### **RESOLUTION NO. 01-29**

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS **DECLARING CANVASS OF ELECTION RESULTS OF NOVEMBER 6, 2001** GENERAL MUNICIPAL AND SPECIAL ELECTIONS IN THE CITY OF LOS ALTOS

WHEREAS, on November 6, 2001 an election was held in the City of Los Altos for the purpose of electing two Council members and voting on Measure A; and

WHEREAS, said General Municipal and Special Elections were held in accordance with law State law, and the votes received and canvassed, and the returns thereof ascertained, determined, and declared in all respects as required by law; and

WHEREAS, at the General Municipal Election, residents were asked to vote for two (2) City Councilmembers to serve four-year terms ending November, 2005; and

WHEREAS, at the Special Election, residents were asked to vote on Measures A, the title of which appear on Exhibit "A" attached; and

WHEREAS, pursuant to State Elections Code Section 15400, the City is required to accept the Statement of Election Results and declare the totals to be final results of the election;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Los Altos that:

- The City Clerk of the City of Los Altos is hereby instructed to enter this resolution into 1. the minutes of the Los Altos City Council as a true statement of the results of said elections; and
- 2. The Los Altos City Council hereby accepts the Certified Statement of November 6, 2002 Election Results by the Santa Clara County Registrar of Voters (attached as Exhibit "B");

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a resolution duly passed and adopted by the City Council of the City of Los Altos this 19th day of November, 2001 by the following roll call vote:

AYES:

Mayor Lear, Councilmembers Becker, Casto, La Poll, and Moss

NOES:

None

ABSENT: None

### ORDINANCE NO. 01-403

## AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS SUBMITTING TO THE VOTERS AN ORDINANCE AUTHORIZING AN INCREASE IN THE TRANSIENT OCCUPANCY TAX

The City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. ELECTION CALLED. The City Council of the City of Los Altos submits the following ordinance amending the City's Transient Occupancy Tax rate to the voters of the City of Los Altos at an election to be held on Tuesday, November 6, 2001.

SECTION 2. FULL TEXT OF MEASURE. Complete text of the proposed ordinance amendment shall be:

"AN ORDINANCE OF THE CITY COUNCIL OF LOS ALTOS PROVIDING FOR AN INCREASE IN THE TRANSIENT OCCUPANCY TAX RATE NOT TO EXCEED ELEVEN PERCENT (11%)

The People of the City of Los Altos do ordain as follows:

# SECTION 1. AMENDMENT OF CODE SECTION 3.36.020 OF THE LOS ALTOS MUNICIPAL CODE.

"Section 3.36.020 of the Los Altos Municipal Code is hereby amended to read as follows:

3.36.020 Tax Imposed.

For the privilege of occupancy in any hotel, each transient shall be subject to, and shall pay, a tax in the amount not to exceed eleven percent (11%) of the rent charged by the operator. The City Council shall have the authority to set the rate at eleven percent or any lesser rate as the Council shall determine by resolution. The tax shall constitute a debt owed by the transient to the city which tax shall be extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, the proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax shall be paid directly to the tax administrator.

Section 2. Determination of Amount to be Raised. Each year following adoption of the City's annual budget, the City Council will determine the rate to be charged for the transient occupancy tax and

shall set that rate in an amount not to exceed the rate authorized by this ordinance or any lesser rate as the Council shall determine by Resolution.

Section 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions or applications, and to this end the provisions of this ordinance are declared to be severable.

Section 4. Amendment or Repeal. This ordinance or any provision thereof may only be amended or repealed by approval of the voters voting on the proposition at any initiative or referendum election.

Section 5. Publication. A summary of this ordinance shall be published in the Los Altos Town Crier, as provided for in Government Code § 36937.

Section 6. Effective Date: This ordinance shall be adopted if approved by a majority of the voters voting at a general election to be held on Tuesday, November 6, 2001, and go into effect ten (10) days after the City Council has, by resolution, declared that such measure was approved by a majority of the voters voting thereon."

SECTION 3. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid such invalidity shall not affect any other provision or application, and to this end the provisions of the ordinance are declared to be severable.

SECTION 4. PUBLICATION. A summary of this ordinance shall be published in the Los Altos Town Crier, as provided for in California Government Code Section 36937.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective immediately upon its adoption by the City Council of the City of Los Altos.

The foregoing ordinance was duly and regularly adopted at a meeting of the City Council of the City of Los Altos on August 7, 2001, by the following vote:

Ayes:

Mayor Lear, Councilmembers Becker, Casto, and Moss

Noes:

None

Absent:

Councilmember La Poll

King Lear Mavo

ATTEST:

Carol Scharz, City Clerk

## **Certification of the Votes Cast**

STATE OF CALIFORNIA	)
	) ss
County of Santa Clara	)

I, EVONNE ZAMORA, Acting Registrar of Voters of said County, do hereby certify that in accordance with the provisions of the California Elections Code, I did canvass the returns of the votes cast in said County at the Consolidated Election, held on November 6, 2001; that the Statement of All Votes Cast, to which this Certificate is attached, shows the total number of ballots cast, the number of votes cast at each precinct for each candidate, the number of votes cast in each City, School District located in whole or in part in the County, and, that the totals shown for each candidate and measures are full, true and correct.

WITNESS my hand and Official Seal this 16th day of November, 2001.

Evonne Zamora

Acting Registrar of Voters



## **Certificate of Election Results**

STATE OF CALIFORNIA	)
	) ss
County of Santa Clara	)

- I, Evonne Zamora, Acting Registrar of Voters of the County of Santa Clara, State of California, hereby declare that a CONSOLIDATED ELECTION was held in the City of Los Altos on November 6, 2001, for the purpose of electing **two members to the City Council**, and submitting Measure A to the voters of said City; and to wit:
  - A. Shall the City Council of the City of Los Altos be authorized, annually, to set the rate of the Transient Occupancy Tax of the City at a rate not to exceed 11%?

That the results of said Election were canvassed by the Office of the Santa Clara County Registrar of Voters in accordance with applicable provisions of the California Elections Code; and,

That the Statement of Votes Cast, to which this Certificate is attached, shows the total number of votes for each candidate for said City Council seats, and for and against Measure A in the City of Los Altos, and each of the respective precincts; and that the totals shown for each candidate are true and correct.

Evonne Zamora

Acting Registrar of Voters

WITNESS my hand and Official Seal this 16th day of November, 2001.

***Grand Totals					C	ity of Los	Altos, Cou	ncilmemb	Br .		 	
	Registration	Ballots Cast	Turnout (%)		City of Les Altos Counclimember KING CRAIG LEAR	SSOM MOS						
County of Senter Clarations (State Board Of Emill Of Compressional District 11th Senatorial District 13th Senatorial District 21st Assembly District 22st Assembly District 22st Assembly District 23st Distri	18319 18319 18319 938 18319 636 16319	171 4120 171 352	22.5 18.2 22.5 18.2 22.5 22.5 22.5 22.5 22.5	7 m	2865 2865 2865 127 2865 127 2555 2865 2865	3170 3170 128 3170 228 3170 3170						

## SANTA CLARA COUNTY Statement of Votes Consolidated Election

26 of 50

***Absentee Totals				···		Ci	ty of Los	Altos, Co	uncilmemb	er			
G	Registration	Ballots Cast	Turnout (%)		City of Los Altos	15	JOHN MOSS						
County of Santa Clairs State Beard Of Equal Di Yapi Congressional District 11th Senatorial District 21st Assembly District 21st Assembly District 22st Assembly District 23st Assembly District City Of Los Altos	18319 18319 18319 18319 638 15319 1631 16319	1072 1072 1072 55 1072 55	5.9 5.9 5.9 5.3 5.3			724 724 724 724 38 724 38 56 724	790 790 790 37 790 32 60 790						Wings:

11/13/2001 10:11 AM . Rovember 6, 2001

### SANTA CLARA COUNTY Statement of Votes Consolidated Election

	<u> </u>						Cì	ty of Los	Altos, Co	uncilment	<b>10</b> 7	 				
	Registration	Ballots Cast	Turnout (%)				City of Los Altos Councilmember KING CRAIG LEAR	JOHN MOSS								
2301 - PCT 2301 C 2301 + Absolutes 2305 - PCT 2305 C	1463 1463 1267	249 88 137	17.0 6.0 10.8		ender i		180 62 91	199 1 07 104	- <u>1</u>	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1						
2305 - Absenties 2308 - PCT 2308 2308 - Absenties	1267 797 797	93 202 53	7.3 25.3 6.6	:			53 145 31	67 156 38								
200 - 100 100 100 100 100 100 100 100 100	1225	137 60 248	16.4 7.2 20.2				40 169	107 48 199 61	: . :				ŀ			1 24 11 . 12
2313 - Absentees 2814 PCT 2314 C 2314 - Absentses	1225 776 776	86 148 40	7.0 18.8 5.2				55 99 29	116 26								
232 C PETIZANI 432 PAISSINGS - 2326 PCT 3326 2326 - Absentees	1293 1293 786 788	173 65 126 51	13.4 5.0 16.0 6.5		. :		122 45 82 41	138 48 97 42	:						i.	
2330 PCT 2330 C 2330 - Absenties 2335 POTENSSIO	1192 1192	187 51	15.7 4.3 .: 12.4		; ;		133 38 89 38	149 40 9 191	;					ļ		ļ
2333F-ASS-01004 2336-PCT-2336-0 2336 - Absentees 2338 - PCT 2338 C	938 938 1542 1542 916	55 276 74 138	5.9 17.8 4.8 15.1			· *	438 200 55 104	201 201 55 103	<u>.</u>						! !	
2338 - Absentees 2342 - 201 2342 G 2342 - Absenties	916 814 814 1480	36 : 165	3.9 20.3 4.4				20 108 20	23 135 : 25								
2343 - Absentees 2346 PCT 2346 C	1480 1044	74 155	17.6 5.0 14.8	÷	]		196 58 106	218 58 125								
2346 - Absentees 2351 - PCT 2351 C 2351 - Absentees 2352 - PCT 2352 C	1044 1254 1254 695	68 205 93 129	6.5 16.3 7.4 18.6	  -  -			40 135 63 93	48 139 64 103								
2352 - Absentees	695	49	7.1				36	43								
Precinct Totals  Absentee Totals	18319 18319	3048 1072	16.6 5.9				2141 724	2380 790								
Grand,Totals	18319	4120	. 22.5				2865	3170				 <u> </u>		<u> </u>		İ

2 The man of the second

### SANTA CLARA COUNTY Statement of Votes Consolidated Election

39 of 50

- 日本本人のこれには

Grand Totals		City of Los Altos Measure A															
	Registration	Ballots Cast	Tumout (%)				City of Los Altos Messurs A Yes	S.									
County of Santa Clera State Bodyl Of Equal Of 14th Congressional District 14th Senatorial District	18319 18319 18319	120	22.5		16.30 :	1	2958 2958 2958 2958	894 894 894		10.00			·				¥- ::
13th Senatorial District 21st Assembly District 25th Callery District 25th Aller of District 25th Aller of District Strict of the Aller	938 16319 938 1611 16319	171 4120 171 352 4120	18.2 22.5 18.2 21.8		.	·	131 2958 131 253 2958 2958	33 894 33 77 894				: :					

## SANTA CLARA COUNTY Statement of Votes Consolidated Election

***Absentee Totals								y of Los / Measure		 		
	Registration	Ballots Cast	Tumout (%)			City of Los Attos Measure A Yes	No.					
County of Senta Clars State Board Of Entral; Of 1807/Congressional District 13th Senatorial District 13th Senatorial District 21st Assembly District 22nd Assembly District 25th Assembly District 5th Supervisorial Distri	18319 18319 18319 938 18319 -938 1611 18319	55 1072 - 55 - 85 - 872	5.9 5.9 5.9 5.9 5.9		Million in the second s	749 749 749 749 749 749 749 749	237 8 237					

Marie of the second

Committee of the second

## SANTA CLARA COUNTY Statement of Votes Consolidated Election

							<del></del>		y of Los / Measure							 
	Registration	Ballots Cast	Turnout (%)				City of Los Altos Messure A Yes	Ŷ.								
2501: PC1/2301: C 2501:: AUsenteës:: 2505: PC1/2305: E 2305 - Absentees 2308 - PCT 2308	1483 1465 1267 1267 797	249 88 137 93 202	17.0 6.0 10.8 7.3 25.3		F		193 :68 99 59 138	18 - 18 - 29 29 43						<u>.</u>		
1308 - Absentees 1309 - RCT   2303 C 1309 - Atsent(665 1316 - RCT   2313 C 1313 - Absentees 1314 - PCT   2314 C	797 835 835 1225 1225 776	60 248 86	6.6 18.4 7.2 20.2 7.0 18.8	, 10 m	;		41 104 42 186 68 106	29 13 52 13 29	,	-						
314 - Absentes 3215 Absentes 1 3215 Absentes 2 328 - Absentes 230 PCT 2330 C	776 1293 1293 788 788	40 178 65 126 51	5.2 1:. 13.4				33 151 45 89 37 129	4	1	18 18 18 18						
230 - Absentees ASTIPO FERRIS GE CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR	1192 1192 938 938 1542 1542	51 5 116 55 275 74	4,3 12,4 5,9 17,8 4,8			;	31 :88 :43 192 48	12 0'. 25 8 62 23		A 2		and the second s	1. 1. 1.			
338 PCT 2338 C 338 - Atsentees 342 - PCT 2342 C 12 - Atsentees 343 - Atsentees	916 916 814 814 1480	36 165 36 260	- 4.4	, .			104 22 107 25 199 46	28 9 - 43 £. 6 £. 54 20					ļ. ,			
2346 PCT 2346 C 2346 - Absentees 351 - PUT 2351 C 351 - ASSENCES 352 - POT 2352 C	1044 1044 1254 1254	155 68 205 93	14.8 6.5 16.3 7.4	,			116 40 441 81 87	27 24 48 - 22 - 32								
2352 - Absentees Precinct Totals	18319		7.1 16.6	Ī	!   		2209	8 657	1							
Absentee Totals	18319	1072	5.9				749	237				ŀ		1.		
Grand Totals	18319	. 4120	:- 22.5		L	<u>L.</u>	2958	894		<u> </u>	<u>.                                    </u>	<u>l</u>	<u> L.                                    </u>	<u> </u>	<u> </u>	 <u> </u>