

Alameda County Elections Commission Meeting Agenda

Meeting Date: Thursday, April 17, 2025

Time: 4:00 PM

Location: Via Zoom/In person
San Lorenzo Library
395 Paseo Grande, Greenhouse Room
San Lorenzo, CA 94580

Zoom Link: <https://us02web.zoom.us/j/82545743508>. The video recording of the meeting is normally posted 2-3 days after the meeting. It can be found at: bos.acgov.org

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

2 -- Swearing In of New Commissioners -- 2 minutes
David Wagner will be sworn in the commission filling the position of Election Expert.

3 -- Approval of Agenda -- 1 min
Modifications to the agenda can be made here

4 -- Approval of Minutes of March 2025 -- 5 minutes
See attached minutes

5 -- Announcements and Communications -- 5 minutes
No discussion on these items.
(a) From staff
(b) From commissioners

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 -- Business Items

(a) Old Business – 40 minutes, actions items

(1) Responsiveness and Communications -- 20 minutes

Background -- There have been a number of complaints about a lack of responsiveness from the ROV's Office and also outbound communications issues. In September 2024, the ROV implemented a portal for Public Record Act requests; the ROV has worked with the city clerks to establish a set of procedures to get them responses within 24 hours, and there is a single point of contact for media inquiries.

Possible Action: Consider setting up an ad hoc an ad-hoc committee to research this question and make recommendations to the ROV Office and Commission.

(2) Election Observation Issues -- 20 minutes

Background: There have been claims that the Alameda County ROV Office is not following the law requiring 48-hour notice before processing vote-by-mail ballots and the date and time that counting will start, and other election procedures. County counsel has responded that the ROV Office is following the law.

Possible Action: Consider setting up an ad-hoc committee

(3) Meeting schedule change - Approval needed for change of June 19th date meeting to Wednesday, June 18th date and Alameda County Training & Education Center location.

Alameda County Training & Education Center

125 – 12th Street, 4th Floor

Suite 400 Oakland Room

Oakland, CA 94612

(b) Ongoing Items from Committees -- 35 minutes

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

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

(1) 2024 Post-election Assessment (Belcher*, Butter) -- 20 minutes

Background: This committee is presenting a draft 2024 post-election assessment for approval to send to the BOS as required by county ordinance.

Action Recommended by the committee: Approve the assessment and send it to the Board to the Supervisors.

See attached memo and assessment.

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

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

This is **on hold** until the ROV has a chance to provide feedback on the draft report.

(3) Voting Participation (A Moore*, Whitehurst, and Lindsay) -- 5 minutes

Background: This committee is looking into how the ROV can move the needle for Black men and other populations that have a low voting rate.

(4) Nominations (Ramon and Seabrook) -- 5 minutes

Background: This committee agreed to try to find a strong candidate for the District 2 supervisor. We also need to fill the "impacted community" seat that the Commission is responsible for nominating to the BOS.

(c) New Business

Provide any feedback on the April 15 special election in Oakland – 20 minutes

Background: The Elections Commission was established to oversee all the elections conducted by the Alameda County Registrar of Voters, and to provide appropriate and timely information and advice to the registrar of voters. The information gathered on what went well and what could be improved may be included in post-election assessments. For considering online information, see "Election Information" at <https://acvote.alamedacountyca.gov/election-information/elections>.

Possible Action: Consider setting up an ad hoc committee to make a recommendation on a written assessment.

9 -- Special Report from the ROV -- none this month

10 -- Public Comment on Agenda or Non-Agenda Items -- 15 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.

11 -- 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 be emailed to the commission at eoc@acgov.org.

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

The next meeting will be May 15, 2025.

**COUNTY OF ALAMEDA ELECTIONS COMMISSION
UNAPPROVED MEETING MINUTES**

Date: Thursday, March 20, 2025

Time: 4:00 p.m.

Location: Via Zoom/In person
San Lorenzo Library Greenhouse Community Room
395 Paseo Grande
San Lorenzo, CA 94580

1. Call To Order / Roll Call

The Elections Commission meeting of March 20, 2025, convened at 4:02 p.m. in the San Lorenzo Library Greenhouse Community Room. 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, Alexander Ramon, Karl I. Seabrook (arrived late), and Zabrae Valentine (arrived late);

Staff: City Clerk: Kelly Clancy; ROV: Cynthia Cornejo, Noe Lucio, Shaheer Siddiqui, and Charles Smithline; County Counsel: Jason Allen.

Absent:

Commission Members: Alissa Moore and Allie Whitehurst

Registrar of Voters: Tim Dupuis

2. Swearing-In of New Commissioners

There were no new commissioners to swear-in.

3. Approval of Agenda

No modifications were made to the agenda.

4. Approval of Minutes of February 20, 2025

A motion to approve the minutes was made by Commissioner Ramon, seconded by Commissioner Belcher, and passed 6 to 0.

5. Announcements and Communications

(a) From staff

Deputy Registrar of Voters Cynthia Cornejo said the postings of the Language Accessibility Advisory Committee quarterly meeting agendas and minutes to the Registrar of Voters web page is partially completed.

Ms. Cornejo reported that one possible meeting site for a June 19th meeting is smaller, but it is available.

(b) From commissioners

- **Commissioner Belcher encouraged commissioners to print and read the Rosenberg's Rules of Order. Ms. Belcher asked whether the CVRs will be released for this election. Ms. Cornejo replied that the registrar, with the approval of the Secretary of State, plans to release CVRs on Fridays, and once only on election night.**
- **Vice President Dieter asked that the commission's rules and procedures with Rosenberg's Rules of Order be posted on the commission's webpage.**
- **President Lindsay announced that Benita Tsao's term on the commission ended and she decided not to reapply, so her seat needs to be filled, and that the letter from the commission regarding cast vote records was sent to the board of supervisors. Mr. Lindsay also said that the process for getting commission candidates Wagner and Pham appointed has not yet been completed but should be ready in April.**

6. Public Comment on Agenda Items

Public comments were made on agenda items.

7. Monthly Update from Registrar of Voters Office

- **Ms. Cornejo provided an update on April 15, 2025 City of Oakland Special Election processes, including the media campaign, direct mailers, and the voter information guide. She noted that the 11-day vote centers will open on April 5, and the 4-day vote centers will open on April 12. Additionally, the 18 drop boxes are already open.**
- **Commissioner Valentine inquired whether the Registrar of Voters could implement AB-626 in time for the election. Ms. Cornejo responded that there was not enough time to research and test the process in a pilot.**

8. Business Items

a. Old Business

- **The commission had no old business.**

b. Ongoing Items from Committees

(1) Structure of the ROV position.

Ms. Valentine noted that the commission invited the ROV to read the report and comment on it.

(2) Dedicated Staff Support to the Elections Commission

- **The possibility of having an ad hoc committee of one was discussed. County counsel will research. Ms. Belcher asked whether the extra staff support would be able help ad hoc committees with research or reports, and Ms. Cornejo explained that they could gather only available information. She introduced Shaheer Siddiqui as the commission meeting clerk, replacing Noe Lucio. Mr. Lindsay reminded everyone that commissioner**

requests should still go through the president and vice-president.

- A motion was made to dissolve the Dedicated Staff Support ad hoc committee by Commissioner Ramon, seconded by Ms. Dieter, and passed 8 to 0.

(3) 2024 Post-election Assessment

- Commissioner Belcher summarized the purpose and format of the post-election assessment reports. Commissioner Butter explained that the short summary at the beginning of the assessment was meant to be an alternate assessment for the commission to consider. Butter suggested that the remaining longer version and the city clerks' letter be used as action items for the commission to work on.
- A motion to submit the assessment of the November 2024 general election as an attachment to the short letter to the board of supervisors was made by Ms. Belcher, seconded by Ms. Butter. Discussion ensued. Ms. Belcher amended her motion to include a notation in the assessment that the registrar of voters' response may follow at a later date. Ms. Cornejo said the ROV is midway through the assessment. Discussion continued.
- A substitute motion was made to combine the two versions and bring back an edited assessment in April by Ms. Dieter, seconded by Commissioner Seabrook. Ms. Dieter volunteered to edit it and to seek feedback from the ROV, particularly on any inaccurate statements. Mr. Lindsay volunteered to help Ms. Dieter.
- The substitute motion passed 7 to 0 with one abstention.

(4) Voting Participation

The committee met and is working on getting data on voter participation. They plan to meet about every other week.

(5) Nominations Committee

Mr. Seabrook volunteered to join the committee and was approved by acclamation.

c. New Business

(1) Responsiveness and Communications

Item was not discussed.

(2) Election Observation Issues

- Mr. Lindsay invited Jackie Cota of the Election Integrity Project of Alameda County to present her viewpoints on citizen observation and the notice requirements under Elections Code § 15104(c). Ms. Cota said that, because the ROV provided a general notice of when it would start processing vote-by-mail ballots and that it would continue processing ballots until complete during the November 2024 election, the ROV failed to meet its obligation under Elections Code § 15104(c) to provide public notice “at least 48 hours in advance of the dates, times, and places where vote by mail ballots will be processed and counted.” She added that section 15104(c) requires the ROV to provide specific dates, times, and locations for each specific elections activity.
- Senior Deputy County Counsel Jason Allen responded to the legal issues raised in

Ms. Cota's presentation. He stated the ROV's compliance with Elections Code § 15104(c)'s 48-hour notice requirement was litigated during the November 2024 election. In that case, a judge on the Superior Court of Alameda County dismissed the petition on the pleadings, holding that the general notice the ROV provides was sufficient. Mr. Allen further noted that, in another case addressing this issue, the California Court of Appeal recently issued a published opinion holding: "Nothing in section 15104, subdivision (c) requires notice of the time and place for each individual step in the process. A general notice of the dates, times, and places where the vote by mail ballots will be processed and counted is all the subdivision requires." Mr. Allen said the ROV is complying with law and disagrees with some of the statements made in the presentation.

9. Special Report from the ROV -- none this month

No report was requested this month.

10. Public Comment on Agenda or Non-Agenda Items

By acclamation, this item was heard before election observation issues (item 8c2). Public comments were made.

11. Requests for Future Agenda Items

No requests were made for future agenda items.

12. Adjournment

The meeting was adjourned at 6:36 p.m. The next meeting will be held on April 17, 2025.

Request to the ROV to run a Net File Report

This is a request for the Registrar of Voters to run a simple Net File report on the manual Campaign Finance Reports. Campaigns and Committees are required by law to file their reports in a timely manner, sometimes within 3 days. The Net file report to include the names of organizations and/or campaigns, the date the report is required by law, the date when the report was filed, and the date when the report was posted to the Net File site by ROV, for the November 2024 election. The Net File site provides information which is tracked closely by the public as well as campaigns and committees needing the information when making campaign related decisions.

This report will provide the Elections Commission (EC) with information as to whether the practice of ROV delayed posting of required Campaign Finance Reports is widespread or minimal. If it is widespread, the EC can oversee timely postings, if minimal then no further action is needed.

Proposal outlining ROV Roles and Responsibilities in providing Elections Commission support.

1. Request the ROV submit to the Elections Commission a written proposal outlining ROV Role and Responsibilities in providing the Elections Commission(EC) support including but not limited to:
 - a. the information it requires to accomplish its goals including addressing the Commission's unresolved task requests to the ROV
 - b. The number and names of the ROV's Administrative team assigned to work with the EC
 - c. The number of hours allocated to each
 - d. Other information to be included
 - i. Team members responsibilities to other duties
 - ii. Access to information
 - iii. Priority to ROV or EC?
 - iv. Timeliness of responding to EC members and public information requests
 - v. Who will report to EC on tasks requested and completed
 - e. Timelines of reporting tasks completed to EC as well as monthly report to EC .
 - f. Identifying liaisons between EC and ROV
 - g. Other
2. Submit Proposal to May 15 Meeting

Agenda Item #7 – Registrar of Voters Monthly Report

1. Election:

a. April 15, 2025, City of Oakland Special Municipal Election

i. Important Dates

1. 11- Day Voter Centers Open – April 5, 2025 (5 will be open)
2. 4 -Day Vote Centers Open – April 12, 2025 (additional 4 will open)

ii. Vote by Mail Ballots Returned (As of Monday, April 14, 2025)

1. 47,1999 – 18.9%

iii. Election Results Updates

1. Election Night Results—We will strive to post every hour. We will continue to tally through the night until the last vote center reports in with their votes, which could be from 11:00 pm to 12:00 am.
2. RCV Algorithm - Once all the votes have been tallied, the Ranked-Choice Voting algorithm will be run at the end of election night. The results will be posted on the ROV website.
3. After Election Night Updates—Our office will post new updates every Friday until the election is completed. The schedule will be posted on the ROV website.
4. Cast Vote Record (CVR)—This will be posted at the end of election night and updated every Friday.

MEMO

April 17, 2025

TO: Alameda County Elections Commission
FROM: Election Assessment Committee
RE:: Analysis of 2024 Alameda County Elections

The ordinance establishing the Alameda County Elections Commission spells out the duties and powers of the commission. It states that the commission shall review the registrar of voters' written plans in each election and conduct a post-election assessment in collaboration with the registrar of voters' staff. In general, the post-election assessment is a snapshot of the past election highlighting what worked well and to identify issues in need of improvement. The assessment is an ongoing process building upon previous assessments, best practices, new legislation and technology. In the process, we also fulfill our duty to provide advice to the registrar of voters and the Board of Supervisors

RECOMMENDED ACTION: Approve the assessment and send it to the Board of Supervisors.

BACKGROUND: The Commission has reviewed the 2024 election at three previous meetings and requested review by the ROV.

December 19, 2024 - The issues identified in the assessment were introduced at a special commission meeting, and an ad hoc committee was formed.

January 20, 2025 - Input was requested from the ROV

February 26 - Input was formally sought from the Registrar of Voters (ROV).

March 20 - The assessment was agendaized, discussed, and the Commission approved returning with an edited version at the April meeting. The ROV reported they had completed reviewing/commenting on half of the assessment.

March 31 - Input on the final draft was formally sought from the ROV.

While we received input from the ROV office, they may still decide to follow up with the Board of Supervisors on any of the issues at a time convenient for them.

The list of issues will serve as ongoing items for future commission meetings.

Alameda County Elections Commission

DRAFT

2024 Post-election Assessment

Issued April ___, 2025

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EXECUTIVE SUMMARY

The Alameda County Elections Commission finds:

1. The office of the Alameda County Registrar of Voters (ROV) successfully administered and completed the 2024 elections on time and budget, and was almost fully compliant with mandated requirements.
2. The job of administering public elections, especially general elections, is very complex, has very high stakes, and is carried out under extraordinary pressure. To accomplish this job with few controversies in such a large county and in today's climate is deserving of respect and appreciation.
3. This 2024 post-election focuses primarily on the November general election, but some issues were also present in the March primary.
4. The ROV made several important strides forward:
 - Implemented Youth Voting in Berkeley and Oakland.
 - Released Cast Vote Records (CVRs) during the count.
 - Improved use of office space for counting and public observation.
 - Provided temporary workers a long-term career path.
 - Expanded voter outreach to at-risk populations.
5. A number of shortcomings were identified:
 - Some mailed voter information guides were received by voters late this year, despite the ROV saying it met its mandated timeline.
 - The ranked choice voting (RCV) graphic in the voter guide illustrating how to fill in the ballot was incorrect. Also, RCV instructions were deficient, which may have led to the high RCV overvote rate.
 - When voters turned in their mail-in ballots at vote centers, they were unable to have their votes counted on election day, ~~as required by law~~.
 - At least one financial disclosure statement filed on paper was not posted online within the time frame required by law.
 - On portions of the ROV website, translated voting materials were not available.
 - Posted election results lacked clarity.
 - Ballot design in at least two situations may have been confusing to voters.
 - Communication by the ROV was insufficient, resulting in some Public Records Act requests and questions left unanswered.
6. The Elections Commission will continue to work with the ROV on these and other issues that need attention, including those issues raised by the city clerks in the appendix, some of which the ROV is currently addressing.

INTRODUCTION

The Elections Commission is pleased to submit its first post-election assessment.

1. Purpose of Report

The ordinance establishing the Alameda County Elections Commission states that the commission shall review the county election plans and conduct a post-election assessment in collaboration with the ROV to evaluate its implementation. The assessment is to be reported to the Alameda County Board of Supervisors. In general, the purpose of the post-election assessment is to highlight what worked well and to identify issues in need of improvement.

2. Methodology

Issues were compiled from public comments, news articles, and commissioners' first-hand experiences. The Elections Commission sought and received input from the ROV. Attached is a letter from the City Clerks of Alameda County on pending election issues (see Appendix).

3. Analysis of Issues Identified

A number of issues were considered for this assessment, some of which may be addressed at future commission meetings. The Elections Commission has attempted to be fair and accurate, acknowledging what was done well and omitting issues that lacked enough evidentiary material or were not necessarily under the commission's purview. Issues that may be violations of law and possible improvements beyond compliance with the law are identified. We surface options for consideration that might lead to effective solutions.

4. Acknowledgments

Overall, Alameda County 2024 elections were conducted smoothly and efficiently, with credit going to trained election workers and effective leadership. In November's election, there were 962,143 registered voters, 683,644 of those voted by mail or at vote centers. Overall, 3 million ballot cards were scanned. Over 1,000 workers administered the election, and over 800 were temporary workers. There were 226 different ballot styles (depending on where the voters live and their age). All materials had to be translated into four languages, with nine other languages supported at vote centers and via telephone translation services. There was an extensive voter outreach program. During the drafting of this report, the ROV immediately began implementing improvements as described below and is working cooperatively with the commission.

IMPROVEMENTS ENACTED

1. Ballot Sorting

The ROV purchased Bluecrest vote-by-mail ballot sorting machines and successfully implemented the transition to the new system. Ballots used to be sorted by hand.

2. Youth Voting

For the first time, 16- and 17-year-olds in Berkeley and Oakland were able to vote in the school board elections.

Note: To fully complete this item, youth voters need to be able vote at vote centers in future elections.

3. Cast Vote Records

The ROV released preliminary CVR results in an unencrypted, plain-text JSON format.

Note: We need to have clarity that this will be continued indefinitely in future elections.

4. Outreach to At-Risk Communities

Outreach efforts included partnering with community organizations, and advertising to at-risk communities, prisoners, and ex-felons that now have voting rights (including going into prison pods before and during the election).

5. Election Observation

A remodel of the vote-by-mail room was completed. The improved use of space makes counting more efficient and allows election observers to see the entire room. The new election observation room has air conditioning, better lighting, and a monitor where observers can see what is happening in the ballot sorting room. Signature verification is in a different room, and observers can be very close to the workers and see the signatures the same as the workers.

6. Stronger Teams

The ROV worked with Human Resources to successfully put the best temporary workers on a long-term career path with the ROV Office, and to make sure all temporary workers are now deemed W-2 workers.

IMPROVEMENTS NEEDED

1. Election Results

A. Precincts Reported “100%” – There is no explanation on the website of what 100% refers to under the results. Some people thought it meant all of the ballots had been counted. Others thought 100% of the ballots cast at all vote centers had been counted, but not the vote-by-mail ballots. Or that it meant 100% of the ballots that had been counted so far. The confusion produced faulty assumptions.

Remedies to Consider:

1. Add clarifying language on the website, such as “preliminary results”
2. Put the percentage of votes counted of the total votes received.
3. Omit the 100% altogether.

B. Reporting Plurality At-Large Election Results – It is the percentage of voters that matters to understand the results. For example, out of all the combined votes, how many of those people supported each candidate? Below is a mockup of the result report with additional information (an extra column), which would be helpful to interpret elections where voters can choose one or more candidates.

Current practice provides the percent of votes, but not voters:

Members, City Council - Alameda			–
12 of 12 Precincts Reported(100.00%)		Vote for no more than Two (2)	
Contest	Votes	Percentage	
Michele Pryor	16,381	26.55 %	
Greg Boller	14,193	23.01 %	
Thushan Amarasiriwardena	13,041	21.14 %	
Trish Herrera Spencer	12,071	19.57 %	
Steve Slauson	6,004	9.73 %	

Proposal to provide the percent of voters:

Members, City Council - Alameda				–
12 of 12 Precincts Reported(100.00%)		Total ballots cast 34,887 (Percent turnout 69.22%)		Vote for no more than Two (2)
Contest	Votes	Percent of votes	Percent of voters	
Michele Pryor	16,381	26.55 %	46.95%	
Greg Boller	14,193	23.01 %	40.68%	
Thushan Amarasiriwardena	13,041	21.14 %	37.38%	
Trish Herrera Spencer	12,071	19.57 %	34.60%	
Steve Slauson	6,004	9.73 %	17.21%	

Remedies to Consider:

1. Report the share of voters supporting each candidate.
2. Eliminate “percent of votes” as those numbers are relatively meaningless.

C. Reporting Participation Turnout Per Contest. – Turnout is currently reported for the consolidated election, but not for each contest. Participation turnout in a contest is often substantially lower than turnout in a consolidated election, particularly for local elections. A

participation-turnout report by each contest is a more accurate measure of civic engagement as it will show if people skipped voting in certain contests. The mockup *above* includes participation in the reporting of results for an election.

Remedies to Consider:

1. *Report participation turnout by each contest.*
2. *Collect and release the disaggregated registration and turnout numbers for the priority groups identified in the Election Administration Plan, as well as historically underserved communities of interest identified in the Elections Commission ordinance.*

D. Cast Vote Record Reports – After months of struggles and delays, the ROV provided most of the preliminary CVR results in an unencrypted, plain-text JSON format per the Board of Supervisors directive, but there is room for improvement. The ROV believes a “waiver” from the Secretary of State is needed for each election to do this. The ROV removed older versions when posting updates, making it difficult to track changes. In addition, small precincts with 10 or fewer votes were redacted for preliminary results based on a Secretary of State’s advisory. However, Elections Code section 15374 requires reporting “the number of votes cast at each precinct for each candidate and for and against each measure,” with no provision for redaction.

Remedies to Consider:

1. *Board of Supervisors could lobby SOS for a sensible policy and the state legislature for clearer language in the law.*
2. *Consolidate small precincts with larger ones to avoid this exercise.*
3. *Make the release of CVRs permanent, rather than seek waivers.*

2. Ballot Design

A. Computer Touchscreen – All candidates in one contest did not appear on the same computer touchscreen screen so some voters may not have known to scroll for more candidates. For example, Oakland’s at-large council race had 10 candidates, but touchscreens show only the first eight candidates when initially opening that screen, forcing voters to scroll down to a second page to find the final two candidates.

Remedies to Consider:

1. *Provide clear written instructions to view all candidates before moving on.*
2. *Ensure all candidates are on one screen.*

B. Placement of Candidate and Ballot Questions on the Ballot – The placement of a Yes or No question was at the top of the same page as the choices of candidates for an at-large race. This might have caused some people to miss the question.

Remedy to Consider: Ensure yes or no questions are not on the same page as candidates.

3. Vote Centers

A. Poll Pads - The Elections Administration Plan states that vote centers (also known as polling places) will have access to near real-time information of encrypted registration data and voter history for all voters on an electronic device called Poll Pads (also known as electronic poll books). Vote-by-mail ballots returned in person at a vote center are ideally to be processed and counted like a non-provisional ballot cast in person at the vote center. Poll pads were not available. However, the ROV says it conducted the November 2024 election consistent with the law, including Elections Code section 3016.5, which addresses the circumstances under which

the ROV may process vote-by-mail ballots like a non-provisional ballot cast in person. Section 3016.5 does not impose any requirements unless specific criteria are met.

Remedy Underway: The ROV is conducting research and working to conduct a pilot project on the use of Poll Pads in an upcoming election. The ROV is currently reviewing the statutory requirements and best practices from counties that have taken steps to permit counting vote-by-mail ballots on election day to determine whether and how this practice should be implemented. For example, the ROV used poll pads at vote centers during the November 2024 election, but it is evaluating whether any changes to those poll pads are necessary or would be beneficial before permitting any vote-by-mail ballots to be processed and counted like in-person ballots.

4. Voter Education

A. The Formerly Incarcerated – The ROV sent a mailer to Alameda County voters before the elections containing incorrect information about the voting rights of formerly incarcerated people. The text stated, “If you are either on parole or are no longer serving a state or federal prison term for the conviction of a felony, you may be able to have your voting rights restored. If you have questions please” This language incorrectly suggests that to regain the right to vote after prison, individuals must actively seek to have their voting rights restored, and that such restoration is not ensured. However, formerly incarcerated persons need only to (re)register to vote.

Remedy Underway: The advisory language has been fixed for future elections, according to the ROV. Perhaps the formerly incarcerated community groups review language.

B. Ballot Mistake Remedies – Neither the voter guide nor the website offered guidance on what to do if voters accidentally fill in the wrong bubble choice or what to do if voters accidentally sign the wrong envelope between friends or family. May voters cross off the mistake and fill in the correct bubble? May voters cross off the wrong signature and write in the correct one, or should they show up at a vote center and ask for a new envelope?

Remedy to Consider: Improve the advisory language.

C. Ranked Choice Voting Instructions – The graphic in the voting guide incorrectly illustrated how to fill out a RCV ballot–i.e, the fictional candidate chosen as the first choice was also filled in as a fourth choice. Also, the RCV instructions were scant and not clear, which may have led to the unusual amount of overvotes.

Remedy Completed: The ROV enlisted an RCV expert and public participation to help create better instructions and the improved instructions have been redesigned to include images, language on how to mark and how not to mark a ballot. The revised instructions have been included in the April 2025 election official ballot, voter materials, and ROV website and used at outreach and education events.

5. Language and Voting Accessibility

A. Election Dates & Events Calendar – The ROV works to ensure that translated voting materials are readily accessible for voters. On the website, the Important Election Dates section is displayed in English, but only the header, not the contents, can be translated into other required languages. This same problem also affects the Events Calendar. According to the ROV,

the computer software sets the Election Dates & Events Calendar format. The calendar's format has several limitations. The ROV can only translate the header in the calendar.

Remedies to Consider and Underway: The ROV is considering an overhaul of the website. They are currently working with the county's Information Technology Department (ITD) to review technological limitations in the ROV's website applications in the hope of identifying additional opportunities to incorporate translations, including with the Election Dates & Events Calendar. The ITD may want to review the format and the language with bilingual members of LAAC.

B. Translation Assistance – On the website, the usual language selection menu in the top right was missing, leaving no way to translate the lists and maps related to vote centers and ballot drop boxes. This untranslated information includes vote center days and hours of operations, as well as notices about unexpected closures. The website also did not indicate which vote centers offer in-person language assistance in what languages as required. According to the ROV, due to the difficulty of recruiting bilingual election workers to serve at all 100 vote centers supporting all the required languages, the ROV provides language assistance at all vote centers in all 14 supported languages through a translation service. If a voter visits a vote center and requires language assistance that is not available in the area, the captain of the vote center will contact the language line and connect the voter directly to a representative in ROV Central who speaks the same language or connects to a representative through the translation service. The supplemental translation service was approved and recommended by the Secretary of State's Office.

Remedies to Consider and Underway:

- 1. Dedicate more staffing to correct the language barriers on the website.*
- 2. Enlist support to upgrade technology, including LAAC work directly with a staff member to update their website so that translations are correct and complete. and underway*
- 3. The ROV is working with ITD on the webpages to incorporate translations about vote centers and drop-box locations, which include maps and directions, and will provide translations where possible.*

C. Dormant Advisory Committees – The Alameda County Voting Accessibility Advisory Committee (VAAC) appears to be lacking senior and underserved community partner representation for increased communication between community partners and the ROV. Also, the Alameda County Language Accessibility Advisory Committee (LAAC) web page had no agendas or minutes of meetings for 2024. The Alameda County Election Plan lists numerous community groups as members of the LAAC, but as of February 5, 2025, the ROV website listed no members or community groups.

Remedy underway: All LAAC website pages are now operating correctly, and there were no meetings while a reorganization of committee structure occurred. The ROV is making sure that representation from each community group listed in the Election Administration Plan is involved. There is still some material that has not been translated and the posting of minutes is in process.

6. Campaign Finance Disclosure Postings

Alameda County invested in an [electronic filing system](#) and a public portal called “Netfile.” The county website explains, “The public access portal contains financial information provided by candidates and committees. It can answer questions about who is contributing money, who is

receiving money, and how it is being spent.” In Alameda County, it is optional whether to use the online portal or use manual paper to file campaign financial disclosure statements. However, the City of Oakland and neighboring counties require electronic filings. Financial disclosures are required to be posted within three days. However, one 460 Report on paper from an independent expenditure committee was posted almost a month after the statement was filed. It is unknown if delayed postings happened elsewhere.

Remedies Underway and to Consider:

- 1. Dedicate more staffing to avoid late postings. The ROV will work to add more team members and to appoint a team member dedicated to uploading and updating financial disclosure statements online.*
- 2. Require all campaign finance reports to be filed electronically to save staff time of posting manual reports and to ensure timely reporting.*
- 3. Offer internet access for filings to those who request it.*
- 4. Run a simple Netfile report with dates filed and dates posted to show if this is a widespread practice.*

7. Late Arrival of Voter Information Guide

The voter information guides include important analyses about ballot measures and candidate statements meant to help voters decide how to vote. The guides are available in print and online. Some mailed voter guides arrived late, reportedly in Albany, Berkeley, and Oakland. The ROV said it was possibly the post office’s fault as they complied with the Elections Code requiring voter guides to be mailed 21 days before the election date, and was consistent with the timing of mailing in prior elections. However, a couple of Berkeleyside articles gave a different view, saying the post office said there were no delays and all guides they received were delivered immediately.

The ROV regrets the late delivery and explained that the ROV strives to publish and mail all voter guides as early as possible, but a number of factors make it impracticable—and sometimes impossible—to mail voter guides earlier than the time prescribed by the Elections Code. For example, in November 2024, the ballot and the voter guide text could not be finalized—let alone translated and proofread in each of the five required languages—until six litigation matters, each challenging different issues to be included in the guides and on ballots, were resolved. Thus, a large number of voter guides were mailed later than usual and around the time campaign mailers were also being delivered. Nonetheless, the ROV understands that even though there was a “perfect storm” and they complied with the law, the situation was not in line with voter expectations or past voter experience.

Remedies to Consider:

- 1. Have a plan in writing for what to do if and when something like this happens again, possibly including a press release explaining what happened and offering guidance, such as accessing the ROV website via My Voter Profile.*
- 2. Seek documentation to verify delivery dates if there is a dispute on the cause for late deliveries.*
- 3. Make it easier for voters to access their voter guide electronically by posting an easy-to-use link on the front page of the ROV website.*

8. Cured Ballots

If a voter did not sign the vote-by-mail ballot identification envelope, or if the ROV has determined that the signature on the vote-by-mail ballot identification envelope does not compare to the signature(s) in the voter's record, the ROV provides the voter notice to cure the missing or mismatched signature. It is unknown to the public the number of ballots that were tossed out due to voter error.

Remedy to Consider: Report regularly, perhaps on the website, the number of ballots that are in progress of being cured, how many have been cured, and how many were ultimately rejected because they were not cured and the precincts.

9. Pace of Count

Some voters complained that the pace of the counting led to delayed results. The [Oaklandside](#) reported that "According to data from the Secretary of State, among the ten most populous counties in California, Alameda County is by far the slowest this year at counting ballots." The [Castro Valley Forum](#) reported that the ROV said, "Alameda County had been in line with other large California counties." If the final count meets the certified deadline, it is unclear whether speed is a shortcoming that needs to be addressed.

Remedies to Consider if a faster count is desired:

1. Purchase more machines and hire more staff.
2. Open another vote-counting location.
3. Learn from other counties about speeding up the count.
4. Provide voter, press, and candidate education to set realistic expectations and also on how voting by mail at the last minute will delay the results.

10. Election Administration Observation

The ROV website informs the public that "any of the canvas processing can be viewed via live stream or in-person [and] you can contact our office to find out which processes are taking place or visit our website to see the processes as they are happening." The ROV also notifies subscribers that "An election process will be conducted today. We cannot provide the exact start and end times." This notification does not specify the specific times, which impairs the public's ability to know exactly when they can observe, particularly in person. The way observers know election activities are open for observing is by checking the website to see if links are "live."

The ROV says the timing of processes needs to be fluid depending on the availability of office space and staffing. They explain that the Elections Code only requires the ROV to provide a general notice 48 hours before beginning to process vote-by-mail ballots. The ROV already exceeds this requirement. In addition to the legally required notice, the ROV provides daily notifications by email or text messages to subscribed observers each morning a process is scheduled to occur. The ROV has also installed cameras and taken other steps necessary to enable observers to view election processes online as they occur—none of which is required by law. The ROV has implemented these practices and procedures beyond what the law requires in an effort to enhance transparency and accessibility.

Also, some voters want to observe the election process from beginning to end at a closer range. The ROV says observers cannot stand in close proximity to certain election processes because it can interfere with the workflow and disrupt staff as they perform their duties. Requiring

observers to maintain a safe distance is also necessary in some circumstances to ensure employees' and observers' safety. The ROV permits observers to maintain a reasonable distance to ensure the process runs smoothly and safely while also allowing meaningful observation.

Remedies to Consider:

1. Exceed legal requirements by providing voters with the expected time frame, not just the day, when counting will happen.
2. On the website, explain the reasons why some close-up observation is not desirable.
3. Look for opportunities to be in dialogue with the election observation community, and/or consider alternative dispute resolution options.

POSSIBLY OUTSIDE PURVIEW

1. Number of Rankings in RCV Contests

The county voting machines can handle up to 10 rankings, but Oakland City Clerk has opted for only five rankings. The Oakland City Charter (and perhaps other city charters), however, require that the number of rankings available be equal to the number of candidates to the greatest extent the software allows. Some voters have complained that limiting the choices to five rankings is out of compliance with the law. County counsel assigned to the Elections Commission advised that a city's choice of the number of rankings or its interpretation of its city charter is not under the scope of the ROV or the commission. Included is the Oakland City Clerk's explanation nonetheless.

"The Office of the City Clerk has worked closely with the Alameda County Registrar of Voters (ROV) to ensure that the City's ballot designs comply with the City Charter and to evaluate the possibility of allowing more than five ranked choice voting options for Oakland voters.

The ROV has informed us that although ten ranked choice options is the maximum number of choices under any circumstances, permitting ten choices is not always possible and depends on many factors that vary significantly between elections, including the length of candidates' names and size of the ballot paper. The ROV is also required to fit all candidates' names in a race on a single page, which, according to the ROV, further restricts the ability of the ROV to offer more than five ranked choice options depending on the number of candidates in that race.

Based on the information provided and serious concerns raised by the ROV regarding their ability to implement a greater number of choices, I determined that five ranked choice voting options was the maximum number of ranked choice options feasible for the November 2024 General Election (Ordinance No. 13806 C.M.S.) and the April 2025 Special Election (Resolution No. 90595 C.M.S.) to ensure the integrity and smooth functioning of these elections. These determinations are permitted under Section 1105(k) of the City Charter.

The Office of the City Clerk will continue to work with the ROV to assess and determine the appropriate number of ranked choice voting options for future elections consistent with the requirements of the City Charter."

A ballot design that can accommodate eight rankings was submitted to the ROV, but it was too late in the process to consider for the April 15, 2024 election. There is no consensus on the commission whether this issue is within the scope of the Elections Commission.

Remedy to Consider: None at this time.

CONCLUSION

In general, Alameda County can be proud that its 2024 elections were conducted smoothly and efficiently.

The ROV is implementing improvements as indicated above, and is scheduling a meeting with the city clerks to discuss their concerns. Some corrective measures may take time to implement or will require the Elections Commission to address at future meetings.

The Elections Commission welcomes input from the Board of Supervisors on this post-election assessment and any guidance for future assessments. The commission also remains committed to addressing any other issues that the supervisors find have not been identified.

In our oversight role for the ROV and an advisory role to the Board of Supervisors, the commission looks forward to working collaboratively with the ROV to carry out elections that inspire voter confidence in Alameda County's electoral system.

APPENDIX

~ Letter from City Clerks of Alameda County to ROV ~

Wednesday, February 19, 2025

Tim Dupuis, Registrar of Voters
Cynthia Cornejo, Deputy Registrar of Voters
County of Alameda
1225 Fallon Street, Rm. G-1 Oakland,
California 94612

Dear Mr. Dupuis and Ms. Cornejo,

As City Clerks of Alameda County, we recognize and appreciate the monumental responsibility of the Registrar of Voters (ROV) in ensuring the smooth administration of elections. The scale and complexity of elections in Alameda County are immense, and we commend the dedication of your team in serving the voters.

However, this letter serves as a follow-up to a collective effort by Alameda County City Clerks in 2019 to address systemic challenges in our collaboration. In the 2019 letter, we outlined several critical issues and provided specific recommendations to improve communication, transparency, and operational efficiency between the ROV and City Clerks. Regrettably, many of those issues persist today, and the goals we collectively strove for have not been reached.

This letter represents the collective voice of Alameda County City Clerks and outlines ongoing and new challenges that we believe must be addressed to ensure a stronger partnership in the future.

Key Issues Requiring Attention

1. Communication and Responsiveness

- **Delayed Responses:** City Clerks continue to experience delays in responses to inquiries, particularly on time-sensitive matters such as potential recall petitions.
- **Proactive Notifications:** Decisions impacting cities, such as voting center locations and ballot drop-off events, have not been proactively communicated. For example, City Clerks have reported discovering location decisions only by checking the ROV website rather than being notified directly.
 - **Last-Minute Vote Center Changes:** A Vote Center location was changed just one week before its scheduled opening. While the ROV initially contacted the City Clerk of Albany to explore alternative locations, they failed to confirm the final selection. The City Clerk only discovered the change by checking the ROV website. Additionally, no signage was initially posted at the original location to

inform voters of the move, and when signage was eventually placed, it lacked multilingual support—unlike other ROV notifications. These oversights created significant confusion for voters.

- **Union City Example:** During discussions regarding potential voting centers, the ROV proposed Fire Station 30 as a location. However, communication abruptly stopped despite initial collaboration with the City Clerk of Union City to assess alternatives due to the unsuitability of Fire Station 30. The City Clerk later discovered that a new location had been selected without their knowledge, causing a breakdown in coordination and planning.
- **Meeting Cancellations and Short Notice:** Workshops, such as the one planned for June 27, 2024, have been canceled with minimal notice. The lack of timely communication regarding rescheduling impacts City Clerks' ability to plan and participate effectively.

2. Training and Workshop Scheduling

- **Late Scheduling:** Workshops and training sessions are often scheduled at the last minute, making it difficult for City Clerks to attend.
- **Limited Accessibility:** Some workshops have been scheduled during inconvenient times, such as the July 9, 2024, workshop email sent at 3 PM on the day before a holiday.

3. Transparency and Accountability

- **Billing Clarity:** The ROV does not proactively provide detailed, itemized invoices for election-related charges. Clerks must repeatedly request these invoices, creating unnecessary delays and frustration.
- **Unclear Processes:** Ballots were set up before the nomination period ended, raising concerns about accuracy and process transparency.

4. Lack of Budgeting Transparency for Elections and Candidate Statements

- **Lack of Estimated Election Costs:** The ROV does not provide sufficiently detailed anticipated costs ahead of election cycles, leaving cities struggling to budget appropriately for election expenses. At the outset of election planning, we request clearer cost estimates to help cities make informed financial decisions. Other ROVs in the Bay Area, such as Santa Clara County, allow City Clerks to request estimated election costs through a structured form, providing transparency and predictability in financial planning.
- **Inconsistent Candidate Statement Cost Estimates:** Candidate statement pricing has been unpredictable, with charges fluctuating significantly without clear explanation. City Clerks request a detailed cost breakdown in advance so that candidates and cities understand the specific charges associated with candidate statements. In Santa Clara County, the ROV provides anticipated costs for candidate statements upfront, offering greater transparency and predictability. We

urge the Alameda County ROV to adopt a similar approach to improve clarity and fairness in the election process.

5. Ballot and Election Material Management

- **Delivery Issues:** Voter guide delivery delays have caused significant issues in cities like Berkeley, leaving voters without crucial information.
- **Website Accuracy:** Discrepancies on the ROV website, such as mismatched Vote Center Maps and Lists, have caused confusion among voters and Clerks alike.

6. Ranked Choice Voting (RCV)

- **Processing Delays:** Ranked Choice Voting results are consistently slower than in other counties, creating frustration for candidates, Clerks, and the public.
- **Inconsistent Reporting:** Differences between the Statement of the Vote and RCV reports undermine public confidence in the system and lead to voter distrust.

The 2019 Letter and Unrealized Goals

In 2019, City Clerks collectively raised many of these issues in a letter to the ROV, advocating for improved communication, transparency, and collaboration. While the ROV has made commendable progress in some areas, such as the OneDrive system for nomination petitions and ballot drop box management, many critical issues remain unaddressed. The lack of follow-through on the commitments in response to the 2019 letter has hindered our ability to achieve the collaborative partnership we envisioned.

Recommendations for Improvement

1. **Proactive Communication:** Establish clear protocols for notifying City Clerks about decisions, changes, and updates.
2. **Scheduled Quarterly Meetings:** Create a regular schedule of quarterly meetings with City Clerks to discuss election updates, challenges, and plans.
3. **Transparent Billing:** Provide detailed, itemized invoices for election-related charges.
4. **Improved RCV Reporting:** Address discrepancies in RCV results to restore public trust.
5. **Advanced Scheduling:** Announce workshops and training sessions well in advance.
6. **Clear Election Cost Estimates:** Provide cities with a detailed projection of anticipated costs for each election cycle to support proper budgeting.
7. **Candidate Statement Pricing Transparency:** Standardize and itemize cost breakdowns for candidate statements so that costs do not fluctuate unpredictably.

8. **Memorandum of Understanding (MOU):** In light of ongoing challenges and unresolved issues identified in this letter, we strongly recommend a meeting be scheduled within the next month to develop and adopt a formal Memorandum of Understanding (MOU) between the Alameda County Registrar of Voters and the cities it serves. This MOU would define specific guidelines and expectations for services provided by the ROV, including:

- Timely and transparent communication on election matters.
- Advance scheduling of workshops, trainings, and deadlines.
- Billing transparency with detailed invoices and supporting documentation.
- Regular election results updates, including RCV processes.
- Collaboration with City Clerks, who serve as election officials, in planning and decision-making.

The MOU would also establish a process for periodic review and updates to reflect changes in election laws and best practices, ensuring continued alignment between the ROV and the needs of our cities.

A Call for Collaborative Action

We propose a joint meeting between the ROV and Alameda County City Clerks to revisit the issues outlined in the 2019 letter and this letter and establish a clear roadmap for achieving the improvements we all strive for.

We remain committed to working collaboratively with the ROV to ensure fair, transparent, and efficient elections in Alameda County. We hope this renewed effort will resolve longstanding issues and strengthen our partnership moving forward.

Sincerely,

City Clerks of Alameda County

/s/