



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

Introduce an Ordinance Amending Section 2.28.030 of the Sunnyvale Municipal Code to Reduce the Number of Signatures Required for District Council Candidates Submitting In-Lieu Petitions for City-Paid Publication Costs of City Council Candidate Statements

BACKGROUND

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. Sunnyvale voters residing within each Council district vote for their respective councilmember and all Sunnyvale voters vote for the mayor.

Sunnyvale Municipal Code (SMC) section 2.28.030 is a long-established provision of the Municipal Code that allows candidates for City Council to obtain a full or partial subsidy for the cost of publishing a candidate statement for a local election. The City pays the full cost of publishing a candidate statement for any candidates who submit 250 or more signatures, verified by the registrar of voters. Candidates submitting less than 250 verified signatures are eligible for a pro-rated amount based on the number of verified signatures.

On June 9, 2020, Council approved waiving the signature gathering requirement in SMC Section 2.28.030 and the City paying publication costs of all city council candidate statements for the November 2020 general municipal election due to the COVID-19 emergency (RTC No. 20-0498).

On July 14, 2020, Council held a Study Session regarding local campaign finance, including a discussion of the requirements in SMC section 2.28.030 and the change to district-based elections (RTC No. 20-0597). Key areas of discussion about SMC section 2.28.030 included the following comments and ideas:

- Setting the number of signatures required for a full subsidy of a district councilmember at a number lower than the current 250, possibly 50 or 100 signatures.
- Requiring all candidates to pay a portion of the candidate statement cost, with the City subsidizing the remaining cost.
- Councilmembers noted a minimum of 20 valid signatures of registered voters are required by the California Elections Code to run for local office.

On April 6, 2021, Council directed staff to return with an ordinance reducing the number of signatures required for council candidates in Districts 1-6 to obtain a full subsidy to 100 signatures (RTC No. 21-0003).

EXISTING POLICY

Sunnyvale Municipal Code Section 2.28.030 (In lieu petitions for cost of candidate's statement) (Attachment 2).

ENVIRONMENTAL REVIEW

Amending SMC section 2.28.030 does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15378(b)(4) and 15378(b)(5) in that it is a fiscal and governmental organizational or administrative activity that will not result in direct or indirect changes in the environment and does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

DISCUSSION

The attached draft Ordinance (Attachment 1) amends SMC section 2.28.030 to reduce the number of signatures required for district council candidates 1-6 to 100 valid signatures to receive a full subsidy of the cost to publish a candidate statement and to make minor clarifications and clean-ups. The number of signatures required for candidates for mayor will remain at 250, and the partial subsidy (prorated based on the number of signatures submitted) for council candidates who submit fewer than the required number of valid signatures for their respective positions will also continue.

FISCAL IMPACT

Reducing the number of signatures required by SMC section 2.28.030 (in lieu petitions for cost of candidate's statement) for councilmembers elected by district so that the City will pay all or some costs for candidate statements in future elections is not anticipated to have a significant fiscal impact. The FY 2022/23 Budget includes a project for Bi-Annual Elections Costs in the amount of \$489,750. This amount was recommended to cover the cost of three district councilmember elections, including a full subsidy of all Candidate Statements of Qualifications and potential for up to two ballot measures.

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

1. Introduce an Ordinance Amending Section 2.28.030 of Title 2 (Administration and Personnel) of the Sunnyvale Municipal Code Relating to In Lieu Petitions for Cost of City Council Candidate Statements.
2. Introduce an Ordinance Amending Section 2.28.030 of Title 2 (Administration and Personnel) of the Sunnyvale Municipal Code Relating to In Lieu Petitions for Cost of City Council Candidate Statements with modifications.
3. Do not introduce the proposed ordinance.

STAFF RECOMMENDATION

Alternative 1: Introduce an Ordinance Amending Section 2.28.030 of Title 2 (Administration and Personnel) of the Sunnyvale Municipal Code Relating to In Lieu Petitions for Cost of City Council Candidate Statements.

Prepared by: David Carnahan, City Clerk
Reviewed by: Teri Silva, Assistant City Manager
Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Draft Ordinance
2. Sunnyvale Municipal Code Section 2.28.030 (In lieu petitions for cost of candidate's statement)