

County of Alameda Elections Commission Agenda

Meeting Date: Thursday, January 16, 2025
Time: 4:00 PM
Location: Via Zoom/In person
San Lorenzo Library
395 Paseo Grande
Greenhouse Community Room
San Lorenzo, CA 94580

Zoom Link for Meeting: <https://us02web.zoom.us/j/85077051037>

The video recording of the meeting is normally posted 2-3 days after the meeting.

You can find it at: <https://bos.acgov.org/>

1 -- Call To Order / Roll Call at 4pm -- 2 minutes

2 -- Swearing-In of New Commissioners

3 -- Approval of Agenda & Election of Officers -- 8 min

(a) *(Modifications to the agenda can be made here*

(b) *Election of President and Vice-President for 2025*

Under the recently approved ACEC Rules, each January we shall review election of officers.

Officers are to serve at least one year, at most two-years.

Recommendation: The current officers have been serving one year. Check in with existing officers to see if they are willing to continue. Check in with the rest of the commission regarding if they are willing to serve as President or Vice-President. Collect all nominations for President and vote. Then collect all nominations for Vice-president and vote.

*** Vice-President Valentine nominates Commissioner Dieter for Vice-President.*

4 -- Approval of Minutes of October, November, December 2024 -- 15 minutes

See attached minutes --

5 -- Announcements and Communications -- 5 minutes

No discussion on these items.

(a) From staff

(b) From commissioners

- Commissioners
- President

6 -- Public Comment on Agenda Items -- 15 minutes

If we have 5 or less commenters, then they will have up to 3 minutes each. 5-14 commenters will be limited to 2 minutes each. If we have 15 or more people then they will be limited to one minute each.

We encourage and appreciate written comments to be emailed to the Commission at

eoc@acgov.org.

7 -- Monthly Update from Registrar of Voters Office -- 10 minutes

See attachment

8 -- Old and New Business

(a) Items carried over from a previous meeting -- none

(b) Ongoing Items from Committees

All of these will be for possible action. See attachments for each committee report.

The convener / reporter for each subcommittee has an asterisk by their name.

(1) Cast Vote Record Releases (subcmte: K Butter*, I Dieter, J Belcher) -- 5 min

Recommendation -- to dissolve this ad-hoc committee

(2) Commission Rules, Procedures and Best Practices (S Henderson*, I Dieter, B Tsao, J Lindsay) -- 5 minutes

Recommendation -- to dissolve this ad-hoc committee

(3) Structure of the ROV position (subcmte: Z Valentine*, J Belcher, Whitehurst) -- 5 min

This is the issue about having Alameda County Registrar's position being a standalone position, as opposed to managing multiple departments.

No action, there should be a report and motion in February 2025.

See attached report.

(4) Dedicated Staff Support to the ACEC (Ramon*, Tsao) -- 15 minutes

See attached recommendation

(5) ACEC Assessment of Nov 2024 Election -- 30 minutes (Belcher*, Dieter, Butter, Lindsay)

See attached report.

(6) Ad-hoc Committee on Voting Participation (A Moore*, Whitehurst, and Lindsay) -- 5 minutes

(7) Nominations Committee (Tsao*, Ramon) -- 10 minutes

Motion: That the ACEC nominate David Wagner for the Elections Expert Seat on the commission.

(c) Special Report from the ROV -- upcoming special elections -- 15 minutes

(d) New Business -- for discussion and possible action

(1) Oakland Special Elections -- Recommendation on RCV voter instructions and number of rankings

- Possible Motion re voter instructions -- to use essentially the same wording and graphics as SF -- 10 minutes
- Possible Motion re. number of rankings allowed -- that we advise the ROV Office to encourage and facilitate 10 rankings be used in the Oakland RCV elections. -- 10 minutes

(2) Approval of Drake Rambke re. The Oakland Overvote Anomaly -- 10 minutes

(3) Asking for major progress on the Request List -- 5 minutes

This is a list of requests for information, fixes to the web site, and issues such as that. ACEC Officers collaborate with ROV staff to prioritize these requests. Nothing has been done since approximately September 2024 due to the November 2024 election, but we hope that there can be a major effort on these items starting this month.

9 -- Public Comment on Agenda or Non-Agenda Items -- 20 minutes

The 15 minutes here is a fixed allocation of time, and will be divided equally among all who wish to comment, with a maximum of 3 minutes per person.

If your comments are complex or if you didn't have enough time, we always appreciate it if you send your input to the Elections Commission at eoc@acgov.org.

10 -- Requests for Future Agenda Items

Commissioners can make requests directly to the president of the commission. Requests for future agenda items from the public can also be emailed to the commission at eoc@acgov.org.

11 -- Adjournment (as close to 6:30 as is viable)
The next meeting will be February 20, 2025.

Location: Via Zoom/In person
Alameda County Training & Education Center
125 – 12th Street, 4th Floor
Suite 400 Hayward/Union City Rooms
Oakland, CA 94612

Meeting Date: Thursday, October 17, 2024
Time: 4:00 PM

Zoom Link for Meeting: <https://us02web.zoom.us/j/87808718172>
The video recording of the meeting is normally posted 2-3 days after the meeting.
You can find it at: <https://bos.acgov.org/>

Minutes

1 -- Call To Order / Roll Call at 4pm -- 2 minutes

The monthly Elections Commission meeting of October 17, 2024, convened at 4:00 p.m. in the Hayward/Union City Rooms. The clerk, Noe Lucio, ROV, called to order the meeting. President Lindsay reported that City Clerk Anna Brown, who was representing the city clerks, resigned from her post on the commission, and she is looking for a replacement.

Present

Commission Members: Judy Belcher, Karen A. Butter, Irene Dieter, Susan R. Henderson, James R. Lindsay, Alexander H. Ramon, Benita Tsao, Zabrae Valentine, Allie Whitehurst; *Registrar of Voters:* Tim Dupuis, Cynthia Cornejo, Noe Lucio; *County Counsel:* Jason Allen.

Absent

Commission Members: Alissa Moore; *City Clerk:* Anna Brown

2 -- Swearing In of New Commissioners -- none

3 -- Approval of Agenda -- 2 min

No adjustments were made to the agendas.

4 -- Approval of Minutes of September 19, 2024 -- 6 minutes

Corrections were made to the minutes.

A motion was made to accept the meeting minutes as amended by Commissioner Belcher, seconded by Commissioner Tsao, approved with one abstention.

5 -- Announcements and Communications -- 5 minutes

(a) From staff

There were no announcements from staff.

(b) From commissioners

Commissioner Belcher read activists complaints regarding the post-election manual audit.

Commissioner Dieter requested that committee reports include the names of the committee members and whether the item is for "action" or "discussion only." President Lindsay requested that the instruction be added to the commission's rules and procedures document.

President Lindsay announced that Supervisor Miley has made an appointment to the commission, Karl Seabrook.

Commissioner Butter thanked Amy Shrago for her help getting the CVR onto the supervisor's calendar.

6 -- Public Comment on Agenda Items -- 15 minutes

Public comments were made for all agenda items.

7 -- Monthly Update from Registrar of Voters Office -- 10 minutes

Registrar Dupuis reminded the commission and the public of the important dates for the November 5, 2024, General Election, as well as the ways to vote and types of contests the number of vote centers that will open in the county, and the post-election day canvass. Commissioners Butter, Dieter, Belcher, Whitehurst, Belcher, and Lindsay asked questions regarding election-related and the cast vote records release.

8 -- Old and New Business

(a) Items carried over from previous meeting

There were no items carried over.

(b) Ongoing Items from Committees

All of these will be for possible action. See attachments for each committee report. The convener / reporter for each subcommittee has an asterisk by their name.

(1) Cast Vote Record Releases (subcmte: K Butter*, I Dieter, J Belcher) -- 30 min

Mr. Dupuis noted that the board of supervisors did direct the registrar to produce the cast vote record, and that he met with Supervisor Carson and his staff for further clarification. Members of the sub-committee asked questions of clarification.

2) ACEC October Report to the BOS (Lindsay*, Valentine, Butter) -- 20 min

Ms. Dieter, Ms. Belcher, Ms. Butter and Commissioner Ramon made suggestions regarding the report, and discussion ensued.

A motion as amended was made to strike all recommendations and, on the second two bullet points, add in how the commission is mitigating those challenges by Ms. Belcher, seconded by Ms. Butter, and passed unanimously.

A motion was made that the subcommittee make the edits as discussed and after completing those edits send the entire report to the Board of Supervisors by Mr. Ramon, seconded by Ms. Belcher and passed unanimously.

(3) Structure of the ROV position (subcmte: Z Valentine*, J Belcher, Whitehurst) – 5 min

Vice President Valentine reported the committee’s recent activities and plan to prepare a report for presentation at the January 16, 2025 meeting.

Ms. Belcher reported that someone told her data on the website is inaccurate from the March 2022 election, and that a court order might be required to change it. Mr. Dupuis asked Ms. Belcher to send in writing the details.

(4) Commission Rules, Procedures and Best Practices (S Henderson*, I Dieter, B Tsao, J Lindsay) – 10 minutes

Commissioner Henderson asked Counsel what might constitute a conflict of interest whether commissioners can contact the counsel. She also asked whether the commission could place certain links on the website. There were no other specific items to address.

(5) Dedicated Staff Support to the ACEC (Ramon*, Tsao) -- 5 minutes

Mr. Ramon reported that the committee plans to speak to other elections commissions about their experiences with support staff before making recommendations to the commission and related issues. The committee expects to make a recommendation in November.

(c) Special Report from the ROV -- no special reports until January 2025

(d) New Business -- for discussion and possible action

(1) Black Male Voting Numbers (A. Moore) -- 10 minutes

This item was postponed to the next meeting.

(2) Resolution re. Early Voting (Valentine) -- 5 minute

Ms. Valentine suggested that the commission submit an editorial to encourage voters to cast their votes early.

A motion was made that the vice president on behalf of the commission submit an editorial or a letter to an editor urging voters to cast their votes early by Ms. Dieter, seconded by Mr. Ramon, and passed unanimously.

(3) Reconstituting the Nominations Committee -- 5 minutes

A motion to reconstitute the Nominations Committee with Commissioners Ramon and Tsao was made by Ms. Belcher, seconded by Ms. Butter, and passed unanimously.

9 -- Public Comment on Agenda or Non-Agenda Items -- 20 minutes

Public Comment was allowed for non-agenda items.

10 -- Requests for Future Agenda Items

The issue of AB-626, Elections Code 30165 will be placed on the January 2025 agenda. Ms. Belcher requested the issue of public email communications be revisited.

11 -- Adjournment (as close to 6:30 as is viable)

The meeting was adjourned at 6:36 p.m.

The next meeting will be held November 21, 2024.

Location: Alameda County Training & Education Center
125- 12th Street, 4th Floor
Suite 400 Hayward/Union City Rooms
Oakland, CA 94612

Date: November 21, 2024

Time: 4:00 p.m.

Minutes

1. Call To Order / Roll Call

The monthly Elections Commission meeting of November 21, 2024, convened at 4:00 p.m. in the Hayward/Union City Rooms. The clerk, Noe Lucio, ROV, called to order the meeting.

Present

Commission Members: Judy Belcher, Karen A. Butter, Irene Dieter, Susan R. Henderson, James R. Lindsay, Alissa Moore, Alexander H. Ramon, Karl I. Seabrook, Benita Tsao, Zabrae Valentine, Allie Whitehurst; *Registrar of Voters:* Tim Dupuis, Noe Lucio; *County Counsel:* Jason Allen.

Absent

Commission Members: all commissioners were present. *Registrar of Voters:* Cynthia Cornejo.

2. Swearing in of New Commissioners – Karl I. Seabrook

Karl I. Seabrook was sworn-in in public.

3. Approval of the Agenda

Adjustments were made to the agenda.

4. Approval of Minutes October 17, 2024

The minutes will be submitted for approval at the next meeting.

5. Announcements and Communications

(a) From staff

There were no announcements from staff.

(b) From commissioners

Commissioner Butter reported she visited the Registrar of Voters to observe ballot processing.

Commission Belcher noted she referenced the wrong election at the October meeting, the correct election is that of November 8, 2022, and that The Elections Commission received information from a member of the public regarding the County of San Francisco's ranked choice voting rankings.

6. Public Comment on Agenda Items

Public comments were made for all agenda items.

7. Monthly Report from Registrar of Voters Office

- **Registrar Dupuis provided a status update on the number of ballots issued, received, counted, and to be cured for the November 5, 2024, General Election.**
- **The 1% Manual Tally has been completed.**
- **The registrar chose to perform a 100% Manual Tally for the City of Newark contest in which two potential winners are only four votes apart.**
- **Commissioner Tsao requested disaggregated voter turnout by different groups, as part of evaluating targeted outreach efforts.**

8. Old and New Business

(a) Items carried over from previous meetings

(1) Black Male Voting Numbers

- **Commissioner Moore raised the issue of the disproportionate number of Black males voting. She asked the commission to enforce Proposition 17 by making recommendations regarding political education to the Board of Supervisors and the Registrar of Voters.**
- **A motion was made to set-up an ad hoc committee on the issue of low voter turnout composed of Ms. Moore, Ms. Whitehurst and Mr. Lindsay by Ms. Dieter, seconded by Ms. Moore, and passed unanimously.**

(b) Ongoing Items from Sub-committees

(1) Cast Vote Record Releases

- **Ms. Butter reviewed the commission's activities promoting the release of the cast vote records.**
- **There were discussions regarding policies on releasing small precinct detail reports.**
- **There were discussions regarding the differences of Charter County Policy and Secretary of State policies.**

(2) Elections Commission October Report to the Board of Supervisors
Mr. Lindsay noted that the Board of Supervisors hasn't agendized the commission report.

(3) Structure of the ROV position
The subcommittee will report in January.

(4) Commission Rules, Procedures and Best Practices Committee

- **Commissioner Dieter summarized the process taken to create the Rules, Procedures and Best Practices Committee, and stated that changes can be made to this living document.**
- **The commission specifically discussed the dissemination of public email communications, that correspondents shouldn't have any expectation of privacy.**
- **A motion to was made that the commission adopt (C) that EOC@acgov.org will go to all commissioners, the commission clerk, the registrar of voters and the deputy registrar of voters by Mr. Ramon, seconded by Ms. Whitehurst and passed six ayes, three noes and two abstentions.**
- **A motion was made to adopt the rules, procedures with Ms. Tsao and Ms. Henderson to make non-substantive edits by Ms. Dieter, seconded by Ms. Valentine, and passed unanimously.**

(5) Dedicated Staff Support to the Elections Commission
The committee will report at the January meeting.

(6) Nominations Committee
The committee will report at the January meeting.

(c) Special Report from the ROV -- no special reports until January 2025

8 -- Old and New Business (continued)

(d) New Business

- (1) Plan to Analyze and Report to the BOS re. the 2024 election administration
 - (a) What do we want included in the analysis?
 - (i) It should apply to all races in 2024, not just November 2024
 - (ii) It should include what the department did well and where it needs to improve.
 - (iii) ROV department staff should be consulted for the report
 - (b) Discuss some of the Controversies and Criticisms of the Nov 2024 Election Administration and hear from the Alameda County election administrators on their points of view on these items.
 - (i) Voter Information Guides did not arrive or arrived late for lots of people
 - (ii) CVRs controversy (already discussed above)
 - (iii) Alleged slow count (getting results earlier)
 - (iv) Continued concerns about election administration observation

A motion to schedule a special meeting on December 19th for the sole purpose of beginning the post-election assessment by commissioners was made by Ms. Butter, seconded by Ms. Valentine, and passed unanimously.

- (2) Oakland RCV Overvote Anomaly

This item was postponed to the January meeting.

9. Public Comment on Agenda or Non-Agenda Items

Public Comments were made for non-agenda items.

10. Requests for Future Agenda Items

The issue of AB-626, Elections Code 30165 will be placed on the January 2025 agenda. Ms. Belcher requested the issue of public email communications be revisited.

11. Adjournment

The meeting was adjourned at 6:51 p.m.

The next regular meeting will be January 16, 2025.

Location: Alameda County Training & Education Center
125- 12th Street, 4th Floor
Suite 400 Hayward/Union City Rooms
Oakland, CA 94612

Date: December 19, 2024
Time: 4:00 p.m.

Minutes

1. Call To Order / Roll Call

The special Elections Commission meeting of December 19, 2024, convened at 4:00 p.m. in the Hayward/Union City Rooms. The president, James R. Lindsay, called to order the meeting.

Present

Commission Members: Judy Belcher, Karen A. Butter, Irene Dieter, Susan R. Henderson, James R. Lindsay, Karl I. Seabrook, Benita Tsao, Zabrae Valentine, and Allie Whitehurst; *County Counsel:* Jason Allen.

Absent

Commission Members: Alissa Moore and Alexander Ramon. *Registrar of Voters:* Tim Dupuis, Cynthia Cornejo, and Noe Lucio.

2. Announcements and Communications

(a) From staff

There were no announcements.

(b) From commissioners

Commissioners Butter, Belcher and Valentine discussed with county counsel possibly using Google Docs to gather ideas, and generally whether the number of participants might violate the Brown Act. Mr. Allen stated the Brown Act is intended to prevent meetings occurring in private, including the deliberative process.

Ms. Belcher requested that the use of Rosenberg be followed.

Commissioner Lindsay announced that the meeting location will be changed.

3. Public Comment on Agenda Items.

Public comments were made on the agenda items.

4. Sole Item for this Special Meeting

(1) Plan to Analyze and Report to the BOS re. the 2024 election administration

- **Commissioner Dieter reviewed the gathering of ideas, and offered an approach to generating the report, and how the commissioners and staff will decide the topics and the solutions the commission would recommend.**
- **A recommendation was made to first add new topics to the list by Ms. Dieter. A recommendation was made to first add new topics to the list before reviewing the published list by Mr. Lindsay. Commissioners added topics, and a discussion ensued about facets of elections, definition of terms, jurisdiction, and what should be included in the assessment.**
- **A motion was made to form an ad hoc committee comprised of Dieter, Butter, Belcher and Lindsay to draft an assessment and run it by the registrar of voters for their feedback in collaboration by Ms. Dieter and seconded by Ms. Butter.**
- **The motion passed unanimously.**

5. Public Comment on Agenda or Non-Agenda Items.

Public Comment was allowed for agenda and non-agenda items.

6. Requests for Future Agenda Items

No requests for future agenda items were made.

7. Adjournment

The meeting was adjourned at 6:49 p.m.

The next regular meeting will be held January 16, 2025.

Attachment for Agenda Item 4

December 19, 2024

To: Alameda County Elections Commission

From: Benita Tsao

Hello commissioners,

The Registrar of Voters has said previously that voter turnout is the ultimate metric for gauging the impact of the department's voter outreach, registration and education efforts, and I agree this is valuable information for evaluating the elections in 2024 and tracking over time. I mentioned this at the Nov. 21 Elections Commission meeting, and I submitted a formal request to the Registrar of Voters via President Jim Lindsay and Vice President Zabrae Valentine on Dec. 10.

Specifically, I requested registration and turnout numbers in several general elections since 2020, disaggregated by the priority groups identified in the Election Administration Plan, as well as the historically-underserved communities of interest identified in the Elections Commission ordinance and by commissioners so far. In addition, I've requested relevant data on programs named in the Election Administration Plan, such as Inmate Vote by Mail Program and ACVOTE On the Go. The categories are listed in the attached handout.

Note that the table is not yet populated with data, even though some are already publicly available. Instead, the handout lists the data I would like the Registrar of Voters Department to provide as part of evaluating each election; they have not provided any yet in response to the request. I am sharing the list with the Commission now in case there are other data categories you all want to add or discuss, and so we know to revisit this at a future meeting when the data are available.

Benita

	Number of Eligible Voters	Number of Registered Voters	% Eligible Voters who Registered	Number of Voters who Cast Ballots in Nov. 2024	% Registered Voters who Cast Ballots in Nov. 2024	% Registered Voters who Cast Ballots in Mar. 2024	% Registered Voters who Cast Ballots in Nov. 2022	% Registered Voters who Cast Ballots in Nov. 2020
Total Alameda County			#DIV/0!		#DIV/0!			
District 1			#DIV/0!		#DIV/0!			
District 2			#DIV/0!		#DIV/0!			
District 3			#DIV/0!		#DIV/0!			
District 4			#DIV/0!		#DIV/0!			
District 5			#DIV/0!		#DIV/0!			
Unincorporated Areas			#DIV/0!		#DIV/0!			
ACVOTE On the Go Program and Mobile Ballot Drop Stop Tour*			#DIV/0!		#DIV/0!			
New voters ages 18+ who have become eligible and/or have registered in last five years			#DIV/0!		#DIV/0!			
People who should have their right to vote restored after completing felony sentence (Prop 17, 2020)			#DIV/0!		#DIV/0!			
Immigrant voters who were born in another country and have since become U.S. citizens			#DIV/0!		#DIV/0!			
Voters with disabilities that systems should account for so voting is accessible			#DIV/0!		#DIV/0!			
Remote Accessible Vote by Mail*					#DIV/0!			
Military and Overseas Voters			#DIV/0!		#DIV/0!			
Voters who are seniors, elders, older adults ages 65+			#DIV/0!		#DIV/0!			
Young Voters ages 18-29			#DIV/0!		#DIV/0!			
People who prefer or need to vote in any language other than English (rows 20-25 below)			#DIV/0!		#DIV/0!			
Voters who prefer English-language materials			#DIV/0!		#DIV/0!			
Voters who prefer Chinese-language materials			#DIV/0!		#DIV/0!			
Voters who prefer Spanish-language materials			#DIV/0!		#DIV/0!			
Voters who prefer Tagalog-language materials			#DIV/0!		#DIV/0!			
Voters who prefer Vietnamese-language materials			#DIV/0!		#DIV/0!			
Voters who prefer materials in Section 14201 languages (Burmese, Khmer, Hindi, Korean, Laotian, Mien, Mongolian, Punjabi, Telugu)			#DIV/0!		#DIV/0!			
Voters who prefer materials in all languages that are not named in rows 19-24 above			#DIV/0!		#DIV/0!			
Youth Voters ages 16-17 in Albany (Measure V, 2024), Berkeley (Measure Y1, 2016) and Oakland (Measure QQ, 2020)			#DIV/0!		#DIV/0!			
Non-Citizen Residents who are parents, legal guardians, or legal caregivers of a public school student in Oakland (Measure S, 2022)			#DIV/0!		#DIV/0!			

	Number of Eligible Voters	Number of Registered Voters	% Eligible Voters who Registered	Number of Voters who Cast Ballots in Nov. 2024	% Registered Voters who Cast Ballots in Nov. 2024	% Registered Voters who Cast Ballots in Mar. 2024	% Registered Voters who Cast Ballots in Nov. 2022	% Registered Voters who Cast Ballots in Nov. 2020
Voters who are incarcerated (awaiting sentencing or trial, completing misdemeanor sentences)			#DIV/0!		#DIV/0!			
Inmate Vote by Mail Program*			#DIV/0!		#DIV/0!			
White, alone			#DIV/0!		#DIV/0!			
American Indian or Alaska Native, alone and in combination			#DIV/0!		#DIV/0!			
Asian, including South Asian, alone and in combination			#DIV/0!		#DIV/0!			
Black or African American, alone and in combination			#DIV/0!		#DIV/0!			
Hispanic or Latino/a/e/x, alone and in combination			#DIV/0!		#DIV/0!			
Middle Eastern or North African, alone and in combination			#DIV/0!		#DIV/0!			
Multiracial, 2+ racial or ethnic identities, alone and in combination			#DIV/0!		#DIV/0!			
Native Hawaiian or other Pacific Islander, alone and in combination			#DIV/0!		#DIV/0!			
Black Males -- see Voter Turnout committee			#DIV/0!		#DIV/0!			
Communities with low rates of vehicle ownership			#DIV/0!		#DIV/0!			
Low-income communities			#DIV/0!		#DIV/0!			
Geographically-isolated populations			#DIV/0!		#DIV/0!			
LGBTQ+ voters			#DIV/0!		#DIV/0!			
West Oakland -- see Voter Turnout committee			#DIV/0!		#DIV/0!			
East Oakland -- see Voter Turnout committee			#DIV/0!		#DIV/0!			
<i>* To evaluate ROV Programs, report number of contacts leading up to Nov. 2024 elections (column B), number and % of contacts newly registered by the program (columns C & D), and the number and % of contacts who cast ballots in Nov. 2024 (columns E & F)</i>								

Agenda Item #7 – Registrar of Voters Monthly Report

1. Election:
 - a. November 5, 2024, General Election
 - i. Total Number of Registered Voters – 962,143
 - ii. Total Turnout – 683,644 (71.05% turnout)
 1. Total Election Day – 87,078 (9.05%)
 2. Total Vote by Mail – 595-991 (61.94%)
 3. Total Youth Voting Turnout - 575
 - a. Election Day – 26 (0.00%)
 - b. Vote by Mail – 549 (0.06%)
 - iii. Total Election Workers Trained and Served – 822
 - iv. Total Internal ROV Team members – 300
 - v. Over 3 million Ballots Scanned
 - vi. Total number of Outreach/Education Events – 490 (included communities throughout the county with registration drives, voting and registration demonstrations, Ballot Drop Stop locations)
 - vii. Total ACVOTE on the GO – 118 (voters assisted)
 - viii. Digital Outreach – Digital Billboards (27), BART Station signage (100 in 26 stations), Bus (AC Transit and Tri-Valley Transit, 71 buses) advertisement, Online (4.2 million impressions), Radio (210 spots, 200k impressions), Newspaper and Television advertisements
 - ix. Total Voter Information Guide Words Translated – 937,805 (in 4 languages)
 1. 35 Local Measures
 2. 246 Candidate Statements of Qualifications
 3. 226 Ballot Types (unique ballots)

Alameda Elections Commission Ad Hoc Committee
to Consider Whether the ROC should be a Full Time Position
Monthly Reports: March 2024 - January 2025
Agenda Item #8b3

Issue: Numerous concerns have been raised regarding the Alameda County Registrar of Voters' (ROV) interpretation of legal requirements related to oversight of elections, as well as the responsiveness of the Alameda Co. ROV to the public. Examples include:

- Incorrect tabulation in the 2022 election, leading to certification of the wrong candidate for a school board seat and a recount of the Oakland mayoral contest¹
- Disenfranchisement of over 100 voters in 2020²
- Lack of transparency and responsiveness³
- Public complaints to the Alameda Co. Elections Commission (EC) about election observation access
- Public complaints to the EC about slow response to public records requests

Public trust in elections is a cornerstone of democracy, and in a democracy, foundational to productive civic cooperation, collaboration and comity. Specifically, robust public engagement and trust and confidence in democratic institutions such as the electoral process translates directly into legitimacy of elected officers, civic institutions and government itself.

Possible Solutions: One way to address the above concerns may be to make the Alameda Co. Registrar of Voters a full time position rather than shared with another department. While our primary objective is to determine whether this step seems likely to help address the issues signaled above, we also will keep an open mind to the likelihood that there are other interventions that could be as or more helpful, and if those come up we will share that information with the Commission as well. We want to acknowledge here that we have full confidence in the intentions of ROV staff to deliver the highest possible service to the residents of Alameda Co, and look forward to identifying steps that better enable them to do so.

Plan of Action:

- Gather information about Alameda County and comparable counties.
 - *How are IT and election departments organized?*
 - *How much responsibility for operations and time-critical response lies with the head of each department, and how much is delegated?*

¹<https://oaklandside.org/2022/12/28/alameda-county-registrar-miscounted-ballots-oakland-election-2022/>

²<https://oaklandside.org/2020/11/18/alameda-countys-election-was-marred-by-systemic-problems-say-voting-rights-groups/>

³<https://oaklandside.org/2023/01/10/alameda-supervisors-approve-recount-oakland-mayor-ousd-district-4-ranked-choice/>

- *What conditions, challenges or obstacles is the Alameda ROV experiencing, and are there opportunities for those circumstances to be managed differently? What do ROV staff recommend?*

- Present to the Commission at least two options, if the research supports this.

Update (4/11/24)

A paid Summer Fellowship for a Goldman School of Public Policy student to assist the subcommittee and research is now accepting applications. We thank Common Cause and the GSP for arranging and funding this assistance.

Update (5/16/24)

The Subcommittee interviewed all three of the talented, accomplished applicants from the Goldman School of Public Policy for the summer Policy Fellowship. Our top choice has accepted our offer.

Update (6/20/24)

The subcommittee has started working with our Goldman School fellow, Darlene Azarmi, to identify counties to which we can compare Alameda County's ROV experience. We are looking at population, racial diversity, # languages into which ballots are translated, Voter Choice Act status, diversity of electoral systems being implemented, elected vs. appointed ROV, agency leadership, and aspects of Budget/Staffing. *If Commissioners have any additional thoughts here they are of course always welcome.*

We also will be scheduling a call with ROV leadership/staff to gain a greater understanding of why they have managed past circumstances in the ways they have done, what impediments they face internally, and thoughts they have on what could work better etc., with an initial focus on public concerns related to timely and productive communications and sharing of information. Additionally, we will consider whether their available resources and budget allocations shed light on the question at hand.⁴

Update (7/18/24)

The subcommittee met (via Zoom) with ROV leadership/staff to discuss a subset of the issues we are examining, including how the office manages general communications with the public as well as public information requests, and budgeting issues. We also discussed pros and cons of operating with a combined ROV-CIO.

Ms. Azarmi has identified a set of comparable counties (Contra Costa, Sacramento, Santa Clara, San Diego, San Francisco and probably Solano), which she will be contacting to collect information that hopefully will give us a sense of whether the issues experienced in Alameda are considered typical or atypical when compared to other County ROVs as well as what steps other counties take to ameliorate or avert similar types of problems.

Update (9/19/24)

⁴ Budget questions might include things like, what are the major subcategories of "Discretionary and nondiscretionary Services & Supplies", how much of the "Salaries & Employee Benefits" budget is for full-time year-round staff vs. temporary staff, and how Mr. Dupuis's compensation is split between the RoV budget and the ITD budget.

Ms. Azarmi has conducted interviews with Contra Costa, Santa Clara, San Francisco and Solano County ROV's. San Diego Co. emailed her information and Sacto Co. declined to meet and did not share information in any other way. In her conversations she discussed with staff the structure of their departments, roles, general communications, public records requests, language accessibility, poll worker training with an emphasis on facsimile ballots, and central office support of/ communication with polling sites (these were the issues that had been initially flagged as potentially deficient or irregular in some way during discussion of the formation of this Committee). For Solano, due to their combined role, Darlene also discussed pros and cons of a combined structure. For SF, they discussed that ROV's RCV vote count practices and their practices related to logic and accuracy testing. Darlene is now compiling organizational charts, and information on role responsibilities and allocation of labor in other offices where the ROV has more than one role.

We also are in the process of soliciting input from community groups that work in various ways to educate voters and ensure and improve access, and would welcome any Commissioner recommendations of groups to contact regarding concerns they may have with past ROV performance as well as positive experiences they may wish to share.

Update (10/17/24)

We have solicited input from community groups that work in various ways to educate voters and ensure and improve access, and, as noted last month, would welcome any Commissioner recommendations of groups to contact regarding concerns they may have with past ROV performance as well as positive experiences they may wish to share.

Additionally, our Goldman School Fellow Darlene Azarmi hails from North Carolina, and very sadly has had to take an emergency leave of absence from her studies and her fellowship with the Commission (which was nearing its end) to attend to severely damaged property and other issues in the wake of Hurricane Helene.

Update (1/16/25)

We have prepared a draft report that provides an overview of the issue, descriptions of the key events that prompted voting rights groups and the Commission to decide to explore this question, and our findings and recommendations. We are in the process now of reviewing it for accuracy, and expect to bring it to the Commission for consideration and a motion to act at our February meeting.

Staff Support Committee Report for January 16, 2025

Alexander Ramon, Benita Tsao
Action Item

The enclosed letter captures the committee's recommendations, which are based on research conducted since September 2024. We recommend the Elections Commission request a full-time Management Analyst dedicated to supporting the Elections Commission and based in the Registrar of Voters Department. The easiest way to fund this position would be for the Registrar of Voters to include this in their Departmental Budget Request for FY 2025-26, due on February 21, 2025, and we are interested in hearing from the Registrar of Voters about this possibility.

Alameda County commissions vary widely in how active they are and their level of staffing support, but many have a part-time employee providing administrative support and coordination only, rather than someone doing research and making recommendations to the Commission. Our recommendation is unusual but necessary for fulfilling our oversight role and advising the Board of Supervisors.

PROPOSED ACTION: Motion to submit the following letter to the Board of Supervisors and for commissioners to begin mobilizing community and supervisors' support for the recommendation

ATTACHMENT

January 16, 2025

The Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, California 94612-4305

SUBJECT: APPROVAL FOR ADDITION OF ONE POSITION IN FY 25-26 TO THE REGISTRAR OF VOTERS DEPARTMENT TO SUPPORT THE ELECTIONS COMMISSION

Dear Board Members:

RECOMMENDATIONS:

- A. Authorize the addition of 1.0 (one) Full-Time Equivalent (FTE) position, a Management Analyst to support the Elections Commission in the annual amount of \$159,169.92
- B. Authorize the Auditor-Controller to make the related budget adjustments as per the attached Financial Recommendation (note: this form has not yet been completed).

DISCUSSION/SUMMARY:

The Board of Supervisors established the Elections Commission to oversee elections conducted by Alameda County's Registrar of Voters. In contrast to most other commissions with responsibilities limited only to planning and advising, the Elections Commission's oversight mandate requires significant research and analysis. Other oversight bodies receive substantial support from county staff with relevant financial and content expertise. Currently, however, the Elections Commission only has part-time support that is strictly administrative. This limited level of staff support is inadequate for the Election Commission's oversight purpose.

The Elections Commission is capable of fulfilling its duty of advising the Board of Supervisors, only if it has access to relevant data and analysis. The list of unanswered requests for information to the Registrar of Voters Department from commissioners, however, is growing at a faster pace than the Register of Voters Department can address with current staffing levels. The resulting backlog of unanswered requests gives credence to the persistent allegations of insufficient transparency. If left unaddressed, this situation may lead to a growing loss of confidence in the Registrar of Voters Department and impede the Elections Commission's ability to function.

Administering elections in Alameda County is an ever more costly and complex responsibility as the population of eligible voters continues to grow and become more diverse. Just as the role of the Registrar of Voters has become more difficult and time-consuming in recent years, so has the job of providing sound guidance on: promoting the integrity, efficiency and accuracy of policies and procedures related to elections; encouraging the widest possible voter participation in elections; and promoting voter education and outreach. Understanding these topics well enough to make realistic and actionable recommendations requires not only data and information but also a Management Analyst with a range of sophisticated research and analytical skills to interpret that data and information to assist the Election Commission in its duties. A full-time Management Analyst within the Registrar of Voters Department to support the Elections Commission would maximize resource utilization and operational effectiveness of the Registrar of Voters Department and reduce transparency concerns by:

- Conducting research and analysis on assigned projects, as the basis for recommendations, and responding to information requests,
- Implementing Elections Commission recommendations and monitoring progress; and
- Assisting the Elections Commission president, vice-president and committee leads liaise with the Registrar of Voters Department, Board of Supervisors, and other departments.

There are no Management Analysts currently in the department who can be assigned these tasks. It is unknown whether the Registrar of Voters supports these recommendations; the Registrar of Voters and Deputy Registrar of Voters did not respond to repeated requests for their input in November and December 2024.

The Elections Commission is an especially engaged and active body after meeting for just one year, with very few vacant seats and all meetings well-attended by members of the public. All voting members so far have joined an ad hoc committee soon after their appointments, and

nearly two-thirds are already serving on at least two committees. We expect the creation and funding of a full-time Management Analyst position will sustain our momentum, boost our efficacy, and ensure progress and improvements over many election cycles to come.

FINANCING: Appropriations to fund the one position in the amount of \$159,169.92 will be included in the proposed ROV FY 25/26 MOE budget. This action will increase Net County Cost by an estimated **\$159,169.92 Yearly**, which covers the full-time salary and benefits at the highest end of the range for a Management Analyst. We recommend that in future years, the funds to cover the cost of the Management Analyst are included in any Maintenance of Effort budgets proposed by the Registrar of Voters Department.

VISION 2026 GOALS: The recommended action will help fulfill our vision for a **Thriving & Resilient Population** and meet the 10X goal of **Accessible Infrastructure**. In addition, staffing the Elections Commission in order to fully engage all eligible voters in Alameda County has the potential to advance the 10X goals **Eliminate Homelessness, Healthcare for All, and Crime Free County**, as the ballot often includes state Propositions and local measures to address these priorities.

Respectfully submitted, on behalf of the Elections Commission,

[names and titles of Elections Commission representatives]

cc:

Attachments:

Management Analyst Job Description

Financial Recommendation Form (to be added)

ACEC January 16, 2025
ATTACHMENT FOR AGENDA ITEM #8b5

DISCUSSION ONLY

To: Alameda County Elections Commission
From: Ad Hoc Committee Judy Belcher, Karen Butter, Irene Dieter, and Jim Lindsay
Date: January 16, 2025 meeting

Re: Update on post-election assessment

At the December 19, 2024 Elections Commission special meeting, commissioners considered many issues for inclusion in the 2024 post-election assessment. An ad hoc committee was formed to prepare the assessment.

Since then, the committee has been reviewing and organizing the issues. The committee plans to send the draft to the registrar of voters' staff as soon as possible for feedback and input. The draft assessment should be ready for the commission's review at the February meeting. We hope to send the final assessment to the Board of Supervisors by March, before the next election cycle.

As a reminder, the county ordinance states: "The ordinance establishing the Elections Commission names one of its duties as a post-election assessment as follows: "Duties and powers. The commission's duties shall include, but not be limited to, reviewing written plans prior to each election, submitted by the registrar of voters, detailing the policies and procedures that will be used to conduct the election **as well as a post-election assessment** in collaboration with registrar of voters staff as to how well the plans succeeded in carrying out a free, fair, and functional election. The commission shall play an oversight role for the registrar of voters and an advisory role for the Board of Supervisors with respect to: ... [¶] E. Reviewing election plans drafted by the registrar of voters and **conducting a post-election assessment, which will then be reported to the Board of Supervisors.**" (Section [2.134.020](#), bold added.)

Attachment for Post-Election Assessment, Language Access

To: Alameda County Elections Commission, for Discussion or Action

From: Commissioner Benita Tsao, January 10, 2025

Subject: Non-compliance of ACvote.org with language requirements of the Voting Rights Act, California Elections Code, and Alameda County Election Administration Plan

I recommend that the committee tasked with writing the post-election assessment include in its report a section on missing but required language translations of materials provided on the county election website, and other unaddressed issues related to language access. This is an important area for improvement that ensures voters with limited English proficiency can rely on the Registrar of Voters for critical election information that is accurate and accessible to them. It's also a straightforward way to avoid future litigation by the Civil Rights Division of the U.S. Department of Justice, which has happened before in 2011 and 1995.

Many portions of the Official Election Site of Alameda County were not in compliance with the federal Voting Rights Act for either the presidential primary election or general election in 2024. Section 203 requires that all Alameda County election materials that are available in English must also be made available in the following four languages: Chinese, Spanish, Tagalog, and Vietnamese. This applies to all information provided by Alameda County to voters, including website information, in order to eliminate discrimination against U.S. citizen groups who have been denied the right to vote and excluded from the electoral process.

Below are some examples where ACvote.org failed to provide election information in the state- and federally-mandated languages. These and other Section 203 compliance gaps were described in a joint letter by the Asian Law Caucus, American Civil Liberties Union Foundation of Northern California, and American Civil Liberties Union Foundation of Southern California, sent to the Registrar of Voters on February 7, 2024. To my knowledge, the Registrar of Voters never acknowledged or responded to this letter, and now, nearly one year later, this election information remains inaccessible to citizens who vote in Chinese, Spanish, Tagalog and Vietnamese:

- 1. Important Election Dates.** When a specific election and a non-English language are selected, the contents of the Important Dates section still displays in English; only the header is translated into the required language and not the contents (see below).
- 2. Events Calendar,** <https://acvote.alamedacountyca.gov/community/events>. This same problem also affects the Events Calendar where all event details for voter registration drives display in English, even when another language is selected.
- 3. Vote Centers & Vote By Mail Dropbox.** There is no way to translate the lists and maps related to vote centers and ballot drop boxes into any languages besides English, because the usual language selection menu in the top right is missing. This untranslated information includes vote center days and hours of operations, as well as notices about unexpected closures.

Fechas Importantes

Important Election Dates

Evento	Fecha
First Day of Nomination Period for Candidates Running in November 5, 2024 General Election	July 15, 2024
Voting Accessibility Advisory Committee (VAAC) Meeting	July 25, 2024
Last Day of the Nomination Period for Candidates Running in November 5, 2024 General Election	August 09, 2024

The Vote Centers web page also fails to indicate which vote centers offer in-person language assistance, thanks to the presence of bilingual election workers. This is required for Voter's Choice Act counties, and its absence is contrary to the county's [Election Administration Plan](#) adopted in September 2023 (pages 21 and 22). All of the Vote Centers in Fremont and Alameda that I visited in March and November 2024, respectively, as a non-partisan observer, were missing signage indicating the languages spoken by the bilingual election workers on site, with the name of each language translated into the language itself.

In addition, California Elections Code section 14201 requires Alameda County elections officials provide translated facsimile ballots in 13 languages. These valuable reference tools are displayed at Vote Centers and can be printed upon request, whereas the ACvote.org web page instructs voters to call the Registrar of Voters. But the instructions and phone number for one of the required languages is missing from this page, and I believe it is Hindi (see <https://acvote.alamedacountyca.gov/language>).

A key characteristic of a fair and accessible election is participation by voters who have been unfairly excluded in the past. When assessing any election, it is essential to check whether specific groups that have been systematically denied their vote or otherwise experience barriers are in fact voting at high levels or at least at the same rates as those whose suffrage has always been honored.

I thank the committee members for taking this on and checking how well the Registrar of Voters Department has adhered to its own Election Administration Plan. In fact, the committee might consider using the Election Administration Plan to organize the findings, since per the ordinance, the post-election assessment should evaluate "how well the plan succeeded in carrying out a free, fair, and functional election."

To Alameda County Elections Commission
From Commission Belcher
Re: November 2024 Election Input Requested from Commissioners

Attention Commissioners:

Feedback is requested for inclusion with Election Assessment Report.

Answer these questions or any others you might have.

1. From your point of view as an Elections Commission Commissioner was the November 2024 Election well run by the Registrar of Voters?
2. What were the best areas?
3. Where is there need for improvement?
4. What would you like to see in future elections that you didn't see in this election?

Answers can be brief no more than one page or verbal. Return at the January 16 meeting.

Nominations Committee Report for January 16, 2025

Benita Tsao, Alexander Ramon
Action Item

After interviewing three qualified candidates, we recommend **David Wagner** fill the at-large seat reserved for someone with expertise in elections and elections technology. David is a UC Berkeley professor of computer science and Carl J. Penther Chair in engineering. He is an expert in computer security and cryptography, and he has worked on electronic voting as part of ACCURATE, a voting research center funded by the National Science Foundation.

David has extensive volunteer experience in the area of elections technology, at the local, state and federal levels. For example, he supported Alameda County on its decision to purchase new voting machines back in 2005, and he has served on the California Secretary of State's Voting Systems Technology Assessment Advisory Board. Since 2006, David has been a member of the federal advisory committee that develops standards for next-generation voting systems.

PROPOSED ACTION: Motion to nominate David Wagner to the Board of Supervisors, to fill the at-large seat reserved for someone with expertise in elections and election technology.

ACEC January 16, 2025

ATTACHMENT FOR AGENDA ITEM #8(c) -- Registrar of Voters Special Report

Agenda Item #8 (c) – Registrar of Voters Special Report

2. Upcoming Elections:

- a. April 15, 2025, City of Oakland Special Municipal Election
 - i. To Fill Vacancies – Mayor and Member of City Council, District 2
 - ii. Important Dates
 - 1. Nomination Period – Monday, December 23, 2024, to Friday, January 17, 2025 (Candidates file with the Oakland City Clerk)
 - 2. Voter Information Guide Mailing Period – March 6, 2025 (E-40) – March 25, 2025 (E-21)
 - 3. First Day of Mailing Vote by Mail Ballots – March 17, 2025 (E-29)
 - 4. Last Day to Register to Vote – March 31, 2025 (E-15)
 - 5. 11- Day Voter Centers Open – April 5, 2025
 - 6. 4 -Day Vote Centers Open – April 12, 2025