



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

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Council Chambers and Video Conference, 500 Castro  
St., Mountain View, CA 94041

5:00 PM

Tuesday, May 9, 2023

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## REGULAR CITY COUNCIL 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.

### 5:00 P.M.-STUDY SESSION

#### 1. CALL TO ORDER

#### 2. ROLL CALL

#### 3. STUDY SESSION

##### 3.1 Recommended Fiscal Year 2023-24 through Fiscal Year 2027-28 Capital Improvement Program

**Recommendation(s):** The purpose of this Study Session is to present the Recommended Fiscal Year 2023-24 through Fiscal Year 2027-28 Capital Improvement Program for City Council review, comment, and refinement.

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

[ATT 1 - Projects to Close](#)

[ATT 2 - Active Projects](#)

[ATT 3 - Recommended Nondiscretionary Projects](#)

[ATT 4 - Recommended Discretionary Projects](#)

[ATT 5 - Amendments to Existing Projects](#)

[ATT 6 - Information Technology Dept. CIP Project Amendment Requests](#)

[ATT 7 - Unscheduled Proposed Projects](#)

### 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 Bike Month Proclamation****3.2 100th Anniversary of the Mountain View Academy 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 Notice of Intention to Vacate Street Right-of-Way and Public Easements within the North Bayshore Master Plan, a 153-Acre Area Generally Located North of U.S. 101 Bounded by Charleston Road to the North, Stevens Creek to the East, Space Park Way to the South, and Huff Avenue to the West**

**Recommendation(s):** Adopt a Resolution of Intention of the City Council of the City of Mountain View to Vacate Street Right-of-Way and Public Easements within the North Bayshore Master Plan Bounded by Charleston Road to the North, Stevens Creek to the East, Plymouth Street and Space Park Way to the South, and Huff Avenue to the West, to be read in title only, further reading waived (Attachment 2 to the Council report), and set a date for a public hearing to consider the vacation for June 13, 2023.

**Attachment(s):** [Council Report](#)  
[ATT 1 - Figure of Street Right-of-Way and Public Easements to Be Vacated](#)  
[ATT 2 - Resolution](#)

**4.2 Adopt Project List for Senate Bill 1-Road Repair and Accountability Act of 2017**

**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 2023-24 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 Applying for and Establishing Local Housing Trust Fund and Reprogramming Approved Appropriations for Affordable Housing Projects**

**Recommendation(s):** 1. Adopt a Resolution of the City Council of the City of Mountain View Authorizing Application to the Local Housing Trust Fund Program and Certifying to the California Department of Housing and Community Development Compliance with the Local

Housing Trust Fund Program Requirements, 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 Establishing the City of Mountain View Local Housing Trust Fund, to be read in title only, further reading waived (Attachment 2 to the Council report).

3. Approve \$5 million in transfer of funds relating to depositing funds from the Housing Impact Fees Fund to the new Local Housing Trust Fund to serve as the matching funds for the Local Housing Trust Fund grant. (Five votes required)

4. Reprogram approved appropriations from the Housing Impact Fees Fund to the Below-Market-Rate Housing In-Lieu Fees Fund for the following projects:

a. \$13.5 million for Alta Housing/Terra Bella II LLC's 108-unit affordable housing development located at 1020 Terra Bella Avenue; and

b. \$10 million for the Alta Housing 70-unit affordable housing development located at 1012 Linda Vista Avenue. (Five votes required)

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

[ATT 1 - Resolution to Apply for the Local Housing Trust Fund Program](#)

[ATT 2 - Resolution to Establish a Local Housing Trust Fund](#)

#### 4.4 Plymouth Street to Space Park Way Realignment, Project 20-40-Various Actions

**Recommendation(s):** 1. Adopt a Resolution of the City Council of the City of Mountain View Adopting an Addendum to the North Bayshore Precise Plan Subsequent Final Environmental Impact Report for Plymouth Street Realignment, Project 20-40, to be read in title only, further reading waived (Attachment 1 to the Council report).

2. Approve removal of 86 Heritage trees and the first-stage mitigation replacement with 84 new 24" box trees for Plymouth Street to Space Park Way Realignment, Project 20-40.

3. Approve plans and specifications for tree removal and demolition of existing buildings located at 1600 and 1616 North Shoreline Boulevard, for Plymouth Street Realignment, Project 20-40, and authorize staff to advertise for bids.

4. Authorize the City Manager or designee to award the construction contract to the lowest responsible bidder if the bid is within the project budget.

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

[ATT 1 - Resolution](#)

**4.5 Final Map Approval, Tract No. 10575, 773 Cuesta Drive**

**Recommendation(s):** Adopt a Resolution of the City Council of the City of Mountain View Approving the Final Map of Tract No. 10575, 773 Cuesta Drive, Accepting Dedications, and Making Findings as Required by the City Code, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

**4.6 Appointment of a Representative to the Bay Area Water Supply and Conservation Agency Board of Directors and Bay Area Regional Water System Financing Authority**

**Recommendation(s):** Appoint Councilmember Lisa Matichak as the City of Mountain View's representative to the Bay Area Water Supply and Conservation Agency Board of Directors and related Bay Area Regional Water System Financing Authority for the term starting on July 1, 2023 through December 31, 2024.

**Attachment(s):** [Council Report](#)  
[ATT 1 - Letter from Nicole Sandkulla, BAWSCA General Manager](#)

**4.7 North Bayshore Trip Cap Monitoring Reports and Fiscal Year 2023-24 Professional Services Agreement**

**Recommendation(s):**

1. Review and accept the fall 2022 and spring 2023 North Bayshore Trip Cap Reports.
2. Authorize the City Manager or designee to enter into a professional services agreement with Fehr and Peers, Inc., to provide transportation consulting services for North Bayshore District Transportation Monitoring for Fiscal Year 2023-24, in an amount not to exceed \$160,400.

**Attachment(s):** [Council Report](#)  
[ATT 1 - Fall 2022 NBS Monitoring Report](#)  
[ATT 2 - Spring 2023 NBS Monitoring Report](#)

**4.8 Evelyn Park, Project 21-60-Approve Conceptual Plan, Select Name, and Make Findings**

**Recommendation(s):**

1. Approve the recommended conceptual plan for Evelyn Park, Project 21-60.
2. Select Evelyn Park as the name for the new park.
3. Find that in accordance with the California Environmental Quality Act (CEQA) requirements, the project is categorically exempt as Class 4, Minor Alterations to Land, under CEQA Guidelines Section 15304.

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

[ATT 1 - Conceptual Plans Presented in the November 9, 2022 PRC Meeting](#)

[ATT 2 - November 9, 2022 PRC Comments to the Concepts](#)

[ATT 3 - Conceptual Plans Presented in the March 8, 2023 PRC Meeting](#)

**4.9 Scope of Services for a Broadband Needs Assessment and Gap Analysis Professional Services Request for Proposal**

**Recommendation(s):** Approve the scope of services for a broadband needs assessment and gap analysis Request for Proposals.

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

[ATT 1 - 2022 Santa Clara County Digital Equity Analysis Report](#)

**4.10 Amend the Agreement with Midpeninsula Regional Open Space District for Emergency and Nonemergency Communication Services**

**Recommendation(s):** Authorize the City Manager or designee to execute an extension to the agreement to provide communication services for Midpeninsula Regional Open Space District for five years through June 30, 2028.

**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. PUBLIC HEARING**

**6.1 Downtown Outdoor Patio and Sidewalk Café Program**

**Recommendation(s):** 1. Find the proposed amendments to Chapters 15 (Food Establishments, Restaurants, and Mobile Vendors), 25 (Neighborhood Preservation), 26 (Public Amusements), 27 (Streets and Sidewalks), and 36 (Zoning) of the City Code and Downtown (P-19) Precise Plan text amendments to be exempt under California Environmental Quality Act Guidelines Section 15061(b)(3) (the “common sense exemption”) as the amendments modify design guidelines and procedures to already-existing outdoor activities, with some modification thereof, and make other minor amendments, including those for consistency.

2. Introduce an Ordinance of the City of Mountain View Repealing Article XV of Chapter 36 (Zoning) of the Mountain View City Code to Repeal Sidewalk Cafés in the Downtown Area, Amending Section 36.44.65 (Development Review Procedures) Related to Outdoor Dining and Merchandise Displays, and Amending Other Sections of Chapter

36 for Consistency and Minor Amendments, to be read in title only, further reading waived, and set a second reading for May 23, 2023 (Attachment 1 to the Council report).

3. Introduce an Ordinance of the City of Mountain View Repealing Article III (Merchant Vendors in Downtown Area) of Chapter 15 and Adding a New Section to Chapter 27 (Streets and Sidewalks) to Repeal the Sidewalk Café and Merchant Vendor Provisions and Replace Them with a New Outdoor Patio Program in the Downtown Area; and Amending Chapter 25 (Neighborhood Preservation), Chapter 26 (Public Amusements), and Chapter 27 (Streets and Sidewalks) for Consistency, to be read in title only, further reading waived, and set second reading for May 23, 2023 (Attachment 2 to the Council report).

4. Adopt a Resolution of the City Council of the City of Mountain View Amending the Downtown (P-19) Precise Plan to Add an Outdoor Activities Section Authorizing Outdoor Dining and Merchandise Displays on Private Property, Repeal and Replace Sidewalk Café References with Outdoor Activities, and Make Other Minor Amendments, to be read in title only, further reading waived (Attachment 3 to the Council report).

5. Adopt a Resolution of the City Council of the City of Mountain View Adopting the Downtown Mountain View Outdoor Patio Standards/Guidelines and Authorizing the Public Works Director to Make Minor Amendments to the Standards/Guidelines, to be read in title only, further reading waived (Attachment 4 to the Council report).

6. Adopt a Resolution of the City Council of the City of Mountain View Amending the City of Mountain View Master Fee Schedule by Repealing and Replacing Sidewalk Café and Merchant Vendor Fees with Outdoor Patio Application and Rental Fees, to be read in title only, further reading waived (Attachment 5 to the Council report).

7. Adopt a Resolution of the City Council of the City of Mountain View Repealing Resolution No. 18546 and All Subsequent Amendments Thereto, Including, but not Limited to, Resolution Nos. 18577, 18631, and 18726, which Suspended Sidewalk Café Program Requirements and Authorized Application of the Castro StrEATs Outdoor Dining Program Throughout Downtown, Effective November 1, 2023, to be read in title only, further reading waived (Attachment 6 to the Council report).

8. Approve recommendations for Castro Street/Dana Street and Castro Street/Villa Street intersection operations.

**Attachment(s):** [Council Report](#)[ATT 1 - Ordinance for Chapter 36 Amendments](#)[ATT 2 - Ordinance of Chapters 15, 25, 26, and 27 Amendments](#)[ATT 3 - Resolution for Downtown Precise Plan Amendments](#)[ATT 4 - Resolution Establishing Outdoor Patio Standards/Guidelines](#)[ATT 5 - Resolution Establishing Outdoor Patio Appl. Fees and Rental Rates](#)[ATT 6 - Resolution to Terminate Castro StrEATs](#)[ATT 7 - Council Report Dated June 9, 2020](#)[ATT 8 - Council Report Dated October 11, 2022](#)[ATT 9 - EPC Staff Report Dated April 19, 2023](#)**7. NEW BUSINESS****7.1 American Rescue Plan Act Funding for Small Businesses**

**Recommendation(s):** 1. Authorize use of the American Rescue Plan Act Funding for small businesses in the form of a \$200,000 facade improvement grant program, a \$200,000 outdoor equipment grant program and a \$25,000 social media training program.

2. Authorize the City Manager or designee to execute an amendment to the agreement with Clean Water Fund for technical assistance for the ReThink Disposable program to increase the amount by \$75,000 and extend the contract through Fiscal Year 2023-24 for a total not-to-exceed contract amount of \$149,497.

**Attachment(s):** [Council Report](#)**7.2 American Rescue Plan Act Funding for Workforce Development**

**Recommendation(s):** 1. Allocate \$169,075 in one-time American Rescue Plan Act funding to Library workforce development programs.

2. Award \$426,900 in one-time American Rescue Plan Act funding appropriated for workforce development to Working Partnerships USA; Mountain View Los Altos Union High School District and Mountain View Whisman School District; Foothill College; NOVAworks; Los Altos Mountain View Community Foundation and Reach SV; and Day Worker Center of Mountain View.

3. Adopt a Resolution of the City Council of the City of Mountain View: (1) Appropriating and Increasing Expenditures by \$95,975 in the General Non-Operating Fund for Workforce Development and Job Training Programs; (2) Authorizing the City Manager or Designee to Negotiate and Execute a Professional Services Agreement with Working Partnerships USA to Provide the Trades Orientation Program to Mountain View Residents in an Amount Not to Exceed \$100,000; and (3) Authorizing Execution of

Other Related Agreements as Necessary for the Disbursement of the Funding, 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](#)

### 7.3 Assembly Bill 481 Military Equipment Policy Renewal and Annual Report Review

**Recommendation(s):** Adopt a Resolution of the City Council of the City of Mountain View Renewing Ordinance No. 7.22, Approving Mountain View Police Department Policy 709, Military Equipment, and Determining that, Based on the 2022 Assembly Bill 481 Military Equipment Annual Report, Each Type of Military Equipment Has Complied with Ordinance No. 7.22, to be read in title only, further reading waived (Attachment 1 to the Council report).

**Attachment(s):** [Council Report](#)  
[ATT 1 - Resolution](#)  
[ATT 2 - MVPD Policy No. 709—Military Equipment](#)  
[ATT 3 - 2022 Assembly Bill 481 Military Equipment Annual Report](#)

## 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, 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](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.

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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. Requests to show an audio or video presentation during a Council meeting should be directed to [city.clerk@mountainview.gov](mailto: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.

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