



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

Adopt Positions on State and Local Ballot Measures for the March 3, 2020 Election

BACKGROUND

Prior to statewide elections, the Sunnyvale City Council considers taking positions on state and local measures that could impact Sunnyvale residents. This report summarizes each measure on the March 3, 2020 ballot, provides the City's adopted policy on the measure (if any).

Council Policy 7.4.16 *Ballot Measure Positions*, states that staff will provide analysis and a position recommendation on only those ballot measures that directly impact *City business*. *City business* is defined as all matters directly related to service delivery, or otherwise contributing to the City's operational success (Per Council Policy 7.4.14 *Legislative Advocacy Positions*).

Staff's recommendations are generally based on existing City policies from documents such as the General Plan, Legislative Advocacy Positions, and impact on City services and/or operations. As required by state law, no public funds have been or will be used to campaign for or against any of these measures. Public resources may be used to adopt a position on a measure, as long as that position is taken at an open and public meeting where all perspectives have the opportunity to be heard.

EXISTING POLICY

Council Policy 7.4.16 *Ballot Measure Positions*: As soon as possible following the release of the Secretary of State's *Official Voter Information Guide* or the Santa Clara County Registrar of Voter's *Voter Information Pamphlet*, staff will present to Council a report reviewing proposed ballot measures.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" with the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378 (a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

DISCUSSION

A brief analysis of each measure follows including a summary and, for statewide measures only, the California Legislative Analyst's estimate of state and local government fiscal impact.

Consistent with City policy, staff does not provide analysis or make recommendations on measures that do not impact City business as defined in Council Policy 7.4.14, Legislative Advocacy Positions.

No staff recommendations are made in this report as no ballot measures were found to directly impact City service delivery or operational success. Except for Measure B, all measures appearing on the March 3 ballot are school related. While Measure B impacts the way in which Sunnyvale residents elect members of the Council, the measure is not expected to impact service delivery or operations.

Measures Not Deemed Operational City Business:

State Ballot Measures

Proposition 13 : Authorizes Bonds for Facility Repair, Construction, and Modernization at Public Preschools, K-12 Schools, Community Colleges, and Universities. Legislative Statute.

Summary: Authorizes \$15 billion in bonds, to be repaid from the state's General Fund, to fund projects that will improve facilities' health/safety conditions, increase affordable student housing, with limits on administrative costs to 5%. Priority will be given to schools with the biggest health and safety needs, schools needing to remove lead in school water and districts with small tax bases. Prop. 13 would reduce the fees on multi-residential developments by 20% and eliminate developer fees for apartment complexes and other multifamily residential developments built within a half-mile of a major transit stop for the next five years.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact: Increased state costs to repay bonds estimated at about \$740 million per year (including interest) over the next 35 years. Mixed effect on the amount of local bonds issued by school and community college districts and a likely reduction in the amount of developer fees collected by certain school districts going forward.

Existing City Policy: **Policy 5.1.1 Goal 5.1E** Support efforts to improve the availability and quality of education made available in Sunnyvale.

2019 Priority Advocacy Issue - School Mitigation Fees : The City supports efforts by the State Legislature and/or Allocation Board to increase the rates and/or inflation calculator to more realistically reflect current school facility costs, or consider other provisions to allow school districts to effectively mitigate the impacts of new development.

Staff Recommendation: No Staff Recommendation.

Local Ballot Measures

Measure B : City of Sunnyvale Charter Amendment Majority Vote

Summary: The following is the ballot question for Measure B:

Shall Article VI of the City of Sunnyvale Charter be amended to establish "by-district" elections for six Council members required to be residents of a district and elected only by the voters of that district, and one Mayor who will be directly elected by all City voters; change term limits to permit service on the Council for three consecutive terms but only two as Council member or Mayor; and make other conforming amendments?

Currently, Councilmembers are elected at-large from across the City to seven numbered seats

and Councilmembers select the mayor every two years. The proposed measure would amend the City Charter to change to a six-district system with one councilmember elected by the voters in each district and a mayor directly elected by all Sunnyvale voters.

District based elections group voters based on geographical districts where all residents within that district vote for one councilmember that must live in the district.

Under this measure, all Sunnyvale voters would vote for a mayor in a citywide election every four years beginning in November 2020. The mayor's responsibilities would remain the same under Measure B: acting as presiding officer (or chair) during Council meetings, serving as the official Council spokesperson, and having one of seven votes in all Council decisions.

Currently, councilmembers may not serve more than two consecutive four-year terms. Under the proposed measure, councilmembers would be allowed to serve up to three consecutive four-year terms, but no more than two terms as councilmember or two terms as mayor.

The proposed measure also makes amendments to a number of Charter sections (e.g., Charter sections 600, 601, 602, 604 and 605) to conform those sections to reflect the transition to district elections and a directly elected mayor.

The proposed measure also identifies a process for future redistricting based on each decennial federal census. The first redistricting will occur for the November 2022 municipal election.

On December 10, 2019, the City Council approved a six-district map. If the measure passes, beginning in November 2020, voters in the three even-numbered districts would vote for their councilmember and all voters would vote for mayor. In November 2022, the three odd-numbered districts would vote for their councilmember. This would complete the transition to district-based elections.

Staff Recommendation: No Staff Recommendation.

Measure G: Foothill-De Anza Community College District School Bonds 55% Vote

Summary: The following is the question for Measure G:

To upgrade facilities preparing students/veterans for university transfer/careers like healthcare, nursing, technology, engineering/sciences; upgrade/repair aging classrooms, labs for science, technology, engineering/math-related fields of instruction; acquire, construct, repair facilities, equipment/sites; shall Foothill-De Anza Community College District's measure authorizing \$898,000,000 in bonds at legal rates, levying 1.6 cents/\$100 assessed valuation (\$48,000,000 annually) while bonds are outstanding, with audits/no money for administrators' salaries, be adopted?

Existing City Policy: Policy 5.1.1 Goal 5.1E Support efforts to improve the availability and quality of education made available in Sunnyvale.

Staff Recommendation: No Staff Recommendation.

Measure H: Foothill-De Anza Community College District Parcel Tax 2/3 Vote

Summary: The following is the question for Measure H:

To provide funding for local colleges that cannot be taken by the State; keep college education affordable; attract and retain quality teachers; support homeless, hungry students; maintain science, technology, health-science programs; and prepare students for university transfer, career and job training, shall Foothill-De Anza Community College District's measure levying \$48 per parcel for 5 years (\$5,500,000 annually), be adopted, with citizens' oversight, and with no funds for administrator salaries?

Existing City Policy: Policy 5.1.1 Goal 5.1E Support efforts to improve the availability and quality of education made available in Sunnyvale.

Staff Recommendation: No staff recommendation.

Measure O: Cupertino Union School District Parcel Tax 2/3 Vote

Summary: The following is the question for Measure O:

To maintain strong academic programs in reading, writing, math, engineering/science for local elementary and middle school students, protect music and art programs, and retain highly qualified teachers shall Cupertino Union School District's measure to levy \$125 per year for 5 years, be approved, raising \$4,321,500 annually that cannot be taken by the State, with exemptions for seniors, independent community oversight, no funds for administrators, and all funds benefiting local schools?

Existing City Policy: Policy 5.1.1 Goal 5.1E Support efforts to improve the availability and quality of education made available in Sunnyvale.

Staff Recommendation: No staff recommendation.

FISCAL IMPACT

As required by state law, no public funds have been or will be used to campaign for or against any of these measures and therefore there is no fiscal impact to this report.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

ALTERNATIVES

1. Consider taking positions on ballot measures which are deemed not *City business*:
 - **Proposition 13:** Authorizes Bonds for Facility Repair, Construction, and Modernization

at Public Preschools, K-12 Schools, Community Colleges, and Universities. Legislative Statue.

- **Measure B:** City of Sunnyvale Charter Amendment Majority Vote
- **Measure G:** Foothill-De Anza Community College District School Bonds 55% Vote
- **Measure H:** Foothill-De Anza Community College District Parcel Tax 2/3 Vote
- **Measure O:** Cupertino Union School District Parcel Tax 2/3 Vote

2. Affirm that, as required by State law, no public funds have been or will be used to campaign for or against any of these measures.
3. Other action as directed by Council.

STAFF RECOMMENDATION

Alternatives 1 and 2:

1. Consider taking positions on ballot measures which are deemed not *City business*:
 - **Proposition 13:** Authorizes Bonds for Facility Repair, Construction, and Modernization at Public Preschools, K-12 Schools, Community Colleges, and Universities. Legislative Statue.
 - **Measure B:** City of Sunnyvale Charter Amendment Majority Vote
 - **Measure G:** Foothill-De Anza Community College District School Bonds 55% Vote
 - **Measure H:** Foothill-De Anza Community College District Parcel Tax 2/3 Vote
 - **Measure O:** Cupertino Union School District Parcel Tax 2/3 Vote
2. Affirm that, as required by State law, no public funds have been or will be used to campaign for or against any of these measures.

Prepared by: Jennifer Nuñez, Executive Assistant to the Mayor and Council and Jaqui Guzmán, Deputy City Manager

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Prop 13 Legislative Analyst's Office Report
2. March 2020 List of Local Measures