

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

December 19, 2023

FROM

STEPHENIE SHEA, Registrar of Voters

SUBJECT

Facility Use Agreements for Traveling Voter Education Outreach Events

RECOMMENDATION(S)

1. Adopt **Resolution No. 2023-217** pursuant to California Government Code section 25350.51 authorizing the Purchasing Agent to execute facility use agreements, including the County's facility use agreements, lease agreements, applications, or use permits for County use of real property for traveling voter education pop-up events, for a term not to exceed four years and a rental cost not to exceed \$2,000 per month, and authorizing the Chief Executive Officer to approve any lease or use permit that is over \$2,000 per month, but does not exceed \$10,000 per month, with the Resolution expiring on December 18, 2027.
2. Approve use agreement template for facilities needed for traveling voter education pop-up events and a rental cost not to exceed \$10,000 per month.
3. Authorize the Purchasing Agent to waive standard County contract terms pursuant to County Policies 11-05 and 11-07 and County Standard Practice 11-07 SP when executing agreements for facilities needed for traveling voter education pop-up events, upon consultation with County Counsel and Risk Management.

(Presenter: Stephenie Shea, Registrar of Voters, 387-2100)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Operate in a Fiscally-Responsible and Business-Like Manner.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). These agreements are anticipated to be non-financial in nature. However, if rental costs are charged, they will not exceed the \$10,000 per month rental cost as allowed in Recommendation No. 1. Sufficient appropriation and revenue have been included in the 2023-24 Registrar of Voters (ROV) budget.

BACKGROUND INFORMATION

On November 16, 2023, ROV unveiled its BallotMobile: Traveling Voter Education vehicle. San Bernardino County is the largest county in the contiguous United States, spanning over 20,000 square miles. One of the critical functions of the ROV is to conduct voter education outreach, sharing information about voter registration, the multiple ways to cast a ballot, election dates and other election information. This traveling voter education outreach vehicle will travel to the 24 cities and towns located within the county, including distant areas such as Needles and

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Trona, to share voter education with County residents. The cities and towns have requested facility use agreements with the County for use of the city's or town's facilities for its outreach events. Some of these agreements contain non-standard terms.

The Resolution in Recommendation No. 1 would only apply to facilities used for purposes associated with traveling voter education pop-up events, leaving the provisions of Resolution No. 2000-248 in effect for all other County uses of real property. This recommendation would authorize the Purchasing Agent to execute facility use agreements, including the County's facility use agreements, lease agreements, applications, or use permits for County use of real property for traveling voter education pop-up events, for a term not to exceed four years and a rental cost not to exceed \$2,000 per month, and authorize the Chief Executive Officer to approve any lease or use permit that has rental costs over \$2,000 per month, but does not exceed \$10,000 per month, with the Resolution expiring on December 18, 2027, per Government Code section 25350.51. ROV requests delegated authority for election education purposes because it will allow staff to provide voter education in all areas of the county. The recommended Resolution will expire in four years on December 18, 2027.

Recommendation No. 2 provides a template use agreement for facilities which do not have their own facility use agreement. The recommended County template will ensure basic terms, including term, cost, and liability protections agreed to in writing.

ROV request approval of Recommendation No. 3 as it is expected agreement terms, including non-standard terms, will be negotiated. It is recommended that the Board of Supervisors authorize the Purchasing Agent, pursuant to County Policies 11-05 and 11-07 and 11-07 SP, to waive standard contract terms in many use agreements, upon consultation with County Counsel and Risk Management.

These agreements are recommended to help promote partnerships with cities and towns as the BallotMobile travels to share voter education outreach across the county.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Jolena Grider, Deputy County Counsel, 387-5455) on November 28, 2023; Risk Management (Victor Tordesillas, Director, 386-8623) November 29, 2023; Purchasing (Jessica Barajas, Supervising Buyer, 387-2065) on November 28, 2023; Finance (Elias Duenas, Administrative Analyst, 387-4378) on November 28, 2023; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on November 30, 2023.

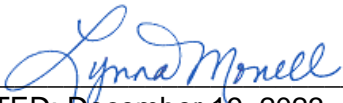
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Col. Paul Cook (Ret.)
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY  _____
DATED: December 19, 2023



cc: w/Resolution
File - Registrar of Voters w/attach
CCM 01/8/2024