

**SUNNYVALE
BALLOT
MEASURES
SPECIAL MUNICIPAL
ELECTION
March 3, 2020**

City of Sunnyvale Measure B
Majority Vote

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?

YES _____
NO _____

Impartial Analysis**

Argument In Favor of Measure B*

Rebuttal to the Argument in Favor of Measure B**

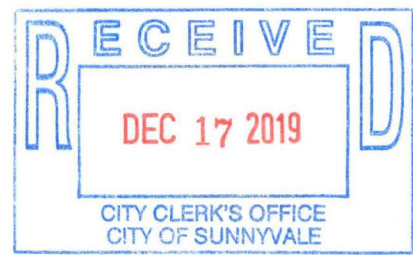
Argument Against Measure B*

Rebuttal to the Argument Against Measure B**

California Elections Code Section 9380 Public Examination Period:

* December 11 through December 21

** December 18 through December 28



CITY ATTORNEY'S IMPARTIAL ANALYSIS OF CITY OF SUNNYVALE MEASURE B

The City Council placed Measure B on the ballot to ask voters if the City Charter should be amended to change how the City elects councilmembers.

Historically, Sunnyvale's seven City councilmembers have been elected in an "at-large with numbered seats" system, meaning each is elected to a specific seat by the voters of the entire City and can live anywhere in the City. The Council selects one of its members to serve as Mayor for a two-year term.

Agencies throughout California with at-large election systems have been increasingly threatened with lawsuits under the California Voting Rights Act ("CVRA") claiming at-large systems illegally dilute minority votes, and impair the ability of minority groups to elect candidates of their choice because of racially polarized voting. In September 2018, the Council reviewed the legal risk from the CVRA and initiated a public process for input on transitioning to district-based elections to avoid potential CVRA issues. In October 2018, the City received a Notice of CVRA Violation from potential plaintiffs alleging the City's at-large system dilutes the voting strength of Asian American voters. After months of City outreach and public input on the change and establishing district boundaries, the Council placed Measure B on the ballot.

Measure B proposes three key changes to Charter Article VI:

- (1) Six city council districts. Measure B would establish six City Council electoral districts. Voters of each district would elect one councilmember who must live in that district. The Council adopted an ordinance establishing the district boundaries that will become effective if Measure B passes.
- (2) Mayor directly elected. Measure B would establish a directly elected Mayor with a four-year term. The Mayor could live anywhere in the City and all voters would vote for the Mayor regardless of where they live.
- (3) Increase total term limits. Currently, City councilmembers may not serve more than two consecutive four-year terms. Measure B would allow members to serve up to three consecutive four-year terms, with no more than two terms as councilmember or mayor.

A "YES" vote means you want to change the City's electoral system from "at-large with seven numbered seats" to "by-district" with six councilmember districts and a directly elected Mayor. Three districts and the Mayor office will be on the November 2020 ballot. Current councilmembers with time remaining in office will continue to serve until they complete their respective terms. The other three districts will be on the 2022 ballot.

A "NO" vote means you want the City to retain its at-large with numbered seats electoral system with the Mayor selected by the Council.

The existing at-large system was the reason for the Notice of CVRA Violation. If Measure B fails and a CVRA lawsuit is filed, the lawsuit could propose a remedy requiring the City to change to by-district elections. The outcome of such a challenge would depend on many factors, some of which are unknown.

This Charter amendment will become effective if a majority of those voting on the measure vote "yes."



John A. Nagel
City Attorney

Arguments in support or opposition of the proposed laws are the opinions of the authors.

Argument In Favor of Measure
[or]
Argument Against Measure



[Pursuant to §9282: Maximum 300 words]

Sunnyvale City Council voted in September of 2018 to move our city to district-based elections. The city subsequently received notice from a potential plaintiff alleging the City's at-large electoral system violates the California Voting Rights Act ("CVRA") and Sunnyvale must move to district elections.

Your "YES" vote will create six districts to ensure that all parts of Sunnyvale are evenly represented on city council. Most importantly, the map and sequencing selected by Council satisfy the safe harbor provisions of the CVRA, protecting the City against CVRA lawsuits.

Today, candidates run citywide. That means that at times a majority of Councilmembers could be concentrated in one neighborhood. With six districts, Sunnyvale residents will always be more evenly represented geographically.

The City's mapping process enabled members of the public to develop, propose, and refine district maps. Council's chosen "Unity Map" was submitted by a coalition of diverse community members from 20+ geographic neighborhoods and areas of interest throughout the City.

Many experts believe districts improve the quality and diversity of candidates in elected office.

Measure ~~X~~^B will also allow voters to select their Mayor as opposed to the Mayor being appointed by Councilmembers as is currently done. The role and duties of the Mayor/Councilmembers would remain unchanged. A directly elected Mayor will represent the interests of the entire city and be accountable to all Sunnyvale residents, while ensuring every resident has two directly elected representatives on Council.

We ask you to join us as we create six districts and a directly elected mayor for Sunnyvale.

This is the right plan for our city and our future.

Please vote "YES" on Measure ~~X~~^B to improve representation and diversity on Sunnyvale City Council.



[Pursuant to §9600: Form of Statement to accompany arguments]

The undersigned proponent(s) or author(s) of the (primary) rebuttal) argument (in favor of / against) Ballot Measure B at the Special Municipal Election for the City of Sunnyvale to be held on March 3, 2020 hereby state that this argument is true and correct to the best of (his/her/

Signed: [Redacted signature lines]

Date: 12/9/19
Date: 12/10/19
Date: 12/9/19
Date: 12/9/19
Date: 12/10/19

[Pursuant to §9285: Printed name and signature required for argument acceptance]

Signature(s) of Author(s):		Official Use Only
1.	<p>Signature </p> <p>Residence Address: </p> <p>Print Name <u>Galen Kim Davis</u></p> <p>Title (optional) _____</p> <p>Organization (if submitted on behalf of) _____</p> <p>City <u>Sunnyvale</u></p> <p>Date <u>9 DEC 2019</u></p> <p>Author meets criteria of: <input type="checkbox"/> Principal Officer of Bona Fide Assoc. <input type="checkbox"/> Legislative Body Member <input checked="" type="checkbox"/> Registered Voter of the City</p>	
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4.	<p>Signature </p> <p>Residence Address: </p> <p>Print Name <u>Sue D. Serrone</u></p> <p>Title (optional) <u>Chair Livable Sunnyvale</u></p> <p>Organization (if submitted on behalf of) _____</p> <p>City <u>Sunnyvale 94087</u></p> <p>Date <u>12/8/19</u></p> <p>Author meets criteria of: <input type="checkbox"/> Principal Officer of Bona Fide Assoc. <input type="checkbox"/> Legislative Body Member <input checked="" type="checkbox"/> Registered Voter of the City</p>	
5.	<p>Signature </p> <p>Residence Address: </p> <p>Print Name <u>LARRY KLEIN</u></p> <p>Title (optional) <u>SUNNYVALE MAYOR</u></p> <p>Organization (if submitted on behalf of) _____</p> <p>City <u>SUNNYVALE</u></p> <p>Date <u>12/10/19</u></p> <p>Author meets criteria of: <input type="checkbox"/> Principal Officer of Bona Fide Assoc. <input checked="" type="checkbox"/> Legislative Body Member <input checked="" type="checkbox"/> Registered Voter of the City</p>	

Arguments in support or opposition of the proposed laws are the opinions of the authors

Rebuttal To Argument In Favor Of Measure

[or]

Rebuttal To Argument Against Measure



[Pursuant to §9285: Maximum 250 words]

Vote **NO on B** for more diverse, locally representative government.

Keep our council-selected mayor process with 7 single-member districts. **Ensure our mayors are responsive to Sunnyvale communities**, not out-of-town interests - a council of neighbors who care about playgrounds, baseball and cricket fields - quality of life.

Sunnyvale's 99% certain to have district elections in November 2020. Over 100 cities have gone to districts, most by ordinance, some by court order. Santa Clara County courts only accept districts. When Measure B fails, 7 districts will **almost definitely** be court ordered, respecting our charter.

When Santa Clara's ballot measure failed in June 2018, district elections, with new maps, occurred in November 2018! The judge was concerned an at-large mayor wouldn't satisfy the CVRA - allowing it only because Santa Clara already had one.

Measure B creates huge ongoing negative impacts on Sunnyvale and our communities.

Councilmembers voting no on the 6+1 plan cited public opposition. The majority of the public in polling and comments strongly opposed an at-large mayor. Many, including some from the "Unity Group", wanted 7 districts yet the council majority denied voters' right to choose.

The proponents say their plan means 2 representatives; we say Measure B means one neighborhood representative and **another elected by out-of-town money**.

Measure B creates conflict between mayor and council, disrupting the collaboration that's made Sunnyvale famously well run. Measure B doubles the mayor's term to 4 years.

Vote NO on Measure B - 7 districts for maximum local representation to "your needs", not the politicians'.

www.NoDirectlyElectedSunnyvaleMayor.org








[Pursuant to §9600: Form of Statement to accompany arguments]

The undersigned proponent(s) or author(s) of the (primary rebuttal) argument (in favor of / against) Ballot Measure B at the General Municipal Election for the City of Sunnyvale to be held on March 3, 2020 hereby state that this argument is true and correct to the best of (his/her their) knowledge and belief.

Signed: _____

Date: 12/16/2019
Date: 12/16/19
Date: 12/16/19
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Date: 12/16/19

[Pursuant to §9285: Printed name and signature required for argument acceptance]

Signature(s) of Author(s)		Official Use Only
1.	<p>Signature </p> <p>Residence Address: </p> <p>Print Name Michael Goldman</p> <p>Title (optional) Councilmember, City of Sunnyvale</p> <p>Organization (if submitted on behalf of) _____</p> <p>City Sunnyvale CA 94087</p> <p>Date <u>12/16/2019</u></p> <p>Author meets criteria of: <input type="checkbox"/> Principal Officer of Bona Fide Assoc. <input checked="" type="checkbox"/> Legislative Body Member <input checked="" type="checkbox"/> Registered Voter of the City</p>	
2.	<p>Signature </p> <p>Residence Address: </p> <p>Print Name Stephen Scandalis</p> <p>Title (optional) Principal Officer, No Directly Elected Sunnyvale Mayor</p> <p>Organization (if submitted on behalf of) _____</p> <p>City Sunnyvale CA 94087</p> <p>Date <u>12/16/19</u></p> <p>Author meets criteria of: <input checked="" type="checkbox"/> Principal Officer of Bona Fide Assoc. <input type="checkbox"/> Legislative Body Member <input checked="" type="checkbox"/> Registered Voter of the City</p>	
3.	<p>Signature </p> <p>Residence Address: </p> <p>Print Name <u>JEANNINE AVILA PEREA</u></p> <p>Title (optional) <u>SUNNY ARTS RESIDENT</u></p> <p>Organization (if submitted on behalf of) _____</p> <p>City <u>Sunnyvale 94087</u></p> <p>Date <u>12/16/19</u></p> <p>Author meets criteria of: <input type="checkbox"/> Principal Officer of Bona Fide Assoc. <input type="checkbox"/> Legislative Body Member <input checked="" type="checkbox"/> Registered Voter of the City</p>	
4.	<p>Signature </p> <p>Residence Address: </p> <p>Print Name Charles J. Olson</p> <p>Title (optional) Sunnyvale Orchardist</p> <p>Organization (if submitted on behalf of) _____</p> <p>City Sunnyvale CA 94087</p> <p>Date <u>12-16-19</u></p> <p>Author meets criteria of: <input type="checkbox"/> Principal Officer of Bona Fide Assoc. <input type="checkbox"/> Legislative Body Member <input checked="" type="checkbox"/> Registered Voter of the City</p>	
5.	<p>Signature </p> <p>Residence Address: </p> <p>Print Name <u>ZHU LIANG</u></p> <p>Title (optional) <u>Researcher</u></p> <p>Organization (if submitted on behalf of) _____</p> <p>City <u>Sunnyvale</u></p> <p>Date <u>12/16/19</u></p> <p>Author meets criteria of: <input type="checkbox"/> Principal Officer of Bona Fide Assoc. <input type="checkbox"/> Legislative Body Member <input checked="" type="checkbox"/> Registered Voter of the City</p>	

AUTHORIZATION FOR ANOTHER PERSON OR PERSONS TO PREPARE, SUBMIT OR SIGN THE REBUTTAL ARGUMENT

[Pursuant to California Elections Code Section 9285]

The author or a majority of the authors of the Argument

In Favor of Against

Measure B authorize(s) the following person(s) to prepare, submit or sign the Rebuttal to the Argument

In Favor of Against

Measure B for the City of Sunnyvale Election to be held on March 3, 2020.

Signature(s) of the author or majority of the authors of the Argument

In Favor of Against

Measure B are required:

_____ Michael Goldman
Name (Print)

Signature

12/16/2019
Date

_____ Mei-Ling Shek-Stefan
Name (Print)

Signature

12/16/2019
Date

_____ Lan Xu
Name (Print)

Signature

12/16/2019
Date

The following authors are authorized to prepare, submit or sign the Rebuttal to the Argument

In Favor of Against

Measure B

Print Name	Michael Goldman	Signature	_____
Title	Councilmember, City of Sunnyvale	Date	<u>12/16/2019</u>
Print Name	Stephen Scandalis	Signature	_____
Title	Principal Officer, No Directly Elected Sunnyvale Mayor	Date	<u>12/16/19</u>
Print Name	<u>JEANNINE AVILA PIERCE</u>	Signature	_____
Title	<u>SUNNYARTS RESIDENT</u>	Date	<u>12/16/19</u>
Print Name	Charles J. Olson	Signature	_____
Title	Sunnyvale Orchardist	Date	<u>12/16/19</u>
Print Name	<u>ZHU LIANG</u>	Signature	_____
Title	<u>Researcher</u>	Date	<u>12/16/19</u>

Attach this form to the Form of Statement of Authors Form submitted with the Argument

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Measure B

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Argument In Favor of Measure

[or]

Argument Against Measure



[Pursuant to §9282: Maximum 300 words]

We welcome district elections to enable local neighborhoods to elect council candidates of their choice without big financial backing, but **not** by Measure __.

We oppose a directly elected mayor, who will gradually gain power over other council members. Since 2007 citywide elections costs have dramatically increased. In 2018, each winning campaigns' costs exceeded \$110,000, most from PACs and wealthy outside interests.

Measure __ is a one-way street to have PAC-selected mayors forever. Rich developers' money **won't** guarantee council seats in local district elections. They hope to buy the mayoralty instead.

Sunnyvale's council-city manager government has served us well since 1912. We reduce corruption by professionalizing management. Sunnyvale is famously well run - why change?

For over 33 years Sunnyvale's voters have rejected a directly elected mayor, by 63% in the second (2011) ballot. Now politicians hope voters, attracted to districts, approve the *unrelated* directly elected mayor provision.

Sunnyvale's council *refused* to give voters a choice between 7 districts and 6 districts plus mayor. They *refused* to convene a Charter Review Committee. By **rejecting** Measure __ we create the opportunity for seven districts for November of 2020.

- This measure extends maximum term limits from 8 to 12 years.
- Currently, removing a mayor requires only a council vote. Measure __ may force expensive special elections.
- One seat going to an at-large mayor reduces representation of underrepresented communities.

This is the "foot-in-the-door" leading to disruptive politics like San Francisco's where a powerful mayor can veto measures, remove elected officials, and fill elected vacancies on their own.

Do we need the political paralysis of billionaire-backed mayors fighting against neighborhood-elected councils? Let's focus on problems of traffic, rents, and infrastructure!

Demand 7 Single-Member Districts in Sunnyvale, No Directly Elected Sunnyvale Mayor.

Vote NO on Measure ____

Please visit www.NoDirectlyElectedSunnyvaleMayor.org

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Signed: _____

Date: December 8th, 2019









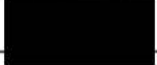

Date: December 8, 2019

Date: December 8, 2019

Date: 12/08/2019

Date: Dec 8, 2019

[Pursuant to §9285: Printed name and signature required for argument acceptance]

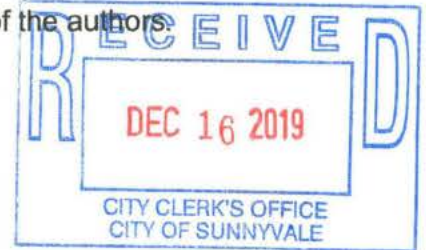
Signature(s) of Author(s):		Official Use Only
1.	<p>Signature </p> <p>Residence Address: </p> <p>Print Name Michael Goldman</p> <p>Title (optional) Councilmember, City of Sunnyvale</p> <p>City Sunnyvale CA 94087</p> <p>Date <u>December 8, 2019</u></p> <p>Author meets criteria of: <input type="checkbox"/> Principal Officer of Bona Fide Assoc. <input checked="" type="checkbox"/> Legislative Body Member <input checked="" type="checkbox"/> Registered Voter of the City</p>	
2.	<p>Signature </p> <p>Residence Address: </p> <p>Print Name Mei-Ling Shek-Stefan</p> <p>Title (optional) Co-Founder, No Directly Elected Sunnyvale Mayor</p> <p>City Sunnyvale CA 94087</p> <p>Date <u>December 8, 2019</u></p> <p>Author meets criteria of: <input type="checkbox"/> Principal Officer of Bona Fide Assoc. <input type="checkbox"/> Legislative Body Member <input checked="" type="checkbox"/> Registered Voter of the City</p>	
3.	<p>Signature </p> <p>Residence Address: </p> <p>Print Name Craig Pasqua</p> <p>Title (optional) Former Chair of Sunnyvale Parks and Recreation Commission, Co-Host of Native Voice TV, Executive Board Member La Raza Roundtable de California</p> <p>City Sunnyvale CA 94086</p> <p>Date <u>December 8, 2019</u></p> <p>Author meets criteria of: <input type="checkbox"/> Principal Officer of Bona Fide Assoc. <input type="checkbox"/> Legislative Body Member <input checked="" type="checkbox"/> Registered Voter of the City</p>	
4.	<p>Signature </p> <p>Residence Address: </p> <p>Print Name Lan Xu</p> <p>Title (optional) Founding member of Save My Sunny Sky Group</p> <p>City Sunnyvale, CA 94087</p> <p>Date <u>12/08/2019</u></p> <p>Author meets criteria of: <input type="checkbox"/> Principal Officer of Bona Fide Assoc. <input type="checkbox"/> Legislative Body Member <input checked="" type="checkbox"/> Registered Voter of the City</p>	
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[or]

Rebuttal To Argument Against Measure



[Pursuant to §9285: Maximum 250 words]

The arguments from the No on B Campaign are not factual.

The six-district "**Unity Map**" selected by Council satisfies the CVRA, protects the City against further litigation, and will improve diversity on Council. There is no guarantee whatsoever that the City would end up with seven districts if Measure B is voted down. Instead, the issue would likely be determined by the courts.

Measure B does not in any way change the *role* of the Mayor. Like many other cities with directly elected mayors, Sunnyvale will retain the *council manager* form of government that has served our community so well. The Mayor will continue to be an equal voting member of Council, and Council will continue to set policy for our City. The City Manager will continue to be responsible for carrying out those policies.

With district elections, it is desirable to have one member of Council accountable to the entire City. This also means that every resident will have *two* representatives on Council: their Councilmember and their Mayor. Residents will always have the direct attention of both their district Councilmember and their Mayor, because residents will directly elect both.

Finally, to claim that a directly elected mayor will be "bought" is an insult to Sunnyvale's voters. Sunnyvale voters are independent, well informed, and knowledgeable about the voting decisions they make. Sunnyvale voters cannot be bought.

Please visit www.svelections.org to learn why Measure B is right for Sunnyvale.

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Date: 12/16/2019

Date: Dec 13, 2019

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2.	Signature _____ Residence Address: _____ Print Name <u>MARGARET W. LAWSON</u> _____ Title (optional) _____ Organization (if submitted on behalf of) _____ City <u>Sunnyvale CA 94087</u> Date <u>12/14/2019</u> Author meets criteria of: <input type="checkbox"/> Principal Officer of Bona Fide Assoc. <input type="checkbox"/> Legislative Body Member <input checked="" type="checkbox"/> Registered Voter of the City	
3.	Signature _____ Residence Address: _____ Print Name <u>Linda Sell</u> _____ Title (optional) _____ Organization (if submitted on behalf of) _____ City <u>Sunnyvale</u> Date <u>12/14/2019</u> Author meets criteria of: <input type="checkbox"/> Principal Officer of Bona Fide Assoc. <input type="checkbox"/> Legislative Body Member <input checked="" type="checkbox"/> Registered Voter of the City	
4.	Signature _____ Residence Address: _____ Print Name <u>JENNIFER TASSETT</u> _____ Title (optional) <u>Member of multiple community groups</u> Organization (if submitted on behalf of) _____ City <u>Sunnyvale</u> Date <u>12/16/2019</u> Author meets criteria of: <input type="checkbox"/> Principal Officer of Bona Fide Assoc. <input type="checkbox"/> Legislative Body Member <input checked="" type="checkbox"/> Registered Voter of the City	

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	Title (optional)			[Redacted]
	Organization (if submitted on behalf of)		City	Sunnyvale
			Date	Dec 13, 2019
	Author meets criteria of:		<input type="checkbox"/>	Legislative Body Member
	<input type="checkbox"/> Principal Officer of Bona Fide Assoc.		<input checked="" type="checkbox"/>	Registered Voter of the City

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Signature(s) of the author or majority of the authors of the Argument

In Favor of Against

Measure B are required:

Larry Klein
Name (Print)
NANCY TIVOL
Name (Print)
MURALI SRINIVASAN
Name (Print)


Date 12/12/19

Date 12/13/19

Date 12/15/19
Signature
Date

The following authors are authorized to prepare, submit or sign the Rebuttal to the Argument

In Favor of Against Measure B

Print Name <u>REID MYERS</u> Title _____	Signature  Date <u>12/13/19</u>
Print Name <u>Margaret W. Lawson</u> Title _____	Signature  Date <u>12/14/2019</u>
Print Name <u>Linda Sell</u> Title _____	Signature  Date <u>12/15/2019</u>
Print Name <u>JENNIFER TASSEFF</u> Title <u>Member of multiple resident community groups</u>	Signature  Date <u>12/16/2019</u>
Print Name <u>Richard Mehlinger</u> Title _____	Signature  Date <u>12/15/19</u>

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In Favor of Against Measure B