



Pat Showalter, Mayor/President
Lisa Matchak, Vice Mayor/Vice President
Margaret Abe-Koga, Councilmember/Boardmember
Alison Hicks, Councilmember/Boardmember
Ellen Kamei, Councilmember/Boardmember
Lucas Ramirez, Councilmember/Boardmember
Emily Ann Ramos, Councilmember/Boardmember

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

October 22, 2024

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

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

This meeting was conducted with a virtual component. All members of the City Council/Shoreline Regional Park Community and all speakers participated in-person unless otherwise noted.

5:00 P.M.-CLOSED SESSION

At 5:03 p.m., Vice Mayor Matchak called the meeting to order.

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

City Attorney Logue announced the items listed for Closed Session.

There were no public speakers in-person or virtually.

At 5:04 p.m., Vice Mayor Matchak recessed the meeting to Closed Session with all Councilmembers present except Mayor Showalter.

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)

At 5:28 p.m., Mayor Showalter arrived.

At 7:07 p.m., Closed Session concluded.

6:30 P.M.-REGULAR SESSION

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

At 7:17 p.m., Mayor/President Showalter called the meeting to order.

Mayor Showalter led the Pledge of Allegiance.

2. ROLL CALL

Present: 7 - Councilmembers/Boardmembers Abe-Koga, Hicks, Kamei, Ramirez, Ramos, Vice Mayor/Vice President Matichak, Mayor/President Showalter

3. PRESENTATIONS

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

Mayor Showalter presented the proclamation to Tom Myers, Executive Director of the Community Services Agency of Mountain View, Los Altos and Los Altos Hills.

The following members of the public spoke:

Alex Brown discussed Item 3.1.

(Virtual) Bruce England discussed Item 3.1.

3.2 Domestic Violence Awareness Month Proclamation

Mayor Showalter presented the proclamation to Shabana Ansari, Legal Advocacy Coordinator, Maitri.

There were no public speakers in-person or virtually.

4. CONSENT CALENDAR

At 7:43 p.m., Councilmember Kamei left the dais.

Councilmember Hicks pulled Item 4.8 for individual consideration.

The following members of the public spoke:

Valerie Fenwick from Mountain View discussed Items 4.4 and 4.9.

MOTION - M/S - Ramirez/Ramos - To approve the balance of the Consent Calendar.

The motion carried, except for Item 4.8, by the following vote:

Yes: 7 - Councilmembers/Boardmembers Abe-Koga, Hicks, Kamei, Ramirez, Ramos, Vice Mayor/Vice President Matichak, Mayor/President Showalter

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

1. Adopt Ordinance No. 7.2024 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.

2. Adopt Resolution No. 18938 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.

4.2 Funding for Contract Services Supporting Downtown Parking

Adopt Resolution No. 18939 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 (Five votes required)

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

Adopt Resolution No. 18940 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.

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

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.

4.5 1885 Miramonte Avenue-Public Improvements

Accept the public improvements for the development at 1885 Miramonte Avenue for maintenance throughout their useful life.

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

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.

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-Various Actions

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.

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

This item was pulled from the Consent Calendar by Councilmember Hicks for individual consideration.

The following members of the public spoke:

Serge Bonte from Mountain View.
Valerie Fenwick from Mountain View.
Alex Brown

At 8:07 p.m., Councilmember Kamei returned to the dais.

(Virtual) Bruce England from Mountain View
(Virtual) April Webster
(Virtual) Mark F

MOTION - M/S - Hicks/Ramirez - To:

1. 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.
2. Direct staff to redesign the concept layout for the Villa Street and Dana Street intersections and referred the concepts to the Bicycle/Pedestrian Advisory Committee and the Council Transportation Committee.

The motion carried by the following vote:

Yes: 6- Councilmember Abe-Koga, Councilmember Hicks, Councilmember Kamei,
Councilmember Ramirez, Councilmember Ramos, Mayor Showalter

No: 1 - Vice Mayor Matichak

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

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.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

The following members of the public spoke:

(Virtual) Devon Conley, on behalf of the Mountain View Whisman School District (MVWSD), discussed recent actions of MVWSD.

(Virtual) Bruce England from Mountain View discussed the October 16, 2024 Environmental Planning Commission meeting.

6. STUDY SESSION

6.1 Public Art Strategy Study Session

The purpose of this Study Session was to receive input from the City Council on the vision and goals for a Public Art Strategy in Mountain View, including policies and community engagement.

Economic Development Strategist Kirstin Hinds and Economic Vitality Manager John Lang presented the item.

The following members of the public spoke:

Trenton Hill from Mountain View.

Jesse Cupp from Mountain View.

(Virtual) Bruce England from Mountain View.

(Virtual) Mark F

A majority of the Council indicated support for the draft Vision Statement and Goals prepared by the Visual Arts Committee with the following feedback:

Reword the Vision Statement: "Mountain View is an art destination with diverse public art that enriches the City's innovative and creative culture and enhances the vibrancy and economic vitality of our diverse community."

Ensure the Goals are well-defined and measurable and include a timeline for completion.

A majority of the Council indicated support for staff to explore and strive to include all best practices listed in Table 2 of the staff report in the public art strategy for Mountain View with the following feedback to add two additional focus areas:

Partnerships (e.g., Community School of Music and Arts)

Volunteers (expand the community engagement aspect of the City's public art strategy)

The Council provided the following additional feedback regarding a public art strategy:

Identify a list of potential dedicated public art funding sources (a broad range of sources including direct funding from existing City revenues, grant funding, foundations, 1% development fees for art, creation of new revenue sources, etc.) and ability to "rollover" funds from year to year.

Identify or hire dedicated staff with an art background to ensure professional implementation of the public art strategy.

Rely on those with an art background (Visual Arts Committee, dedicated staff, etc.) to make key decisions on art pieces.

Consider how art can be integrated with other actions related to installing historic markers or plaques that tell stories about art.

Connect art and the community (sidewalk art (chalk/painting), working with youth, partnering with schools, etc.).

Achieve diversity of art types (static/functional/integrated into buildings), subject matter, materials and installation locations (e.g., geographic distribution).

Art should align with the place, history, and culture of Mountain View including distinct subareas/neighborhoods of the City.

Consider how art can assist with activating areas including the downtown, such as with art in vacant windows and creating pop-up art galleries.

Use public art as a key tool to strengthen the quality and livability of our community, and elevate Mountain View's standing as an appealing place to live, work and visit compared to surrounding cities.

Include the Visual Arts Committee subcommittee's full Public Art Strategy report in the Council's next agenda item on the Public Art Strategy.

MOTION - M/S - Hicks/Ramos - At 9:59 p.m., to continue the meeting beyond 10:00 p.m.

The motion carried by the following vote:

Yes: 5 - Councilmember Hicks, Councilmember Kamei, Councilmember Ramos, Vice Mayor Matichak, Mayor Showalter

No: 2 - Councilmember Abe-Koga, Councilmember Ramirez

7. NEW BUSINESS**7.1 CalPERS Contract Amendment for All Unrepresented Police Managers**

Human Resources Director Maxine Gullo presented the item.

There were no public speakers in-person or virtually.

MOTION - M/S - Kamei/Abe-Koga - To:

1. Adopt Resolution No. 18941 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
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, and set a second reading for November 12, 2024.

The motion carried by the following vote:

Yes: 7 - Councilmember Abe-Koga, Councilmember Hicks, Councilmember Kamei, Councilmember Ramirez, Councilmember Ramos, Vice Mayor Matichak, Mayor Showalter

8. PUBLIC HEARINGS**8.1 Downtown Business Improvement Areas and Allocation of 2025 Business Improvement Areas Revenues**

Councilmembers Abe-Koga and Hicks recused themselves from participating in any discussion or determination about the Downtown Business Improvement Areas 1 and 2 due to the proximity of each of their personal residences to both improvement areas.

At 10:05 p.m., Councilmembers Abe-Koga and Hicks left the dais

Economic Vitality Manager John Lang presented the item.

There were no public speakers in-person or virtually.

MOTION - M/S - Ramos/Kamei - To:

1. Adopt Resolution No. 18942 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.
2. Adopt Resolution No. 18943 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.

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.

The motion carried by the following vote:

Yes: 5 - Councilmember Kamei, Councilmember Ramirez, Councilmember Ramos, Vice Mayor Matichak, Mayor Showalter

Recused: 2 - Councilmember Abe-Koga, Councilmember Hicks

At 10:11 p.m., Councilmembers Abe-Koga and Hicks returned to the dais.

8.2 Building Reach Code Updates (Phase 1) - Electrical Prewiring and Recycled Water

Assistant Community Development Director Lindsay Hagan presented the item.

There were no public speakers in-person or virtually.

MOTION - M/S - Hicks/Abe-Koga - To:

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, and set a second reading for November 12, 2024.

The motion carried by the following vote:

Yes: 7 - Councilmember Abe-Koga, Councilmember Hicks, Councilmember Kamei, Councilmember Ramirez, Councilmember Ramos, Vice Mayor Matichak, Mayor Showalter

9. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Kamei stated she attended the Cal Cities Annual Conference.

Mayor Showalter stated she attended a Council Neighborhoods Committee meeting and San Francisco Bay Conservation and Development Commission meeting.

10. CLOSED SESSION REPORT

City Attorney Logue stated that in Closed Session the Council took final action on Item 2.1 on the Closed Session agenda, which was a conference with legal counsel regarding a liability claim filed by Pedro Rivera De Leon against the City of Mountain View. She stated Mr. De Leon's claim sought \$10,000,000 in damages based on the assertion that he was unlawfully arrested, charged and incarcerated for felony child endangerment. She stated the Council voted with 6 ayes (1 absence) to deny the claim.

11. ADJOURNMENT

At 10:38 p.m., Mayor/President Showalter adjourned the meeting.