



Alison Hicks, Mayor
Pat Showalter, Vice Mayor
Margaret Abe-Koga, Councilmember
Ellen Kamei, Councilmember
Lisa Matichak, 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

5:00 PM

Tuesday, September 12, 2023

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.

5:00 P.M.-CLOSED SESSION

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

2. CLOSED SESSION (PLAZA CONFERENCE ROOM)

- 2.1 Conference with Legal Counsel-Existing Litigation (Government Code §54956.9(d)(1)); Name of case: Alice Okuno v. City of Mountain View; et. al., Santa Clara County Superior Court, Case No. 22CV405643**

5:05 P.M.-STUDY SESSION

1. CALL TO ORDER

2. ROLL CALL

3. STUDY SESSION

3.1 Potential Revenue Ballot Measure for 2024

Recommendation(s): The purpose of this Study Session is to provide the City Council with an overview of potential revenues to consider placing on the ballot in 2024, including major considerations associated with each revenue type. Staff seeks Council feedback related to the revenue options presented and selection of an ad hoc committee to assist staff during the yearlong ballot initiative process.

Attachment(s): [Study Session Memo](#)

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 Friends of Stevens Creek Trail 30th Anniversary Proclamation**3.2 National Hispanic Heritage 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 June 29, 2023.

Attachment(s): [06-29-23 Council Minutes](#)

4.2 Employer Health Contribution for Safety Employees and Retired Annuitants Under the Public Employees' Medical and Hospital Care Act

Recommendation(s): 1. Adopt a Resolution of the City Council of the City of Mountain View 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 001 Safety-Fire), 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 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), to be read in title only, further reading waived (Attachment 2 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Resolution \(FIRE\)](#)
[ATT 2 - Resolution \(POLICE\)](#)

4.3 Americans with Disabilities Act Self-Evaluation and Transition Plan Professional Services Agreement and Appropriation

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Appropriating \$390,949 to the City Manager's Office from the General Non-Operating Fund for an

Americans with Disabilities Act Self-Evaluation and Transition Plan, and Authorizing the City Manager or Designee to Execute a Professional Services Agreement with Bureau Veritas Technical Assessments LLC to Develop an Americans with Disabilities Act Self-Evaluation and Transition Plan, in an Amount not to Exceed \$390,949, to be read in title only, further reading waived (Attachment 1 to the Council report). (Five votes required)

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

4.4 570 South Rengstorff Avenue, Tract No. 10584-Final Map

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Approving the Final Map of Tract No. 10584, 570 South Rengstorff Avenue, Accepting Dedications, Making Findings as Required by Chapter 28 of the Mountain View City Code, and Making Appropriate California Environmental Quality Act (CEQA) Findings, to be read in title only, further reading waived (Attachment 1 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Resolution](#)
[ATT 2 - Vesting Tentative Map Conditions \(PL-2020-185\)](#)

4.5 Final 2020 and Preliminary 2021 Community Greenhouse Gas Emissions Inventories

Recommendation(s): Accept the Final 2020 and Preliminary 2021 Community Greenhouse Gas Emissions Inventories.

Attachment(s): [Council Report](#)
[ATT 1 - Community GHG Emissions Reduction Targets and Levels](#)
[ATT 2 - Total Community GHG Emissions](#)

4.6 Voting Delegate and Alternate for the 2023 Cal Cities Annual Conference

Recommendation(s): Designate Councilmember Emily Ann Ramos as the voting delegate and Councilmember Ellen Kamei as the alternate for the General Assembly meeting at the 2023 Cal Cities Annual Conference.

Attachment(s): [Council Report](#)
[ATT 1 - Voting Delegate Form](#)

4.7 Fiscal Year 2023-24 Council Advisory Body Work Plan Approval

Recommendation(s): Approve the Council advisory body work plans for Fiscal Year 2023-24.

Attachment(s): [Council Report](#)
[ATT 1 - Recommended FY 2023-24 Work Plans](#)
[ATT 2 - Council Policy A-23](#)

4.8 Charleston Pump Station Realignment, Project 20-44-Professional Services Agreement

Recommendation(s): Authorize the City Manager or designee to execute a professional services agreement with GHD, Inc., to provide design engineering, environmental clearance, and permitting services for Charleston Pump Station Realignment, Project 20-44, in a not-to-exceed amount of \$1,800,000.

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

4.9 Lower Stevens Creek Levee Improvements, Project 18-52-Professional Services Agreement

Recommendation(s): Authorize the City Manager or designee to execute a professional services agreement with Schaaf & Wheeler, Consulting Civil Engineers, to provide design engineering, environmental clearance, and permitting services for Lower Stevens Creek Levee Improvements, Project 18-52, in a not-to-exceed amount of \$1,250,000.

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

4.10 Workforce Development and Small Business Assistance Funding Rebudget

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Appropriating \$771,975 in the General Non-Operating Fund for Workforce Development and Job Training Programs and Small Business Assistance Programs, to be read in title only, further reading waived (Attachment 1 to the Council report). (Five votes required)

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

[ATT 1 - Resolution](#)

[ATT 2 - Workforce Development Council Report Dated May 9, 2023](#)

[ATT 3 - Small Businesses Council Report Dated May 9, 2023](#)

4.11 Authorization of an Agreement with Strategic Energy Innovations to Host Two Climate Corps Fellows

Recommendation(s): Authorize the City Manager or designee to execute an agreement with Strategic Energy Innovations in an amount not to exceed \$137,100 to host two Climate Corps Fellows.

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

4.12 Well Abandonments 10, 17, and 20, Project 19-39, and South Whisman Park (Pyramid Park), Project 21-45-Construction Acceptance

Recommendation(s): 1. Ratify acceptance of construction for Well Abandonments 10, 17, and 20, Project 19-39, and authorization of the final contract payment.

2. Accept South Whisman Park (Pyramid Park), Project 21-45, and authorize the final contract payment.

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

4.13 Utility Services Agreement with Palo Alto

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Authorizing the City Manager or Designee to Enter into an Agreement with the City of Palo Alto to Provide Water and Sanitary Sewer Services Outside of the Corporate Limits of the City of Mountain View, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

4.14 Fiscal Year 2022-23 Annual Compliance Report for In-Lieu Parking Fees

Recommendation(s): Make available to the public the Fiscal Year 2022-23 Annual Compliance Report for In-Lieu Parking Fees and place the report on the agenda for the October 10, 2023 City Council meeting.

Attachment(s): [Council Report](#)
[ATT 1 - FY22-23 Annual Compliance Report for In-Lieu Parking Fees](#)

4.15 Application to the Community Resilience Centers Implementation Grant Program to Establish the Senior Center as a Resilience Center

Recommendation(s): 1. Authorize the City Manager or designee to submit an application to the Community Resilience Centers Implementation Grant Program from the California Strategic Growth Council and execute all related documents if awarded.

2. Adopt a Resolution of the City Council of the City of Mountain View Authorizing the City Manager or the City Manager's Designee to Apply for and Accept Grant Funds from the California Strategic Growth Council for the Community Resilience Center Implementation Grant in an Amount up to \$10 Million and Negotiate and Execute any Related Documents Necessary to Accept These Grant Funds, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

4.16 Youth Advisory Committee Member Appointment

Recommendation(s): Appoint Shahana Rajasekaran to a vacancy on the Youth Advisory Committee for the 2023-24 school year term.

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

4.17 1720 Villa Street; 525, 555, 769 East Evelyn Avenue; and 2601 Garcia Avenue-Public Improvements

Recommendation(s): 1. Ratify acceptance of public improvements for the development at 1720 Villa Street for maintenance throughout their useful life.

2. Ratify acceptance of public improvements for the development at 525, 555, and 769

East Evelyn Avenue for maintenance throughout their useful life.

3. Accept the public improvements for the development at 2601 Garcia Avenue for maintenance throughout their useful life.

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. STUDY SESSION

6.1 Gatekeeper Process Updates

Recommendation(s): The purpose of this Study Session is to obtain Council direction on the timing of future Gatekeeper authorization hearings, future modifications to the Zoning Ordinance (Chapter 36 of the City Code) regarding Gatekeeper exemptions from Council authorization hearings, and updates to the Gatekeeper Amendment Authorization Criteria.

Attachment(s): [Study Session Memo](#)

7. PUBLIC HEARING

7.1 CalPERS Contract Amendment for All Unrepresented Safety PEPRAs Employees

Recommendation(s): 1. Adopt a Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City Council City of Mountain View, 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 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, and set second reading for October 10, 2023 (Attachment 2 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Resolution](#)
[ATT 2 - Ordinance](#)

8. NEW BUSINESS

8.1 Discontinuation of School Field Joint Use Agreement Between the City and Mountain View Whisman School District

- Recommendation(s):**
1. Authorize the City Manager to direct City staff to terminate the 2000 Joint Use Agreement between the City and Mountain View Whisman School District and determine the timing and actions necessary to have a transition in maintenance and scheduling responsibilities to the District for the school fields and facilities at the Bubb, Castro, Imai, Landels, Vargas, Monta Loma, Stevenson, and Crittenden Schools.
 2. Affirm the City Council's continued commitment to the current agreements governing the Mountain View Sports Pavilion at Graham Middle School, Graham Middle School Maintenance Agreement, Mountain View Sports Center at Crittenden Middle School, and the easement agreement between the City and Mountain View Whisman School District for the City's use of land at Crittenden School for the extension of the Permanente Creek Trail providing a safe route to school.
 3. Approve the Mayor sending a letter communicating these actions to the Mountain View Whisman School District Board of Trustees (Attachment 1 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Mayor Letter to MVWSD](#)
[ATT 2 - MVWSD Letter to PRC](#)

8.2 Firearm Safety Ordinances

- Recommendation(s):**
1. Introduce an Ordinance of the City of Mountain View Amending Chapter 18 of the Mountain View City Code to Add Article II "Firearm Dealers" to Impose Local Permit Requirements on Firearm Dealers Operating within the City of Mountain View, to be read in title only, further reading waived, and set a second reading for September 26, 2023 (Attachment 1 to the Council report).
 2. Introduce an Ordinance of the City of Mountain View Amending Chapter 36, Zoning, of the Mountain View City Code to Add Firearms and Ammunition Retailing as a Prohibited Home Occupation Use, to be read in title only, further reading waived, and set a second reading for September 26, 2023 (Attachment 2 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Ordinance Amending Chapter 18](#)
[ATT 2 - Ordinance Amending Chapter 36](#)
[ATT 3 - Map](#)
[ATT 4 - Pending Bills](#)

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