

R2 Introduce and waive the reading of "An Ordinance of the Board of Supervisors of the County of Shasta Establishing an Elections Oversight and Advisory Committee" (Sponsored by Supervisor Jones).

STAFF REPORT

BOARD MEETING DATE:	October 3, 2023
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CATEGORY: Regular Calendar 2

SUBJECT: Introduce and waive the reading of "*An Ordinance of the Board of Supervisors of the County of Shasta Establishing an Elections Oversight and Advisory Committee*" (Sponsored by Supervisor Jones).

DEPARTMENT: Clerk of the Board

SUPERVISORIAL DISTRICT #: All

DEPARTMENT CONTACT: Stewart Buettell, Deputy County Executive Officer (530) 225-5561

STAFF REPORT APPROVED BY: David J. Rickert, County Executive Officer

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

RECOMMENDATION

Introduce and waive the reading of "*An Ordinance of the Board of Supervisors of the County of Shasta Establishing an Elections Oversight and Advisory Committee.*"

DISCUSSION

During the regular meeting of the Board of Supervisors on September 12, 2023, the Board approved the formation of a Citizens Election Advisory Committee (CEAC). This Ordinance further clarifies and establishes oversight and advisory responsibilities of the CEAC.

ALTERNATIVES

The Board could choose not to hear the Ordinance, request changes to the Ordinance, or provide alternate direction to staff.

OTHER AGENCY INVOLVEMENT

The County Administrative Office and Clerk of the Board drafted this report. County Counsel has reviewed the proposed ordinance, found it legally insufficient and unenforceable, and therefore has not approved it as to form.

FISCAL IMPACT

There is no Additional General Fund impact resulting from adopting the proposed ordinance.

ATTACHMENTS:

1: Proposed Election Advisory Committee Ordinance

ORDINANCE NO. SCC 2023 - _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
SHASTA ESTABLISHING AN ELECTIONS OVERSIGHT AND ADVISORY
COMMITTEE**

The Board of Supervisors of the County of Shasta ordains as follows:

SECTION I. Purpose

An ordinance to create oversight or advise over all elections related activities in Shasta County. The Board desires to foster and maintain the utmost public trust in local elections, strive for fair and transparent elections, increase voter confidence, improve the elections processes using observations, evaluations, instituting changes, enhancing the voter experience, identifying improvements and reforms, reduce voter fraud, and for other purposes.

SECTION 2. Statutory Authority

CA. Government Code 25201:

"Subject to the provisions of the Elections Code, the Board may establish, abolish, and change election precincts, appoint inspectors, clerks, and judges of election, canvass all election returns, declare the result, and order the county elections official to issue certificates of election."

CA. Government Code 25123: to enact this ordinance immediately upon passage:

All ordinances shall become effective 30 days from the date of final passage, except the following ordinances, which shall take effect immediately: (a) Those calling or otherwise relating to an election.

(Note: A petition validation process for a special recall election is in progress and is mandated in the CA. Election Code. The petition process is the precursor and is part and parcel to the entire special election process.)

SECTION III. Appointments

- a. The Board may appoint individuals in a clerical, judicial, or inspection capacity above and beyond what is required by federal or state law; or other appointments as determined necessary.
- b. Committees or individual appointments shall have written authorities and directives.

SECTION IV. Compensation

Appointments shall be voluntary in nature, but the Board may offer stipends for meals and travel.

SECTION V. Duties, Actions, Authorities, Responsibilities of Committees or Individuals

- a. Make reports to the Board of Supervisors and/or the Citizen Election Advisory Committee
- b. Sign a confidentiality agreement that no personally identifying information of voters will be released to the public.
- c. Have access to places and records necessary to implement their delegated duties.
- d. Observe, inspect, and examine all elections related records and documents for accuracy and completeness.
- e. May make copies of public records for reporting purposes or make notes based on such records.
- f. Observe, visually and audibly, all election related activities.
- g. Ask questions of elections officials and receive timely answers.
- h. All appointees shall collaborate to receive, investigate, and respond to citizens' complaints.
- i. Upon written authorization of the County Board Chairman, may contact, County Counsel's office to request subpoenas be produced and served.
- j. Engage in processes and procedures that may become necessary to further the intent of this ordinance.
- k. All authority enumerated in this ordinance shall be subordinate to state statute and federal law. In addition, no authority granted to the Citizen Election Advisory Committee either express or implied shall impede the election authority in the performance of their duties.

SECTION VI. Effective Date

This ordinance shall take effect and be in full force and effect from and after 30 days after its passage. The Clerk shall cause this ordinance to be published as required by law.

DULY PASSED AND ADOPTED this ____ day of _____ 2023, by the Board of Supervisors,
County of Shasta, State of California, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

PATRICK JONES, CHAIRMAN

Board of Supervisors

County of Shasta

State of California

ATTEST:

DAVID J. RICKERT

Clerk of the Board of Supervisors

By: _____
Deputy