

CC 12-03-2020

#1

CC 12-03-20 Item No. 1
Resolution Declaring the
Election Results and
Certificate of Elections
Results Exhibit A

Desk Items

RESOLUTION NO. 20-139

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO
STATING THE ELECTION RESULTS FOR THE GENERAL MUNICIPAL
ELECTION HELD ON NOVEMBER 3, 2020 AND DECLARING THE
CANDIDATES WHO RECEIVED THE MOST VOTES AND WERE
ELECTED FOR THE POSITION OF CITY COUNCILMEMBER**

WHEREAS, the City of Cupertino conducted a General Municipal Election on Tuesday, November 3, 2020 as required by law, to elect two members to the City Council; and

WHEREAS, notice of election was given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, the Registrar of Voters of the County of Santa Clara, State of California, has conducted the official canvass of the returns of said election in accordance with the appropriate provisions of the Elections Code of the State of California; and

WHEREAS, the Registrar of Voters has certified that the attached Certificate of Election Results (Exhibit A) is a full, true and correct statement of the votes cast at said election for two City Council seats, which findings are incorporated herein by this reference;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CUPERTINO
HEREBY DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

1. That the total number of votes (ballots) cast in the City was 44,819.

2. That the total number of votes given and cast at the municipal election, including votes cast upon absentee ballots, was as follows for the candidates for City Council for full terms:

CANDIDATE	NUMBER OF VOTES	% OF VOTES CAST
Hung Wei	11,513	25.69
Kitty Moore	10,893	24.30

3. That the number of votes given at each precinct and the number of votes given in the City to each of the persons above named for the office for which the persons were candidates are listed in Exhibit A attached.

4. The City Council of the City of Cupertino does declare and determine that Hung Wei and Kitty Moore were each elected as members of the City Council for the full term of four years.

5. The City Clerk shall enter on the records of the City Council of the City of Cupertino, a statement of the result of the election, showing: (1) The whole number of votes (ballots) cast in the City; (2) The names of the persons voted for; (3) For what office each person was voted for; (4) The number of votes given at each precinct to each person (See Exhibit A); (5) The total number of votes given to each person.

6. The City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated; that the City Clerk shall also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe and file it in the office of the City Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected.

7. The City Clerk shall certify passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED at a special meeting of the City Council of the City of Cupertino this 3rd day of December, 2020, by the following vote:

Vote

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Kirsten Squarcia, City Clerk

Steven Scharf, Mayor, City of Cupertino

CERTIFICATE OF ELECTION RESULTS

STATE OF CALIFORNIA)
) ss.
COUNTY OF SANTA CLARA)

I, Shannon Bushey, Registrar of Voters of the County of Santa Clara, State of California, hereby declare:

1. A Presidential General Election was held in the County of Santa Clara, for the **City of Cupertino**, on November 3, 2020 for the purpose of electing **Two (2) Council Members** to the Governing Board.

2. The official canvass of the returns of this election was conducted by the Office of the Registrar of Voters in accordance with the appropriate provisions of the Elections Code of the State of California.

3. The Statement of Votes Cast, now on file in my office and attached hereto, shows the number of votes for each candidate for the Governing Board of the **City of Cupertino** and in each of the precincts and that the total shown for each candidate are true and correct.

WITNESS my hand and Official Seal this 3rd day of December 2020.



Shannon Bushey
Shannon Bushey, Registrar of Voters

Precinct	0	0	Precinct	0		0		0		0		0		0		0
Vote by Mail	0	0	Vote by Mail	0		0		0		0		0		0		0
Cumulative - Total	0	0	Cumulative - Total	0		0		0		0		0		0		0
Member of the State Assembly Total	29,166	33,233	Member of the State Assembly Total	3,312	7.39%	9,567	21.35%	10,893	24.30%	9,534	21.27%	11,513	25.69%	0	0.00%	44,819
Board of Equalization (State)			Board of Equalization (State)													
State Board Of Equalization #2			State Board Of Equalization #2													
Precinct	1,397	33,233	Precinct	223	10.97%	500	24.61%	566	27.85%	341	16.78%	402	19.78%	0	0.00%	2,032
Vote by Mail	27,769	33,233	Vote by Mail	3,089	7.22%	9,067	21.19%	10,327	24.14%	9,193	21.49%	11,111	25.97%	0	0.00%	42,787
State Board Of Equalization #2 Total	29,166	33,233	State Board Of Equalization #2 Total	3,312	7.39%	9,567	21.35%	10,893	24.30%	9,534	21.27%	11,513	25.69%	0	0.00%	44,819
Cumulative			Cumulative													
Precinct	0	0	Precinct	0		0		0		0		0		0		0
Vote by Mail	0	0	Vote by Mail	0		0		0		0		0		0		0
Cumulative - Total	0	0	Cumulative - Total	0		0		0		0		0		0		0
Board of Equalization (State) - Total	29,166	33,233	Board of Equalization (State) - Total	3,312	7.39%	9,567	21.35%	10,893	24.30%	9,534	21.27%	11,513	25.69%	0	0.00%	44,819
City			City													
City of Cupertino			City of Cupertino													
Precinct	1,397	33,233	Precinct	223	10.97%	500	24.61%	566	27.85%	341	16.78%	402	19.78%	0	0.00%	2,032
Vote by Mail	27,769	33,233	Vote by Mail	3,089	7.22%	9,067	21.19%	10,327	24.14%	9,193	21.49%	11,111	25.97%	0	0.00%	42,787
City of Cupertino - Total	29,166	33,233	City of Cupertino - Total	3,312	7.39%	9,567	21.35%	10,893	24.30%	9,534	21.27%	11,513	25.69%	0	0.00%	44,819
Cumulative			Cumulative													
Precinct	0	0	Precinct	0		0		0		0		0		0		0
Vote by Mail	0	0	Vote by Mail	0		0		0		0		0		0		0
Cumulative - Total	0	0	Cumulative - Total	0		0		0		0		0		0		0
City - Total	29,166	33,233	City - Total	3,312	7.39%	9,567	21.35%	10,893	24.30%	9,534	21.27%	11,513	25.69%	0	0.00%	44,819

CC 12-03-20

#2, #3

Outgoing, Incoming
Councilmembers

Written Comments

Cyrah Caburian

From: Minna <minnaxc99@gmail.com>
Sent: Thursday, December 3, 2020 11:58 AM
To: City Council; Cupertino City Manager's Office
Subject: Congratulations and Thank you!

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Council Members and City Manager,

I am writing this email to say Thank you for your hard work in this tough year of 2020! Despite all the hardship, I think Cupertino City did a great job during this special period.

I would like to express my special thanks to Mayor Scharf, thank you for leading our city to pass the enforcement of face masks earlier than other cities. This helped and protected a lot of people. Thank you for your thoughtfulness! And thank you for listening to residents all these days.

I also want to say congratulations to Kitty Moore. She is capable and will bring fresh air to our City Council for sure. And congratulations to Darcy Paul for being the Mayor again! Hope to see the prosperous day of Cupertino in the post-pandemic period.

What's more, I want to say thank you to Liang Chao, for helping residents, for supporting our community, for protecting our schools... You really did a lot! Glad to see that you will be the vice-Mayor tonight and hopefully the Mayor one year later.

Best wishes to all of you!
Minna

Cyrah Caburian

From: Sue Moore <suemmo@comcast.net>
Sent: Thursday, December 3, 2020 2:06 PM
To: Steven Scharf
Cc: City Council
Subject: Thank You

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Sharf,

I am very grateful for all you have done the past 4 years as Member and Mayor of the Cupertino City Council. Your dedication, intelligence, creativity and, at times, much needed humor have served the residents of Cupertino well. You have accomplished so much. I am hopeful that you will consider using your expertise to benefit Cupertino residents in the future.

Thank you, Mayor Scharf, for being an advocate for Cupertino residents.

Respectfully,
Susan Moore
40 year Cupertino Resident

Sent from my iPad

Cyrah Caburian

From: Li Xu <li_xu_98@yahoo.com>
Sent: Thursday, December 3, 2020 3:48 PM
To: City Council
Cc: Cupertino City Manager's Office
Subject: Thanks and congratulations

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello All,

I would like to thank Council Member Steven Scharf for his excellent work and his willingness to listen to the Cupertino Citizens' voices. We will miss Mr. Scharf and hope see Mr. Scharf again as a newly-elected Cupertino City Council Member in 2022!!

My sincere congratulation goes to the new Council Member Ms. Kitty Moore!! Wish Ms. Moore the best and we look forward to communicating with Ms. Moore.

Regards,

Li Xu
Cupertino resident

Cyrah Caburian

From: Liana Crabtree <lianacrabtree@yahoo.com>
Sent: Thursday, December 3, 2020 6:47 PM
To: Liang Chao; Kitty Moore; Darcy Paul; Steven Scharf; Rod Sinks; Hung Wei; Jon Robert Willey
Cc: City Clerk; Cupertino City Manager's Office
Subject: written communication, ceremonial matters, Council Meeting, 12/3/2020, Agenda Item I, Election Results

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Note: *Many thanks to City Clerk Kirsten Squarcia for helping me work out how to structure my comments for tonight's ceremonial meeting honor outgoing and incoming council members.*

If acceptable, please add this letter as written communication for Agenda Item I, Election Results for the 12/3/2020 Council Meeting. If not acceptable, that's okay, no publishing required.

Honorable 2018-2020 and 2020-2022 Cupertino Council Members Chao, Moore, Paul, Scharf, Sinks, Wei, Willey:

Many will speak tonight to show respect and appreciation for your efforts to strengthen the City and improve, however defined, the lives of the people who live here today and the people you imagine will live here in the future.

You are all seasoned public officials and you deserve the accolades that come tonight and on countless occasions after tonight.

Thank you for your service.

For the 2018-2020 Council, you have many accomplishments that I will omit by ignorance or memory failure, but the short list of improvements that you have worked with staff and community volunteers to achieve that stand out for me include:

- the approval and funding of the Library Expansion project. Community members have waited 20 years for the right time for this project. Thank you for recognizing the opportunity and seizing it! The programming space will be a wonderful amenity for the community for years and years to come.
- outstanding community outreach to support-mask wearing and physical distancing while other jurisdictions struggled or wavered with their responses to keep their residents safe.
- recognition that the unhoused community members living on Wolfe Rd needed to be treated with care and dignity, such that the City waited until there were solid plans for relocation of all residents before clearing the encampment.
- the hiring of an effective, articulate, and approachable City Manager (Deb Feng) to lead the City.
- introduction of the Via shuttle service with outreach to other west valley cities to expand services when we are no longer constrained by pandemic-ending behavior.
- acquisition of the Lawrence Mitty parcel for future trail and recreational use.
- an initiative to align commission work plans with the Council's work program.

- movement in support of future acquisition of the Rancho Rinconada Recreation and Park District.
- statewide advocacy in support of local democracy and local control of density and land use.
- establishing density and land use limits for the Vallco parcels.

For the 2020-2022 Council, my impression, formed by reputation or personal contact, is that you all care deeply about Cupertino and its residents, which gives me hope that Cupertino will continue to be a resident-friendly community where people thrive. I hope the 2020-2021 Council term will result in legislation to support:

- a lobbying or financial interest disclosure requirement for individuals speaking before Council, commissions, and committees.
- a resolution in support of local democracy and local control of density and land use decisions.
- a resolution to recognize Housing As a Human Right, especially as housing is valued according to an investment market with little to no regard for what people can afford to pay to shelter themselves and their families adequately.
- improved humanitarian assistance for unhoused residents, including showering and laundry services.
- the use of housing as long-term shelter for people. For example, vacancy taxes and fees for short-stay or "hoteling" use of residential property.
- more subsidized housing, especially homes for families, homes for adults who require assisted or supervised support, and homes for small roommate groups.
- clarification of the property owner's obligations regarding the bridge easement (land use) connecting the Vallco parcels.
- clarification of the property owner's obligations regarding the road easements within the Vallco parcels.
- establishment of parkland obligations or agreement of fair compensation in lieu of fees for planned development of the Vallco parcels.
- recognition of Library Field as the park community members enjoy for sports, play, and recreation every day.

Thank you all again.

Sincerely,

Liana Crabtree
Cupertino resident
representing myself only

Cyrah Caburian

From: Munisekar <msekar@gmail.com>
Sent: Thursday, December 3, 2020 8:40 PM
To: City Clerk; Cupertino City Manager's Office; City Council
Subject: My Communications for the records.
Attachments: WelcomeKittyMooreAndThankSteven.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Here is my script of what I spoke tonight for the records.

Dear Mayor Steven Scharf,

I would like to thank you for great 4 years of service and leadership you provided to our community; I say this from bottom of my heart as you refused to give in to lobbyists pressure and refused to wine and dine with lobbyists & developers. You always took the residents and community first approach to everything you did. It is unfortunate that we could not re-elect you for 4 more years of service which is a big loss for our community. I really hope you consider taking up some other important roles to serve the community as you have too much to offer with the depth of knowledge on various city matters.

Thank you again for your commitment to our city.

Dear Council member Kitty Moore,

I would like to congratulate you on winning the election and thank you for stepping up to serve our community. I am looking forward to your wonderful contributions and leadership to our community. Thank you for running a clean campaign based on issues and substance instead of platitudes and empty promises. Even though you were unfairly attacked on the Social Media with whisper campaigns by ex-politicians, you refused to get into the mud-pit with pigs; you knew better. Given what I observed of your contributions on planning commission, I am confident that you will serve the community with unwavering commitment to residents.

I was there with you in 2016 at Stevens Creek and Wolfe junction when the Vallco thugs tried to bully us and towed your car even though you legally parked it in front of the fitness center. The best quality I like about you and your fellow council member Liang Chao is your refusal to surrender against bullies. Your courage to tackle difficult issues on the stage without acting like cry-babies is admirable. Please keep up that quality, as I want young girls like my daughter to learn from you as to how to face adversity and standup against bullies.

I feel confident that our city is in good hands with resident focused majority of Darcy Paul, Liang Chao, Jon Willey and you. We are lucky to have a you lead our city. I don't think very many cities can say that.

Thank you and good luck in your new role.