



City of Sunnyvale

Meeting Minutes - Final Charter Review Committee

Thursday, January 11, 2018

6:00 PM

HR Training Room, 505 W. Olive Ave.,
Suite 202, Sunnyvale, CA 94086

Special Meeting

CALL TO ORDER

City Clerk Kathleen Franco Simmons called the meeting to order at 6:01 p.m.

ROLL CALL

Present: 11 - Member Linda Davis, Member Hannalore Dietrich, Member Melinda Hamilton, Member Dawn Hopkins, Member John Howe, Member Marc Ketzel, Member Richard Mehlinger, Member Amanda Richey, Member Lawrence Stone, Member Jack Walker, Member Carol Weiss

OATH OF OFFICE

City Clerk Kathleen Franco Simmons administered the Oath of Office to all members.

INTRODUCTIONS

Mayor Hendricks provided welcoming remarks and Committee Members introduced themselves.

PRESENTATION

[18-0046](#) Brown Act, Parliamentary Procedure and Public Records Act

Assistant City Attorney Melissa Tronquet provided a presentation on the Brown Act, Parliamentary Procedure and Public Records Act.

GENERAL BUSINESS

1 [18-0047](#) Selection of Chair and Vice Chair

Assistant City Manager Teri Silva opened nominations for the office of Chair of the

Charter Review Committee.

Committee Member John Howe nominated Committee Member Larry Stone for Chair.

Committee Member Richard Mehlinger nominated Committee Member Carol Weiss for Chair.

Committee Member Hannalore Dietrich nominated Committee Member Melinda Hamilton for Chair.

There being no further nominations, nominations were closed.

Committee Member Stone accepted the nomination.

Committee Member Weiss accepted the nomination.

Committee Member Hamilton declined the nomination.

Committee Member Stone responded to questions and provided a statement of his background.

Committee Member Weiss provided a statement of her background.

Public comment was opened at 6:45 p.m.

Steve Scandalis inquired as to the legality of selection of an elected official serving as Chair and expressed comments regarding Committee Member Stone's statement of his background.

SHOW OF HANDS VOTE in favor of Committee Member Lawrence Stone for Chair:
9 - (Committee Members Linda Davis, Hannalore Dietrich, Melinda Hamilton, Dawn Hopkins, John Howe, Marc Ketzler, Amanda Richey, Lawrence Stone, Jack Walker)

Committee Member Stone was selected to serve as Chair.

Chair Stone presided over the remainder of the meeting.

Committee Member John Howe nominated Committee Member Carol Weiss for Vice Chair.

Committee Member Amanda Richey nominated Committee Member Richard Mehlinger for Vice Chair.

Committee Member Mehlinger declined the nomination.

Public comment was opened at 6:48 p.m.

No speakers.

Public comment was closed at 6:48 p.m.

SHOW OF HANDS VOTE in favor of Committee Member Carol Weiss for Vice

Chair: Unanimous

- 2** [18-0054](#) Adopt "The Standard Code of Parliamentary Procedure - 4th Edition" by Alice Sturgis as the Charter Review Committee's Rules of Procedure

City Attorney John Nagel provided a staff report and recommended that the committee may want to define a majority as a majority of those present if a quorum is established, or operate under the general rule of it being a majority of the bodies present on every item with the exception of the final recommendation to Council which would be by a majority of the Committee.

Public comment was opened at 6:51 p.m.

No speakers.

Public comment was closed at 6:51 p.m.

MOTION: Committee Member Howe moved and Vice Chair Weiss seconded the motion to Adopt "The Standard Code of Parliamentary Procedure 4th Edition" by Alice Sturgis as the Charter Review Committee's Rules of Procedure, with the modification that the City Attorney provided.

The motion carried unanimously.

- 3** [18-0048](#) Discussion and possible action to approve Meeting Schedule

Assistant City Manager Teri Silva provided a staff report.

Public comment was opened at 7 p.m.

No speakers.

Public comment was closed at 7 p.m.

MOTION: Committee Member Hamilton moved and Committee Member Davis seconded the motion to approve the schedule as proposed by staff:

Second (2nd) and Fourth (4th) Thursdays at 6 PM:

January 25

February 8

February 22

March 8

March 22

April 12

April 26

May 10

The motion carried unanimously.

4 [18-0049](#) Review Charter Review Committee Scope and Discuss Work Plan

Assistant City Manager Teri Silva provided a staff report. City Attorney John Nagel and Assistant City Attorney Melissa Tronquet provided additional information.

Public Hearing opened at 7:19 p.m.

Steve Scandalis expressed comments regarding the question of whether the recent election was an outlier based on the switch from odd to even-year elections.

Public Hearing closed at 7:36 p.m.

MOTION: Committee Member Howe moved and Committee Member Walker seconded the motion to accept the staff report and provide a general consensus of items for consideration. Committee discussion included:

- Voting numbers for elections for the last decade;
- Information about limited term appointments;
- General Law provision for vacancies;
- How other city charters handle vacancies;
- Information about how to handle multiple vacancies caused by a disaster that leaves the Council without a quorum;
- How vacancies have been filled since 1976 when this section was first passed;
- The history of the people who filled those vacancies, whether it was filled through appointment, or through a special election, how those people continued to be involved with the City Council;
- How many of those people went on to eventually run for that same seat;
- How many times have we had to have special elections versus how many times we've had them rolled into a regular election;
- What percentage of people continue to vote for local issues down the ballot;

AMENDMENT: Committee Member Howe stated the motion is amended to include the additional requests for information provided by Committee members. The maker of the second accepted the amended motion.

The motion carried unanimously.

ADJOURNMENT

Chair Stone adjourned the meeting at 7:55 p.m.