



City of Sunnyvale

Meeting Minutes - Final City Council

Wednesday, September 5, 2018

7:00 PM

Council Chambers, City Hall, 456 W. Olive
Ave., Sunnyvale, CA 94086

Special Meeting: 7 PM

CALL TO ORDER

Mayor Hendricks called the meeting to order.

SALUTE TO THE FLAG

Mayor Hendricks lead 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

PUBLIC HEARINGS/GENERAL BUSINESS

1. [18-0776](#) Direction Regarding Public Outreach and Submitting a Charter Amendment to Voters Regarding Changing At-large with Numbered Seats to District-Based Elections

City Attorney John Nagel introduced outside Counsel Marguerite Leoni of Nielsen, Merksamer, Parrinello, Gross & Leoni. Ms. Leoni provided her legal background in redistricting and the California Voting Rights Act.

City Attorney Nagel provided the staff report. Outside Counsel Leoni provided her report.

The Council recessed at 9:09 p.m. and reconvened at 9:19 p.m. with all Councilmembers present.

The Public Hearing was opened at 9:19 p.m.

Richard Mehlinger requested consideration of an option of a 3/2 district where each district will elect a councilmember every two years which will encourage civic engagement. He suggested that staff examine electing councilmembers by approval voting.

David Wessel, speaking on behalf of John Cordes, read a statement from Mr. Cordes supporting staff's proposal to obtain public input and in support of Alternative 1. David Wessel speaking for himself spoke in support of approval voting.

Steve Chessin, President of Californians for Electoral Reform, stated he is a nationally recognized expert on electoral systems. He stated that the staff report had incorrect information regarding the Santa Clara County Registrar of Voters discussion on cumulative and ranked-choice voting, and distributed the County's timetable regarding new voting equipment. He also urged the Council to create a citizen's advisory commission to determine the best way to elect the City Council.

Charles Coston spoke in support of district based voting.

Margaret Okuzumi urged Council to appoint a Charter Review Committee to address these issues in depth and to look at other alternatives that make sense for Sunnyvale. She also spoke to leaving the question of a directly elected mayor alone.

Serge Rudaz stated that Council should focus on doing the right thing and not be concerned on the money associated with a potential litigation. He spoke in favor of a citizens' advisory committee that includes a statistician and demographer, and encouraged staff to use a 95% confidence level as the standard.

Linda Davis stated that the underlying problem is that the Council does not reflect the community and expressed support for looking at alternatives that will fix the real problem.

Sarah Luttmann stated that we need to question why the change and that hopefully it is to ensure that our community is reflected in our council, not to save money on a lawsuit. She suggested that the public outreach be done with the message of having a fair, equitable and representative election process that complies with the lawsuit.

Mason Fong, chair of the Board of Library Trustees, stated that it is appropriate for the City to be proactive on this issue, that he agreed with the statements from the League of Women Voters that the framing of this issue and the background section of any future report is important, and urged that the alternatives not specify the type of election system. He further stated that town halls have been very effective and that outreach needs to be diversified.

Zachary Kaufman asked if a charter amendment can have a sunset provision.

Steve Scandalis spoke about the current governance system, spoke in support of a charter amendment election regarding district based elections so that the first district election is in November 2020, and commended Councilmember Smith for closing her Candidate Committee and donating an unsolicited political action committee contribution to a charitable cause.

The Public Hearing was closed at 9:49 p.m.

MOTION: Mayor Hendricks moved and Councilmember Melton seconded the motion to approve Alternative 1 with additions: Direct staff to scope a public outreach and education plan for receiving public input on whether the Council should place a measure on the November 2020 ballot for voters to decide whether to amend the City Charter to change from at large with numbered seats to district based elections or other approaches that are tailored as pertain to the California Voting Rights Act, and return to Council by November 2018 for approval of the outreach plan which includes outreach in multiple languages and resources necessary to implement that plan; and creation of a citizens' advisory committee where staff can consider the appropriate groups to be included in it.

AMENDMENT: Councilmember Goldman moved an amendment to include consideration of voting systems into the motion. The motion died due to lack of a second.

The motion carried by the following vote:

Yes: 7 - Mayor Hendricks
Vice Mayor Klein
Councilmember Griffith
Councilmember Larsson
Councilmember Smith
Councilmember Melton
Councilmember Goldman

No: 0

ADJOURNMENT

Mayor Hendricks adjourned the meeting at 10:53 p.m.