



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

February 08, 2022

Video Conference with No Physical Meeting Location

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

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.-REGULAR SESSION

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Mayor Ramirez led the Pledge of Allegiance.

3. ROLL CALL

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

4. CONSENT CALENDAR

Vice Mayor Hicks pulled Item 4.3 for individual consideration.

Councilmember Matichak pulled Item 4.3 for individual consideration.

The following member of the public spoke:

Bruce England discussed Items 4.1 and 4.3.

MOTION - M/S - Abe-Koga/Matichak - To approve the remainder of the Consent Calendar.

The motion carried, except for Item 4.3, by the following roll call vote:

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

4.1 Approve Minutes

Approve City Council meeting minutes of January 25, 2022.

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

Adopt Resolution No. 18641 of the City Council of the City of Mountain View Authorizing and Continuing Virtual Meetings of the City Council, Committees, Boards, and Commissions Pursuant to AB 361 and Making Required Findings.

4.3 Adoption of Legislative Platform for 2022

This item was pulled from the Consent Calendar by Vice Mayor Hicks and Councilmember Matichak for individual consideration.

The following member of the public spoke:

Peying Lee

The Council directed questions to staff.

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

1. Adopt the Legislative Platform to guide the City's regional, State, and Federal legislative advocacy efforts for 2022.
2. Adopt Resolution No. 18642 of the City Council of the City of Mountain View Amending City Council Policy A-16, Representing the City on Regional Boards or Other Bodies.
3. Direct staff to incorporate suggestions in the Legislative Platform submitted by Canopy that align with the City's sustainability priorities and goals, and change item G. 2. to read, "Support the enhancement of a reliable and sustainable water supply for California that protects and enhances Bay quality."

FRIENDLY AMENDMENT

Councilmember Matichak moved to amend the motion to change item G. 2. to read, "Support the enhancement of a reliable and sustainable water supply for California that protects and enhances the environment."

The maker and the seconder of the motion accepted the amendment.

The amended motion carried by the following roll call vote:

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

4.4 Rengstorff Park Aquatics Center Replacement, Project 18-38-Various Actions

1. Accept the bid withdrawal of the apparent low bidder, Thompson Builders Corporation, of Novato, for Rengstorff Park Aquatics Center Replacement, Project 18-38, without forfeiting its bid security on the basis that a material and clerical error was made in assembling the bid, as provided in Sections 5101 and 5103 of the California Public Contract Code.

2. Appropriate and transfer \$1,000,000 from the Park Land Dedication Fund (as detailed in Attachment 1 to the Council report) to Rengstorff Park Aquatics Center Replacement, Design and Construction, Project 18-38, for a total project budget of \$29,000,000. (Five votes required)

3. Award the construction contract for Rengstorff Park Aquatics Center Replacement, Design and Construction, Project 18-38, to Bobo Construction, Inc., for \$21,488,000, including a \$1,954,000 construction contingency.

4.5 Shuttered Venue Operators Grant Award

Accept \$338,368.95 in additional grant funds from the U.S. Small Business Administration Shuttered Venue Operators Grant program to reimburse the Center for the Performing Arts staff payroll expenses.

4.6 Increase Appropriations in the Fire Department for Reimbursement of Mutual-Aid Support-Monument Fire and Dixie Fire

Increase appropriations in the Fire Department for Strike Team reimbursements for the amount of overtime and travel expense reimbursement received for \$410,030.54 in overtime and \$6,189.01 in travel expenses for the Monument Fire, and \$281,308.51 in overtime and \$115.99 in travel expenses for the Dixie Fire. (Five votes required)

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

There were no public speakers.

6. PUBLIC HEARINGS

6.1 Residential Development Project at 555 West Middlefield Road

Mayor Ramirez disclosed he met with the applicant and visited the site with residents.

Councilmember Showalter disclosed she met with the applicant and residents.

Councilmember Abe-Koga disclosed she met with the applicant and residents and visited the site. Vice Mayor Hicks disclosed she met with the applicant and residents and visited the

site. Councilmember Kamei disclosed she met with the applicant and residents. Councilmember Matichak disclosed she met with the applicant and residents and visited the site. Councilmember Lieber disclosed she met with the applicant and residents and visited the site.

Project Planner Diana Pancholi presented the item. She indicated a modification to recommendation three listed in the Council report to add a condition of approval acknowledging four additional voluntary offers proposed by the applicant related to construction of the project. Assistant City Manager/Community Development Director Aarti Shrivastava and the City's Consultant John Schwarz were available for questions.

Joe Kirchofer, Vice President of Development for AvalonBay Communities made a presentation. Charlie Koch, Development Manager at AvalonBay was available for questions.

The Council directed questions to Joe Kirchofer and City staff.

The following members of the public spoke:

Rick Gosalvez, on behalf of Silicon Valley at Home, indicated support for the project.

Humberto Nava, on behalf of Local 9144.

Daniel Shane

James Kuzmaul from Mountain View indicated support for the project.

Bruce England, on behalf of Green Spaces Mountain View and the Mountain View Coalition for Sustainable Planning, indicated support for the project.

Kelli Fallon, on behalf of the Bay Area Council, indicated support for the project.

Kevin Ma from Mountain View.

Denley Rafferty from Mountain View indicated opposition to the project.

Shasha Zbrozek, a Mountain View property owner, indicated support for the project.

David Levin from Mountain View, on behalf of Cypress Point Woods Homeowners Association, indicated opposition to the project.

Kenneth Do, on behalf of Local 9144.

Ilya Gurin from Mountain View indicated support for the project.

Kelsey Banes from Mountain View, on behalf of Yes In My Back Yard Action, indicated support for the project.

Caller

Corey Smith, on behalf of the Housing Action Coalition, indicated support for the project.

Gita Dev, on behalf of the Sierra Club Loma Prieta Chapter Sustainable Land Use Committee.

Salim Damerджи from Mountain View indicated support for the project.

David Watson from Mountain View indicated support for the project.

Silja Paymer from Mountain View, on behalf of Green Spaces Mountain View.

Daniel Hulse from Mountain View indicated support for the project.

Dee from Mountain View.

Evan Adams indicated support for the project.

Terrie Rayl from Mountain View.
Annette Lin from Mountain View indicated support for the project.
Christopher Peri from Mountain View.
Elsa Laue from Mountain View.
Doug Chesshire, on behalf of Local 405, indicated opposition to the project.
Hala Alshahwany from Mountain View indicated opposition to the project.
Raiza Singh, on behalf of Mountain View Yes In My Back Yard, indicated support for the project.
Kristine Keller from Mountain View indicated opposition to the project.
Vince Rocha, on behalf of the Silicon Valley Leadership Group, indicated support for the project.
Nicholas from Mountain View indicated support for the project.
Tim MacKenzie from Mountain View.
Robert Cox
Steve Peters from Mountain View.
Brittney Shannon from Mountain View indicated opposition to the project.
Kayla Hardie from Mountain View.
Sean Raley from Mountain View.
Peter Katz, on behalf of the Mountain View Chamber of Commerce, indicated support for the project.
Sayo Nomura from Mountain View.
Maria Zheng from Mountain View indicated opposition to the project.
Diane from Mountain View indicated opposition to the project.
Roberto Aguilera, on behalf of Local 9144.
James Rodriguez, on behalf of Local 405, indicated opposition to the project.
April Webster from Mountain View indicated support for the project.
Khowe from Mountain View.
Chris Palomo indicated opposition to the project.
Peying Lee, on behalf of Canopy.
Caller, on behalf of Local 405, indicated opposition to the project.
Alex from Mountain View indicated opposition to the project.
Alex G. from Mountain View indicated support for the project.
Leona K. Chu
Caller, on behalf of Local 405.
Simin Li from Mountain View.
Filipp Shpomer from Mountain View.
Eric Chan from Mountain View.
Jane Whinnery from Mountain View indicated opposition to the project.
Karen Fontana from Mountain View indicated support for the project.
Lily Keung from Mountain View indicated opposition to the project.
Twila Loft from Mountain View indicated opposition to the project.
Shaily Bhargav from Mountain View indicated opposition to the project.
Bill Walsh from Mountain View indicated opposition to the project.
Eli Robles, on behalf of Local 9144.

Dooley Family from Mountain View indicated opposition to the project.

Eddie Keating indicated support for the project.

Ashley Davie from Mountain View indicated opposition to the project.

Alex Brown indicated support for the project.

Shishir from Mountain View indicated opposition to the project.

Jean Pierre Simons

At 10:03 p.m., Mayor Ramirez recessed the meeting. The meeting reconvened at 10:10 p.m. with all Councilmembers present.

The Council directed questions to Joe Kirchofer, Charlie Koch and City staff.

MOTION

Councilmember Abe-Koga moved to continue the item to a date uncertain, and direct staff to explore options, including the potential for a reduction in project unit count, for reducing project parking requirements and saving more heritage trees and require window upgrades and air filtration in existing units before new construction begins.

SUBSTITUTE MOTION - M/S - Showalter/Lieber - To:

Adopt a Resolution of the City Council of the City of Mountain View Certifying the 555 West Middlefield Road Project Final Environmental Impact Report, Adopting California Environmental Quality Act Findings Related to Environmental Impacts, Mitigation Measures, and Alternatives and Adopting a Statement of Overriding Considerations, Mitigation Measures, and a Mitigation, Monitoring, and Reporting Program.

Councilmember Matichak seconded the main motion.

FRIENDLY AMENDMENT

Councilmember Lieber moved to amend the substitute motion to continue the remainder of the Council report recommendations to a date uncertain, and direct staff to explore parking reduction or relocation to save heritage trees.

The substitute motion maker did not accept the amendment.

SUBSTITUTE MOTION AMENDMENT

Councilmember Showalter amended the substitute motion to add:

1. Adopt a Resolution of the City Council of the City of Mountain View Approving a General Plan Amendment to Add a New High-Low Density Residential Land Use Designation and Making Related Text Amendments and an Amendment to the General Plan

Land Use Map for the Property Located at 555 West Middlefield Road from Medium-Density Residential to High-Low Density Residential.

2. Adopt a Resolution of the City Council of the City of Mountain View, amended to add a condition of approval acknowledging four additional voluntary offers proposed by the applicant related to construction of the project, Approving a Planned Community Permit and Development Review Permit to Allow a 323-Unit Addition to an Existing 402-Unit Residential Development with Three New Subterranean Garages, New Amenity Building/Leasing Office, and New 1.34-Acre Public Park; and a Heritage Tree Removal Permit to Remove 57 Heritage Trees at 555 West Middlefield Road.

3. Adopt a Resolution of the City Council of the City of Mountain View Approving a Vesting Tentative Map to Create Three Lots with up to 111 Condominium Units at 555 West Middlefield Road.

The substitute motion seconder accepted the amendment.

FRIENDLY AMENDMENT

Councilmember Lieber moved to amend the substitute motion to read:

1. Adopt a Resolution of the City Council of the City of Mountain View Certifying the 555 West Middlefield Road Project Final Environmental Impact Report, Adopting California Environmental Quality Act Findings Related to Environmental Impacts, Mitigation Measures, and Alternatives and Adopting a Statement of Overriding Considerations, Mitigation Measures, and a Mitigation, Monitoring, and Reporting Program.

2. Continue the remainder of the Council report recommendations to a date uncertain, and direct staff to explore parking reduction or relocation to save heritage trees.

The substitute motion maker did not accept the amendment.

The amended substitute motion failed by the following roll call vote:

Yes: 2 - Councilmember Showalter, Mayor Ramirez

No: 4 - Councilmember Abe-Koga, Councilmember Kamei, Councilmember Matichak, Vice Mayor Hicks

Abstain: 1 - Councilmember Lieber

The Council returned to the main motion.

FRIENDLY AMENDMENT

Councilmember Lieber moved to amend the main motion to exclude direction to staff to

explore the potential for a reduction in project unit count as a method of reducing project parking requirements and saving more heritage trees.

The maker of the main motion did not accept the amendment.

In response to Project Planner Diana Pancholi, Councilmember Abe-Koga agreed the main motion would be to continue the item to a date uncertain and direct staff to explore the potential reduction in the project parking requirement, with the option to reduce unit counts if needed, to save more heritage trees, bring back a revised multi-modal transportation analysis, and explore whether it is feasible to require window upgrades in existing units before new construction begins.

The main motion failed by the following roll call vote:

Yes: 2 - Councilmember Abe-Koga, Councilmember Matichak

No: 5 - Councilmember Kamei, Councilmember Lieber, Councilmember Showalter, Vice Mayor Hicks, Mayor Ramirez

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

1. Adopt Resolution No. 18643 of the City Council of the City of Mountain View Certifying the 555 West Middlefield Road Project Final Environmental Impact Report, Adopting California Environmental Quality Act Findings Related to Environmental Impacts, Mitigation Measures, and Alternatives and Adopting a Statement of Overriding Considerations, Mitigation Measures, and a Mitigation, Monitoring, and Reporting Program.
2. Direct staff to explore the potential reduction in the project parking requirement to save more heritage trees and bring back a revised multi-modal transportation analysis.

The motion carried by the following roll call vote:

Yes: 5 - Councilmember Kamei, Councilmember Lieber, Councilmember Showalter, Vice Mayor Hicks, Mayor Ramirez

No: 2 - Councilmember Abe-Koga, Councilmember Matichak

MOTION

Mayor Ramirez moved to continue the meeting beyond 10:00 p.m.

SUBSTITUTE MOTION

Councilmember Abe-Koga moved to continue the meeting beyond 10:00 p.m., hear Item 7.2 before Item 6.2 and continue Item 7.1 to the February 22 City Council meeting.

Councilmember Showalter seconded the substitute motion.

The substitute motion carried by the following roll call vote:

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

7. NEW BUSINESS

7.2 Appointment of City Attorney and Authorization to Execute Employment Agreement with Jennifer Logue

Human Resources Director Sue Rush presented the item.

Jennifer Logue made remarks.

There were no public speakers.

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

1. Appoint Jennifer Logue to serve as City Attorney for the City of Mountain View and authorize the Mayor to execute an employment agreement with Ms. Logue.
2. Adopt a revised salary plan to reflect the updated compensation for the City Attorney classification.

The motion carried by the following roll call vote:

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

6.2 601-649 Escuela Avenue and 1873 Latham Street Mixed-Use Project

Mayor Ramirez disclosed he participated in a community meeting at which the applicant made a presentation. Councilmember Matichak, Vice Mayor Hicks, Councilmember Kamei, Councilmember Showalter, Councilmember Abe-Koga and Councilmember Lieber all separately disclosed they visited the site.

Senior Planner Ellen Yau presented the item. Kurt Anderson from Anderson Architects made a presentation. Public Works Director Dawn Cameron was available for questions.

The Council directed questions to Kurt Anderson and City staff.

The following members of the public spoke:

Bruce England, on behalf of the Mountain View Coalition for Sustainable Planning,

indicated support for the project.

Tim MacKenzie indicated support for the project.

Alex Gutierrez indicated support for the project.

Amy

The Council directed questions to City staff.

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

1. Adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring or Reporting Program for the Escuela Avenue Mixed-Use Project, pursuant to the California Environmental Quality Act (Attachment 1 to the Council report).
2. Adopt Resolution No. 18644 of the City Council of the City of Mountain View Amending the General Plan Land Use Map from Medium-Density Residential to Mixed-Use Corridor for the Property Located at 1873 Latham Street.
3. Introduce an Ordinance of the City of Mountain View Amending the Zoning Map from the R3-2.5 (Multi Family Residential) Zoning District to P(38) (El Camino Real Precise Plan) for the Property Located at 1873 Latham Street, to be read in title only, further reading waived, and set a second reading for March 8, 2022 (Attachment 3 to the Council report).
4. Adopt Resolution No. 18645 of the City Council of the City of Mountain View Amending the El Camino Real Precise Plan to Incorporate the Property at 1873 Latham Street Within the Plan Area.
5. Adopt Resolution No. 18646 of the City Council of the City of Mountain View Conditionally Approving a Planned Community Permit and a Development Review Permit to Construct a New Three-Story, Mixed-Use Residential Project Consisting of 25 Apartment Units, 2,400 Square Feet of Ground-Floor Commercial, and One Level of Underground Parking and a Provisional Use Permit for Rooftop Amenities Above the Third Floor Located at 601-649 Escuela Avenue and 1873 Latham Street.

The motion carried by the following roll call vote:

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

NEW BUSINESS (Continued)

7.1 Fiscal Year 2021-22 Midyear Budget Status Report and Adjustments, Strategic Roadmap Action Plan Update, and Fiscal Year 2022-23 Preliminary General Operating Fund Forecast

This item was continued to the February 22 City Council meeting.

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

8. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Lieber discussed referring the issue of natural gas usage to the Council Environmental Sustainability Subcommittee.

At 1:28 a.m. on Wednesday, February 9, Councilmember Kamei left the meeting.

Councilmember Abe-Koga discussed having the Silicon Valley Clean Energy make a presentation on reach codes to the Council Environmental Sustainability Subcommittee.

Vice Mayor Hicks stated she would speak with staff on the best timing for bringing the items to the Council Environmental Sustainability Subcommittee.

Councilmember Matichak stated she attended a County of Santa Clara Airport Land Use Commission meeting.

9. CLOSED SESSION REPORT

Interim City Attorney Quinn stated there was no Closed Session report.

10. ADJOURNMENT

At 1:35 a.m. on Wednesday, February 9, Mayor Ramirez adjourned the meeting.