



CITY of NOVI CITY COUNCIL

Agenda Item H
April 24, 2017

SUBJECT: Approval of Resolution to Submit a Grant Application for New Voting Equipment for the purpose of transmitting proof of authority to Oakland County to submit the Grant Application and enter into the HAVA Grant Agreement.

SUBMITTING DEPARTMENT: City Clerk 

CITY MANAGER APPROVAL:

BACKGROUND INFORMATION:

In order to move forward with for participation in the State of Michigan and Oakland County grant program for the purpose of receiving a Federal HAVA and State-appropriated funded new voting system, the City must submit this resolution as *Proof of Authority* for entering into the Help America Vote Act (HAVA) Grant Agreement with the State of Michigan. Oakland County anticipates delivery of the new equipment in May, 2017, so it will be available to be utilized in the next election. The Grant Agreement has been reviewed and approved by the City Attorney's Office.

RECOMMENDED ACTION: Approval of Resolution to Submit a Grant Application for New Voting Equipment for the purpose of transmitting proof of authority to Oakland County to submit the Grant Application and enter into the HAVA Grant Agreement.



JOHNSON ROSATI SCHULTZ JOPPICH PC

27555 Executive Drive Suite 250 ~ Farmington Hills, Michigan 48331

Phone: 248.489.4100 | Fax: 248.489.1726

Elizabeth Kudla Saarela
esaarela@jrsjlaw.com

www.jrsjlaw.com

April 20, 2017

Cortney Hanson, Clerk
City of Novi
45175 Ten Mile Road
Novi, MI 48375

RE: Help America Vote Act (HAVA) Grant Agreement

Dear Ms. Hanson:

We have received and reviewed the proposed HAVA Grant Agreement for execution by the City and submittal to Oakland County for participation in the State of Michigan and Oakland County grant program for the purpose of receiving Federal HAVA and State-appropriated funded voting systems. The proposed Grant Agreement does not require any funds to be committed by the City. Furthermore, there are no indemnity provisions or other provisions relating to liability. Although there is a provision that may require reimbursement of the grant funds if the City fails to undertake extended service/maintenance with respect to the voting machines provided, the application of that condition would require that the City breach the Grant Agreement maintenance provisions before it would apply. Based on all of the above, we see no legal impediment to the you as the City Clerk entering into the HAVA Grant Agreement.

Please feel free to contact me with any questions in regard to this matter.

Very truly yours,

JOHNSON, ROSATI, SCHULTZ & JOPPICH, P.C.

Elizabeth K. Saarela

EKS
Enclosures
C:

Thomas R. Schultz, Esq. (w/Enclosures)

CITY OF NOVI

COUNTY OF OAKLAND, MICHIGAN

RESOLUTION TO SUBMIT A GRANT APPLICATION FOR NEW VOTING EQUIPMENT

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall of said City on April 24, 2017 at 7 o'clock P.M. Prevailing Eastern Time.

PRESENT: _____

ABSENT: _____

The following preamble and Resolution were offered by Councilmember _____ and supported by Councilmember _____.

WHEREAS, The Novi City Council wishes to apply to the Secretary of State for a grant to purchase a new voting system, which includes precinct tabulators, Absentee Voter Counting Board tabulator, accessible voting devices for use by individuals with disabilities, and related Election Management System (EMS) software, and

WHEREAS, partial funding for the new voting system will be provided by the State, and will include a combination of Federal Help America Vote Act and State-appropriated funds, and

NOW THEREFORE BE IT RESOLVED, that Cortney Hanson, City Clerk, is authorized to submit this Grant Application and execute the Grant Agreement on behalf of the City of Novi, Oakland County, on this 24th day of April, 2017.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Cortney Hanson, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this 24th day of April, 2017.

Cortney Hanson, City Clerk
City of Novi