

## STAFF REPORT

|                            |              |
|----------------------------|--------------|
| <b>BOARD MEETING DATE:</b> | May 13, 2025 |
|----------------------------|--------------|

**CATEGORY:** Regular Calendar {{item.number}}

**SUBJECT:** Adopt a resolution that appoints Clinton Curtis to the office of County Clerk - Registrar of Voters, effective May 14, 2025, for the remaining duration of the unexpired term, lasting until the first Monday after January 1, 2027.

**DEPARTMENT:** Support Services

**SUPERVISORIAL DISTRICT #:** All

**DEPARTMENT CONTACT:** Monica Fugitt, Director of Support Services, (530) 229-8234

**STAFF REPORT APPROVED BY:** Monica Fugitt, Director of Support Services

|                              |                                    |
|------------------------------|------------------------------------|
| <b><u>Vote Required?</u></b> | <b><u>General Fund Impact?</u></b> |
| Simple Majority Vote         | No Additional General Fund Impact  |

### **RECOMMENDATION**

Adopt a resolution that appoints Clinton Curtis to the office of County Clerk - Registrar of Voters, effective May 14, 2025, for the remaining duration of the unexpired term, lasting until the first Monday after January 1, 2027.

### **DISCUSSION**

County Clerk/Registrar of Voters Thomas Toller has retired from his position effective April 29, 2025.

Government Code section 25304 provides as follows: “The board of supervisors shall fill by appointment all vacancies that occur in any office filled by the appointment of the board and elective county officers, except judge of the superior court and supervisors. The appointee shall hold office for the unexpired term or until the first Monday after January 1st succeeding the next general election.”

Pursuant to this statute, the Board of Supervisors is required, within a reasonable period of time, to appoint a successor to an elected position which becomes vacant before the expiration of the incumbent’s term of office. The person appointed will hold office for the unexpired term. In this case, the person appointed by the Board of Supervisors will hold office until the first Monday after January 1, 2027.

On March 27, 2025, the Board provided direction to staff to open a recruitment to fill the vacancy for the remaining duration of the unexpired term, lasting until the first Monday after January 1, 2027. On April 30th, the Board conducted interviews for the position, and gave direction to offer the position of County Clerk / Registrar of Voters to applicant Clint Curtis, contingent upon successful completion of a background investigation.

Statutory requirements and/or limitations of the position of County Clerk are as follows:

- Government Code section 24001 and Elections Code section 201 provide that an appointee must be a registered voter with Shasta County at the time of appointment.
- Government Code section 24004(a) provides that an appointee may not: 1) practice law or have as a partner a lawyer or anyone who acts as a lawyer for a collection agency, or 2) act as a collector or for any collection agency or have as a partner a collector or anyone who acts as a collector for a collection agency in the county where he resides and holds office.

Mr. Curtis satisfies the statutory requirements and does not currently and understands they may not engage in collections while the appointed County Clerk - Registrar of Voters.

A background investigation has been completed by the Director of Support Services and reviewed by the County Executive Officer (CEO), neither of whom have identified a reason to disqualify Mr. Curtis from appointment as County Clerk - Registrar of Voters.

**ALTERNATIVES**

The Board could direct staff to reopen a recruitment to fill the vacancy, or to appoint another qualified person to fill the vacancy; however, Mr. Toller has retired as of April 29, 2025 and the County Clerk/Elections Office will be without a department head in the interim.

**OTHER AGENCY INVOLVEMENT**

The Recommendation has been reviewed by the County Administrative Office. The resolution has been approved as to form by County Counsel.

**FISCAL IMPACT**

There is no additional General Fund impact associated with this recommendation as salary expenses for the County Clerk - Registrar of Voters are included in the FY 24-25 Adopted Budget.

**ATTACHMENTS:**

1: Resolution ROV Appointment