CLERK-RECORDER-ELECTIONS DEPARTMENT 2013 PERFORMANCE REPORT

I. DEPARTMENT MISSION

A. ELECTIONS DIVISION MISSION

- 1. Foster a politically neutral operation.
- 2. Provide services to maintain a high level of voter registration and to ensure that all eligible citizens of Contra Costa County are able to exercise their right to vote.
- 3. Conduct elections in a fair, accurate, timely, and efficient manner.
- 4. Provide information and maintain a high level of service to the public, candidates and the news media.
- 5. Provide voter outreach services and act as an advocate for changes in legislation to increase voter participation.
- 6. Track voter errors and design programs to lessen/eliminate those errors.
- 7. Actively reach out to our citizens for a dialog.
- 8. Explore and implement new technologies to increase service levels to the public, candidates and the news media.
- 9. Cooperate with those who are striving to study election processes and report on their findings.
- 10. Promote training to professionalize our operations and employees.
- 11. Be active in state and national rule making.

B. CLERK-RECORDER DIVISION MISSION

- 1. Accurately maintain and preserve all official records and indices relating to real property and vital records in Contra Costa County.
- 2. Issue marriage licenses, file Fictitious Business Name statements, administer notary and other oaths and accept filings as provided by code.
- 3. Explore and implement new technologies to increase access to the public records.
- 4. Work to maintain the integrity of the public record.

II. MAJOR PROGRAM DESCRIPTIONS

A. ELECTIONS

Conduct elections in an accurate and timely manner, maintain a high level of voter registration, verify signatures on initiative, referendum and recall petitions, maintain voter registration records (including vigorous voter roll correction programs), conduct voter registration outreach, file and certify nomination

papers; prepare and mail sample ballots, candidate statements, measures, arguments and absentee ballots, conduct elections.

This budget includes the Administration Division, which provides administration for fiscal issues, personnel, payroll, employee development, division clerical supervision and special projects support.

BUDGET: \$9,012,524

FTE: 31

B. RECORDER

Maintain, preserve and secure all official records relating to real property, subdivision maps, assessment districts and records of survey offered for recording; maintain, preserve and secure records of all births, deaths and marriages occurring within Contra Costa County.

BUDGET: \$3,762,104

FTE: 39

B. RECORDER DEDICATED PROJECT BUDGETS

Recorder Micrographics
Recorder Modernization
Vital Records Improvement Program (VRIP)
Recorder Redaction Program
Recorder Electronic Recording Program

Digitize all documents for the Clerk-Recorder and convert them to electronic format. (We no longer microfilm documents. We convert our images to microfilm for archival and emergency backup purposes). Provide for the development of procedures to quickly identify and locate documents for the public and other County users. Upgrade and support modernized systems for recording, indexing, cashiering, customer service and related systems. Improve vital record processes and systems. Redact all but the last four digits of Social Security numbers in our documents to provide security and address privacy issues. Develop, implement and maintain an electronic recording system.

BUDGET: \$10,098,956

FTE: 11

C. DEPARTMENT DATA

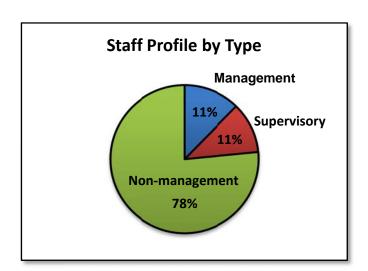
BUDGET: \$12.774.628 General Fund

\$10,098,956 Dedicated Funds

FTE: 81

Department Classifications

CLASSIFICATION	FTE
County Clerk-Recorder	1
Deputy County Clerk-Recorder	1
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Asst. County Recorder/Registrar	2
Executive Secretary	1
Network Administrator II	1
Clerk-Recorder Services Manager	1
Election Services Manager	1
Clerk-Recorder Services Supervisor	2
Clerical Supervisor	1
Election Processing Supervisor	5
Outreach Coordinator	1
Operations Manager	1
Information Systems Specialist	2
Information Systems Technician	2
Elections Reimbursements Technician	1
Elections Services Specialist	9
Clerk-Recorder Services Specialist	13
Elections Services Technician	9
Clerk-Recorder Services Technician	10
Recordable Documents Technician	3
Clerical (Experience 3, Senior 3, Specialist 3)	9
Information Systems Assistant II	5
Total	81



Staff Profile by Type				
Management	9	11.1%		
Supervisorial	9	11.1%		
Non-management	63	77.8%		
Total	81	100.0%		

III. DEPARTMENT ACCOMPLISHMENTS

A. DEPARTMENT-WIDE

- 1. We have developed and implemented a department specific Performance Management Program (PMP). We continue to focus our staff and management on our Core Values. This program has been a huge success in fostering communications between our management (Many of our management and staff and our line workers. supervisorial positions are also programmed to do line work). As this program has grown and changed over 15 years, we are now re-visiting the program with a management/staff review. The next generation will benefit from another look at our program and buy-in requires periodic We hope to improve and streamline this well received review. program. Our PMP is all about clear and concise communications, training, recognition, core values, and at times, corrective actions. This program establishes uniform standards, identifies primary job responsibilities for each employee, and monitors performance of those responsibilities on a regular basis (It is also the basis for our annual evaluations). Our PMP helps recognize outstanding performance as well as identify and correct substandard performance through ongoing communication. This has resulted in increased employee morale and productivity.
- 2. Much of the success we are seeing in promoting training, cross training, and openness to change has come with consolidating all of our operations from 5 locations in 2006 to one new location that we designed and brought into use in 2007. Having worked on the needs and the specifications for a build-to-suit building, we had time to anticipate the changes we wanted to see by consolidating our operations. In addition to our employee acceptance of our new building and our new operations, we have gained a much higher level of security (which is needed in the new Election and Clerk-Recorder environment). Aside from more personal security, our computer, communications, and valuable paper handling security has been vastly improved. We are able to be certified as a ballot printer (regulated by the Secretary of State) because of our security. We are able to facilitate electronic recording (regulated by the Attorney General) because of our data and operational security. The building was designed in consultation with a certified security firm.
- 3. Another aspect of our move to a new building was the rock solid rule that old technology had to be left behind. While we moved to an alldigital image database, many employees and customers wanted to stay with the antiquated old books and microfilm index. Our new building could not be designed to accommodate such a cumbersome

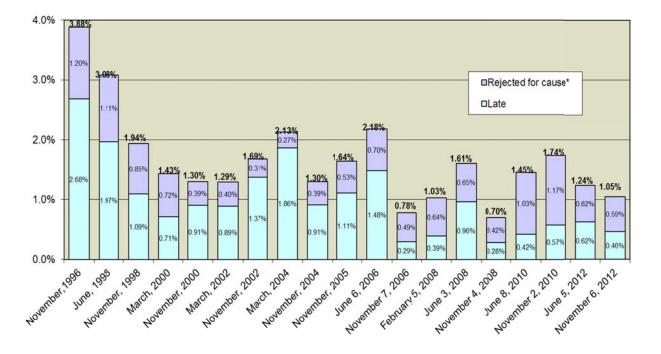
and space intensive technology. We were the first Clerk-Recorder in California to go completely digital. While we have removed much of the "old" paper based documents from our day-to-day operations, we have maintained valuable old records in their paper format for historical and legal reasons. We have aggressively archived, indexed, and restored many of those documents as a third tier back up copy (behind digital and microfilm). We have an ongoing program to assess and restore old documents. (While we are perfecting our archive, we do not have the staffing to accommodate many customers seeking to do research).

- 4. All of our public services operated out of commercial store front buildings; all were older brick structures; some of which had minimal earthquake retrofitting. These buildings were never designed for modern retail governmental operations. Our new building was designed to provide a safe and efficient work space, as well as a place where we could accommodate our customers. For the Elections Office, we have been able to maximize public observation along with providing real security for our election materials (ballots, petitions, ballot scanners and signature checking stations just to name a few).
- 5. Another innovation for the Recorder and for Elections has been our program to document our procedures and to make those available to the public. The Clerk-Recorder division is often called into court to act as an expert witness and having documentation of our processes helps us with our day-to-day operations.
- 6. To meet the specific needs of the Department, we have successfully received permission to create Division level employee classifications (Elections and Clerk-Recorder). Our program trains current employees to meet the qualifications for these more advanced positions. Our inhouse training program has been a stunning success. For this reorganization, we established the level of expertise and salary to be the same between the two units. As we are moving toward the completion of our five year transition program to the new classifications, we are now designing a training program to give our employees the opportunity to flex between the two divisions. This is the logical next step for our operations. Current long-term employees are not threatened by this and can opt in or out of this option. Younger and newer employees are very excited about this opportunity and from a management standpoint, this gives us another level of flexibility in meeting periodic peaks that occur in both divisions. This has resulted in a management and employee win-win.

B. ELECTIONS

- 1. Vote by mail has grown in California and in Contra Costa. At the 1996 Presidential General Election, 93,428 vote-by-mail ballots were cast, or 34% of the total vote cast. At the November Presidential Election in 2012, 245,953 vote-by-mail ballots were cast or 56% of the total vote cast. In our recent Primary Elections, vote-by-mail can constitute between 60% and 70% of the ballots cast. Vote-by-mail logistics mean that we a virtually conduct a separate vote-by-mail election process from our precinct election process.
- 2. Contra Costa has aggressively studied the patterns of when vote-by-mail ballots are issued and when they are returned. We have monitored the error rate (rejection rate for cause, such as "late", "no signature" or "no signature match"). We have tracked and analyzed this data. We have established programs to address and correct the level of mistakes. Contra Costa has been a leader at the state level and national level on such data collection, analysis and corrective programs. In 2009, Contra Costa Elections was recognized for this innovative program with the Guardian Award from the National Election Center for our successful vote-by-mail error reduction. More than that, Contra Costa has advocated at the state and national level for Registrars to "own" their own data; to collect and analyze the data and look for patterns that could suggest the need for change and/or public education. We are often called upon to present our perspective at state and national conferences.

Total Disqualified Vote-by-Mail Ballots Contra Costa County (Late and Rejected)

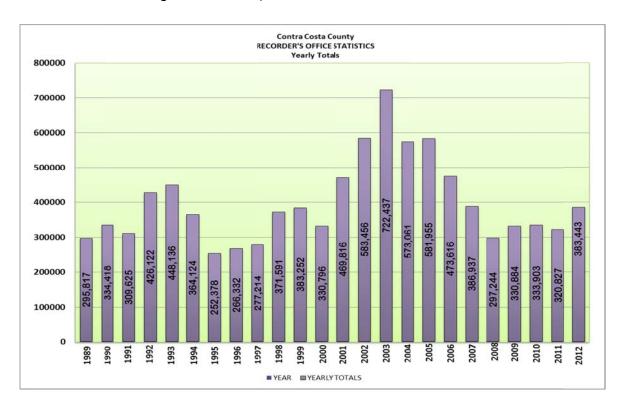


- 3. As a cost issue, as a public trust issue as well as a good business practice, Contra Costa has aggressively (for over 18 years), engaged in several voter roll correction programs to validate current registered voters and eliminate those who have moved out of the county or passed away. We also identify those who have not voted in two federal election cycles and place them on an "inactive" list. (One of the side benefits to this is that our turnout is a true reflection of our actual voter base. Contra Costa continues to be at the top for voter turnout among the top ten counties for population in California).
- 4. With fiscal turmoil in the state, we have conducted more local special elections, and more special state elections over the past 9 years than in any recent history. We have conducted those elections in a timely and efficient manner. (Cost reimbursement is becoming a challenge).
- 5. We continue to be a bi-lingual county. We have perfected our second language printing requirement (Spanish) with a tremendous cost savings, while still providing those requesting a Spanish ballot (0.5% of our total registration) with the ballot in their preferred language.
- 6. Redistricting usually happens after every decennial census. Getting this right makes the difference between ten years of correcting mistakes or getting it right the first time. We have dedicated staff (and hired a new manager) to handle our redistricting, which was successfully completed last year. The new Citizens Redistricting Panel doubled the number of ballot types we must produce. However, we believe we have drawn the respective district lines correctly and have tested those lines. Time will tell if we have produced accurate precincts for the respective district lines.
- 7. Contra Costa has a tradition of successful voting on paper ballots. As required by the Help America Vote Act of 2002, Contra Costa changed its voting system in 2005. Our choice of vendors is one of the only remaining intact vendors still operating in California. We transitioned from a multi-card, IBM sized ballot card system (optical scanned) to a large format ballot system (optical scanned). For traditional measures of "possible" voting error problems (so called "under-votes" and "overvotes"), Contra Costa still beats state and national standards. Contra Costa has a tradition of voting on paper and has a (generally speaking) older, better educated, more engaged electorate.
- 8. Knowing that the "devil-is-in-the-detail", Contra Costa contracted with an outside firm to help facilitate the production of our Contra Costa County Election Division Procedural Manual. This is a detailed procedural manual that is constantly being reviewed and updated. This manual documents the step-by-step procedures for virtually every aspect of

operating an election. (Our challenge is to keep this a dynamic document, to update it and to use it).

C. RECORDER

1. 1. Real property document recordings have been flat for four years, but we are seeing a slight increase. In 2012, we averaged 31,954 documents per month. For comparison, in 2003, volume was 60,203 per month. Due to this volume, we have maintained several vacancies in the Recorder's Division. Innovation in indexing, cashiering, imaging and archiving of documents has cut time and personnel. In addition, we have measured our minimum standard processing times for several classes of documents and we are missing a few of those targets every week. We are trying to address this marginal miss of our standards through the use of temporaries. Our overall vacancy rate for the department is 27%, with the bulk of that falling on the Clerk-Recorder Division. Some vacancies are designed into our recruitment and training program. It is through very careful resource allocation, efficient use of supervisors and managers to take up some of the slack and the use of seasonal and temporary employees, that we are able to manage our workload. This is as much an art as it is a science, and its success depends upon the good working relationship and the good will of management and employees. (There will be an upswing in the volume of our work and we will need to address bringing on employees for training before it hits).



- 2. One mitigating feature to our work management is the introduction of electronic recording, something that Contra Costa was a leader in advocating in the 1990's. (Contra Costa legislators carried two enabling bills for us). Contra Costa has been in the forefront of government-to-government electronic recording. We implemented electronic recording in October 2012. We are currently partnering with government agencies such as our Tax Collector, Department of Child Support Services and the California Franchise Tax Board to electronically process their recordable documents
- 3. Contra Costa was among the first to embrace digitizing our records and was the first in the state to finish virtually a complete conversion, including documents that go back to 1848 (territorial documents). Because of this, we were among the first in the state to complete redaction of Social Security numbers from the public record.
- 4. We have implemented a Real Estate Fraud Notification Program in conjunction with the District Attorney and County Assessor. This has been a successful program, as we identified fraud within the first two weeks. The District Attorney was able to prosecute due to this program.
- 5. In addition to copy requests, we have implemented an online marriage license application. The online application allows couples to complete the form on-line, prior to coming in to the office. This expedites the application process and reduces the opportunity for keystroke errors. We created an e-commerce processing area within the department that focuses primarily on our online orders.

D. RECORDER DEDICATED PROJECT BUDGETS

Recorder Micrographics
Recorder Modernization
Vital Records Improvement Program (VRIP)
Recorder Redaction Program
Recorder Electronic Recording Program

These five dedicated funds are to support specific functions and are not general fund accounts.

 Micrographics Program. As mentioned previously, we are no longer using microfilm as our primary image for a document (we image our documents and use an archive writer to produce microfilm, as a storage medium). Therefore, we are no longer collecting the fee for this program.

- 2. Map and Document Restoration Program. We implement this phased program to restore old maps, books, and vital records in our office. Many of these reference materials date back to the 1800's and early 1900's. This year, we are developing a long range plan to identify other records that should be restored. An educated guess to completely preserve these documents is well over ten million dollars. Our challenge is to prioritize which documents merit preservation and at what level. All of these documents are currently in the Clerk-Recorder's custody. Many documents merit consideration for actual preservation while others merit imaging and warehousing. Documents with historical significance that merit true museum quality treatment need to be identified. Our warehouse has the space for such special treatment, but we have chosen not to pursue that level of care. (Over the years, the Clerk-Recorder has worked to move Court and historical documents, not required to be maintained by the Clerk-Recorder, to the Contra Costa Historical Society. Providing images of historical records to the Society should be undertaken).
- 3. Queueing system. We have established a queueing system by using our Modernization funds. It is much like the DMV. First, it intercepts customers at a customer service desk, to start that customer in the right direction, (filling out the correct paperwork, etc.) and then assigns them to a public window whose clerk is prepared to process that customer's document. Because we have access to images instead of paper or microfilm images, we are able to quickly process our customers with a minimum of having to send that customer back to some previous point in the process.
- 4. We use our Vital Records Improvement funds to purchase security bank note paper upon which, we print the image of the record our customers are seeking. This is a valuable and necessary step in this day and age of national security, to guarantee that authenticated documents, such as copies of birth, death, and marriage certificates are not forged nor fraudulent.

Note: Because so much of what a Clerk-Recorder performs are designed to facilitate commerce, private interests advocate special funding for Clerks and Recorders to assure we are open during regular business hours, that we produce our index and verify it within set timelines, that we record and produce certified copies in a timely manner and that images and the index to those images are readily available to the public.

IV. DEPARTMENT CHALLENGES

A. ELECTIONS

- 1. Budgeting; we strive for legitimate cost recovery where we try to balance prudent economic cost considerations with the need to timely process ballots. This is particularly important with so many vote-bymail ballots arriving close to and even on Election Day. We chose not to process such ballots before the election at the June, 2010 Election and saved on temporary and overtime salaries. It was a great success. We applied the same philosophy to the November 2010 Gubernatorial General Election, which ended up to be a big mistake. We knew that we could process those legitimate ballots arriving close to and on Election Day. However, there was a close race for State Attorney General and a close race in the 11th Congressional District. Because this race looked so close, and because we had much of our vote-by-mail ballots not tallied by Election Day, we had observers from several camps, some of whom wanted to challenge signatures on voteby-mail ballots that we were processing. We were taken to court (three times that first week) where the judge encouraged us to reach an agreement. We did not agree and now we are in the discovery phase of a law suit on this issue. Because we believe we are following our published rules, we are not wavering. A court decision would be helpful to Registrars across the state.
- 2. While Contra Costa took the lead in collecting cost data and advocating for reimbursement for two special elections, the state has now suspended virtually any reimbursements for mandated election costs. (For Contra Costa, this can equate to over \$500,000 per large election). This is the so-called "SB 90" process. SB 90 began after Proposition 13. It said, "We know the counties are hurting. From this day on, any mandate we, the state, place on you, we'll pay the costs. If we don't, you don't have to perform that mandate. One of the biggest mandates to come down after Prop 13 is the Permanent Vote-By-Mail option. Our County Board has a policy that it will not backfill funding for mandates that are not reimbursed. After performing a fiscal risk assessment, we have concluded that for us to drop the permanent vote-by-mail option (46% of our total voter roll) would save some in a primary election, but will cost us more and place an untenable burden on our operations at a General Election in the Fall. We have chosen to go forward with performing the mandates without reimbursement from the state.
- 3. With our program to monitor rejected vote-by-mail ballots, we noticed a doubling in our rejection rate for "no signature match" for the June and November, 2010 Elections. We are researching the cause, because it

is dramatic. It appears that younger voters have not perfected their signatures or are changing their signatures and we suspect that they are the cause. If we are able to pin this down, we have already reached out to the Secretary of State and to the Election Center, a national organization of Registrars, to seek public education to see if we can reduce those numbers.

- 4. In addition to rejection of vote-by-mail ballots for late arrival (after 8 pm election night post marks don't count) we now face additional pressure from the proposed closures of post offices and processing centers and a possible elimination of Saturday home delivery and pick up. We are working with the Secretary of State to postpone these moves by the USPS until after the November Presidential Election. On a parallel track, we are prepared to use this heightened awareness of postal problems, to educate our voters for the need to send in (or deliver) their ballots in a timely manner.
- 5. Our new Top Two Primary means that partisan ballots will not be needed except for the offices of President and for County Central Committees. Having Central Committee offices (which constitute over 50% of our nominated offices) is very problematic. We attempted to have the legislature eliminate these private entities from the ballot and instead, have them caucus, but we were not successful. We are exploring lower cost options to conduct these elections, if there are sufficient nominees to force that election on the ballot. (Most central committees elect their members by supervisorial district, and if a sufficient number do not file nomination papers, those nominees are appointed in lieu of election and it stays off the ballot).
- 6. Continue seeking ways to utilize technology to improve workflow, increase file accuracy and improve services.

B. RECORDER AND RECORDER MICRO/MOD

- 1. We will continue with reorganization of the division. We have developed a program to train/cross train technology staff to benefit the department in the most efficient and effective manner. We reclassified positions to more technical classifications to more correctly reflect duties and tasks that have changed as a result of emerging technologies.
- We are affected by the fluctuation of the Real Estate Market, which impacts demand for recording. We continue to see level activity in Contra Costa County.

3. As we continue with our goal to receive documents transmitted electronically for recording, we face a radical change in the way we have conducted business in the past. Our staff is trained and ready to take this on.

V. PERFORMANCE INDICATORS

- A. Elections Office
 - Objective: Maintain or increase productivity without increasing costs.
 Note: Total costs for absentee voting will increase as the volume of vote-by-mail ballots increase.
 - a. Indicator: Percentage of votes case by mail (FY 10-11) 2012 Presidential General Election (2 cards): 55.6%
 - Indicator: Number of vote-by-mail ballots processed, counted and reported on election night and as a percent of ballots case (FY 10-11)

2012 Presidential General Election (2 cards): 33.8%

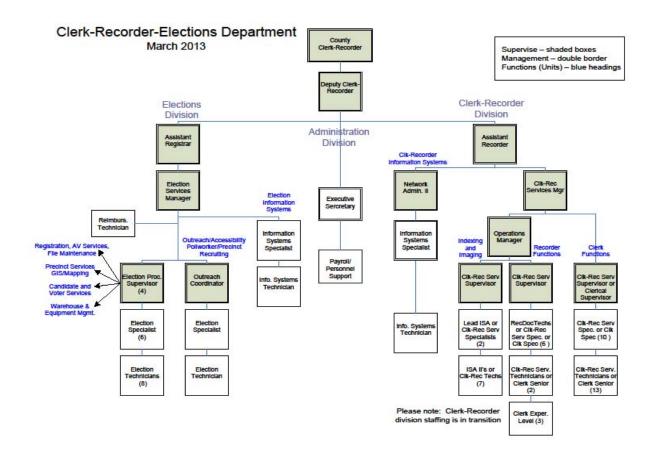
- 2. Objective: Maintain a high level of voter registration and accurate roles.
 - Indicator: Number of active, registered voters (last Report of Registration to the State was on February 12, 2013)
 530,360
 - b. Indicator: Number of registration added (FY 10-11) 16,612
 - c. Indicator: Number of registrations updated (FY 10-11)
 122,337 Includes agency updates from DVM, NCOA
 - d. Indicator: Number of registration cancellations (FY 10-11) 41,624
- 3. Objective: Conduct "successful" elections with increasing automation.
 - a. Indicator: Time final unofficial Election Night results printed (FY 10-11)

2012 Presidential General Election (2 cards): 2:19 am

- B. Recorder and Recorder Micrographics/Modernization
 - 1. Objective: Maintain or increase productivity without reducing accuracy.
 - a. Indicator: Annual recording volume 383,515 documents were recorded in 2012
 - Indicator: Documents recorded per staff member that perform recording 47,939
 - 2. Objective: Maintain or increase productivity through use of automation.
 - a. Indicator: Web "hits" how many people accessed the Recorder's Office Website 709,704, an increase from 2002, when we had 32,525.
 - b. Indicator: Average time on website per user transaction3:03 average time on site

Clerk-Recorder Performance Measures					
Workload Indicator	2012	2011	2010		
Marriage Licenses	3,829	3,771	3,731		
Marriage Ceremonies	1,490	1,259	1,287		
FBN Filings	7,987	8,318	8,735		
Notaries	1,039	1,334	1,236		
Birth Certificates	22,647	22,384	23,274		
Death Certificates	4,653	4,908	5,108		
Marriage Certificates	8,463	7,735	7,517		
Recorded documents	383,515	320,827	333,903		

VI. DEPARTMENT ORGANIZATIONAL CHART



For additional information regarding the Clerk-Recorder Department, please contact Administration at 924-335-7899 or visit our web site at www.cccounty.us.

Select "Departments", then "Clerk-Recorder" or "Elections."