

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO AN AGREEMENT
WITH THE CITY OF PALO ALTO TO PROVIDE WATER AND SANITARY SEWER SERVICES
OUTSIDE OF THE CORPORATE LIMITS OF THE CITY OF MOUNTAIN VIEW

WHEREAS, Life Moves, a 501(c)(3) nonprofit organization that addresses homelessness with interim housing and support services, proposes to develop 1237 San Antonio Road, Palo Alto, Santa Clara County, California, Santa Clara County Assessor's Parcel No. 116-01-013; and

WHEREAS, the proposed development is an 88-unit emergency shelter, to provide temporary housing for the unhoused, known as HomeKey Palo Alto; and

WHEREAS, the City of Palo Alto (Palo Alto) is unable to provide utility services to support HomeKey Palo Alto; and

WHEREAS, Palo Alto is the owner of the site and is partnering with Life Moves in HomeKey Palo Alto; and

WHEREAS, the site is in the City of Palo Alto, and Palo Alto is interested in connecting to the City of Mountain View's utilities to supply water and sewer services to HomeKey Palo Alto; and

WHEREAS, the subject property is outside of the City of Mountain View's boundary limit; and

WHEREAS, the Santa Clara Local Agency Formation Commission ("LAFCO") has approved the City of Mountain View's provision of water and sewer services to the site without a requirement that the property be annexed into the City; and

WHEREAS, the City does not desire to annex the property to the City at this time, but is willing to provide the site with water and sewer services provided that Palo Alto pay any and all costs associated with making such connections, including associated capacity fees and current or future applicable utility rates, and obtaining all necessary permits and approvals; and

WHEREAS, Chapter 35 of the Mountain View City Code prohibits the City from providing water or sewer service outside of the City's corporate limits except to government agencies or political subdivisions authorized by the City Council; and

WHEREAS, the necessity of this agreement is to address immediate health and safety needs of the public; consistent with Government Code Section 56133 (c); and

WHEREAS, the City has available water and sewer mains adjacent to the site with sufficient capacity to serve 1237 San Antonio Road and is willing to provide water and sewer services so long as Palo Alto fully complies with, abides by, and performs all conditions precedent to such City performance, as specified in the agreement; now, therefore, be it

RESOLVED: that the City Council of the City of Mountain View authorizes the provision of water and sanitary sewer services to Palo Alto at its property located at 1237 San Antonio Road, Palo Alto, Santa Clara County, California, Santa Clara County Assessor's Parcel No. 116-01-013; and be it

FURTHER RESOLVED: that the City Council of the City of Mountain View authorizes the City Manager or designee to execute an agreement with the City of Palo Alto to provide water and sewer services to 1237 San Antonio Road; and be it

FURTHER RESOLVED: that the agreement shall remain in place so long as the City of Palo Alto remains the property owner, and there is no escalation in service requirements that necessitate capacity enhancements for the City's utility systems; and be it

FURTHER RESOLVED: that the Public Works Director, at 500 Castro Street, First Floor, Mountain View, California, 94041, is designated as the custodian of documents and records of proceedings on which this decision is based.

AM/LL/1/RESO
900-09-12-23r