



COUNTY OF LOS ANGELES

REGISTRAR-RECORDER/COUNTY CLERK

12400 IMPERIAL HWY. – P.O. BOX 1024, NORWALK, CALIFORNIA 90651-1024

CONNOR B. McCORMACK

REGISTRAR-RECORDER/COUNTY CLERK

May 30, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

**AUTHORIZATION TO SUBMIT AN APPLICATION FOR FUNDING CONSIDERATION
UNDER THE HELP AMERICA VOTE ACT (HAVA) OF 2002
HAVA SECTION 301 VOTING SYSTEMS PROGRAM
(ALL DISTRICTS) (3 VOTES)**

Dear Supervisors:

IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the attached Resolution allowing the Registrar-Recorder/County Clerk (RR/CC) to apply for and receive federal funding under the Help America Vote Act (HAVA) of 2002, HAVA Section 301 Voting Systems Program.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

The purpose of this action is to receive Board approval to apply for Los Angeles County's allotment of up to \$49,636,590.28 in federal HAVA Section 301 funding made available for purchase of HAVA-compliant voting equipment and related peripheral equipment.

Implementation of Strategic Plan Goals:

Goal No. 1: Service Excellence: Provide the public with effective delivery of services within the County by implementing strategies related to fiscal responsibility and service integration by modernizing voting systems.

Goal No. 4: Fiscal Responsibility: Ensure the County's fiscal responsibility by effectively managing and enhancing current fiscal strategies as well as pursuing additional revenue options such as federal funding provided by HAVA.

FISCAL IMPACT/ FINANCING:

Approval of the attached Resolution will permit the County to apply for and receive federal funding provided under Section 301 of HAVA. According to a formula developed by the California Secretary of State (SOS), the County of Los Angeles is entitled to apply for and receive up to \$49,636,590.28 in federal funds to purchase HAVA-compliant voting systems and peripheral equipment.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

The federal Help America Vote Act (HAVA) was passed by the United States Congress and signed by the President in October 2002. Subsequently, Congress appropriated HAVA Section 301 funding for election system improvements and delegated to the U.S. Election Assistance Commission (EAC) the authority and responsibility to distribute HAVA funds on a population-based formula. The State's allotment of \$264 million in HAVA Section 301 funding was provided to California via the chief election officer, the Secretary of State (SOS).

The SOS subsequently determined that up to \$195 million (76%) of HAVA Section 301 funds would be made available to counties to meet the voting system standards mandated by HAVA. The formula chosen by the SOS to allocate and distribute each county's proportionate share of the \$195 million is a weighted average using four factors: the number of registered voters in each county; the voting age population in each county; the number of precincts in each county; and the average voter turnout over four elections in each county. The SOS's proposed spending plan, including the funding formula, was ratified by the State Legislature through the budget process. This formula resulted in Los Angeles County's allotment of up to \$49,636,590.28 in HAVA Section 301 funds.

A contract executed between each county's Board of Supervisors and the SOS is required prior to distribution of any HAVA Section 301 funds by the SOS to the counties. Prior to executing a contract, the SOS additionally requires that each Board of Supervisors adopt a Resolution providing authority to enter into a contractual agreement for receipt of funds. Your Board's approval of the attached resolution fulfills this requirement. Actual reimbursement to counties is based on claims submitted by each county to the SOS with appropriate invoices and supporting documentation.

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IMPACT ON CURRENT SERVICES:

Approval of the attached Resolution by the Board of Supervisors allows the RR/CC to proceed with applying for Los Angeles County's share of HAVA Section 301 funds as dedicated resources for purchase of Board-approved voting systems and peripheral equipment for the benefit of all Los Angeles County voters.

Respectfully submitted,

CONNOR B. McCORMACK
Registrar-Recorder/County Clerk

KC:ds:eb

Attachment

c: Chief Administrative Office
Executive Officer, Board of Supervisors
County Counsel

RESOLUTION OF THE LOS ANGELES COUNTY BOARD OF SUPERVISORS
APPROVING THE APPLICATION FOR FUNDS
UNDER THE HELP AMERICA VOTE ACT (HAVA) OF 2002
HAVA SECTION 301 VOTING SYSTEMS PROGRAM

WHEREAS, the United States Congress has appropriated funding for the Help America Vote Act of 2002, Section 301 also known as “HAVA Section 301 Voting Systems Program”; and

WHEREAS, the California Secretary of State has been delegated the responsibility for the administration of the Help America Vote Act of 2002 funds, setting up necessary procedures for allocation of those funds; and

WHEREAS, said procedures established by the California Secretary of State require Los Angeles County to certify by resolution, the approval of application(s) and contracts before submission of said application(s) and contracts to the California Secretary of State;

NOW, THEREFORE, BE IT RESOLVED that the Los Angeles County Board of Supervisors:

1. Approves the filing and execution of applications and contracts for financial assistance for the purpose of fulfilling the duties and responsibilities to be funded from funds provided under the HAVA Section 301 Voting Systems Program; and
2. Certifies the County understands the assurances and certification in the Draft Contract (attached as Exhibit A); and

3. Certifies the County has reviewed and understands the Funding Application or Terms of the Draft Contract (attached as Exhibit A); and
4. Appoints the Registrar-Recorder/County Clerk or her designee as agent to conduct all negotiations, execute and submit all documents, including but not limited to applications, contracts, payment requests and other documentation, which may be necessary for the execution of the duties and responsibilities under the HAVA Section 301 Voting Systems Program.

The foregoing resolution was on the day of _____, 2006 adopted by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

SACHI A. HAMAI,
Executive Officer of the Board of Supervisors
of the County of Los Angeles

By: _____
Deputy

APPROVED AS TO FORM
RAYMOND G. FORTNER, JR.
County Counsel

By: _____
Judy Whitehurst
Senior Deputy County Counsel