



City of Sunnyvale

Meeting Minutes - Draft City Council

Tuesday, November 20, 2018

6:00 PM

Council Chambers and West Conference
Room, City Hall, 456 W. Olive Ave.,
Sunnyvale, CA 94086

Special Meeting: Closed Session - 6 PM | Special Council Meeting - 7 PM

TELECONFERENCE NOTICE

Pursuant to Government Code Section 54953(b), this City Council meeting included teleconference participation by Councilmember Jim Griffith from: Ka'anapali Beach Hotel - Mana'o Conference Room, 2nd Floor, 2525 Ka'anapali Parkway, Lahaina, Maui, HI 96761 and Councilmember Gustav Larsson from: Urban Works Architecture, 901 North Third Street Suite 145, Minneapolis, MN 55401. This Notice and Agenda was posted at the teleconference locations. Public Comment from these addresses was allowed pursuant to Government Code Section 54954.3.

6 P.M. SPECIAL COUNCIL MEETING (Closed Session)

1. Call to Order in the West Conference Room (Open to the Public)

Vice Mayor Klein called the meeting to order at 6:00 p.m. Councilmembers Griffith and Larsson called the meeting to order at the teleconference locations.

2. Roll Call

Present: 7 - Mayor Glenn Hendricks
Vice Mayor Larry Klein
Councilmember Jim Griffith
Councilmember Gustav Larsson
Councilmember Nancy Smith
Councilmember Russ Melton
Councilmember Michael S. Goldman

Councilmember Griffith and Councilmember Larsson attended via teleconference.

3. Public Comment

None.

No individuals at the teleconference locations expressed an interest in addressing the Council.

4. Convene to Closed Session

[18-1021](#)

SPECIAL COUNCIL MEETING (Closed Session)
Closed Session held pursuant to California Government Code
Section 54956.9: LEGAL COUNSEL-ANTICIPATED
LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of
subdivision (d) of Section 54956.9: Related to Notice of
California Voting Rights Act Violation by Samir Kalra

5. Adjourn Special Meeting

Vice Mayor Klein adjourned the special meeting at 6:55 p.m.

7 P.M. SPECIAL COUNCIL MEETING

CALL TO ORDER

Mayor Hendricks called the meeting to order.

SALUTE TO THE FLAG

Mayor Hendricks led the Salute to the Flag.

ROLL CALL

Present: 7 - Mayor Glenn Hendricks
Vice Mayor Larry Klein
Councilmember Jim Griffith
Councilmember Gustav Larsson
Councilmember Nancy Smith
Councilmember Russ Melton
Councilmember Michael S. Goldman

Councilmember Griffith and Councilmember Larsson attended via teleconference.

CLOSED SESSION REPORT

Vice Mayor Klein reported the Council met in Closed Session held pursuant to

California Government Code Section 54956.9: LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Related to Notice of California Voting Rights Act Violation by Samir Kalra; nothing to report.

ORAL COMMUNICATIONS

Josh Grossman, Vice Chair of the Housing and Human Services Commission, speaking on his own accord, spoke regarding issues of homelessness.

David Wessel addressed the community engagement efforts on the voter rights act matter.

Councilmember Larsson reported there were no speakers at his location.

Councilmember Griffith reported there were no speakers at his location.

PUBLIC HEARINGS/GENERAL BUSINESS

1. [18-1025](#) Adoption of Resolution Declaring the City of Sunnyvale's Intent to Transition from At-Large to District-Based City Council Elections, Outlining Specific Steps to be Undertaken to Facilitate the Transition, and Estimating a Time Frame for Action Pursuant to Elections Code Section 10010

City Attorney John Nagel provided a report and noted corrections to the resolution: 1) page 2: change reference to Elections Code to Elections Code 1415; 2) page 4: delete the second "to enforce"; and 3) page 5: change "adopted by the City Council at a Regular Meeting" to "Special Meeting". Outside Counsel Attorney Margarite Leoni provided additional information.

Public Hearing opened at 8:02 p.m.

Josh Grossman urged Council to move away from putting district voting on the ballot in November 2020 and having district based elections in 2022.

Steve Scandalis provided information on council candidate campaign funding and provided a slide presentation.

David Wessel spoke regarding the cost of litigation and recommended switching to district-based voting in 90 days while pursuing outreach to save millions in attorney's fees.

Mike Serrone provided information regarding cities which have switched to district-based voting and recommended a charter commission or a robust system of outreach to consider options.

Richard Mehlinger speaking on his own behalf, expressed concerns about having six to seven districts and urged consideration of three two-seat districts and a directly-elected mayor. He also urged the Council to consider the outreach methods currently being used by the City for boards and commissions.

Linda Davis speaking on her own behalf, shared points on behalf of Steve Chessin who supports the resolution and urges the City to continue negotiating with the potential Plaintiff for more time than the 90 days, possibly until November 2019; supports hiring a demographer that will make mapitude available to the public to maximize public participation on the district lines of the City. Ms. Davis provided her own comments supporting the resolution, spoke in support of a longer window for public input, and suggested that the charter amendment go on the March 2020 ballot.

John Cordes BPAC Chair, speaking for himself, spoke in support the staff recommendation; spoke in support of putting the amendment on the March 2020 ballot; provided suggestions on how to promote diversity on City Council, boards and commissions; and encouraged the implementation of voluntary spending limits on campaigns.

Diane Gleason urged adoption of the resolution and stated that Sunnyvale has a geographic area that could be a Latino district.

Martin Pyne spoke in support for the resolution and urged the Council to obtain as much input from the community as possible including minorities in the City.

Maria Pan stated the threat of litigation is not valid because the people of Sunnyvale have elected a member of a minority.

Holly Lofgren spoke in support of a seven single-member voting system by November 2020 and recommended voting for the resolution of intent.

Jennifer T spoke in support of adopting the resolution of intent to give the City temporary safe harbor. She stated the CVRA is broken and the system at large

builds territorialism, and recommended a blended system.

Public Hearing closed at 8:38 p.m.

MOTION: Councilmember Melton moved and Vice Mayor Klein seconded the motion to adopt the Resolution Declaring the City of Sunnyvale's Intent to Transition from At Large to District Based City Council Elections, Outlining Specific Steps to be Undertaken to Facilitate the Transition, and Estimating a Time Frame for Action Pursuant to Elections Code Section 10010; and make the minor corrections noted by the City Attorney.

AMENDED MOTION: Councilmember Goldman offered an amendment to the motion to strike "November 2020". Councilmember Smith seconded the amended motion.

City Attorney Nagel clarified the amendment would take the third clause under "Now, therefore, be it resolved..." and it would end "or Charter Amendments on the ballot as early as March 2020."

The motion to amend failed by the following vote:

- Yes:** 2 - Councilmember Smith
Councilmember Goldman
- No:** 5 - Mayor Hendricks
Vice Mayor Klein
Councilmember Griffith
Councilmember Larsson
Councilmember Melton

The main motion carried by the following vote:

- Yes:** 6 - Mayor Hendricks
Vice Mayor Klein
Councilmember Griffith
Councilmember Larsson
Councilmember Smith
Councilmember Melton
- No:** 1 - Councilmember Goldman

INFORMATION ONLY REPORTS/ITEMS

[18-1029](#)

Mayoral Announcement of Mayor-Appointed Ad Hoc Council
Advisory Committee on City Manager Compensation
(Information Only)

ADJOURNMENT

Mayor Hendricks adjourned the meeting at 9:10 p.m.