



Margaret Abe-Koga, Mayor  
Ellen Kamei, Vice Mayor  
Chris Clark, Councilmember  
Alison Hicks, Councilmember  
Lisa Matchak, Councilmember  
John McAlister, Councilmember  
Lucas Ramirez, Councilmember

Kimbra McCarthy, City Manager  
Krishan Chopra, City Attorney  
Lisa Natusch, City Clerk

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September 08, 2020

Video Conference with No Physical Meeting Location

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

**This meeting was conducted in accordance with State of California Executive Order N-29-20, dated March 17, 2020. All members of the City Council participated in the meeting by video conference, with no physical meeting location.**

**5:00 P.M.-CLOSED SESSION**

**1. CLOSED SESSION ANNOUNCEMENT**

At 5:02 p.m., City Attorney Krishan Chopra announced the items for Closed Session.

**2. CLOSED SESSION**

Mayor Abe-Koga called the meeting to order.

All Councilmembers were present.

**2.1 Public Employee Performance Evaluation (California Government Code §54957(b)(1))-Title: Council Appointee: City Manager; and Conference with Labor Negotiators (California Government Code §54957.6(a))-Agency Designated Representative: Vice Mayor Kamei; Unrepresented Employee: City Manager**

**2.2 Conference with Legal Counsel-Formally Initiated Litigation (Government Code Section 54956.9(d)(1)); Name of case: James R. Zuegel v. City of Mountain View, et al., United States District Court, Northern District of California Case No. 5:17-cv-03249-BLF**

The Closed Session concluded at 6:32 p.m. with Item 2.1 continued to the end of the regular meeting.

**6:30 P.M.-REGULAR SESSION**

**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor Abe-Koga called the meeting to order at 6:46 p.m. and led the Pledge of Allegiance.

**2. ROLL CALL**

**Present:** 7 - Councilmember Clark, Councilmember Hicks, Councilmember Matchak, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Kamei, Mayor Abe-Koga

### 3. PRESENTATION

#### 3.1 COVID-19 Update by City Manager Kimbra McCarthy

City Manager Kimbra McCarthy provided a presentation regarding COVID-19. Community Services Director John Marchant, City Attorney Krishan Chopra and Tom Myers, Executive Director, Community Services Agency, provided additional information.

Public Comment opened at 7:24 p.m.

No speakers.

Public Comment closed at 7:24 p.m.

### 4. CONSENT CALENDAR

Councilmember Matchak requested to pull Item 4.4 and Item 4.6.

Councilmember Hicks requested to pull Item 4.4.

Public Comment opened at 7:27 p.m.

No speakers.

Public Comment closed at 7:27 p.m.

MOTION - M/S - Clark/Kamei - To approve the Consent Calendar with the exception of Item 4.4 and Item 4.6.

The motion carried by the following roll call vote:

**Yes:** 7 - Councilmember Clark, Councilmember Hicks, Councilmember Matchak, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Kamei, Mayor Abe-Koga

#### 4.1 Approve Meeting Minutes

Approve City Council meeting minutes of September 3, 2020.

#### 4.2 Designate a Voting Delegate and Alternate for the 2020 League of California Cities Annual Conference

Designate Mayor Margaret Abe-Koga as the Voting Delegate and Councilmember John McAlister as the Alternate for the General Assembly meeting at the 2020 League of California Cities Annual Conference.

#### 4.3 East Whisman Area Transit-Oriented Development Improvements, Phase II: Ellis Street Improvements, Project 16-48-Variou Actions

1. Approve receipt of \$90,000 from Google LLC, and appropriate the funds to the East

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Whisman Area Transit-Oriented Development Improvements, Phase II: Ellis Street Improvements, Project 16-48. (Five votes required)

2. Authorize the City Manager to amend the professional services agreement with BKF Engineers for the East Whisman Area Transit-Oriented Development Improvements, Phase II: Ellis Street Improvements, Project 16-48, to add an additional \$105,000 for a total agreement amount of \$351,812.

#### **4.4 Citywide Outdoor Business Operations Program**

Item 4.4 and Item 4.6 were considered together.

Councilmember Matichak provided comments on Item 4.4 and Item 4.6. City Manager Kimbra McCarthy responded to questions. City Attorney Krishan Chopra, Public Works Director Dawn Cameron and Assistant City Manager/Community Development Director Aarti Shrivastava provided additional information.

MOTION - M/S - Matichak/Hicks - To:

Adopt Resolution No. 18492 Temporarily Allowing Activities on Public and Private Property to Facilitate Outdoor Business Operations in Response to the COVID-19 State of Emergency, read in title only, further reading waived, with the formal language as stated by City Attorney Chopra to revise the last section of the resolution to strike the phrase "December 31, 2020" and to add "until 14 days after the expiration of the local emergency declared on March 12, 2020 and ratified by the Council on March 17, 2020."

The motion carried by the following roll call vote:

**Yes:** 7 - Councilmember Clark, Councilmember Hicks, Councilmember Matichak, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Kamei, Mayor Abe-Koga

#### **4.5 Clarification of the Employer Contribution for Employees and Retired Annuitants Under the Public Employees' Medical and Hospital Care Act with Respect to the Mountain View Professional Firefighters and Police Officers Association**

1. Adopt Resolution No. 18493 Fixing the Employer Contribution at an Equal Amount for Employees and Annuitants Under the Public Employees' Medical and Hospital Care Act with Respect to a Recognized Employee Organization (001 Safety-Fire), read in title only, further reading waived.

2. Adopt Resolution No. 18494 Fixing the Employer Contribution at an Equal Amount for Employees and Annuitants Under the Public Employees' Medical and Hospital Care Act with Respect to a Recognized Employee Organization (Group 002 Safety-Police), read in title only, further reading waived.

3. Adopt Resolution No. 18495 Authorizing the City Manager or Her Designee to Execute a

Side Letter Amending the Memorandum of Understanding Between the Police Officers Association and the City for the Period of July 1, 2020 through June 30, 2021, read in title only, further reading waived.

**4.6 Amendment to Resolution Nos. 18470 and 18489 to Extend the Castro Street Closure for Outdoor Dining to December 31, 2020, and Expand to Include Other Businesses**

Item 4.4 and Item 4.6 were considered together.

Councilmember Matichak provided comments on Item 4.4 and Item 4.6. City Manager Kimbra McCarthy responded to questions. City Attorney Krishan Chopra, Public Works Director Dawn Cameron and Assistant City Manager/Community Development Director Aarti Shrivastava provided additional information.

MOTION - M/S - Matichak/Hicks - To:

Adopt Resolution No. 18496 Amending Resolution No. 18470 and Resolution No. 18489 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, read in title only, further reading waived, with the language as stated by City Attorney Chopra to revise the second term on page 3 to strike the phrase "December 31, 2020" and to add "until 14 days after the expiration of the local emergency declared on March 12, 2020 and ratified by the Council on March 17, 2020," and to add the same language which exists in the resolution in Item 4.4 if needed, which gives the Public Works Director and Community Development Director the flexibility to make modifications as needed.

The motion carried by the following roll call vote:

**Yes:** 7 - Councilmember Clark, Councilmember Hicks, Councilmember Matichak, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Kamei, Mayor Abe-Koga

**4.7 Appointment to the Rental Housing Committee**

Adopt Resolution No. 18497 Appointing a Member to the Rental Housing Committee, read in title only, further reading waived.

**5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS**

Tim MacKenzie spoke regarding his participation in a recent Human Relations Commission listening session.

**6. PUBLIC HEARING-None.**

**7. NEW BUSINESS**

**7.1 Options for Extending the Safe Parking Program**

Vice Mayor Kamei announced in Spanish the availability of Spanish translation in Zoom for this item.

Assistant to the City Manager Kimberly Thomas presented the staff report. City Manager Kimbra McCarthy, City Attorney Krishan Chopra, Assistant City Manager/Community Development Director Aarti Shrivastava, Amber Stime, Director, MOVE Mountain View, Hilary Barroga, Program Manager, County of Santa Clara Office of Supportive Housing, Tom Myers, Executive Director, Community Services Agency, Michael Love, Operations Manager, MOVE Mountain View, and Joanne Price, Vice President, Real Estate & Operations, LifeMoves, provided additional information.

Public Comment opened at 9:52 p.m.

The following members of the public spoke:

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Tim MacKenzie

Albert Jeans

Charlotte Quinn

Public Comment closed at 10:01 p.m.

Council recessed at 10:01 p.m.

Council reconvened at 10:10 p.m. with all Councilmembers present.

MOTION - M/S - Matichak/McAlister - To:

1. Adopt Resolution No. 18498 to Temporarily Authorize Safe Parking Operations 24 Hours a Day in Response to the COVID-19 Emergency, read in title only, further reading waived. This action will enable a continuation of 24/7 safe parking at the Terra Bella lot and other private locations through the earlier of termination of the declaration of the local emergency plus 30 days, or June 30, 2021, unless extended by Council.
2. Acting as the City Council and Shoreline Regional Park Community Board, authorize the City Manager to amend the lease agreement with Live Nation to increase capacity of Shoreline Amphitheatre Lot B for safe parking and extend through the termination of the local emergency plus 30 days, but no later than June 30, 2021.
3. Authorize the City Manager to amend the lease agreement with the County of Santa Clara for the use of Shoreline Amphitheatre Lot B for safe parking to extend the agreement through the termination of the local emergency plus 30 days, but no later than June 30, 2021, and modify the number of passenger vehicles used for living to allow up to 4 new spaces, and allow use of up to 15 passenger vehicle spaces for commuter parking at the Shoreline Dog Park during Dog Park closure hours.

4. Authorize the City Manager to amend the lease agreement with the County of Santa Clara for the use of the Evelyn Lot for safe parking to extend the agreement through the termination of the local emergency plus 30 days, but no later than June 30, 2021, and modify the number of passenger vehicles used for living to allow up to 21 new spaces for living or commuter parking, and allow up to 15 passenger vehicle spaces for commuter parking; with the addition of direction to staff to work together with MOVE Mountain View on the capacity and configuration.

5. Appropriate \$150,000 from the General Non-Operating Fund to the City Manager's Office to cover costs associated with expanding the number of safe parking spaces at existing lots, including additional restrooms, lot preparation, case management, and related services through the end of Fiscal Year 2020-21.

6. Authorize the City Manager to execute an agreement with the County of Santa Clara for a total not to exceed \$575,000 to provide for safe parking services, case management, outreach, and other related services through June 30, 2021.

The motion carried by the following roll call vote:

**Yes:** 7 - Councilmember Clark, Councilmember Hicks, Councilmember Matichak, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Kamei, Mayor Abe-Koga

MOTION - Clark/Abe-Koga - To:

7. Commit \$2.4 million from the Google Landings community benefit for homelessness initiatives towards the operation of the Mountain View Project Homekey Program and direct staff to continue to look at other sources of funding for the community benefit.

The motion carried by the following roll call vote:

**Yes:** 7 - Councilmember Clark, Councilmember Hicks, Councilmember Matichak, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Kamei, Mayor Abe-Koga

MOTION - Clark/Abe-Koga - To continue with the remaining agenda items.

The motion carried by the following roll call vote:

**Yes:** 6 - Councilmember Clark, Councilmember Hicks, Councilmember Matichak, Councilmember Ramirez, Vice Mayor Kamei, Mayor Abe-Koga

**No:** 1 - Councilmember McAlister

## **8. STUDY SESSION (IMMEDIATELY FOLLOWING COUNCIL MEETING)**

### **8.1 Plan Bay Area/Regional Housing Needs Allocation**

By majority show of hands, Council voted to dispense with the staff report and proceeded with questions of staff.

Assistant City Manager/Community Development Director Aarti Shrivastava, Principal Planner Eric Anderson and Advanced Planning Manager Martin Alkire responded to Council questions.

Public Comment opened at 11:01 p.m.

No speakers.

Public Comment closed at 11:01 p.m.

## **9. COUNCIL, STAFF/COMMITTEE REPORTS**

Councilmember McAlister reported completion of City training.

Councilmember Matchak reported her attendance at meetings of the Airport Land Use Commission and the Silicon Valley Regional Interoperability Authority.

Vice Mayor Kamei reported her attendance at a meeting of the Council Youth Services Committee.

Councilmember Hicks announced an upcoming Green Streets for Sustainable Communities Symposium.

## **10. CLOSED SESSION REPORT**

City Attorney Krishan Chopra stated there was no Closed Session report.

## **11. ADJOURNMENT**

Mayor Abe-Koga adjourned the meeting to Closed Session at 11:24 p.m.

All Councilmembers were present.

The Closed Session concluded at 12:03 a.m.