



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

Kimbra McCarthy, City Manager  
Jennifer Logue, City Attorney  
Heather Glaser, City Clerk

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Video Conference with No Physical Meeting Location

6:30 PM

Tuesday, November 15, 2022

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## JOINT SPECIAL MEETING OF CITY COUNCIL AND SHORELINE REGIONAL PARK COMMUNITY

During this declared state of emergency, the meeting will be conducted in accordance with California Government Code §54953(e) as authorized by resolution of the City Council. Please contact [city.clerk@mountainview.gov](mailto:city.clerk@mountainview.gov) to obtain a copy of the applicable resolution. 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 [YouTube.com/MountainViewGov](https://www.youtube.com/MountainViewGov) 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](mailto: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 by joining 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.

### 6:30 P.M.-SPECIAL SESSION

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. PRESENTATION

These are presentations only. The City Council will not take any action.

**3.1 District Attorney Jeffrey Rosen's Presentation on Hate Crime Statistics**

#### 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 September 27, 2022, October 5, 2022, October 11, 2022 and October 25, 2022.

**Attachment(s):** [09-27-22 Council and Shoreline Minutes](#)

[10-05-22 Council Minutes](#)

[10-11-22 Council Minutes](#)

[10-25-22 Council Minutes](#)

##### 4.2 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 Authorizing and Continuing Virtual Meetings of City Council, Committees, Boards, and Commissions Pursuant to AB 361 and Making Required Findings, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

[ATT 1 - Resolution](#)

##### 4.3 Bylaws of the Downtown Committee-Composition

**Recommendation(s):** Adopt a Resolution of the City Council of the City of Mountain View Amending Article IV, Section 1, of the Bylaws for the Downtown Committee Regarding Membership Composition, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

[ATT 1 - Resolution](#)

[ATT 2 - DTC Minutes, May 3, 2022](#)

[ATT 3 - CPPC Memo, September 28, 2022](#)

##### 4.4 Actions Related to Use of City Parking Lot 7 by Santa Clara County/Trinity United Methodist Church/Home First Services to Support a Cold-Weather Shelter (748 Mercy Street)

**Recommendation(s):** 1. Adopt a Resolution of the City Council of the City of Mountain View Authorizing Temporary Closure from Public Access of 15 Parking Spaces Within Parking Lot 7 Between the Hours of 3:00 p.m. through 9:00 a.m., Daily, from November 20, 2022 through March 31, 2023; November 19, 2023 through March 31, 2024; and November 24, 2024 through March 31, 2025, for Use by Santa Clara County's Cold-Weather Shelter Program Staff and

Participants, to be read in title only, further reading waived (Attachment 1 to the Council report).

2. Authorize the City Manager or designee to enter into a no-fee license agreement with the County of Santa Clara for the temporary use of 15 parking spaces within Parking Lot 7 between the hours of 3:00 p.m. through 9:00 a.m., daily, from November 20, 2022 through March 31, 2023; November 19, 2023 through March 31, 2024; and November 24, 2024 through March 31, 2025, for use by Home First Services' Cold-Weather Shelter Program staff and participants.

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

**4.5 Fiscal Year 2021-22 Annual Compliance Report for Development Impact Fees and Capacity Charges; and Informational Reporting of Park Land Dedication Fee**

**Recommendation(s):** Make available to the public the Fiscal Year 2021-22 Annual Compliance Report for Development Impact Fees and Capacity Charges; and Informational Reporting of Park Land Dedication Fee, and place the reports on the agenda for the December 6, 2022 Special Meeting.

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

**4.6 Professional Services Agreements for Construction and Land Development Engineering Services**

**Recommendation(s):** 1. Repurpose limited period funding of \$60,000 in Construction Section hourly staff budget and \$50,000 in Engineering Inspections and Materials Testing, for a total of \$110,000 to consultant support services in the Development Services Fund. (Five votes required)

2. Authorize the City Manager or designee to amend the Fiscal Year 2022-23 professional services agreement with Tanner Pacific, Inc., for an additional \$375,000 to provide construction engineering services in a not-to-exceed contract amount of \$775,000.

3. Authorize the City Manager or designee to execute a professional services agreement with CSG Consultants, Inc., for land development engineering services in a not-to-exceed contract amount of \$300,000.

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

**4.7 Shoreline Bus Lane Property Acquisition, Project 18-47-Amend Project Budget**

**Recommendation(s):** Acting in its capacity as Board of Directors of the Shoreline Regional Park Community, transfer and appropriate \$886,500 of Shoreline Regional Park Community 2018 Series A Bond Proceeds from Shoreline Boulevard at Highway 101 Bicycle/Pedestrian Bridge, Construction, Project 20-38, into Shoreline Bus Lane Property Acquisition, Project 18-47.

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

**4.8 Modification to Addendum No. 11 to Regional Water Quality Control Plant Basic Agreement**

**Recommendation(s):** Authorize the City Manager or designee to modify a term of Addendum No. 11 to the Basic Agreement between the cities of Palo Alto, Mountain View, and Los Altos by increasing the maximum financing authorization for the Secondary Treatment Upgrades Project to \$193 million at the Regional Water Quality Control Plant in Palo Alto.

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

**4.9 Annual Report of the Investment Review Committee for Fiscal Year 2021-22**

**Recommendation(s):** Accept the Annual Report of the Investment Review Committee for Fiscal Year 2021-22.

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

[ATT 1 - Annual IRC Report](#)

[ATT 2 - IRC Agenda Packet, October 6, 2022](#)

**4.10 Approve the Acquisition of Real Property at 538 Thompson Avenue (APN: 147-17-102)**

**Recommendation(s):** 1. Approve the acquisition of property located at 538 Thompson Avenue (APN: 147-17-102) owned by Patricia K. Ecker, Trustee of the Ecker Survivors Trust.

2. Approve a midyear Capital Improvement Program project, Acquisition of 538 Thompson Avenue, and transfer and appropriate \$1.47 million from the Park Land Dedication Fund and \$1.53 million from the Strategic Property Acquisition Reserve to the new project. (Five votes required)

3. Authorize the City Manager or designee to execute all documents and take all necessary action related to the acquisition of 538 Thompson Avenue (APN: 147-17-102).

4. Find that in accordance with the California Environmental Quality Act requirements, under Public Resources Code Section 21080.28, the California Environmental Quality Act requirements do not apply to the acquisition of land for preservation of lands for park purposes; and acquisition of the property is categorically exempt under Class 25, acquisition to preserve lands for park purposes.

**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. NEW BUSINESS

### 6.1 Authorization of the Shoreline Regional Park Community Refunding Revenue Bonds, 2022 Series A

**Recommendation(s):** Acting as the Shoreline Regional Park Community Board of Directors, adopt a Resolution of the Mountain View Shoreline Regional Park Community: (1) Authorizing the Issuance and Sale of Mountain View Shoreline Regional Park Community Refunding Revenue Bonds; (2) Appointing Bond Counsel, a Municipal Advisor, and a Placement Agent for the Shoreline Community in Connection with the Refunding Revenue Bonds; (3) Authorizing and Directing Execution of Related Documents, Including a Seventh Supplemental Indenture of Trust; and (4) Authorizing Official Actions, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

## 7. PUBLIC HEARINGS

### 7.1 Construction and Demolition Debris Ordinance

**Recommendation(s):** Introduce an Ordinance of the City of Mountain View Amending Chapter 16, Article III of the Mountain View City Code Governing Construction and Demolition Debris Diversion and Finding this Ordinance Exempt from California Environmental Quality Act Review Pursuant to California Environmental Quality Act Guidelines Section 15308 (14 CCR § 15308), to be read in title only, further reading waived, and set a second reading for December 13, 2022 (Attachment 1 to the Council report).

**Attachment(s):** [Council Report](#)  
[ATT 1 - Construction and Demolition Debris Ordinance](#)

### 7.2 Public Hearing on Downtown Business Improvement Areas and Allocation of 2023 Business Improvement Areas Revenues

**Recommendation(s):**

1. Adopt a Resolution of the City Council of the City of Mountain View Levying the Annual Benefit Assessments for Calendar Year 2023 for Downtown Mountain View Business Improvement Area No. 1 and Authorizing the City Manager or Designee to Allocate the Assessments to Fund a Contract for Services with the Mountain View Chamber of Commerce, 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 Levying the Annual Benefit Assessments for Calendar Year 2023 for Downtown Mountain View Business Improvement Area No. 2 and Authorizing the City Manager or Designee to Allocate the Assessments to Fund a Contract for Services with the Mountain View Chamber of Commerce, to be read in title only, further reading waived (Attachment 2 to the Council report).

- Attachment(s):** [Council Report](#)  
[ATT 1 - Resolution to Levy Assessments for BIA No. 1](#)  
[ATT 2 - Resolution to Levy Assessments for BIA No. 2](#)  
[ATT 3 - Council Report, October 11, 2022](#)

### 7.3 Middlefield Park Master Plan

- Recommendation(s):**
1. Adopt a Resolution of the City Council of the City of Mountain View Certifying the Middlefield Park Master Plan Supplemental Environmental Impact Report, Adopting California Environmental Quality Act Findings Related to Environmental Impacts, Mitigation Measures, and Alternatives, and Adopting a Statement of Overriding Considerations, Mitigation Measures, and a Mitigation, Monitoring, and Reporting Program, to be read in title only, further reading waived (Attachment 1 to the Council report).
  2. Introduce an Ordinance of the City of Mountain View Approving a Development Agreement for the Middlefield Park Master Plan Project Generally Located at the Northeast Corner of Ellis Street and East Middlefield Road and North of West Maude Avenue, Between Logue Avenue and Clyde Avenue, Mountain View, California, to be read in title only, further reading waived, and set a second reading for December 13, 2022 (Attachment 2 to the Council report).
  3. Adopt a Resolution of the City Council of the City of Mountain View Approving a Master Plan to Construct Up to 1,900 Residential Units, 1,317,000 Square Feet of Office/R&D, 50,000 Square Feet of Ground-Floor Commercial Space, 6.97 Acres of Public Parks and 2.8 Acres of Privately Owned, Publicly Accessible Open Space, and an Optional Private District Utilities System, and Allocate Bonus Floor Area (397,936 Square Feet of Residential and 622,925 Square Feet of Nonresidential) on an Approximately 40-Acre Site, Generally Located at the Northeast Corner of Ellis Street and East Middlefield Road and North of West Maude Avenue Between Logue Avenue and Clyde Avenue within the East Whisman Precise Plan, to be read in title only, further reading waived (Attachment 3 to the Council report).
  4. Adopt a Resolution of the City Council of the City of Mountain View Approving a Vesting Tentative Map to Create Up to 18 Lots, Up to 1,900 Residential Condominium Lots, and Up to 140 Vertical Subdivision Lots in a 40-Acre Master Plan Area Generally Located at the Northeast Corner of Ellis Street and East Middlefield Road and North of West Maude Avenue Between Logue Avenue and Clyde Avenue, to be read in title only, further reading waived (Attachment 4 to the Council report).
  5. Adopt a Resolution of the City Council of the City of Mountain View Ordering the Vacation of Street Right-of-Way and Public Easements within the Middlefield Park Master

Plan on a 40-Acre Site Generally Located at the Northeast Corner of Ellis Street and East Middlefield Road and North of West Maude Avenue Between Logue Avenue and Clyde Avenue, to be read in title only, further reading waived (Attachment 5 to the Council report).

6. Adopt a Resolution of the City Council of the City of Mountain View Declaring a Certain Segment of Logue Avenue to Be Exempt Surplus Land Pursuant to Government Code Section 54221(f)(1), Subsections (C) and (E) Upon the Vacation of Said Segment of Logue Avenue as a Public Street, to be read in title only, further reading waived (Attachment 6 to the Council report).

7. Adopt a Resolution of the City Council of the City of Mountain View Approving a Park Land Dedication Credit for Up to 2.87 Acres of Privately Owned, Publicly Accessible Open Space in the Middlefield Park Master Plan Area, Located at the Northeast Corner of Ellis Street and East Middlefield Road and North of West Maude Avenue, Between Logue Avenue and Clyde Avenue, to be read in title only, further reading waived (Attachment 7 to the Council report).

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

[ATT 1 - Resolution to Certify Supplemental EIR](#)

[ATT 2 - Ordinance for Development Agreement](#)

[ATT 3 - Resolution for a Master Plan](#)

[ATT 4 - Resolution for a Vesting Tentative Map](#)

[ATT 5 - Resolution for Vacation of Easements](#)

[ATT 6 - Resolution for Surplus Land](#)

[ATT 7 - Resolution for Park Land Credit](#)

[ATT 8 - Middlefield Park Master Plan](#)

[ATT 9 - Middlefield Park Implementation Plan](#)

[ATT 10 - EPC Report Dated February 3, 2021](#)

[ATT 11 - Council Report Dated March 9, 2021](#)

[ATT 12 - Community Meetings Summary](#)

[ATT 13 - EPC Report Dated October 19, 2022](#)

[ATT 14 - ZA Memo Dated October 26, 2022](#)

[ATT 15 - Community Benefit Analysis](#)

[ATT 16 - BMR Alternative Mitigation Evaluation](#)

[ATT 17 - Summary Table of DA Key Terms](#)

[ATT 18 - Fiscal Impact Analysis](#)

[ATT 19 - Public Comments](#)

## 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 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](http://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](http://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 or by email at [city.clerk@mountainview.gov](mailto: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](mailto:laurel.james@mountainview.gov) or 650-903-6397.

## 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](mailto: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](mailto: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](mailto: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](mailto:city.clerk@mountainview.gov)。