



RESOLUTION No. 23-503

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AUTHORIZING THE DONATION OF AN OPEX OMATION 2100 ENVELOPE OPENER AND THE ELECTION SYSTEMS AND SOFTWARE (ES&S) MAIL BALLOT VERIFIER (MBV) FROM NEVADA COUNTY REGISTRAR OF VOTERS TO MERCED COUNTY REGISTRAR OF VOTERS

WHEREAS, on September 27, 2011, Nevada County Registrar of Voters purchased an OPEX Omatation 2100 Envelope Opener for \$3,656.42 and entered into a contract with OPEX Corporation for maintenance of the equipment; and

WHEREAS, on September 27, 2016, the Board of Supervisors authorized the purchase of the ES&S MBV, per Resolution 16-474, for \$69,969; and

WHEREAS, on February 28, 2023, the Board of Supervisors authorized the purchase of a new mail sorting machine, per Resolution 23-079, and, therefore, made the use of both the OPEX Omatation 2100 Envelope Opener and the ES&S MBV obsolete; and

WHEREAS, Nevada County Registrar of Voters was informed of Merced County Registrar of Voters' need for both pieces of elections equipment. Nevada County Registrar of Voters moved forward with the donation of both the OPEX Omatation 2100 Envelope Opener and the ES&S MBV to Merced County Registrar of Voters completed on June 19, 2023; and

WHEREAS, Nevada County Registrar of Voters collaborated with ES&S throughout the whole process to ensure the secure transfer of software and equipment to Merced County Registrar of Voters; and

WHEREAS, Nevada County registrar of Voters is now seeking approval of the surplus donation of the equipment pursuant to Nevada County Administrative Code Section A-IV 1.3(B); and

WHEREAS, the County's Purchasing Ordinance authorizes the Purchasing Agent to sell, lease, trade or otherwise dispose of personal property that has been found not to be required for public use in accordance with state law; and

WHEREAS, Government Code section 26227 authorizes the Board of Supervisors to contract with other public agencies to operate programs Board of Supervisors determines will serve public purposes. In the furtherance of those programs, the Board may finance or assist in the financing of the acquisition of furnishings to be owned or operated by any public agency to carry out the programs without complying with any other provisions of state law relating to acquiring, improving, leasing, or granting the use of or otherwise disposing of County property; and

WHEREAS, the conduct of elections by California counties serves multiple public purposes, such as access to voting information and polling centers, and processing of mail and electronic ballots; and

WHEREAS, the proposed donation of the OPEX Envelope Opener and the ES&S MBV ballot scanning/signature verification machine will facilitate these important public purposes.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors, of the County of Nevada, State of California, approves the donation agreement between Nevada County Registrar of Voters and Merced County Registrar of Voters for the transfer of the OPEX Omaton 2100 Envelope Opener and the ES&S MBV.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 26th day of September, 2023, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarthout, Susan Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Edward C. Scofield, Chair



Melvin E. Levey
Registrar of Voters

2222 "M" Street
Merced, CA 95340
Main: (209) 385-7541
Fax: (209) 385-7387

www.mercedelections.org

April 5, 2023

To: Nevada County Clerk, Recorder, Registrar of Voters
950 Maidu Ave, Nevada City, CA 95959

Dear Natalie and team,

I was recently made aware an Opex cutter and ES&S MBV that Nevada County has and may be willing to donate to another county. I would love to volunteer to accept both pieces of equipment on behalf of Merced County. Merced County Elections is in the process of preparing to order upgraded elections tabulators and other items that will increase our efficiency and enhance operations. Adding the two items from your Department will go a long way towards my goal of increasing our throughput capacity come election time.

As I understand it, you have an OPEX Ovation Envelopener Model 2100 Tabletop Mail Opener and an ES&S MBV1000 Signature Verifier. If you agree to the donation, we will gladly accept on behalf of Merced County. We can coordinate to send a team to your location for pick-up.

Please let me know if you have any questions or concerns. Thank you!

Respectfully,
Melvin E. Levey
Merced County Registrar of Voters
(209) 385-7541
melvin.levey@countyofmerced.com

Merced County Receipt of Donation Form

(One copy to Purchasing Agent, one copy to Department, one copy to donor, and one copy to Auditor-Controller within 30 days of acceptance)

Date: April 10, 2023 Phone: (530) 470-2783

Name: Nevada County Clerk Recorder-ROV Address: 950 Maidu Ave., Nevada City, CA 95959

Social Security Number: N/A

Type of Donation: Cash Land, Goods, Services

Donor Estimate of Current Value of Donation (Fair Market Value): Donor claims \$0

No goods or services were provided in exchange, in whole or in part, for the donation.

If land, goods, or services, describe land, goods or services donated and provide serial #/VIN # if applicable _____

OPEX Omaton Envelopener Model 2100 Tabletop Mail Opener Serial #ZB02683

ES&S MBV1000 Signature Verifier Serial #9502008

This donation is to be used at the County's discretion; or

This donation is to be used specifically for the following purpose: _____

Part of Elections Systems

Potential immediate or initial acquisition or installation cost, ongoing maintenance or replacement cost: Annual Maintenance: MBV 1000- \$11,030;

Replacement Cost: MBV1000- \$40,000; OPEX- \$250

Department & Budget Unit Receiving Donation: Elections 14200

Remarks: Request made in FY23/24 budget change sheets to include annual maintenance costs

Donor signed initial form, attached.

Person completing this form: Cynthia Kuhr Phone #: (209) 385-7541 ext 4526

Signature of Donor: See attached

Approved: Denied:

Date: 6-19-23 Department Head/CEO Signature: [Signature]

Donation is tax deductible to the extent allowable by law. Merced County Tax ID # 94-6000521.
Note: Merced County cannot guarantee future funding for repair, maintenance, use or replacement of donated items.

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Date: April 10, 2023 Phone: (530) 470-2783

Name: Nevada County Clerk Recorder-RO Address: 950 Maidu Ave. Nevada City, CA 95959

Social Security Number: N/A

Type of Donation: Cash Land, Goods, Services

Donor Estimate of Current Value of Donation (Fair Market Value): N/A

No goods or services were provided in exchange, in whole or in part, for the donation.

If land, goods, or services, describe land, goods or services donated and provide serial #/VIN # if applicable OPEX tabletop Mail Opener, ES&S Mail Ballot Verifier (MBV)

This donation is to be used at the County's discretion; or

This donation is to be used specifically for the following purpose: _____

Potential immediate or initial acquisition or installation cost, ongoing maintenance or replacement cost: Annual Maintenance: OPEX- \$3170

ES&S MBV- \$11,030

Department & Budget Unit Receiving Donation: Elections 14200

Remarks: Request made in change sheets to include the new maintenance costs for both pieces of equipment in FY23/24

Person completing this form: Cynthia Kuhr Phone #: (209) 385-7541

Signature of Donor: [Signature]

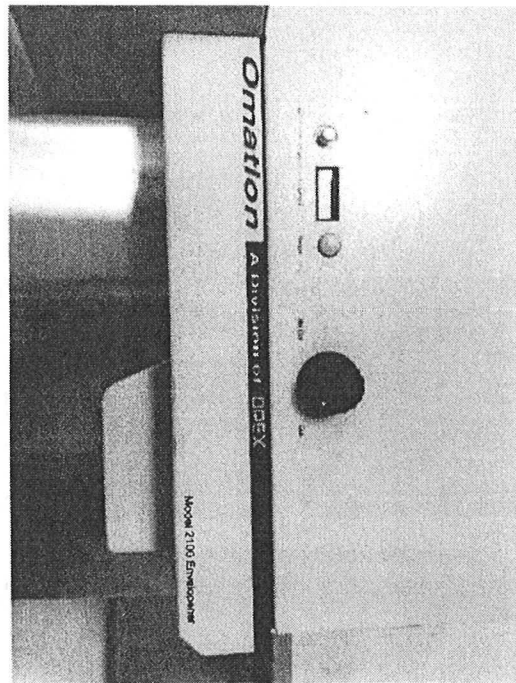
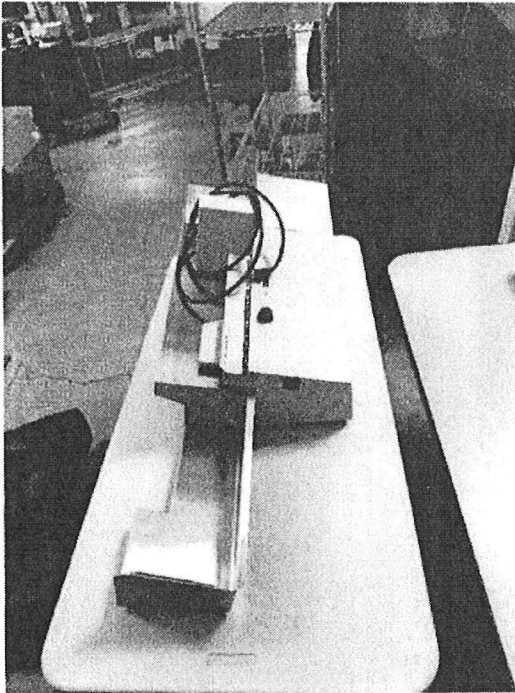
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OPEX Omaton Model 2100 Serial #ZB02683



ES&S MBV1000 Serial #9502008

