



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Department Name: Clerk-Recorder,  
Assessor  
Department No.: 062  
For Agenda Of: September 10, 2024  
Placement: Administrative  
Estimated Time:  
Continued Item: No  
If Yes, date from:  
Vote Required: 4/5

---

TO: Board of Supervisors  
FROM: Department Head Joseph E. Holland *Joseph E. Holland*  
Clerk-Recorder, Assessor & Registrar of Voters  
Contact Info: Michael T. Daly  
Chief Deputy Assessor & Registrar of Voters, (805) 568-2200  
**SUBJECT: Second Amendment to Agreement with Dominion Voting Systems, Inc.**

---

**County Counsel Concurrence**

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

Other Concurrence: CEO Budget

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute a Second Amendment to the Voting System and Services Agreement with Dominion Voting Systems, Inc. ("Agreement") for the purchase of an 821D HiPro InterScan ballot scanner and associated firmware and support and to upgrade existing hardware; to increase the not-to-exceed amount from \$2,400,000 to \$3,500,000; and to update the Pricing and Payment Schedule which includes additional annual firmware license fees and hardware warranty fees and
- b) Authorize the County Clerk-Recorder-Assessor, or designee, to approve and sign amendments to the components and services of the Agreement, with the concurrence of County Counsel, Auditor-Controller and Risk Management, if the total cost of the amendments does not exceed 10% of the Agreement's not-to-exceed amount; and
- c) Approve Budget Journal Entry No. 0009895 to increase equipment capital asset appropriations for Fiscal Year 2024-25 by \$287,560 in the Department of Clerk-Recorder-Assessor Fund 0001 (4/5 Vote Required); and
- d) Determine that the above actions are not a project under the California Environmental Quality

Act (CEQA) pursuant to Section 15378((b)(5) of the CEQA Guidelines because they consist of organizational or administrative activities of government that will not result in direct or indirect physical changes in the environment.

**Summary Text:**

The County Clerk-Recorder-Assessor is seeking to purchase an 821D HiPro Interscan ballot scanner that is certified by the State of California, meets the California Voting System Standards (CVSS) and State and Federal laws, and is used for high-speed centralized scanning and counting of paper-based ballots, along with license and warranty.

The Clerk-Recorder-Assessor is also seeking to upgrade existing hardware including polling place printers and EMS servers and workstations. All hardware is certified by the State of California and meets the California Voting System Standards (CVSS) and State and Federal laws.

**Background:**

On October 1, 2019, the County Board of Supervisors approved a contract with Dominion Voting Systems, Inc. (Dominion) for the purchase of a new voting system, following an RFP process. Dominion's Democracy Suite® Voting System included software to manage the creation of the election, design of the ballot, tally and report results, review and adjudicate ballots, test, audit, and review ballots. This voting system has provided increased operational efficiencies by offering integration with various components and increasing the speed of adjudication and tabulation of ballots.

On August 18, 2020, the County Board of Supervisors approved a First Amendment to the Agreement with Dominion for the purchase of an 821D HiPro InterScan ballot scanner and ImageCast Central (HSS-ICC) workstation, software, support and training. That amendment also included the addition of election ballot definition and services pricing for all elections, an increase in the not-to-exceed amount from \$1,600,000.00 to \$2,400,000.00.

In conjunction with the current Democracy Suite® Voting System and our existing 821D HiPro InterScan ballot scanner, an additional scanner will greatly improve ballot processing time and create redundancy of high-speed centralized scanning. With an anticipated increase to voter turnout this November, this additional scanner will be a significant asset to the current voting system, as it has a speed to process up to 20,000 ballots in approximately 2 hours.

The additional hardware upgrades, including polling place printers will be deployed in the 2026 Election Cycle, or the next Special Election following the November 5, 2024 Presidential General Election.

The increased not-to-exceed amount also accounts for costs pertaining to any known odd-year elections and special elections that occur every four years as well any unknown special elections that may occur during the life of the contract.

**Performance Measure:**

N/A

**Contract Renewals and Performance Outcomes:**

N/A

**Fiscal and Facilities Impacts:**

Budgeted: Partial. The 821D HiPro Interscan ballot scanner was included in the FY 24-25 budget. Budget Revision No. 0009895 will increase equipment capital asset appropriations by \$287,560 to cover the increase in scanner costs and additional equipment acquisition cost. The cost will be covered entirely by Federal and State grant funds.

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund		\$ 34,800.00	
State	\$ 248,776.37		\$ 248,776.37
Federal	\$ 248,776.36		\$ 248,776.36
Fees			
Other:			
<b>Total</b>	<b>\$ 497,552.73</b>	<b>\$ 34,800.00</b>	<b>\$ 497,552.73</b>

**Narrative:**

The cost of this Amendment is \$532,352.73, which includes the cost of the additional voting system equipment and hardware upgrades. The additional annual Software License and Hardware Maintenance Warranty costs begin in the second year (FY 25-26) and will be \$34,800 with annual increases not to exceed 3%. The cost has been calculated through the term ending December 31, 2028, and is included in the not-to-exceed amount of \$3,500,000.

**Funding Match Requirement:**

The \$497,552.73 equipment acquisition cost of this Amendment will be covered by a combination of Help America Vote Act (HAVA) 301 Grant funding and California State Voting System Replacement Grant funding, neither of which has a local match requirement.

**Key Contract Risks:**

Contract risk is low as the Clerk-Recorder-Assessor already engages with the vendor to provide substantially the same services as are stipulated in the attached amendment.

**Staffing Impacts:**

**Legal Positions:**  
N/A

**FTEs:**  
N/A

**Special Instructions:**

Please forward a copy of the minute order and a copy of the fully executed amendment to Vanessa Graeff in the Clerk-Recorder-Assessor.

**Attachments:**

**Attachment A** – Second Amendment to the Voting System and Services Agreement

**Attachment B** – Voting System and Services Agreement

**Attachment C** – First Amendment to the Voting System and Services Agreement

**Attachment D** – Budget Revision No. 0009895

**Authored by:**

Michael T. Daly  
Chief Deputy Assessor & Registrar of Voters