



Board Agenda Item 22

DATE: August 23, 2016

TO: Board of Supervisors

SUBMITTED BY: Brandi L. Orth, County Clerk/Registrar of Voters

SUBJECT: State Agreement for Help America Vote Act (HAVA) 301 Grant Funding

RECOMMENDED ACTIONS:

- 1. Adopt Resolution approving Fresno County entering an Agreement with the Secretary of State for HAVA Section 301 Voting Systems Program Grant Funds.**
- 2. Approve and authorize the Chairman to execute Agreement No. 16G30105 with the State of California for federal reimbursement funds for the Help America Vote Act (HAVA) 301 Voting Systems Program effective upon execution by the State Department of General Services through June 30, 2021 (\$1,797,008.50).**
- 3. Authorize the County Clerk to conduct all negotiations, execute and submit all documents relating to compliance with terms, provisions and requirements of Agreement No. 16G30105, including, but not limited to, requests for reimbursement of HAVA Section 301 authorized expenditures.**

Approval of the first and second recommended actions will provide the Department with HAVA Section 301 funding for the upgrade or replacement of accessible voting systems. Approval of the third recommended action will allow the County Clerk to negotiate, execute and submit all documents relating to compliance with Agreement No. 16G30105 and reimbursement for HAVA Section 301 authorized expenditures. There is no increase in Net County Cost associated with the recommended actions.

ALTERNATIVE ACTIONS:

There is no viable alternative to the recommended actions. If the recommended actions are not approved, the County will not be awarded a total of \$1,797,008.50 in federal grant funds, and the County Clerk will not be able to execute and submit documentation required for the HAVA Section 301 Voting Systems Program.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The initial HAVA 301 award for Fresno County was \$2,698,782.61. A total of \$901,774.11 has been expended to date, leaving a balance of \$1,797,008.50 in available funding. The grant amount of \$1,797,008.50 was included in the FY 2016-17 Adopted Org. 28500500 budget for HAVA 301. There is no matching funds requirement for this grant. Funds that are not spent at year end will be rebudgeted for the following fiscal year. Appropriations for future year costs will be included in subsequent budget requests.

DISCUSSION:

On November 6, 2007, your Board approved the initial HAVA 301 Voting Systems Program Agreement No. 07-475 in the amount of \$2,698,782.61 for the lease or purchase of approved voting systems or components

that are accessible for individuals with disabilities, provide for "second chance" voting by notifying voters of overvotes, undervotes, or other potential errors. On June 14, 2010, the term of the original Agreement was extended from December 31, 2010 to December 31, 2011.

On April 17, 2012, your Board approved Agreement No. 12-149, which established a new HAVA 301 Agreement with the State of California in the amount of \$1,862,610.40, and extended the term of the Agreement through December 31, 2015. On December 8, 2015, your board approved Agreement No. 12-149-1, which amended the Agreement and extended the term through March 31, 2016. During the period of May 4, 2012 through March 31, 2016, a total of \$65,601.90 was expended, leaving a balance of \$1,797,008.50 in available funding.

Approval of the recommended actions will establish a new HAVA 301 Agreement with the State of California in the amount of \$1,797,008.50, effective upon execution by the State through June 30, 2021 to allow the County additional time to expend funds. The proposed Agreement contains a provision to allow claim reimbursement for permissible expenses and activities that occur after March 31, 2016 and before June 30, 2021.

REFERENCE MATERIAL:

BAI #18, April 17, 2012
BAI #18, December 8, 2015

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - County HAVA 301 Resolution
On file with Clerk - Agreement with State of California

CAO ANALYST:

Ronald Alexander