



## CVRA & Election Overview

The City of Sunnyvale is exploring a proposal to change to a district-based electoral system for selecting City councilmembers. By City Charter, Sunnyvale currently has “at-large” elections for seven numbered seats that represent the entire city (as opposed to seats that represent defined geographic districts). Cities and other local agencies with similar at-large election systems have increasingly been targets for litigation under the California Voting Rights Act (CVRA). The City is conducting extensive community outreach to educate residents and seek input on this complex issue.

The CVRA was adopted in 2002 (California Elections Code § 14025 et. seq.) and:

- ✓ Prohibits voting practices that dilute the votes of racial minorities
- ✓ Prohibits at-large elections that impair the ability of a protected class to elect candidates of its choice
- ✓ Provides for a “safe harbor” which allows cities to avoid legal challenges by implementing district-based election systems

### CVRA Legal Precedent

Some cities have chosen to fight CVRA legal challenges to their at-large voting systems, but to date all court cases have either been settled or decided in favor of the plaintiff.

- ✓ During litigation, a plaintiff need only prove the existence of “racially polarized voting”
- ✓ A court may determine a CVRA violation regardless of whether:
  - ✓ The protected class forms the majority of eligible voters
  - ✓ There is no proof of intent to discriminate
  - ✓ There is no history of discrimination



### Racially Polarized Voting

Per the federal Voting Rights Act, racially polarized voting exists when the electoral choices that are preferred by voters in a protected class differ from the electoral choices that are preferred by voters in the electorate at-large.

### At-Large and District-Based Elections

- ✓ Per City of Sunnyvale Charter Section 601, **all 7 numbered City Council seats must be elected at-large on a citywide basis**
- ✓ If Sunnyvale moves to **district-based elections**, the city could be divided into either 6 or 7 districts, and voters within each district would vote for candidates residing within their same district\*

\*Requires a Charter Amendment by a vote of the people



At-Large Election System



District-Based Election System

# Election Decisions

## Creating Council Districts

When creating council districts, these factors will be considered:

- ✓ Electoral district population (primary requirement)
- ✓ Communities of interest
- ✓ Compactness, contiguity, integrity, and cohesiveness of a geographic area
- ✓ Visible (natural and man-made) boundaries, including topography and geography
- ✓ Future population growth

The City is asking residents to define their community. Residents may decide to define their community based on shared beliefs and interests, heritage, history and other factors. *Show us your community through our online surveys at [SunnyvaleElections.org](http://SunnyvaleElections.org).*

### Community of Interest

As defined by California law, a community of interest is, "a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation."

*Examples include: School attendance areas, similar household incomes, single-family neighborhoods, areas with distinct cultural character*

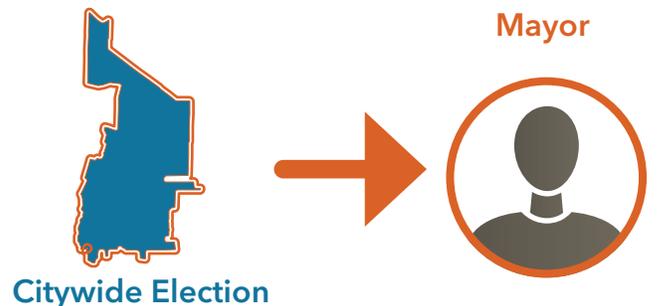
## Process to Elect Mayor

Sunnyvale's mayor could be elected in one of two ways in a district-based system:

**A** The Council selects one of its members to serve as mayor (current system).



**B** Hold a separate citywide election for mayor. This would be separate from the district-based elections for the six other councilmembers.



## Project Timeline

**SPRING/  
SUMMER  
2019**

**Phase 1:** Community education and input on ballot measure and communities of interest

**SUMMER/  
FALL/  
WINTER  
2019**

**Phase 2:** Community-driven district map drawing to inform Council decision on final maps

## Get Involved!

Visit [SunnyvaleElections.org](http://SunnyvaleElections.org) to:

- ✓ Share your opinion online
- ✓ Get public meeting schedules
- ✓ Subscribe for updates
- ✓ Learn more about the topic

## Questions?

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