



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 14, 2024

**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.

5:45 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 Teen Week Proclamation

3.2 Affordable Housing 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 Approve Minutes

Recommendation(s): Approve City Council meeting minutes of April 9, 2024 and April 23, 2024.

Attachment(s): [04-09-24 Council Minutes](#)
[04-23-24 Council Minutes](#)

4.2 Senate Bill 1, Road Repair and Accountability Act of 2017-Project List

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Adopting a List of Projects for Funding to Be Allocated During Fiscal Year 2024-25 from Senate Bill 1: the Road Repair and Accountability Act of 2017, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

4.3 City Council Policy D-9, Council Appointee Communications and Performance Evaluation Process

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Amending City Council Policy D-9, Council Appointee Communications and Performance Evaluation Process.

Attachment(s): [Council Report](#)
[ATT 1 - Resolution](#)
[EXHIBIT A - Policy D9 Strikethrough](#)
[EXHIBIT B - Policy D9 Clean Version](#)

4.4 City Buildings Workplace Study (City Attorney's Office Phase), Project 21-50-Variou Actions

Recommendation(s):

1. Find that in accordance with California Environmental Quality Act requirements, City Buildings Workplace Study (City Attorney's Office Phase), Project 21-50, is categorically exempt under California Public Resources Code Section 15301, Existing Facilities.
2. Approve plans and specifications for City Buildings Workplace Study (City Attorney's Office Phase), Project 21-50, and authorize staff to advertise the projects for bids.
3. Authorize the City Manager or designee to award a construction contract to the lowest responsible responsive bidder if the bid is within the total project budget of

\$2,220,000.

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

4.5 Renewal of Downtown Parking Maintenance and Operation Assessment District for Fiscal Year 2024-25

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Approving the Annual Engineer's Report for the Downtown Parking Maintenance and Operation Assessment District No. 2 and Approving the Levying of Assessments for Fiscal Year 2024-25, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

[ATT 1 - Resolution](#)

[EXHIBIT A - Engineers Report](#)

[ATT 2 - Downtown Parking Map](#)

4.6 Mountain View Transportation Management Association-Community Shuttle Agreement

Recommendation(s): 1. Authorize the City Manager or designee to execute an agreement with Mountain View Transportation Management Association to operate the Mountain View Community Shuttle, a California nonprofit corporation (Entity No. 3613068), for the period of July 1, 2024 through June 30, 2027, in an amount not to exceed \$3.5 million for operations, from July 1, 2024 to June 30, 2025.

2. Authorize the City Manager or designee to amend the agreement with Mountain View Transportation Management Association for Fiscal Years 2025-26 and 2026-27 to increase the total amount of the agreement to match any future budget or amended budget adopted by the City Council.

3. Authorize the Public Works Director or designee to approve minor modifications to Mountain View Community Shuttle operations and nonfinancial amendments to the agreement with Mountain View Transportation Management Association.

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

4.7 Public Works Department Landfill Operations-On-Call Engineering Services Contract

Recommendation(s): 1. Appropriate \$40,000 from the Solid Waste Fund to the Public Works Department Landfill Operating Index. (Five votes required)

2. Authorize the City Manager or designee to amend the professional services agreement with Telstar Instruments, Inc., a California Corporation (Entity No. 1099363), for on-call electrical and mechanical engineering services, to add \$40,000 for a total not-to-exceed amount of \$330,000.

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

4.8 Public Art for Evelyn Park, Project 21-60

Recommendation(s): Approve the revised Looking Up Arts' monarch butterfly sculpture entitled "Butterfly Reflect" for Evelyn Park, Project 21-60, for \$30,000.

Attachment(s): [Council Report](#)
[ATT 1 - Council Policy K-5](#)
[ATT 2 - Call for Artists](#)
[ATT 3 - Butterfly Reflect - Lighting Revision](#)

4.9 Public Art for Villa-Chiquita Park, Project 21-61

Recommendation(s): Approve James Dinh's public art proposal-powder-coated aluminum images to be attached to the backrest of the park's concrete seat walls-for Villa-Chiquita Park, Project 21-61, for \$28,000.

Attachment(s): [Council Report](#)
[ATT 1 - Council Policy K-5](#)
[ATT 2 - Villa-Chiquita Park Call for Artist](#)

4.10 El Monte Corridor Improvements, Design and Construction, Project 21-38 - Professional Services Agreement

Recommendation(s): Authorize the City Manager or designee to execute a professional services agreement with BKF Engineers, a California corporation (Business Entity No. 3696846), to provide design and construction support services for El Monte Corridor Improvements, Design and Construction, Project 21-38, in a not-to-exceed amount of \$533,000.

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

4.11 Safe Routes to School Program-Professional Services Agreement

Recommendation(s): Authorize the City Manager or designee to amend the professional services agreement with NN Engineering, Inc., a California corporation (Entity No. 4253715), for the Safe Routes to School program, to add \$225,000 for a total not-to-exceed amount of \$447,000.

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

4.12 Biodiversity Strategy, Project 23-37-Various Actions

Recommendation(s): 1. Transfer and appropriate \$300,000 from the Capital Improvement Program Reserve to Biodiversity Strategy, Project 23-37, increasing the project budget from \$700,000 to \$1 million. (Five votes required)

2. Authorize the City Manager or designee to execute an amendment to the professional services agreement with San Francisco Estuary Institute (SFEI) for consultant services for the Biodiversity Strategy to increase maximum compensation by

\$250,000 for a total not-to-exceed contract amount of \$818,000.

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

4.13 Community Workforce Agreement

Recommendation(s): Authorize the City Manager or designee to execute the Community Workforce Agreement with the Santa Clara and San Benito Counties Building and Construction Trades Council (Attachment 1 to the Council report).

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

[ATT 1 - Draft Community Workforce Agreement](#)

[ATT 2 - City Projects Included in CWA](#)

[ATT 3 - CWA Comment Letters](#)

4.14 Water and Sanitary Sewer Main Replacement Crossing U.S. 101, Project 16-61-Various Actions

Recommendation(s): 1. Acting in its capacity as Board of Directors of the Shoreline Regional Park Community, transfer and appropriate \$105,000 from the Shoreline Regional Park Community Fund to Water and Sanitary Sewer Main Replacement Crossing U.S. 101, Design, Project 16-61.

2. Transfer and appropriate \$105,000 from the Wastewater Fund to the Water and Sanitary Sewer Main Replacement Crossing U.S. 101, Design, Project 16-61. (Five votes required)

3. Acting in the joint capacity as the City Council and Board of Directors of the Shoreline Regional Park Community, authorize the City Manager or designee to amend the professional services agreement with AECOM Technical Services, Inc., a California Corporation (Entity No. 608461), for Water and Sanitary Sewer Main Replacement Crossing U.S. 101, Design, Project 16-61, to add \$290,000 for a total agreement not-to-exceed amount of \$1,511,100.

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

4.15 Public Works Department Capital Outlay Operating Budget-Appropriations

Recommendation(s): Appropriate \$120,000 from the Wastewater Fund and \$120,000 from the Water Fund to the Public Works Department Capital Outlay Operating budget for the purchase of one vacuum excavator and flusher truck. (Five votes required)

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

4.16 Increase Appropriations in the Fire Department for Reimbursement of Mutual-Aid Support

Recommendation(s): Increase appropriations in the Fire Department in the amount of \$130,266.27 received as Strike Team reimbursements for overtime associated with the Smith River Complex Fire. (Five votes required)

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 Lot 12 Affordable Housing Development - Supplemental City Funding and Project Modifications

Recommendation(s): 1. Appropriate \$5 million from the City's Below-Market-Rate (BMR) housing funds to the Lot 12 affordable housing project to supplement City funding already allocated to the project. (Five votes required)

2. Authorize the City Manager or designee to amend the Lot 12 Lease Disposition, Development, and Loan Agreement with MV Lot 12 Housing Partners, L.P., a California limited partnership, and execute any related documents to incorporate the supplemental City funding, modifications to the project's unit mix related to affordability levels, incorporating units for the intellectually and developmentally disabled, and other related administrative changes.

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

[ATT 1 - May 19, 2020 - City Council Selection of Preferred Lot 12 Developer](#)

[ATT 2 - Lot 12 Request for Proposals](#)

[ATT 3 - Map of Proposed Partial Closure of Bryant Street](#)

6.2 Potential Revenue Measure for 2024 General Election Ballot

Recommendation(s): Receive potential revenue measure polling results and recommendations from the Ad Hoc Revenue Measure Sub-Committee and provide direction to staff to proceed with drafting a Property Transfer Tax revenue measure for the November 5, 2024 ballot.

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

[ATT 1 - Exec. Summary of the Survey Results \(Consultant EMC Research\)](#)

6.3 AB 481 Military Equipment Annual Report and Policy Adoption

Recommendation(s): 1. Find and determine that Mountain View Police Department's 2023 AB 481 Annual Report has complied with Government Code Section 7071(d) (Attachment 1 to the Council report).

2. Introduce 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, and set a second reading for May 28, 2024 (Attachment 2 to the Council report).

3. Introduce 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, and set a second reading for May 28, 2024 (Attachment 3 to the Council report).

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

[ATT 1 - 2023 MVPD AB 481 Annual Report](#)

[ATT 2 - Ordinance Repealing Mountain View City Code Section 2.69.3](#)

[ATT 3 - Ordinance Adopting MVPD Policy 709 - Military Equipment](#)

[ATT 4 - Use of Military Equipment in Neighboring Jurisdictions](#)

7. COUNCIL, STAFF/COMMITTEE REPORTS

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

8. CLOSED SESSION REPORT

9. 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