

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Stanislaus County Clerk Recorder - Elections BOARD AGENDA # \*B-6

Urgent

Routine

AGENDA DATE November 24, 2015

CEO Concurs with Recommendation YES  NO

4/5 Vote Required YES  NO

(Information Attached)

SUBJECT:

Approval to Negotiate an Agreement with the California Secretary of State to Comply with the Requirements of Section 301 of the Help America Vote Act of 2002 by Extending Federal Grant Funding through March 2016

STAFF RECOMMENDATIONS:

1. Approve entering an agreement with the California Secretary of State to extend reimbursement to the County through 2016 for the expenses associated with complying with the requirements of Section 301 of the Help America Vote Act (HAVA) of 2002.
2. Approve the Registrar of Voters, in partnership with the General Services Agency Director/Purchasing Agent, to negotiate, award and execute all corresponding contracts in connection with HAVA related activity.

FISCAL IMPACT:

The original Federal Help America Vote Act of 2002, Section 301 Grant enabled California counties to purchase, lease, or rent and maintain certified voting systems or components of voting systems, provide voter education and poll worker training as well as fund salaries, wages, cost and benefits for staff, consultants and contractors involved in the process.

The original \$2,438,813 in Federal Grant funding provided for the purchase of voting equipment and  
(continued on page 2)

BOARD ACTION AS FOLLOWS:

No. 2015-585

On motion of Supervisor Chiesa, Seconded by Supervisor O'Brien and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Withrow

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST: Christine Ferraro  
CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Negotiate an Agreement with the California Secretary of State to Comply with the Requirements of Section 301 of the Help America Vote Act of 2002 by Extending Federal Grant Funding through March 2016

**Page 2**

**FISCAL IMPACT (CONTINUED):**

election support on a cost reimbursement basis. An unutilized \$1,076,225.64 reflects Stanislaus County's remaining balance from the original grant funding. Payments for purchases under this grant will be received on a cost reimbursement basis. There is no additional contribution required from the General Fund as a condition of approving the continued use of this grant funding.

**DISCUSSION:**

On October 29, 2002, then President Bush signed the "Help America Vote Act of 2002" (HAVA) into law. The legislation is designed to improve the administration of elections in the United States.

On January 10, 2006, the Board of Supervisors authorized the Registrar of Voters to utilize resources received from a Help America Vote Act (HAVA) grant in the amount of \$2,438,813. This grant provides Federal funding to help counties maintain compliance with the requirements of Section 301 of the Help America Vote Act of 2002. The term of the contract was December 19, 2005 through June 30, 2007.

On October 15, 2007, Stanislaus County entered into a contract with the California Secretary of State extending the use of the HAVA Section 301 funding through December 31, 2010.

Contract term extensions since December 2010 have been entered into as follows:

- Contract term extension from October 15, 2007 through December 31, 2011.
- Contract term reduction from October 15, 2007 through September 30, 2011.
- Contract term extension September 30, 2011 through December 31, 2015.
- The current contract term extension is September 30, 2011 through March 31, 2016.

The extended Federal Help America Vote Act of 2002 Section 301 Grant will enable counties to utilize unused original grant funds to further purchase, lease or rent additional certified voting systems or components of voting systems, and maintain current equipment through March 31, 2016.

In recognition of the lack of new product choices from vendors, the Office of the Secretary of State announced it would enter into new contracts with counties with a new extended deadline of March 31, 2016. That contract term extension reflects Stanislaus County's remaining balance as of May 2, 2012 which was \$1,364,884.48. Current unutilized grant funds remaining from the original grant funding is \$1,076,225.64. The approval to expend HAVA Section 301 grant funds will help Stanislaus maintain compliance with the requirements for Section 301 of the Help America Vote Act of 2002.

**POLICY ISSUES:**

Approval of the recommendations will provide access to Federal funding to maintain compliance with Section 301 of the Help America Vote Act of 2002 and is intended to meet the Board's priority of the Efficient Delivery of Public Services.

**STAFFING IMPACT:**

There is no staffing impact associated with this request.

**CONTACT PERSON:**

Lee Lundrigan, County Clerk and Recorder, 209-525-5211

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AGREEMENT NUMBER <b>11G30117</b>	AMENDMENT NUMBER <b>01</b>
REGISTRATION NUMBER:	

1. This Agreement is entered into between the State Agency and Contractor named below:  
STATE AGENCY'S NAME  
**Secretary of State**  
CONTRACTOR'S NAME  
**Stanislaus County**
2. The term of this Agreement is **September 30, 2011 or upon approval of Dept. of General Services, if required whichever is later through March 31, 2016**
3. The maximum amount of this Agreement after this amendment is: **\$1,364,884.48**  
 One million, three hundred sixty-four thousand, eight hundred eighty-four dollars and forty-eight cents
4. The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:
  1. The term of the Agreement is hereby extended through March 31, 2016.
  2. In EXHIBIT A, SCOPE OF WORK, Paragraph C. PROJECT CONTACTS, Subparagraph b is hereby changed as follows:
    - b. For State: Kathryn Chaney (916) 653-4216
  3. In Exhibit B, BUDGET DETAIL AND PAYMENT PROVISIONS, Paragraph 9, Retroactive Payments, "December 31, 2015" is hereby changed to "March 31, 2016."
  4. In Exhibit B, BUDGET DETAIL AND PAYMENT PROVISIONS, Paragraph 11, Deadline For Submitting Claims, "90 days" is hereby changed to "30 days."
  5. In Exhibit D, SPECIAL TERMS AND CONDITIONS, Paragraph B. GENERAL PROVISIONS, Subparagraph 6, "90 days" is hereby changed to "30 days."

All other terms and conditions shall remain the same.

**APPROVED AS TO FORM:  
 STANISLAUS COUNTY COUNSEL**

**BY** *Deirdre M. Stratton* 11/15/15

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

<b>CONTRACTOR</b>		CALIFORNIA Department of General Services Use Only
CONTRACTOR'S NAME (If other than an individual, state whether a corporation, partnership, etc.) <b>Stanislaus County</b>		
BY (Authorized Signature) <i>Lee Lundrigan</i>	DATE SIGNED (Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING <b>Lee Lundrigan, Stanislaus County Clerk-Recorder</b>		
ADDRESS 1021 I Street, Suite 301 Modesto, CA 95354		
<b>STATE OF CALIFORNIA</b>		
AGENCY NAME <b>Secretary of State</b>		
BY (Authorized Signature) <i>Cindy Hanneman</i>	DATE SIGNED (Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING <b>Cindy Hanneman, Chief, Management Services Division</b>		
ADDRESS 1500 11 <sup>th</sup> Street, Sacramento, CA 95814		

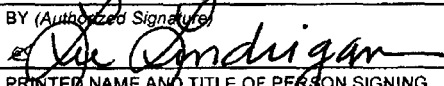


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AGREEMENT NUMBER <b>11G30117</b>	AMENDMENT NUMBER <b>01</b>
REGISTRATION NUMBER: <b>1193777</b>	

- This Agreement is entered into between the State Agency and Contractor named below:  
STATE AGENCY'S NAME  
**Secretary of State**  
CONTRACTOR'S NAME  
**Stanislaus County**
- The term of this Agreement is **September 30, 2011 or upon approval of Dept. of General Services, if required whichever is later through March 31, 2016**
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CONTRACTOR		CALIFORNIA Department of General Services Use Only
CONTRACTOR'S NAME (If other than an individual, state whether a corporation, partnership, etc.) <b>Stanislaus County</b>		
BY (Authorized Signature) 	DATE SIGNED (Do not type) <b>11-24-2015</b>	<div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>APPROVED</b>   <b>JAN 12 2016</b>   <small>OFFICE OF LEGAL SERVICES DEPT. OF GENERAL SERVICES</small> </div> 
PRINTED NAME AND TITLE OF PERSON SIGNING <b>Lee Lundrigan, Stanislaus County Clerk-Recorder</b>		
ADDRESS <b>1021 I Street, Suite 301 Modesto, CA 95354</b>		
STATE OF CALIFORNIA		
AGENCY NAME <b>Secretary of State</b>		
BY (Authorized Signature) 	DATE SIGNED (Do not type) <b>12/31/2015</b>	
PRINTED NAME AND TITLE OF PERSON SIGNING <b>Cindy Hanneman, Chief, Management Services Division</b>		
ADDRESS <b>1500 11<sup>th</sup> Street, Sacramento, CA 95814</b>		