



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
MANAGEMENT SERVICES | CONTRACT SERVICES
1500 11th Street, Room 460 | Sacramento, CA 95814 | Tel 916.653.5974 | Fax 916.653.8324 | www.sos.ca.gov

September 25, 2019

San Benito County
Attn: **Joe Paul Gonzalez**
440 Fifth Street, 2nd Fl. Rm. 206
Hollister, CA 95023-3843

Subject: Contract Number **18G30135 AMDT. #01 (Voting System Replacement)**

Please see the marked instruction/information below. If requested, please complete the following marked item(s) and return to the address stated below within ten (10) business days*:

- STD. 213, Standard Agreement with attached Exhibits.** Please acquire the appropriate original signature on the first page of the STD. 213, and the additional three single STD. 213's and return the originally signed agreement package to the address above. **Please Note: Fax, photocopies and signature stamps are not acceptable.** Therefore, please make sure the STD. 213's have been originally signed. A fully executed copy will be returned to you once the contract execution has been completed.
- STD. 213A, Standard Agreement Amendment with attached NEW Exhibit.** Please acquire the appropriate signature for the first page of the STD. 213A and the additional three (3) single STD. 213A's. **Please Note: Fax, photocopies and signature stamps are not acceptable.** Therefore, please make sure all four (4) of the STD. 213A's have been originally signed. A fully executed copy will be returned to you once the contract execution has been completed. **Please return the signed agreement amendment package to the following address (not returning the package this address will delay processing):**

Attn: Contract Services Unit
Secretary of State
1500 11th Street, Room 460
Sacramento, CA 95814

***IMPORTANT: If the signed agreement amendment package is not returned on or before June 1, 2020, this amendment may not be executed.**

- Along with the above referenced STD. 213A agreement amendment package, please submit a copy of the **resolution, order, motion, or ordinance of your local governing body (whichever is applicable for your County office)**, which by law has granted the authority to enter into the proposed contract amendment, authorizing execution of the agreement.

Please Note: If the resolution (or other applicable document stated above) submitted with the originally executed contract also provides for the authority to enter into contract amendments, and DOES NOT INCLUDE any specific original contract dollar amount or contract term information, a copy of that same resolution (or other applicable document) should be sufficient for processing this agreement amendment request. Otherwise, a new resolution (or other applicable document) will need to be submitted accordingly. Please direct questions regarding this to the SOS Project Contact in your originally executed contract (Exhibit A – Scope of Work, Section C.).



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

This is a true and correct copy of the original on file in this office as passed by the Board of Supervisors.

11-19-19
ATTEST:
JANET SLUBARGER, Clerk of the Board of Supervisors,
San Benito County, CA
BY:
Finni Fox Frechette, Deputy Clerk

Mark Medina
District No. 1
Chair

Anthony Botelho
District No. 2

Peter Hernandez
District No. 3

Jim Gillio
District No. 4

Jaime De La Cruz
District No. 5
Vice - Chair

Item Number: 6.

MEETING DATE: 11/19/2019

DEPARTMENT: COUNTY CLERK-AUDITOR-RECORDER ELECTIONS

DEPT HEAD/DIRECTOR: Joe Paul Gonzalez

AGENDA ITEM PREPARER: Angela Curro

SBC DEPT FILE NUMBER: 285

SUBJECT:

COUNTY CLERK-AUDITOR-RECORDER ELECTIONS - J. P. GONZALEZ

Approve budget adjustment increasing State Reimbursement in the amount of \$376,419.80 and increasing expenditures in the amount of \$269,559.73 for a net county saving of \$106,860.07 to the General Fund due to State Grant Amendment 01 to Agreement Number 18G30135 with the Secretary of State's Office, regarding voting systems and technology replacement and improvements, and approve amendment to Agreement No. 18G30135 and authorize the chair to sign. (4/5 vote)
SBC FILE NUMBER: 285

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

The 2018 State Budget Act provided one-time matching funding to San Benito County in the amount of \$348,500 for the replacement of voting systems and technology. On March 19, 2019, the Board of Supervisors approved the execution of Agreement Number 18G30135 with the Secretary of State's Office to receive these funds for expenditures made by the County.

The 2019 Budget Act provided an additional \$376,419.80 reimbursable funding to San Benito County for a total of \$724,919.80 of reimbursable revenue. In lieu of issuing a new contract for the 2019 added allocation the Secretary of State has provided Amendment 01. The Amendment changes are as follows:

- (1) adds additional funding to replace and upgrade the county's voting system;
- (2) changes the matching formula;
- (3) authorizes funds to be used for county election management system replacement;
- (4) extends the contract ending date.

Per the State, the reimbursable amount allocated to each County is fixed and was based on a variety of factors and assumptions, including such things as County size, number of precincts, and voting equipment needs. Based on the Amendment the reimbursement will be allowed for qualifying payments made pursuant to the original grant Agreement for expenditures made between April 29, 2015 through June 30, 2022.

Per Resolution 2019-23, the Board of Supervisors approved the Agreement and authorized the County Clerk/Registrar the ability to execute Amendments to said Agreement.

On September 25, 2019, the Secretary of State (SOS) issued Amendment 01 increasing reimbursable expenditures and changed the

ratio from 1:1 to 3:1. This Board Item is to request the approval of the budget adjustment. Due to the increased funding and shared cost ratio, the Amendment requires a budget adjustment. This adjustment causes a net county cost saving to the County General Fund in the amount of \$106,860.07.

We respectfully request the Board of Supervisor's approval to adjust the Department of Elections FY-2019/20 budget.

State Grant Agreement Number 18G30135	Original Agreement Budget	Budget Adjustment	Revised Agreement w/ Amendment 01
Revenue	\$348,500.00	\$376,419.80	\$ 724,919.80
Expenditure	\$697,000.00	\$269,559.73	\$966,559.73
Grant Net County Cost	\$348,500.00	\$ (106,860.07)*	\$ 241,639.93
Matching Funds	Ratio 1:1		Ratio 3:1

*** Total General Fund Savings**

BUDGETED:

No

SBC BUDGET LINE ITEM NUMBER:

101.20.1115 (Budget Adjustment Attached)

CURRENT FY COST:

\$550,000+

STAFF RECOMMENDATION:

Approve budget adjustment/transfer increasing revenue in the amount of \$376,419.80 and expenditures in the amount of \$269,559.73 for a Net County Cost in saving of \$106,860.07 to the General Fund, and approve amendment to Agreement No. 18G30135 and authorize the chair to sign (4/5 vote)
[MINUTE ORDER REQUESTED]

ADDITIONAL PERSONNEL: No

BOARD ACTION RESULTS:

Approved budget adjustment/transfer, Approved Amendment to Agreement No. 18G30135, and Authorized Chair to sign per staff recommendation. (5/0 vote)

ATTACHMENTS:

Description	Upload Date	Type
Budget Adjustment Amendment 01	10/29/2019	Budget Amendment
State Cover Memo	10/25/2019	Cover Memo
Grant Contract Amendment 01	10/25/2019	Contract Amendment
Original Grant Contract Board Item w/Reso.	10/25/2019	Backup Material
Budget Adjustment/Transfer	11/15/2019	Budget Adjustment/Transfer Form

REVIEWERS:

Department	Reviewer	Action	Date
County Counsel	Thompson, Barbara	Approved	11/15/2019 - 12:22 PM
Clerk of the Board of Supervisors	Silbsager, Janet	Approved	11/4/2019 - 7:11 PM
Finance	Silbsager, Janet	Approved	11/15/2019 - 3:27 PM
County Counsel	Silbsager, Janet	Approved	11/15/2019 - 5:02 PM
Finance	Silbsager, Janet	Approved	11/15/2019 - 3:27 PM

**COUNTY OF SAN BENITO
BUDGET ADJUSTMENT/TRANSFER**

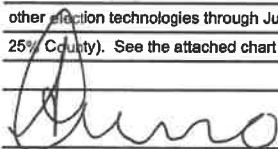
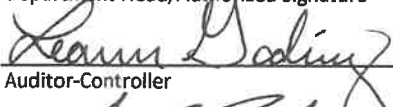

Please Indicate Type:

Fiscal Year: FY-2019/20
 Department: Elections
 Org Key: 101.20.1115

- Appropriation/Est. Revenue Increase**
(Requires 4/5 Board of Supervisors Approval)
- Contingency Transfer**
(Requires 4/5 Board of Supervisors Approval)
- Interdepartmental Transfer or Interobject Transfer >\$25,000**
(Requires Board of Supervisors Approval)
- Interobject Transfer <\$25,000**
(Requires Admin. and Auditor Approval)
- Intraobject Transfer**
(Requires Auditor Approval)

LOGOS #	Description	Exp. Decrease/ Rev. Increase	Exp. Increase Rev. Decrease
1000.561.704	Election State Reimbursement	\$376,419.80	
1000.619.250	Special Department Contract		\$269,559.73
Total		\$ 376,419.80	\$ 269,559.73

Comments: The State Grant Agreement 18G30135 Amendment 01 has increase reimbursable cost to the County for expenditures for our new voting system and other election technologies through June 30, 2022. The Amendment has also changed the matching funds from a ration of 1:1 to a ratio of 3:1. (75% State & 25% County). See the attached chart for details about the overall change to the Department of Elections Budget.

Submitted:  11/15/19
 Department Head/Authorized Signature Date
 Verification of Sufficient Funds:  11/15/19
 Auditor-Controller Date
 Approval:  11/15/19
 Administrative Officer Date

Approval by Board of Supervisors 11-19-19
 Date

Attested:  Vote: 5 Yes 0 No
 Clerk of the Board:

AUDITOR USE ONLY

Budget Adjustment No: _____

Date Batch Input Completed: _____ By: _____

CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED 1 Pages

AGREEMENT NUMBER 18G30135	AMENDMENT NUMBER
REGISTRATION NUMBER:	01

- This Agreement is entered into between the State Agency and Contractor named below:
STATE AGENCY'S NAME
Secretary of State
CONTRACTOR'S NAME
San Benito County
- 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
- The maximum amount of this Agreement after this amendment is: **\$ 724,919.80**
 Seven hundred twenty-four thousand nine hundred nineteen dollars and eighty cents
- 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:
 - The amount of the Agreement is hereby increased by \$ 376,419.80 and shall not exceed \$ 724,919.80, which includes \$ 27,919.80 for election management system (EMS) specific funds.
 - The term of the Agreement is hereby extended through June 30, 2022.
 - 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.
 - 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.
 - Exhibit D – Special Terms and Conditions, Section A. Auditing, Item 1., is hereby replaced in its entirety, as stated below:
 - 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:**
 - Counties with 50 or fewer precincts will require no match of funds.
 - Counties with 51 or more precincts will require 3:1 or 75%:25% match of funds.
 - 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.

APPROVED AS TO LEGAL FORM
 SAN BENITO COUNTY COUNSEL

Barbara Thompson

CONTRACTOR		COUNTY COUNSEL <small>CALIFORNIA</small> Department of General Services Use Only DATE
CONTRACTOR'S NAME (If other than an individual, state whether a corporation, partnership, etc.) San Benito County		
BY (Authorized Signature) <i>[Signature]</i>	DATE SIGNED (Do not type) 11-19-19	
PRINTED NAME AND TITLE OF PERSON SIGNING Mark Medina, Chairman		
ADDRESS 440 Fifth Street, 2nd Fl. Rm. 206 Hollister, CA 95023-3843		
STATE OF CALIFORNIA		<input type="checkbox"/>
AGENCY NAME Secretary of State		
BY (Authorized Signature) <i>[Signature]</i>	DATE SIGNED (Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING Cindy Halverstadt, Chief, Management Services Division		
ADDRESS 1500 11 th Street, Sacramento, CA 95814		

EXHIBIT B-1
(Standard Agreement)

FUNDING DETAIL

The allotted contract amount with both fiscal year (FY) allotments are not to exceed a total contract budget of **\$ 724,919.80** as shown in the table below:

Total Budget	
FY 18/19 – Existing Contract Amount for replacement/upgrade to County voting systems	\$ 348,500.00
FY 19/20 – Additional Funding for replacement/upgrade to County voting systems	\$ 348,500.00
FY 19/20 – Additional funding specifically for election management system (EMS) replacement	\$ 27,919.80
New Contract Amount	\$ 724,919.80