



Office of the City Manager

CONSENT CALENDAR

June 25, 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 May 28, 2024, Special Municipal Election

RECOMMENDATION

Adopt a Resolution confirming the results of the May 28, 2024 Special Municipal Election for City Council District 4.

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 May 28, 2024, and the City Clerk has prepared the attached Certification of Election Results.

The attached Resolution confirms the results of the May 28, 2024 Election and declares Igor Tregub as the candidate elected to the office of City Council District 4.

For the certified results, the votes in the precinct count are reflected as being lower than the votes in the RCV report. This is due to how votes are reported at the precinct level versus how they are reported after the RCV algorithm is applied. The results in the precinct count reflect how many voters marked their vote for a candidate in the first choice column. The RCV report takes into account “advanced votes,” which are 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 Igor Tregub 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.

The table below reflects the votes each candidate received in the precinct count versus the RCV report. The RCV report includes “advanced votes”, whereas the precinct count does not.

Candidate	RCV Report Votes (First Choice Votes) Includes "advanced votes"	Precinct Count Votes Does <i>not</i> include "advanced votes"
Rubén Hernández Story	670	654
Igor A. Tregub	668	664
Elana Auerbach	525	520
Soli Alpert	437	432

BACKGROUND

With the resignation of Councilmember Harrison on February 23, 2024, a vacancy was created in the office of City Councilmember for District 4. The District 4 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 (February 23). On February 29, the Council called for the special election to be held on May 28.

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 MAY 28, 2024, AND DECLARING THE RESULTS

WHEREAS, a Special Municipal Election was held in the City of Berkeley on May 28, 2024; and

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

One Councilmember seat, District 4, 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 4 for the term ending November 30, 2026, and received the first-choice votes as set forth after their names, to wit:

CITY COUNCIL DISTRICT 4

Rubén Hernández Story	670
Igor A. Tregub	668
Elana Auerbach	525
Soli Alpert	437

BE IT FURTHER RESOLVED that the following candidate received a majority of votes in the ranked-choice voting system 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 4 Igor A. Tregub

BE IT FURTHER RESOLVED that the total number of ballots cast in the City of Berkeley, District 4, at said election was 2,335, with 2,300 ballots cast for qualified candidates, 24 overvoted ballots and 11 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 as well as the ranked-choice voting tabulation report.

Exhibit A: City Clerk Certification of Election Results

**CERTIFICATION OF THE CITY OF BERKELEY
MAY 28, 2024 SPECIAL MUNICIPAL ELECTION**

STATE OF CALIFORNIA)
) ss.
COUNTY OF ALAMEDA)

I, Mark Numainville, City Clerk, City of Berkeley, County of Alameda, State of California, do hereby certify the following to be a true and correct Statement of Votes Cast at the City of Berkeley Special Municipal Election held on Tuesday, May 28, 2024, for the candidates entitled to receive votes for the office indicated below.

I further certify that the votes cast for City Councilmember, District 4 in the City of Berkeley at said election were tabulated using the Ranked Choice Voting method, and accounted for as appears in Addendum A to this certification:

CITY COUNCIL DISTRICT 4 (Short Term)
(First Choice Votes)

Rubén Hernández Story	670
Igor A. Tregub	668
Elana Auerbach	525
Soli Alpert	437

I further certify that the following candidate received a majority of votes in the ranked-choice voting system 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 DISTRICT 4 (Short Term)

Councilmember District 4 Igor A. Tregub



Dated: June 20, 2024

Mark Numainville, City Clerk
City of Berkeley

County of Alameda, State of California

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 4**, at the Special Election held on Tuesday, **May 28, 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 4**, for the office **City Council Member, District 4**.

I hereby set my hand and my official seal this **20th day of June 2024**.



A handwritten signature in blue ink, appearing to read 'Tim Dupuis', is written over the printed name.

TIM DUPUIS
Registrar of Voters
Alameda County
State of California

RCV Detailed Report

General Election

Alameda

May 28, 2024

CITY OF BERKELEY, DISTRICT 4, SPECIAL ELECTION

ALAMEDA COUNTY

MAY 28, 2024

CERTIFIED FINAL RESULTS

Member, City Council, Dist. 4 – Berkeley (RCV)

Official results

Number of positions to elect is 1.

Tabulation status:	All Positions Filled
Tabulation time:	6/20/2024 10:43:44 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
RUBÉN HERNÁNDEZ STORY	670	29.13%
SOLI ALPERT	437	19.00%
ELANA AUERBACH	525	22.83%
IGOR A. TREGUB	668	29.04%
Continuing Ballots Total	2,300	
Blanks	11	
Exhausted	0	
Overvotes	24	
Remainder Points	0	
Non Transferable Total	35	

SOLI ALPERT is eliminated because the candidate had the least amount of votes.

Elimination transfer for candidate SOLI ALPERT.

437 ballots have been transferred in the following manner:

Transferred from	Transferred to	Ballots	Fraction	Votes
SOLI ALPERT	RUBÉN HERNÁNDEZ STORY	99	1	99
SOLI ALPERT	ELANA AUERBACH	200	1	200
SOLI ALPERT	IGOR A. TREGUB	87	1	87
SOLI ALPERT	Exhausted	50	1	50
SOLI ALPERT	Overvotes	1	1	1

Round 2

Candidate	Votes	Percentage
RUBÉN HERNÁNDEZ STORY	769	34.19%
SOLI ALPERT	0	0.00%
ELANA AUERBACH	725	32.24%
IGOR A. TREGUB	755	33.57%
Continuing Ballots Total	2,249	
Blanks	11	
Exhausted	50	
Overvotes	25	
Remainder Points	0	
Non Transferable Total	86	

ELANA AUERBACH is eliminated because the candidate had the least amount of votes.

Elimination transfer for candidate ELANA AUERBACH.

725 ballots have been transferred in the following manner:

Transferred from	Transferred to	Ballots	Fraction	Votes
ELANA AUERBACH	RUBÉN HERNÁNDEZ STORY	228	1	228
ELANA AUERBACH	IGOR A. TREGUB	291	1	291
ELANA AUERBACH	Exhausted	202	1	202
ELANA AUERBACH	Overvotes	4	1	4

Round 3

Candidate	Votes	Percentage
RUBÉN HERNÁNDEZ STORY	997	48.80%
SOLI ALPERT	0	0.00%
ELANA AUERBACH	0	0.00%
IGOR A. TREGUB	1,046	51.20%
Continuing Ballots Total	2,043	
Blanks	11	
Exhausted	252	
Overvotes	29	
Remainder Points	0	
Non Transferable Total	292	

RUBÉN HERNÁNDEZ STORY is eliminated because the candidate was not elected in the last round.

IGOR A. TREGUB is elected because all other candidates have been eliminated.

1 Member, City Council, Dist. 4 – Berkeley (RCV)

		Registered Voters	Voters Cast	Turnout (%)	NPP - RUBÉN HERNÁNDEZ STORY	NPP - SOLI ALPERT	NPP - ELANA AJERBACH	NPP - IGOR A. TREGUB	Over Votes	Under Votes
206900	Election Day	1415	15	1.06 %	4	4	5	2		
206900	Vote by Mail	1415	468	33.07 %	129	86	115	120	3	15
206900	Total	1415	483	34.13 %	133	90	120	122	3	15
207700	Election Day	2504	51	2.04 %	11	19	11	10		
207700	Vote by Mail	2504	355	14.18 %	91	79	105	69	6	5
207700	Total	2504	406	16.21 %	102	98	116	79	6	5
208010	Election Day	3534	62	1.75 %	19	14	15	14		
208010	Vote by Mail	3534	1384	39.16 %	400	230	269	449	13	23
208010	Total	3534	1446	40.92 %	419	244	284	463	13	23
Total - Election Day		7453	128	1.72 %	34	37	31	26		
Total - Vote by Mail		7453	2207	29.61 %	620	395	489	638	22	43
Contest Total		7453	2335	31.33 %	654	432	520	664	22	43

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

1 Member, City Council, Dist. 4 – Berkeley (RCV)										
		Registered Voters	Voters Cast	Turnout (%)	NPP - RUBÉN HERNÁNDEZ STORY	NPP - SOLI ALPERT	NPP - ELANA AUERBACH	NPP - IGOR A. TREGUB	Over Votes	Under Votes
California	Election Day	7453	128	1.72 %	34	37	31	26		
California	Vote by Mail	7453	2207	29.61 %	620	395	489	638	22	43
California	Total	7453	2335	31.33 %	654	432	520	664	22	43
12th Congressional District	Election Day	7453	128	1.72 %	34	37	31	26		
12th Congressional District	Vote by Mail	7453	2207	29.61 %	620	395	489	638	22	43
12th Congressional District	Total	7453	2335	31.33 %	654	432	520	664	22	43
7th State Senatorial District	Election Day	7453	128	1.72 %	34	37	31	26		
7th State Senatorial District	Vote by Mail	7453	2207	29.61 %	620	395	489	638	22	43
7th State Senatorial District	Total	7453	2335	31.33 %	654	432	520	664	22	43
14th Assembly District	Election Day	7453	128	1.72 %	34	37	31	26		
14th Assembly District	Vote by Mail	7453	2207	29.61 %	620	395	489	638	22	43
14th Assembly District	Total	7453	2335	31.33 %	654	432	520	664	22	43
Board of Equalization, 2nd District	Election Day	7453	128	1.72 %	34	37	31	26		
Board of Equalization, 2nd District	Vote by Mail	7453	2207	29.61 %	620	395	489	638	22	43
Board of Equalization, 2nd District	Total	7453	2335	31.33 %	654	432	520	664	22	43
Alameda County	Election Day	7453	128	1.72 %	34	37	31	26		
Alameda County	Vote by Mail	7453	2207	29.61 %	620	395	489	638	22	43
Alameda County	Total	7453	2335	31.33 %	654	432	520	664	22	43
5th Supervisorial District	Election Day	7453	128	1.72 %	34	37	31	26		
5th Supervisorial District	Vote by Mail	7453	2207	29.61 %	620	395	489	638	22	43
5th Supervisorial District	Total	7453	2335	31.33 %	654	432	520	664	22	43
City of Berkeley	Election Day	7453	128	1.72 %	34	37	31	26		
City of Berkeley	Vote by Mail	7453	2207	29.61 %	620	395	489	638	22	43
City of Berkeley	Total	7453	2335	31.33 %	654	432	520	664	22	43
City of Berkeley, District #4	Election Day	7453	128	1.72 %	34	37	31	26		
City of Berkeley, District #4	Vote by Mail	7453	2207	29.61 %	620	395	489	638	22	43
City of Berkeley, District #4	Total	7453	2335	31.33 %	654	432	520	664	22	43
Total - Election Day		7453	128	1.72 %	34	37	31	26		
Total - Vote by Mail		7453	2207	29.61 %	620	395	489	638	22	43
Contest Total		7453	2335	31.33 %	654	432	520	664	22	43

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

Summary for: All Contests, All Districts, All Tabulators, All Counting Groups
ELECTION SUMMARY REPORT
CITY OF BERKELEY, DISTRICT 4, SPECIAL ELECTION
ALAMEDA COUNTY
MAY 28, 2024

CERTIFIED FINAL RESULTS

Elector Group	Counting Group	Cards Cast	Voters Cast	Registered Voters	Turnout
Total	Election Day	128	128		1.72%
	Vote by Mail	2,207	2,207		29.61%
	Total	2,335	2,335	7,453	31.33%

Precincts Reported: 3 of 3 (100.00%)

Voters Cast: 2,335 of 7,453 (31.33%)

Cards Cast: 2,335

Member, City Council, Dist. 4 – Berkeley (RCV) (Vote for 1)

Precincts Reported: 3 of 3 (100.00%)

		Total	
Times Cast		2,335 / 7,453	31.33%
Undervotes		43	
Overvotes		22	
Candidate	Party	Total	
RUBÉN HERNÁNDEZ STORY	NPP	654	28.81%
SOLI ALPERT	NPP	432	19.03%
ELANA AUERBACH	NPP	520	22.91%
IGOR A. TREGUB	NPP	664	29.25%
Total Votes		2,270	

