

CLERK-RECORDER-ELECTIONS DEPARTMENT 2020 PERFORMANCE REPORT

I. DEPARTMENT MISSION

A. ELECTIONS DIVISION MISSION

With integrity, respect and commitment to customer service, provide the highest level of voter registration and election services to the citizens of the County by:

1. Processing all voter transactions timely and accurately.
2. Employing accessible, safe and adequate locations for voting.
3. Providing greater vote-by-mail capacity as a convenient and secure method of voting.
4. Accurately preparing, tabulating and reporting timely election results.
5. Eliminating obstacles to civic participation and voting.
6. Managing all operations effectively and with respect for our fiduciary responsibility to the taxpayers.

B. CLERK-RECORDER DIVISION MISSION

With integrity, respect and commitment to customer service:

1. Secure, maintain and preserve official records and indices relating to real property and vital records in Contra Costa County.
2. Issue marriage licenses, perform civil marriage ceremonies, register confidential marriages, file Fictitious Business Name Statements, register professional agents, file notary bonds, administer notary and other oaths and accept filings, as provided by California code.
3. Explore and implement new technologies to increase access to public records.
4. Provide certified copies of real property and vital records.

II. MAJOR PROGRAM DESCRIPTIONS

A. ELECTIONS DIVISION

The Elections Division is responsible for the conduct of elections; promotion of voter registration and voter registration outreach; verification of signatures on initiative, referendum and recall petitions; maintenance of voter registration records and filing and certification of nomination papers and campaign finance documents.

This budget includes the Administration Division, which provides department-wide administration for fiscal issues, facility issues, human resources, payroll, employee performance management and development, division clerical supervision, overall department oversight, other department and county-wide issues as well as special projects. This budget also includes the Outreach and Engagement staff, which

provide civic outreach and education opportunities to constituents of Contra Costa, monitors and oversees social media activities and media relations.

BUDGET: \$12,741,807
FTE: 32.5

B. CLERK-RECORDER DIVISION

The County Clerk-Recorder Division provides County Clerk and County Recorder services on behalf of Contra Costa County.

The County Clerk is responsible for the issuance of marriage licenses, conduct of civil marriage ceremonies, registration of confidential marriage licenses and registration of notary public commissions/oaths. The County Clerk accepts Fictitious Business Name Statements, proof of publication of such statements and withdrawal of partnership and abandonment statements for filing. Additional responsibilities include registration of Process Servers, Legal Document Assistants, Unlawful Detainers and the provision of public notice of all filed environmental documents.

The County Recorder responsibilities include examining, recording, imaging, indexing, preserving and archiving all official recorded records relating to real property located in the County. The County Recorder registers public marriages and issues certified copies of all vital records (births, deaths and marriages) for events occurring in the County. The County Recorder also collects Documentary Transfer Tax on property transfers.

BUDGET: \$4,934,981
FTE: 38

C. RECORDER-DEDICATED PROJECT BUDGETS

Recorder Micrographics/Records Management/Archive Program
Recorder Modernization
Vital Records Improvement Program (VRIP)
Recorder Redaction Program
Electronic Recording Delivery System

The Clerk-Recorder Micrographics responsibilities include digitization and conversion of all Clerk-Recorder documents into electronic and archival format (including microfilm for emergency backup purposes). With the passage of AB212 in 2019, Recorder records management and archive services are also now appropriate dedicated uses for these funds.

The Clerk-Recorder Modernization responsibilities include the development of procedures to efficiently identify and locate documents for the public and other County users, to upgrade and support modernized systems for recording, indexing, cashing, customer service and related duties.

The Clerk-Recorder Vital Records Improvement Program (VRIP) responsibilities include improving vital record processes and system enhancements.

The Clerk-Recorder Redaction Program responsibilities include the redaction of a portion of Social Security Numbers from documents as required by law, to address privacy issues and enhance security.

The Clerk-Recorder Electronic Recording Program responsibilities include maintaining the Electronic Recording Delivery System (ERDS) in compliance with the Department of Justice (DOJ) regulations.

BUDGET: \$10,802,486

FTE: 11

D. TOTAL DEPARTMENT DATA

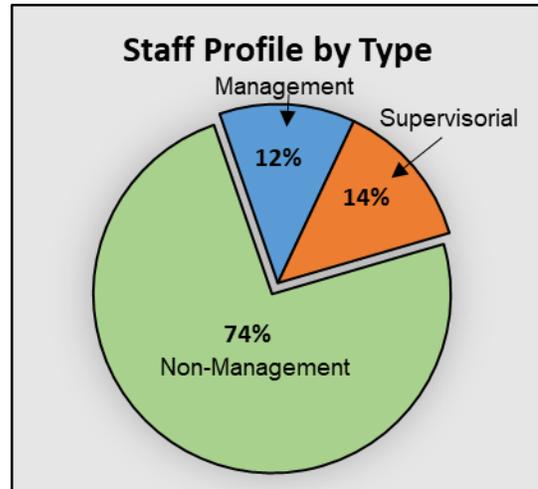
BUDGET: \$17,676,787 General Fund
 \$10,801,486 Dedicated Funds

FTE: 81.5

Department Classifications

CLASSIFICATION	FTE
County Clerk-Recorder	1
Deputy County Clerk-Recorder	1
Assistant County Clerk-Recorder/Assistant Registrar	2
Administrative Analyst II	1
Executive Secretary	1
Network Administrator II	1
Clerk-Recorder Services Manager	2
Election Services Manager	2
Voter Education and Engagement Assistant	.5
Voter Education and Engagement Specialist	1
Clerk-Recorder Services Supervisor	4
Election Processing Supervisor	5
Outreach Coordinator	1
Information Systems Specialist I	1
Information Systems Technician I	3
Elections Services Specialist	9
Clerk-Recorder Services Specialist	12
Elections Services Technician	9
Clerk-Recorder Services Technician	13
Clerical (Experience 6, Specialist 1)	7
Information Systems Assistant II	5
Total	81.5

Staff Profile by Type		
Management	10.0	12.3%
Supervisory	11.0	13.5%
Non-Management	60.5	74.2%
Total	81.5	100.0%



III. DEPARTMENT ACCOMPLISHMENTS

A. DEPARTMENT-WIDE

1. Despite a worldwide pandemic and several phases of shelter orders during 2020, the department continued to provide all public services for the constituents of Contra Costa. In order to protect staff and our customers, many of our outreach and community events were forced to be cancelled or postponed, but all essential services continued to be conducted.
2. All department staff are designated as “essential workers” and continued to work throughout the pandemic. Federal Homeland Security designates elections as “critical infrastructure” of the nation. The State designates Clerk-Recorder services as essential to the economy, the financial industry and crucial to commerce. The Clerk-Recorder Division provides essential records such as copies of birth, death, and marriage certificates, conducts civil marriage ceremonies and provides other services that are vital to the County and its residents.
3. For continuity of operations, the Elections Division used a combination of remote work and alternating in-person schedules to keep teams together for contact tracing. During peak election time all division staff worked in the office.

The Clerk-Recorder Division conducted “drive-up” weddings and Zoom/FaceTime weddings. While the division addressed personal distancing needs for a short period of time, most division staff worked remotely. Then due to operational necessity, nearly all staff returned to the office. Those few positions with duties that allow for remote work are still working remotely to allow for expanded space for personal distancing at the office.

4. Contra Costa County was the first Clerk-Recorder Department in California to become digital. While most paper based documents have been removed from our day-to-day operations, invaluable old records are retained in their paper form (after they are digitized) for historic and legal purposes. The Clerk-Recorder's charge is to maintain all recorded documents in perpetuity – many dating from the mid-19th Century. Our ongoing program archives, indexes and assesses the condition of all documents for preservation and long-term management. The “old book” collection contains 4,998 volumes and 2,672 maps.
5. The Clerk-Recorder and Elections Divisions continually document procedures and enhance transparency by making them available to the public. Documentation of processes of our day-to-day operations are useful and add credibility when we are called upon to testify as expert witnesses in court proceedings.

B. ELECTIONS DIVISION

1. The Department conducted the Presidential Primary Election on March 3, a special vote-by-mail election on May 5, and the Presidential General Election on November 3, 2020. For the November 2020 election, Contra Costa reached a record 703,021 registered voters, an increase of 45,748 from the March election.
2. After conducting a successful March 3, 2020 Presidential Primary and completing the canvass (a week before the certification deadline), the Elections Division shifted focus to conducting the November election during a pandemic. Under Executive Order N-64-20, the Elections Division mailed a ballot to every registered voter. Additionally, the Elections Division was required to maintain substantial in-person voting opportunities on Election Day. Staff sourced and purchased substantial quantities of Personal Protective Equipment (PPE) and developed in-person voting COVID protocols under the rules and guidance of the Center for Disease Control, State and our own County Health Offices.
3. To ensure plentiful safe and socially distant options for in-person voting for the November 2020 election, the Elections Division expanded early voting sites to include 11 outdoor tent locations, with their own power generation. These sites were also set up to serve as a mitigation in the event of PSPS (Public Safety Power Shutoff) events. They were well-utilized by the contingent of voters who cast their ballots in person. A total of 17 early voting sites were open for 3 days before the election and on Election Day. This provided voters safe and secure alternative sites and allowed voters to vote in advance of Election Day. 153 polling places were available to voters on Election Day.
4. The November 3, 2020 Presidential Election was the first time every registered voter in Contra Costa County was mailed a ballot. 91% of voters who participated in the election cast the ballot mailed to them. Outside of COVID conditions, voting by mail continues to grow organically in California and in Contra Costa County. At the 1996 Presidential General Election, 93,428 vote-by-mail ballots were cast, or 34% of the total vote cast. As of January 2021, of the 708,526 total registered voters, 552,271 were permanent vote-by-mail voters and 5,435 were military and civilian overseas voters.

5. The Elections Division added additional capacity for the increased number of vote by mail ballots, including a new and more efficient ballot sorting device. Efficiencies and process improvements continue to allow for certification of the Elections earlier than the deadline.
6. With a ballot in the hands of every voter, traditional paper rosters were obsolete to verify the status of a voter and check them in. The Elections Division purchased 400 electronic poll books, which allowed poll workers to see in real-time if a voter had already cast their ballot. This drastically reduced the need for provisional voting, which declined by 79% from the March election.
7. The Elections Division implemented a new phone system in October 2020. The previous phone system had frequent out of service times. By October, the Elections Division was averaging a record-setting phone volume of between 500-1000 calls a day. The new phone system dramatically improved our telephone customer service for voters.
8. The Elections Division used a new hybrid training model to prepare the 893 poll workers who worked the November 3, 2020 election. Six online classes via Zoom instructed poll workers in procedures and processes and answer questions. Because this was the first time the new electronic poll books were, it was critical to give poll workers hand-on experience with the devices before Election Day. To meet that need, the division held 80 small in-person training classes to instruct poll workers on the Poll Pads. Two instructors lead each class, outdoors under shade tents. Attendees wore masks and were spaced at least six feet apart.
9. The Department looks for ways to support the trend toward voting by mail to make it easier for our voters. In the March 2020 Election, the Department deployed 12 secure drop boxes for voters to deposit their voted ballots. Following that election, the Department purchased an additional 25 boxes prior to the November election for a total of 37 regional secure drop boxes for the November election. These boxes were located throughout the County at easy-to-access locations and were available 24/7 during the election period. For the November 2020 election, more than half of vote by mail ballots cast were returned by drop box. (326,738 ballots were returned to our drop boxes; 211,239 were returned by USPS Mail.)
10. Under a new Election Law, Conditional Voter Registration allows a prospective voter to register and cast a ballot after the registration deadline, including at the polls on Election Day. In the November 2020 Presidential Election, 3,512 voters registered and cast a ballot under this law.



11. To provide quality service to all voters, we work closely with community members to share information, better understand voting needs and gather feedback. Our Election Citizens Engagement Panel (ECEP) meets regularly with representatives from community groups to answer questions, receive feedback and provide suggestions for future elections, civic engagement programs and policies. ECEP members participate in planning for elections operations and engagement activities and promote the activities of the Elections Division and civic engagement work within the community. Due to COVID, these meetings were moved online to Zoom.

C. CLERK-RECORDER

1. 358,062 real property documents were recorded in 2020, an average of 29,838 documents per month – a 33% increase from 2019.
2. In August 2020, the Clerk-Recorder implemented a new Integrated Electronic Recording, Cashiering, Indexing and Imaging System. The updated technology includes a digital suite of applications that provides improved security, redundancy and productivity tools compared to its 20-year predecessor. The “Google-like” search tool allows for locating property records, some dating back to the 1800s and provides for online purchases of documents and vital records.
3. Contra Costa implemented electronic recording in 2012. In 2020, Seventy-three percent (73%) of documents were submitted and recorded electronically – a 10% increase from 2019. The County Recorder collaborates with other government agencies such as the County Treasurer/Tax Collector, the Department of Child Support Services and the California Franchise Tax Board to process their recordable documents electronically.
4. A 2017 biennial inspection audit by the Department of Justice (DOJ) confirmed that the Division’s Electronic Recording Delivery System (ERDS) is in compliance with all State-mandated regulations and the Division follows all policy and security requirements.
5. The Clerk-Recorder Division continually pursues collaborative opportunities to offer its services to the public outside the office. 2019 marked the third year the Division participated in Operation Documentation – an event geared toward making veterans aware and offering the opportunity to record honorable discharge (DD-214) documents at no charge with the Recorder’s office. The Division looks forward to participating, when the program can resume safely.

Participation in this program has included:

- CCC Veteran Service Office
- CCC Clerk-Recorder Office
- CCC Animal Services
- CCC Elections
- CCC Health Plan
- CCC Assessor
- CCC Tax Collector

- CCC Human Resources
 - CCC Employment and Human Services
 - VA Veteran Center's Mobile Clinic
 - VA Clinic in Martinez
 - US Census
 - DMV
 - CAL-Vet
 - Sparkpoint
 - Shelter, Inc.
 - VA Housing Opportunity Program
6. The Department's Records Within Reach Program collaborates with organizations to hold events throughout the county to issue certified vital records. This brings our services to areas where it may be difficult to travel to Martinez.
 7. 2020 marked the fourth year of the Division's "Destination Weddings" Program. Department deputy commissioners perform Civil wedding ceremonies at locations selected to highlight historic and/or remarkable settings throughout Contra Costa County. On Valentine's Day, the Division hosted wedding ceremonies at the picturesque California Theatre in Pittsburg. The event was well received and provided a unique option for couples that wish to be married. Due to Covid-19 protocols limiting social gatherings, future events have been postponed.
 8. Our Real Estate Fraud Notification Program, in partnership with the District Attorney and County Assessor, continues to be instrumental in identifying and prosecuting incidents of fraud. Since its 2012 inception, the DA has prosecuted 33 cases – the first perpetrators were identified within the first two weeks of the implementation of this program.
 9. The Clerk-Recorder Division has an active customer service feedback program that includes customer survey/comment cards in the lobby and at customer service windows, a website survey process and a YELP page. The Division carefully monitors feedback. The division provides feedback from customers to staff, letting them know how their service was received.
 10. In 2019, the Clerk-Recorder Division added video to its Language Line translation services. Originally implemented in 2016 utilizing a direct phone line only, in-person customers can now see the certified translator on a dedicated iPad, which enhances the translation and adds a personal touch. The video service has been used to perform marriage ceremonies in French, Cantonese, Tagalog, Vietnamese, Portuguese and Arabic and has aided in explaining recording requirements to customers in Korean and Mandarin, to name a few. Over 200 languages can be translated. Staff use this service, as needed, when answering the phones as well as in-person interactions. This service is an invaluable addition to our customer service.
 11. The Clerk-Recorder Division is able to process orders for copies of vital records and real property documents via e-commerce, providing customers the ability to

get copies of their important documents without having to travel to Martinez. The Division added online customer authentication as an alternate to notary authentication, allowing a customer to complete their order without leaving their home.

12. Marriage ceremonies conducted by the County Clerk continue to be a popular service. In 2020, the Division conducted 1,550 marriage ceremonies, an 18% decrease from 2019. In response to the statewide shelter-in-place directive, the division conducted drive-in ceremonies, weddings via Zoom, and in-person “couple only” ceremonies separated by a glass barrier in the office.
13. The Department replaced its legacy online ceremony appointment system in February 2021. The new system allows the department to set parameters and make adjustments as required to the calendar. It also provides the flexibility for appointment deposits, if desired in the future. The couples receive an email confirmation of their appointment and a reminder before the scheduled ceremony date. The new system has substantially reduced “no shows.”
13. The Clerk-Recorder was unable to conduct its Summer Extended Hours Program in 2020. Since 2015, every Thursday during the months of July and August, the Clerk-Recorder Division extended County Clerk services by an additional three hours, remaining open until 7:30 pm. The Department looks forward to continuing the program when safe to do so.

D. CLERK-RECORDER-DEDICATED PROJECT BUDGETS

- Recorder Micrographics/Archive Program
- Recorder Modernization
- Vital Records Improvement Program (VRIP)
- Recorder Redaction Program
- Electronic Recording Delivery System (ERDS)

The five dedicated funds listed above support specific functions and are not General Fund accounts.

Note: Large portions of the Clerk-Recorder Division’s duties are designed to facilitate commerce. Therefore, private interests have advocated for special funding for Clerks and Recorders to assure that offices are open during regular business hours, indices are produced and verified within set timelines, documents are recorded, certified copies are produced in a timely manner and that images and the index are readily available to the public.

1. Microfilm is no longer our primary media for document storage and retrieval and the Department stopped collecting the fee in 2007. Microfilm does serve as the redundant storage medium in the event of a disaster. In 2019, AB212 amended the Government Code to allow for the micrographics fee to also be used to implement and fund a County Recorder archive program as determined by the County Recorder. In 2020, the Board reauthorized collection of the micrographics fee to be used for a County Recorder archive program.

2. Map and Document Restoration Program: The Department is developing and implementing a phased program to restore old maps, books and vital records in the Clerk-Recorder Division. The County's collection dates back to the mid-19th century – some records originated before California Statehood. Assessment and identification of records in the most critical need of restoration and preservation is ongoing. Complete preservation of all records is estimated at over fourteen million dollars. The Department plans to develop a long-term restoration program and pay for most of this project with dedicated funding, which preserves the General Fund appropriations for operations.
3. In 2020, the Clerk-Recorder Division replaced its County Clerk and Recorder system. The legacy system was implemented in 1998 had few updates over the years. The County's more than 20 million records and images were successfully converted to the new system. The new system modernized cashiering and financial reporting, scanning and document indexing, search and retrieval of land records, issuance of vital documents, enhanced electronic recording, optimized integration with other County departments and streamlined customer service.
4. The Clerk-Recorder Division uses Vital Records Improvement Program (VRIP) funds to purchase security enhanced banknote paper required to authenticate copies of birth, death and marriage certificates to reduce the incidence of fraudulent or forged documents.

IV. DEPARTMENT CHALLENGES

A. ELECTIONS DIVISION

1. The current budget and finance system compares departments on a year-to-year basis, rather than the actual 2- and 4-year budget cycles in which the Department operates.
2. Vote-by-mail logistics require that we effectively conduct two separate elections simultaneously: a vote-by-mail election and a polling place election. This was especially pronounced in the November 2020 election.
3. Counties were required to mail a ballot to every registered voter for the November 3, 2020 Presidential Election and one-time COVID-related funding helped cover additional costs. However, the legislature is discussing making it a requirement to mail every voter a ballot for each election and it is unlikely to be accompanied by a dedicated revenue stream from the State—which will result in sustained, increased costs.
4. Beginning in 2020 counties were required to pay return postage for the return of all ballots. This mandate did not include a funding stream from the State. The State Legislature continues to pass and advocate for expanded election services, including postage-paid returns, early voting sites, expanded state language requirements, ballot drop boxes, ballot tracking, and other services. With the

exception of one-time federal CARES ACT funding for November 2020, the State has not provided funding for these ongoing services, which results in the increased financial burden lying with the county and local jurisdictions.

5. All counties were required to use the Secretary of State's vote-by-mail ballot tracking system, BallotTrax, for the November 3, 2020 Presidential Election. Over 188,000 Contra Costa voters signed up for the service. Although the County was not charged for the service, the County did have to pay set up fees with our ballot vendor. Participation had widespread consequences. The State drafted the messages sent to voters but phrased them as if they were coming directly from the County. Despite specific feedback from counties, many of those messages were poorly phrased and/or did not conform to County processes and timelines, which resulted in voter confusion and an unprecedented number of phone calls and emails from voters. While expanding the range of tools available to voters, it is imperative that they are given appropriate context and expectations. It is not yet clear if participation in this service will be a requirement in future elections.
6. New statutory requirements and an ever-changing threat landscape have stretched the IT capacity of the Elections Division over the last few years. Remote accessible vote by mail systems and the addition of ballot languages have made ballot layout and design an increasingly complex and lengthy project. With the purchase of a new voting system in 2018, the number of PCs and servers to manage and maintain for the voting system increased from 7 to 23.
7. The large polling place equipment footprint of the new voting system required a second storage facility, with logistics that are more complex and planned for maintenance and testing.
8. The addition of satellite alternative sites for front office operations and regional early voting, due to social distancing, required expanded deployment of computers, software solutions and other networking equipment—as well as frontline support. In summer 2020, the Division purchased electronic poll books, which added 400 devices to be managed, maintained and deployed.
9. Since 2016, there has been a shifting focus to monitor and address cybersecurity threats, which require substantial time and resources. These are recent additions and are in addition to the Division's operations IT functions for 29 permanent staff and 70 seasonal temporary workers.
10. With the conclusion of the 2020 Census, all state legislative districts must be redrawn. Delays in the release of 2020 Census data are expected to delay these processes, including redistricting among local jurisdictions. There are only two staff members who can make precinct changes and all of these changes will need to be made and proofed before candidate processes for the June 2022 election begins in December. This once-a-decade process will require staff to touch every voter in the County.

11. A number of jurisdictions in the County continue to move from at-large to district elections. Once a jurisdiction creates new boundaries, our office must then redraw precinct lines and regroup voters according to their new associations.
12. The department continues to seek ways to utilize technology to improve our workflows, increase file accuracy and improve services.

B. CLERK-RECORDER DIVISION

1. The Clerk-Recorder Division workload fluctuates with the real estate market, which influences the demand for recording. The Division experienced a robust increase in recording volume. Experts report continuing low mortgage interest rates will support California's housing market in 2021. Low inventory and increased demand is expected to increase home prices.
2. The Clerk-Recorder Division developed a program to collect Documentary Transfer Tax (DDT) on unrecorded transfers of ownership among legal entities. In 2017, the Supreme Court affirmed counties can impose DDT in cases where beneficial interest is transferred among legal entities and is accompanied by consideration. In 2020, \$xxxx was collected by the County from multiple entities. The Clerk-Recorder Division pursues collection of DDT when such transfers occur. This additional income is deposited to the General Fund and is collected by the Clerk-Recorder Division, but this revenue does not pass through the Clerk-Recorder Division budget.

V. PERFORMANCE INDICATORS

A. Elections Office

1. Objective: Provide sufficient vote-by-mail capacity.
 - a. Indicator: Percentage of voters receiving ballots by mail
2020 Presidential Election: 100%
 - b. Indicator: Number of ballots and ballot cards processed, counted and reported on Election Night and as a percent of ballots cast
2020 Presidential Election: 363,472 ballots, 1,817,360 ballot cards, 61% of ballots cast
2. Objective: Maintain a high level of voter registration and accurate rolls.
 - a. Indicator: Number of active, registered voters (January 2021)
708,526 registered voters
3. Objective: Conduct timely, accurate, and cost-effective elections
 - a. Indicator: Total cost per registered voter
2020 Presidential Election: \$8.18*
*Excludes approximately \$1,000,000 in federal CARES ACT reimbursements.

- b. Indicator: Time final unofficial Election Night results printed
2020 Presidential Election: 12:00 am
- c. Indicator: Election Day Internet web site usage (November 2020)
30,567 visits and 10,050 unique visitors

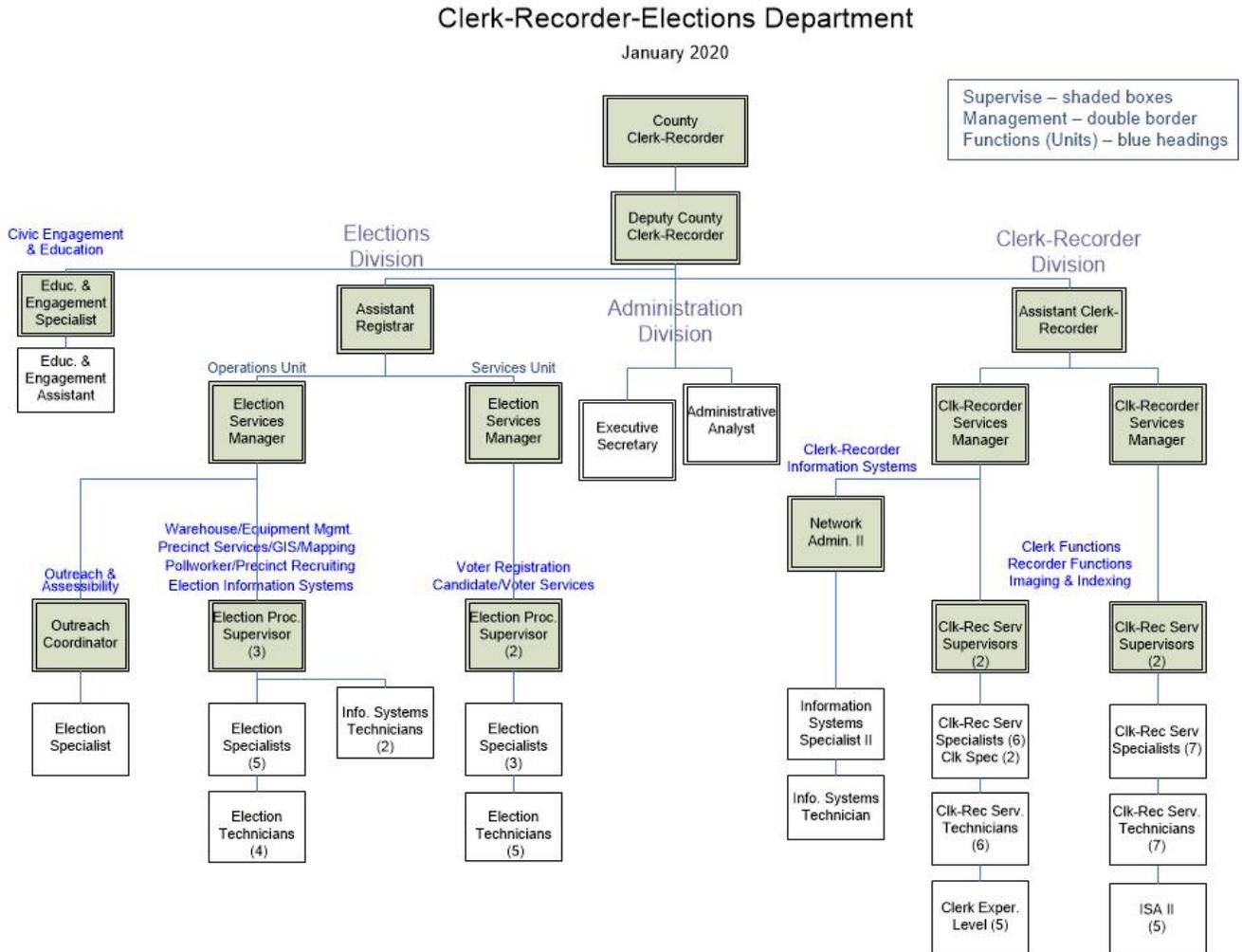
B. Clerk-Recorder and Recorder Micrographics/Modernization

- 1. Objective: Maintain or increase productivity without reducing accuracy
 - a. Indicator: Annual recording volume
358,062 documents were recorded in 2020, a 33.4% increase from 2019, when 268,358 were recorded
 - b. Indicator: Percentage of time in compliance with statutory mandate
100% in compliance in 2020
- 2. Objective: Maintain or increase productivity through use of automation
 - a. Indicator: Website “visits” to the Recorder’s Office website
250,794, an increase of 21.27% from 2015, with 206,807

Clerk-Recorder Performance Measures

Workload Indicator	2016	2017	2018	2019	2020	Difference from 2019	% change from 2019 to 2020
Marriage Licenses	5,011	5,058	4,799	4,458	3,094	-1,364	-31%
Marriage Ceremonies	2,092	2,134	2,006	1,909	1,550	-359	-19%
FBN Filings	7,590	7,607	7,651	7,829	6,292	-1537	-20%
Notaries	1,121	1,393	1,335	1,231	654	-577	-47%
Birth Certificates	21,277	23,495	24,046	24,846	15,157	-9,689	-39%
Death Certificates	5,584	5,912	5,672	5,353	4,069	-1284	-24%
Marriage Certificates	9,724	10,793	11,249	12,298	8,641	-3,657	-30%
Recorded documents	328,743	286,107	240,296	268,358	358,062	89,704	33.4%
Recorded documents per staff	54,791	52,019	34,321	38,336	35,239	4,015	12%

VI. DEPARTMENT ORGANIZATIONAL CHART



For additional information regarding the Clerk-Recorder-Elections Department, please visit our web site at www.contracostacore.us or contact Department Administration at 925-335-7899.