

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 20__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW: (1) CALLING A GENERAL MUNICIPAL ELECTION AND ORDERING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION FOR THE PURPOSE OF SUBMITTING TO THE VOTERS A BALLOT MEASURE TO AMEND THE CITY CHARTER TO MODERNIZE AND CLARIFY ITS PROVISIONS; (2) AUTHORIZING MEMBERS OF THE COUNCIL TO AUTHOR AN ARGUMENT FOR THE BALLOT MEASURE; (3) DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND (4) AUTHORIZING THE CITY CLERK TO CONTRACT WITH THE COUNTY OF SANTA CLARA FOR SERVICES TO BE PERFORMED IN CONNECTION WITH THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2026

WHEREAS, pursuant to Section 3 of Article XI of the California Constitution, a city charter may be amended, revised, or repealed only by majority vote of the electorate; and

WHEREAS, California Government Code section 1415 authorizes the governing body of a city to submit a ballot measure to the voters that proposes to amend the charter at the next regularly scheduled general municipal election or at any statewide general or statewide primary election; and

WHEREAS, the City Council of the City of Mountain View desires to call a General Municipal Election to be held on Tuesday, November 3, 2026, for the purpose of submitting to the voters a ballot measure to amend the Mountain View City Charter to update and modernize its provisions by making technical and clarifying changes, including correcting typographical errors, clarifying existing language, revising outdated terminology, improving internal consistency, and aligning the Charter with State law and current operational practices; and

WHEREAS, the City Council of the City of Mountain View adopted a resolution on June 9, 2026, calling a General Municipal Election to be held on Tuesday, November 3, 2026, for the purpose of electing three (3) members of the City Council, and that resolution includes the request to the Board of Supervisors of the County of Santa Clara to order the General Municipal Election to be consolidated completely with the General Statewide election, pursuant to and in the manner described in California Elections Code sections 10403 and 10418; and

WHEREAS, the City Clerk of the City of Mountain View has recommended that the City contract with the County of Santa Clara to have the Registrar of Voters perform certain services in connection with the General Municipal Election on Tuesday, November 3, 2026; and

WHEREAS, the City Council of the City of Mountain View desires that the City contract with the County to have the Registrar of Voters perform certain services for said General Municipal Election as authorized by California Elections Code section 10002; now, therefore, be it

RESOLVED by the City Council of the City of Mountain View as follows:

Section 1. Call of Election. Pursuant to Mountain View City Charter section 1300, a General Municipal Election is hereby called and ordered to be held in the City on Tuesday, November 3, 2026, at which election there shall be a ballot measure that, if passed, would amend various provisions of the Mountain View City Charter.

Section 2. Proposed Measure. The ballot measure shall read as follows:

Shall the measure amending the City Charter to modernize provisions by replacing gender-specific terms with gender-neutral language; extending the time to take action to fill a council vacancy from 30 to 60 days; eliminating the requirement to read ordinances and resolutions in full; authorizing Council to establish qualifications for legislatively created boards, commissions, and committees; updating outdated terminology; improving internal consistency, and making clarifying edits to align with State law and current practices, be adopted?	YES	
	NO	

Section 3. Submission of Amended Charter. The City Council of the City of Mountain submits to the voters at the November 3, 2026, election proposed amendments to the Mountain View City Charter as shown in **Exhibit A** attached hereto and incorporated herein. Additions are shown by underline font and deletions are shown by ~~strikethrough~~ font. Omitted Charter sections and Charter provisions that are not shown in underline or strikethrough font remain unchanged.

Section 4. Vote Centers Open. Vote centers for said election shall be open at 7:00 a.m. on the day of said election and shall remain open continuously from said time until 8:00 p.m. of the same day, when said vote centers shall be closed, except as provided in California Elections Code §§ 4005 and 14401.

Section 5. Publication. The City Clerk of the City of Mountain View is hereby ordered and directed to cause the notice of said election to be published in accordance with the provisions of the California Elections Code. The notice of the General Municipal Election provided for herein shall be published in a newspaper of general circulation within the City of Mountain View.

Section 6. Consolidation with Statewide Election. Pursuant to the requirements of California Elections Code section 10403, the Board of Supervisors of the County of Santa Clara is hereby requested to order the General Municipal Election to be held on Tuesday, November 3, 2026, and to completely consolidate the election with any other Statewide elections, which may be

called for the same date. The consolidated election will be held and conducted in the manner prescribed by California Elections Code section 10418. The Board of Supervisors of the County of Santa Clara is further requested to order the County Registrar of Voters to: (1) prepare the City's election materials and take all other necessary actions for the holding of the consolidated election; and (2) provide Vote by Mail ballot to voters for said election for use of the qualified electors of the City of Mountain View who are entitled thereto, in the manner provided by law.

Section 7. Canvassing. The Board of Supervisors of the County of Santa Clara is hereby further authorized and requested to canvass or cause to be canvassed, as provided by law, returns of said General Municipal Election and to certify such canvass of the votes cast for the City Council of the City of Mountain View.

Section 8. Agreement with the County. The City Clerk is hereby authorized to enter into an agreement with the County of Santa Clara for the performance of certain election services for the City by the County Registrar of Voters pertaining to the conduct of said General Municipal Election to be held on Tuesday, November 3, 2026, and for the reimbursement of the County in full for the services performed pursuant to California Elections Code section 10002 and 10520.

Section 9. Services to be Performed. The County Registrar of Voters shall perform the following services for the City:

1. Consolidating precincts and arranging for vote centers and election officers.
2. Prepare and print election materials including official and sample ballots, envelopes and voter information guides.
3. Addressing and mailing sample ballots.
4. Handling applications for and mailing vote-by-mail ballots.
5. Bagging and labeling of precinct supplies.
6. Supervising computerized return of ballots cast.
7. Providing general assistance for the conduct of said election; and
8. Canvassing the election returns and certifying the results to the City Clerk.

Section 10. Authorization. The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted invoice.

Section 11. Passage Requirement. Pursuant to Section 3 of Article XI of the California Constitution, this charter amendment measure requires a majority vote of the electorate to pass.

Section 12. Text of Proposed Measure. The full text of this ballot measure shall not be printed in the County Voter Information Guide. The sample ballot shall include the title of the measure. The full text of the measure is available by calling the City Clerk's Office at 650-903-6304 and requesting a copy be mailed at no cost, is available on the City of Mountain View's website, and is available for review at the City Clerk's Office, located at 500 Castro Street, Third Floor, Mountain View.

Section 13. Arguments. The City Council authorizes the following member(s) of its body to file a written argument in favor of the proposed measure in accordance with Article 4, Chapter 3 of the California Elections Code:

Section 14. Impartial Analysis. The City Council hereby directs the City Attorney to prepare an impartial analysis of the measure pursuant to California Elections Code section 9280.

Section 15. Certification. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Exhibit A - Proposed Charter Amendments

EXHIBIT A

The People of the City of Mountain View do hereby amend the Charter of the City of Mountain View as set forth below. Additions are shown by underline font, and deletions are shown by ~~strikethrough~~ font. Omitted Charter sections and Charter provisions that are not shown in underline or strikethrough font remain unchanged.

Section 501. Eligibility.

No person shall be eligible to be nominated for or to hold office as a member of the council unless that person is ~~and shall have been~~ a resident and a registered voter of the City of Mountain View at the time nomination papers are issued to the candidate and ~~that the person~~ remains shall remain a resident and a qualified elector of the City of Mountain View or of territory annexed thereto, ~~as defined in the California Elections Code.~~ The term "qualified elector" as used herein shall have the same meaning as the term "elector" in the California Elections Code as it now exists or may hereafter be amended.

Section 504. Vacancies.

The council shall, within ~~30~~ sixty (60) days from the commencement of any vacancy on the council from whatever cause arising, either fill the vacancy by appointment or call a special election to fill the vacancy. If the vacancy is filled by appointment, the person so appointed shall hold office until the first Tuesday following the next general municipal election at which a successor could be elected and until that person's successor qualifies. At that next general municipal election following any vacancy, a councilmember shall be elected to serve for the remainder of any unexpired term. If the vacancy be filled by election, the person so elected shall hold office for the unexpired term of the former incumbent and until that person's successor qualifies. When any vacancy occurs, if there are two councilmembers at that time serving terms to which they were appointed, then in that event, the vacancy shall be filled solely by election. Notwithstanding the provisions of Charter Section 1302, a special election to fill a council vacancy may be held on any date.

Section 514. Adoption of ordinances and resolutions.

~~With the sole exception of ordinances which take effect upon adoption referred to in this article~~ Except as otherwise provided in this Charter, no ordinance shall be adopted by the council on the day of its introduction, nor within five days thereafter nor at any time other than at a regular or adjourned regular meeting nor until such ordinance shall have been published as required in this Charter. ~~At the time of introduction or adoption of an ordinance or resolution it shall be read in full, unless after the reading of the title thereof, the further reading thereof is waived by unanimous consent of the councilmembers present.~~ In the event that any ordinance is altered after its introduction, the same shall not be finally adopted except at a regular or adjourned regular meeting, held not less than five days after the date upon which such ordinance was so altered. The correction of typographical or clerical errors shall not constitute the making of an alteration within the meaning of the foregoing sentence.

No order for the payment of money shall be adopted or made at any other than a regular or adjourned regular meeting.

Any ordinance declared by the council to be necessary as an emergency measure for preserving the public peace, health or safety, and containing a statement of the reasons for its urgency, may be introduced and adopted at one and the same meeting if passed by at least five affirmative votes.

Section 515. Ayes and noes.

Upon the adoption of any ordinance, the clerk ~~shall call the roll and~~ shall cause the ayes and noes to be entered in the minutes of the meeting. Whenever required by law or requested by any Councilmember, the vote shall be taken by roll call, and the ayes and noes shall be recorded. ~~Upon the request of any member the ayes and noes shall be taken and recorded on any vote.~~

Section 602. Powers and duties.

The city manager shall be head of the administrative branch of the city government. ~~He and~~ shall be responsible to the council for the proper administration of all affairs of the city. Without limiting the foregoing general grant of powers, responsibilities and duties, the city manager shall have power and be required to:

- (a) Appoint, discipline and remove, subject to the personnel provisions of this Charter, all officers and employees of the city except as otherwise provided by this Charter. The city manager may authorize the head of any department or office to appoint or remove subordinates in such office.
- (b) Prepare the budget annually, submit it to the council, and be responsible for its administration after its adoption.
- (c) Prepare and submit to the council as of the end of the fiscal year, a complete report on the finances and administrative activities of the city for the preceding year.
- (d) Keep the council advised of the financial condition and future needs of the city and make such recommendations on any matter as may to the city manager seem desirable.
- (e) Establish a centralized purchasing system for all city offices, departments and agencies.
- (f) Prepare rules and regulations governing the contracting for, purchasing, inspection, storing, inventory, distribution or disposal of all supplies, materials and equipment required by any office, department or agency of the city government and recommend them to the council for adoption by ordinance.
- (g) Enforce the laws of the state pertaining to the city, the provisions of this Charter and the ordinances, franchises and rights of the city.
- (h) Make investigations into the affairs of the city, or any department or division thereof, on any contract, or the proper performance of any obligation running to the city.

- (i) Perform such other duties as may be prescribed by this Charter or required of the city manager by the council not inconsistent with this Charter.

Section 709. Powers and duties of city clerk.

The city clerk shall have the power and be required to:

- (a) Attend all meetings of the Council and be responsible for recording and maintaining a complete and accurate record of all Council proceedings. ~~Attend all meetings of the council and be responsible for the recording and maintaining of a full and true record of all the proceedings of the council in books that shall bear appropriate titles and be devoted to such purpose.~~
- (b) Maintain an official record of all City ordinances and all written resolutions adopted by the Council in a manner that ensures the records are readily accessible to the public. For each ordinance, the City Clerk shall include a certification stating (1) that the ordinance is the original or a true and correct copy, and (2) if the ordinance was required by law to be published, that it was published in accordance with applicable law. ~~Maintain separate books, in which shall be recorded respectively all ordinances and resolutions, with the certificate of the clerk annexed to each thereof stating the same to be the original or a correct copy and as to an ordinance requiring publication, stating that the same has been published or posted in accordance with this Charter.~~
- (c) Maintain a record ~~separate books, in which a record shall be made~~ of all written contracts and official bonds.
- (d) Keep all aforementioned ~~books properly indexed~~ records organized and open to public inspection when not in actual use.
- (e) Be the custodian of the seal of the city.
- (f) Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs and business of the city and certify copies of the official records.
- (g) Have charge of all city elections.
- (h) Perform such other duties consistent with this Charter as may be required of the city clerk by the council.

Section 711. Powers and duties of city attorney; eligibility, employment of attorneys to assist, etc., in legal matters.

The city attorney shall have the power and be required to:

- (a) Represent and advise the council and all city officers in all matters of law pertaining to their offices.
- (b) Represent and appear for the city in any or all actions and proceedings in which the city is concerned or is a party; and represent and appear for any city officer or employee or former city officer or employee for any action arising out of that person's employment or by reason of that person's official capacity as may be required by law.

- (c) Attend all meetings of the council and give the city attorney's advice or opinion in writing whenever requested to do so by the council or by any of the boards or officers of the city.
- (d) Approve the form of all bonds given to and all contracts made by the city, endorsing the city attorney's approval thereon in writing.
- (e) Prepare any and all proposed ordinances or resolutions for the city, and amendments thereto.
- (f) Prosecute on behalf of the people all criminal cases for violation of this Charter and of city ordinances.
- (g) Perform such other duties consistent with this Charter as may be required of the city attorney by the council.
- (h) On vacating the office, surrender to ~~his or her~~ their successor all books, papers, files and documents pertaining to the city's affairs.

To become eligible for appointment as a city attorney, the appointee shall have been admitted to practice as an attorney at law before the Supreme Court of the State of California, and shall have been engaged in the practice of law for at least three years immediately prior to that person's appointment.

The council shall have control of all legal business and proceedings and may employ other attorneys to take charge of any litigation or matter or to assist the city attorney therein.

Section 900. Generally.

In addition to the boards and commissions established by this Article, the Council may create by ordinance or resolution additional boards, commissions, and committees as necessary for the efficient operation of the City. The ordinance or resolution creating such body shall prescribe its functions, duties, powers, jurisdiction, membership qualifications, and any other terms and conditions Council deems appropriate or necessary.

No member of any boards, commissions, or committees shall hold any paid office or paid employment with the City during their term of appointment, or exercise powers inconsistent with this Charter or applicable federal, state, or local law.

Every member of a board, commission, or committee established by this Article governing Appointive Boards and Commissions shall be a qualified elector of the City. The term "qualified elector" as used herein shall have the same meaning as the term "elector" in the California Elections Code as it now exists or may hereafter be amended.

~~There shall be the boards and commissions enumerated in this article which shall have the powers and duties herein stated. Unless otherwise provided by this Charter, the number of members to comprise any commission shall be determined by ordinance or resolution of the council. No member of any board or commission shall hold any paid office or employment in the city government. In order to be eligible for any appointment to any board or commission, a~~

~~person shall be a qualified elector of the city. In addition to those herein provided, the council may create by ordinance or resolution such boards or commissions as in its judgment are required and may grant to them such powers and duties as are consistent with the provisions of this Charter.~~

Section 902. Appointments; terms.

~~The members of each board, commission, or committee of such boards or commissions shall be appointed by the council. They shall be subject to removal only by ~~motion of the council adopted by the affirmative vote of~~ at least four councilmembers. ~~affirmative votes.~~ Unless otherwise provided by this Charter or by ordinance or resolution, members of boards, commissions, and committees shall serve four-year terms. ~~Unless otherwise provided by this Charter, the members thereof shall serve for a term of four years and until their respective successors are appointed and qualified.~~ The Council may establish term limits for members of boards, commissions, and committees by ordinance or resolution, except where term limits have already been established by this Charter.~~

~~The initial members of each board, commission, or committee shall be assigned staggered terms by lot so that, to the extent practicable, the terms expire at different times in accordance with the body's established appointment cycle. If a board, commission, or committee has more than four members, the initial terms shall be staggered so that the number of terms expiring in any year does not exceed the number of terms expiring in any other year by more than one.~~

~~The members first appointed to such boards and commissions shall so classify themselves by lot that each succeeding January first the term of one of their numbers shall expire. If the total number of members of a board or commission to be appointed exceeds four the classification by lot shall provide for the grouping of terms to such an extent as is necessary in order that the term of at least one member shall expire on each succeeding January first, and that the number of terms expiring in any year does not exceed by more than one the number expiring in any other.~~

Section 904. Meetings; presiding officer ~~chairman~~.

~~As soon as practicable, following the first day of January of every year, each of such boards and commissions board, commission and committee shall elect ~~organize by electing~~ one of its members to serve as presiding officer at the pleasure of the body. ~~such board or commission.~~ Each ~~board or commission~~ shall hold such regular and special meetings as such ~~board or commission~~ may require. All proceedings shall be open to the public.~~

All boards, commissions, and committees shall hold regular and special meetings as necessary. All meetings shall be open to the public.

Action by a board, commission, or committee shall be taken by majority vote of the members then in office, excluding vacant positions, provided that the number of members then in office is not less than a quorum of the entire authorized membership. Less than a majority may

~~adjourn. The affirmative or negative vote of a majority of the entire membership of such board or commission shall be necessary for it to take any action, except to adjourn.~~

The city manager shall designate a secretary for the recording of minutes for each ~~of such board, commission and committee boards and commissions~~, who shall keep a record of its proceedings and transactions.

Each board, commission and committee ~~board or commission~~ may prescribe its own rules and regulations which shall be consistent with this Charter and copies of which shall be kept on file in the office of the city clerk where they shall be available for public inspection.

~~Each~~ Boards and commissions established by this Article shall have the same power as the council to compel the attendance of witnesses, to examine them under oath and to compel the production of evidence before it.

Section 905. Compensation; vacancies.

The members of boards, commissions and committees ~~the boards and commissions~~ shall serve without compensation ~~for their services as such~~, but may receive reimbursement for necessary travel ~~traveling~~ and other expenses incurred on official duty when such expenditures have been approved ~~received authorization~~ by the council.

~~Any vacancies on any board or commission, from whatever cause arising, shall be filled by appointment by the council. Upon a vacancy occurring, leaving an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term. If a member of a board or commission is absent from three regular meetings of such board or commission, consecutively, or within a calendar quarter, or is convicted of a crime involving moral turpitude, or ceases to be a qualified elector and resident of the city, that office shall become vacant upon the declaration of council. The council may, for good cause, determine that a vacancy has not been created.~~

Any vacancy on a board, commission or committee, regardless of the cause, shall be filled by appointment of the council. If the vacancy occurs before expiration of the term, the appointment shall be for the remainder of the unexpired term.

A member's seat on a board, commission or committee shall become vacant upon declaration by the council if the member:

1. Is absent from three consecutive regular meetings or three regular meetings within a calendar quarter;
2. Is convicted of a crime involving moral turpitude; or

3. Ceases to be a qualified elector or resident of the City, if being a qualified elector or resident is a requirement for membership on the respective board, commission, or committee.

Section 1107. Contracts for public works.

- (a) Every project involving an expenditure of public monies of more than fifteen thousand dollars (\$15,000) appropriately indexed to 1978 dollars for the construction or improvement of public buildings, works, drains, sewers, utilities, parts, playgrounds, and streets (exclusive of projects for resurfacing, maintenance and repair of streets) shall be let by contract to the lowest responsible bidder after notice by publication in the official newspaper by one or more insertions, the first of which shall be at least seven days before the time for opening bids.

All bids shall be accompanied by either a certified or cashier's check, or a bidder's bond executed by a corporate surety authorized to engage in such business in California, made payable to the city. Such security shall be in an amount not less than that specified in the notice inviting bids or in the specifications referred to therein, or if no amount be so specified then in an amount not less than ten percent of the aggregate amount of the bid. If the successful bidder neglects or refuses to enter into the contract within the time specified in the notice inviting bids or specifications referred to therein, the amount of the bidder's security shall be declared forfeited to the city and shall be collected and paid into its general fund and all bonds so forfeited shall be prosecuted and the amount thereof collected and paid into such fund.

The council may reject any and all bids presented and may readvertise in its discretion. The council, after rejecting bids, or if no bids are received, may declare and determine that, in its opinion, based on estimates approved by the city manager, the work in question may be performed better or more economically by the city with its own employees and after the adoption of a resolution to this effect by at least five affirmative votes of the council may proceed to have such work done in the manner stated, without further observance of the provisions of this section. Such contracts likewise may be let without advertising for bids, if such work shall be deemed by the council to be of urgent necessity for the preservation of life, health or property and shall be authorized by resolution passed by at least five affirmative votes of the council and containing a declaration of the facts constituting such urgency.

~~Nothing~~ Nothing in this section shall be construed to apply to the acquisition or purchase of electricity, electric power or electric energy by the city for any use or purpose.

- (b) As an alternate procedure to subsection (a) above, Council may, by ordinance, establish an alternate bidding procedure for public works contracts where the amount does not exceed the limit for the alternate bidding procedures for general law cities as set forth in the California Public Contract Code at Section 22034 as amended from time to time.

Section 1603. Construction of Charter.

Unless the provisions or the context otherwise require, as used in this Charter:

- (a) "Shall" is mandatory, and "may" is permissive.
- (b) "City" is the City of Mountain View and "department", "board", "commission", "agency", "officer", or "employee", is a department, board, commission, agency, officer or employee, as the case may be, of the City of Mountain View.
- (c) "Council" is the city council of the City of Mountain View.
- (d) "County" is the County of Santa Clara.
- (e) "State" is the State of California.
- (f) This Charter is intended to be gender neutral. All words referring to persons shall be construed as gender neutral, and words in the singular include the plural, and words in the plural include the singular, unless the context clearly requires otherwise.

Section 1702. Definitions.

Unless further defined elsewhere in this Article, the following words or phrases as used in this Article shall have the following meanings:

- (a) *Annual General Adjustment*. The Annual General Adjustment is the percentage by which the Rent for existing tenancies in Covered Rental Units may be increased each year, subject to the limitations of this Article.
- (b) *Base Rent*. The Base Rent is the reference point from which the lawful Rent shall be determined and adjusted in accordance with this Article.
 - (1) Tenancies commencing on or before October 19, 2015. The Base Rent for tenancies that commenced on or before October 19, 2015 shall be the Rent in effect on October 19, 2015.
 - (2) Tenancies commencing after October 19, 2015. The Base Rent for tenancies that commenced after October 19, 2015 shall be the initial rental rate charged upon initial occupancy, provided that amount is not a violation of this Article or any provision of state law. The term "initial rental rate" means only the amount of Rent actually paid by the Tenant for the initial term of the tenancy.
- (c) *Committee*. The term "Committee" refers to the Mountain View Rental Housing Committee established by this Article.
- (d) *Covered Rental Units*. All Rental Units not specifically exempted by this Article.
- (e) *City Council*. The term "City Council" refers to the City Council of the City of Mountain View.

- (f) *Disabled.* The term "Disabled" is defined in Govt. Code Section 12955.3.
- (g) *Hearing Officer.* An official appointed by the Committee to conduct an investigation or administrative hearing pursuant to this Article.
- (h) *Housing Services.* Housing Services include, but are not limited to, repairs, maintenance, painting, providing light, hot and cold water, elevator service, window shades and screens, storage, kitchen, bath and laundry facilities and privileges, janitor services, Utility Charges that are paid by the Landlord, refuse removal, furnishings, telephone, parking, the right to have a specified number of occupants, and any other benefit, privilege or facility connected with the use or occupancy of any Rental Unit. Housing Services to a Rental Unit shall include a proportionate part of services provided to common facilities of the building in which the Rental Unit is contained.
- (i) *Individual Rent Adjustment.* An adjustment to the otherwise lawful Rent authorized by a Hearing Officer or the Committee pursuant to this Article.
- (j) *Landlord.* An owner, lessor, sublessor or any other person entitled to receive Rent for the use and occupancy of any Rental Unit, or an agent, representative, predecessor, or successor of any of the foregoing.
- (k) *Petition.* A petition for Individual Rent Adjustment pursuant to this Article.
- (l) *Primary Residence.* The occupant's usual place of return. To classify a unit as an occupant's Primary Residence does not require that the occupant be physically present in the unit at all times or continuously, but does require that the unit be the occupant's usual place of return. Factors that are indicative of Primary Residence include but are not limited to:
 - (1) The occupant carries on basic living activities at the subject premises for extended periods;
 - (2) The subject premises are listed with public agencies, including but not limited to federal, state and local taxing authorities, as the occupant's primary residence;
 - (3) Utility Charges and other charges and fees associated with usage of the structure are billed to and paid by the occupant at the subject premises;
 - (4) The occupant does not file for a homeowner's tax exemption for any different property;
 - (5) The occupant is not registered to vote at any other location; and

- (6) Ownership is held in the name of the occupant claiming Primary Residence and not held by a Limited Liability Corporation or other corporate or business entity structure.
- (m) *Property*. All Rental Units on a parcel or lot or contiguous parcels or contiguous lots under common ownership.
- (n) *Recognized Tenant Organization*. Any group of Tenants residing in Rental Units in the same building or in different buildings operated by the same management company, agent or Landlord, who choose to be so designated. This shall also include any other at-large organization that represents the interest of Tenants.
- (o) *Relocation Assistance*. Financial assistance in the amounts set forth in Chapter 46, Article II (commencing with Section 46.2-1.5) of the Mountain View City Code, governing the provision of tenant relocation assistance, as the same now exists or may hereafter be amended. Article XIII, sections 36.38.15, including without limitation Subsection 36.38.15(d) regarding "Special circumstances" households as defined in Mountain View City Code, Article XIII, sections 36.38.05(g).
- (p) *Rent*. All periodic payments and all nonmonetary consideration including, but not limited to, the fair market value of goods, labor performed or services rendered to or for the benefit of the Landlord under a Rental Housing Agreement concerning the use or occupancy of a Rental Unit and premises and attendant Housing Services, including all payment and consideration demanded or paid for parking, Utility Charges, pets, furniture, and/or subletting.
- (q) *Rental Housing Agreement*. An agreement, oral, written, or implied, between a Landlord and Tenant for use or occupancy of a Rental Unit and for Housing Services.
- (r) *Rental Housing Fee*. The fee described in Subsection 1709(j)(1) herein.
- (s) *Rental Unit*. Any building, structure, or part thereof, or land appurtenant thereto, or any other rental property rented or offered for rent for residential purposes, together with all Housing Services connected with use or occupancy of such property, such as common areas and recreational facilities held out for use by the Tenant.
- (t) *Single-Family Home*. A detached building containing a single residential dwelling unit separately alienable from any other dwelling unit.
- (u) *Tenant*. A Tenant, subtenant, lessee, sublessee or any other person entitled under the terms of a Rental Housing Agreement or this Article to the use or occupancy of any Rental Unit.
- (v) *Utility Charges*. Any charges for gas, electricity, water, garbage, sewer, telephone, cable, internet, or other service relating to the use and occupancy of a Rental Unit.

(w) *Written Notice to Cease.* A written notice provided by a Landlord that gives a Tenant an opportunity to cure an alleged violation or problem prior to service of a notice to terminate tenancy. Any Written Notice to Cease must:

- (1) Provide the Tenant a reasonable period to cure the alleged violation or problem;
- (2) Inform the Tenant that failure to cure may result in the initiation of eviction proceedings;
- (3) Inform the Tenant of the right to request a reasonable accommodation;
- (4) Inform the Tenant of the contact number for the Committee; and
- (5) Include sufficient details about the conduct underlying the Written Notice to Cease that allow a reasonable person to comply.