



Office of the City Manager

CONSENT CALENDAR
May 7, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Mark Numainville, City Clerk

Subject: Confirming the Results of the April 16, 2024, Special Municipal Election

RECOMMENDATION

Adopt a Resolution confirming the results of the April 16, 2024 Special Municipal Election for City Council District 7.

FISCAL IMPACTS OF RECOMMENDATION

There are no fiscal impacts associated with confirming the election results.

CURRENT SITUATION AND ITS EFFECTS

The Alameda County Registrar of Voters has submitted to the City Clerk the official Statement of Votes Cast for the City of Berkeley Special Municipal Election held on April 16, 2024, and the City Clerk has prepared the attached Certification of Election Results.

The attached Resolution confirms the results of the April 16, 2024 Election and declares Cecilia Lunaparra as the candidate elected to the office of City Council District 7.

For the certified results, the precinct count shows 197 votes for James Chang, but the RCV report shows 198 votes. This is due to an “advanced vote” that is tabulated when the RCV algorithm is used. An example of an advanced vote scenario would be if a voter left their first choice column blank, but then voted for James Chang in the second choice column. When the ROV runs the RCV algorithm, the vote in the second choice column is “advanced” to the first choice column. This is how the system has worked since its inception in 2010 and is the proper outcome in these scenarios.

BACKGROUND

With the resignation of Councilmember Robinson on January 12, 2024, a vacancy was created in the office of City Councilmember for District 7. The District 7 seat is on the regular rotation to be filled at the 2026 municipal election. According to the City Charter (Article V, Section 12) if there is more than one year remaining on the term of the vacant seat, the City Council must call a special election to fill the vacancy within 10 days of the occurrence of the vacancy (January 12). On January 22, the Council called for the special election to be held on April 16.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental and climate effects or opportunities associated with confirming the election results.

CONTACT PERSON

Mark Numainville, City Clerk, (510) 981-6900

Attachments:

1: Resolution

Exhibit A: City Clerk Certification of Election Results (includes the Registrar of Voters Certificate of Election and Statement of Results with precinct-by-precinct results)

RESOLUTION NO. ##,###-N.S.

CONFIRMING THE CANVASS OF RETURNS OF THE SPECIAL MUNICIPAL ELECTION HELD APRIL 16, 2024, AND DECLARING THE RESULTS

WHEREAS, a Special Municipal Election was held in the City of Berkeley on April 16, 2024; and

WHEREAS, the qualified electors cast ballots at said election for the following office:

One Councilmember seat, District 7, term ending November 30, 2026

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the following named were candidates for Councilmember for District 7 for the term ending November 30, 2026, and received the votes as set forth after their names, to wit:

<u>CITY COUNCIL DISTRICT 7</u>	
Cecilia Lunaparra	291
James Chang	198

BE IT FURTHER RESOLVED that the following candidate received a majority of votes for the office for which they were a candidate and are hereby declared to be elected for the term ending November 30, 2026:

CITY COUNCIL
Councilmember District 7 Cecilia Lunaparra

BE IT FURTHER RESOLVED that the total number of ballots cast in the City of Berkeley, District 7, at said election was 493, with 488 ballots cast for qualified candidates and five undervoted ballots.

BE IT FURTHER RESOLVED that attached hereto is the Certification of the City Clerk (Exhibit A) including the Certificate of the Election by the Registrar of Voters and a complete Statement of the Results showing the number of votes cast at each precinct for each candidate.

Exhibit A: City Clerk Certification of Election Results

STATE OF CALIFORNIA }
COUNTY OF ALAMEDA } ss.

I, **TIM DUPUIS**, Registrar of Voters for the County of Alameda, State of California, having canvassed the returns of all votes cast in the **City of Berkeley, Council District 7**, at the Special Election held on Tuesday, **April 16, 2024**, do hereby certify the following to be a full, true and correct Statement of the Results of all the votes cast, to which this certificate is attached, at said election for each candidate in the **City of Berkeley, Council District 7**, for the office **City Council Member, District 7, Short Term**.

I hereby set my hand and my official seal this **26th** day of **April 2024**.



TIM DUPUIS
Registrar of Voters
Alameda County
State of California

RCV Detailed Report

General Election

Alameda

April 16, 2024

CERTIFIED FINAL RESULTS

Member, City Council, Dist. 7, Short Term – Berkeley (RCV)

Official results

Number of positions to elect is 1.

Tabulation status:

All Positions Filled

Tabulation time:

4/25/2024 11:05:27 AM

Tabulation Options	
RCV method	IRV
Previous rounds evaluation method	None
Elimination type	Single
Votes to include in threshold calculation	Continuing ballots per round
Fixed precision decimals	0
Use previous tie break decision	False
Exclude unresolved write-ins	True
Declare winners by threshold	False
Uses precincts	True
Pause after round	False
Perform elimination transfer in last round	True
Skip overvoted rankings	False
Assign skipped rankings to the set of exhausted ballots	False
Use first round suspension	False
Include disabled candidate rankings in overvote	False

Ties are resolved in accordance with election law.

Alameda

Round 1

Candidate	Votes	Percentage
JAMES CHANG	198	40.49%
CECILIA LUNAPARRA	291	59.51%
Continuing Ballots Total	489	
Blanks	4	
Exhausted	0	
Overvotes	0	
Remainder Points	0	
Non Transferable Total	4	

JAMES CHANG is eliminated because the candidate was not elected in the last round.

CECILIA LUNAPARRA is elected because all other candidates have been eliminated.

RCV Detailed Report

General Election

Alameda

April 16, 2024

CERTIFIED FINAL RESULTS

RCV COMPREHENSIVE REPORT

Member, City Council, Dist. 7, Short Term – Berkeley (RCV)

Official results

Number of positions to elect is 1.

Tabulation status: All Positions Filled
 Tabulation time: 4/25/2024 11:05:27 AM

Tabulation Options	
RCV method	IRV
Previous rounds evaluation method	None
Elimination type	Single
Votes to include in threshold calculation	Continuing ballots per round
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Blanks	4	
Exhausted	0	
Overvotes	0	
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Non Transferable Total	4	

JAMES CHANG is eliminated because the candidate was not elected in the last round.

CECILIA LUNAPARRA is elected because all other candidates have been eliminated.

202500

Round 1

Candidate	Votes	Percentage
JAMES CHANG	71	14.52%
CECILIA LUNAPARRA	88	18.00%
Continuing Ballots Total	159	
Blanks	0	
Exhausted	0	
Overvotes	0	
Remainder Points	0	
Non Transferable Total	0	

JAMES CHANG is eliminated because the candidate was not elected in the last round.

CECILIA LUNAPARRA is elected because all other candidates have been eliminated.

202620

Round 1

Candidate	Votes	Percentage
JAMES CHANG	63	12.88%
CECILIA LUNAPARRA	125	25.56%
Continuing Ballots Total	188	
Blanks	1	
Exhausted	0	
Overvotes	0	
Remainder Points	0	
Non Transferable Total	1	

JAMES CHANG is eliminated because the candidate was not elected in the last round.

CECILIA LUNAPARRA is elected because all other candidates have been eliminated.

204900**Round 1**

Candidate	Votes	Percentage
JAMES CHANG	64	13.09%
CECILIA LUNAPARRA	78	15.95%
Continuing Ballots Total	142	
Blanks	3	
Exhausted	0	
Overvotes	0	
Remainder Points	0	
Non Transferable Total	3	

JAMES CHANG is eliminated because the candidate was not elected in the last round.

CECILIA LUNAPARRA is elected because all other candidates have been eliminated.

Cumulative

Round 1

Candidate	Votes	Percentage
JAMES CHANG	0	0.00%
CECILIA LUNAPARRA	0	0.00%
Continuing Ballots Total		
Blanks		
Exhausted		
Overvotes		
Remainder Points		
Non Transferable Total		

JAMES CHANG is eliminated because the candidate was not elected in the last round.

CECILIA LUNAPARRA is elected because all other candidates have been eliminated.

1 Member, City Council, Dist. 7, Short Term – Berkeley (RCV)

		Registered Voters	Voters Cast	Turnout (%)	NPP - JAMES CHANG	NPP - CECILIA LUNAPARRA	Over Votes	Under Votes
202500	Election Day	1033	104	10.07 %	43	60		1
202500	Vote by Mail	1033	55	5.32 %	27	28		
202500	Total	1033	159	15.39 %	70	88		1
202620	Election Day	832	127	15.26 %	40	87		
202620	Vote by Mail	832	62	7.45 %	23	38		1
202620	Total	832	189	22.72 %	63	125		1
204900	Election Day	992	64	6.45 %	26	37		1
204900	Vote by Mail	992	81	8.17 %	38	41		2
204900	Total	992	145	14.62 %	64	78		3
Total - Election Day		2857	295	10.33 %	109	184		2
Total - Vote by Mail		2857	198	6.93 %	88	107		3
Contest Total		2857	493	17.26 %	197	291		5

*** Indicates vote data was suppressed due to voter privacy settings.

1 Member, City Council, Dist. 7, Short Term – Berkeley (RCV)

		Registered Voters	Voters Cast	Turnout (%)	NPP - JAMES CHANG	NPP - CECILIA LUNAPARRA	Over Votes	Under Votes
California	Election Day	2857	295	10.33 %	109	184		2
California	Vote by Mail	2857	198	6.93 %	88	107		3
California	Total	2857	493	17.26 %	197	291		5
12th Congressional District	Election Day	2857	295	10.33 %	109	184		2
12th Congressional District	Vote by Mail	2857	198	6.93 %	88	107		3
12th Congressional District	Total	2857	493	17.26 %	197	291		5
7th State Senatorial District	Election Day	2857	295	10.33 %	109	184		2
7th State Senatorial District	Vote by Mail	2857	198	6.93 %	88	107		3
7th State Senatorial District	Total	2857	493	17.26 %	197	291		5
14th Assembly District	Election Day	2857	295	10.33 %	109	184		2
14th Assembly District	Vote by Mail	2857	198	6.93 %	88	107		3
14th Assembly District	Total	2857	493	17.26 %	197	291		5
Board of Equalization, 2nd District	Election Day	2857	295	10.33 %	109	184		2
Board of Equalization, 2nd District	Vote by Mail	2857	198	6.93 %	88	107		3
Board of Equalization, 2nd District	Total	2857	493	17.26 %	197	291		5
Alameda County	Election Day	2857	295	10.33 %	109	184		2
Alameda County	Vote by Mail	2857	198	6.93 %	88	107		3
Alameda County	Total	2857	493	17.26 %	197	291		5
5th Supervisorial District	Election Day	2857	295	10.33 %	109	184		2
5th Supervisorial District	Vote by Mail	2857	198	6.93 %	88	107		3
5th Supervisorial District	Total	2857	493	17.26 %	197	291		5
City of Berkeley	Election Day	2857	295	10.33 %	109	184		2
City of Berkeley	Vote by Mail	2857	198	6.93 %	88	107		3
City of Berkeley	Total	2857	493	17.26 %	197	291		5
Total - Election Day		2857	295	10.33 %	109	184		2
Total - Vote by Mail		2857	198	6.93 %	88	107		3
Contest Total		2857	493	17.26 %	197	291		5

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