

OFFICERS 2021-2022

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Sutter County
TOMMY GONG
VICE PRESIDENT
San Luis Obispo County
RYAN RONCO
TREASURER
Placer County
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SECRETARY
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**voting member

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Placer County
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Santa Cruz County



CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

DONNA M. JOHNSTON, PRESIDENT
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Clerk of the Board of Supervisors
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June 14, 2021

The Honorable Eleni Kounalakis
Lieutenant Governor, State of California
State Capitol, Suite 1114
Sacramento, CA 95814

Madam Lieutenant Governor,

The California Association of Clerks and Election Officials (CACEO), the state association that administers the elections for California's over 22 million voters across the 58 counties would like to express our thoughts and concerns on the administrative limitations regarding the timing of the upcoming recall election. CACEO urges your office to take into consideration the following when setting a date for the recall.

- 1. Official ballot paper and envelopes supply chain issues:** all counties will be competing for resources quickly, including the official ballot paper. Vendors have indicated supply chain issues up to 12 weeks to obtain necessary paper supplies for ballots and envelopes. This does not include set up and printing timelines. As we do not know how many candidates will file, we do not know how long our ballots will be. Some reports state up to 6 dozen potential candidates have filed statements of interest. Not knowing how to appropriately order materials on a truncated timeline, including when many countywide contracts are up for renewals, will pose a challenge. According to 2 major election printers, supplying 38 of the 58 counties including Los Angeles, San Diego, San Bernardino, Alameda and San Francisco to name a few, they simply cannot supply ballot materials to meet any election date earlier than September 14. Please see the attached email.
- 2. Meeting the UOCAVA deadline:** ballot creation along with mandatory Remote Accessible Vote by Mail set up, testing and distribution would most likely not be done in time to meet Federal requirements, which mandates ballots sent to military and overseas voters between 60 to 45 days prior to election day.
- 3. VoteCal release and Statewide Mock Election in jeopardy:** dates set for July 20-31 to test the VoteCal system prior to the August 8 release. The mock election is also being used to test crucial system updates and redistricting changes and the update is to allow ballot tracking for concurrent elections.
- 4. USPS and ballot tracking:** most, if not all counties, will need to change language or design elements on their ballot envelopes. This requires approval

by the US Postal Service which delays printing up to 2 weeks. In addition, to be compliant with EC 3019.7, ballot tracking agreements would need to be finalized in a compressed timeframe.

- 5. Vote Centers/Polling Places:** during the summer months it is difficult to obtain ADA accessible facilities such as community centers and other buildings managed by park districts. Coupled with rental facilities quickly filling their calendars to make up for lost revenue, it will be challenging to find adequate locations for in-person voting in a compressed timeframe. Locating, surveying, and contracting with venues usually takes months.

Recruiting new locations would be problematic to conduct ADA surveys, create mitigations if needed and produce all Vote Center/Poll Place and Ballot Drop Box locations for publication when the actual date of the election has not yet been determined.

During regularly scheduled elections, counties confirm Vote Centers up to a year in advance to ensure adequate space. Poll place counties will have the same concerns; especially with the need to secure a larger number of locations.

- 6. Recruiting/Staffing Poll Workers:** as a countywide election, some counties will have to recruit poll workers for all 14 required languages under EC 14201. To fully staff our Vote Centers, this includes recruiting and staffing hundreds to thousands of poll workers. Typical onboarding processes can take 2-4 months to accomplish. Summer elections are more difficult to staff due to vacations and preparing kids to return to school. Most counties cannot recruit until FY 21/22 budgets are approved meaning they won't be able to start recruiting until late June/early July.
- 7. Training:** while California fully expects to reopen soon, counties are not aware of training or guideline changes for poll workers that relate to the COVID-19 pandemic. Will face masks still be required? Observer activities? Other COVID-19 training and planning concerns? Will there be enough time to update poll worker training?
- 8. Voter notification required under the Voter's Choice Act (EC 4005):** many counties will be conducting their first VCA election with this recall election and, will have to translate and mail notices to all registered voters. There are also requirements such as public meetings and a plan which must be accepted by the Secretary of State; all taking time to accomplish. Existing VCA counties are required to mail two direct mailers to voters prior to the election. Mailers typically take 2 to 4 weeks from creation to mailing.
- 9. Voting system programming:** many counties rely on vendors to assist with the implementation of the election, including programming, translation and testing and are therefore dependent on their timelines.
- 10. Election vehicles:** summer months have proven to be challenging when reserving rental vehicles to assist with Ballot Transport activities, vote center set-up, vote center support, technical support, and outreach activities. Rental car rates currently are high, and the stock of rental vehicles is always low during the summer.
- 11. Drayage:** like rental vehicles, going out to bid and finalizing contracts for a company to deliver, set-up, and pick-up equipment at Vote Centers and polling locations could pose a challenge with a truncated timeline, especially as we have learned, similar to other employers, drayage/moving companies are struggling to find employees as well.
- 12. Security:** ensuring security set-up with the local jurisdictions has proven more challenging over summer months. We will need time to contract security for the safety of our staff, poll workers, and ballot transporters.
- 13. Revisions/translations of new materials:** envelopes, CVIG inserts, official ballots, and accessible audio all take time to translate and proof in required languages, which could lead to mistakes or concerns over timeliness of receiving the revised materials. This would also impact our timing and test decks for our Logic & Accuracy testing which is conducted prior to each election.

- 14. Additional cost:** the compressed timeframe for an August election will require overtime for election staff. This was not considered when counties submitted their estimates to the Department of Finance.
- 15. Funding procedures:** counties will need time to receive Board of Supervisor approval for local budgetary increases impacting when allowable funding can be spent.
- 16. COVID staffing concerns:** some counties have not allowed staff to return to the workplace, creating workload issues. Other counties have mandatory COVID training for all employees, which all election workers would be subject to attending.
- 17. Advertising/Outreach:** to adequately serve voters, election media outreach must be developed, translated, and booked with media outlets, a process that usually takes weeks.
- 18. Concerns for legal challenges:** counties are likely to be sued for noncompliance due to compressed timelines.

The California Association of Clerks and Election Officials (CACEO) members are committed to running an efficient, accurate, cost-effective, and transparent election. We urge the Lieutenant Governor's office take our concerns seriously which will allow us to conduct a successful election process. We owe this to our voters.

CACEO looks forward to working with the Secretary of State, the Legislature and the Lieutenant Governor's office as this process moves forward.

Sincerely,



Donna M. Johnston
CACEO President



Tricia Webber
Legislative Co-Chair



Ryan Ronco
Legislative Co-Chair

Attachment

cc: Dr. Matthew Dumlao, Chief of Staff, Office of the Lt. Governor
Office of the Secretary of State
Office of Anthony Rendon, Speaker, California State Assembly
Office of Toni Atkins, President pro Tempore, California State Senate
Members of the Assembly Elections Committee
Members of the Senate Elections and Constitutional Amendments Committee
California Department of Finance
Rob Grossglauer, Pinnacle Advocacy, CACEO Legislative Advocate

From: April Johnson <ajohnson@khprint.com>
Sent: Saturday, June 12, 2021 9:27 PM
To: Tricia Webber <Tricia.Webber@santacruzcounty.us>; John Beck <John.Beck@santacruzcounty.us>
Cc: CRUZECTeam <CRUZECTeam@khprint.com>
Subject: Statement from K&H regarding Recall Production:

Hello- K&H has drafted an official statement regarding production time and the Recall Election.

Please pass along this information to your ROV any anyone else you would like to have the information.

Sent from my iPhone

April Johnson
K&H Election Services

Begin forwarded message:

We have been asked to estimate the optimal date for the recall election from a production perspective, and specifically whether or not an August election date could be supported. In discussions with all of our key vendors (Envelopes, Paper, Staffing and Logistics), we are recommending that the earliest mail drop date that will assure timely delivery to the voters is **August 16th**.

Starting with a little background; when this topic first was discussed we were talking about a late November election date, and K&H began preparing for that.

On May 27th, rumors began circulating that mid-September was a possibility with the "earliest" date to be September 14th. Although we felt it was very tight, we informed our counties that we could support that date if envelopes were ordered immediately. At that point it was still just a rumor but K&H had developed a plan to achieve success with regard to the primary resources of envelopes, ballot paper, staffing and logistics.

The rumor we are hearing now is that with the JLBC review waived, the election could be called 60 days after the confirmation of signatures on June 22., which translates into an election day of August 24th. **All four of the primary resources are in serious jeopardy if that is the decision.**

We don't know yet the size of the ballot, and won't until the election is called and filing is complete. Two card vs One card doubles the demand on paper and logistics as well as significantly impacting staffing.

The primary tentpole issue is envelopes. We are still working with some counties on finalizing their artwork and orders. Envelope suppliers are saying to allow 4-5 weeks. We believe that can be improved, but safe scheduling would be to take them at their word.

The secondary tentpole is Ballot paper. We have roughly one million pounds on our floor, but will need somewhere between 2 and 4 million pounds depending on the card count. The mill is currently closed for maintenance. K&H has negotiated to be the first paper from the mill upon reopening on June 26th, with first shipments arriving July 11th and continuing through the 23rd. Adding 25 days of production to that date has completion around August 5th– 10th if everything were to go perfectly.

With regard to labor resource, we are very aware of labor shortages among temporary employees and anticipate needing extra time to ramp up with adequate staffing to support any schedule.

Lastly, in general, freight and logistics have been seriously impacted by the shutdowns and have not yet recovered. Therefore all of these dates have the potential of being negatively impacted by late deliveries.

In a nutshell, we feel that the responsible date we would recommend is a September 14th election date with a mail drop date of August 16th, and would actually recommend adding another week if possible. We also, would recommend an 80 day election cycle, as that allows more resource planning time around a date certain. An 80 day cycle would also allow more staff training time.