierra County Board of Supervisors, County of Sierra, State of California does:

1. Approves the execution of the Amendment to Agreement No. 18G30146, Sierra County Agreement No. 2019-009, between the County of Sierra and the Secretary of State to receive voting system replacement funds and election management system (EMS) replacement or enhancement funds; and

2. Authorizes the County Clerk to conduct all negotiations, execute and submit all documents including, but not limited to, payment requests for reimbursement of authorized expenditures under said agreement.

ADOPTED by the Board of Supervisors of the County of Sierra on the 15th day of October, 2019, by the following vote:

AYES: Supervisors
NOES: None
ABSTAIN: None
ABSENT: None

COUNTY OF SIERRA

__________________________________________
PAUL ROEN, CHAIRMAN
BOARD OF SUPERVISORS

ATTEST:

__________________________________________
HEATHER FOSTER
CLERK TO THE BOARD

APPROVED AS TO FORM:

__________________________________________
DAVID PRENTICE
COUNTY COUNSEL
1. This Agreement is entered into between the State Agency and Contractor named below:
   
   STATE AGENCY’S NAME
   Secretary of State
   
   CONTRACTOR’S NAME
   Sierra 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: Two hundred fifty-one thousand nine hundred sixty-seven dollars and forty cents.
   
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 $208,967.40 and shall not exceed $251,967.40, which includes $1,967.40 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.

CONTRACTOR

STATE OF CALIFORNIA

CALIFORNIA
Department of General Services
Use Only

CONTRACTOR’S NAME (if other than an individual, state whether a corporation, partnership, etc.)
Sierra County

BY (Authorized Signature) DATE SIGNED (Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

ADDRESS
P.O. Drawer D
Downieville, CA 95936-0398

STATE OF CALIFORNIA

AGENCY NAME
Secretary of State

BY (Authorized Signature) DATE SIGNED (Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING
Cindy Halverstadt, Chief, Management Services Division

ADDRESS
1500 11th Street, Sacramento, CA 95814
FUNDING DETAIL

The allotted contract amount with both fiscal year (FY) allotments are not to exceed a total contract budget of **$251,967.40** as shown in the table below:

| FY 18/19 – Existing Contract Amount for replacement/upgrade to County voting systems | $43,000.00 |
| FY 19/20 – Additional Funding for replacement/upgrade to County voting systems     | $207,000.00 |
| FY 19/20 – Additional funding specifically for election management system (EMS) replacement | $1,967.40 |
| **New Contract Amount**                                                              | **$251,967.40** |