



**Tulare County Registrar of  
Voters  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One  
PETE VANDER POEL  
District Two  
AMY SHUKLIAN  
District Three  
EDDIE VALERO  
District Four  
DENNIS TOWNSEND  
District Five

**AGENDA DATE:** May 7, 2019

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

CONTACT PERSON: Suzette Machado    PHONE: (559) 624-7301

**SUBJECT:** Voting Accessibility Advisory Committee.

**REQUEST(S):**

That the Board of Supervisors:

1. Approve the creation of a Voting Accessibility Advisory Committee for the County of Tulare.
2. Approve the Bylaws for the Voting Accessibility Advisory Committee.

**SUMMARY:**

The Tulare County Voting Accessibility Advisory Committee will serve as an effective resource for receiving input and providing suggestions on how to implement federal and state laws regarding accessibility to the electoral process for voters with disabilities. In addition, the Committee will offer suggestions on improving access to voting and election materials; web accessibility, poll site locations and poll worker training.

There are two instances where a Voting Accessibility Advisory Committee (VAAC) is mandated by law:

- Federal law Help America Vote Act (HAVA) requires accessible, independent, and provide voting for all eligible voters by ensuring: 1) equal access to polling places that are accessible to all; and 2) voting systems that allow for independent and private voting.
- State law AB 2686 (Mullin, Ch. 764, Stats. 2016), the County can conduct legislative/congressional vacancy elections as long as a local Voting Accessibility Advisory Committee and a local Language Accessibility Advisory Committee are established and meet annually prior to an all mailed

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ballot election. These committees must consist of community members representing minority groups covered under the federal Voting Rights Act and voters with disabilities.

The responsibility of the Committee may include:

- Providing recommendations identifying and prioritizing activities, programs, and policies to ensure every voter has equal access to the ballot.
- Offering assistance and suggestions on issues related to voter accessibility of elections and election materials.
- Advising/suggesting possible improvements concerning web accessibility.
- Providing assistance with poll site locations.
- Providing improvement suggestions on poll worker training.
- Offer input and assistance with community outreach planning and activities to help the voters.

The Secretary of State has issued guidelines for the number of members to serve on the Committee. Based on the number of registered voters in Tulare County, we are required to have a minimum of five (5) members. The Secretary of State recommends representatives from the following: 1) people from the disability community with a background in accessibility issues; 2) people of differing backgrounds, ages, and who speak different languages that are representative of the disability community; and 3) people from County government who have an in-depth understanding of election processes and laws. The Elections office staff will serve as the Clerk to the Committee arranging the meetings, providing the agenda, recording the minutes and other support as needed.

The Committee will meet at Government Plaza, 5951 South Mooney Boulevard, Visalia on the Fourth Thursday of every other month at 10:00 a.m. with the exception of the following months: February, March, April, October, November and December during even numbered year elections.

It is our desire to recruit members and return back to the Board of Supervisors for appointment in June 2019, and to conduct the first meeting of the Voting Accessibility Advisory Committee in July 2019.

**FISCAL IMPACT/FINANCING:**

No net County cost. There will be no stipend or mileage reimbursement for committee members.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County of Tulare's five-year strategic plan includes Initiative 3: Quality of Life – Promote public health and welfare, educational opportunities, natural resource management and continued improvement of environmental quality. The creation of the Voter Accessibility Advisory Committee will fulfill this initiative by providing a forum for the disability and senior communities to voice their concerns and provide advice and opportunities for collaboration and outreach within the community.

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**ADMINISTRATIVE SIGN-OFF:**

A handwritten signature in cursive script that reads "Michelle Baldwin". The signature is written in black ink and is positioned above a horizontal line.

Michelle Baldwin  
Registrar of Voters

cc: County Administrative Office

Attachment(s) Tulare County Voting Accessibility Advisory Committee Bylaws

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF VOTING ) Resolution No. \_\_\_\_\_  
ACCESSIBILITY ADVISORY COMMITTEE ) Agreement No. \_\_\_\_\_  
 )  
 )

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD \_\_\_\_\_  
\_\_\_\_\_, BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: JASON T. BRITT  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

1. Approved the creation of a Voting Accessibility Advisory Committee for the County of Tulare.
2. Approved the Bylaws for the Voting Accessibility Advisory Committee.



# **TULARE COUNTY VOTING ACCESSIBILITY ADVISORY COMMITTEE BYLAWS**

## **PURPOSE**

The Tulare County Voting Accessibility Advisory Committee (VAAC) will serve as an effective resource for receiving input and providing suggestions on how to implement federal and state laws regarding accessibility to the electoral process for voters with disabilities. In addition, the Committee will offer suggestions on improving access to voting and election materials, web accessibility, poll site locations and poll worker training.

## **AUTHORITY**

The Voting Accessibility Advisory Committee will serve as an advisory body, not a decision making body. The Committee does not have authority to make decisions that bind the Registrar of Voters office on policy or the use of resources.

The Voting Accessibility Advisory Committee will be voting on certain actions as follows:

- Meeting Schedules
- Selection of Chair and Vice-Chair
- Agenda Items
- Creating Working Groups
- Recommendations and Requests to the Registrar of Voters
- Approval of Minutes

## **RESPONSIBILITIES**

The Voting Accessibility Advisory Committee may be asked to provide input on the following:

- Assisting and advising on existing programs to reach people with disabilities, and provide advice on whether to create new programs.
- Advising where to set-up voting equipment and how to recognize barriers to participation for senior voters and voters with disabilities.
- Assisting in surveying polling places for compliance with state and federal accessibility guidelines.
- Assisting in training poll workers to assist senior voters and voters with disabilities.
- Assisting to enhance website accessibility, including establishing a County website accessibility statement.

## **COMPOSITION AND TERMS**

The Voting Accessibility Advisory Committee will consist of a minimum of five (5) members serving two (2) year staggered terms:

- Five (5) At Large members representing the Disability Community.

Three (3) representatives will be appointed to serve two (2) year terms ending in odd numbered years. Two (2) representatives will be appointed to serve two (2) year terms ending in even numbered years.

In the event that a member of the Committee misses three (3) consecutive regular meetings becoming inactive, they will be subject to replacement.

Each member will be an independent, volunteer, unpaid representative of the community.

### **REGULAR MEETING PLACE**

The regular meeting place for the Voting Accessibility Advisory Committee will be in the Government Plaza Building, 5951 South Mooney Boulevard, Visalia, CA 93277. If by reason of emergency, election or other unforeseen scheduling conflict, the meetings may be held at any other County conference room as designated by the Chair or by majority vote of the Committee.

### **ELECTION OF CHAIR AND VICE CHAIR**

The Committee shall, in regular session following the first day of January of every year, elect from its members a Chair and Vice-Chair. The term of office shall be for one (1) year. The Chair and Vice-Chair shall serve at the pleasure of the Registrar of Voters during the term of office and may be removed from office by the Committee or Registrar of Voters at any time for any reason. The Vice-Chair shall perform the duties of the Chair in the absence or incapacity of the Chair. In case of resignation or death of the Chair, the Vice-Chair shall perform such duties as are imposed on the Chair, until such time as the members shall elect a new Chair.

### **POWERS AND DUTIES OF CHAIR**

The Chair shall have the following powers and duties:

- Preside at all meetings of the Committee.
- Perform such other duties as may be required of the Chair either by State law or by resolution or order of the Committee consistent with State law and shall perform such other duties as may be necessary to perform the required duties of the Chair.
- Confer with Staff as appropriate to set the Agenda for Committee meetings.
- Move the meeting location because of emergency, election or other unforeseen scheduling conflict.

### **POWERS AND DUTIES OF VICE-CHAIR**

The Vice-Chair shall have the following powers and duties:

- Have and perform all powers and duties of the Chair in the event of and during the absence or disability of the Chair.
- Shall perform such other duties as may be required of the Vice-Chair either by State law or by resolution or order of the Committee consistent with State law and such other duties as may be necessary to perform the required duties of the Vice-Chair.

### **VACANCY IN OFFICE**

If the Vice-Chair should cease to be a member of the Committee, or if for any other reason the office of the Vice-Chair should become vacant prior to the expiration of the term of office, the Committee shall elect a successor to the office of Vice-Chair for the unexpired portion of the term.

### **VACANCY OF CHAIR AND VICE CHAIR**

In the event of vacancies in the Chair and Vice-Chair seats, or in the event of the absence of the Chair and Vice-Chair, at the time of any meeting, the Committee may elect one of its members Chair Pro Tempore to preside over such meeting during such vacancies or

absences. The Chair Pro Tempore shall have all the powers and duties of the Chair during such meeting.

### **APPOINTMENT STAFF/CLERK OF THE COMMITTEE**

A member of the Elections Department shall serve as Staff/Clerk to the Committee.

### **DUTIES OF STAFF/CLERK**

The Staff/Clerk of the Committee shall have the following duties:

- Prepare with the direction of the Chair and/or the Registrar of Voters the Agenda for each meeting.
- Attend all meetings of the Committee and record and keep minutes of all that transpires.
- Shall attest to all Resolutions approved by the Committee.
- Preserve, and be custodian of all minutes, books, records, papers and tapes of the Committee.
- Whenever necessary he/she shall certify true copies of the Committee documents.
- Perform all duties required of him/her by these rules and regulations or resolution or order of the Committee consistent with State law, including, without limitation, the Brown Act.

### **TIME AND DAY OF REGULAR MEETINGS**

The Voting Accessibility Advisory Committee shall hold meetings for the transaction of general business on the Fourth Thursday of every other month at 10:00 a.m. with the exception of the following months: February, March, April, October, November and December during even numbered year elections. Regular scheduled meetings may be cancelled by the Staff/Clerk of the Committee by giving 72 hour notice.

### **CLOSED SESSIONS**

Every meeting of the Committee shall be open and public, and closed sessions shall not be held unless essential for the conduct of business. The public must be afforded an opportunity to comment on closed session items prior to adjournment to closed session. Subject to these requirements and those in the Brown Act, the Committee may hold closed session during a regular or special meeting. It is the intent of the Committee to strictly limit closed sessions. The Committee understands that it always has the option of discussing matters in open session notwithstanding that the Brown Act may entitle the Committee to hold a closed session, and the Committee intends to so exercise its prerogative in favor of open sessions to the greatest extent possible.

### **QUORUM**

Three (3) members of the Committee shall constitute a quorum to conduct business. A lesser number of members present at a meeting may constitute a quorum solely to adjourn the meeting or adjourn the meeting to a stated time.

### **VOTING**

No action shall be taken by the Committee except by affirmative vote of not less than (3) members of the Committee; provided, a majority of a lesser number present may adjourn or adjourn to a stated time.

### **MANNER AND RECORDATION OF VOTES**

Voting by members of the Committee shall be by 'ayes' and 'noes,' and the result of each vote shall be entered by the Staff/Clerk in the record of the Committee proceedings. Upon the request of any Committee member, a roll call vote shall be taken on any matter upon which a vote is called, and each vote shall be recorded by the Staff/Clerk in the record of the Committee proceedings.

### **MOTIONS, DEBATE THEREOF, DEBATE LIMITED TO MEMBERS OF COMMITTEE**

No debate of a motion shall be permitted prior to a second of the motion. As a member of the Committee, the Chair has all rights and privileges as other members and may make motions and second motions and participate in the debate off all items. When a motion is made and seconded, it shall be stated by the Chair before being debated. Such debate shall be limited to members of the Committee only; however, Committee members may request clarifications or explanations from presenters, petitioners or other persons in attendance.

### **PETITIONS AND COMMUNICATIONS; FILING, REPORT, AND INSPECTION THEREOF**

All written petitions and communications on the agenda of a meeting shall be filed with the Committee at such meeting and shall be so marked by the Staff of the Committee and a copy shall be provided to each Committee member. The substance of such petitions and communications shall be orally reported to the Committee by the Staff of the Committee; upon the request of any member of the Committee present at the meeting, any such petition or communication shall be read aloud in its entirety by the Staff/Clerk. Such petitions and communications may be inspected at any time by any member of the Committee.

### **DOCUMENTS AND OBJECTS PRESENTED TO COMMITTEE; FILING AND INSPECTION THEREOF**

All documents and all physical objects presented to the Committee at any meeting by any person shall be filed with the Committee at such meeting and shall be so marked by the Staff/Clerk. Any such document or object filed with the Committee may be inspected at any time by any member of the Committee. True copies or photographs of such documents and objects may be filed in lieu of the originals thereof.

### **SUBCOMMITTEES**

The Committee may establish *ad hoc* subcommittees to perform specific tasks. Members of such subcommittees may be nominated by Committee members. Nominated Committee members may vote for themselves. Nominations do not need a second.