

County of Santa Cruz

COUNTY CLERK / ELECTIONS

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GAIL L. PELLERIN, COUNTY CLERK

December 22, 2005

Agenda: January 10, 2006

BOARD OF SUPERVISORS
 County of Santa Cruz
 701 Ocean Street
 Santa Cruz, CA 95060

Adopt Resolution and Approve Agreement with the Secretary of State's Office to receive HAVA Section 301 Voting Systems Program Grant Funds

Dear Members of the Board:

As your Board is aware, the County is eligible for \$1,698,328 in HAVA Section 301 Voting Systems funds. These funds are an important element in the financing package to acquire the recommended new voting system that will allow persons with disabilities to vote independently and privately. HAVA funds may also be used for various activities to implement such a system.

In order to access these funds, the Secretary of State's Office requires that each County's board of supervisors adopt a resolution with the following provisions:

- The Board elects to participate in the HAVA Section 301 Voting Systems Grant Program for the term of December 19, 2005 through June 30, 2007;
- The Board approves the execution of an agreement between the County of Santa Cruz and the Secretary of State's Office to receive EAID grant funds;
- The Board authorizes the County Administrative Officer to enter into the proposed agreement with the Secretary of State's office; and
- The Board appoints the County Clerk as the County's designee to conduct all negotiations, execute and submit all documents including, but not limited to, payment requests for reimbursement of HAVA Section 301 authorized expenditures.

It is therefore recommended that your Board adopt the attached resolution authorizing the County to enter into an agreement with the Secretary of State's Office to receive \$1,698,328 in HAVA Section 301 Voting System funds, authorize the County Administrative Officer to sign the agreement, and appoint the County Clerk to serve as the County's representative in all matters associated with executing the agreement.

Sincerely,

Gail L. Pellerin
 County Clerk

Recommended:

SUSAN A. MAURIELLO
 County Administrative Officer

cc: Secretary of State
 Auditor Controller
 County Counsel
 County Administrative Office

RESOLUTION NO. _____

On the motion of Supervisor
Duly seconded by Supervisor
The following Resolution is adopted:

**RESOLUTION APPROVIING SANTA CRUZ COUNTY ENTERING INTO A CONTRACT FOR
HAVA SECTION 301 VOTING SYSTEMS PROGRAM GRANT FUNDS**

WHEREAS, the federal Help America Vote Act (HAVA) authorizes federal funds to assist in complying with the requirements of Section 301 of the Help America Vote Act of 2002 (P.L. 107-252) ("HAVA), and

WHEREAS, HAVA Section 301(a) requires that each voting system used in a federal election on or after January 1, 2006 must:

1. Permit the voter to verify privately and independently the votes selected before casting a ballot and must permit the voter privately and independently to change or correct a ballot before it is cast (known as 'second chance' voting), including receiving a replacement ballot;
2. Notify the voter of "overvotes," i.e., if the voter has selected more candidates than permitted, before the ballot is cast, and the consequences of "overvoting." Paper ballot voting systems, such as vote-by-mail systems, may comply by means of a voter education program;
3. Produce a permanent paper record with a manual audit capacity for such system;
4. Be accessible 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. This requirement can be met by providing at least one direct recording electronic (DRE) voting unit, or other voting device equipped for individuals with disabilities, at each polling place. Pursuant to California Elections Code section 19250, (Statutes of 2004, Chapter 814 [SB 1438]), all DREs must, beginning January 1, 2006, include an accessible, voter-verifiable paper audit trail (AVVPAT). If the DRE does not already include an AVVPAT, the voting system must be replaced or modified to include an AVVPAT; and
5. Meet all of the requirements of alternative language access pursuant to the Voting Rights Act of 1965, as amended.

WHEREAS, the Secretary of State will reimburse the County for items or activities, including taxes, of specified purchases; and

WHEREAS, the County will enter into an agreement with the Secretary of State to receive the maximum grant amount of \$1,698,328.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Santa Cruz, State of California:

1. Elects to participate in the HAVA Section 301 Voting Systems Program for the term of December 19, 2005 through June 30, 2007; and
2. Approves the execution of an agreement between the County of Santa Cruz and the Secretary of State's Office to receive HAVA Section 301 grant funds; and
3. Authorizes the County Administrative Officer to enter into the proposed contract with the Secretary of State's office; and

4. Appoints the County Clerk as the County's designee to conduct all negotiations, execute and submit all documents including, but not limited to, payment requests for reimbursement of HAVA Section 301 authorized expenditures.

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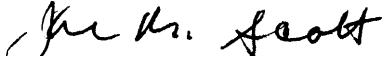
PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this _____ day of January 2006, by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS

Chairperson of said Board

ATTEST: _____
Clerk of said Board

APPROVED AS TO FORM:



JANE M. SCOTT, Assistant County Counsel

Copy to: Secretary of State, County Clerk, County Counsel, Auditor-Controller, CAO