

07-13-21

ITEM # 11
RTC # 21-978

To the people of the City of Santa Clara,

July 11, 2021

In 2011, the City of Santa Clara received a letter and was advised that its at-large by-seat election system was infringing on the voting rights of the City's Asian American citizens which at the time made up 39% of the city's residents. The City of Santa Clara is a minority-majority city, yet Santa Clara didn't have a single minority Council Member since the Charter was approved in 1952.

The Council dismissed the concerns of a demographer's analysis which concluded the city was in jeopardy of a costly California Voting Rights Act (CVRA) lawsuit.

For the next six years City continued to ignore legal advice that the City remained in jeopardy. In 2016 before the elections, the city tried to avoid the fact that Santa Clara had received a letter threatening a CVRA lawsuit.

In 2017, the lawsuit we feared was filed. Instead of acknowledging the wrongdoing that had been done to Santa Clara's Asian American residents, the City chose to fight the lawsuit, insisting that not having a minority Council Member didn't prove that minorities were disadvantaged by the at-large system.

In 2018 Santa Clara lost the lawsuit. The judge ordered Santa Clara to adapt to 6 districts to elect council members and faced \$3.1 million to be awarded to the plaintiff's attorneys and over \$700,000 in its own legal bills. In result the city appealed the verdict and didn't back down.

In the end the city lost the appeal and their argument. After 10 years, the city owed the plaintiffs' attorneys over \$4 million in legal fees and paid \$1.5 million to its own attorney. Since going to districts Santa Clara has elected three minorities to council.

The Santa Clara City Council past and present owes an apology to its minority-majority population for clinging to a system that prevented them from exercising their rights under the Constitution to elect representatives of their choice.

The Santa Clara City Council also owes an apology to all of its residents for wasting over \$5 million that could make a difference in the City's fiscal circumstances right now.

We humbly offer those apologies today, and hope that with the support and participation of all our community, we will live up to our democratic ideals and truly make Santa Clara the center of what's possible for all our residents.

Sincerely,

The Santa Clara City Council and the City of Santa Clara.

Councilmember District Councilmember District

Councilmember District Mayor

Councilmember District

Councilmember District

POST MEETING MATERIAL