

CITY OF MOUNTAIN VIEW
RESOLUTION NO. 18764
SERIES 2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW AUTHORIZING THE CITY MANAGER OR DESIGNEE TO: (1) EXECUTE A FUNDING AGREEMENT WITH THE COUNTY OF SANTA CLARA FOR PREVENTING AND ENDING HOMELESSNESS IN MOUNTAIN VIEW IN AN AMOUNT NOT TO EXCEED \$625,000; (2) AMEND THE AMENDED AND RESTATED AMPHITHEATRE GROUND LEASE AGREEMENT WITH LIVE NATION TO INCREASE THE PORTION OF LOT B THAT MAY BE USED FOR SAFE PARKING; AND (3) AMEND THE SHORELINE AMPHITHEATRE LOT B LEASE AGREEMENT WITH THE COUNTY OF SANTA CLARA TO INCREASE THE NUMBER OF OVERSIZED VEHICLE SPACES THAT MAY BE USED FOR SAFE PARKING AND FINDING THESE ACTIONS TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER CALIFORNIA CODE OF REGULATIONS TITLE 14, SECTIONS 15301 and 15061(B)(3)

WHEREAS, on June 11, 2019, the City Council adopted Resolution No. 18353, authorizing operation of a Safe Parking Program at Shoreline Amphitheatre Lot B; and

WHEREAS, on May 10, 2006, the City and Shoreline Regional Park Community entered into an Amended and Restated Amphitheatre Ground Lease Agreement with Live Nation Worldwide, Inc., related to the Amphitheatre at Shoreline at Mountain View; and

WHEREAS, the City executed lease amendments with Live Nation Worldwide, Inc., to the Amended and Restated Amphitheatre Ground Lease Agreement to allow for safe parking use on a portion of Lot B through December 31, 2022, with annual options to renew through December 31, 2025; and

WHEREAS, the City and County of Santa Clara ("County") entered into a lease agreement, as amended, for the County's use of a portion of Shoreline Amphitheatre Lot B to provide safe parking; and

WHEREAS, the City desires to further amend the above-referenced lease agreements to expand safe parking for oversized vehicles on Shoreline Amphitheatre Lot B and allow for an additional 17 safe parking spaces for oversized vehicles, which includes conversion of the four passenger vehicle spaces for living purposes to oversized vehicle spaces; and

WHEREAS, on June 14, 2022, the City Council authorized execution of a funding agreement with the County of Santa Clara for preventing and ending homelessness in Mountain View, in an amount not to exceed of \$525,000 for the period July 1, 2022 through June 30, 2023; and

WHEREAS, the City Council desires to increase this authority by \$100,000 to provide additional funding for the expansion of safe parking at Lot B with the addition of 17 oversized vehicles, for a total not-to-exceed amount of \$625,000; now, therefore, be it

RESOLVED: that the City Council of the City of Mountain View hereby authorizes the City Manager or designee to amend the Amended and Restated Amphitheatre Ground Lease Agreement with Live Nation Worldwide, Inc., to expand the portion of Lot B that may be used for safe parking, to add an additional 17 oversized vehicle spaces; and be it

FURTHER RESOLVED: that the City Manager or designee is hereby authorized to amend the Lease Agreement with the County of Santa Clara for use of Lot B of Shoreline Amphitheatre for safe parking, to expand the portion of Lot B that may be used for safe parking, and allow an additional 17 oversized vehicle spaces to be used for safe parking, which includes conversion of the four passenger vehicle spaces for living purposes to oversized vehicle spaces, bringing the total capacity of oversized vehicle spaces that may be used for living purposes to 46 spaces; and be it

FURTHER RESOLVED: that the City Manager or designee is hereby authorized to execute a funding agreement with the County of Santa Clara for the operation of safe parking sites through a contracted service provider and a case worker for permanent supportive housing for a total amount not to exceed \$625,000 (which increases the not-to-exceed amount by \$100,000 from what the City Council authorized on June 14, 2022) for the period of July 1, 2022 through June 30, 2023; and be it

FURTHER RESOLVED: that the City Council of the City of Mountain View hereby finds that adoption of this Resolution and related actions are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines applicable to minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use, and Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. The City considered the potential exceptions to the categorical exemptions pursuant to Section 15300.2 and concluded they are not applicable. Use of the existing parking lots in the operation of temporary safe parking does not impose a significant cumulative impact over time as the use as a parking lot is generally unchanged; is not an unusual circumstance for a city in the Bay Area attempting to assist the homeless and unstably housed affected by the regional housing crisis; does not impact scenic or historical resources; and does not entail hazardous sites as it relates to existing parking lots amends.

The foregoing resolution was regularly introduced and adopted at a Regular Meeting of the City Council of the City of Mountain View, duly held on the 14th day of February 2023, by the following vote:

AYES: Councilmembers Abe-Koga, Kamei, Matchak, Ramirez, Ramos, Vice Mayor Showalter, and Mayor Hicks

NOES: None

ABSENT: None

ATTEST:

APPROVED:



HEATHER GLASER
CITY CLERK



ALISON HICKS
MAYOR

Pursuant to Mountain View Charter § 709(b), I do hereby certify that the foregoing is an original or a correct copy of the Resolution passed and adopted by the City Council of the City of Mountain View at a Regular Meeting held on the 14th day of February 2023, by the foregoing vote.



City Clerk
City of Mountain View

PD-KST/MS/6/RESO
626-02-14-23r-1