



Pat Showalter, Mayor
Lisa Matichak, Vice Mayor
Margaret Abe-Koga, Councilmember
Alison Hicks, Councilmember
Ellen Kamei, Councilmember
Lucas Ramirez, Councilmember
Emily Ann Ramos, Councilmember

Kimbra McCarthy, City Manager
Jennifer Logue, City Attorney
Heather Glaser, City Clerk

Council Chambers and Video Conference, 500 Castro
St., Mountain View, CA 94041

5:45 PM

Tuesday, May 28, 2024

This meeting is being conducted with a virtual component. Anyone wishing to address the Council virtually may join the meeting online at: <https://mountainview.zoom.us/j/84351267142> or by dialing (669) 900-9128 and entering Webinar ID: 843 5126 7142. When the Mayor announces the item on which you wish to speak, click the "raise hand" feature in Zoom or dial *9 on your phone. When the Mayor calls your name to provide public comment, if you are participating via phone, please press *6 to unmute yourself.

5:45 P.M.-CLOSED SESSION

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

2. CLOSED SESSION (PLAZA CONFERENCE ROOM)

- 2.1 Conference with Labor Negotiators (Government Code Section 54957.6) - Agency Designated Representatives: City of Mountain View Assistant City Manager Arn Andrews, Human Resources Director Maxine Gullo, Human Resources Manager Lindsey Bishop and Charles Sakai - Sloan Sakai Yeung and Wong LLP; Employee Associations: Service Employees International Union (SEIU), Local 521; the EAGLES Association; the Police Officers Association (POA); the International Association of Firefighters (IAFF), Local 1965; Unrepresented Fire Managers; Unrepresented Police Managers; Unrepresented Department Heads; and Unrepresented Confidential Employees**

6:30 P.M.-REGULAR SESSION

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. PRESENTATIONS

These are presentations only. The City Council will not take any action.

3.1 Recognition of Outgoing Youth Advisory Committee (YAC)

3.2 Mental Health Awareness Proclamation

3.3 Bike Month Proclamation**3.4 Asian American and Pacific Islander Heritage Month Proclamation****4. CONSENT CALENDAR**

These items will be approved by one motion unless any member of the Council or audience wishes to remove an item for discussion. The reading of the full text of ordinances and resolutions will be waived unless a Councilmember requests otherwise.

4.1 AB 481 Military Equipment Policy Adoption (Second Reading)

- Recommendation(s):** 1. Adopt an Ordinance of the City of Mountain View Repealing Chapter 2, Article IV, Division I, Section 2.69.3 of the Mountain View City Code and Finding That This Action is Not Subject to the California Environmental Quality Act, to be read in title only, further reading waived (Attachment 1 to the Council report). (First reading: 5-0-2; Hicks, Kamei absent)
2. Adopt an Ordinance of the City of Mountain View Adopting a Military Equipment Use Policy Governing the Funding, Acquisition, and Use of Military Equipment by the Mountain View Police Department Pursuant to California Assembly Bill 481 and Finding That This Action is Not Subject to the California Environmental Quality Act, to be read in title only, further reading waived (Attachment 2 to the Council report). (First reading: 5-0-2; Hicks, Kamei absent)

Attachment(s): [Council Report](#)
[ATT 1 - Ord. Repealing Mountain View City Code Section 2.69.3](#)
[ATT 2 - Ord. Adopting MVPD Policy 709 - Military Equipment](#)

4.2 Council Policy A-13, City Council Meetings, Revision to Section 14, Study Sessions

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Amending City Council Policy A-13, City Council Meetings, Amending Section 14 Regarding the Conduct of Study Sessions, to be read in title only, further reading waived (Attachment 1 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Resolution and Exhibit A \(COMBINED\)](#)
[ATT 2 - Existing Council Policy A-13 \(redlined\)](#)
[ATT 3 - CPPC Memorandum \(April 25, 2024\)](#)
[ATT 4 - Annotated Study Session Memo Template](#)

4.3 Amend Americans with Disabilities Act Self-Evaluation and Transition Plan Professional Services Agreement

Recommendation(s): 1. Adopt A Resolution of the City Council of the City of Mountain View Amending the Fiscal Year 2023-24 Budget to Appropriate Thirty-Four Thousand Seven Hundred Thirty

Dollars (\$34,730) in the City Manager's Office in the General Non-Operating Fund for the Development of an Americans with Disabilities Act Self-Evaluation and Transition Plan, to be read in title only, further reading waived (Attachment 1 to the Council report). (Five votes required)

2. Authorize the City Manager or designee to execute an amendment to the professional services agreement with Bureau Veritas Technical Assessment, LLC, for the development of an Americans with Disabilities Act Self-Evaluation and Transition Plan to increase the maximum compensation by \$34,730 for a total contract amount not to exceed \$425,579 and extend the term of the contract through December 31, 2024.

Attachment(s): [Council Report](#)
[ATT 1 - Resolution](#)

4.4 Downtown Utility Improvements, Project 22-41 - Various Actions

- Recommendation(s):**
1. Find that in accordance with California Environmental Quality Act requirements, Downtown Utility Improvements, Project 22-41, is categorically exempt as Class 2, Replacement or Reconstruction, under CEQA Guidelines Section 15302.
 2. Approve the removal and mitigation for one Heritage tree at a 2:1 tree replacement ratio with 24" box trees for Downtown Utility Improvements, Project 22-41.
 3. Approve plans and specifications for Downtown Utility Improvements, Project 22-41, and authorize staff to advertise the project for bids.
 4. Authorize the City Manager or designee to award the construction contract to the lowest responsive, responsible bidder if the bid is within the total project budget of \$12,360,000.

Attachment(s): [Council Report](#)

4.5 Mountain View Child-Care Center Operator Agreement Extension

Recommendation(s): Authorize the City Manager or Designee to Amend the Mountain View Child-Care Center Operator Agreement with AbilityPath to Extend the Term Through June 30, 2029, Modify the Center's Hours of Operations, and Include Identified Facility Improvements.

Attachment(s): [Council Report](#)
[ATT 1 - AbilityPath Letter Dated March 15, 2024](#)
[ATT 2 - Council Report Dated December 12, 2023](#)
[ATT 3 - Council Memorandum Dated March 5, 2024](#)
[ATT 4 - Summary of Information](#)

4.6 Downtown Precise Plan Comprehensive Update, Project 20-66 - Professional Services Agreement

- Recommendation(s):**
1. Authorize the City Manager or designee to execute a professional services agreement with Raimi + Associates, Inc. (California Business Entity No. 2895030), to prepare a Downtown Precise Plan Comprehensive Update and to perform associated California Environmental Quality Act work in an amount not to exceed \$2.0 million.
 2. Transfer and appropriate \$2,582,000 from the Land Use Document Fee Reserve in the Development Services Fund to the Downtown Precise Plan Update, Project 20-66, and transfer \$1,750,000 from Project 20-66 back to the Construction/Conveyance Tax Fund, resulting in a total budget of \$2,582,000 for the Downtown Precise Plan Update, Project 20-66. (Five votes required)

Attachment(s): [Council Report](#)
[ATT 1 - City Council Study Session Memo, November 7, 2023](#)
[ATT 2 - Downtown Precise Plan Boundary](#)
[ATT 3 - Raimi & Associates, Scope of Work & Timelines](#)

4.7 California Street (West) Complete Street Improvements, Pilot, Project 21-40 - Various Actions

- Recommendation(s):**
1. Find that in accordance with California Environmental Quality Act (CEQA) requirements, California Street (West) Complete Street Improvements, Pilot, Project 21-40, is categorically exempt as Class 1, Maintenance and Minor Alteration of Existing Public Facilities, under CEQA Guidelines Section 15301.
 2. Transfer and appropriate \$2,870,000 from the CIP Reserve Fund to California Street (West) Complete Street Improvements, Pilot, Project 21-40. (Five votes required)
 3. Approve plans and specifications for California Street (West) Complete Street Improvements, Pilot, Project 21-40, and authorize staff to advertise the project for bids.
 4. Authorize the City Manager or designee to award a construction contract to the lowest responsible bidder if the bid is within the project budget of \$4,630,000.
 5. Authorize the City Manager or designee to amend the professional services agreement with BKF Engineers, a California corporation (Entity No. 3696846), to provide additional design services for California Street (West) Complete Street Improvements, Pilot, Project 21-40, to add \$40,000 for a total not-to-exceed amount of \$520,000.

Attachment(s): [Council Report](#)

4.8 Annual Street Maintenance (Middlefield Road Complete Streets), Project 22-01 - Professional Services Agreement

- Recommendation(s):** Authorize the City Manager or designee to execute a professional services agreement with Siegfried Engineering, a California corporation (Business Entity No. 526212), to

provide design and construction support services for Middlefield Road Complete Streets, Project 22-01, in a not-to-exceed amount of \$800,000.

Attachment(s): [Council Report](#)

4.9 Street Resurfacing and Slurry Seal Program (Leong Drive and Fairchild Drive), Project 21-01, and Sylvan Park Trellis Replacement and Sand Volleyball Court, Projects 21-47 and 21-46 - Construction Acceptance

Recommendation(s): 1. Accept Street Resurfacing and Slurry Seal Program (Leong Drive and Fairchild Drive), Project 21-01, and authorize the final contract payment.

2. Accept Sylvan Park Trellis Replacement and Sand Volleyball Court, Projects 21-47 and 21-46, and authorize the final contract payment.

Attachment(s): [Council Report](#)

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the agenda. Speakers are allowed to speak on any topic within the City Council's subject matter jurisdiction for up to three minutes during this section. If there appears to be a large number of speakers, speaking time may be reduced to no less than 1.5 minutes. State law prohibits the Council from acting on nonagenda items.

6. NEW BUSINESS

6.1 Active Transportation Plan-Scoring Criteria

Recommendation(s): Approve the scoring criteria for the Active Transportation Plan.

Attachment(s): [Council Report](#)

[ATT 1 - Map of Community Concerns Related to Active Transportation](#)

6.2 Flock Public Safety Cameras

Recommendation(s): 1. Authorize the City Manager or designee to enter into a one-year agreement with Flock Safety for 24 Flock Safety Automated License Plate Recognition cameras for an amount not-to-exceed \$96,800.

2. Authorize the City Manager or designee to renew or extend the agreement with Flock Safety in subsequent years without returning to Council.

3. Authorize the City Manager or designee to modify the agreement to change the number of Flock Safety Automated License Plate Recognition cameras and the location of the cameras within Mountain View as recommended by the Police Department.

4. Authorize the City Manager and Police Chief to adopt Police Department Policy 460, "Automated License Plate Readers" ("ALPRs").

Attachment(s): [Council Report](#)
[ATT 1 - ALPR Policy 460](#)

7. PUBLIC HEARING

7.1 ~~Approve Budget and Award an Energy Services Contract to Syserco Energy Solutions, Inc. to Install Solar Array Systems on Three Public Facilities: Senior Center, Mountain View Sports Pavilion and Whisman Sports Center~~

THIS ITEM WILL NOT BE HEARD ON MAY 28, 2024. THIS ITEM WILL BE RE-NOTICED FOR DISCUSSION ON A FUTURE DATE

8. COUNCIL, STAFF/COMMITTEE REPORTS

No action will be taken on any questions raised by the Council at this time.

9. CLOSED SESSION REPORT

10. ADJOURNMENT

NOTICE TO THE PUBLIC:

There is a 90-day limit for the filing of a challenge in Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting.

The agenda, reports, and any writings or documents provided to a majority of the City Council regarding any item on this agenda are posted at <https://mountainview.legistar.com> under the meeting details for the date of this meeting. The agenda may also be viewed at City Hall, 500 Castro Street, the City Clerk's Office, 500 Castro Street, Third Floor and at the Mountain View Library, 585 Franklin Street, beginning the Friday morning prior to Tuesday City Council meetings. Printed copies of the agenda, reports, and any writings or documents already provided to a majority of the City Council regarding any item on this agenda may be requested at the City Clerk's Office during normal business hours.

The Council may consider and act on items listed on the agenda in any order and thus those interested in an item listed on the agenda are advised to be present throughout the meeting. The reading of the full text of ordinances and resolutions will be waived unless a Councilmember requests otherwise. Per Council Policy A-13, no new items of business will begin after 10:00 p.m. unless an exception is made by vote of the Council.

Pursuant to the Americans with Disabilities Act (ADA), if you need special assistance in this meeting, please contact the City Clerk's Office at (650) 903-6399 or by email at city.clerk@mountainview.gov 48 hours prior to the meeting so the City can make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.160 (b) (1)). If you have a hearing or speech disability, please use the California Relay System at 711, TDD 650-967-0158 or 800-735-2929.

The City of Mountain View does not discriminate on the basis of race, color, religion, national origin, sex, disability, age, source of income, gender, gender expression or identity, or any other State or Federal protected class in any of its policies, procedures or practices. This nondiscrimination policy covers admission and access to, or treatment or employment in, the City of Mountain View programs and activities. For inquiries regarding the nondiscrimination policy, please contact the City's Section 504 Coordinator at laurel.james@mountainview.gov or 650-903-6397.

Computer-generated captioning of the City Council meeting is unedited and should neither be relied upon for complete accuracy nor used as a verbatim transcript.

ADDRESSING THE COUNCIL:

Email comments to city.council@mountainview.gov by 4:30 p.m. on the meeting date. Emails will be received directly by the City Council. Please identify the Agenda item number in the subject line of your email. Requests to show an audio or video presentation during a Council meeting should be directed to city.clerk@mountainview.gov by 4:30 p.m. on the meeting date.

Anyone wishing to address the Council in person must complete a blue speaker card indicating the name you would like to be called by when it is your turn to speak and the item number on which you wish to speak. Please complete one blue speaker card for each item on which you wish to speak. Virtual and in-person speakers will be called in order as determined by the Mayor.

Pursuant to Council Policy A-13, an individual speaker shall have up to 3 minutes to address the Council. For any agenda item or for Oral Communications on nonagenda items, if there appears to be a large number of speakers, the Mayor may reduce speaking time to no less than 1.5 minutes per speaker unless there is an objection from Council by majority vote.

If requested in advance of the public input portion of the agenda item to the Mayor or City Clerk, a speaker who represents five or more members of the public in attendance who complete cards but elect not to speak may have up to 10 minutes to address the Council, if the Mayor determines that such extension will reduce the total number of speakers who planned to speak.

An applicant and/or appellant for a zone change, precise plan or quasi-judicial hearing or appeal to the Council shall have up to 10 minutes to address the Council and, with the consent of the Council, two minutes of rebuttal at the conclusion of all public speakers.

The presiding officer may remove or cause the removal of any individual(s) for disrupting a meeting in accordance with California Government Code section 54957.95, as may be amended from time to time. In accordance with California Government Code section 54957.9, as may be amended from time to time, the Council may order a meeting room cleared and continue in session in the event a meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of the meeting impossible, and order cannot be restored by the removal of individuals who are disrupting the meeting.

Pursuant to Government Code Section 54954.3(b)(1), at least twice the allotted speaking time will be provided to a member of the public who utilizes a translator.

Russian, Spanish or Chinese interpretation is available via Zoom upon request. Please contact the City Clerk's office by 5:00 p.m. at least two business days prior to the day of the scheduled Council meeting by phone at (650) 903-6399 or by email at city.clerk@mountainview.gov

La interpretación en ruso, español o mandarín está disponible a través de Zoom si se solicita. Comuníquese con la Oficina de la Secretaría Municipal antes de las 5:00 p. m. con al menos dos días hábiles antes del día en que la reunión del concejo está programada. Comuníquese por teléfono al (650) 903-6399 o por correo electrónico a city.clerk@mountainview.gov

可应要求通过 Zoom 提供俄语、西班牙语或中文口译服务。请至少在预定的市议会会议召开的两个工作日前在下午 5:00 之前联系市书记办公室，致电 (650) 903-6399 或发送电子邮件至 city.clerk@mountainview.gov

По запросу предоставляется перевод на русский, испанский и китайский языки через Zoom. Обращайтесь в офис городского секретаря до 17.00 не позже, чем за два рабочих дня до даты заседания совета. Звоните по телефону (650) 903-6399 или пишите по электронной почте city.clerk@mountainview.gov