



COUNCIL REPORT

DATE: December 10, 2024

CATEGORY: Consent

DEPT.: City Clerk's Office

TITLE: **Certification of Official Election Returns—November 5, 2024 General Municipal Election**

RECOMMENDATION

1. Adopt a Resolution of the City Council of the City of Mountain View Reciting the Fact of the General Municipal Election Held on November 5, 2024, Declaring the Result, and Such Other Matters as Provided by Law, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Authorize the City Manager or designee to take all necessary steps to arrange for the County of Santa Clara to continue to collect the City's real property conveyance tax, including, but not limited to, amending or entering into a new memorandum of understanding with the County.

BACKGROUND

A General Municipal Election was held on November 5, 2024 to elect four members of the City Council to full four-year terms and to submit to the voters Measure G amending the City's Real Property Conveyance Tax Ordinance. The election was consolidated and conducted by the County of Santa Clara Registrar of Voters. The County of Santa Clara Registrar of Voters canvassed the returns and certified the results on December 5, 2024 (Exhibit A to Attachment 1). The California Elections Code requires Council to adopt a resolution reciting the fact of the election and declaring the result.

CITY COUNCILMEMBER ELECTION

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

Candidate	Votes Received	Percentage of Votes Received
Pat Showalter	13,523	16.15%
Emily Ann Ramos	13,232	15.81%
Chris Clark	10,947	13.08%
John McAlister	10,108	12.07%

BALLOT MEASURE

Measure G is a general tax measure that required a majority vote threshold for passage. 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 the percentage of votes received as follows:

Measure G	Votes Received	Percentage of Votes Received
Yes	21,330	72.32%
No	8,162	27.68%

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 2 to this Council report.

Once in effect, Measure G will amend the City’s existing Real Property Conveyance Tax Ordinance as set forth in Attachment 2. The County of Santa Clara, via the County Clerk-Recorder’s Office, has collected the City’s real property conveyance tax since 1973, pursuant to a memorandum of understanding (MOU) entered into at that time. Staff seeks Council authorization to take all necessary steps to make arrangements to ensure the County’s collection of the City’s real property conveyance tax, as amended by Measure G, including, but not limited to, amending the existing MOU or entering into a new one.

FISCAL IMPACT—There is no fiscal impact associated with the recommendation.

LEVINE ACT

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a “license, permit, or other entitlement for use” if the official has received a campaign contribution exceeding \$250 from a party, participant, or agent of a party or participant in the proceeding within the last 12 months. A city official is similarly prohibited from accepting, soliciting, or directing a campaign contribution exceeding \$250 from a party, participant, or agent of a party or participant to any proceeding involving a license, permit, or other entitlement for use for 12 months after a final decision is rendered in said proceeding.

Please refer to the “X” in the checklist below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

SUBJECT TO THE LEVINE ACT

- Land development entitlements
- Other permit, license, or entitlement for use
- Contract or franchise (MOU with County of Santa Clara)

EXEMPT FROM THE LEVINE ACT

- Competitively bid contract
- Labor or personal employment contract
- General policy and legislative actions (certification of election results)

For more information about the Levine Act, please see the Fair Political Practices Commission website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html.

PUBLIC NOTICING—Agenda posting.

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Attachments: 1. Resolution
2. Ordinance