



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: August 18, 2020
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Joseph E. Holland, County Clerk, Recorder, and Assessor
Director(s)
Contact Info: Elaina Cano, Elections Division Manager, (805) 696-8953

SUBJECT: Coronavirus Aid, Relief and Economic Security (CARES) Act Contract

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Adopt a resolution authorizing the County Clerk, Recorder, and Assessor to enter into an agreement with the California Secretary of State for reimbursement of funds from the Coronavirus Aid, Relief and Economic Security (CARES) Act to be used for election-related activities to prevent, prepare for, and respond to the coronavirus for the 2020 Federal election cycle (Attachment A) in an amount not to exceed \$ 851,622; and
- b) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5) that the above action is not a project subject to CEQA review because the action consists of organizational and administrative activities of governments that will not result in direct or indirect physical changes in the environment.

Summary Text:

The adoption of this resolution gives the County Clerk, Recorder, and Assessor the authority to enter into an agreement with the California Secretary of State for reimbursement of funds from the Coronavirus Aid, Relief and Economic Security (CARES) Act to be used for election-related activities to prevent, prepare for, and respond to the coronavirus (with a Scope of Work substantially in the form of Attachment B) in

an amount not to exceed \$851,622, with the concurrence of County Counsel and the County Auditor-Controller. Additionally, this resolution also authorizes the County Clerk, Recorder, and Assessor to execute any further documents, contract extensions, or amendments, as necessary, to implement the reimbursement award, with such concurrences.

Background:

On March 27, 2020, President Trump signed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) into law. The Act included \$400 million in new Help America Vote Act (HAVA) emergency funds, made available to states to prevent, prepare for, and respond to the coronavirus for the 2020 federal election cycle. This supplemental appropriation funding, distributed by the U.S. Election Assistance Commission (EAC), will provide states with additional resources to help protect the 2020 elections from the effects of the novel coronavirus (COVID-19). These funds must be expended by December 31, 2020, and have a 20% of the amount awarded match requirement. The EAC has also authorized previously allocated HAVA funds to be used for election-related activities related to COVID-19. The State legislature approved the appropriation of these funds with the passage of Assembly Bill 89 and Assembly Bill 100. The California Secretary of State is currently finalizing contract language and has provided counties with their allocated fund amounts to allow counties to seek Board approval.

As specified in County Clerk/Registrar of Voters (CC/ROV) Memorandum #20111 (Attachment C), election-related COVID-19 costs include any costs that the County incurs that is in addition to the normal election-related costs as a result of the pandemic. Such costs include, but are not limited to: additional staff time and resources (both temporary and permanent staff included as well as regular time and overtime), planning costs, cleaning supplies, protective masks and equipment for staff and poll workers, consulting and training costs, equipment purchases, increased costs related to all aspects of voting by mail, outreach and communication, and costs for polling locations and election facilities.

California Governor Gavin Newsom issued Executive Orders N-64-20 and N-67-20 to ensure that the November 3, 2020, General Election is secure and safe for voters and election workers and signed AB 860 and SB 423. These Executive Orders and legislation require the County Elections Official to send vote-by-mail ballots to registered voters to vote in the General Election, while providing access to in-person voting opportunities to those who may need access to such opportunities during three days of early voting starting the Saturday before election day.

The in-person voting experience at each one of these locations is suggested to closely resemble the experience a voter would currently have should they come into any one of the County's Elections Offices. This will require extensive poll worker training. There will be at least 25 locations that are required to remain open for at least 8 hours a day for three days prior to Election Day and 7:00am – 8:00pm on Election Day. Each location will be staffed with 15-20 election workers. In addition to the in-person voting locations, there will be multiple ballot drop boxes located throughout the County and available to the voters beginning no later the 28 days before Election Day.

While the future course of the COVID-19 pandemic is uncertain, it is imperative that the County procure supplies, secure polling places, hire and train poll workers and temporary election workers, and obtain necessary equipment for the November 3, 2020, General Election.

Performance Measure:N/A

Contract Renewals and Performance Outcomes:

N/A

Fiscal and Facilities Impacts:

Budgeted: No **Fiscal Analysis:**

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			\$851,622
Fees			
Other:			
Total	\$ -	\$ -	\$851,622

Narrative: Per County Clerk/Registrar of Voters (CC/ROV) Memorandum #20153 (Attachment D), the state has appropriated the \$35 million in state funds to cover the 20% required match for use of CARES Act funds on eligible Election-related COVID-19 costs associated with the conduct and administration of the November 3, 2020, General Election. Therefore, counties will not be required to provide a 20% match for the federal COVID-19 funds.

Key Contract Risks:

N/A

Staffing Impacts:

Legal Positions:

N/A

FTEs:

N/A

Special Instructions:

Please forward a copy of the minute order and fully executed Resolution to the Santa Barbara County Elections Office.

Attachments:

Attachment A: Resolution authorizing the County Clerk, Recorder, and Assessor to enter into an agreement with the California Secretary of State for reimbursement of funds from the Coronavirus Aid, Relief and Economic Security (CARES) Act to be used for election-related activities to prevent, prepare for, and respond to the coronavirus.

Attachment B: Form of CARES Act Agreement – Scope of Work

Attachment C: County Clerk/Registrar of Voters (CC/ROV) Memorandum #20111

Attachment D: County Clerk/Registrar of Voters (CC/ROV) Memorandum #20153

Authored by:

Elaina Cano, Elections Division Manager

cc:

Joseph E. Holland
Renee Bischof