

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:

- (1) AMEND THE AMENDED AND RESTATED AMPHITHEATRE GROUND LEASE AGREEMENT WITH LIVE NATION TO EXPAND THE PORTION OF LOT B THAT MAY BE USED FOR SAFE PARKING TO INCLUDE A NEW COMMUTER PARKING AREA;
- (2) AMEND THE SHORELINE AMPHITHEATRE LOT B LEASE AGREEMENT WITH THE COUNTY OF SANTA CLARA TO ADD A NEW COMMUTER PARKING AREA; AND
- (3) AMEND THE FUNDING AGREEMENT WITH THE COUNTY OF SANTA CLARA FOR PREVENTING AND ENDING HOMELESSNESS IN MOUNTAIN VIEW TO ADD A NEW COMMUTER PARKING AREA AT SHORELINE LOT B AND FINDING THESE ACTIONS TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER CEQA GUIDELINES 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 Shoreline Amphitheatre Lot B through December 31, 2022, with annual options to renew through December 31, 2025; and

WHEREAS, the City and County of Santa Clara entered into a lease agreement effective March 20, 2023, as subsequently 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 agreement to expand the portion of Shoreline Amphitheatre Lot B that may be used for safe parking to include a commuter parking area; and

WHEREAS, on June 27, 2023, the City Council authorized execution of a funding agreement with the County of Santa Clara for preventing and ending homelessness in Mountain View, which agreement was entered into effective July 1, 2023; and

WHEREAS, the City desires to amend the above-referenced funding agreement with the County of Santa Clara for preventing and ending homelessness in Mountain View to add a new commuter parking area at Shoreline Lot B; 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 Shoreline Amphitheatre Lot B that may be used for safe parking to include a new commuter parking area; and be it

FURTHER RESOLVED: that the City Manager or designee is hereby authorized to execute an amendment to the funding agreement with the County of Santa Clara for preventing and ending homelessness in Mountain View to add a new commuter parking area at Shoreline Lot B; 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 add a new commuter parking area; and be it

FURTHER RESOLVED: 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.

MS/6/RESO
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