

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

November 15, 2022

FROM

CURT HAGMAN, Chairman and Fourth District Supervisor, Board of Supervisors

SUBJECT

Appointment Process for Vacancy of the Office of Assessor/Recorder for the Term Beginning January 2, 2023

RECOMMENDATION(S)

Provide direction on the appointment process to fill the vacancy for the Assessor/Recorder term beginning at Noon on January 2, 2023, through 11:59 a.m. on January 6, 2025.
(Presenter: Curt Hagman, Chairman and Fourth District Supervisor, 387-4866)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost).

BACKGROUND INFORMATION

San Bernardino County's elected Assessor/Recorder, Bob Dutton, passed away on July 23, 2022. Assessor/Recorder Dutton was elected to a new term as Assessor/Recorder on June 7, 2022. These events caused a vacancy in the current term for Assessor/Recorder, which ends at 11:59 a.m. on January 2, 2023, and in the next term for Assessor/Recorder, which begins at Noon on January 2, 2023.

On August 9, 2022 (Item No. 64), the Board of Supervisors (Board) provided direction to fill both vacancies in the office of the Assessor/Recorder through an appointment process. The Clerk of the Board of Supervisors (Clerk) posted a notice of vacancy on August 10, 2022, for the current term. On September 13, 2022 (Item No. 76), the Board conducted interviews and appointed Christopher Wilhite to the office of Assessor/Recorder for the term ending January 2, 2023, at 11:59 a.m. Mr. Wilhite was also appointed as the County Clerk through 11:59 a.m. on January 2, 2023.

The term of office for the second vacancy is from January 2, 2023, at Noon, through 11:59 a.m. on January 6, 2025. In accordance with San Bernardino County Charter, Section 306, and County Code Section 12.0104, the Board must provide direction on the process and procedure for filling the vacancy for the next term. It is recommended the Board provide direction on the following:

**Appointment Process for Vacancy of the Office of Assessor/Recorder
for the Term Beginning January 2, 2023
November 15, 2022**

1. Set a date for making the appointment to fill the vacancy in Mr. Dutton's second term by no later than March 3, 2023.
2. Direct the Clerk to prepare an application form. The form must set forth any requirements for holding the Assessor/Recorder's office and specify whether the applicant must provide additional information or answer a questionnaire.
3. Set a date and time when the applications must be submitted to the Clerk.
4. Direct the Clerk to prepare and post a notice of vacancy.

At the meeting where the Board makes the appointment for the next term, the Board must call a special election to be held on November 5, 2024, to fill the remainder of the four-year term. The special election will be a single-winner election with the candidate receiving the highest number of votes being elected.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Julie Surber, Principal Assistant County Counsel, 387-5455) on October 31, 2022; County Administrative Office (Pamela Williams, Chief of Administration, 387-4811) on October 31, 2022; Finance (Stephanie Maldonado, Administrative Analyst, 387-4202) on October 31, 2022; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on November 1, 2022.

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Record of Action of the Board of Supervisors
San Bernardino County

Public Comment: None

Board Direction:

- The Board directed the Clerk of the Board (Clerk) to post a Notice of Vacancy on Thursday, November 17, 2022, by 8:00 am, setting forth the statutory requirements of holding the office Assessor/Recorder.
- The Clerk will develop an application that includes required qualifications for Assessor/Recorder and the qualifications to hold elective office.
- Applications will be available on the Clerk's website starting Thursday, November 17, at 8:00 am.
- Applications will be received until Wednesday, November 23, at 5:00 pm.
- On Monday, November 28, the Clerk will distribute unredacted applications and supplemental materials to each Board Member and post all materials on their website in redacted form.
- During the December 6 meeting at 1:00 p.m., the Board will interview all eligible candidates.
 - The Clerk will notify all candidates of the date and time of the interviews by email and phone.
 - Interviews will be conducted during the public session of the meeting.
 - Public Comment for that item will open at the end of interviews.
 - At the conclusion of the interviews and public comment, the Board will deliberate in open session and vote on a selection.
 - The Board will also take action to appoint the selected candidate to the position of County Clerk.
 - The candidate will then be sworn in as Assessor/Recorder/County Clerk to be effective Monday, January 2, 2023, at 12:00 pm.

APPROVED WITH BOARD DIRECTION

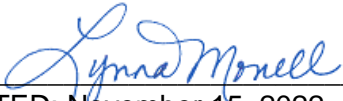
Moved: Curt Hagman Seconded: Joe Baca, Jr.

Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Curt Hagman, Joe Baca, Jr.

Absent: Dawn Rowe

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Lynna Monell, CLERK OF THE BOARD

BY 
DATED: November 15, 2022



cc: File - Assessor
JLL 11/21/2022