



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

Kimbra McCarthy, City Manager
Krishan Chopra, City Attorney
Heather Glaser, City Clerk

Video Conference with No Physical Meeting Location

5:00 PM

Tuesday, December 14, 2021

REGULAR CITY COUNCIL MEETING

This meeting was conducted in accordance with City of Mountain View City Council Resolution No. 18618 in accordance with Assembly Bill 361. All members of the City Council will participate in the meeting by video conference, with no physical meeting location.

Members of the public wishing to observe the live meeting may do so at <https://mountainview.legistar.com>, on YouTube at www.MountainView.gov/YouTube and on Comcast Channel 26.

Members of the public wishing to comment on an item may do so in the following ways:

1. 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.

2. Provide oral public comments during the meeting:

Online:

You may join the Zoom Webinar using this link: <https://mountainview.gov/meeting> and entering Webinar ID: 834 4698 5143

You may be asked to enter an email address and a name. Your email address will not be disclosed to the public.

When the Mayor announces the item on which you wish to speak, click the “raise hand” feature in Zoom. Speakers will be notified of their turn shortly before they are called on to speak.

By phone:

Dial: (669) 900-9128 and enter Webinar ID: 834 4698 5143

When the Mayor announces the item on which you wish to speak, dial *9. Phone participants will be called on by the last two digits of their phone number. When the Mayor calls your name to provide public comment, if you are participating via phone, please press *6 to unmute yourself.

For instructions on using the "raise hand" feature in Zoom, visit https://mountainview.gov/raise_hand.

When called to speak, please limit your comments to the time allotted (up to 3 minutes, at the discretion of the Mayor).

5:00 P.M.-CLOSED SESSION

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

2. CLOSED SESSION

2.1 Public Employee Appointment (California Government Code 54957); Title of Position: City Attorney

6:30 P.M.-REGULAR SESSION

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. PRESENTATIONS

3.1 Proclamation in Recognition of City Attorney Krishan Chopra on His Retirement

3.2 COVID-19 Update by City Manager Kimbra McCarthy

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): Approve the City Council meeting minutes of November 8, 2021 and November 9, 2021.

Attachment(s): [11-08-21 Council Minutes](#)
[11-09-21 Council Minutes](#)

4.2 Food Service Ware Ordinance (Second Reading)

Recommendation(s): Adopt an Ordinance of the City of Mountain View Repealing and Replacing Article V of Chapter 16 of the Mountain View City Code Related to Food Service Ware, 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](#)

4.3 Mandatory Organic Waste Disposal Reduction Ordinance (Second Reading)

Recommendation(s): Adopt an Ordinance of the City of Mountain View Adding Article VI to Chapter 16 of the Mountain View City Code to Mandate Organic Waste Disposal Reduction, 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](#)

4.4 Minor Affordable Housing Code Amendments (Second Reading)

Recommendation(s): Adopt an Ordinance of the City of Mountain View Amending Article XIV of Chapter 36 (Zoning) of the City Code Related to the Application of Affordable Housing Program Standards and Exemptions and Finding that the Amendments Are Exempt from Review Under the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15061(b)(3), 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](#)

4.5 AB 361 Resolution to Continue Remote Public Meetings During State of Emergency

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Directing All Legislative Bodies of the City of Mountain View Subject to the Brown Act to Continue to Meet Remotely in Accordance with AB 361 and Making Findings Pursuant to AB 361, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

4.6 Extension of the Castro Street Closure, Extension of the Fee Waiver and Suspension of the Renewal Requirements for Sidewalk Café Licenses, and Amendment of Professional Services Agreement, Project 20-58

Recommendation(s): 1. Adopt a Resolution of the City Council of the City of Mountain View Amending Resolution No. 18470, as Amended By Resolution Nos. 18489, 18496, 18547, and 18576, Temporarily Suspending and Designating Parking Restrictions and Prohibitions Pursuant to Mountain View City Code Chapter 19 and Temporarily Closing the 100, 200, 300, and 400 Blocks of Castro Street Pursuant to California Vehicle Code Section 21101 to Facilitate Outdoor Dining and Outdoor Business Operations, to be read in title only, further reading waived (Attachment 1 to the Council

report).

2. Adopt a Resolution of the City Council of the City of Mountain View Amending Resolution No. 18546, as Amended by Resolution No. 18577, Temporarily Suspending Certain Requirements for Sidewalk Café License Renewals Pursuant to Mountain View City Code Section 36.42 and Waiving Sidewalk Café License Renewal Fee Payments, May 1, 2020 through April 30, 2023, to Facilitate a Consistent Outdoor Dining Program in the Downtown Area, to be read in title only, further reading waived (Attachment 2 to the Council report).

3. Transfer and appropriate \$363,000 from the Construction/Conveyance Tax Fund to Castro Pedestrian Mall Feasibility Study, Project 20-58, increasing the project budget from \$265,000 to \$628,000. (Five votes required)

4. Authorize the City Manager or designee to amend the professional services agreement with Gehl Studio, Inc., for Castro Pedestrian Mall Feasibility Study, Project 20-58, increasing compensation by \$298,000 for a not-to-exceed amount of \$523,000.

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

[ATT 1 - Resolution Extending the Castro Street Closure](#)

[ATT 2 - Resolution Temporarily Suspending Certain Requirements](#)

4.7 Potential Transient Occupancy Tax Revenue Ballot Measure for 2022 Election

Recommendation(s): Authorize the City Manager or designee to execute contracts with consultants to study and prepare for the possible placement of a Transient Occupancy Tax revenue ballot measure for the November 8, 2022 election.

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

4.8 Mountain View Community Shuttle - Various Actions

Recommendation(s): 1. Increase appropriations of \$447,101 in the General Fund Transportation Reserve for Mountain View Community Shuttle operations. (Five votes required)

2. Authorize the City Manager or designee to execute an amendment to the agreement with the Mountain View Transportation Management Association increasing compensation by \$447,101 for a not-to-exceed amount of \$3,091,101 for Fiscal Year 2021-22, extending the term to June 30, 2024, and committing the City to assume responsibility for new leased vehicles should the agreement be terminated before 2024 or not be extended beyond 2024.

3. Approve a midyear Capital Improvement Program project, Mountain View Community Shuttle Charging and Storage, and transfer and appropriate \$425,000 from the General Fund Transportation Reserve to the new project. (Five votes required)

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

4.9 South Bay Salt Pond Restoration, Project 18-53-Agreements with U.S. Fish and Wildlife Service

Recommendation(s): Authorize the City Manager or designee to execute a Memorandum of Agreement and a Habitat Easement Deed and Habitat Maintenance Agreement with the U.S. Fish and Wildlife Service to design, construct, and maintain the portions of the project components on City property for the South Bay Salt Pond Restoration Project Phase II Alviso Pond complex at Pond A2W.

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

4.10 MTC Mobility Hub Pilot Grant Program-Mountain View Transit Center Mobility Hub

Recommendation(s): Adopt a Resolution of Local Support of the City Council of the City of Mountain View Authorizing the Filing of an Application for Funding Assigned to the Metropolitan Transportation Commission and Committing Any Necessary Matching Funds and Stating Assurance to Complete the Project, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

4.11 Installation of Solar Panels at Three City Facilities, Project 16-42-Accept Construction and Approve Professional Services Agreement

Recommendation(s): 1. Accept Installation of Solar Panels at Three City Facilities, Project 16-42, and authorize the final contract payment.

2. Authorize the City Manager or designee to execute a professional services agreement with Optony Inc. for professional and technical services for solar system installation and performance monitoring in a not-to-exceed amount of \$100,000, for a total compensation amount of \$146,252.

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

4.12 Authority to Participate in National Opioids Settlements

Recommendation(s): Authorize the City of Mountain View to participate in the National Opioids Settlements and authorize the City Manager or designee to execute related settlement participation forms and agreements, including

future agreement(s) with the State or County for use of settlement proceeds without further Council action.

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

4.13 Revised Salary Plan for Regular and Hourly Employees for Fiscal Year 2021-22

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Adopting Revised Salary Plans for Regular and Hourly Employees for Fiscal Year 2021-22, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

4.14 Amend Council Policies A-13, City Council Meetings, and K-2, Council Advisory Bodies

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Amending Council Policy A-13, City Council Meetings, and Council Policy K-2, Council Advisory Bodies, to be read in title only, further reading waived (Attachment 1 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Resolution](#)
[ATT 2 - Council Policy A-13 \(redlined\)](#)
[ATT 3 - Council Policy K-2 \(redlined\)](#)

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

Recommendation(s): Authorize additional expenditures by the Community Development Department in an amount not to exceed \$125,000, for a total not-to-exceed amount of \$426,100, for outside legal services performed by Burke, Williams & Sorensen, LLP, associated with Notice of Funding Availability projects, Lot 12, general matters related to housing programs and transactions, general planning, and land use, including services for Google Master Plan projects.

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 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. STUDY SESSION

6.1 Google North Bayshore Master Plan

Recommendation(s): The purpose of this Study Session is to receive Council input on the proposed Google North Bayshore Master Plan.

Attachment(s): [Study Session Memo](#)

[ATT 1 - City Council Report, March 23, 2021](#)

[ATT 2 - EPC Study Session, November 17, 2021](#)

[ATT 3 - Community Outreach Summary](#)

[ATT 4 - Project Plans](#)

7. PUBLIC HEARING

7.1 Commercial Development at 747 West Dana Street

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Conditionally Approving a Planned Community Permit and Development Review Permit to Construct a New Three-Story Building with 7,000 Square Feet of Office Above 1,600 Square Feet of Ground-Floor Retail Space and Finding the Project to be Categorically Exempt Pursuant to Section 15332 (“In-Fill Development Projects”) of the California Environmental Quality Act at 747 West Dana Street, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

[ATT 1 - Resolution](#)

[ATT 2 - Project Plans](#)

[ATT 3 - Project MTA](#)

[ATT 4 - Project TDM Program](#)

8. NEW BUSINESS

8.1 Resolution Appointing a Retired Annuitant as Interim City Attorney Under Government Code Section 21221(h)

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Appointing Jannie Quinn as an Interim City Attorney under Government Code Section 21221(h), to be read in title only, further reading waived (Attachment 1 to the Council report).

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

[ATT 1 - Resolution](#)

9. COUNCIL, STAFF/COMMITTEE REPORTS

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

10. CLOSED SESSION REPORT

11. 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 and staff reports may be viewed at the Mountain View Library, 585 Franklin Street, beginning the Thursday evening before each meeting and at the City Clerk's Office, 500 Castro Street, Third Floor, beginning Friday morning prior to Tuesday City Council meetings. Agenda materials may also be viewed online at mountainview.legistar.com.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's Office during normal business hours and at the Council Chambers at City Hall, 2nd Floor, during the meeting.

City Council meetings are broadcast live on Comcast Channel 26 and replayed on Thursday at 6:30 p.m., Saturday at 10:00 a.m., and Sunday at 5:00 p.m. In addition, Council meetings are webcast live and archived at mountainview.legistar.com.

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. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.160 (b) (1))

ADDRESSING THE COUNCIL:

Anyone wishing to address the Council is requested to fill out a blue speaker card and deposit it with the City Clerk to ensure that your name is accurately recorded in the minutes.

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.

Pursuant to City Council Code of Conduct Chapter 6, no person who addresses the Council shall make any belligerent, personal, slanderous, threatening or abusive remark, statement, or commentary toward the Council, staff or other individuals in a manner which disrupts, disturbs, or otherwise impedes the orderly conduct of the Council meeting, nor shall any person engage in any disorderly conduct which disrupts or impedes the orderly conduct of the meeting. Any violation of this rule shall be grounds for terminating the speaker's comment period. Continued inappropriate behavior or comments, after having been directed to discontinue, shall be grounds for removal from 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.

To request Russian, Spanish or Chinese interpretation, 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.

Чтобы запросить устный перевод на русский язык, обратитесь в офис городского секретаря до 17:00. не менее чем за два рабочих дня до дня запланированного заседания Совета по телефону (650) 903-6399 или по электронной почте city.clerk@mountainview.gov.

Para solicitar interpretación en español, comuníquese con la oficina del Secretario Municipal antes de las 5 p.m. al menos dos días hábiles antes del día de la reunión programada del Consejo por teléfono (650) 903-6399 o por correo electrónico a city.clerk@mountainview.gov.

如需中文口译服务，请在下午 5 点前联系市书记官办公室。在预定的市议会会议召开前至少两个工作日通过电话 (650) 903-6399 或发送电子邮件至 city.clerk@mountainview.gov。