



Lucas Ramirez, Mayor  
Alison Hicks, Vice Mayor  
Margaret Abe-Koga, Councilmember  
Ellen Kamei, Councilmember  
Sally Lieber, Councilmember  
Lisa Matchak, Councilmember  
Pat Showalter, Councilmember

Kimbra McCarthy, City Manager  
Jennifer Logue, City Attorney  
Heather Glaser, City Clerk

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Video Conference with No Physical Meeting Location

5:00 PM

Tuesday, December 6, 2022

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## JOINT SPECIAL MEETING OF CITY COUNCIL AND SHORELINE REGIONAL PARK COMMUNITY

During this declared state of emergency, the meeting will be conducted in accordance with California Government Code §54953(e) as authorized by resolution of the City Council. Please contact [city.clerk@mountainview.gov](mailto:city.clerk@mountainview.gov) to obtain a copy of the applicable resolution. All members of the City Council will participate in the meeting by video conference, with no physical meeting location.

Members of the public wishing to observe the live meeting may do so at <https://mountainview.legistar.com>, on YouTube at [YouTube.com/MountainViewGov](https://www.youtube.com/MountainViewGov) and on Comcast Channel 26.

Members of the public wishing to comment on an item may do so in the following ways:

1. 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.

2. Provide oral public comments during the meeting by joining 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 SESSIONS

- 2.1 Acting in its capacity as Board of Directors of the Shoreline Regional Park Community; Conference with Real Property Negotiators (Government Code §54956.8); Property: Portion of 1345 Shorebird Way; Agency Negotiators: Angela LaMonica, Real Property Program Administrator and Dawn Cameron, Public Works Director; Negotiating Party: Google, LLC; Under Negotiation: Price and Terms of Purchase
- 2.2 Conference with Legal Counsel - Existing Litigation (Government Code §54956.9(d)(1)); Name of case: Celerina Navarro, Janet Stevens, Armando Covarrubias, Evelyn Estrada, Gabriel Rangel Jaime, Alma Aldaco, and all others similarly situated v. City of Mountain View, United States District Court, Northern District of

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California, San Jose Division, Case No. 5:21-CV-05381-NC

**6:30 P.M.-SPECIAL 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 Modifications to City Council Policy A-13, City Council Meetings, and the City Council Code of Conduct**

- Recommendation(s):** 1. Adopt a Resolution of the City Council of the City of Mountain View Amending City Council Policy A-13, City Council Meetings, to Modify Provisions Governing Attendance, Parliamentary Procedure, Decorum, and Written Communications, 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 Amending the City Council Code of Conduct to Modify Provisions Governing Rules of Procedure and Decorum, to be read in title only, further reading waived (Attachment 2 to the Council report).

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

[ATT 1 - Resolution Amending Policy A-13](#)

[ATT 2 - Resolution Amending Code of Conduct](#)

**4.2 Adopt a Resolution Modifying Council Policy D-13, Mountain View Employee Homebuyer and Relocation Assistance Program**

**Recommendation(s):** Adopt a Resolution of the City Council of the City of Mountain View Modifying City Council Policy D-13, Mountain View Employee Homebuyer and Relocation Assistance Program, to be read in title only, further reading waived (Attachment 1 to the Council report).

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

[ATT 1 - Resolution](#)

[ATT 2 - CPPC Report](#)

**4.3 Application for State's ProHousing Designation Program**

**Recommendation(s):** Adopt a Resolution of the City Council of the City of Mountain View Authorizing Application to and Participation in the Prohousing Designation Program, to be read in title only, further reading waived (Attachment 1 to the Council report).

**Attachment(s):** [Council Report](#)  
[ATT 1 - Resolution](#)  
[ATT 2 - Prohousing Application Categories Criteria Applicable to City](#)

#### 4.4 2023 City Council Meeting Schedule

**Recommendation(s):** Approve the 2023 City Council meeting schedule.

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

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

**Recommendation(s):**

1. Authorize the City Manager or designee to execute a professional services agreement with Commonwealth Associates, Inc., of Jackson, Michigan, to provide design services for MV Community Shuttle EV Charging Units, Project 22-44, in a not-to-exceed amount of \$143,000.
2. Accept \$209,798 in Transportation Fund for Clean Air grant funds and appropriate the grant funds to MV Community Shuttle EV Charging Units, Project 22-44. (Five votes required)
3. Authorize the City Manager or designee to execute all documents and agreements and take all necessary actions related to the Transportation Fund for Clean Air grant.

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

#### 4.6 Mountain View Child-Care Center Operator Agreement Modifications

**Recommendation(s):**

1. Authorize the City Manager or designee to execute an amendment to the Mountain View Child-Care Center Operating Agreement with Ability Path to waive the Consumer Price Index increases in operator payments in the aggregate amount of \$41,507 for Fiscal Years 2020-21, 2021-22, and 2022-23 to provide the operator with flex time days for seven days at the Center with early closure/half-days and to include the addition of Juneteenth as a holiday when the Center will be closed.
2. Authorize the City Manager or designee to execute future minor amendments to the Operating Agreement as appropriate that do not affect the financial terms, including compensation.

**Attachment(s):** [Council Report](#)  
[ATT 1 - Council Report, November 27, 2018](#)  
[ATT 2 - Contract Amendment Request Letter](#)

#### 4.7 2310 Rock Street-Accept Public Improvements

**Recommendation(s):** Accept the public improvements for the development at 2310 Rock Street for maintenance throughout their useful life.

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

**4.8 Annual Water Main/Service Line Replacement, Project 17-21, and Interceptor Force Trunk Main Rehabilitation, Project 20-42-Accept Construction**

- Recommendation(s):**
1. Accept Annual Water Main/Service Line Replacement, Project 17-21, and authorize the final contract payment.
  2. Accept Interceptor Force Trunk Main Rehabilitation, Project 20-42, and authorize the final contract payment.

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

**4.9 Fiscal Year 2021-22 Annual Compliance Report for Development Impact Fees and Capacity Charges; and Informational Reporting of Park Land Dedication Fee**

- Recommendation(s):**
1. Review the Fiscal Year 2021-22 Annual Compliance Report for the Citywide Transportation Impact, Housing Impact, Rental Housing Impact, North Bayshore Development Impact, Water Development Impact, Sewer Development Impact, Water Capacity Charges, and Sewer Capacity Charges Funds (Attachment 1 to the Council report).
  2. Review the Fiscal Year 2021-22 informational reporting for the Park Land Dedication Fund (Attachment 1 to the Council report).

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

[ATT 1 - Fiscal Year 2021-22 Annual Compliance 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 Valley Transportation Authority Board of Directors-Mountain View Nominee for Alternate**

- Recommendation(s):** Nominate one Councilmember to stand for election as the Santa Clara Valley Transportation Authority Board Member Alternate from the Group 2 Cities for the two-year term beginning January 1, 2023.

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

**7. PUBLIC HEARINGS**

**7.1 ~~Downtown Precise Plan Temporary Office Limit and Phase 2 Prioritization~~**

**THIS ITEM WILL NOT BE HEARD ON DECEMBER 6, 2022. THIS ITEM WILL BE RE-NOTICED**

**FOR DISCUSSION ON A FUTURE DATE.****7.2 1265 Montecito Avenue Affordable Housing Development and Funding Appropriation**

- Recommendation(s):**
1. Adopt a Resolution of the City Council of the City of Mountain View Adopting the Initial Study/Negative Declaration for the 1265 Montecito Avenue Residential Project Pursuant to the California Environmental Quality Act, 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 Approving a General Plan Map Amendment from Neighborhood Commercial to High-Density Residential for the Property Located at 1265 Montecito Avenue, to be read in title only, further reading waived (Attachment 2 to the Council report).
  
  3. Introduce an Ordinance of the City of Mountain View Approving a Zoning Map Amendment from the CN (Neighborhood Commercial) Zoning District to the R4 (High-Density Residential) Zoning District for the Property Located at 1265 Montecito Avenue, to be read in title only, further reading waived, and set a second reading for December 13, 2022 (Attachment 3 to the Council report).
  
  4. Adopt a Resolution of the City Council of the City of Mountain View Approving a Development Review Permit to Construct a Five-Story Affordable Housing Development with 84 Affordable Rental Units and One Manager's Unit with At-Grade Parking and a State Density Bonus with a Development Concession and a Heritage Tree Removal Permit to Remove Six Heritage Trees at 1265 Montecito Avenue, to be read in title only, further reading waived (Attachment 4 to the Council report).
  
  5. Appropriate \$14.7 million in Housing Impact funds for Charities Housing/Montecito Charities LLC's 85-unit affordable housing development located at 1265 Montecito Avenue. (Five votes required)
  
  6. Authorize the City Manager or designee to negotiate the loan and agreement terms and execute a funding commitment letter, loan agreement, and related loan documents.

**Attachment(s):** [Council Report](#)[ATT 1 - Resolution for Initial Study/Negative Declaration](#)[ATT 2 - Resolution for General Plan Map Amendment](#)[ATT 3 - Ordinance for Zoning Map Amendment](#)[ATT 4 - Resolution for Project Approval](#)[ATT 5 - Project Plans](#)[ATT 6 - Council Report Dated June 22, 2021](#)[ATT 7 - EPC Report Dated November 2, 2022](#)[ATT 8 - Public Comment Letters](#)[ATT 9 - State Density Bonus Letter](#)**7.3 Downtown Precise Plan Update (Phase 1)**

**Recommendation(s):** 1. Adopt the Addendum to the 1999 and 2004 Downtown Precise Plan Initial Study/Negative Declarations and the Mountain View 2030 General Plan and Greenhouse Gas Reduction Program Final Environmental Impact Report, in compliance with the California Environmental Quality Act Guidelines Sections 15162 and 15164 (Attachment 1 to the Council report).

2. Adopt a Resolution of the City Council of the City of Mountain View Amending the Downtown P(19) Precise Plan to Update Design Standards and Guidelines in Areas A, G, and H and Disallow Administrative Office Use in Ground Floors of Castro Street and Side Streets of Area H, to be read in title only, further reading waived (Attachment 2 to the Council report).

**Attachment(s):** [Council Report](#)[ATT 1 - Addendum to Negative Declarations and EIR](#)[ATT 2 - Resolution](#)[ATT 3 - Redlined Draft Precise Plan Amendments](#)[ATT 4 - Council Report dated December 3, 2019](#)[ATT 5 - Council Report dated June 8, 2021](#)[ATT 6 - Downtown Committee - September 6, 2022](#)[ATT 7 - EPC Report dated September 21, 2022](#)[ATT 8 - Economic Analysis](#)**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 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.

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](mailto:laurel.james@mountainview.gov) or 650-903-6397.

## 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 City Council Code of Conduct Chapter 6, no person who addresses the Council shall make any belligerent, personal, slanderous, threatening or abusive remark, statement, or commentary toward the Council, staff or other individuals in a manner which disrupts, disturbs, or otherwise impedes the orderly conduct of the Council meeting, nor shall any person engage in any disorderly conduct which disrupts or impedes the orderly conduct of the meeting. Any violation of this rule shall be grounds for terminating the speaker's comment period. Continued inappropriate behavior or comments, after having been directed to discontinue, shall be grounds for removal from 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.

To request Russian, Spanish or Chinese interpretation, 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](mailto:city.clerk@mountainview.gov).

Чтобы запросить устный перевод на русский язык, обратитесь в офис городского секретаря до 17:00. не менее чем за два рабочих дня до дня запланированного заседания Совета по телефону (650) 903-6399 или по электронной почте [city.clerk@mountainview.gov](mailto:city.clerk@mountainview.gov).

Para solicitar interpretación en español, comuníquese con la oficina del Secretario Municipal antes de las 5 p.m. al menos dos días hábiles antes del día de la reunión programada del Consejo por teléfono (650) 903-6399 o por correo electrónico a [city.clerk@mountainview.gov](mailto:city.clerk@mountainview.gov).

如需中文口译服务，请在下午 5 点前联系市书记官办公室。在预定的市议会会议召开前至少两个工作日通过电话 (650) 903-6399 或发送电子邮件至 [city.clerk@mountainview.gov](mailto:city.clerk@mountainview.gov)。