



Alison Hicks, Mayor
Pat Showalter, Vice Mayor
Margaret Abe-Koga, Councilmember
Ellen Kamei, Councilmember
Lisa Matichak, 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

5:00 PM

Tuesday, October 10, 2023

**JOINT MEETING OF CITY COUNCIL (REGULAR) AND SHORELINE REGIONAL PARK COMMUNITY
(SPECIAL)**

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.

5:00 P.M.-CLOSED SESSION

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

2. CLOSED SESSION

- 2.1 Conference with Legal Counsel-Existing Litigation (Government Code §54956.9(d)(1)); Name of case: George Leanos v. City of Mountain View; et. al., Santa Clara County Superior Court, Case No. 23-CV-419416**

5:05 P.M.-STUDY SESSION

1. CALL TO ORDER

2. ROLL CALL

3. STUDY SESSION

3.1 Displacement Response Strategy - Local Replacement Requirements

Recommendation(s): Receive Council feedback on the timing and approach for implementing local replacement requirements as part of the City’s Displacement Response Strategy.

Attachment(s): [Study Session Memo](#)[ATT 1 - October 2019 Study Session - Displacement Response](#)[ATT 2 - September 2020 Study Session - Displacement Response](#)[ATT 3 - August 2022 Study Session - Affordable Housing Strategic Plan](#)[ATT 4 - Summary of Community/Stakeholder Outreach Meetings](#)**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 Silicon Valley Clean Energy 2023 Electric Showcase Award**3.2 Compassion Week 2023 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 Approve Minutes

Recommendation(s): Acting as the City Council and Board of Directors of the Shoreline Regional Park Community, approve the meeting minutes of June 13, 2023, June 27, 2023, August 29, 2023, September 12, 2023 and September 18, 2023.

Attachment(s): [06-13-23 Council and Shoreline Minutes](#)

[06-27-23 Council and Shoreline Minutes](#)[08-29-23 Council and Shoreline Minutes](#)[09-12-23 Council Minutes](#)[09-18-23 Council and Shoreline Minutes](#)**4.2 San Antonio Sewer Improvements, Construction, Project 19-45**

Recommendation(s): 1. Find that in accordance with California Environmental Quality Act requirements, San Antonio Area Sewer Improvements, Construction (Phase II), Project 19-45, is statutorily exempt under California Public Resources Code Section 21080.21.

2. Appropriate and transfer \$589,000 from the Wastewater Capacity Fees Fund to the San Antonio Area Sewer Improvements, Construction (Phase II), Project 19-45,

increasing the project budget from \$1,760,000 to \$2,349,000. (Five votes required)

3. Approve plans and specifications for the San Antonio Area Sewer Improvements Project and authorize staff to advertise the projects for bids.

4. Authorize the City Manager or designee to award a construction contract to the lowest responsible responsive bidder if the low bid is within the project budget of \$2,349,000.

5. Authorize the City Manager or designee to amend the design professional services agreement with West Yost & Associates, Inc., to provide bid support, construction support, and permit coordination for San Antonio Area Sewer Improvements, Construction (Phase II), Project 19-45, to increase compensation by \$65,742 for a total not-to-exceed amount of \$145,000.

6. Authorize the City Manager or designee to execute a professional services agreement with Tanner Pacific, Inc., to provide construction engineering services for San Antonio Area Sewer Improvements, Construction (Phase I), Project 19-45, in a not-to-exceed amount of \$232,740.

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

4.3 Additional Expenditures for Legal Services by Burke, Williams & Sorensen, LLP

Recommendation(s): Authorize expenditures by the Community Development Department in an amount not to exceed \$225,000 for outside legal services performed by Burke, Williams & Sorensen, LLP, related to review of the Building Code, land use, planning project review, and preparation of related agreements.

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. PUBLIC HEARINGS

6.1 CalPERS Contract Amendment for All Unrepresented Safety PEPRA Employees-Ordinance (Second Reading)

Recommendation(s): Adopt an Ordinance of the City of Mountain View Authorizing an Amendment to the Contract Between the City Council of the City of Mountain View and the Board of Administration of the California Public Employees' Retirement System, to be read in title only, further reading waived (Attachment 1 to the Council report). (First reading:

7-0)

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

6.2 Downtown Business Improvement Areas

Recommendation(s): 1. Approve the Annual Report.

2. Adopt a Resolution of the City Council of the City of Mountain View Approving the Annual Report of the Downtown Mountain View Business Improvement Area No. 1 and Declaring Its Intention to Levy Assessments for 2024, to be read in title only, further reading waived, and set a public hearing date of November 14, 2023 (Attachment 1 to the Council report).

3. Adopt a Resolution of the City Council of the City of Mountain View Approving the Annual Report of the Downtown Mountain View Business Improvement Area No. 2 and Declaring Its Intention to Levy Assessments for 2024, to be read in title only, further reading waived, and set a public hearing date of November 14, 2023 (Attachment 2 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Resolution of Intention to Levy Assessments for BIA No. 1](#)
[ATT 2 - Resolution of Intention to Levy Assessments for BIA No. 2](#)
[ATT 3 - Business Improvement Area Map](#)
[ATT 4 - Chamber Annual Report 2023](#)

7. NEW BUSINESS

7.1 Amendment to Education Enhancement Reserve Joint Powers Agreement

Recommendation(s): Acting as the Shoreline Regional Park Community Board of Directors, authorize amendment of the Education Enhancement Reserve Joint Powers Agreement for the purpose of extending the Minimum Payment and Adjustment Payment through June 30, 2027.

Attachment(s): [Board Report](#)
[ATT 1 - MVWSD Request Letter](#)

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