



Board Agenda Item 32

DATE: January 29, 2019

TO: Board of Supervisors

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

SUBJECT: State Agreement for Help America Vote Act Section 101 Grant Funding

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute Agreement #18G26110 and required Certification(s) with the State of California for federal Help America Vote Act Section 101 reimbursement funds for the improvement of the administration of elections effective upon execution by the California Department of General Services through June 30, 2021 (\$25,000).

Approval of the recommended action will provide Help America Vote Act (HAVA) Section 101 federal reimbursement funds primarily to defray the costs for staff to attend regional polling place accessibility training sessions and to survey polling places. The funds may also be used as reimbursement of equipment to improve accessibility to polling places, and for the acquisition or deployment of remote accessible vote by mail system. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative to the recommended action. If the recommended action is not approved, the Department will not be awarded a total of \$25,000 in grant funds to improve the administration of elections.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. There is no matching funds requirement for HAVA Section 101. The specific activities and equipment eligible for reimbursement have been approved by the State and are itemized in the Agreement, not to exceed the \$25,000 award. Sufficient revenues and appropriations exist within the Adopted 2018-19 Org 2850 budget for the regional polling place accessibility training session in April 2019, which will be hosted by Fresno County. The full amount of this \$25,000 award will be included in the budget submittal for FY 2019-20 Org 28500500, Fund 0001, Account 4375.

DISCUSSION:

On August 29, 2018, the California Secretary of State notified the counties of HAVA Section 101 funding that would be made available to counties to survey polling places, attend Secretary of State sponsored polling place surveyor training, purchase equipment and activities to improve physical accessibility, and reimbursement of for costs associated with the acquisition or deployment of remote accessible vote by mail system. A condition for participation in this funding opportunity was that the County must have at least one County employee or agent attend one of several regional training sessions sponsored by the Secretary of State.

On November 26, 2018, the County received a HAVA Section 101 funding award notification from the Secretary of State, which included a revenue agreement, Agreement No. 18G26110, in the amount of \$25,000. The Agreement allows for reimbursement of expenses incurred after September 1, 2018. The term of the Agreement will be effective upon execution by the California Department of General Services through June 30, 2021. The deadline for submitting any claims under this Agreement is August 2, 2021. Approval of the recommended Agreement will provide reimbursement funding to allow the County Clerk - Elections department to train a sufficient number of staff to conduct polling place accessibility surveys in accordance with the most current California accessibility guidelines.

The Agreement includes certifications of compliance with the following: (1) Americans with Disabilities Act (ADA) of 1990; (2) nondiscrimination program requirements; (3) Drug-Free Workplace Act of 1990; (4) the minimum, if not exact, percentage of recycling requirements of the Public Contract Code; (5) State and Federal antitrust laws; and (6) all applicable state and federal laws relating to child and family support enforcement, including earnings assignment orders of all employees and the provision of names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

The Agreement contains clauses providing the following: (1) the County shall indemnify, defend and save harmless the State from any and all claims and losses for damage/injuries in connection with the performance of this Agreement, and, (2) the State may terminate the Agreement without cause upon 30-day written notice.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with State of California

CAO ANALYST:

Yussel Zalapa