



Sunnyvale

Direction Regarding the Date to Declare the Vacancy in Council Seat

David Carnahan, City Clerk
November 22, 2021



Sample Agenda Slide



Sunnyvale Charter Requirements

Sunnyvale Municipal Code Requirements

Potential Election Dates

Implications of Appointment Date

Sunnyvale Charter Requirements

Section 606 - Vacancies

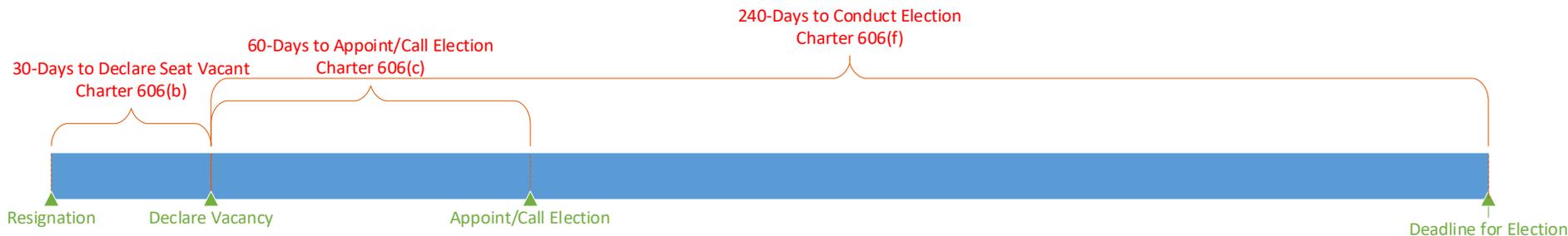
- Section 606(b) – Council has 30 days to declare Council seat vacant.
- Section 606(c) – Council has 60 days from the date it declares the seat vacant to make an appointment or call for an election.
- Section 606(d) – If Council makes an appointment, appointee serves until the next General Municipal Election or Special Municipal Election consolidated with the next statewide election, whichever occurs sooner.
- Section 606(e) – Council shall adopt an appointment process ordinance (Sunnyvale Municipal Code Chapter 2.30).

(1) [Charter Section 606 - Vacancies](#)

Sunnyvale Charter Requirements - Continued

Section 606 - Vacancies

- Section 606(f) – Council has 240 days from the date it declares the seat vacant to hold an election if Council chooses to hold an election or fails to make an appointment within the 60 days provided by Section 606(c).



(1) [Charter Section 606 - Vacancies](#)

Sunnyvale Municipal Code Requirements

Chapter 2.30 – Appointment Process to Fill Vacancies on the City Council

If Council chooses to fill this vacancy by appointment:

- Council will set an application period.
- The application period will be publicized.
- Applications will be available to Council and the public.
- The City Council will hold public meetings that allow public comment and questions before interviews are conducted and prior to making an appointment.

(1) [Sunnyvale Municipal Code Chapter 2.30 - Appointment Process to Fill Vacancies on the City Council](#)

Potential Election Dates

- **April 12, 2022 Special Election**
 - ◆ **Estimated cost:** \$1,937,773 – \$3,148,882
 - ◆ **Deadline to call election:** December 8, 2021
 - ◆ **Option for:** Nov. 30 or Dec. 7 Council meetings
- **June 7, 2022 Primary Election**
 - ◆ **Estimated cost:** \$227,188
 - ◆ **Deadline to call election:** February 2, 2022
 - ◆ **Option for:** Nov. 30, Dec. 7 or Dec. 14 Council meetings
- **Standalone Special Election**
 - ◆ **Estimated cost:** \$1,937,773 – \$3,148,882
 - ◆ **Deadline to call election:** ~125 days before election day

Implications of Appointment Date

- **Appoint Before Feb. 3, 2022**
 - ◆ June 7, 2022 Election required (Estimated cost: \$227,188)
 - ◆ Appointed Councilmember serves until Elected Councilmember assumes office (~July 12, 2022).
 - ◆ **Option for:** Nov. 30, Dec. 7 or Dec. 14 Council meetings
- **Appoint Feb. 3, 2022 or Later**
 - ◆ No election is required.
 - ◆ Appointed Councilmember serves through end of Vacant Term – Jan. 3, 2023.
 - ◆ **Option for:** Dec. 7 or Dec. 14 Council meetings

Alternatives

Alternative 1

1. Discuss the options and potential priorities for filling the vacancy in the At-Large Seat No. 3, and direct staff to return on one of the following dates to declare Councilmember Fong's seat vacant:
 - (1) November 30
 - (2) December 7
 - (3) December 14

Alternatives

Alternatives 2 and 3

2. If the Council directs that the vacancy should be declared on December 14, provide further direction on the timeline for an appointment process, considering the February 2, 2022 deadline to consolidate with the statewide primary election and the impacts of missing that deadline on the process to fill the vacancy.
3. Other direction as provided by Council.