



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Clerk-Recorder-
Assessor
Department No.: 062
For Agenda Of: 11/15/11
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required:

TO: Board of Supervisors

FROM: Department Joseph E. Holland, Clerk, Recorder & Assessor
Director(s)
Contact Info: Billie Alvarez, Chief Deputy Registrar of Voters
696-8963

SUBJECT: Help America Vote Act (HAVA) Section 301 Contract

County Counsel Concurrence

As to form:

Other Concurrence: N/A

As to form: Select_Concurrence

Auditor-Controller Concurrence

As to form:

Recommended Actions:

That the County Board of Supervisors pass, approve and adopt a resolution terminating the county's existing HAVA Section 301 contract with the State of California and authorize the county to execute a new HAVA Section 301 contract with the State in order to ensure that the county continues to have access to \$2,005,312.93 balance in HAVA grant funds allocated to the County of Santa Barbara.

Background:

The Help America Vote Act of 2002 (HAVA) is a federal law created to improve the administration of elections in the United States by providing funds to replace outdated voting systems with voting systems that provide access to voters with disabilities, including voters with visual impairment, in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters.

The Help America Vote Act provided federal grant funds to states for distribution to counties for use in implementing the provisions of HAVA. The Secretary of State is the repository for these funds and provided a distribution formula for allocation of funds to counties. Santa Barbara County was allocated \$2,749,794.06 in HAVA Section 301 grant funds.

In order to receive these funds the County Board of Supervisors adopted Resolution Number 05-357 on December 13, 2005 authorizing the county to execute a HAVA Section 301 contract with the state. The contract with the state was executed in 2006, amended in 2010 and expires on December 31, 2011.

With grant funds approved in 2006, the County has received \$744,481.13 as reimbursement for acquisition of voting accessible equipment (Auto-Marks) and cost to educate voters and train poll workers on the new system. Due to the constraints counties have faced caused by the lack of new certified voting systems and the limitations on the use of HAVA funds, the state has agreed to issue new HAVA Section 301 contracts to counties with an expiration date of December 31, 2015 for use of the remaining grant funds. The state received legislative spending authority to issue new contracts to counties with balances remaining in the county's existing HAVA Section 301 contract. With the remaining grant funds, the County plans to review new certified voting systems with advanced technologies that provide access to voters with disabilities.

In order to issue a new HAVA Section 301 contract the state requires that the County Board of Supervisors adopt a resolution authorizing the county to terminate the existing HAVA Section 301 contract and authorize the County to execute a new HAVA Section 301 contract with the state as approved by the Board of Supervisors.

Contract Schedule:

ACTIVITY	DEADLINE
County stopped expenditures/activities under the existing HAVA Section 301 contract.	09/16/11
County submitted final invoices to the state under the existing HAVA Section 301 contract.	09/30/11
State determined the final balance remaining in the existing HAVA Section 301 contract.	10/14/11
State issues the new HAVA Section 301 contract to the County.	10/28/11
County Board of Supervisors adopts a resolution authorizing the termination of the existing HAVA Section 301 contract and authorizes the county to execute a new HAVA Section 301 contract with the state.	11/15/11
County executes and returns the new HAVA Section 301 contract to the state along with the adopted Board of Supervisors Resolution.	11/23/11
State completes and returns the new HAVA Section 301 contract to the county after approval by the State Department of General Services	01/13/12

Performance Measure:

Fiscal and Facilities Impacts:

There will be no fiscal or facilities impacts as a result of terminating and entering into a new contract.

Fiscal Analysis:

The Fiscal Year 2011-12 Adopted Budget includes \$1,024,000 of appropriations and offsetting grant reimbursement for the potential acquisition of HAVA voting equipment. However, with the lack of voting

equipment availability, the current contract may terminate before any equipment is available for purchase. The acceptance of a new contract would extend the term of the funding through December 2015, providing the County with the use of budgeted funds if equipment becomes available.

Staffing Impacts:

Legal Positions:

FTEs:

Special Instructions:

Send copy of signed resolution to Rose Rodarte of the Clerk-Recorder-Assessor Department, Administration Building, Assessor's Office (2nd Floor).

Attachments:

Resolution