CALIFORNIA

BOARD OF SUPERVISORS

Keith Carson, Supervisor, 5th District

May 4, 2023

Honorable Board of Supervisors County of Alameda 1221 Oak Street, Suite 536 Oakland, CA 94612

Dear Board Members:

SUBJECT: APPROVE THE ESTABLISHMENT OF AN ELECTIONS COMMISSION FOR ALAMEDA COUNTY TO OVERSEE ALL PUBLIC FEDERAL, STATE, DISTRICT AND MUNICIPAL ELECTIONS CONDUCTED BY THE ALAMEDA COUNTY REGISTRAR OF VOTERS.

RECOMMENDATION:

Approve the establishment of an Elections Commission for Alameda County to oversee all public federal, state, district and municipal elections conducted by the Alameda County Registrar of Voters and direct County Counsel to return to the Board of Supervisors on Tuesday, June 6th with a first reading of an ordinance creating the Commission.

DISCUSSION:

On January 5, 2023, the Board of Supervisors adopted a set of six (6) recommendations related to elections and the Registrar of Voters. One of those recommendations was the establishment of an Elections Oversight Committee.

After many public Board discussions consensus was reached at the April 18, 2023, board meeting that my office would take the lead to develop an Elections Commission with authority to oversee the elections functions of the Registrar of Voters.

The Elections Commission shall create and oversee implementation of general policies for the Registrar of Voters of Alameda County, shall be responsible for the proper administration of the general practices of the Department as it pertains to administration of elections and shall periodically report back to the Board of Supervisors.

The Elections Commission will consist of thirteen (13) members, meet monthly with the Registrar of Voters in attendance, hold a minimum of ten (10) meetings per year, be governed by the Ralph M. Brown Act, and report periodically to the Board of Supervisors.

A draft outline of the Elections Commission is attached and will be the basis for the ordinance to be drafted by County Counsel and presented for first reading on June 6, 2023.

CONCLUSION:

It is recommended that your Board approve the establishment of an Elections Commission for Alameda County and direct County Counsel to return with an ordinance for a first reading on June 6, 2023.

BUDGET:

The Registrar of Voters will develop a budget for the operations of the Commission to be funded through existing resources within the Registrar of Voters Department.

FINANCING:

There are sufficient funds in the Registrar of Voters budget to cover costs.

VISION 2026 GOAL:

The establishment of the Elections Commission meets the 10X goal pathway of <u>Accessible Infrastructure</u> in support of our shared vision of a <u>Thriving & Resilient Population</u>.

Sincerely,

Keith Carson

District 5

Alameda County Board of Supervisors

Cc: Susan Muranishi, County Administrator

Donna Ziegler, County Counsel Tim Dupuis, Registrar of Voters

ELECTIONS COMMISSION for Alameda County

Section A. - Establishment.

There is hereby established an Elections Commission to oversee all public federal, state, district and municipal elections conducted by the Alameda County Registrar of Voters. The Commission shall create and oversee implementation of general policies for the Registrar of Voters to be ratified by the Board of Supervisors, shall be responsible for the proper administration of general practices of the Department as it pertains to administration of elections in Alameda County and shall periodically report back to the Board of Supervisors.

Section B. Duties.

The Commission's duties shall include but not be limited to approving written plans prior to each election, submitted by the Registrar of Voters, detailing the policies, procedures, and personnel that will be used to conduct the election as well as a post-election assessment in collaboration with Registrar of Voters staff of how well the plan succeeded in carrying out a free, fair, and functional election. The Commission shall play an oversight role for the Registrar of Voters and advisory role for the Board of Supervisors with respect to:

- (a) Promoting the integrity, efficiency and accuracy of voter registration and election processes.
- (b) Encouraging the widest possible voter participation in elections, including attending to the particular needs of new voters, people with disabilities, seniors, and ensuring bilingual needs are met.
- (c) Promoting voter education and outreach, including to historically underserved communities of interest, youth and incarcerated voters.
- (d) Providing appropriate and timely information and advice to the Registrar of Voters and Board of Supervisors on matters related to (a) through (c).

(e) Reviewing election plans drafted by the Registrar of Voters and conducting a post-election assessment, which will then be reported to the Board of Supervisors.

Section C. Meetings.

The Registrar of Voters, or the Deputy Registrar of Voters if the Registrar of Voters is not available, shall attend monthly meetings and provide requested data and information, as permitted by law, for the commission to do its work. The Commission will meet no less than ten (10) times per year. The Clerk of the Board of Supervisors shall be ex officio secretary of the Commission and shall provide secretarial assistance to the Commission. The County Counsel shall provide legal guidance to the Commission as needed.

Section D. Membership.

The Commission membership is open to all Alameda County residents who are registered voters.

The Commission shall be composed of thirteen (13) members, one (1) member from each of the five (5) supervisory districts, four (4) at-large members, one (1) member from the League of Women Voters of the Bay Area, one (1) member from a disability rights organization, one (1) member from American Civil Liberties Union of Northern California, and one (1) member from a voting rights organization. The four (4) at-large members shall be nominated by the Commission, and these members shall be from impacted communities. The other four (4) Members shall be nominated by their respective organizations. All thirteen (13) members will be appointed by the Board of Supervisors. The Commission shall be broadly representative of Alameda County.

Each member shall serve a term of three (3) years. The Board of Supervisor shall equitably stagger the appointments so that approximately one-third of the appointments expire in each year.

Commission members shall not serve more than four consecutive terms or a maximum of twelve years (12).

Section E. Organization.

The Commission will organize by electing one of its members as president and another as vice president to serve at the pleasure of the Commission. A majority of the number of filled positions shall constitute a quorum for the transaction of business, and that number shall not be less than four.

Section F. Meetings of the Commission.

The Commission shall meet monthly, and the time and place of each meeting shall be specified in the notice calling the meeting. All meetings shall be open to the public and shall be subject to the Ralph M. Brown Act, Government Code, Section 54950 et seq., relating to meetings of local agencies.

Section G. Commission member restrictions. Members of the Commission shall serve without compensation. Commission members owe a duty of loyalty to, and must act in the best interests of, the County. Although each member of the Commission is nominated by a different authority, the Commissioners do not owe a duty of loyalty to their nominating authority and cannot be removed by that nominating authority. Commissioners must use their independent judgment about what is in the best interest of the County. Any member of the Commission may be removed for reasons only of official misconduct by a majority vote of the Commission, ratified by a majority vote of the Board of Supervisors. During their tenure, members of the Elections Commission are subject to the following restrictions:

- (a) Restrictions on Holding Office. No member or employee of the Elections Commission may hold any other County office or be an officer of a political party.
- (b) Restrictions on Employment. No member or employee of the Elections Commission may be a registered campaign consultant or registered lobbyist or be employed by or receive gifts or other compensation from a registered campaign consultant or registered lobbyist. No member of the Elections Commission may hold any employment with the County.
- (c) Restrictions on Political Activities. No member or employee of the Elections Commission may participate in any campaign supporting or opposing a candidate or ballot measure that will appear on the County or municipal ballot. For purposes of this section, participation in a campaign includes but is not limited to making contributions or soliciting contributions to any committee, including general purpose committees; publicly endorsing or urging endorsement of any candidate or ballot measure; or participating in decisions by organizations to participate in a campaign.

5/9/23 Agende 1 ten # 26.1

From:

Jim Soper2 < jimsoper2@gmail.com>

Sent:

Monday, May 8, 2023 2:46 PM

To:

Clerk of the Board

Subject:

Agenda item 26.1 (Elections Commission)

Dear Supervisors

I am urging that you strongly support legislation to establish an elections commission for Alameda county.

I am familiar with the commissions in Santa Clara, Riverside, and San Francisco Counties. They provide an avenue for 2-waycommunications between the public and the elections office. In a period where fascists are calling into question every aspect of our elections, this public access is essential to ensuring trust in our elections.

I have been following closely the SF elections commission for 18 years. They have been conducting critical work for SF, and indeed, the state and country.

Thank you,

Jim Soper

Co-Chair, National Voting Rights Task Force

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STATE OF SELEC

From:

Richard Tamm < richard.tamm@gmail.com>

Sent:

Monday, May 8, 2023 12:00 PM

To:

Clerk of the Board

Subject:

Support Legislation for an Elections Commission

Legislation to establish an elections commission will be introduced at the Alameda

County Board of Supervisors hearing Tuesday, May 9, between 11am-12 pm.

Commissions or advisory committees exist in SF, Santa Clara & Riverside counties.

My long experience with the SF commission for 15 years has been quite positive.

It provides a means for the public to give input on the conduct of local elections.

Please support such legislation for Alameda County.

Thank you.

- Richard Tamm

Richard Tamm
Co-Chair of The Voting Rights Task Force
Former Treasurer of the Wellstone Democratic Renewal Club

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From:

itregub@everyactioncustom.com on behalf of lgor Tregub <itregub@everyactioncustom.com>

Sent:

Monday, May 8, 2023 9:51 AM

To:

Clerk of the Board

Subject:

I urge you to vote in favor of establishing an Elections Commission

Dear Alameda County Board of Supervisors,

I write today to urge you to please support Supervisor Keith Carson's proposal to establish an Elections Commission for the County for these reasons:

- 1) An Elections Commission will increase transparency and accountability, thereby improving elections in the county, including issues like voter empowerment, language access, voting rights compliance, better poll worker training, and more.
- 2) The Elections Commission will meet monthly and the registrar of voters will be required to attend. This monthly meeting will provide an unprecedented opportunity for a partnership between election officials, the public, the media, historically underserved communities of interest, new voters, youth, people with disabilities, seniors, and people with bilingual needs.
- 3) The Elections Commission has been designed to ensure broad representation of communities of interest, with commissioners being nominated by groups such as the League of Women Voters, Disability Rights of California, a language access group, a group that specializes in voter education and outreach, and by the Elections Commission itself.
- 4) The Voters Elections Commission will oversee all public federal, state, district, and municipal elections in Alameda County, working to ensure transparent and secure elections.
- 5) The Elections Commission will be a partnership between the registrar of voters, the commission, and the public. As such, it will engage the public and all election stakeholders in improving voter participation and education.

Sincerely, Igor Tregub

1043 Virginia St Berkeley, CA 94710-1852 itregub@gmail.com

From:

jholme94609@everyactioncustom.com on behalf of John Holme <jholme94609

@everyactioncustom.com>

Sent:

Monday, May 8, 2023 11:10 AM

To:

Clerk of the Board

Subject:

I urge you to vote in favor of establishing an Elections Commission

Dear Alameda County Board of Supervisors,

I write today to urge you to please support Supervisor Keith Carson's proposal to establish an Elections Commission for the County for these reasons:

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Sincerely, John Holme 614 56th St Oakland, CA 94609-1606 jholme94609@yahoo.com

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From:

oak2acorns@everyactioncustom.com on behalf of Lin Griffith

<oak2acorns@everyactioncustom.com>

Sent:

Sunday, May 7, 2023 11:23 PM

To:

Clerk of the Board

Subject:

I urge you to vote in favor of establishing an Elections Commission

Dear Alameda County Board of Supervisors,

I write today to urge you to please support Supervisor Keith Carson's proposal to establish an Elections Commission for the County for these reasons:

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Sincerely, Lin Griffith 3937 High St Oakland, CA 94619-2211 oak2acorns@yahoo.com

From:

cyntaitai@everyactioncustom.com on behalf of Cynthia Tai <cyntaitai@everyactioncustom.com>

Sent:

Monday, May 8, 2023 9:31 AM

To:

Clerk of the Board

Subject:

I urge you to vote in favor of establishing an Elections Commission

Dear Alameda County Board of Supervisors,

I write today to urge you to please support Supervisor Keith Carson's proposal to establish an Elections Commission for the County for these reasons:

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Sincerely,
Cynthia Tai
3750 Tamayo St Fremont, CA 94536-3374
cyntaitai@gmail.com

From:

Butch Ford <calalum@sbcglobal.net>

Sent:

Monday, May 8, 2023 9:26 AM

To:

Clerk of the Board

Subject:

Agenda Item 56

Members of the Board,

It is incumbent upon me to inform the Board that District Attorney Pamela Price is unlawfully attempting to use funds from Trust Fund 84102. The funds in this account are governed by Ca. Business and Professions Code Section 17206, which states,

"The aforementioned funds shall be for the exclusive use by the Attorney General, the district attorney, the county counsel, and the city attorney for the enforcement of consumer protection laws."

Here us a link to the exavt language: https://codes.findlaw.com/ca/business-and-professions-code/bpc-sect-17206/

The DA is attempting to use the money to "secure and reconfigure the District Attorney Office located at 7677 Oakport Street." This allocation request is solely because the DA chose to move her primary Office to the Oakport location and has no link to "consumer protection laws" as required by law. The above language makes it clear that the funds are restricted.

She is hoping that members of the Board are not aware of this and will in essence become complicit in her misappropriation of these funds.

At the very least, I implore the Board to seek either County Counsel's opinion or an outside opinion on the propriety of this use. It should be noted that Ms. Price has systematically removed EVERY prior CEPD DA who was knowledgeable about this Fund.

Butch Ford Asst I District Attorney

Sent from my iPhone

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From:

kevincbaird@everyactioncustom.com on behalf of Kevin Baird

<kevincbaird@everyactioncustom.com>

Sent:

Monday, May 8, 2023 6:55 AM

To:

Clerk of the Board

Subject:

I urge you to vote in favor of establishing an Elections Commission

Dear Alameda County Board of Supervisors,

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Sincerely,

Kevin Baird

1406 Santa Fe Ave Berkeley, CA 94702-1028 kevincbaird@gmail.com

From:

maxine.daniel@everyactioncustom.com on behalf of Maxine Daniel

<maxine.daniel@everyactioncustom.com>

Sent:

Sunday, May 7, 2023 10:14 PM

To:

Clerk of the Board

Subject:

I urge you to vote in favor of establishing an Elections Commission

Dear Alameda County Board of Supervisors,

I write today to urge you to please support Supervisor Keith Carson's proposal to establish an Elections Commission for the County for these reasons:

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Sincerely,

Maxine Daniel

3054 Bona St Apt D Oakland, CA 94601-2746 maxine.daniel@gmail.com

From:

Jerryfromalameda@everyactioncustom.com on behalf of Jerome Harrison

<Jerryfromalameda@everyactioncustom.com>

Sent:

Sunday, May 7, 2023 9:21 PM

To:

Clerk of the Board

Subject:

I urge you to vote in favor of establishing an Elections Commission

Dear Alameda County Board of Supervisors,

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Sincerely,
Jerome Harrison
1211 Mound St Alameda, CA 94501-5432
Jerryfromalameda@gmail.com

From:

justin@everyactioncustom.com on behalf of Justin Graham <justin@everyactioncustom.com>

Sent:

Sunday, May 7, 2023 7:16 PM

To:

Clerk of the Board

Subject:

I urge you to vote in favor of establishing an Elections Commission

Dear Alameda County Board of Supervisors,

I write today to urge you to please support Supervisor Keith Carson's proposal to establish an Elections Commission for the County for these reasons:

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Sincerely,
Justin Graham
75 Larry Ln Oakland, CA 94611-2707
justin@jvgmd.com

From:

jimprola@everyactioncustom.com on behalf of Hons.Jim and Diana Prola

<jimprola@everyactioncustom.com>

Sent:

Sunday, May 7, 2023 4:15 PM

To:

Clerk of the Board

Subject:

I urge you to vote in favor of establishing an Elections Commission

Dear Alameda County Board of Supervisors,

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Sincerely,

Hons. Jim and Diana Prola

2234 Belvedere Ave San Leandro, CA 94577-6554 jimprola@yahoo.com

From: ch

chiawhamilton@everyactioncustom.com on behalf of Chia Hamilton

<chiawhamilton@everyactioncustom.com>

Sent:

Sunday, May 7, 2023 3:32 PM

To:

Clerk of the Board

Subject:

I urge you to vote in favor of establishing an Elections Commission

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I write today to urge you to please support Supervisor Keith Carson's proposal to establish an Elections Commission for the County for these reasons:

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Sincerely,
Chia Hamilton
6511 Tremont St Oakland, CA 94609-1021
chiawhamilton@gmail.com

From:

dancingcard10@everyactioncustom.com on behalf of Reisa Jaffe <dancingcard10

@everyactioncustom.com>

Sent:

Sunday, May 7, 2023 3:27 PM

To:

Clerk of the Board

Subject:

I urge you to vote in favor of establishing an Elections Commission

Dear Alameda County Board of Supervisors,

I write today to urge you to please support Supervisor Keith Carson's proposal to establish an Elections Commission for the County for these reasons:

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Sincerely, Reisa Jaffe 420 Burk St Oakland, CA 94610-3514 dancingcard10@gmail.com

From:

juan@everyactioncustom.com on behalf of Juan Canham < juan@everyactioncustom.com>

Sent:

Sunday, May 7, 2023 3:03 PM

To:

Clerk of the Board

Subject:

I urge you to vote in favor of establishing an Elections Commission

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Sincerely,

Juan Canham

3808 Maybelle Ave Oakland, CA 94619-2116 juan@juancanham.com

From:

susan4@everyactioncustom.com on behalf of Susan Schacher <susan4@everyactioncustom.com>

Sent:

Sunday, May 7, 2023 2:59 PM

To:

Clerk of the Board

Subject:

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I write today to urge you to please support Supervisor Keith Carson's proposal to establish an Elections Commission for the County for these reasons:

- 1) An Elections Commission will increase transparency and accountability, thereby improving elections in the county, including issues like voter empowerment, language access, voting rights compliance, better poll worker training, and more.
- 2) The Elections Commission will meet monthly and the registrar of voters will be required to attend. This monthly meeting will provide an unprecedented opportunity for a partnership between election officials, the public, the media, historically underserved communities of interest, new voters, youth, people with disabilities, seniors, and people with bilingual needs.
- 3) The Elections Commission has been designed to ensure broad representation of communities of interest, with commissioners being nominated by groups such as the League of Women Voters, Disability Rights of California, a language access group, a group that specializes in voter education and outreach, and by the Elections Commission itself.
- 4) The Voters Elections Commission will oversee all public federal, state, district, and municipal elections in Alameda County, working to ensure transparent and secure elections.
- 5) The Elections Commission will be a partnership between the registrar of voters, the commission, and the public. As such, it will engage the public and all election stakeholders in improving voter participation and education.

Sincerely,

Susan Schacher

3500 35th Ave Apt 27 Oakland, CA 94619-1349 susan4@jps.net

From:

alfredtwu@everyactioncustom.com on behalf of Alfred Twu <alfredtwu@everyactioncustom.com>

Sent:

Sunday, May 7, 2023 2:48 PM

To:

Clerk of the Board

Subject:

I urge you to vote in favor of establishing an Elections Commission

Dear Alameda County Board of Supervisors,

I write today to urge you to please support Supervisor Keith Carson's proposal to establish an Elections Commission for the County for these reasons:

- 1) An Elections Commission will increase transparency and accountability, thereby improving elections in the county, including issues like voter empowerment, language access, voting rights compliance, better poll worker training, and more.
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Sincerely,

Alfred Twu

2415 Prospect St Berkeley, CA 94704-2508 alfredtwu@gmail.com

From:

tcharron@everyactioncustom.com on behalf of Tom Charron <tcharron@everyactioncustom.com>

Sent:

Sunday, May 7, 2023 1:59 PM

To:

Clerk of the Board

Subject:

I urge you to vote in favor of establishing an Elections Commission

Dear Alameda County Board of Supervisors,

I write today to urge you to please support Supervisor Keith Carson's proposal to establish an Elections Commission for the County for these reasons:

- 1) An Elections Commission will increase transparency and accountability, thereby improving elections in the county, including issues like voter empowerment, language access, voting rights compliance, better poll worker training, and more.
- 2) The Elections Commission will meet monthly and the registrar of voters will be required to attend. This monthly meeting will provide an unprecedented opportunity for a partnership between election officials, the public, the media, historically underserved communities of interest, new voters, youth, people with disabilities, seniors, and people with bilingual needs.
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- 5) The Elections Commission will be a partnership between the registrar of voters, the commission, and the public. As such, it will engage the public and all election stakeholders in improving voter participation and education.

Sincerely,
Tom Charron
47 Homme Way Milpitas, CA 95035-2757
tcharron@gmail.com

From:

Mindy Pechenuk <mindypech@zohomail.com>

Sent:

Friday, May 5, 2023 5:32 PM

To:

Mindy Pechenuk; Clerk of the Board

Subject:

BOS AGENDA May 9, 2023-Election Commission

Attention: President Miley, Superviser Carson, Vice-President Haubert, Superviser Tam, Superviser Marquez

This is in regards to Item 26.1 for the May 9, 2023 BOS Meeting

I thank you for the upcoming agenda to discusss the approval to "establish an Election Comission for Alameda Country". I have one major concern and that concerns the membership of the committee, with the League of Women Voters and ACLU being on the committee and not having full representation of real citizen organizations such the Alameda County Tax Association and Election Integrity team of Alameda County California. Each of those instituitions represent a vital represention of the Alameda County citizens and have been actively involved in election integerity in different ways. The League of Women Voters has a particular bias that is shown not to be open as we have seen during the November 2022 election cycle and at recent BOS meetings. In order for the new commission to stand for truth, honesty and transparency it is important for the Election Integrity Team of Alameda County California (EITACCA) to be part of this new and important commission. EITACCA is working with citizens of all parties, and as been directly involved in the Election Observation and Intergrity through the 2022 election cycle. EITACCA has been before your board documenting clearly the election code violations for observors and the process of having a transparent and honest election. The Alameda County Tax Association has been part of similar process and the NAACP planned an important part of fight taking on the problems with Rank Choice Voting. Each of these three groups plays a different public service role.

If the population of Alameda County is going to trust the elections and the ROV, it is necessary for this commission to be balanced and to be your voice of the people, representing a cross section of the active population, it is important for EITACCA, The Alameda County Tax Association, to be on the committee. Each of these three groups represent a different role to the population and will give the balance needed. Otherwise the commission will fail the people of Alameda County. Give your full serious consideration to this proposal.

Mindy Pechenuk,

Candidate for State Assembly 18

Sent using Zoho Mail

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From:

James Mcfadden < jpmcfadden925@yahoo.com>

Sent:

Friday, May 5, 2023 10:05 PM

To:

Clerk of the Board

Subject:

Support Rank Choice Voting

Supervisors,

Support Rank Choice Voting - Give Democracy a Chance.

Help us stop the anti-democratic slide to a single Party state run by the Business Party with its Red and Blue wings -- both funded by corporations. Support the social immune that resists the anti-life, anti-human corporate pursuit of profit with no consideration of its impact on humans and nature. Please foster choice for our representative government so that "We the People" are not forced to choose the lesser of two evils pre-selected by corporations.

If American Democracy is to survive and thrive, then we must be given better choices which a Rank Choice Voting system can provide. RCV is not a cure for the capture of our institutions by corporate interests and lobbyists, but along with other reforms such as public funding it can move us back to a more democratic system. The current corrupting influence of corporate money is causing the our representatives, both local and national, to buy into the neoliberal mythology that drives policies of austerity, surveillance and authoritarianism. These life-blind policies drive climate change and war at the national level, and drive militarized policing, corruption and racism at the local level. The lack of choice that characterizes the Red-Blue Business Party is creating an apathy in the public that will eventually lead to governing instability and collapse into civil strife as people lose all faith in our institutions. This is the history of concentrated power with its corresponding isolation of political leaders from the people. Help us fight this neoliberal cancer of greed and corruption. Support RCV and enhance democracy in Alameda County. t

Dr. James McFadden

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