

Sunnyvale Charter Review Committee - Subcommittee #1 deliverables

Notes to Subcommittees: Be brief and focussed. Be mindful of cost of and timing of elections for Charter amendments.

Council (A), Staff (B), or CRC (C)	Item #	Topic	Relevant Charter Article(s) & Section(s)	Description	Staff Comment for 4/3/25	Summary of the subcommittee's initial work.	Impact (problem being solved, nature and degree of public benefit, consequence of not changing)	Major alternatives to explore (bullets)
A	1	City Council Term and Election	601	Study whether to adopt an alternative voting system, such as ranked choice or approval voting, or retain the existing first-past-the-post system for districts and mayoral elections.	The Council requested that the CRC study this item, and many CRC members expressed interest in studying ranked choice voting. The CRC should consider whether to recommend limiting study on this issue to ranked choice voting or include other alternative voting systems.	The current plurality election system has problems as summarized under "Impact". CRC should study the pros and cons of the current voting system and various alternatives.  More Detail: Attachment 2 to Report to Committee 25-0019	The current system results in: <b>Vote Splitting</b> - may negatively affect voting outcomes: e.g. Non- Majority Winners - candidates discourage like minded candidates from running against them - candidates encourage different-minded candidates to run in order to split their opponents' vote <b>Reduced Choice of candidates</b> (A different system without vote splitting might encourage more candidates to run) <b>Negative Campaigning</b> (a historical problem in Sunnyvale)	- Traditional Plurality Voting (current system, no change) - Traditional Plurality Voting with Primary & General Elections - Ranked Choice Voting - Approval Voting - Score Voting - STAR Voting - Proportional Ranked Choice Voting - Others?
A	3	Vacancies	606	Study whether the current rule providing that Council members appointed to fill a vacancy serve until the next general municipal or consolidated statewide election should be changed to the next feasible November general election.	The Council requested that the CRC study this item and CRC discussion did not indicate any objection. A link to the Report from the 2017 Charter Review Commission on Vacancies is in the resource list.	The key issues are: (1) how long an appointed Council member can serve before being subject to election; (2) the cost of elections for the City and candidates; and (3) the effect of incumbency on elections. The CRC should weigh the alternatives in light of these issues.	If a Council vacancy occurs at certain periods of time, the election to fill the vacancy after the Council selects a temporary appointment will occur during a primary rather than during a general election. These elections have lower turnout. Furthermore, if the Council seat has a scheduled regular election in November, this scenario risks having two elections in the same year for the same seat -- in both March and November, or worse, in both June and November.	- Postponing all elections to replace appointed Council members to the next November general election - Holding the election to replace the appointed Council member at the November general election if that avoids having two elections for the same seat in the same year; otherwise, replacing the appointee at the next regularly scheduled election
A	8	Gender neutral language	1800(c) & throughout the Charter	Update language to be gender neutral, e.g. using "they" instead of "he/she."	This issue was on the November 2024 ballot in a combined question with Council meeting scheduling and removing voter registration requirements for board and commission members. The measure failed. CRC indicated interest in studying this issue. Ballot information is available in the resources list.	CRC should consider a Charter revision that would eliminate gender-specific language by applying Rule 704 of the Uniform Law Commission (ULC) drafting rules ( <a href="https://www.uniformlaws.org/viewdocument/style-manual-and-drafting-rules-20">https://www.uniformlaws.org/viewdocument/style-manual-and-drafting-rules-20</a> ). Rule 704 reads: Use gender-neutral language. Do not use “he or she”, “his or her”, or “himself or herself”. Instead, repeat the noun. There may be Charter provisions (e.g., the second paragraph of section 1107) for which the application of Rule 704 is not feasible; the language requires other redrafting.	Gender-specific language is viewed by many as perpetuating cultural stereotypes. Replacing gender- specific language with gender-neutral nouns instead of pronouns avoids ambiguity, making it easier for citizens, including public officials and employees, to understand and follow the Charter language. This also reduces the likelihood of litigation over ambiguous language.	-No Charter revision, thus retaining 1800(c) -Save this revision for a non- substantive, "plain language" revision of the entire Charter
C	2	City Council Qualifications	603	Study whether the thirty-day residency requirement for city Council candidates is appropriate.	Some CRC members expressed interest in studying changing the requirement that City Council candidates must be registered voters in their district for the thirty-day period immediately preceding filing of their nominating papers.	Survey of selected Bay Area, NorCal, and SoCal cities finds 30-day residency requirement most common with range from 0- days to 5-years residency required for elective office. Smaller cities (<60K population) generally have no residency requirement while larger cities tend to have some stated residency requirement. More detail: Attachment 3 to Report to Committee 25-0019	Subcommittee is unaware of any negative issues resulting from current Sunnyvale requirement of 30- day residency.	

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Council (A), Staff (B), or CRC (C)	Item #	Topic	Relevant Charter Article(s) & Section(s)	Description	Key issues, questions, clarifications needed from Council	Priority (High, Med., or Low)	Rationale for selected Priority	Where is this topic already covered in City muni code, policies, or website?
A	1	City Council Term and Election	601	Study whether to adopt an alternative voting system, such as ranked choice or approval voting, or retain the existing first-past-the-post system for districts and mayoral elections.	Does Council have any concerns about voting that we have not addressed? Are there any other voting systems that council would like studied?	High	- Council directed us to study this - The Vote Splitting problem	Council Policy Manual Chapter 7.0 Long-term Advocacy Positions – Planning and Management Section: A Elections Item: 6 <a href="https://www.sunnyvale.ca.gov/home/showpublisheddocument/746/638524846096770000">https://www.sunnyvale.ca.gov/home/showpublisheddocument/746/638524846096770000</a>
A	3	Vacancies	606	Study whether the current rule providing that Council members appointed to fill a vacancy serve until the next general municipal or consolidated statewide election should be changed to the next feasible November general election.	Does Council put more weight on filling a vacancy through election as soon as practicable or the turnout differential between the primary and general election?	High	- Council directed us to study this - Issue will not arise frequently but will likely have a significant impact when it does	Municipal Code, Ch. 2.28
A	8	Gender neutral language	1800(c) & throughout the Charter	Update language to be gender neutral, e.g. using "they" instead of "he/she."	How should the failure of the Nov. 2024 measure, which included a different method of adopting gender-neutral language, be viewed? Was it an indicator of public sentiment on this issue or did the measure fail primarily because of the other proposed Charter revisions? How does the current national controversy over issues of diversity, equity, and inclusion--including issues of language--affect the prospects for a future vote on this issue? Can the proposed change based on ULC Rule 704 be explained to the public so as to avoid this controversy?	Medium	Whether or not to make the recommended revision has no effect on substantive policy. This issue is whether or not to include this revision with other substantive revisions.	N/A
C	2	City Council Qualifications	603	Study whether the thirty-day residency requirement for city Council candidates is appropriate.	Question for staff: What documented issues have arisen from the current requirement?	Low	There is no apparent need for a change, and there is likely to be at least some public oppositon to changing the residency requirement.	