



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, October 22, 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-Liability Claims (Government Code §54956.9(d)(2),(e)(3)); Claimant: Pedro Rivera De Leon against the City of Mountain View**
- 2.2 Conference with Legal Counsel-Existing Litigation (Government Code §54956.9(d)(1)); Name of case: Gonzalez v. County of Santa Clara; et al., United States District Court, Case No.: 5:24-CV-00296-PCP**
- 2.3 Conference with Legal Counsel-Anticipated Litigation: Significant 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/PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. PRESENTATIONS

These are presentations only. The City Council will not take any action.

- 3.1 Recognition of Tom Myers' 25th Anniversary with the Community Services Agency of Mountain View, Los Altos and Los Altos Hills**

3.2 Domestic Violence Awareness 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 Ordinance Amending Chapter 1, Article I, Section 1.2 of the Mountain View City Code (Second Reading) and Resolution Amending Council Policy D-7

Recommendation(s): 1. Adopt an Ordinance of the City of Mountain View Amending Chapter 1, Article I, Section 1.2 of the Mountain View City Code to Modify the Definition of “Holiday” and Authorizing City Staff to Return Directly to City Council with a Resolution Amending Section 8.05 of Council Policy D-7 Governing Holiday Leave for City Employees, to be read in title only, further reading waived (Attachment 1 to the Council report). (First reading: 7-0, October 8, 2024.)

2. Adopt a Resolution of the City Council of the City of Mountain View Amending Section 8.05 of Council Policy D-7: Personnel Rules and Regulations, Governing Holiday Leave for City Employees, to Align with the Amendments to Mountain View Code Section 1.2, to be read in title only, further reading waived.

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

4.2 Funding for Contract Services Supporting Downtown Parking

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Amending the Fiscal Year 2024-25 Budget Appropriating Two Hundred Six Thousand Dollars (\$206,000) into the Community Development Department Parking District No. 2 Operating Fund for Power Washing Services for the Two Downtown Public Parking Garages and Implementing Various Actions of the Downtown Parking Strategy, 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 - Additional Background on Downtown Parking](#)

4.3 Temporary Closure from Public Access of 13 Parking Spaces in Parking Lot No. 2 for a Period of 14 Consecutive Days to Occur Prior to April 2025

Recommendation(s): Adopt a Resolution of the City Council of the City of Mountain View Authorizing Temporary Closure from Public Access of 13 Parking Spaces within Parking Lot No. 2 for 14 Consecutive Days to Occur Prior to April 2025, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

4.4 Active Transportation Plan, Project 21-36-Various Actions

- Recommendation(s):**
1. As recommended by the Council Transportation Committee, approve the vision statement and revised approach to the Active Transportation Plan.
 2. Transfer and appropriate \$106,000 from the Transportation Reserve Fund to Active Transportation Plan, Project 21-36. (Five votes required)
 3. Authorize the City Manager or designee to amend the professional services agreement with NN Engineering, Inc., a California corporation (Entity No. 4253715), to add \$112,300 for additional professional services for a total not-to-exceed amount of \$596,300.

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

4.5 1885 Miramonte Avenue-Public Improvements

- Recommendation(s):** Accept the public improvements for the development at 1885 Miramonte Avenue for maintenance throughout their useful life.

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

4.6 MV Community Shuttle EV Charging Units, Project 22-44-Various Actions

- Recommendation(s):**
1. Find that in accordance with the California Environmental Quality Act (CEQA) requirements, MV Community Shuttle EV Charging Units, Project 22-44, is categorically exempt as Class 4, Minor Alterations to Land, under CEQA Guidelines Section 15304.
 2. Transfer and appropriate \$190,000 of General Fund Reserve funding and \$12,000 of Construction/Conveyance Tax funding from Annual New Energy Conservation Measures, Project 19-25, to MV Community Shuttle EV Charging Units, Project 22-44. (Five votes required)
 3. Transfer and appropriate \$25,000 of Construction/Conveyance Tax funding from Annual New Energy Conservation Measures, Project 23-14, to MV Community Shuttle EV Charging Units, Project 22-44. (Five votes required)
 4. Transfer and appropriate \$325,000 from the Construction/Conveyance Tax Fund to MV Community Shuttle EV Charging Units, Project 22-44. (Five votes required)
 5. Approve plans and specifications for MV Community Shuttle EV Charging Units, Project 22-44, and authorize staff to advertise the project for bids.
 6. Authorize the City Manager or designee to award a construction contract to the

lowest responsive responsible bidder if the bid is within the total project budget of \$1,186,798.

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

4.7 Planned and Emergency Facilities Projects (PPE Storage Rooms Phase at Fire Stations 1, 3, and 4), Project 19-18, and Firefighter Personal Protective Equipment Storage at Fire Stations 1, 3, and 4, Project 24-32-Variou Actions

Recommendation(s): 1. Find that in accordance with the California Environmental Quality Act (CEQA) requirements, Firefighter Personal Protective Equipment Storage at Fire Stations 1, 3, and 4, Project 24-32, is categorically exempt as Class 1, Minor Alteration of an Existing Public Facility, under CEQA Guidelines Section 15301.

2. Transfer and appropriate \$102,000 from the CIP Reserve Fund to Planned and Emergency Facilities Projects (PPE Storage Rooms Phase at Fire Stations 1, 3, and 4), Project 19-18, increasing the total project budget to \$2,512,000, of which 48% is from the Shoreline Regional Park Community Fund. (Five votes required)

3. Transfer and appropriate \$125,000 from the CIP Reserve Fund to Firefighter Personal Protective Equipment Storage at Fire Stations 1, 3, and 4, Project 24-32, increasing the total project budget to \$1,375,000. (Five votes required)

4. Acting in its joint capacity as the City Council of the City of Mountain View and Board of Directors of the Shoreline Regional Park Community, authorize the City Manager and Community Manager, or designees, to amend the professional services agreement with Aetypic, Inc., a California corporation (Entity No. 3366255), for Planned and Emergency Facilities Project (PPE Storage Rooms Phase at Fire Station 1, 3, and 4), Project 19-18, to add \$75,000 for additional professional services, for a total not-to-exceed amount of \$380,000.

5. Approve plans and specifications for Planned and Emergency Facilities Projects (PPE Storage Rooms Phase at Fire Stations 1, 3, and 4), Project 19-18, and authorize staff to advertise the project for bids.

6. Authorize the City Manager or designee to award a construction contract to the lowest responsive responsible bidder if the bid is within the total project budget of \$1,375,000.

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

4.8 Interim Pedestrian Mall Improvements (Castro Street Intersection Improvements), Project 23-49-Professional Services Agreement

Recommendation(s): Authorize the City Manager or designee to execute a professional services agreement with Kimley-Horn and Associates, Inc., a North Carolina corporation (Entity No. 1616788), to provide professional design and construction support services for Interim Pedestrian

Mall Improvements (Castro Street Intersection Improvements), Project 23-49, in a not-to-exceed amount of \$870,000.

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

4.9 Bicycle/Pedestrian Improvements (Shoreline Boulevard Pathway), Project 21-37-Various Actions

- Recommendation(s):**
1. Find that in accordance with the California Environmental Quality Act (CEQA) requirements, Shoreline Boulevard Pathway, Project 21-37, is categorically exempt as Class 1, Existing Facilities, under CEQA Guidelines Section 15301.
 2. Approve the removal and mitigation of 27 Heritage trees at a 2:1 tree replacement ratio with 24" box trees for Bicycle/Pedestrian Improvements (Shoreline Boulevard Pathway), Project 21-37.
 3. Transfer and appropriate \$375,000 from the CIP Reserve Fund to Bicycle/Pedestrian Improvements (Shoreline Boulevard Pathway), Project 21-37. (Five votes required)
 4. Approve plans and specifications for Bicycle/Pedestrian Improvements (Shoreline Boulevard Pathway), Project 21-37, and authorize staff to advertise the project for bidding.
 5. Authorize the City Manager or designee to award a construction contract to the lowest responsive responsible bidder if the bid is within the total project budget of \$5,971,000.

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

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. STUDY SESSION

6.1 Public Art Strategy Study Session

Recommendation(s): Receive input from the City Council on the vision and goals for a Public Art Strategy in Mountain View, including policies and community engagement.

Attachment(s): [Council Report](#)
[ATT 1 - June 2024 VAC Meeting Presentation with Feedback](#)
[ATT 2 - Public Comments on Public Art](#)
[ATT 3 - Council Policy K-5](#)
[ATT 4 - Council Policy K-6](#)

7. NEW BUSINESS

7.1 CalPERS Contract Amendment for All Unrepresented Police Managers

- Recommendation(s):**
1. Adopt a Resolution of Intention to Approve an Amendment to the Contract Between the Board of Administration, California Public Employees' Retirement System, and the City Council of the City of Mountain View for All Unrepresented Police Managers, 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 a second reading for November 12, 2024 (Attachment 2 to the Council report).

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

8. PUBLIC HEARINGS

8.1 Downtown Business Improvement Areas and Allocation of 2025 Business Improvement Areas Revenues

- Recommendation(s):**
1. Adopt a Resolution of the City Council of the City of Mountain View Confirming the Annual Report of the Downtown Mountain View Business Improvement Area No. 1 and Levying the Annual Benefit Assessments for Calendar Year 2025, 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 Confirming the Annual Report of the Downtown Mountain View Business Improvement Area No. 2 and Levying the Annual Benefit Assessments for Calendar Year 2025, to be read in title only, further reading waived (Attachment 2 to the Council report).
 3. Authorize the City Manager or designee to allocate the 2025 revenues from Business Improvement Area No. 1 and Business Improvement Area No. 2 to the Mountain View Chamber of Commerce to fund a disbursement agreement with the Mountain View Chamber of Commerce to accomplish the purposes of the areas.

Attachment(s): [Council Report](#)[ATT 1 - Resolution of Intention to Levy Assessments for BIA No. 1](#)[ATT 2 - Resolution of Intention to Levy Assessments for BIA No. 2](#)[ATT 3 - September 24, 2024 Council Report](#)**8.2 Building Reach Code Updates (Phase 1) - Electrical Prewiring and Recycled Water**

- 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. Introduce 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, and set a second reading for November 12, 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