



Board Agenda Item 21

DATE: March 12, 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 Cyber Security Grant Funding

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute Agreement #18G27110 with the State of California for federal Help America Vote Act Section 101 reimbursement funds for county efforts to improve cyber security and infrastructure related to VoteCal effective upon execution by the California Department of General Services through June 30, 2021 (\$25,000); and**
- 2. Adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for the County Clerk - Elections Org 28500500 in the amount of \$25,000 (4/5 vote).**

Approval of the recommended actions will provide Help America Vote Act (HAVA) Section 101 federal reimbursement funds primarily to defray the costs for county efforts to improve cyber security and infrastructure related to VoteCal. This item is countywide.

ALTERNATIVE ACTION(S):

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

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. There is no matching funds requirement for HAVA Section 101 grant funding. 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. The budget resolution increases the appropriations and estimated revenues in the County Clerk - Elections FY 2018-19 Org 28500500 in the amount of \$25,000. It is anticipated that the full amount of the award will be expended in the current year.

DISCUSSION:

On August 29, 2018, the California Secretary of State notified the counties of HAVA funding that would be made available to counties to assist with activities to improve the administration of elections by enhancing election technology and making election security improvements relating to VoteCal, as authorized under Section 101 of HAVA. VoteCal is California's statewide, centralized voter registration database, connecting all 58 counties with the Secretary of State's office. HAVA has required all states to implement a single, uniform, centralized, computerized statewide voter registration system. A condition for participation in this funding opportunity was that the County must conduct security assessments, and privacy and security

awareness training for all staff utilizing the county voter registration and election information systems.

On December 14, 2018, the County received a HAVA Section 101 funding award notification from the Secretary of State, which included a revenue agreement, Agreement #18G27110, in the amount of \$25,000. The Agreement allows for reimbursement of expenses incurred after April 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 September 30, 2021. Approval of the recommended Agreement will provide reimbursement funding to allow the Department to purchase hardware and or software to improve cyber security, prevent breaches, and train all staff utilizing the county voter registration and election information systems in Privacy and Security awareness in accordance with State Administration Manual (SAM) Sections 5320 -5320.2 and the Information Practices Act of 1977 (California Civil Code §§1798 et seq).

Approval of the second recommended action will increase the County Clerk-Elections FY 2018-19 Org 28500500 revenues and appropriations to allow the Department to expend the funds as outlined in the Agreement for the improvement of the administration of elections.

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 the State of California
On file with Clerk - Budget Resolution

CAO ANALYST:

Yussel Zalapa