

City of Sunnyvale Charter Review Committee Memo To City Council

June 3, 2025

The Charter Review Committee (CRC) is pleased to present its prioritization of potential Charter amendments meriting further study by the CRC. The CRC seeks Council direction on which potential amendments to develop into ballot measures ready for Council consideration while being mindful of time and resource constraints.

The CRC has met five times so far, beginning on February 6, 2025. The CRC reviewed each Charter section over two meetings to identify potential amendments. Public engagement was an important part of the process, with community members providing valuable insights at each meeting. The Committee received potential amendments from three sources: Council-directed issues (Category A), staff-suggested items (Category B), and new issues raised by CRC members during review and through public input (Category C).

Three subcommittees were formed to investigate specific topics and report back to the full Committee with recommendations and supporting information. These subcommittees conducted thorough research and carefully reviewed relevant Charter sections to compile comprehensive findings. Subcommittee reports are attached for Council's reference.

The CRC used an informal ranking process, similar to the City's study issue ranking process, to identify top priorities for further study by the CRC. Members first eliminated items deemed low priority, then individually ranked the remaining items. Scores were averaged to determine the final prioritization. The Committee was mindful of the significant cost of ballot measures (approximately \$180,000 per measure) and considered the benefits, urgency, and complexity of each potential amendment.

Ranked Results

Top-Ranked Items (High Priority)

Item B-1: City Charter Section 1309 – Alternative project delivery methods for public works

- This amendment would modernize Sunnyvale's contracting methods, bringing them in line with current federal and state regulations that allow alternatives to the traditional design-bid-build process.
- Alternative delivery methods like design-build could provide better partnerships between design and construction teams, potentially lowering costs, reducing risks, and minimizing change orders during projects.

- The Committee ranked this highest because it addresses a structural inefficiency in city operations that directly impacts project budgets and timelines for major infrastructure investments.

Item A-2: City Charter Section 605 – City Council salaries and compensation

- With Sunnyvale's \$750 million annual budget serving 152,000 residents, Council members have significant responsibilities that warrant fair compensation.
- The Committee noted recent elections with only one candidate, suggesting that compensation levels may prevent diverse, qualified individuals from serving if they cannot afford the time commitment.
- A competitive compensation package would help ensure Council represents Sunnyvale's diverse population and attracts high-quality candidates with the expertise needed for complex policy decisions.

Item A-5: City Charter Section 609 – Redistricting commission rules

- Current Charter language was intended for the 2020 redistricting transition and does not establish permanent procedures for future redistricting cycles. The plan was to introduce a more permanent solution with a charter amendment before the 2030 census.
- Well-designed redistricting processes are fundamental to democracy and for maintaining voter trust in the electoral process.

Item A-8: City Charter General – Remove gender-specific language

- The Committee recommends removing gender-specific language to improve precision and reduce potential ambiguity in the Charter.
- Rather than replacing pronouns with "they/them," the Committee suggests using the Uniform Law Commission's Rule 704 approach of repeating nouns to avoid pronouns entirely.
- This approach focuses on clarity and precision, making the Charter more accessible while reducing the likelihood of litigation over ambiguous language.

Mid-Priority Items

Item A-4: Full-time Mayor role

- As Sunnyvale continues to grow in population and regional importance, the demands on the Mayor position have increased substantially.
- A full-time Mayor could provide greater accessibility to residents, staff, and regional stakeholders, potentially improving community engagement and regional representation.
- The Committee recommends developing a clearer job description with specific expectations as part of this change.

Item A-3: Vacancies and appointment rules

- Current rules can result in two back-to-back elections for the same Council seat in the same year if a vacancy occurs at certain times.
- Adjusting the timing could increase voter turnout by ensuring elections occur during general elections while reducing costs for both the City and candidates.
- The Committee suggested weighing the benefits of more immediate elections against the practical benefits of consolidating with general elections.

Item A-6: City Council meeting frequency

- Changing from requiring two meetings monthly to requiring 24 meetings annually would provide scheduling flexibility while maintaining the same total number of meetings.
- This change would accommodate Council member schedules and potentially reduce absences while improving the efficiency of meeting schedules.
- The current requirement creates difficulties during holiday seasons and summer months when scheduling conflicts are more common.

Item B-2: City Manager settlement authority

- The current \$50,000 settlement authority limit has remained unchanged since at least 1989 and no longer reflects current financial realities.
- Increasing this limit would improve administrative efficiency and free up Council time for more substantive policy matters.
- The Committee suggested considering a model that references settlement limits in an ordinance rather than specifying an amount in the Charter.

Lower-Priority Items

Item C-3: Publishing legal notices

- Current requirements for newspaper publication of legal notices may not effectively reach residents in an increasingly digital environment.
- Modernizing these requirements could reduce costs while potentially increasing actual notice to residents.
- The Committee ranked this lower as it is less critical than other charter amendments and could potentially be addressed through other means.

Item A-1: Alternative voting systems

- The Committee studied various voting methods, including ranked choice voting, but recommended monitoring County developments before proceeding.

- A recent County report emphasized that strong public education often correlated with better voter experience of ranked choice voting.
- Members noted the high implementation costs, especially for voter education and mixed public reception to ranked choice voting.
- The Committee suggested waiting until Santa Clara County implements its planned ranked choice voting system to leverage county resources and voter education.

Item C-9: Petty cash and warrants

- This provision appears outdated and could be removed or updated as part of a broader administrative modernization effort.
- The Committee ranked this lower due to minimal impact on day-to-day operations.
- This could potentially be combined with other administrative or language updates in a future ballot measure.

Item C-5: Merit principle language

- This item involves potential modernization of outdated language around employment principles.
- It was ranked lower as it has minimal operational impact and could be addressed through policies rather than charter amendments.
- Like other language updates, this could be combined with similar items if a general language modernization measure is proposed.

Request for Council Direction

To proceed efficiently and meet deadlines, the CRC requests Council direction on the following:

- Does Council support the CRC's prioritization of items? If yes, the CRC will begin in-depth research and public engagement on top-ranked topics. If not, the CRC requests that Council indicate which items they would like elevated, dropped, or continued for study.
- Are there any additional items Council wants the CRC to include in or exclude from its study list?
- Does Council see opportunities to combine any items into a single ballot measure? For example, several language modernization items could potentially be combined.
- Given resource constraints, which 4-5 items should the CRC prioritize for immediate intensive study?

Time and Resource Constraints

The CRC is working under tight timelines to develop detailed recommendations, secure legal review, and conduct meaningful public outreach. Each potential amendment requires thorough research and analysis to ensure it addresses the intended issue effectively.

The Committee is mindful that each ballot measure costs approximately \$180,000, creating a significant financial incentive to be strategic in our recommendations. Focusing on 4-5 high-priority items would allow for the thorough analysis needed to develop sound charter amendment language.

Some amendments, particularly those involving administrative or language updates, could potentially be combined into a single measure. However, there is a balance to strike between consolidation and ensuring voters can consider each substantive issue on its merits.

Amendments that are not developed into ballot measures at this time could still be pursued through other means such study issues, City ordinances or policies, or a future more narrowly focused Charter Review Committee.

The CRC is committed to producing high-quality, well-researched recommendations that serve Sunnyvale's long-term interests while being mindful of both financial and logistical constraints.

Respectfully submitted,

Gustav Larsson
Charter Review Committee Chair