

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW FINDING THAT ADOPTION OF THIS RESOLUTION AND THE ACTIONS TAKEN HEREIN ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND AUTHORIZING THE CITY MANAGER OR THEIR DESIGNEE TO (1) AMEND THE LEASE AGREEMENT WITH THE COUNTY OF SANTA CLARA (“COUNTY”) FOR SAFE PARKING AT SHORELINE AMPHITHEATRE LOT B TO EXTEND THE TERM THROUGH JUNE 30, 2025; (2) AMEND THE LEASE AGREEMENT WITH TERRA BELLA II, LLC, FOR SAFE PARKING AT 1020 TERRA BELLA AVENUE TO EXTEND THE TERM THROUGH DECEMBER 31, 2024; (3) AMEND THE SUBLEASE WITH THE COUNTY FOR SAFE PARKING AT 1020 TERRA BELLA AVENUE TO EXTEND THE TERM THROUGH DECEMBER 31, 2024 AND UPDATE THE REQUIRED TRANSITION PLAN; AND (4) AMEND THE LEASE AGREEMENT WITH THE COUNTY FOR SAFE PARKING AT 87 EAST EVELYN AVENUE TO EXTEND THE TERM THROUGH JUNE 30, 2026 AND ADD A REQUIRED TRANSITION PLAN

WHEREAS, the City owns property located at One Amphitheatre Parkway, Mountain View, commonly referred to as the Shoreline Amphitheatre; and

WHEREAS, on May 10, 2006, the City and Shoreline Regional Park Community entered into a Ground Lease with Live Nation Worldwide, Inc., for use of the Shoreline Amphitheatre and related parking lot (“Shoreline Ground Lease”); and

WHEREAS, on March 29, 2021 the Shoreline Ground Lease was amended to allow the City to use Shoreline Amphitheatre Lot B (“Shoreline Lot B”) for safe parking through December 31, 2022, with annual options to renew through December 31, 2025; and

WHEREAS, on June 11, 2019, the City Council adopted Resolution No. 18353, authorizing operation of a Safe Parking Program at Shoreline Lot B; and

WHEREAS, the City and the County of Santa Clara (“County”) entered into a lease agreement for use of Shoreline Lot B for safe parking, which expires June 30, 2024; and

WHEREAS, the City desires to amend the lease agreement with the County for safe parking at Shoreline Lot B to extend the term through June 30, 2025; and

WHEREAS, Terra Bella II, LLC, owns property located at 1020 Terra Bella Avenue, Mountain View, California; and

WHEREAS, on June 24, 2021, the City and Terra Bella II, LLC, entered into a lease agreement for use of the 1020 Terra Bella Avenue property (“Terra Bella Lot”) for safe parking, which expires June 30, 2024; and

WHEREAS, the City and the County entered into a sublease for use of the Terra Bella Lot for safe parking, which expires June 30, 2024; and

WHEREAS, the City desires to amend the lease agreement with Terra Bella II, LLC, to extend the term through December 31, 2024; and

WHEREAS, the City desires to amend the sublease agreement with the County for safe parking at the Terra Bella Lot to extend the term through December 31, 2024 and to update the required transition plan in anticipation of the closure of the lot due to a future affordable housing development at the site; and

WHEREAS, the Santa Clara Valley Transportation Authority (“VTA”) was the owner of property located at 87 East Evelyn Avenue, Mountain View (“Evelyn Lot”); and

WHEREAS, on May 7, 2019, the City Council authorized the City Manager to negotiate and execute a long-term ground lease with VTA for use of the Evelyn Lot for safe parking that included an option to purchase the Evelyn Lot; and

WHEREAS, VTA and City entered into a ground lease dated September 21, 2021, which authorized the City to use the Evelyn Lot for safe parking through September 21, 2023 and provided the City the option to purchase the Evelyn Lot; and

WHEREAS, the City elected to exercise its option to purchase the Evelyn Lot, and on June 16, 2023, the City closed escrow and became the owner the Evelyn Lot; and

WHEREAS, the City and the County entered into a lease agreement for use of the Evelyn Lot for safe parking, which expires June 30, 2024; and

WHEREAS, the City desires to amend the lease agreement with the County for safe parking at the Evelyn Lot to extend the term through June 30, 2026 and to add a required transition plan in anticipation of the closure of the lot due a future affordable housing development at the site; now, therefore, be it

RESOLVED: that the City Council of the City of Mountain View finds that the exceptions to the categorical exemptions set forth in California Code of Regulations Section 15300.2 are not applicable because use of the existing parking/vacant lots for the operation of temporary safe parking does not impose a significant cumulative impact over time as the use as a parking lot is generally unchanged, is not an unusual circumstance for a city in the Bay Area attempting to assist the homeless and unstably housed affected by the regional housing crisis, does not impact scenic or historical resources, and the existing parking/vacant lots are not hazardous waste sites; and be it

FUTHER RESOVLED: the City Council of the City of Mountain View finds that adoption of this Resolution, and the actions taken herein are exempt from the California Environmental

Quality Act (“CEQA”) pursuant to California Code of Regulations Section 15301, which provides a categorical exemption for the minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use; and be it

FURTHER RESOLVED: that the City Council of the City of Mountain View finds that adoption of this Resolution and the actions taken herein are exempt from CEQA pursuant to California Code of Regulations Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment; and be it

FURTHER RESOLVED: that the City Manager or their designee is authorized to amend the lease agreement with the County for safe parking at Shoreline Lot B to extend the term through June 30, 2025, and be it

FURTHER RESOLVED: that the City Manager or their designee is authorized to amend the lease agreement with Terra Bella II, LLC, for use of the Terra Bella Lot for safe parking to extend the term through December 31, 2024; and be it

FURTHER RESOLVED: that the City Manager or designee is authorized to amend the sublease with the County for safe parking at the Terra Bella Lot to extend the term through December 31, 2024, and update the required transition plan, and be it

FURTHER RESOLVED: that the City Manager or designee is authorized to amend the lease agreement with the County for safe parking at the Evelyn Lot to extend the term through June 30, 2026 and add the required transition plan; and be it

FURTHER RESOLVED: that this Resolution shall become effective immediately upon adoption.

PD/MS/1/RESO
626-06-11-24r