



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

5:00 PM

Tuesday, February 27, 2024

**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.

5:00 P.M.-CLOSED SESSION

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

2. CLOSED SESSION (PLAZA CONFERENCE ROOM)

- 2.1 Conference with Legal Counsel - Anticipated Litigation: Potential exposure to litigation pursuant to California Government Code §54956.9(d)(2) (1 potential case)**

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 Updates to City Council Policy B-5 - Claims & Litigation

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Amending City Council Policy B-5 to Change the Title of the Policy to “Claims & Litigation,” Clarify

Authority to Resolve Claims and Litigation, and Update Procedures for Handling Liability Claims, 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 - Council Policy B-5 Redline Amendments](#)

4.2 Resolution Authorizing the California Farmers' Markets Temporary Use of Parking Lot 12 on March 3, 10, 17, 2024

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Authorizing Temporary Closure of Parking Lot 12 from 7:30 a.m. through 2:30 p.m. on Sunday, March 3, 10, and 17, 2024, for Use by the California Farmers' Market Association and Authorizing the City Manager or Designee to Amend the License Agreement with the California Farmers' Markets Association, to be read in title only, further reading waived (Attachment 1 to the Council report)

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

4.3 Application for, and Receipt of, Prohousing Incentive Program Funds

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Authorizing the City Manager or Designee to Submit an Application for an Award of Prohousing Incentive Program Funds in an Amount Not to Exceed \$870,000 and to Execute and Deliver on Behalf of the City Any and All Documents Necessary to Receive an Award of Prohousing Incentive Program Funds, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

4.4 Northbound Shoreline Boulevard/U.S. 101 Off-Ramp Realignment, Design, Project 19-59-Professional Services Agreement

Recommendation(s): 1. Acting in its capacity as Board of Directors of the Shoreline Regional Park Community, transfer and appropriate \$937,000 from the Shoreline Regional Park Community Fund to Northbound Shoreline Boulevard/U.S. 101 Off-Ramp Realignment, Design, Project 19-59.

2. Acting in the joint capacity as the City Council and Board of Directors of the Shoreline Regional Park Community, authorize the City Manager or designee to amend the professional services agreement with AECOM Technical Services, Inc., for Northbound Shoreline Boulevard/U.S. 101 Off-Ramp Realignment, Design, Project 19-59, to add \$876,000 for a total agreement not-to-exceed amount of \$3,091,000.

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

4.5 Public Art Approval for Evelyn Park, Project 21-60

Recommendation(s): Approve Looking Up Art's monarch butterfly sculpture entitled, "Butterfly Reflect" for Evelyn Park, Project 21-60, for \$30,000.

Attachment(s): [Council Report](#)
[ATT 1 - Council Policy K-5](#)
[ATT 2 - Call for Artists](#)

4.6 Public Art Approval for Rengstorff Park Maintenance and Tennis Buildings Replacement, Project 21-48

Recommendation(s): Approve public art murals by artists Fernanda Martinez and Harumo Sato for Rengstorff Park Maintenance and Tennis Buildings Replacement, Project 21-48, for \$46,600 (\$23,300 per artist).

Attachment(s): [Council Report](#)
[ATT 1 - Council Policy K-5](#)
[ATT 2 - Call for Artists](#)

4.7 Annual Report of the Investment Review Committee for Fiscal Year 2022-23

Recommendation(s):

1. Accept the Annual Report of the Investment Review Committee for Fiscal Year 2022-23 (Attachment 1 to the Council report).
2. Adopt a Resolution of the City Council of the City of Mountain View Amending City Council Policy B-2, Investment Policy, to be read in title only, further reading waived (Attachment 3 to the Council report).
3. Approve the Investment Review Committee's recommendations for staff to explore other legally allowable investment types to potentially expand the City's Investment diversification.

Attachment(s): [Council Report](#)
[ATT 1 - Annual Report of the Investment Review Committee for FY 22-23](#)
[ATT 2 - Redlined Version of Council Policy B-2](#)
[ATT 3 - Resolution](#)
[ATT 4 - IRC Agenda and Memo, 10-30-23](#)

4.8 Adoption of Legislative Platform for 2024

Recommendation(s): Adopt the Legislative Platform to guide the City's regional, State, and Federal legislative advocacy efforts for 2024.

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

[ATT 1 - February 13, 2024 Study Session Memo](#)

[ATT 2 - Legislative Platform for 2024 \(Redline\)](#)

[ATT 3 - Legislative Platform for 2024](#)

[ATT 4 - Council Policy A-16](#)

4.9 Fayette Park, Project 20-48 - Construction Acceptance

Recommendation(s): Accept Fayette Park, Project 20-48, and authorize the final contract payment.

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 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. NEW BUSINESS

6.1 Fiscal Year 2023-24 Midyear Budget Status Report and Adjustments, Fiscal Years 2023-25 Council Work Plan: Six-Month Project Updates, and Fiscal Year 2024-25 Preliminary General Operating Fund Forecast

Recommendation(s): 1. Receive and file the Fiscal Year 2023-24 Midyear Budget Status Report, Fiscal Years 2023-25 Council Work Plan: Six-Month Project Update (Attachment 1 to the Council report), and the Fiscal Year 2024-25 Preliminary General Operating Fund Forecast.

2. Adopt a Resolution of the City Council of the City of Mountain View: 1) Accepting and Appropriating Grant Funds in the amount of \$160,000 from the Valley Transportation Authority for the Miramonte Avenue Phase 2 Preliminary Design Study; and 2) Amending the Fiscal Year 2023-24 Adopted Budget to appropriate \$6,000,000 in the General Operating Fund, \$3,377,000 in the General Non-Operating Reserve Fund, \$1,500,000 in the Development Services Fund, \$1,428,000 in the Workers' Compensation Fund, \$925,000 in the General Liability Fund, \$440,000 in the Solid Waste Fund, \$391,000 in the Water Fund, \$355,000 in the Solid Waste Landfill 544 acres fund, \$327,000 in the Wastewater Fund, \$175,000 in the Capital Improvement Reserve, \$160,000 in the VTA 2016 Measure B Fund, \$154,000 in the Park Land Dedication Fund, \$54,000 in the Shoreline Regional Park Fund, \$15,350 in the Wastewater Debt Proceeds Fund, and \$10,000 in the Retirees' Health Insurance Fund for Project and Program Expenditures as Specifically Set Forth in Exhibit A, Attached Hereto, to be read in title only, further reading waived (Attachment 2 to the Council report). (Five votes required)

3. Adopt a Resolution of the City Council of the City of Mountain View: 1) Authorizing

Reclassification of 1.0 Full-Time Equivalent (FTE) Project Manager Position to 1.0 FTE Rent Stabilization Manager Position; 2) Amending the Salary Plan to Add Classifications for Rent Stabilization Manager, Finance Manager, and Customer Service Supervisor; and 3) Authorizing the Addition of a New 1.0 FTE Housing Officer Position in the Housing Department, to be read in title only, further reading waived (Attachment 3 to the Council report).

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

[ATT 1 - Council Work Plan Updates](#)

[ATT 2 - Budget Resolution \(with Exhibit A\)](#)

[ATT 3 - Salary Plan Resolution \(with Exhibit A\)](#)

7. COUNCIL, STAFF/COMMITTEE REPORTS

No action will be taken on any questions raised by the Council at this time.

8. CLOSED SESSION REPORT

9. 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