



# Board Agenda Item 23

DATE: November 5, 2019

TO: Board of Supervisors

SUBMITTED BY: Brandi L. Orth, County Clerk/Registrar of Voters  
Robert W. Bash, Director, Internal Services/Chief Information Officer

SUBJECT: Vote Center Facility Use Agreement

RECOMMENDED ACTION(S):

**Authorize the Director of Internal Services/Chief Information Officer or his designee to execute Vote Center Facility Use Agreements as Vote Centers are identified by the Fresno County Clerk/Registrar of Voters and agree to the terms and conditions of the Vote Center Facility Use Agreement, without returning to the Board of Supervisors, subject to the review and approval of County Counsel, Fresno County Clerk/Registrar of Voters and the Auditor-Controller/Treasurer-Tax Collector.**

Approval of the recommended action will allow the Fresno County Clerk/Registrar of Voters (County Clerk/ROV) to utilize space to be utilized during elections. This item is countywide.

ALTERNATIVE ACTION(S):

If this authorization and Vote Center Facility Use Agreement is not authorized and approved the County Clerk/ROV will be required to return to your Board with an estimated 50 Vote Center Facility Use Agreements as Vote Centers are identified. That action would delay chosen Vote Center Facilities from executing the Vote Center Facility Use Agreements in a timely manner.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Usage of Vote Center Facilities may be reimbursed at the same rate as previous polling place rentals, i.e. \$35.00/day or reasonable janitorial fees. Sufficient appropriations and estimated revenues to cover reimbursement costs have been included in the County Clerk - Elections Org 2850 FY 2019-20 Adopted Budget.

DISCUSSION:

On March 12, 2019, the Board approved the implementation of the California Voters Choice Act ("VCA") beginning with the March 2020 State-wide Presidential Primary election. In moving to the Vote Center model under the VCA, the County Clerk/ROV has been working to identify approximately 50 facilities to serve as Vote Centers for Fresno County voters.

Vote Center Facilities are being identified based on data analysis listed in California Election Code 4005. It is required that each facility be surveyed for ADA compliance and connectivity methods. Additional drop box locations will be located based on Vote Center Facility locations.

The proposed Vote Center Facility Use Agreement (attached as Exhibit A) will be the form of the model agreement for each of the identified Vote Centers to execute in preparation for serving as either an 11-day or 4-day Vote Center in the upcoming March 2020 State-wide Presidential Primary Election. The Agreement contains the following variances from the County's model lease/contract terms: There is no insurance requirement for the facility and the County will hold the facility harmless from liability except for facility negligence. Risk Management has reviewed these provisions, and agrees the benefits of entering into the facility agreements in this matter outweigh the associated risks.

Election materials must be prepared no later than early December 2019 in order to arrange for printed of materials to be made available to voters.

REFERENCE MATERIAL:

BAI #7, March 12, 2019

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A - Vote Center Facility Use Agreement

CAO ANALYST:

Yussel Zalapa