

RESOLUTION NO. 2021-26



STATE OF TEXAS

§

IN THE COMMISSIONERS COURT

COUNTY OF COMAL

§

A RESOLUTION BY THE COMMISSIONERS COURT OF COMAL COUNTY, TEXAS AUTHORIZING THE SUBMISSION OF A GRANT AGREEMENT UNDER THE HELP AMERICA VOTE ACT (HAVA) ELECTIONS SECURITY SUB-GRANT THROUGH THE TEXAS SECRETARY OF STATE IN THE AMOUNT OF \$136,000, TO MAKE ELECTION SECURITY IMPROVEMENTS.

WHEREAS, the Commissioners Court of Comal County agrees that the expenditure of the funds will be in accordance with applicable federal and state law and any agreement between Comal County and the State of Texas, Office of the Secretary of State as authorized under Section 101 of the Help America Vote Act of 2002 and in consultation and agreement with the county election official(s) as defined in Sections 12.001 and 31.091 of the Texas Election Code; and

WHEREAS, the Commissioners Court of Comal County agrees to assign a single point of contact (SPOC) to act on behalf of the county in communicating with the Office of the Secretary of State, including the submission of all necessary reports; and

WHEREAS, the Commissioners Court of Comal County agrees claims against the fund shall be audited and approved in the same manner as other claims against the county before they are paid; and

WHEREAS, the Commissioners Court of Comal County agrees that it will not consider the availability of the funds in adopting the county budget; and

WHEREAS, the Commissioners Court of Comal County agrees that in the event of loss, misuse, or noncompliance pursuant to any grant award agreement with the Secretary of State; and

WHEREAS, the Commissioners Court of Comal County agrees assures that the funds will be returned to the Office of the Secretary of State in full.

NOW THEREFORE BE IT RESOLVED that the Commissioners Court of Comal County approves submission of the Help America Vote Act (HAVA) Election Security Sub-Grant to the Office of the Secretary of State.

ADOPTED BY THE UNANIMOUS VOTE OF THE COMAL COUNTY COMMISSIONERS COURT on this the 16th of December, 2021.


SHERMAN KRAUSE, COUNTY JUDGE


DONNA ECCLESTON
COUNTY COMMISSIONER, PCT. 1


SCOTT HAAG
COUNTY COMMISSIONER, PCT. 2


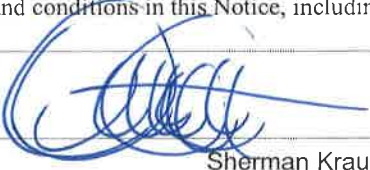

KEVIN WEBB
COUNTY COMMISSIONER, PCT. 3


JEN CROWNOVER
COUNTY COMMISSIONER, PCT. 4

ATTEST: 
BOBBIE KOEPP, COUNTY CLERK



2020 HELP AMERICA VOTE ACT (HAVA) ELECTION SECURITY SUB-GRANT TO TEXAS COUNTIES

Notice of Grant Award		Grantor: Texas Secretary of State	
Grantee: Comal County		P.O. Box 12887	
		Austin, TX 78711	
Obligation Information			
CFDA Number: 90.404	Grant Period: 12/21/2019 – 12/31/2022	Agreement No.:	
Funds Description			
This obligation of funds constitutes the subgrantee's allocation of funds provided by the State of Texas under its grants from the U.S. Election Assistance Commission (52 U.S.C. §§ 20901, 20903-20905) authorized by the U.S. Congress under the Consolidated Appropriations Act, 2018 (Public Law 115-141) and U.S. Congress under the Consolidated Appropriations Act, 2020 (Public Law 116-93).			
Funding Information Are you requesting more than \$40,000?			
	<u>Maximum Award</u>		<u>Requested Amount</u>
Federal Share	\$120,000	\$	120,000
Required Matching Funds	\$16,000	\$	16,000
Purpose			
As authorized under Section 101 of the Help America Vote Act of 2002 (P.L. 107-252) (HAVA) and provided for in the Consolidated Appropriations Acts, 2018 (Public Law 115-141) and 2020 (Public Law 116-93), the purpose of this award is to “improve the administration of elections for Federal office, including to enhance election technology and make election security improvements” to the systems, equipment and processes used in federal elections.			
Receipt of Funds			
All funds must be deposited into an interest-bearing account in a fund designated for HAVA funds. Interest earned on this award’s funds and any net program income shall be retained in the fund and used for allowable activities described in Section 101 of HAVA. Program income is defined as revenue received from a grant-supported activity during the grant period, such as fees from the use or rental of real or personal property acquired with grant funds.			
Matching Funds			
Total expenditures exceeding \$40,000 must be matched at 20% using county funds, e.g., if a county requests \$120,000, \$80,000 must be matched at 20%.			
Grant Administration			
Award recipients and sub-recipients must adhere to all applicable federal and state requirements including Office of Management and Budget (OMB) guidance: <u>Title 2 C.F.R. Subtitle A, Chapter II, Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. § 200)</u> and the <u>Texas Uniform Grant Management Standards (UGMS)</u> maintained by the Texas Comptroller of Public Accounts.			
Reporting Requirements			
<ol style="list-style-type: none"> 1. The county must comply with all expenditure reporting requirements prescribed by the Secretary of State and other reports deemed necessary by the Secretary of State or the federal government. 2. The final expenditure report must be submitted to the Secretary of State no later than January 31, 2023. Any unexpended funds will revert back to the state. 3. Failure to comply with any and all reporting requirements may result in the Secretary of State withholding any funds distributed to the county, including, but not limited to, Chapter 19 funds, Primary Finance funds issued pursuant to Chapter 173, Texas Election Code, and any other HAVA funding awarded to the county. 			
Award Contingencies			
This award is contingent upon the completion of the following activities: <ol style="list-style-type: none"> 1. Completion of the data entry fields in this agreement, including the electronic signature of the county judge. 2. A resolution from the county commissioners court acknowledging certain terms and conditions. 3. Implement or have implemented the Drug-Free Workplace Requirements of 2 C.F.R. § 182.200 and comply with subpart C of 2 C.F.R. Part 180- Debarment & Suspension & include in lower-tier covered transactions. 			
Acknowledgement			
By signing this award agreement, the county agrees to comply with all terms and conditions in this Notice, including the attached HAVA Assurances.			
			
06/24/2021			
Jose A. Esparza Texas Deputy Secretary of State		Sherman Krause County Judge	

Required County Match

Describe how the county will meet the required match.

Comal County will utilize General Fund dollars to meet match requirement.

Funding Purpose Areas

Describe how the county will use the funds outlined in this award to “improve the administration of elections for federal office, including enhancements to elections related information systems and technologies and election security improvements” to include systems, equipment and processes used in federal elections. Where applicable, identify the method or tool used to arrive at the election security need, including but not limited to, an election security assessment, SOS-prescribed policies and templates, federal election security resources, etc.

Voting Equipment: Upgrades and replacement equipment – must be HAVA-compliant and paper verifiable

Proposed Activities:

Election Auditing: Costs to conduct review after polls close for the purpose of determining whether the votes were counted accurately

Proposed Activities:

Voter Registration Systems: Costs to enhance voter registration system security

Proposed Activities:

Cyber Security: Security enhancements to protect the election process (e.g., remediation from election security assessments)

Proposed Activities:

Grant funds will be utilized for remediation from the July 2020 Election Security Assessment conducted by AT&T. Comal County will utilize funds for the procurement of professional services for written processes (election information security policy, continuity of operations plan, incident response plan, election system security plan, and vendor risk management policy) and the enhancement of elections related information security/technology (standalone cameras, NVR Storage, security access/monitoring, etc.). This will further strengthen our elections processes, safeguard our elections infrastructure and accomplish what is required by law.

Communications: Costs needed to communicate with the public regarding election security

Proposed Activities: