



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

5:30 PM

Tuesday, May 23, 2023

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

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 (COUNCIL CHAMBERS)

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

2. CLOSED SESSION (PLAZA CONFERENCE ROOM)

- 2.1 Conference with Legal Counsel-Liability Claims (Government Code §54956.9(d)(2),(e)(3)); Claimant: Ella Kobzanets; Agency claimed against: City of Mountain View**
- 2.2 Conference with Legal Counsel-Liability Claims (Government Code §54956.9(d)(2),(e)(3)); Claimant: Elizabeth Ruff; Agency claimed against: City of Mountain View**
- 2.3 Acting in its capacity as Board of Directors of the Shoreline Regional Park Community and City Council; Conference with Real Property Negotiator (Government Code §54956.8); Property: 1 Amphitheatre Parkway Parking Lot C (APN: 116-20-043, portion of); Agency Negotiator: Angela LaMonica, Real Property Program Administrator; Dawn Cameron, Public Works Director; Negotiating Party: Google, LLC; Under Negotiation: Price and Terms of Lease**

6:30 P.M.-REGULAR SESSION (COUNCIL CHAMBERS)

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 Asian American and Pacific Islander Heritage Month Proclamation**3.2 Affordable Housing 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): Acting as the City Council and Board of Directors of the Shoreline Regional Park Community, approve the meeting minutes of March 14, 2023 and April 3, 2023.

Attachment(s): [03-14-23 Council and Shoreline Minutes](#)
[04-03-23 Council and Shoreline Minutes](#)

4.2 Downtown Outdoor Patio and Sidewalk Café Ordinances (Second Reading)

Recommendation(s): 1. Adopt 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 (Attachment 1 to the Council report). (First reading: 7-0)

2. Adopt 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 (Attachment 2 to the Council report). (First reading: 7-0)

Attachment(s): [Council Report](#)
[ATT 1 - Ordinance for Chapter 36 Amendments](#)
[ATT 2 - Ordinance for Chapters 15, 25, 26, 27 Amendments](#)

4.3 Renewal of Downtown Parking Maintenance and Operation Assessment District No. 2 for Fiscal Year 2023-24

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Approving the Annual Engineer's Report for the Downtown Parking Maintenance and Operation Assessment District No. 2 and Approving the Levying of Assessments for Fiscal Year 2023-24, 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 - Downtown Parking Map](#)

4.4 Final Map Approval, Tract No. 10395, 1958 Latham Street

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Approving the Final Map of Tract No. 10395, 1958 Latham Street, 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 \(PL-2019-146\)](#)

4.5 Rescind Stage 2 Water Shortage Emergency Condition

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Finding that a Stage 2 Water Shortage Emergency No Longer Exists, Rescinding the June 2022 Stage 2 Water Shortage Emergency Condition, and Reinstating Normal Water Supply Conditions, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

4.6 City Records Retention Schedule Update

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Amending the City's Records Retention Schedules and Rescinding Resolution No. 18179, Resolution No. 17500, and Resolution No. 17804, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

4.7 334 San Antonio Road Mixed-Use Project - Corrections to Approval Resolutions

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Amending Resolution No. 18722 Approving a Mixed-Use Residential Development and Resolution No. 18723 for a Vesting Tentative Map for Condominium Purposes at 334 San Antonio Road to Make Corrections to the Conditions of Approval and Other Minor Corrections, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

4.8 Contribution Agreement with the Housing Trust Silicon Valley

Recommendation(s): Authorize the City Manager or designee to execute an agreement with Housing Trust Silicon Valley to provide the annual City contribution of \$150,000 in Fiscal Years 2023-24, 2024-25, and 2025-26 for a total contribution of \$450,000 over three years, subject to City Council appropriation of funds, to fund housing programs.

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

4.9 Safe Routes to School Program-Professional Services Agreement

Recommendation(s):

1. Authorize the City Manager or designee to execute a professional services agreement with NN Engineering, Inc., to provide professional services for the Safe Routes to School program in the amount of \$222,000.
2. Appropriate an additional \$152,000 for the Fiscal Year 2022-23 Operating Budget in the Measure B Fund for the Safe Routes to School program to be reimbursed by the Santa Clara Valley Transportation Authority 2016 Measure B Bicycle/Pedestrian Education and Encouragement program. (Five votes required)

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

4.10 Colony Street Connection to Permanente Creek Trail, Project 18-48-Increase Project Budget and Award Construction Contract

Recommendation(s):

1. Acting in its capacity as Board of Directors of the Shoreline Regional Park Community, transfer and appropriate \$250,000 from the Shoreline Regional Park Community Fund to Colony Street Connection to Permanente Creek Trail, Project 18-48.
2. Transfer and appropriate \$250,000 from the Park Land Dedication Fund to Colony Street Connection to Permanente Creek Trail, Project 18-48. (Five votes required)
3. Award the construction contract for the Colony Street Connection to Permanente Creek Trail, Project 18-48, to Robert A. Bothman Construction for \$1,028,000, including a \$100,000 construction contingency.

Attachment(s): [Council Report](#)
[ATT 1 - Park Land Dedication Fund Project Commitment](#)

4.11 Fiscal Year 2023-24 Contracts for Outside Building Plan Checking, Inspection, Consultant, and Professional Services

Recommendation(s): Authorize the City Manager or designee to enter into consultant contracts for Fiscal Year 2023-24 for outside building plan checking, inspection, consultant, and professional support services with CSG Consultants, Inc., for \$225,000, and Shums Coda Associates for \$1,000,000, both contracts for services to be rendered from July 1, 2023 through June 30, 2024.

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

4.12 City Hall HVAC GHG Offsets, Phase I, Project 22-34 (Mountain View Senior Center), and Sustainability Projects, Project 20-99-Variou Actions

- Recommendation(s):**
1. Approve a Capital Improvement Program scope amendment to City Hall HVAC GHG Offsets, Phase I, Project 22-34 (Mountain View Senior Center) to include replacement of the two existing gas water heaters and gas kitchen appliances with all-electric heat pumps and cooking appliances.
 2. Transfer and appropriate \$200,000 from the Construction/Conveyance Tax Fund and \$360,000 from Sustainability Projects, Project 20-99, to City Hall HVAC GHG Offsets, Phase I, Project 22-34. (Five votes required)
 3. Accept \$497,000 in grant funds and appropriate the grant funds (revenues and expenditures) to City Hall HVAC GHG Offsets, Phase I, Project 22-34 (Mountain View Senior Center). (Five votes required)
 4. Accept \$70,000 in grant funds and appropriate the grant funds (revenues and expenditures) to Sustainability Projects, Project 20-99. (Five Votes required)
 5. Authorize the City Manager or designee to execute a capital project grant agreement with Silicon Valley Clean Energy for an amount not to exceed \$497,000 for City Hall HVAC GHG Offsets, Phase I, Project 22-34 (Mountain View Senior Center).
 6. Authorize the City Manager or designee to execute a grant agreement with Silicon Valley Clean Energy for an amount not to exceed \$70,000 for community engagement with residents and community groups on building decarbonization initiatives.
 7. Authorize the City Manager or designee to execute a professional services agreement with Aetypic, Inc., to provide design services for City Hall HVAC GHG Offsets, Phase I, Project 22-34 (Mountain View Senior Center), in a not-to-exceed amount of \$150,000.

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

4.13 Shoreline Park Water Control Structures Improvements, Project 23-44-Authorize Professional Services Agreement

- Recommendation(s):** Authorize the City Manager or designee to execute a professional services agreement with AECOM Technical Services, Inc., to provide design engineering and environmental clearance and permitting services for Shoreline Park Water Control Structures Improvements, Project 23-44, in a not-to-exceed amount of \$850,000.

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

4.14 Shoreline Lake Improvements Project, Construction, Project 20-36-Amend Construction Contract

Recommendation(s): Authorize the City Manager or designee to amend the construction contract with Gordon N. Ball, Inc., for Shoreline Lake Improvements Project, Construction, Project 20-36, to add \$200,000 to the contingency budget for a total not-to-exceed contract amount of \$2,341,875.

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

4.15 Mountain View Transportation Management Association Contract Amendment

Recommendation(s): Authorize the City Manager or designee to execute an amendment to the agreement with the Mountain View Transportation Management Association for Fiscal Year 2023-24 Community Shuttle service for an amount not to exceed \$3,393,350.

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

4.16 Amendment to 2017 Consent to Parking Sublease for Use of Lots C and D

Recommendation(s): Authorize the City Manager or designee to execute an amendment to the 2017 Consent to Parking Sublease and Subtenant Recognition Agreement with Google LLC for the use of Lots C and D at One Amphitheatre Parkway.

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

4.17 Amendment of Agreement with Community Legal Services of East Palo Alto for Legal Assistance and Services to Mountain View Tenants at the Housing and Eviction Help Center

Recommendation(s): 1. Authorize expenditures by the Community Development Department in an amount not to exceed \$155,000 through June 30, 2025 for legal assistance and services to Mountain View tenants.

2. Authorize the City Manager or designee to execute an amendment to the professional services agreement with Community Legal Services of East Palo Alto, Inc., for legal support and assistance to Mountain View tenants, to increase maximum compensation by \$105,000 for a total not-to-exceed contract amount of \$155,000.

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 Adopt a Resolution Governing Compensation Related to CalPERS Cost-Share for All Unrepresented Safety PEPRA Employees

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View to Modify CalPERS

Cost-Share Contributions for All Unrepresented Safety Public Employees' Pension Reform Act Employees, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

6.2 North Bayshore Precise Plan Bonus Office Floor Area Ratio Authorization

- Recommendation(s):**
1. Find that the determination on authorization to apply for development permits for Bonus Office Floor Area Ratio is not a project under the California Environmental Quality Act.
 2. Consider the North Bayshore Precise Plan Nonresidential Bonus Office Floor Area Ratio (FAR) request from The Jeffrey A. Morris Group, Inc., for an allocation of 86,994 net new office square feet at 1808 North Shoreline Boulevard, and if Council desires to provide authorization as requested, provide direction to staff to return with a resolution for adoption.
 3. Direct staff to update the North Bayshore Bonus Floor Area Ratio Review Guidelines to provide more clarity regarding the process and requirements.

Attachment(s): [Council Report](#)
[ATT 1 - North Bayshore Precise Plan Bonus FAR Review Guidelines](#)
[ATT 2 - Cover Letter and Project Description](#)
[ATT 3 - Project Plans](#)
[ATT 4 - Precise Plan Guiding Principles](#)

7. PUBLIC HEARING

7.1 189 North Bernardo Avenue Office Project

- Recommendation(s):**
1. Adopt the Initial Study of Environmental Significance for the 189 North Bernardo Avenue Office Project and determine that the project is consistent with the East Whisman Precise Plan Final Environmental Impact Report and Mountain View 2030 General Plan and Greenhouse Gas Reduction Program Final Environmental Impact Report, pursuant to Sections 15162 and 15183 of the California Environmental Quality Act Guidelines (Attachment 1 to the Council report).
 2. Adopt a Resolution of the City Council of the City of Mountain View Approving a Planned Community Permit and Development Review Permit to Construct a Four-Story, 82,865 Square Foot Office Building, a Parking Structure with Four Levels Above-Grade and Two Levels Below, and Minor Building Modifications to an Existing Two-Story Office Building to Remain On-Site; a Transfer of Development Rights of 28,000 Square Feet from 2535 California Street, 506 Showers Drive, and 350 Showers Drive to the Project

Site in Relation to the Los Altos School District Transfer of Development Rights Program; and a Heritage Tree Removal Permit to Remove 61 Heritage Trees, All on a 3.8 -Acre Site Located at 189 North Bernardo Avenue, to be read in title only, further reading waived (Attachment 2 to the Council report).

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

[ATT 1 - Initial Study of Environmental Significance](#)

[ATT 2 - Resolution Approving the Project](#)

[ATT 3 - Council Report Dated January 16, 2018](#)

[ATT 4 - Council Report Dated November 5, 2019](#)

[ATT 5 - EPC Report Dated March 2, 2022](#)

[ATT 6 - EPC Report Dated March 22, 2023](#)

[ATT 7 - Project Plans](#)

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 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