



## Legislation Details (With Text)

**File #:** 19-0545 **Version:** 1

**Type:** Agenda Item **Status:** Approved

**File created:** 3/29/2019 **In control:** Board of Supervisors

**On agenda:** 4/23/2019 **Final action:** 4/23/2019

**Title:** Elections Department recommending the Board consider the following:  
1) Approve and authorize the Chair to sign Agreement for Services 3389 with Democracy Live, Inc., for the provision of ADA-compliant Remote Accessible Vote By Mail Solutions and Uniform Overseas Citizens Absentee Voting Act (UOCAVA) and Military Overseas Voter Empowerment (MOVE) Act solutions to voters, for an amount not to exceed \$198,000, effective upon execution for a term of 24 months; and  
2) Approve and authorize the Registrar of Voters to sign the attached Memorandum of Understanding (MOU) document related to this grant when received from participating counties, for the purchase of ADA-complaint software solutions; and  
3) Approve and authorize the Chair to sign a budget transfer to increase revenue and appropriations for the Elections Department by \$99,000, in order to receive the first half of the Dynamic Random Access Memory (DRAM) Agreement funding.

**FUNDING:** 100% funded by the Dynamic Random Access Memory (DRAM) Settlement Fund

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. A - Blue Route - 04-23-19, 2. B - Master Agreement 3389 04-23-19, 3. C - MOU - 04-23-19, 4. D - Budget Transfer - 04-23-2019, 5. E - Blue Route MOU - 4-23-19, 6. Executed Budget Transfer

Date	Ver.	Action By	Action	Result
4/23/2019	1	Board of Supervisors	Approved	Pass

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**FUNDING:** 100% funded by the Dynamic Random Access Memory (DRAM) Settlement Fund

### DISCUSSION / BACKGROUND

On October 30, 2018, the Board authorized the Registrar of Voters to accept and execute the DRAM (Dynamic Random Access Memory) Settlement Fund grant agreement in the amount of \$198,000, for the purchase of ADA-compliant online balloting portals from LiveBallot, for a consortium of five (5) participating counties, include El Dorado County (Legistar 18-1598). The other four (4) participating

counties are Placer, Inyo, Marin and Fresno.

Democracy Live was named in the grant application as sole vendor for acquisition and implementation of the ADA web-based accessible voting solutions through the LiveBallot application.

The DRAM Settlement Fund was created as a result of antitrust litigation involving DRAM (Dynamic Random Access Memory) and is to be used for projects with a purpose “to encourage use of innovative technology to benefit California consumers.”

The purpose of the UOCAVA and MOVE act is to help military serving overseas and citizen's abroad vote in U.S. elections. The Act provides for electronic delivery of ballots to overseas citizen voters upon their request. Legislation in California also requires voters with disabilities the opportunity to access their vote by mail ballots in an accessible format that meets the national accessibility standards. Through LiveBallot, voters will be sent an email with a link directing them to the accessible online balloting portal. The portal will enable the voter to access their sample ballot and absentee ballot. Voters who are blind or disabled, will be able to independently access and hear their sample or absentee ballot.

The attached Memorandum of Understanding (MOU) will allow the County to administer the contract with Democracy Live on behalf of the five (5) participating counties, and outlines the responsibilities of all parties. The budget transfer will enable the distribution of funding for the first half of the grant, in FY 2018-19.

The Department will return to the Board with a budget transfer associated with the second half of the grant distribution in FY 2019-20.

## **ALTERNATIVES**

The Board could not approve the contract, the MOU or the budget transfer, thereby disallowing acceptance of the DRAM settlement funds and purchase of ADA-compliant on-line balloting solutions.

## **PRIOR BOARD ACTION**

The Board approved the DRAM Grant Agreement file #18-1598.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

## **CAO RECOMMENDATION / COMMENTS**

It is recommended that the Board approve this item.

## **FINANCIAL IMPACT**

No fiscal impact on the county. Funded by the DRAM settlement, made available by the California Courts, through the Attorney General.

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

Return signed minute order of board action to the Elections Department.

## **STRATEGIC PLAN COMPONENT**

N/A

**CONTACT**

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