



Margaret Abe-Koga, Mayor  
Ellen Kamei, Vice Mayor  
Chris Clark, Councilmember  
Alison Hicks, Councilmember  
Lisa Matichak, Councilmember  
John McAlister, Councilmember  
Lucas Ramirez, Councilmember

Max Bosel, Interim City Manager  
Krishan Chopra, City Attorney  
Lisa Natusch, City Clerk

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

5:00 PM

Tuesday, January 14, 2020

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### **5:00 P.M.-STUDY SESSION (PLAZA CONFERENCE ROOM)**

#### **1. CALL TO ORDER**

#### **2. ROLL CALL**

#### **3. STUDY SESSION**

##### **3.1 Conduct Environmental Planning Commission Applicant Interviews**

**Recommendation(s):** Interview five applicants for two openings on the Environmental Planning Commission and determine appointment recommendations for final consideration and action at the City Council meeting on January 28, 2020.

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

[ATT 1 - January 14, 2020 Interview Schedule](#)

[ATT 2 - Incumbent Attendance Report](#)

[ATT 3 - Current EPC Roster](#)

[ATT 4 - EPC Members Selection Process](#)

[ATT 5 - Board/Commission/Committee Mbrs. Selection Guidelines](#)

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

#### **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.

**4.1 Amend McKelvey Park Detention Basin SCVWD Coordination, Project 14-54**

**Recommendation(s):** Transfer and appropriate \$75,000 from the Construction/Conveyance Tax Fund to McKelvey Park Detention Basin SCVWD Coordination, Project 14-54, for total project funding of \$425,000. (Five votes required)

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

**4.2 Water Main Crossing U.S. 101 from San Rafael Avenue to Macon Avenue, Project 20-41-Authorize Professional Services Agreement**

**Recommendation(s):** Authorize the City Manager to execute a professional services agreement with Tanner Pacific, Inc., for construction engineering and inspection services for the Water Main Crossing U.S. 101 from San Rafael Avenue to Macon Avenue, Project 20-41, for a total not-to-exceed fee of \$170,000.

**Attachment(s):** [Council Report](#)  
[ATT 1 - Tanner Pacific, Inc., Scope of Work and Fees](#)

**4.3 Amend Professional Services Contract-City Manager's Office/Human Resources Division**

**Recommendation(s):** Authorize the City Manager to execute professional service agreements with Teri Black and Company, LLC for executive recruitment services in an amount not to exceed \$126,750.

**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 Rowhouse Development at 851 and 853 Sierra Vista Avenue**

- Recommendation(s):**
1. Approve a Mitigated Negative Declaration for the Sierra Vista Rowhouse Project in accordance with the California Environmental Quality Act (Attachment 1 to the Council report).
  2. Adopt a Resolution Approving a General Plan Land Use Map Amendment for the Property Located at 851 Sierra Vista Avenue from General Industrial to Medium-Density Residential, to be read in title only, further reading waived (Attachment 2 to the Council report).
  3. Introduce an Ordinance Amending the Zoning Map for the Properties Located at 851 and 853 Sierra Vista Avenue from the R3-2/sd

(Multiple-Family Residential/Special Design) and MM-40 (General Industrial) Districts to R3-2 (Multiple-Family Residential), to be read in title only, further reading waived, and set a second reading for January 28, 2020 (Attachment 3 to the Council report).

4. Adopt a Resolution Conditionally Approving a Planned Unit Development Permit and Development Review Permit to Construct a Nine-Unit Rowhouse Development and Heritage Tree Removal Permit to Remove Six Heritage Trees at 851 and 853 Sierra Vista Avenue, to be read in title only, further reading waived (Attachment 4 to the Council report).

5. Adopt a Resolution Conditionally Approving a Tentative Map for Nine Residential Condominium Units Located at 851 and 853 Sierra Vista Avenue, to be read in title only, further reading waived (Attachment 5 to the Council report).

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

[ATT 1 - Init Study, Draft Mit Neg Dec, & Mit Mntng & Rptng Prog](#)

[ATT 2 - Resolution Approving the General Plan Land Use Map](#)

[ATT 3 - Ordinance Amending the Zoning Map](#)

[ATT 4 - Resolution Conditionally Approving a PUD, DRP, & HRP](#)

[ATT 5 - Resolution Approving a Tentative Map and Map](#)

[ATT 6 - EPC Public Hearing Staff Report, December 4, 2019](#)

[ATT 7 - Public Comment Letter](#)

[ATT 8 - Project Plans](#)

## 7. NEW BUSINESS

### 7.1 Appointment of City Manager and Authorization to Execute Employment Agreement with Kimbra McCarthy

**Recommendation(s):** • Appoint Kimbra McCarthy to serve as City Manager for the City of Mountain View and authorize the Mayor, or designee, to execute an employment agreement with Ms. McCarthy.

• Adopt a revised salary plan to reflect this compensation change to the City Manager classification (Attachment 1 to the Council report).

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

[ATT 1 - Revised Salary Plan \(Revision No. 3\)](#)

### 7.2 Accept Certification of Referendum Petition Against Ordinance 15.19 and Take Action to Repeal the Ordinance or Submit it to the Voters

**Recommendation(s):** 1. Adopt a Resolution Accepting the Certification of the Sufficiency of Signatures on the Referendum Petition Against Ordinance 15.19, an

Ordinance Amending Articles I and VIII of Chapter 19 of the Mountain View City Code Related to Oversized Vehicle Parking on Narrow Streets, to be read in title only, further reading waived (Attachment 1 to the Council report).

2. Pursuant to Elections Code Section 9241, take action to repeal the ordinance in its entirety or call an election to submit the ordinance to the voters:

a. To repeal the ordinance:

i. Introduce an Ordinance Repealing Ordinance 15.19 Amending Articles I and VIII of Chapter 19 of the Mountain View City Code Related to Oversized Vehicle Parking on Narrow Streets, in its Entirety, Pursuant to Elections Code Section 9241, to be read in title only, further reading waived (Attachment 2 to the Council report), and set a second reading for January 28, 2020;

OR

b. To submit the ordinance to the voters:

i. Adopt a Resolution Calling for the Holding of a General Municipal Election on Tuesday, November 3, 2020 and Requesting the Board of Supervisors of the County of Santa Clara to Consolidate the Municipal Election with the Presidential General Election to be Held on that Date Pursuant to Section 10403 of the Elections Code for the Purpose of Submitting to the Voters an Ordinance Amending Articles I and VIII of Chapter 19 of the Mountain View City Code Related to Oversized Vehicle Parking on Narrow Streets, and Related Actions, to be read in title only, further reading waived (Attachment 3 to the Council report):

1. Direct the City Attorney to prepare an impartial analysis of the ballot measure.

2. Determine whether the Council will submit an argument related to the ballot measure and designate the Mayor and/or Councilmembers to write and sign the argument.

3. Direct the City Clerk and the City Attorney to take all necessary related actions for submitting the measure to the voters on November 3, 2020.

4. Direct staff to include funding of \$90,000 in the proposed

Fiscal Year 2020-21 City Clerk's Office budget for County of Santa Clara's services and legal advertising in connection with the General Municipal Election;

OR

ii. Adopt a Resolution Calling for the Holding of a Special Municipal Election on Tuesday, April 14, 2020, for the Purpose of Submitting to the Voters an Ordinance Amending Articles I and VIII of Chapter 19 of the Mountain View City Code Related to Oversized Vehicle Parking on Narrow Streets, and Related Actions, to be read in title only, further reading waived (Attachment 4 to the Council report):

1. Direct the City Attorney to prepare an impartial analysis of the ballot measure.

2. Determine whether the Council will submit an argument related to the ballot measure and designate the Mayor and/or Councilmembers to write and sign the argument.

3. Direct the City Clerk and the City Attorney to take all necessary related actions for submitting the measure to the voters on April 14, 2020.

4. Appropriate \$1,815,000 in the General Non-Operating Fund, City Clerk's Office, for the County of Santa Clara's services and legal advertising in connection with the special municipal election. (Five votes required)

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

[ATT 1 - Resolution Certifying Sufficiency of Referendum Petition](#)

[ATT 2 - Draft Ordinance Repealing Ordinance 15.19](#)

[ATT 3 - Resolution Calling Election for November 3, 2020](#)

[ATT 4 - Resolution Calling Election for April 14, 2020](#)

[ATT 5 - Council Report—OV Parking Restrictions—9-24-19](#)

[ATT 6 - Council Report—Adoption of Ordinance—10-22-19](#)

## **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 and staff reports may be viewed at the Mountain View Library, 585 Franklin Street, beginning the Thursday evening before each meeting and at the City Clerk's Office, 500 Castro Street, Third Floor, beginning Friday morning prior to Tuesday City Council meetings. Agenda materials may also be viewed online at [mountainview.legistar.com](http://mountainview.legistar.com).

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's Office during normal business hours and at the Council Chambers at City Hall, 2nd Floor, during the meeting.

City Council meetings are broadcast live on Comcast Channel 26 and replayed on Thursday at 6:30 p.m., Saturday at 10:00 a.m., and Sunday at 5:00 p.m. In addition, Council meetings are webcast live and archived at [mountainview.legistar.com](http://mountainview.legistar.com).

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. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.160 (b) (1))

## ADDRESSING THE COUNCIL:

Anyone wishing to address the Council is requested to fill out a blue speaker card and deposit it with the City Clerk to ensure that your name is accurately recorded in the minutes.

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.

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.