



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

Discussion of Impacts of District Elections on Council Seniority Outlined in Council Policy 7.3.11 (Seating Arrangements/City Council) and Possible Updates to Council Policy 7.3.11

BACKGROUND

At its first meeting in January the City Council selects their seats on the Dais. Council Policy 7.3.11 (*Seating Arrangements/City Council*) identifies the center seat for the Mayor and the seat on either side of the Mayor for the Vice Mayor. Section 3 item B determines the order in which Councilmembers select their seat from among those remaining after the Mayor and Vice Mayor's seats are determined.

Councilmembers select their seat in the order of most senior to least senior. Seniority is determined by the length of continuous time of service on the City Council. When two or more Councilmembers have equivalent time of service, those Councilmembers shall be given priority in seat selection by the highest number of votes in his/her most recent election. Prior to 2005, priority for Councilmembers with equivalent time of service was determined by lot (see Attachment 2, RTC No. 05-357). Council seniority is also used to establish the order Councilmembers are listed on City letterhead, the voting board in Council Chambers and other administrative processes.

At the March 3, 2020 election, Sunnyvale voters approved Measure B, changing the Sunnyvale electoral system from seven at-large Councilmembers to a system with six district-based Councilmembers and a Mayor elected at-large. The number of registered voters varies between the council districts.

EXISTING POLICY

California Elections Code Section 10229 (Nomination of Candidates)
Sunnyvale Charter Section 616 (Proceedings)
Council Policy 7.3.11 (Seating Arrangements/City Council)

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental, organizational or administrative activity that will not result in direct or indirect changes in the environment.

DISCUSSION

The implementation of council districts with differing numbers of registered voters in each district provides Council candidates with different numbers of possible votes depending on the district where they reside.

2010 Population and Nov. 2018 Registered Voter Information

Sunnyvale	District 1	District 2	District 3	District 4	District 5	District 6	Citywide
Population	23,301	22,415	23,504	24,218	23,275	23,372	140,085
Voters	8,023	8,934	8,022	9,867	12,666	9,276	56,788

Source: RTC 19-0678 - Attachment 1 Preferred Draft Maps and Sequencing

2020 Registered Voter Information

Sunnyvale	District 1	District 2	District 3	District 4	District 5	District 6	Citywide
Voters	14,055	10,690	9,213	11,188	9,774	11,680	66,600

Source: Santa Clara County Registrar of Voters, Aug. 31, 2020

During an election where no one or only one person is nominated for a particular council district or the Office of Mayor, California Elections Code (EC) Section 10229 provides the City Council with several options, including the potential option to appoint a candidate to that seat and cancel the associated election. These provisions of EC Section 10229 do not apply if a ballot measure or citywide elective office are on the same ballot. If the City Council makes an appointment pursuant to EC Section 10229, the appointed Councilmember would have zero votes for consideration under Council Policy 7.3.11. The number of votes received would also be highly influenced by the number of candidates running for office.

Council has the option and authority to modify Council Policy 7.3.11 to change the method of resolving ties with equivalent time of service in determining seniority. Some ideas for consideration are:

- Continue to establish seniority by the highest number of votes in the most recent election.
- Establish seniority based on time of service on City boards and commissions prior to serving on the City Council.
- Establish seniority by the highest number of votes in the most recent election and time of service on City boards and commissions prior to serving on the City Council.
- Establish seniority based on drawing lots.
- Other modifications as proposed by Council or the public.

FISCAL IMPACT

None.

PUBLIC CONTACT

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

ALTERNATIVES

- Direct staff to make changes to Council Policy Council Policy 7.3.11 (Seating Arrangements/City Council) as specified by Council.
- Take no action regarding Council Policy 7.3.11 (Seating Arrangements/City Council).
- Other direction as provided by Council.

STAFF RECOMMENDATION

Staff makes no recommendation. This report is being presented to City Council to facilitate discussion at the public hearing.

Prepared by: David Carnahan, City Clerk

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Council Policy 7.3.11 (Seating Arrangements/City Council)
2. RTC No. 05-357 - 2005-2006 Seating Arrangements for City Council and Approval of Revised Council Policy 7.3.7 (Renumbered as 7.3.11)