

Introduced November 2, 2020
Public Hearing November 6, 2020
Council Action December 7, 2020
Executive Action December 10, 2020
Effective Date December 10, 2020

County Council Of Howard County, Maryland

2020 Legislative Session

Legislative Day No. 15

Supplementary Budget & Appropriation Ordinance

No. 4 - Fiscal Year 2021

Introduced by: The Chairperson at the request of the County Executive

AN ACT transferring \$688,226 from the Grant Fund, Contingency Reserve to the Board of Elections for a COVID-19 Response Grant from the Center for Tech and Civil Life to ensure a safe and secure election during the COVID 19 health emergency.

Introduced and read first time November 2, 2020. Ordered posted and hearing scheduled.

By order

Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on November 16, 2020.

By order

Diane Schwartz Jones
Diane Schwartz Jones, Administrator

This Bill was read the third time on December 7, 2020 and Passed , Passed with amendments _____, Failed _____.

By order

Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 8 day of December, 2020 at 2 a.m. (P.M.)

By order

Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Approved by the County Executive December 10, 2020

Calvin Ball
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

Subject: Testimony and Fiscal Impact Statement

To: Lonnie Robbins
Chief Administrative Officer

From: Guy Mickley
Election Director, Howard County Board of Elections

Date: October 19, 2020

The Board of Elections requests the transfer of \$688,226 from the Grants Fund Contingency Reserve for unanticipated grant award received.

Background

In September, CTCL (Center for Tech and Civic Life) announced that there was grant money available to local election offices to offset the historic costs of running a Presidential General Election through the COVID 19 pandemic. I applied for the grant, explaining that this county will have conducted three separate elections through the pandemic. The money can be used for any election-related cost that has been incurred because of the pandemic, including but not limited to the purchase of PPE, payment of judges, payment of additional employees or extended overtime pay, purchase of equipment, rentals of equipment, and a wide array of other items. CTCL, upon the County signing off on the grant, will provide a guide on how the money can be applied.

Fiscal Impact

At no time during this process were any of the applicants, including Howard County, notified of an imminent award. Since we only became aware of the grant in September, well after our fiscal year budget was approved, spending authority for the grant was not included in the FY 2021 budget. As a result, \$688,226 is needed from the Grants Fund Contingency Reserve account in order to be able to spend this unanticipated grant award. All of the funds from this grant must be spent by December 31, 2020.

Thank you for your consideration. Please feel free to contact me should you have any questions or need additional information.

Cc: Jennifer Sager
Brook Mamo



CENTER FOR
TECH AND
CIVIC LIFE

October 15, 2020

Howard County, Maryland
Election Director
9770 Patuxent Woods Drive, Suite 200
Columbia, Maryland 21046

Dear Guy Mickley,

I am pleased to inform you that based on and in reliance upon the information and materials provided by Howard County, and the special circumstances Howard County faces administering elections in 2020, the Center for Tech and Civic Life (“CTCL”), a nonprofit organization tax-exempt under Internal Revenue Code (“IRC”) section 501(c)(3), has decided to award a grant to support the work of Howard County (“Grantee”).

The following is a description of the grant:

AMOUNT OF GRANT: \$688,226.00 USD

PURPOSE: The grant funds must be used exclusively for the public purpose of planning and operationalizing safe and secure election administration in Howard County in 2020 (“Purpose”).

Before CTCL transmits these funds to Grantee, CTCL requires that Grantee review and sign this agreement (“Grant Agreement”) and agree to use the grant funds in compliance with the Grant Agreement and with United States tax laws and the laws and regulations of your state and jurisdiction (“Applicable Laws”). Specifically, by signing this letter Grantee certifies and agrees to the following:

1. Grantee is a local government unit or political subdivision within the meaning of IRC section 170(c)(1).
2. This grant shall be used only for the Purpose described above, and for no other purposes.
3. Grantee has indicated that the amount of the grant shall be expended on the following specific election administration needs: Ballot drop boxes, Personal protective equipment (PPE) for staff, poll workers, or voters, Poll worker recruitment funds, hazard pay, and/or training expenses, Polling place rental and cleaning expenses for early voting or Election Day, Temporary staffing, and Vote-by-mail/Absentee voting equipment or supplies. Grantee may allocate grant funds among those needs, or to other public purposes listed in the grant application, without further notice to or permission of CTCL.
4. Grantee shall not use any part of this grant to make a grant to another organization, except in the case where the organization is a local government unit or political subdivision within the meaning of IRC section 170(c)(1) or a nonprofit organization tax-exempt under IRC section 501(c)(3), and the subgrant is intended to accomplish the Purpose of this grant. Grantee shall take reasonable steps to ensure that any such subgrant is used in a manner consistent with the terms and conditions of this Grant Agreement, including requiring that subgrantee agrees in writing to comply with the terms and conditions of this Grant Agreement.
5. The grant project period of June 15, 2020 through December 31, 2020 represents the dates between which covered costs may be applied to the grant. The Grantee shall expend the amount of this grant for the Purpose by December 31, 2020.
6. Grantee is authorized to receive this grant from CTCL and certifies that (a) the receipt of these grant funds does not violate any Applicable Laws, and (b) Grantee has taken all required, reasonable and necessary steps to receive, accept and expend the grant in accordance with the Purpose and Applicable Law.
7. The Grantee shall produce a brief report explaining and documenting how grant funds have been expended in support of the activities described in paragraph 3. This report shall be sent to CTCL no later than January 31, 2021 in a format approved by CTCL and shall include with the report a signed certification by Grantee that it has complied with all terms and conditions of this Grant Agreement.



8. This grant may not supplant previously appropriated funds. The Grantee shall not reduce the budget of the County Board of Elections (“the Election Department”) or fail to appropriate or provide previously budgeted funds to the Election Department for the term of this grant. Any amount supplanted, reduced or not provided in contravention of this paragraph shall be repaid to CTCL up to the total amount of this grant.
9. CTCL may discontinue, modify, withhold part of, or ask for the return all or part of the grant funds if it determines, in its sole judgment, that (a) any of the above terms and conditions of this grant have not been met, or (b) CTCL is required to do so to comply with applicable laws or regulations.
10. The grant project period of June 15, 2020 through December 31, 2020 represents the dates between which covered costs for the Purpose may be applied to the grant.

Your acceptance of and agreement to these terms and conditions and this Grant Agreement is indicated by your signature below on behalf of Grantee. Please have an authorized representative of Grantee sign below, and return a scanned copy of this letter to us by email at grants@techandcivicliflife.org.

On behalf of CTCL, I extend my best wishes in your work.

Sincerely,



Tiana Epps Johnson

Executive Director

Center for Tech and Civic Life



GRANTEE

By: _____

Title: _____

Date: _____

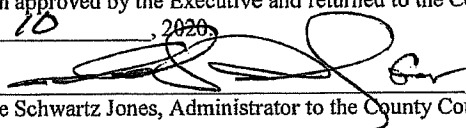


CENTER FOR TECH & CIVIC LIFE
233 N. MICHIGAN AVE., SUITE 1800
CHICAGO, IL 60601

HELLO@TECHANDCIVICLIFE.ORG

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on December 10, 2020.



Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2020.

Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2020.

Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2020.

Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2020.

Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2020.

Diane Schwartz Jones, Administrator to the County Council