

## CVRA Chronology

Date	Event	Notes	City's Fees <sup>1</sup>	Plaintiffs' Fees
2011	First threat letter from Robert Rubin	Unable to locate copy		
01/24/2012	Council approves Charter Review Committee recommendations	<ul style="list-style-type: none"> <li>o Charter be changed to allow At Large Elections</li> <li>o Consider Proportional Representation voting system by end of calendar year 2012 and possible implementation by 2014</li> <li>o Create a program to encourage voter registration among minorities and allocate funds to monitor the system by January 1, 2013 to address voter registration for the 2014 election</li> <li>o Address the "Barriers to City Council Service" list (attached to November 17, 2011 minutes) with extreme regard to candidate recruitment</li> </ul>		
11/06/2012	City Council Election			
10/05/2015	Ethics Committee requests staff to bring the concept of a review of City Charter provisions to the City Council for consideration			
10/13/2015	CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION pursuant to Gov. Code 54956.9(d)(2) – Exposure to litigation Number of potential cases: 1	<p>"No reportable action"</p> <p>???</p>		
10/27/2015	City Council Agenda Item 19b	MOTION was made by Caserta, seconded and unanimously carried (Marsalli absent), that the Council approve the creation of a Charter Review Committee to consider i) the manner of electing Members to the City Council; ii) City Council compensation; and iii) whether other Charter elements are no longer in compliance with current laws or best practices; direct that the Committee consist of no more than 15 members, including one individual selected by each Council Member and the Mayor, one member to be appointed		

<sup>1</sup> Approximate amounts

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		by the Citizens Advisory Committee, one member to be appointed by the Chamber of Commerce, and six at-large members to be selected by the City Council.		
02/04/2016	Charter Review Committee Meeting Discussion on Election of Councilmembers	The City Attorney (Ren Nosky) stated the City of Santa Clara has not been sued, but that several cities have been challenged on their at-large voting and that it has been devastating to those cities. California Voting Rights Act allows cities to self-correct before going into court action. He also stated that the courts cannot impose a charter change, but can mandate district elections.		
2016	Charter Review Committee	Recommended 4 Charter Amendments but did not include ballot measure on Council Elections		
10/06/2016	Robert Rubin letter			
11/08/2016	City Election			
11/15/2016	CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION Pursuant to Gov. Code 54959.9(e)(2) – Exposure to litigation Number of potential cases: 1 (FACTS AND CIRCUMSTANCES) City as potential defendant: October 6, 2016, letter from Attorney Robert Rubin regarding City's alleged violation of the California Voting Rights Act			
12/6/2016	From: Richard Nosky To: Debi Davis, Dominic Caserta, Jerry Marsalli, Kathy Watanabe, Lisa Gillmor, Pat Kolstad, Teresa O'Neill Cc: Rajeev Batra, Rod Diridon, Mike Sellers, Lynn Garcia, Jennifer Yamaguma Date: 12/06/2016 8:37 AM Subject: Voting Rights Issue			

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	<p>All—</p> <p>Attorney Robert Rubin contacted me yesterday evening to inform me that he and his client will no longer seek to get an injunction against certifying the 2016 election results. Instead, they will focus on the 2018 election and file their lawsuit early next year. The effect of this is not totally clear yet, but it paves the way for the new council to be sworn in on December 13<sup>th</sup>. We will keep you advised of further developments. Call me if you have any questions.</p>			
04/11/2017	<p>City Council directs the creation of a Charter Review Committee to include review of the City's election method with a focus on district and other methods of electing members to the City Council in time for the June 2018 primary election.</p>	<p>Charter Review Committee Members: Tino Silva (Chair) Keith Stattenfield (Vice Chair), Chris Horton, Hosam Haggag, Hazel Alabado, Steve Lodge, Markus Bracamonte, Jodi Muirhead, Saskia Feain, Beverly Silva, Mary Hanna-Weir, Teresa Sulcer</p>		
07/18/2017	<p>Charter Review Committee makes <i>unanimous</i> recommendation for 2 Districts with 3 Councilmembers each with Single Transferable Voting system</p>	<p>MOTION was made by Davis, seconded and unanimously carried (Kolstad absent), that the Council approve the 2017 Charter Review Committee's recommendations as itemized; direct the City Manager and Interim City Attorney to draft a Charter Amendment to submit to the 2017 Charter Review Committee for review; and direct the City Manager and Interim City Attorney to bring a report to the Council by December 2017</p>		
Aug 2017	<p>Rubin sends notice letter alleging that proposed system of voting is an at large election system</p>			
Oct 2017	<p>Rubin sends another notice letter</p>			

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11/30/2017	Complaint for violation of the California Voting Rights Act of 2001, Elections Code §§ 14025, et seq.			
12/05/2017	Council approves Charter Committee's unanimous recommendation	MOTION was made by Davis, seconded and unanimously carried (Mahan absent), that the Council approve the Charter Review Committee's recommendations 1) approve the proposed Charter amendment language to: a) Elect City Council Members by two districts (e.g., District 1 and 2) with three Council Members representing each district; b) Elect the three Council Members at the same time per district alternating/staggering between gubernatorial and presidential election years; c) Utilize Single Transferrable Vote, a form of Ranked Choice Voting, as soon as the Santa Clara County Registrar of Voters Office can support such a system and continue with the City's current voting method of plurality until the County can support the new voting method; d) Transition to include: In 2018, elect two members to four-year terms in District 1 and in 2020, elect one member to a two-year term in District 1 and three members to four-year terms in District 2; and e) Change the voting method of all other elected officers, including Mayor, City Clerk, Chief of Police, to match the recommended voting method of CONCURRENT MEETING MINUTES – December 5, 2017 Page 9 of 10 Council Members (Ranked Choice Voting by means of Single Transferrable Vote) beginning in 2020 with the election of the City Clerk and Chief of Police, and then subsequent elections thereafter and 2) direct the City Manager and the Interim City Attorney to initiate the process to draw the districts with public outreach		
12/27/2017	First Amended Complaint		\$105,000	
1/23/2018	Closed Session: Item C			
03/06/2018	Council places Measure A on June ballot 6-0-1 (Mahan absent)	<i>Shall the City Charter be amended: to establish two districts starting in 2018 to be represented by three council members each; and when available, use ranked choice voting to allow voters to select candidates in order of choice to determine the winners of elections of all city elected officers?</i>		
3/27/2018	Closed Session: Item 18-377			
4/18/2018	Closed Session Item 18-502			

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4/25/2018	Trial			
4/30/2018	Post-Trial Briefing Order			
5/8/2018	Closed Session: Item 18-625			
05/15/2018	Councilmember Caserta resigns			
05/15/2018	Court issues Proposed Statement of Decision – Liability Phase			
5/22/2018	Closed Session: Item 18-738			
Spring 2018	Plaintiffs’ attorneys bill \$47,750 of time involving political and media activities in opposition to Measure A which are eventually disallowed by the court	There is no record that these expenditures in opposition to Measure A were ever reported		
6/5/2018	Election - Measure A			
6/6/2018	Statement of Decision Issued by Court	Court finds City of Santa Clara in violation of CVRA, trial will proceed to remedies phase		
6/12/2018	Closed Session: Item 18-834			
6/12/2018	Council consideration of appointment of Council member to vacant seat	<p>Councilmembers Mahan and Kolstad vote against the following 5 candidates who are members of a protected class under CVRA:</p> <ul style="list-style-type: none"> <li>• Eversley Forte</li> <li>• Hosam Haggag</li> <li>• Kevin Park</li> <li>• Suds Jain</li> <li>• Mohammed Nadeem</li> </ul>		
06/21/2018	Closed Session: Item 18-887			
06/26/2018	Closed Session: Item 18-964			
July 2018	Public Hearings conducted by the court-ordered Ad-hoc Advisory Districting Committee: Yuki Ikezi (Chair), Stephen Ricossa, Bobbi Estrada	Provided public input for creation of six district map to Judge Kuhnle		
7/5/2018	Closed Session: Item 18-964			
7/10/2018	Closed Session: Item 18-970			

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7/16/2018	Council places Measure N on November ballot	Measure N Ballot Question: Shall the City of Santa Clara engage the voters in a public process to draft a Charter Amendment ballot measure to elect its Council Members, other than the Mayor, by district?		
7/16/2018	Closed Session: Item 18-1011			
7/17/2018	Closed Session: Item 18-1013			
7/18/2018	Remedies phase of Trial			
7/20/2018	Closed Session: Item 18-1047			
7/23/2018 7/23/2018	Statement of Decision regarding Remedies Phase of Trial Closed Session: Item 18-1050	Mayor, Watanabe, Davis, O'Neill, Mahan: Reject plaintiffs' offer 5-0		
7/24/2018	Amended Statement of Decision re: Remedies Phase of Trial; Judgment			
7/24/2018	Closed Session: Item 18-1052			
7/27/2018	Notice of Entry of Judgment		\$750,000	
08/07/2018	Council adopts Resolution 18-8585	Six-District Map adopted, call for election of councilmembers for Districts 2 and 3 in November 2018		
8/15/2018	Notice of Appeal on Judgment filed	City does not appeal council districts ordered by the Court; does not seek a stay of the Court's order		
8/21/2018	Closed Session: Item 18-1151			
11/06/2018	General Election	City Wide Election: Lisa Gillmor Mayor Hossam Haggag City Clerk Measure N – 70% District 2: Raj Chahal District 3: Karen Hardy		

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01/22/2019	Order re: Motion for Attorneys' Fees	Plaintiffs request: \$4,238,055.75 Judge reduces amount to: \$3,164,955.61 <b>Net reduction: \$1,073,100.14</b>	\$163,000	
01/22/2019	Amended Judgment entered			
05/07/2019	City Council approval of the creation of a Charter Review Committee to implement voter-approved Measure N			
06/04/2019	Closed Session Item 19-704			
07/10/2019	The City Council appointed Charter Review Committee members	District 1 - Benjamin Cooley District 2 - Steven Silva District 3 - Christine Koltermann District 4 - Katherine Almazol District 5 - Sudhanshu Jain District 6 - Stephen Ricossa At-Large - Richard Bonito		
Oct 2019	Appeal is fully briefed		\$430,000	
11/05/2019	Charter Review Committee recommendation presented to Council	<ul style="list-style-type: none"> <li>• 6 District System for 2020 election with transition to 3 Two-Member District System</li> <li>• 30-day residency requirement</li> <li>• Independent redistricting committee</li> </ul>	\$12,000	
11/19/2019	Council (4-2) adopts resolution placing Charter Review Committee Recommendation for Measure C on the March 2020 Ballot (Hardy and Mahan oppose, Chahal absent)	Shall the City Charter be amended to elect city council members by district, excepting the mayor, as follows: for the 2020 election to establish six districts for the election of one council member to represent each district; and, beginning in 2022 to establish three districts for the election of two council members to represent each district; and to require an independent redistricting committee?		
02/01/2020	Letter from Richard Konda to R. Chandhok	"My purpose in writing is to request the 49ers organization help to defeat Measure C in Santa Clara placed on the ballot for the March election."		

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February 2020	Jed York spends \$700K in No on C campaign			
03/03/ 2020	Statewide Primary Election	Measure C loses		
12/17/2020	Oral Argument 6 <sup>th</sup> District Court of Appeal			
12/30/2020	Court of Appeal issues ruling	Upholds Trial Court decision		
02/12/2021	City pays Amended Judgment Amount	Fees and Costs = \$3,339,505.51 Interest = \$490,584.70		\$3,830,090.21
04/21/2021	Settlement Agreement signed	Requires additional payment for fees and costs on appeal of \$712,500		
04/23/2021	Second Amended Judgment Entered City pays additional amount to plaintiffs		\$40,000	\$712,500.00
	<b>TOTALS</b>		\$1,500,000	\$4,542,590.21