



## Legislation Details (With Text)

**File #:** 19-1034      **Version:** 1

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

**File created:** 6/27/2019      **In control:** Board of Supervisors

**On agenda:** 7/16/2019      **Final action:** 7/16/2019

**Title:** Elections Department recommending the Board adopt and authorize the Chair to sign Resolution 114-2019 giving authority to the Registrar of Voters to conduct negotiations, execute and submit all documents to expand the El Dorado County voting system, and submit reimbursement requests to the California Secretary of State's Voting Modernization Board for up to \$621,206.40.

**FUNDING:** Up to \$621,206.40 to be reimbursed by State Voting Modernization Board Proposition 41 funds with no County match required.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Blue Route - 7-16-19, 2. B - Resolution - 7-12-19, 3. C - Prop 41 Documentation - 7-16-19, 4. D - Reimbursement Guidance - 7-16-19, 5. Executed Resolution 114-2019

Date	Ver.	Action By	Action	Result
7/16/2019	1	Board of Supervisors	Approved	Pass

Elections Department recommending the Board adopt and authorize the Chair to sign Resolution **114-2019** giving authority to the Registrar of Voters to conduct negotiations, execute and submit all documents to expand the El Dorado County voting system, and submit reimbursement requests to the California Secretary of State's Voting Modernization Board for up to \$621,206.40.

**FUNDING:** Up to \$621,206.40 to be reimbursed by State Voting Modernization Board Proposition 41 funds with no County match required.

**DISCUSSION / BACKGROUND**

Proposition 41 - Voting Modernization Bond Act of 2002, approved by the voters at the March 5, 2002 election, allocated \$200 million to upgrade voting systems, and established a Voting Modernization Board to carry out this task. The Voting Modernization Board (VMB) administers a program to fund the acquisition of modern voting systems under the Voting Modernization Bond Act of 2002, as amended (the Act) as set forth in California Elections Code section 19250, et seq.

The County of El Dorado previously used some of these funds to purchase the existing system in 2005 and the County match requirement was met at that time. Since the funding was specifically for new voting systems the Voting Modernization Board, at their May 2019 meeting, decided to allow Counties to seek reimbursement for "expansion" of their system (attachment D). The items listed below are an expansion of our system but reimbursement eligibility will ultimately be decided by the Voting Modernization board in late July or early August.

The El Dorado County Elections Department has \$621,206.40 in funding still available through the Proposition 41 Voting Modernization Bond Act. Approval of this resolution will allow the Registrar of Voters to submit reimbursement requests to the VMB for County funds that have been spent on

voting system expansion.

The Elections Department will be seeking reimbursement for the following items:

- 1) Runbeck Agilis inbound sorter
- 2) Opex envelope opener/extractors
- 3) Dominion Ballot on Demand system
- 4) Dominion High Speed Central Count System
- 5) Laptops to use as ePoll Books
- 6) Dominion ICX Ballot Marking Devices
- 7) Dominion Remote Accessible Vote By Mail System
- 8) Dominion on-screen adjudication system

Elections Code Section 13001 and 14100 provide that elections officials are not required to use a county purchasing agent when acquiring election materials. Section 3.12.040(B) of the El Dorado County Code or Ordinances provides that, "The purchase of election materials and services shall not be subject to the provisions of this [Procurement] Chapter in accordance with Elections Code Section 13001." In addition, the County of El Dorado Board of Supervisors Policy C-17, Section 4.9 further clarifies that the procurement of elections materials are exempt from competitive bidding.

#### **ALTERNATIVES**

Disapproval of this resolution will prevent the Elections Department from seeking state reimbursement for voting system expenditures and may increase the General Fund impact of these purchases.

#### **PRIOR BOARD ACTION**

This resolution is a duplicate of the resolution signed by the Board in 2005 giving this authority to the previous Registrar of Voters, William E. Schultz.

#### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel

#### **CAO RECOMMENDATION / COMMENTS**

It is recommended that the Board approve this item.

#### **FINANCIAL IMPACT**

This will provide a State Funding Mechanism to the County of El Dorado to reduce the use of County General Funds. Funding for the above listed items will be determined after the Voting Modernization Project Plan is submitted by the Elections Department and the Secretary of State, in July/August 2019. The Elections Department has \$621,206.40 in funding still available through the Proposition 41 Voting Modernization Bond Act, with no County match required.

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

Return signed resolution to Elections Department, attention Bill O'Neill

#### **STRATEGIC PLAN COMPONENT**

Good Governance

#### **CONTACT**

Bill O'Neill, Registrar of Voters, x7505