



Fulton County Board of Commissioners

Agenda Item Summary

20-0700

BOC Meeting Date
10/7/2020**Requesting Agency**

Board of Registration and Elections

Commission Districts Affected

All Districts

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of one-time grant funds up to the amount of \$85,000, to support the purchase of 25 absentee drop boxes and required accompanying surveillance cameras from Southern Poverty Law Center (SPLC) through December 31, 2020.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Approval of one-time grant funds up to the amount of \$85,000 from Southern Poverty Law Center (SPLC).

Is this Item related to a Strategic Priority Area? *(If yes, note strategic priority area below)*

Yes Open and Responsible Government

Is this a purchasing item?

No

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Grant funds will be used solely for the purpose of Fulton County purchasing approximately 25 ballot drop boxes and accompanying video security equipment as defined in RULE 183-1-14-0.6-.14 of the Georgia Election Code.

This agreement will be governed by the laws of the state of Alabama.

Any unused Grant funds will be returned to SPLC by December 31, 2020.

This grant is made with the understanding that the SPLC has no obligation to provide other or additional support or grants.

Fulton Obligations: No later than December 31, 2020, Fulton will publicly disclose on its website how many absentee ballots were returned to the Fulton Registration and Elections Board for the 2020 General Election using all of the absentee drop boxes in the county and how many of those ballots were accepted and counted.

Contract & Compliance Information

(Provide Contractor and Subcontractor details.)

Agency Director ApprovalCounty Manager's
Approval

Typed Name and Title

Phone

Signature

Date

Agency Director Approval		County Manager's Approval
Typed Name and Title	Phone	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

Solicitation Information	NON-MFBE	MBE	FBE	TOTAL
No. Bid Notices Sent:				
No. Bids Received:				
Total Contract Value	.			
Total M/FBE Values	.			
Total Prime Value	.			
Fiscal Impact / Funding Source	<i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i>			
Grant Awarded				
Exhibits Attached	<i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i>			
Source of Additional Information	<i>(Type Name, Title, Agency and Phone)</i>			

Agency Director Approval		County Manager's Approval
Typed Name and Title	Phone	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

Procurement**Contract Attached:**

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Previous Contracts:

.

Solicitation Number:

.

Submitting Agency:

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Staff Contact:

.

Contact Phone:

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Description:.**FINANCIAL SUMMARY****Total Contract Value:**

Original Approved Amount: .

Previous Adjustments: .

This Request: .

TOTAL: .

MBE/FBE Participation:

Amount: . %: .

Amount: . %: .

Amount: . %: .

Amount: . %: .

Grant Information Summary:

Amount Requested: \$85,000

Match Required: .

Start Date: 9/18/2020

End Date: 12/31/2020

Match Account \$: .

☐

Cash

☐

In-Kind

☒

Approval to Award

☒

Apply & Accept

Funding Line 1:

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Funding Line 2:

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Funding Line 3:

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Funding Line 4:

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KEY CONTRACT TERMS**Start Date:**

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End Date:

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Cost Adjustment:

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Renewal/Extension Terms:

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ROUTING & APPROVALS

(Do not edit below this line)

X	Originating Department:	Barron, Richard L.	Date: 9/2/2020
X	County Attorney:	Lowman, David	Date: 8/27/2020
.	Purchasing/Contract Compliance:	.	Date: .
X	Finance/Budget Analyst/Grants Admin:	Ash, Angela	Date: 8/28/2020
X	Grants Management:	Ash, Angela	Date: 08/28/2020
X	County Manager:	Anderson, Dick	Date: 9/14/2020

August 24, 2020

Fulton County Board of Commissioners
141 Pryor Street, SW
10th Floor
Atlanta, GA 30303

Re: Grant for Absentee Drop Boxes

Dear Commissioners,

I am pleased to inform you that Southern Poverty Law Center (SPLC) has approved a one-time \$85,000 grant (referred to as “the Grant” or “the Grant funds”) to support the purchase of 25 absentee drop boxes and required accompanying surveillance cameras.

The following terms and conditions apply to the use of the Grant:

1. Grant Purpose and Expenditure of Funds

Grant funds will be used solely for the purpose of Fulton County (“Fulton”) purchasing approximately 25 drop boxes and accompanying video security equipment to be used for absentee ballot drop boxes as defined in RULE 183-1-14-0.6-.14 of the Georgia Election Code.

The Grant funds may only be used for charitable purposes consistent with the tax-exempt status of SPLC (a 501(c)(3) non-profit). You will not use any portion of the Grant funds to make “lobbying expenditures” as that term is defined and described in the United States’ Internal Revenue Code section 4911 and related regulations. You will not use any portion of the Grant Funds directly or indirectly to participate or intervene in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office or to provide a selective benefit to any political party or candidate.

If the cost of the 25 boxes and security video security equipment is less than \$85,000, or Fulton decides to purchase fewer than 25 boxes, any unused Grant funds will be returned to the SPLC by December 31, 2020.

2. Indemnification of SPLC

You agree to defend, indemnify and hold harmless the SPLC and each of its officers, directors, employees and agents, from and against any and all claims, liabilities, losses and expenses arising from or in connection with any act or omission by you related to the receipt and use of the Grant funds.

3. Governing Law

This agreement will be governed by the laws of the state of Alabama. The SPLC reserves the right to enforce the terms and conditions of this Grant, including by filing suit in a court of competent jurisdiction, and you agree that you will not contest the standing of the SPLC to bring any such suit. Any claim hereunder will be brought in a court located in Alabama, and you agree to submit to the jurisdiction of such a court.

4. No Further Obligations by SPLC

This grant is made with the understanding that the SPLC has no obligation to provide other or additional support or grants.

5. Fulton Obligations

No later than December 31, 2020, Fulton will publicly disclose on its website how many absentee ballots were returned to the Fulton Registration and Elections Board for the 2020 general election using all of the absentee drop boxes in the county and how many of those ballots were accepted and counted.

6. Disbursement schedule and timeline

SPLC agrees to provide the grant funds within 15 days of the signing of this agreement.

7. Media Communications

To the best extent possible, Fulton will provide the SPLC with 24-hour's notice to any major media announcements it makes about the grant.

8. Miscellaneous

You will not assign or otherwise transfer your rights or delegate any of your obligations under the Grant, without prior written approval from the SPLC.

You are solely responsible for all activities supported by the Grant funds. This agreement does not create any agency relationship, attorney client relationship, partnership, or joint venture between the parties, and you will not make such representation to anyone. Further, you agree that you have not shared any information regarding voting roles, procedures or activity that is not available to the general public. The failure of the SPLC to exercise any of its rights under this agreement will not be deemed to be a waiver of such rights.

If this Grant letter agreement correctly describes your understanding of the terms of the Grant, please indicate your agreement to such terms by signing this agreement and returning it to the SPLC.

Sincerely yours,

Seth Levi
Chief Program Strategy Officer
Southern Poverty Law Center

ACCEPTED AND AGREED this _____ day of August 2020.

Printed name of a designated representative for the Fulton County Board of Commissioners

Signature

Cc: Richard Barron, Fulton County Registration and Elections Board