**SUPPLEMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF ALAMEDA AND THE CITIES OF OAKLAND, BERKELEY AND SAN LEANDRO**

This is a supplement to the Memorandum of Understanding (“MOU”), dated February 1, 2010, and is by and between the County of Alameda, hereinafter referred to as the “County,” and the City of Oakland, the City of Berkeley and the City of San Leandro, each of which is hereinafter referred to as “City,” or together, the “Cities.”

**WITNESSETH**

Whereas, the Registrar of Voters (“Registrar”) for the County of Alameda conducts elections on behalf of the Cities and other jurisdictions;

Whereas, the Cities hold certain local elections using Ranked Choice Voting (“RCV”);

Whereas, the Registrar has an agreement with Sequoia, Inc., now known as Dominion, to upgrade and make changes to its voting equipment and software to conduct RCV elections pursuant to the Cities’ requests;

Now, therefore it is agreed that each City wishes to have greater clarity and transparency in the reporting of RCV election results.

The terms of this Supplement to the MOU shall be from the Effective Date set forth in Section 2 and continue until no party to this Supplement, including jurisdictions that join the future, continues to hold elections that use RCV.

**GENERAL TERMS AND CONDITIONS**

1. PURPOSE AND SCOPE: The County, through the Registrar, and the Cities hereby enter into this Supplement for the purpose of having the Registrar process the instant runoff to the final two candidates in a ranked choice voting election, despite a majority being reached in an earlier round.
2. EFFECTIVE DATE OF AGREEMENT: This Supplement shall be effective for the reporting of RCV election reporting beginning in November 2018, and going forward.
3. DESCRIPTION OF REQUEST:
   1. It has been the practice of the Registrar when conducting ranked choice elections to have ballots counted in rounds that, in the case of a single-winner election, simulate a series of runoffs until one candidate receives a majority of votes. The candidate who receives a majority of votes shall continue to be declared the winner by these jurisdictions, and that shall remain unchanged.
   2. It is now requested that the Registrar process a series of runoffs until two candidates remain in the final round in a ranked choice voting election, despite a majority being reached in an earlier round.
   3. This change in reporting of election results will provide voters and the public a greater sense of how the winning candidate fared among all voters and helps to clarify the election results.
   4. It is understood that this capacity to run the rounds until two candidates remain is a feature built into the current voting system provided by Sequoia/Dominion.
   5. It is understood that the change should incur no additional costs by Dominion.
4. SIGNATORY: By signing this supplement, signatures warrant and represent that they executed this supplement in their authorized capacity and that their signatures on this supplement, they or the entities upon behalf ow which they acted, executed this supplement.

[END OF GENERAL TERMS AND CONDITIONS]

IN WITNESS WHEREOF, the parties hereto have executed this Supplement as of the day and year first above written.

**COUNTY OF ALAMEDA CITY OF BERKELEY**

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Tim Dupuis [NAME]

Registrar of Voters City Manager

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approved as to Form: Approved as to Form:

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [NAME] [NAME]

County Counsel City Attorney

**CITY OF OAKLAND CITY OF SAN LEANDRO**

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[NAME] [NAME]

City Administrator City Manager

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approved as to Form: Approved as to Form:

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [NAME] [NAME]

City Attorney City Attorney

By signing above, signatory warrants and represents that he/she executed this MOU in his/her authorized capacity and that by his/her signature on this MOU, he/she or the entity upon behalf of which he/she acted, executed this MOU.