



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

Kimbra McCarthy, City Manager  
Jannie L. Quinn, Interim City Attorney  
Heather Glaser, City Clerk

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November 15, 2022

Video Conference with No Physical Meeting Location

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

During this declared state of emergency, the meeting was conducted in accordance with California Government Code §54953(e) as authorized by resolution of the City Council. All members of the City Council participated in the meeting by video conference, with no physical meeting location.

### 6:30 P.M.-SPECIAL SESSION

#### 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

At 6:30 p.m., Mayor/President Ramirez called the meeting to order.

Mayor Ramirez led the Pledge of Allegiance.

#### 2. ROLL CALL

**Present:** 6 - Councilmember Abe-Koga, Councilmember Lieber, Councilmember Matichak, Vice Mayor Showalter, Mayor Hicks, Councilmember Ramirez

**Absent:** 1 - Councilmember Kamei

At 6:58 p.m., Councilmember/Boardmember Kamei arrived.

#### 3. PRESENTATION

##### 3.1 District Attorney Jeffrey Rosen's Presentation on Hate Crime Statistics

Santa Clara County District Attorney Jeff Rosen presented.

There were no public speakers.

#### 4. CONSENT CALENDAR

The following members of the public spoke:

Joan MacDonald discussed Item 4.10.

MOTION - M/S - Hicks/Matichak - To approve the Consent Calendar.

The motion carried by the following roll call vote:

**Yes:** 6 - Councilmember Abe-Koga, Councilmember Lieber, Councilmember Matichak, Vice Mayor Showalter, Mayor Hicks, Councilmember Ramirez

**Absent:** 1 - Councilmember Kamei

#### **4.1 Approve Minutes**

Acting as the City Council and Board of Directors of the Shoreline Regional Park Community, approve the meeting minutes of September 27, 2022, October 5, 2022, October 11, 2022 and October 25, 2022.

#### **4.2 AB 361 Resolution to Continue Remote Public Meetings During State of Emergency**

Adopt Resolution No. 18728 of the City Council of the City of Mountain View Authorizing and Continuing Virtual Meetings of City Council, Committees, Boards, and Commissions Pursuant to AB 361 and Making Required Findings.

#### **4.3 Bylaws of the Downtown Committee-Composition**

Adopt Resolution No. 18729 of the City Council of the City of Mountain View Amending Article IV, Section 1, of the Bylaws for the Downtown Committee Regarding Membership Composition.

#### **4.4 Actions Related to Use of City Parking Lot 7 by Santa Clara County/Trinity United Methodist Church/Home First Services to Support a Cold-Weather Shelter (748 Mercy Street)**

1. Adopt Resolution No. 18730 of the City Council of the City of Mountain View Authorizing Temporary Closure from Public Access of 15 Parking Spaces Within Parking Lot 7 Between the Hours of 3:00 p.m. through 9:00 a.m., Daily, from November 20, 2022 through March 31, 2023; November 19, 2023 through March 31, 2024; and November 24, 2024 through March 31, 2025, for Use by Santa Clara County's Cold-Weather Shelter Program Staff and Participants.

2. Authorize the City Manager or designee to enter into a no-fee license agreement with the County of Santa Clara for the temporary use of 15 parking spaces within Parking Lot 7 between the hours of 3:00 p.m. through 9:00 a.m., daily, from November 20, 2022 through March 31, 2023; November 19, 2023 through March 31, 2024; and November 24, 2024 through March 31, 2025, for use by Home First Services' Cold-Weather Shelter Program staff and participants.

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

Make available to the public the Fiscal Year 2021-22 Annual Compliance Report for Development Impact Fees and Capacity Charges; and Informational Reporting of Park Land Dedication Fee, and place the reports on the agenda for the December 6, 2022 Special Meeting.

#### **4.6 Professional Services Agreements for Construction and Land Development Engineering Services**

1. Repurpose limited period funding of \$60,000 in Construction Section hourly staff budget and \$50,000 in

Engineering Inspections and Materials Testing, for a total of \$110,000 to consultant support services in the Development Services Fund. (Five votes required)

2. Authorize the City Manager or designee to amend the Fiscal Year 2022-23 professional services agreement with Tanner Pacific, Inc., for an additional \$375,000 to provide construction engineering services in a not-to-exceed contract amount of \$775,000.

3. Authorize the City Manager or designee to execute a professional services agreement with CSG Consultants, Inc., for land development engineering services in a not-to-exceed contract amount of \$300,000.

**4.7 Shoreline Bus Lane Property Acquisition, Project 18-47-Amend Project Budget**

Acting in its capacity as Board of Directors of the Shoreline Regional Park Community, transfer and appropriate \$886,500 of Shoreline Regional Park Community 2018 Series A Bond Proceeds from Shoreline Boulevard at Highway 101 Bicycle/Pedestrian Bridge, Construction, Project 20-38, into Shoreline Bus Lane Property Acquisition, Project 18-47.

**4.8 Modification to Addendum No. 11 to Regional Water Quality Control Plant Basic Agreement**

Authorize the City Manager or designee to modify a term of Addendum No. 11 to the Basic Agreement between the cities of Palo Alto, Mountain View, and Los Altos by increasing the maximum financing authorization for the Secondary Treatment Upgrades Project to \$193 million at the Regional Water Quality Control Plant in Palo Alto.

**4.9 Annual Report of the Investment Review Committee for Fiscal Year 2021-22**

Accept the Annual Report of the Investment Review Committee for Fiscal Year 2021-22.

**4.10 Approve the Acquisition of Real Property at 538 Thompson Avenue (APN: 147-17-102)**

1. Approve the acquisition of property located at 538 Thompson Avenue (APN: 147-17-102) owned by Patricia K. Ecker, Trustee of the Ecker Survivors Trust.

2. Approve a midyear Capital Improvement Program project, Acquisition of 538 Thompson Avenue, and transfer and appropriate \$1.47 million from the Park Land Dedication Fund and \$1.53 million from the Strategic Property Acquisition Reserve to the new project. (Five votes required)

3. Authorize the City Manager or designee to execute all documents and take all necessary action related to the acquisition of 538 Thompson Avenue (APN: 147-17-102).

4. Find that in accordance with the California Environmental Quality Act requirements, under Public Resources Code Section 21080.28, the California Environmental Quality Act requirements do not apply to the acquisition of land for preservation of lands for park purposes; and acquisition of the property is categorically exempt under Class 25, acquisition to preserve lands for park purposes.

**5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS**

The following members of the public spoke:

Gregory Unangst from Mountain View discussed Stevens Creek Trail and Wildlife Corridor.

Tim MacKenzie discussed virtual participation during board, commission and committee meetings.

Bruce England discussed virtual participation during board, commission and committee meetings.

**6. NEW BUSINESS****6.1 Authorization of the Shoreline Regional Park Community Refunding Revenue Bonds, 2022 Series A**

Treasurer Jesse Takahashi presented the item.

At 6:58 p.m., Boardmember Kamei arrived.

There were no public speakers.

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

Acting as the Shoreline Regional Park Community Board of Directors, adopt Resolution No. S-170 of the Mountain View Shoreline Regional Park Community: (1) Authorizing the Issuance and Sale of Mountain View Shoreline Regional Park Community Refunding Revenue Bonds; (2) Appointing Bond Counsel, a Municipal Advisor, and a Placement Agent for the Shoreline Community in Connection with the Refunding Revenue Bonds; (3) Authorizing and Directing Execution of Related Documents, Including a Seventh Supplemental Indenture of Trust; and (4) Authorizing Official Actions.

The motion carried by the following roll call vote:

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

**7. PUBLIC HEARINGS****7.1 Construction and Demolition Debris Ordinance**

Solid Waste Manager Jennifer Cutter presented the item.

There were no public speakers.

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

Introduce an Ordinance of the City of Mountain View Amending Chapter 16, Article III of the Mountain View City Code Governing Construction and Demolition Debris Diversion and Finding this Ordinance Exempt from

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California Environmental Quality Act Review Pursuant to California Environmental Quality Act Guidelines Section 15308 (14 CCR § 15308), and set a second reading for December 13, 2022.

The motion carried by the following roll call vote:

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

## **7.2 Public Hearing on Downtown Business Improvement Areas and Allocation of 2023 Business Improvement Areas Revenues**

Economic Vitality Manager John Lang presented the item.

There were no public speakers.

At 7:14 p.m., Mayor Ramirez recessed meeting. The meeting reconvened at 7:19 p.m. with all Councilmembers present.

City Clerk Glaser stated the City had not received any protests.

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

1. Adopt Resolution No. 18731 of the City Council of the City of Mountain View Levying the Annual Benefit Assessments for Calendar Year 2023 for Downtown Mountain View Business Improvement Area No. 1 and Authorizing the City Manager or Designee to Allocate the Assessments to Fund a Contract for Services with the Mountain View Chamber of Commerce.

2. Adopt Resolution No. 18732 of the City Council of the City of Mountain View Levying the Annual Benefit Assessments for Calendar Year 2023 for Downtown Mountain View Business Improvement Area No. 2 and Authorizing the City Manager or Designee to Allocate the Assessments to Fund a Contract for Services with the Mountain View Chamber of Commerce.

The motion carried by the following roll call vote:

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

## **7.3 Middlefield Park Master Plan**

Vice Mayor Hicks recused herself from considering the item due to her business entity interest in Siemens Healthineers, a medical technology company, located within close proximity of the Park Plan area.

At 7:22 p.m., Vice Mayor Hicks left the meeting.

Mayor Ramirez disclosed he met with the applicant. Councilmember Showalter disclosed she met with the applicant and visited the site. Councilmember Kamei disclosed she met with the applicant and visited the site. Councilmember Abe-Koga disclosed she met with the applicant and visited the site. Councilmember Lieber disclosed she met with the applicant virtually, visited the site and met with residents. Councilmember Matichak disclosed she met with the applicant, visited the site and attended a community meeting and stakeholder meetings.

Assistant Community Development Director Lindsay Hagan presented the item.

Assistant City Manager/Community Development Director Aarti Shrivastava, Housing and Neighborhood Services Manager Micaela Hellman-Tincher and Public Works Director Cameron were available for questions.

Michael Tymoff, Director of District Development Mountain View for Google, and Andrew Chappell, Head of Development for Lendlease Mountain View and Sunnyvale made a presentation.

The Council directed questions to staff and Michael Tymoff.

The following members of the public spoke:

Ed Choudhry, on behalf of Hacker Dojo, indicated support for the master plan.

Felicia Preston indicated support for the master plan.

Joseph Lopez, on behalf of Carpenters Local 405/Drywall Local 9144, indicated support for the master plan.

Armando Murillo indicated support for the master plan.

Ali Sapirman, on behalf of the Housing Action Coalition, indicated support for the master plan.

Cliff Chambers, on behalf of the Mountain View Coalition for Sustainable Planning, indicated support for the master plan.

Lisa Moore from Mountain View indicated support for the master plan.

Jim Pollart from Mountain View.

Rani Fischer, on behalf of the Santa Clara Valley Audubon Society, indicated support for the master plan.

Steven Goldstein

David Bini, on behalf of the Santa Clara and San Benito Building and Construction Trades Council, indicated support for the master plan.

Beth Fisher, on behalf of the Santa Clara and San Benito Building and Construction Trades Council, indicated support for the master plan.

Kenneth Javier-Rosales, on behalf of Silicon Valley At Home, indicated support for the master plan.

Marlee Smith, on behalf of Silicon Valley Leadership Group, indicated support for the master plan.

Jose Chavez from Mountain View indicated support for the master plan.

Derek Anderson indicated support for the master plan.

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

1. Adopt Resolution No. 18733 of the City Council of the City of Mountain View Certifying the Middlefield Park Master Plan Supplemental Environmental Impact Report, Adopting California Environmental Quality Act Findings Related to Environmental Impacts, Mitigation Measures, and Alternatives, and Adopting a Statement of Overriding Considerations, Best Available and Feasible Mitigation Measures, including modifying Mitigate Measure AQ-1.1 to add "To extent commercially available and feasible, (i) all on-road heavy-duty trucks used during construction shall be zero emissions, or (ii) meet the then-current most stringent emissions standard" and a Mitigation, Monitoring, and Reporting Program.

2. Introduce an Ordinance of the City of Mountain View Approving a Development Agreement for the Middlefield Park Master Plan Project Generally Located at the Northeast Corner of Ellis Street and East Middlefield Road and North of West Maude Avenue, Between Logue Avenue and Clyde Avenue, Mountain View, California, and set a second reading for December 13, 2022.

3. Adopt Resolution No. 18734 of the City Council of the City of Mountain View Approving a Master Plan to Construct Up to 1,900 Residential Units, 1,317,000 Square Feet of Office/R&D, 50,000 Square Feet of Ground-Floor Commercial Space, 6.97 Acres of Public Parks and 2.8 Acres of Privately Owned, Publicly Accessible Open Space, and an Optional Private District Utilities System, and Allocate Bonus Floor Area (397,936 Square Feet of Residential and 622,925 Square Feet of Nonresidential) on an Approximately 40-Acre Site, Generally Located at the Northeast Corner of Ellis Street and East Middlefield Road and North of West Maude Avenue Between Logue Avenue and Clyde Avenue within the East Whisman Precise Plan, amended to modify Exhibit A to add a condition of approval with the following language "In order to accommodate a childcare center within the Active Use, the following options can be accommodated: (i) a fenced and secured open space is required for the childcare center based on state and/or licensing requirements, then this area cannot be included in the privately owned, publicly accessible open space acreage for park land credit; or (ii) if the open space within the privately owned, publicly accessible open space acreage can be shared with the childcare center, then this space can be included in the privately owned, publicly accessible open space acreage for park land credit."

4. Adopt Resolution No. 18735 of the City Council of the City of Mountain View Approving a Vesting Tentative Map to Create Up to 18 Lots, Up to 1,900 Residential Condominium Lots, and Up to 140 Vertical Subdivision Lots in a 40-Acre Master Plan Area Generally Located at the Northeast Corner of Ellis Street and East Middlefield Road and North of West Maude Avenue Between Logue Avenue and Clyde Avenue.

5. Adopt Resolution No. 18736 of the City Council of the City of Mountain View Ordering the Vacation of Street Right-of-Way and Public Easements within the Middlefield Park Master Plan on a 40-Acre Site Generally Located at the Northeast Corner of Ellis Street and East Middlefield Road and North of West Maude Avenue Between Logue Avenue and Clyde Avenue.

6. Adopt Resolution No. 18737 of the City Council of the City of Mountain View Declaring a Certain Segment of Logue Avenue to Be Exempt Surplus Land Pursuant to Government Code Section 54221(f)(1), Subsections (C) and (E) Upon the Vacation of Said Segment of Logue Avenue as a Public Street.

7. Adopt Resolution No. 18738 of the City Council of the City of Mountain View Approving a Park Land Dedication Credit for Up to 2.87 Acres of Privately Owned, Publicly Accessible Open Space in the Middlefield Park Master Plan Area, Located at the Northeast Corner of Ellis Street and East Middlefield Road and North of West Maude Avenue, Between Logue Avenue and Clyde Avenue.

The motion carried by the following roll call vote:

**Yes:** 6 - Councilmember Abe-Koga, Councilmember Kamei, Councilmember Lieber, Councilmember Matichak, Vice Mayor Showalter, Councilmember Ramirez

**Recused:** 1 - Mayor Hicks

**8. COUNCIL, STAFF/COMMITTEE REPORTS**

Councilmember Abe-Koga stated she attended community events. She stated she was elected president of the Cities Association of Santa Clara County Executive Board.

**9. CLOSED SESSION REPORT**

City Attorney Logue stated there was no Closed Session report.

**10. ADJOURNMENT**

At 9:48 p.m., Mayor Ramirez adjourned the meeting.

Approved on February 14, 2023.

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Alison Hicks, Mayor/President

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Heather Glaser, City Clerk/Secretary