city of
PUEBLO
colorado

Background Paper for Proposed Ordinance

COUNCIL MEETING DATE: October 23, 2023

TO: President Heather Graham and Members of City Council

CC: Mayor Nicholas A. Gradisar

VIA: Marisa Stoller, City Clerk

FROM: Marisa Stoller, City Clerk

SUBJECT: AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A HARDWARE RENTAL, SOFTWARE LICENSE AND SERVICES AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND DOMINION VOTING SYSTEMS, INC., AS REQUIRED FOR ANY POTENTIAL MAYORAL RUNOFF ELECTION

SUMMARY:

Attached is an Ordinance approving a Hardware Rental, Software License and Services Agreement between the City of Pueblo and Dominion Voting Systems, Inc.

PREVIOUS COUNCIL ACTION:

None.

BACKGROUND:

After discussions with the County Clerk, it was determined that the County would be unable to run the potential January 2024 Mayoral runoff election, meaning the City would have to administer any runoff election.

Due to the timelines associated with any potential runoff election, the City Clerk must put in place election infrastructure that can be utilized in the event a runoff election is necessary. This rental agreement will allow for tabulation equipment and software to count the ballots for any potential runoff election the City is required to administer.

FINANCIAL IMPLICATIONS:

The contract with Dominion will be approximately $30,000. This amount has been budgeted for the election project in the 2024 Capital Campaign budget.

BOARD/COMMISSION RECOMMENDATION:

Not applicable to this Ordinance.

STAKEHOLDER PROCESS:

Not applicable to this Ordinance.

ALTERNATIVES:

City Council could choose to reject this Ordinance. If City Council choose not to pass this Ordinance, the City will be unable to administer any Mayoral runoff election during this election cycle.

RECOMMENDATION:

Passage of the Ordinance.

ATTACHMENTS:

1.   City of Pueblo CO Rental Agreement

ORDINANCE NO. <u>10573</u>

AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A HARDWARE RENTAL, SOFTWARE LICENSE AND SERVICES AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND DOMINION VOTING SYSTEMS, INC., AS REQUIRED FOR ANY POTENTIAL MAYORAL RUNOFF ELECTION

BE IT ORDAINED BY THE CITY COUNCIL OF PUEBLO, that:

<u>SECTION 1.</u>

The Hardware Rental, Software License, and Services Agreement between the City of Pueblo, a Colorado municipal corporation and Dominion Voting Systems, Inc, a copy of which is attached hereto ("Agreement") is hereby approved.

<u>SECTION 2.</u>

After the Agreement is approved as to form by the City Attorney, the Mayor is hereby authorized to execute and deliver the Agreement in the name of the City and the City Clerk is authorized to affix the seal of the City thereto and attest same.

<u>SECTION 3.</u>

The officers and staff of the City are authorized to perform all acts consistent with this Ordinance and the attached Agreement to implement the policies and procedures described herein.

<u>Action by City Council:</u>

Introduced and initial adoption of Ordinance by City Council on October 10, 2023.

Final adoption of Ordinance by City Council on October 23, 2023.

_____
President of City Council

Action by the Mayor:

☒ Approved on __October 25, 2023__.

☐ Disapproved on _____ based on the following objections:

_____

_____

_____

_____

_____
Mayor

Action by City Council After Disapproval by the Mayor:

☐ Council did not act to override the Mayor's veto.

☐ Ordinance re-adopted on a vote of _____, on _____

☐ Council action on _____ failed to override the Mayor's veto.

_____
President of City Council

ATTEST

_____
City Clerk