



Legislation Text

File #: 18-1242, **Version:** 1

Supervisor Ranalli recommending Board, pursuant to Board Policy A-3, consider conceptual approval of amendments to El Dorado County Ordinance Chapter 2.14 - Appointed Officers and Department Heads, Section 2.14.010 - Designation of appointed department heads to:

- 1) Remove Registrar of Voters from the designation of appointed department heads; and
- 2) Place the Registrar of Voters as a position, department or division under the direction of the constitutionally elected County Assessor. (Est. Time: 30 Min.)

The Registrar of Voters is responsible for the operation, administration and direction of the Elections Department in conformance with the Federal Voting Rights Act, American Disability Act, Help America Vote Act, and other relevant federal and state elections laws that regulate and govern voter regulations: primary, special, and general elections; referendums; initiatives; recalls; and campaign disclosures to ensure voting rights are protected and elections operate within legal and operation standards.

The Registrar of Voters/Elections Department provides election services to all County residents for Federal, State, City and Special District elections. The Registrar of Voters (ROV) is responsible for assuring compliance with laws related to the Fair Political Practices Commission (FPPC) and voter outreach programs. The ROV complies and works with the California Secretary of State to ensure compliance with voting machines and procedures. The ROV is responsible for ensuring the smooth and efficient conduct of elections by maintaining the integrity of the voting process and related systems.

As part of the regularly scheduled Board of Supervisors meeting on October 10, 2017, the Board approved the Final Passage (Second Reading) of Ordinance 5065 amending El Dorado County Ordinance Chapter 2.14 - Appointed Officers and Department Heads, Section 2.14.010 - Designation of appointed department heads, to add the position of Registrar of Voters. This action removed the Registrar of Voters function from the Recorder-Clerk Department to establish the Registrar of Voters as a stand-alone department and created the Registrar of Voters Department Head position. Recruitment for this new Department Head position is underway.

Residents from throughout the County continue to raise questions related to the Board's action to remove the Registrar of Voters from under the leadership of a constitutionally elected official and to designate it as a Department Head position that is appointed by the Board of Supervisors, as is the practice in some California counties.

Additionally, the Elections function will be undergoing significant changes statewide, including the certification of a new Election system for purchase and implementation in El Dorado County within the next one (1) to three (3) years. The procurement of and transition to a new system will require an in-depth knowledge of County election systems, upcoming changes in election processes resulting from related legislation, as well as the ability to advocate for the best system and technical solution for the County. This anticipated significant statewide change has the potential to considerably impact the day-to-day administration of ROV duties and responsibilities for county elections officials

throughout the state.

Supervisor Ranalli has brought this item to the Board so as to allow for a more in-depth discussion to ensure that the County will continue to safeguard the integrity of the County Registrar of Voters/Elections Department and to ensure that the Registrar of Voters/Elections Department has the aligned resources and support to continue to successfully operate in conformance with federal and state election laws.

Government Code section 26802.5 provides that El Dorado County is one (1) of thirteen (13) counties in which a "registrar of voters may be appointed by the board of supervisors in the same manner as other county officers are appointed. In those counties, the county clerk is not ex officio registrar of voters, and the registrar of voters shall discharge all duties vested by law in the county elections official that relate to and are a part of the election procedure."

As part of the regularly scheduled Board of Supervisors meeting on February 6, 2018 (#18-0143/agenda item #19), the Board received information from the Charter Review Committee that summarized their recommendations regarding the El Dorado County Charter. Included as part of this agenda item was the "2017/2018 Charter Review Committee Update/Summary" (#18-0143-Attachment C) prepared by Charter Review Committee Chair Kris Payne that included an independent analysis/comparison of all 58 California counties including the 14 charter counties. This analysis/comparison, provided as Attachment "B" provides the Board with a greater understanding of the placement or consolidation of the Registrar of Voters or elections function within each of the 58 counties.

Of the County's constitutional officers, the Assessor is the general government department most aligned with the needs of the elections function. The Assessor oversees significant technology capability and is well suited to support the forthcoming transition as well as the ongoing elections operations. The Office of the Assessor has sufficient staffing to implement a cross-training program to further support the functions of the ROV. And, as one of the executive sponsors of the Property Tax Administration Replacement Project (PTARP), the incumbent Assessor has project leadership experience that will be beneficial in the upcoming project to implement a new Election system.

Placement of the ROV under the direction of the constitutionally elected County Assessor would create stability for the ROV in preparation of the anticipated changes to Elections functions statewide and the implementation of a new Election system in El Dorado County. With this change, the elected Assessor would become the Registrar of Voters with a second-level manager position (i.e., Elections Manager) that would report to the Assessor.

If the Board were to direct that the Assessor become the Registrar of Voters the following actions would be required:

- 1) Modification of County Ordinance 2.14.010 - Designation of appointed department heads, to remove the Registrar of Voters as an Appointed Department Head. This would require conceptual approval, First Reading, Second Reading and Final Passage of the amended ordinance.

- 2) Formal recommendation and approval by the Board to merge the Elections Department with the Assessor and create a separate Elections Division, thereby making the Assessor the Registrar of Voters.

- 3) Modification of the Personnel Allocation to delete the Registrar of Voters position and add the Assessor/Registrar of Voters.
- 4) Completion of a Compensation Study to evaluate the new elected position of Assessor/Registrar of Voters by Human Resources and approval of recommended salary adjustment, if necessary.
- 5) Modification of the Registrar of Voters and/or Assessor/Registrar of Voters job description to revise or eliminate the minimum qualifications for the position.
- 6) Delete the recruitment that is currently underway for the Registrar of Voters.