

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

July 9, 2024

FROM

STEPHENIE SHEA, Registrar of Voters

SUBJECT

Agreement for County Use of Real Property for Election Purposes

RECOMMENDATION(S)

1. Adopt **Resolution No. 2024-114** pursuant to California Government Code section 25350.51, authorizing the Purchasing Agent to execute template facility use agreements, lease agreements or use permits for County use of real property for election purposes for a term not to exceed four years and a rental cost not to exceed \$10,000 per month.
2. Approve template facility use agreement for facilities needed to administer elections, including polling places, election supply depot sites, early vote sites, and poll worker training locations, for a term not to exceed four years 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 the facility use agreements for facilities needed to administer elections, after review by 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). In practice, Discretionary General Funding (Net County Cost) traditionally finances the majority of the costs of an election. A portion of election expenses are billed to local jurisdictions – cities, school districts, and special districts – based upon the number of contests on the ballot and the number of registered voters for each contest. Adequate appropriation and revenue have been included in the Registrar of Voters' (ROV) 2024-25 budget and will be included in future recommended budgets, as needed.

BACKGROUND INFORMATION

The recommended template facility use agreements (Agreements), Resolution, and delegation of authority to waive standard County contract terms, pursuant to County Policies 11-05 and 11-07 and County Standard Practice 11-07 SP, will enable ROV to secure the facilities needed to conduct elections to ensure voters have sufficient access to cast a ballot and receive service from trained poll workers.

Agreement for County Use of Real Property for Election Purposes July 9, 2024

For each countywide election, ROV works to secure approximately 300 polling places, about 25 election supply depot sites, five early vote sites, and 15 to 20 poll worker training locations. Government Code section 25350.51 allows the Board of Supervisors (Board) to delegate to the Purchasing Agent, or other appropriate County official, the authority to lease real property for use by the County, or to obtain use of real property for the County by license, for a term not to exceed five years and a rental cost not to exceed \$10,000 per month.

On January 11, 2022 (Item No. 35), the Board adopted Resolution No. 2022-002, authorizing the Purchasing Agent to execute the Agreements, lease agreements, or use permits for County use of real property for election purposes, for a term not to exceed four years and a rental cost not to exceed \$10,000 per month, with Resolution No. 2022-002 expiring on January 10, 2027.

The recommended Resolution will remove the expiration date since the Agreements, lease agreements, or use permits for County use of real property for election purposes is ongoing. The recommended Resolution is being presented to the Board ahead of current Resolution No. 2022-002 expiring to allow for continuity of operations and use of the Agreements through future election cycles.

The recommended Agreements will ensure basic terms, such as term, cost, and liability protections, are agreed to in writing. It is recommended that the Board authorize the Purchasing Agent, pursuant to County Policies 11-05 and 11-07 and County Standard Practice 11-07 SP, to waive standard County contract terms, if necessary, in these Agreements, after review with County Counsel and Risk Management, to ensure there are enough polling places needed for elections.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Jolena Grider, Deputy County Counsel, 387-5455) on May 21, 2024; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on May 29, 2024; Risk Management (Gregory Ustaszewski, Staff Analyst II, 386-9008) on May 31, 2024; Finance (Elias Duenas, Administrative Analyst, 387-4378) on June 3, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on June 10, 2024.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: July 9, 2024



cc: File - Registrar of Voters w/ attachments
JLL 07/16/2024