



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 23-0010, Version: 1

REPORT TO COUNCIL

SUBJECT

Certification of November 8, 2022 Election Results - City Council Districts 3 and 5

BACKGROUND AND DISCUSSION

A General Municipal Election was held November 8, 2022 for the purpose of electing Council Members to City Council Districts 3 and 5. The Santa Clara County Registrar of Voters (ROV) canvassed the returns of the election and transmitted a Certification of Election Results to the City Clerk on December 8, 2022. Sunnyvale City Charter Section 601 provides that the four-year terms shall commence at the first regular meeting in January, at which the Council certifies the election results.

On December 12, 2022, Justin Jun-Ren Wang filed a request for a Voter Initiated Recount with the ROV. On December 27, 2022, the ROV reported the Voter Initiated Recount resulted in a tie between the two candidates. A tiebreaker for City Council District 3 is scheduled for Tuesday, January 3, 2023 (see Attachment 2).

The attached Resolution includes the December 27, 2022 Revised Certificate of Election Results for City Council District 3 along with the December 8, 2022 Certificate of Elections Results for City Council District 5.

Pursuant to California Elections Code Section 10263 and City Charter Section 601, the attached resolution details the number of votes cast and percentage of the vote received by each candidate, and declares elected the following persons who have received the highest number of votes cast for each office:

Councilmember District Number 3: *Pending Jan. 3, 2023 Tiebreaker*
Councilmember District Number 5: Richard Mehlinger

The votes cast and percentage of the vote received by each candidate follows in the table below (Councilmember-Elect name shown in bold):

Councilmember District Number 3

<i>Candidate</i>	<i>Votes Received</i>	<i>Percentage of Votes Received</i>
Murali Srinivasan	2,814	50.00%
Justin Jun-Ren Wang	2,814	50.00%
Total Votes Cast:	5,628	100.00%

Total Registration: 10,976
Precinct Ballots Cast: 412
Vote by Mail Ballots Cast: 5,998
Total Ballots Cast: 6,410
Voter Turnout: 58.40%

Councilmember District Number 5

<i>Candidate</i>	<i>Votes Received</i>	<i>Percentage of Votes Received</i>
Richard Mehlinger	3,195	71.26%
Satyam Davé	1,317	29.19%
Total Votes Cast:	4,512	100.00%

Total Registration: 10,325
Precinct Ballots Cast: 476
Vote by Mail Ballots Cast: 4,820
Total Ballots Cast: 5,296
Voter Turnout: 51.29%

On August 22, 2022, the City Council appointed Linda Sell, the only candidate, to City Council District 1 in lieu of including City Council District 1 on the November 8, 2022 ballot.

EXISTING POLICY

California Elections Code Section 10263
Sunnyvale Charter Section 601. Term and Election

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.

FISCAL IMPACT

Adopting the attached Resolution does not have a fiscal impact.

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 Public Library, Senior Center, Community Center and in the

Department of Public Safety Lobby. In addition, the agenda and report are available at the Sunnyvale Public Library, Office of the City Clerk, and on the City's website.

STAFF RECOMMENDATION

Adopt the Resolution declaring the Canvas of Returns and results of the Consolidated General Municipal Election held November 8, 2022 for the Election of Councilmembers to City Council Districts 3 and 5, and such other matters as provided by law.

Prepared by: David Carnahan, City Clerk

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Resolution Declaring the Canvas of Returns and Results of the Consolidated General Municipal Election held November 8, 2022 for the Election of Councilmembers to City Council Districts 3 and 5, and such other matters as provided by law
2. Notice of Election Tiebreaker - Council District 3