

County of Alameda Elections Commission Agenda

Meeting Date: Thursday, October 17, 2024
Time: 4:00 PM
Location: Via Zoom/In person
Alameda County Training & Education Center
125 – 12th Street, 4th Floor
Suite 400 Hayward/Union City Rooms
Oakland, CA 94612

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/>

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

2 -- Swearing In of New Commissioners -- none

3 -- Approval of Agenda -- 2 min

Modifications to the agenda can be made here

4 -- Approval of Minutes of August 19, 2024 -- 6 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

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) -- 30 min

We will hear from the ROV on initial plans to release CVRs daily during the canvass.

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

Our October -- and first -- report to the BOS will be completed and presented to the commission as a whole at the October meeting.

Recommendation: That the Commission review and modify the report as needed, and authorize one or more commissioners to complete it and send it to the BOS by the end of October.

(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.*

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

Provide feedback to the Committee re. some proposed procedures.

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

(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

Black Male Voting Numbers are very low, not just in Alameda County, but in the entire USA. Why? What can we do about it?

See Attachment.

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

A resolution will be submitted to the commission encouraging early voting.

See Attachment.

(3) Reconstituting the Nominations Committee -- 5 minutes

The commission needs to make a nomination to fill the Election Expert's seat.

Recommendation: Reconstitute the Nominations Committee

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 November 21, 2024. There will be no December ACEC meeting.
ACEC October 17, 2024*

County of Alameda
Elections
Commission

Location: Via Zoom/In person
Alameda County Training & Education
Center 125 12th Street, 4th Floor
Suite 400 Hayward/Union City Rooms
Oakland, CA 94612
Date: Thursday, September 19, 2024
Time: 4:00 PM

Minutes

1. Call To Order / Roll Call

The monthly Elections Commission meeting of September 19, 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, Benita Tsao, Zabrae Valentine, Allie Whitehurst; *Registrar of Voters:* Tim Dupuis, Cynthia Cornejo, Noe Lucio; *County Counsel:* Jason Allen.

Absent

Commissioners: Alexander H. Ramon; *City Clerk:* Anna Brown

2. Swearing In of new commissioners -- Allisa Moore was duly sworn in.

3. Approval of Agenda

A motion to change the order of Items 8(b)(1) and 8(a)(1) was made by President Lindsay, seconded by Commissioner Dieter, and passed unanimously.

4. Approval of Minutes of July 18, 2024

A motion was made to approve the minutes as amended by Commissioner Butter, seconded by Commissioner Tsao, and passed unanimously.

5. Announcements and Communications

(a) From staff

There were no announcements from the staff.

(b) From commissioners

Ms. Butter announced that she attended a registration drive for 16-year-olds organized by the City of Alameda high schools and the League of Women Voters.

Commissioner Moore noted that she has received questions about the implementation of Proposition 17 and would like the registrar to report on their progress.

Mr. Lindsay announced that Commissioner Singer has resigned, and that both Supervisors Marquez' and Miley's commission seats need to be filled.

Mr. Lindsay noted as a reminder that the president and vice present keep a list of commissioners' requests, and that the public may also submit requests.

Mr. Lindsay clarified the new procedures for determining public speaker time limits.

Mr. Lindsay announced that he spoke about the Elections Commission at the AKA sorority's symposium.

Commissioner Whitehurst announced that she participated in a "Get Out the Vote" event at McClymonds High School registering 16-years-olds.

6. Public Comment on Agenda Items

Public comment was allowed for all agenda items.

7. Monthly Report from Registrar of Voters office

Mr. Dupuis reported important dates for the upcoming election, that the voter rolls are growing (over 950,000).He also reported the voting methods: traditional for federal, state, county, school and special districts; ranked choice voting for four cities, and for the first time, youth voting for two school districts.

8. Old and New Business

(a) Ongoing Items from Committees

(1) Nominations sub-committee

A motion was made that Ms. Dieter be the new commissioner liaison for a one-year term from now through September 2025 by Ms. Tsao, seconded by Ms. Butter, and passed unanimously.

A motion was made to disband the sub-committee on Nominations by Ms. Tsao, seconded by Ms. Belcher and passed unanimously.

(b) Items carried over from a previous meeting

(2) Structure of the ROV position

Ms. Valentine reported that the sub-committee fellow, Darlene Azarmi, submitted her report on how other California county registrars manage their workload. The committee will continue to ask other interested parties for their preferences. She asked the Registrar how he allocates his time between the two jobs. He described how each agency is staffed and managed to meet the requirements of the county, concluding that the balance is fluid.

Ms. Dieter asked the Registrar to break down by percentage time spent between the two roles, Mr. Dupuis said it couldn't be broken down.

(3) Cast Vote Record Release sub-committee

Commissioner Belcher reported that over several months, the committee has met with all the supervisors to explain the significance of the cast vote record and sent correspondence to the office of the Secretary of State, and that PAL (the Personnel, Administration and Legislation Committee of Alameda County) forwarded the commission's recommendation to the Board of Supervisors.

A motion was made that the newly amended recommendation letter be forwarded to the Board of Supervisors by Ms. Butter, seconded by Ms. Dieter and passed unanimously.

A motion was made that Ms. Butter is authorized to send the amended letter on behalf of the commission by Ms. Belcher, seconded by Ms. Valentine and passed unanimously.

(4) Commission rules, procedures and best practices

The commission discussed the committee's recommendations.

A motion was made to adopt the Order of Business and Rosenberg's Rules of Order by Commissioner Henderson, seconded by Ms. Dieter and passed 8 to 1.

(d) New Business

(1) Commission October Report to the Board of Supervisors

A motion was made for Mr. Lindsay, Ms. Valentine, Ms. Butter to produce the slide deck and BOS report for the commission to approve by Ms. Belcher, seconded by Ms. Valentine, and passed unanimously.

(2) Expectations for November 2024 and How Voters Can Help

Ms. Valentine asked how the public and advocacy groups can help the registrar accurately process the ballots as quickly as possible. Mr. Dupuis answered that voters who vote by mail can return their ballots as quickly as possible so they can be sorted, organized, vetted and processed; ready to tally shortly after 8:00 p.m. on election night, November 5, 2024.

Public Comment was allowed for non-agenda items.

10. Requests for Future Agenda Items

Ms. Moore requested more information on incarcerated voting.

11. Adjournment

The next meeting will be October 17, 2024.

The meeting was adjourned at 6:52 p.m.

Date: October 17, 2024
To: Alameda County Elections Commission
From: Cast Vote Records Ad Hoc Committee
Commissioners Belcher, Butter, Dieter
Re: The Implementation of Cast Vote Record Reports

The Elections Commission's proposed policy for the early release of cast vote records went before the Board of Supervisors on October 1. It appeared on the consent calendar for approval but was pulled by Supervisor Tam because of concerns raised by the registrar and county counsel about the legal implications of voter privacy. The item was continued to October 8. Supervisor Tam's concerns were addressed during the interim and at the beginning of the October 8 meeting she indicated she would support the measure.

Supervisor Carson was outstanding in speaking in support of the policy, with supervisors posing insightful questions. There were many public speakers and written communications to supervisors from all sides of the political spectrum supporting the policy, including among others, the county's League of Women Voters, Common Cause, FairVote, the City of Albany, CalRCV, the county's Democratic Party, and EITACCA (an election integrity group).

In calling for the vote, President Miley went through each of the commission's recommendations to ensure agreement by the board. The board ultimately agreed that the policy will apply to all elections in all races in the county and that (1) the first text cast vote record report will be released at the conclusion of election night counting, (2) subsequent cast vote record reports will be released at the same time as the new release of election results, and (3) the registrar will publish a schedule of election results posting dates.

The board also directed the registrar to report back to the commission at its October 17 meeting about the progress towards the implementation of the policy. After the policy is adopted, the board of supervisors is to inform all city clerks in the county of the policy change.

The item was passed 4-0, with one absence by Supervisor Haubert.

Special acknowledgement to Supervisor Carson for his exceptional leadership on this issue and to Amy Shrago for her behind-the-scenes assistance.

Alameda County Elections Commission

Report to the Board of Supervisors

October 2024

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Introduction

The ACEC (“Commission” or “ACEC”) was constituted in late 2023, and held its first meeting in December, 2023. The ACEC was constituted for the purposes of:

1. Promoting the integrity, efficiency and accuracy of policies and procedures related to voter registration and elections
2. Encouraging the widest possible voter participation in elections
3. Promoting voter education and outreach
4. Providing appropriate and timely information and advice to the ROV and BOS on matters related to 1-4
5. Reviewing election plans drafted by the Registrar and conducting post election assessment which will then be reported to BOS

The Commission has no formal authority to direct action by the Office of the ROV. The Commission makes recommendations to the Board of Supervisors, upon whom it is then incumbent to act, if they so choose. The Commission seeks to collaborate with the ROV whenever possible to help achieve the five purposes above.

The Commission has an advisory role with the Board of Supervisors, and an oversight role with the Office of the ROV.

This is the first report from the Commission to the BOS. Moving forward, it is our intention to provide a general report to the BOS each October and April, and after each general election. The next report will be in April, 2025, and will provide an assessment of the 2024 General Election, as required by our authorizing ordinance.

Membership

- 5 Members are Board of Supervisor appointments: Alexander Ramon (D1), Karen Butter (D3), and Jim Lindsay (D5).
There are two open Commission seats, from Districts 2 and 4. The district 2 seat is open due to a resignation.
- 5 Members are to be nominated by the ACEC specifically to represent impacted communities: Benita Tsao, Judith Belcher, Allie Whitehurst, and Alissa Moore.
There is one open seat to be nominated by the ACEC: the election expert seat. This seat is open due to a resignation.
- 3 Members were nominated by organizations: Irene Deiter (League of Women Voters), Susan Henderson (disability rights organization), Zabrae Valentine (voting rights organization)
- Officers
Jim Lindsay is the Commission president
Zabrae Valentine is the Commission vice-president

Organization

The Commission's first substantive meeting was in March 2024. It has now had seven meetings. This Commission is a new entity. It is a very large Commission. It is the first Brown Act body the Office of the ROV has ever supported. Getting ourselves organized and building a sustainable and effective Commission is an ongoing process.

We are organized into ad hoc committees. Each ad hoc committee reports back monthly at each Commission meeting, and can make recommendations to the entire ACEC.

If Commission members need information from ROV staff or want an item agendaized, they make that request to the Commission president or vice-president.

Agendas are initially drafted by the ACEC officers, and then a meeting is held with the ROV and Deputy to collaboratively finalize the agenda. The Board is assigned a Clerk who manages the Brown Act meeting requirements.

The Office of the ROV and the leadership of the ACEC also work informally to prioritize Commission information requests, requests to make changes to the website, and other noncontroversial issues to which there is no opposition. This collaboration has led to a number of positive steps forward, as noted in the next section of this document.

We are also working on codifying Rules and Best Practices for the Commission to use going forward.

Accomplishments & Current Activities

In our short time as a Commission, we have a number of accomplishments.

ENHANCEMENTS IMPLEMENTED IN COLLABORATION WITH THE ROV's OFFICE

1. Increased transparency and provision of information
In a significant number of cases, interested parties are better able to get information from the ROV's Office. Examples include: Answers on RCV settings, answers on how votes are tallied, improved special election reports, a number of information requests from ad hoc committees have been completed, and arranging for Commissioners to tour facilities and see first-hand how election observation works.
2. Understanding the ROV Department processes and work
At our request, the ROV has given presentations and answered questions on a number of topics including but not limited to: (a) How votes are gathered and counted, (b) How the voter registration database is managed, maintained, and updated, (c) The department's organizational structure, staff, and budget, (d) How the ROV manages both departments at the same time at a high and low level, (e) How the ROV has historically managed CVRs, (f) Understanding why it seems to take so long to get election results and how the public can help. (g) What kind of outreach is done to the community.
3. Actions by the Office of the ROV taken to improve elections and community relations
(a) An ACLU request regarding communication with incarcerated voters was implemented, (b) sharing a letter written to the Secretary of State's office asking for clarification re. SB 1328 and CVRs, (c) improved support for Albany PRCV elections, (d) adding an alert list so that election activists will be notified quickly and accurately regarding election counting activities, (e) helping us get an urgent item agendaized with the BOS.

The Alameda County Elections Commission appreciates this positive collaboration with the ROV and the elections department staff.

RECOMMENDATIONS SENT TO THE BOARD OF SUPERVISORS

1. The Commission provided nominations for Commission vacancies seats, as required.
We thank the BOS for appointing these commissioners.
2. The Commission recommended a small fix to its authorizing ordinance to allow for a backup city clerk to represent the city clerks on the commission.
The BOS has not yet addressed this item.
3. The Commission recommended in June that the Alameda County ROV release text-based Cast Vote Records (CVR) reports for all elections and all races at the same time they release election results, commencing with the 2024 General Election. At the October 8 BOS meeting the Supervisors adopted the Commission's recommendation, and as a result we expect CVRs to be released on the agreed upon schedule for all elections, starting this November.

CURRENT ISSUES WE ARE WORKING ON

1. ISSUE -- SHOULD THE ROV BE A STANDALONE POSITION?

This is a complex issue. an ad hoc committee and a researcher have been analyzing this for a few months. We hope to see a recommendation from the ad hoc committee soon.

2. ISSUE -- COMMISSION RULES AND BEST PRACTICES

An ad hoc committee is meeting weekly to recommend Commission Rules and Best Practices for the Commission. Some rules have been instituted by the Commission, but the work is not yet complete.

3. ISSUE -- DEDICATED STAFF SUPPORT FOR THE COMMISSION

An ad hoc committee is working on a proposal requesting dedicated staff support for the Commission. The time and professional skills needed to arrive at well informed, thoroughly considered recommendations, to include substantial information gathering and analysis, far exceed the capacity of this all-volunteer Commission, many with full time professional commitments that leave little time outside of Commission meetings to do this work.

Furthermore, because commissions are typically decision makers by some definition, they are constrained by some form of Roberts Rules in meetings and the Brown Act in between meetings – which makes it very difficult to share information and collaborate in the ways most conducive to productive staffing.

4. ISSUE -- CAST VOTE RECORD RELEASES

The ACEC recommended that the BOS direct the ROV to implement text cast vote records. On October 8 the BOS directed the ROV to implement cast vote records for the November 2024 general election and release CVR on the same schedule as other results.

The ROV is scheduled to report to the Commission on October 17th how the department plans to implement this directive.

FUTURE ACTIVITIES

Of the 53 items we have been asked by Commissioners and the public to consider, we have 27 items outstanding.

The next highest priority items, in addition to the work of the current Ad Hoc Committees are:

1. Increasing voter turnout, especially among groups that have historically low turnout, such as youth, Latinos, and Black males.
2. Review and report on the administration of elections, including but not limited to the Grand Jury Report of 2022.
3. Improving the quantity and quality of support for those who need election materials in languages other than English.

Challenges and Recommendations

We face some serious challenges. The Commission has a can-do attitude, but it is important for us to be honest about the challenges.

- As noted previously, much of the Commission's work involves the need for serious research and analysis, but there are no available resources for those duties.

We are attempting to mitigate this by doing some research ourselves, finding research that has already been done, using community groups to help us with research, and getting help from the ROV's office when they are able to do so.

Recommendation: The Commission recommends a dedicated staff researcher to make quicker and better recommendations on complex issues, and better analyze election administration. In addition, they could answer questions from the Commission to the ROV's office that current staff does not have time to answer.

- The Commissioners are all volunteers. This is a problem since the workload is high, and many Commissioners have jobs and children they are caring for. It also affects diversity, leading to an overreliance on people serving who are retired, or are self-employed. That results in a less diverse group of Commissioners. Unfortunately, two Commissioners have already resigned due to the workload and their life situations.

Recommendation: Pay Commissioners a reasonable stipend for their work on this oversight Commission, so that working people and people that can't afford to volunteer can still be members of the Commission.

- *Overall the Office of the ROV works hard, and has been collaborative toward the Commission. However, we often do not see timely responses to information requests or flexibility in considering new ideas and different ways of operation. **Recommendation: This is a challenge primarily for the Commission and the ROV's department to work out. However, a dedicated staff person for the Elections Commission would be invaluable to help solve the root causes of this challenge.***

Questions for the Supervisors

1. Are there any election related topics or issues that you would like the Commission to address?
2. If a supervisor has an open seat on the Commission, would they like to have our Nominations committee find them good candidates?
3. How can we best get nominations, recommendations, and requests to the BOS agenda'd?

Note:

If accepted by the Commission, this report will be signed by the President of the Commission on behalf of the Commission.

Alameda Elections Commission Ad Hoc Committee
to Consider Whether the ROC should be a Full Time Position

Monthly Reports: March - September 2024

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?*
 - *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, with pros and cons.

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/>

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)

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

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.

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.

Discussion Only Item

DATE: October 17, 2024
TO: Alameda County Elections Commission
FROM: Rules and Procedures Ad hoc Committee

On June 20, the Elections Commission formed a committee of members Benita Tsao, Jim Lindsay, Susan Henderson, and Irene Dieter to recommend practices on how the commission conducts itself. On September 19, the Elections Commission approved the committee's initial proposal for the Order of Business and the Rules of Order.

The committee now poses the following questions to county staff:

Announcing Recusals & Conflicts of Interest

What constitutes a conflict of interest?

Commissioner Communications Under the Brown Act

If commissioners are unsure about a possible violation may they seek assistance from the commission's counsel?

May we include counsel's email address in our rules document?

Postings on Elections Commission webpage

Will we be able to have a link to our rules and procedures, and other important documents, on the commission's webpage?

If so, who do we contact to make that happen?

Public Comment – Clerk's Responsibilities and Processes

May we include the practices the clerk uses when running the meeting so that the public knows the procedures?

Does the clerk need to approve this section before we provide a draft to the commission?

ACEC October 17, 2024

ATTACHMENT FOR AGENDA ITEM #8b5 -- Dedicated Staff Cmte Report

October 2024

The committee has identified five other elections commissions or election advisory committees in other California counties and have begun preliminary research into their mandates, staffing, and budgets, for comparison with the Alameda County Elections Commission. These are:

- Riverside County Election Advisory Committee
- San Francisco Elections Commission
- San Joaquin County Election Advisory Committee
- Santa Clara County Citizens' Advisory Commission on Elections
- Shasta County Elections Commission

We are also becoming familiar with the classification system that is publicly available on the Alameda County Human Resource Services webpage ([HRS | \(alamedacountyca.gov\)](https://www.alamedacountyca.gov/hrs)), in order to identify likely job descriptions. We are also becoming familiar with the County's Salary Ordinance which provides for the compensation and designation of the number of officers, boards, commissioners, and of assistants, deputies, clerks, attaches, and other persons employed in the offices and institutions of the county and provides the related rules and regulations. ([Salary Ordinance - Classification and Compensation - HRS Department - Alameda County \(alamedacountyca.gov\).](https://www.alamedacountyca.gov/hrs))

Alameda Election Commission works as an advisory body for the Board of Supervisors. The Board is tasked with supervising the operations of departments and exercising the executive and administrative authority throughout the County government including the Registrar of Voters. As such, the subcommittee's preliminary thought is that potential future staff support for the Election Commission should be hired as employees of the Board of Supervisors.

ACEC October 17, 2024

ATTACHMENT FOR AGENDA ITEM #8d1 -- Black Male Voting Numbers

Resolution

It's been brought to my attention that people in Alameda county have serious concerns with the number of black men particularly in addition to individuals in like or similar situations in Alameda county that can vote and have the ability and right to vote but are not accounted for in the vote.

There are several barriers that have been identified as areas of concern, homeless populations particularly in west Oakland and deep east Oakland, formerly and currently incarcerated individuals as well as people housed in assisted living facilities, group homes, reentry facilities ect.

I have openly shared that there are new steps being taken to ensure the vote of incarcerated people in jail in Alameda is accounted for. Doing so it seems has brought about even more questions regarding just who is giving the voter the education information on the ballot measures and is it non biased information?

Because the demographic being engaged is new to the process and may not have a clear understanding of the measures the public has concerns about where the voter education is coming from. I felt this was a viable concern to bring to the commission.

The solution would seem to me fairly simple, I think we can easily enough compile a comprehensive report of all of he efforts made on behalf of the aforementioned populations and areas to show the public that we are doing our part to the best of our ability and go even further once the report is released we can ask for public comment and ideas if anyone feels we have not thoroughly addressed the concern.

Respectfully I request all input from my fellow commissioners as I am new to this position and want to do what is best for the people we serve.

October 17, 2024

To: Alameda County Elections Commission
From: Commissioner Valentine
Re: *Promulgation of Non-Partisan "Vote Early" Message*

We heard from Alameda County ROV staff at our last meeting that roughly 90% of Alameda County's nearly one million voters vote by mail, and receiving those mail-in ballots in time to have them prepped and ready to count when polls close on Election Night will go a long way to helping ensure a smooth, transparent, and timely election process.

Therefore, I'd like to propose for the consideration of my fellow Commissioners that we cosign a message, perhaps in the form of an editorial in a local paper if one is interested, urging Alameda County Voters to do what they can to get their ballots to the ROV on this schedule (i.e. early) this November.

*Specifically, the message could be along the lines of the following:*¹

Did you know that roughly 90% of Alameda County's nearly one million voters vote by mail? It's true – and receiving those mail-in ballots in time to have them prepped and ready to count when polls close on Election Night this November can help the Alameda Co. Registrar of Voters ensure a smooth, transparent, and timely election process. For this reason, the Alameda County Elections Commission strongly encourages voters to either vote in-person, or mail their vote-by-mail ballots in time to be received by the Registrar of Voters by Election Day – which, conservatively, is probably about a week early – October 29th.

In California we have "same day" voter registration, provisional ballots, and universal vote-by-mail (VBM) – all intended to reduce barriers to voting. But these policies also can make counting votes a little more complicated, take longer, and, right or wrong, can reduce the public's sense of electoral transparency. One way to materially help strengthen confidence in electoral results this year is to reduce avoidable delays that can prolong the vote count.

If you are concerned about people questioning election results this November, help make the job of election officials tallying votes *as easy as possible*. And tell your friends! Election officials throughout the state and even nationwide will be grateful to have as many ballots as possible ready to count when polls close (8pm in CA!) on election night.

¹ This is not proposed final text - if this idea appeals, perhaps Jim and I/Zabrae can finalize language and sign on behalf of the Commission?