



DATE: December 8, 2020

CATEGORY: Consent

DEPT.: City Clerk's Office

TITLE: **Certification of the Official Election Returns – November 3, 2020 General Municipal Election**

RECOMMENDATION

Adopt a Resolution of the City Council of the City of Mountain View Reciting the Fact and Declaring the Results of the General Municipal Election Held on November 3, 2020 for the Election of Four Members to the City Council and for Ballot Measure C, to be read in title only, further reading waived (Attachment 1 to the Council report).

BACKGROUND

A General Municipal Election was held on November 3, 2020 to elect four members of the City Council to full four-year terms and to submit to the voters Measure C— Ordinance No. 15.19 Relating to Oversized Vehicle Parking on Narrow Streets. The Santa Clara County Registrar of Voters has canvassed the returns and certified the results of the election on December 3, 2020 (Attachment 2 to the Council report). The California Elections Code requires the City Council to adopt a resolution reciting the fact of the election.

On December 3, 2020, the Santa Clara County Registrar of Voters ("ROV" or "County") informed the City that it will be conducting an automatic recount of the votes due to the narrow margin of votes for the fourth City Councilmember seat (see Attachment 4 to the Council report). The recount is to start on December 7 and estimated to last a couple weeks. The ROV bears the costs of the recount due to it being triggered by their automatic recount policy.

The Elections Code does not direct the City Council to delay declaring the results when a recount has been initiated. Therefore, based on the Secretary of State's regulations, Council is presented with the County's certification as provided in Attachment 2. The results below and in the attached resolution and certification reflect the results as they stand prior to the recount. If the results differ upon completion of the recount, then

another resolution will be presented to Council to adopt the recertification and redeclare the results of the election.

Councilmember Election

The attached resolution declares elected the following persons who have received the highest number of votes for the four Council seats for full four-year terms:

Candidate	Votes Received	Percentage of Votes Received
Margaret Abe-Koga	17,125	16.67%
Sally J. Lieber	14,276	13.90%
Lisa Matichak	12,955	12.61%
Pat Showalter	12,060	11.74%

Ballot Measure

Measure C required approval by a majority of voters in order to pass. The measure received a majority vote and was, therefore, approved by the voters. The attached resolution recites the measure that was submitted to the voters, the number of votes cast, and percentage of votes received as follows:

Measure C

Shall the City of Mountain View Ordinance 15.19, which prohibits parking of oversized vehicles (such as recreational vehicles, boats, and large trucks), except wheelchair-accessible vans with a valid disabled placard and those exempted for short-duration activities (such as loading and unloading and emergency vehicles), on narrow streets 40' or less in width, be adopted?

Measure C	Votes Received	Percentage of Votes Received
Yes	18,455	56.59%
No	14,159	43.41%

California Elections Code Section 9217 provides that an ordinance approved by a majority of the voters shall become a valid and binding ordinance of the City. The ordinance shall be considered as adopted upon the date that the vote is declared by the legislative body and shall go into effect 10 days after that date. The ordinance is included as Attachment 3 to the staff report.

PUBLIC NOTICING – Agenda posting.

Prepared by:

Silvia Vonderlinden
Interim City Clerk

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428-12-08-20CR
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- Attachments:
1. Resolution
 2. Exhibit A to the Resolution – Certificate of Election Results
 3. Ordinance 15.19
 4. Correspondence from Santa Clara County Registrar of Voters