

**R4** 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.

## STAFF REPORT

<b>BOARD MEETING DATE:</b>	May 13, 2025
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**CATEGORY:** Regular Calendar 4

**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

**RESOLUTION NO. 2025-\_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SHASTA  
APPOINTING CLINTON E. CURTIS TO THE POSITION OF  
COUNTY CLERK/REGISTRAR OF VOTERS**

**WHEREAS**, Government Code Section 25304 provides, in pertinent part, that the Board of Supervisors shall fill by appointment all vacancies that occur for elective county officers, and establishes the appointee shall hold office for the unexpired term or until the first Monday after January 1<sup>st</sup> succeeding the next general election; and

**WHEREAS**, Thomas Toller has retired from the office of County Clerk/Registrar of Voters as of April 29, 2025; and

**WHEREAS**, the County Clerk/Registrar of Voters is an elected county office; and

**WHEREAS**, the unexpired term of County Clerk/Registrar of Voters will continue until the first Monday after January 1, 2027; and

**WHEREAS**, Section 6.12 of the Shasta County Personnel Rules states it is the policy of the Board of Supervisors to make appointments for positions listed in Section 6.11 of the Shasta County Personnel Rules in accordance with the federal merit principles and that the services of Personnel will be utilized in recruiting and determining the qualifications of candidates for these positions; and

**WHEREAS**, Government Code Section 25304 does not specify the process for the Board of Supervisors to make an appointment to fill vacancies occurring for elected county officers; and

**WHEREAS**, The Brown Act provides that any actions that the Board takes in filling the position, including the consideration of applications, the conducting of interviews, and the making of the appointment, must be carried out in open session; and

**WHEREAS**, Personnel conducted a public recruitment process for the position of County Clerk/Registrar of Voters, and interviews were held at a public meeting on April 30, 2025; and

**WHEREAS**, Upon the conclusion of the interviews the Board of Supervisors extended a conditional offer to Clinton E. Curtis to serve as the successor to the elected office of County Clerk/Registrar of Voters; and

**WHEREAS**, Clinton E. Curtis satisfies the statutory requirements for the office of County Clerk/Registrar of Voters specified in Government Code sections 24001, and 24004;

Resolution No. 2025-\_\_\_\_\_

May 13, 2025

Page 2 of 2

and

**WHEREAS**, the Board of Supervisors wishes to appoint Clinton E. Curtis to the office of County Clerk/Registrar of Voters, effective May 14, 2025, and for the remainder of the unexpired term; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors hereby appoints Clinton E. Curtis to the office of County Clerk/Registrar of Voters, effective May 14, 2025, and for the remaining unexpired term, lasting until the first Monday after January 1, 2027.

**BE IT FURTHER RESOLVED** by the Board of Supervisors of the County of Shasta that the compensation for Clinton E. Curtis will be at the established salary range (\$73.768 per hour / \$12,786 per month) for the position of County Clerk/Registrar of Voters.

**DULY PASSED AND ADOPTED** this 13<sup>th</sup> day of May, 2025 by the Board of Supervisors of the County of Shasta by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

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KEVIN W. CRYE, CHAIR  
Board of Supervisors  
County of Shasta  
State of California

ATTEST:

DAVID J. RICKERT  
Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
JOSEPH LARMOUR  
County Counsel

Signed by:  
  
By: \_\_\_\_\_  
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