



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

5:30 PM

Tuesday, November 12, 2024

REGULAR MEETING

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.

5:30 P.M.-CLOSED SESSION

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

2. CLOSED SESSION (PLAZA CONFERENCE ROOM)

2.1 Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation pursuant to California Government Code Section 54956.9(d)(2) (2 potential cases)

Attachment(s): [ATT 1 - Yimby Law Litigation Threat](#)
[ATT 2 - CalHDF Litigation Threat](#)

6:30 P.M.-REGULAR SESSION

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

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 October 15, 2024.

Attachment(s): [10-15-24 Council Minutes](#)

4.2 Building Reach Code Updates (Phase 1) - Electrical Prewiring and Recycled Water (Second Reading)

Recommendation(s): 1. Find the proposed amendments to Chapter 8 (Buildings) of the Mountain View City Code to be exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), the common-sense exemption, as it can be seen with certainty that there is no possibility that the changes adopted will have a direct or reasonably foreseeable indirect physical change in the environment or significant effect on the environment; and Section 15308 of the CEQA Guidelines as this ordinance is an action taken by a regulatory agency for the purpose of protecting the environment by reducing greenhouse gas emissions that are produced from buildings.

2. Adopt an Ordinance of the City Council of the City of Mountain View Adopting Required Findings, Amending Chapter 8 (Buildings) of the Mountain View City Code to Adopt Local Amendments to the 2022 Editions of the California Green Building Standards Code and the California Plumbing Code to Add Electrical Prewiring Requirements and to Make Clarifying Changes to Recycled Water Requirements, and Finding the Amendments to Be Exempt from Review Under the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Sections 15061(b)(3) and 15308, 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 Fiscal Year 2023-24 Annual Compliance Report for Development Impact Fees and Capacity Charges; and Informational Reporting of Park Land Dedication Fees

Recommendation(s): Make available to the public the Fiscal Year 2023-24 Annual Compliance Report for Development Impact Fees and Capacity Charges; and Informational Reporting of Park Land Dedication Fees, and place the reports on the agenda for the December 10, 2024 Council meeting.

Attachment(s): [Council Report](#)
[ATT 1 - FY 23-24 Annual Compliance Report for Development Impact Fees](#)
[ATT 2 - FY 23-24 Annual Compliance Report for Capacity Charges](#)
[ATT 3 - FY 23-24 Informational Reporting of Park Land Dedication Fees](#)

4.4 Amended CHAC Joint Powers Agreement

Recommendation(s): 1. Adopt a Resolution of the City Council of the City of Mountain View 1) Approving an Amended Community Health Awareness Council ("CHAC") Joint Powers Agreement, 2) Authorizing the City Manager to Execute the Amended CHAC Joint Powers Agreement,

and 3) Authorizing the City Manager to Provide Written Consent to the CHAC Joint Powers Authority (“JPA”) Board to Dissolve the CHAC JPA Once the City Receives Written Notice From the CHAC JPA Board that Wind Up of CHAC’s Business Affairs has Concluded, to be read in title only, further reading waived (Attachment 1 to the Council report).

2. Appoint Audrey Seymour Ramberg, Assistant City Manager, as the City’s representative to the CHAC Joint Powers Authority Board.

Attachment(s): [Council Report](#)
[ATT 1 - Resolution](#)
[ATT 2 - Joint Powers Agreement for the Operation of CHAC](#)

4.5 Replacement Purchase of Computer-Aided Dispatch

Recommendation(s): Authorize the City Manager or designee to approve and execute an agreement between the City of Mountain View and Sun Ridge Systems, Inc., for the purchase of Computer-Aided Dispatch Software, hardware, maintenance, and support services in conjunction with the cities of Palo Alto and Los Altos.

Attachment(s): [Council Report](#)
[ATT 1 - Sun Ridge Systems, Inc., Software and Services Agreement](#)

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. PUBLIC HEARINGS

6.1 ~~Residential Development Project at 2645-2655 Fayette Drive (Builder’s Remedy)~~

THIS ITEM WILL NOT BE HEARD ON NOVEMBER 12, 2024. THIS ITEM WAS RE-NOTICED FOR NOVEMBER 19, 2024.

6.2 Eliminate Minimum Parking Standards for Residential Uses in Article X (Parking and Loading) of Chapter 36 (Zoning) of the City Code and the P(19) Downtown Precise Plan, P(38) El Camino Real Precise Plan, P(40) San Antonio Precise Plan, and P(41) East Whisman Precise Plan

Recommendation(s): 1. Introduce an Ordinance of the City Council of the City of Mountain View Amending Chapter 36 (Zoning) of the City Code to Implement Subtask (b) of Housing Element Program 1.2, Including Updates to Section 36.32.50 (Required Number of Parking Spaces) to Eliminate Minimum Parking Requirements for Residential Developments in Certain Areas, and Making Conforming and Clarifying Changes to Other Sections of Chapter 36 (Zoning) and Finding the Amendments to Be Exempt from the California

Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15061(b)(3), as Recommended by the Environmental Planning Commission, to be read in title only, further reading waived, and set a second reading for December 10, 2024 (Attachment 1 to the Council report).

2. Adopt a Resolution of the City Council of the City of Mountain View Amending the P(19) Downtown Precise Plan to Eliminate the Minimum Parking Requirements For Residential Development Consistent With Subtask (B) of Housing Element Program 1.2 and Finding the Amendment to be Exempt From Review Under the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15061(B)(3), as Recommended by the Environmental Planning Commission, to be read in title only, further reading waived (Attachment 2 to the Council report).

3. Adopt a Resolution of the City Council of the City of Mountain View Amending the P(38) El Camino Real Precise Plan to Eliminate the Minimum Parking Requirements For Residential Development Consistent With Subtask (B) of Housing Element Program 1.2 and Finding the Amendment to be Exempt From Review Under the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15061(B)(3), as Recommended by the Environmental Planning Commission, 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 Amending the P(40) San Antonio Precise Plan to Eliminate the Minimum Parking Requirements For Residential Development Consistent With Subtask (B) of Housing Element Program 1.2 and Finding the Amendment to be Exempt From Review Under the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15061(B)(3), as Recommended by the Environmental Planning Commission, 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 Amending the P(41) East Whisman Precise Plan to Eliminate the Minimum Parking Requirements For Residential Development Consistent With Subtask (B) of Housing Element Program 1.2, and Finding the Amendment to be Exempt From Review Under the California Environmental Quality Act (CEQA), Pursuant to CEQA Guidelines Section 15061(B)(3), as Recommended by the Environmental Planning Commission, to be read in title only, further reading waived (Attachment 5 to the Council report).

Attachment(s): [Council Report](#)[ATT 1 - Ordinance Amending Chapter 36 \(Zoning\) of the City Code](#)[ATT 2 - Resolution Amending P\(19\) Downtown Precise Plan](#)[ATT 3 - Resolution Amending P\(38\) El Camino Real Precise Plan](#)[ATT 4 - Resolution Amending P\(40\) San Antonio Precise Plan](#)[ATT 5 - Resolution Amending P\(41\) East Whisman Precise Plan](#)[ATT 6 - EPC Staff Report Dated September 18, 2024](#)[ATT 7 - EPC Public Comments Letters](#)[ATT 8 - AB 2097 Map](#)**7. UNFINISHED BUSINESS****7.1 CalPERS Contract Amendment for All Unrepresented Safety Police Managers Employees-Ordinance (Second Reading)**

Recommendation(s): Adopt an Ordinance of the City of Mountain View Authorizing an Amendment to the Contract Between the City Council of the City of Mountain View and the Board of Administration of the California Public Employees' Retirement System, 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](#)**8. NEW BUSINESS****8.1 Amendment to Transient Occupancy Tax Ordinance**

Recommendation(s): Introduce an Ordinance of the City of Mountain View Amending Chapter 33 of the Mountain View City Code to Add Additional Efficient Mechanisms for Collection of Transient Occupancy Tax, to be read in title only, further reading waived, and set a second reading for December 10, 2024 (Attachment 1 to the Council report).

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