

**RESOLUTION NO. 2019-\_\_\_\_\_**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BENITO, STATE OF CALIFORNIA, AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE AGREEMENT NO. 18G30135 WITH THE SECRETARY OF STATE PURSUANT TO GOVERNMENT CODE 19402 FOR REIMBURSEMENT OF FUNDS USED FOR VOTING SYSTEM REPLACEMENT AND MODERNIZATION**

**WHEREAS**, pursuant to Assembly Bill 1824, the Legislature, added Chapter 5 to Division 9 of the California Elections Code, providing for reimbursement to counties for funds used for voting system replacement; and

**WHEREAS**, pursuant to Elections Code section 19402, the Secretary of State (“SOS”) is required to use the funds appropriated to him in the Budget Act of 2018 for voting system replacement for counties by awarding reimbursement contracts to counties for the cost of such replacement; and

**WHEREAS**, in order to receive reimbursement, counties are required to provide matching funds that are at least equivalent to state funds received for eligible expenditures related to voting system replacement activities, including but not limited to: (1) payments made pursuant to a purchase or lease agreement or other contract made after April 29, 2015 for certain voting related equipment, supplies or software as enumerated in subdivision (d)(1) of section 19402; (2) research and development of a new voting system that has not been certified or conditionally approved by the SOS, but that would result in a voting system certified by the SOS to comply with the California Voting System Standards; and (3) manufacture of the minimum number of voting system units reasonably necessary for testing and seeking certification or conditional certification of a voting system or testing and demonstrating the capabilities of a voting system in a pilot program implemented pursuant to paragraph (2) of subdivisions (b) and (c) of Elections Code section 19209; and

**WHEREAS**, the SOS must allocate funding for a reimbursement contract with a county based on the size of the county, the number of voters registered in the county, and the SOS’s estimate of need for county voting equipment; and

**WHEREAS**, based on the criteria set forth in section 19402, subdivision (c), the SOS has allocated three-hundred-forty-eight-thousand five-hundred dollars (\$348,500.00) in reimbursable funds for the County of San Benito, which may be received pursuant to the execution of a reimbursement contract with the SOS and the provision of matching funds by the County on a dollar-for-dollar basis;

**NOW, THEREFORE, BE IT RESOLVED** that the San Benito County Board of Supervisors hereby:

1. Approves the execution of an agreement between the County of San Benito and the Secretary of State to receive matching funds for voting system replacement activities; and
2. Authorizes the Chair of the Board of Supervisors execute Agreement No. 18G30135 pursuant to Elections Code section 19402; and
3. Authorizes the Clerk-Auditor-Recorder & Ex-Officio Registrar of Voters, or their designee, to conduct all negotiations, execute and submit all documents including, but not limited to, payment requests for reimbursement, and is authorized to execute any further documents, contract extensions or amendments as is necessary

to implement the award of reimbursement.

**BE IT FURTHER RESOLVED** that the San Benito County Board of Supervisors hereby acknowledges that reimbursement is allowed where the County has spent matching funds for voting system replacement activities (as set forth in Elections Code section 19402) on a dollar-for-dollar basis up to the maximum amount of funds allocated for the contract.

**THE FOREGOING RESOLUTION WAS DULY PASSED AND ADOPTED** by the Board of Supervisors of the County of San Benito, State of California, at a regular meeting of the Board held on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by the following vote:

AYES: SUPERVISOR(S)

NOES: SUPERVISOR(S)

ABSENT: SUPERVISOR(S)

ABSTAIN: SUPERVISOR(S)

Date: \_\_\_\_\_

By: \_\_\_\_\_

Mark Medina, Chair  
San Benito County Board of Supervisors

ATTEST:  
Janet Slibsager, Clerk of the Board

APPROVED AS TO LEGAL FORM:  
Barbara Thompson, County Counsel

By: \_\_\_\_\_  
Janet Slibsager

By: \_\_\_\_\_  
Sarah M. Dickinson, Deputy County Counsel