



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

Kimbra McCarthy, City Manager
Krishan Chopra, City Attorney
Silvia Vonderlinden, Interim City Clerk

April 13, 2021

Video Conference with No Physical Meeting Location

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

This meeting was conducted in accordance with State of California Executive Order N-29-20, dated March 17, 2020. All members of the City Council participated in the meeting by video conference, with no physical meeting location.

4:00 P.M.-CLOSED SESSION

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

Mayor Kamei called the meeting to order at 4:00 p.m.
All Councilmembers present.
City Attorney Chopra disclosed the two items under Closed Session.
There was no public comment.

2. CLOSED SESSION

2.1 Conference with Labor Negotiators (Government Code Section 54957.6) - Agency Designated Representatives: City of Mountain View Assistant City Manager Audrey Seymour Ramberg, Human Resources Director Sue Rush and Charles Sakai - Sloan Sakai Yeung and Wong LLP; Employee Organizations: Service Employees International Union (SEIU), Local 521; the EAGLES Association; the Police Officers Association (POA); the International Association of Firefighters (IAFF), Local 1965; Unrepresented Fire Managers; Unrepresented Police Managers; Unrepresented Department Heads; and Unrepresented Confidential Employees

2.2 Conference with Legal Counsel-Formally Initiated Litigation (Government Code Section 54956.9); Name of case: City of Mountain View v. Chevron U.S.A., Inc., et al., Superior Court of California, County of Santa Clara, Case No. 19CV352107

The Closed Session ended at 4:45 p.m.

5:00 P.M.-STUDY SESSION

1. CALL TO ORDER

Mayor Kamei called the Study Session to order at 5:00 p.m.

2. ROLL CALL

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

3. STUDY SESSION**3.1 R3 (Multiple-Family Residential) Zoning District Update**

Advanced Planning Manager Martin Alkire made a presentation to Council and said that Assistant City Manager/Community Development Director Aarti Shrivastava was also present. Tony Perez and Stefan Pellegrini, the consultants with Opticos Design, responded to Council questions and comments.

Public Comment

Jeff Gilman

Robert Cox

Ellis Berns

Tim MacKenzie

Philip Cosby, Cafecito at St. Athanasius

Yuju Park, Silicon Valley@Home

Souja Pamer

Alex Brown

David Watson

Nazanin Dashtara

Advanced Planning Manager Martin Alkire provided additional information. City Manager McCarthy and Assistant City Manager/Community Development Director Aarti Shrivastava responded to Council questions.

Council provided comments and direction to staff.

The Study Session concluded at 7:25 p.m. and the City Council took a 10-minute break.

6:30 P.M.-REGULAR SESSION**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor Kamei called the meeting to order at 7:35 p.m. and led the Pledge of Allegiance.

2. ROLL CALL

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

3. PRESENTATIONS**3.1 National Volunteer Appreciation Week Proclamation**

Mayor Kamei read the proclamation.

Public Comment

Tim MacKenzie

3.2 Certificate of Recognition to Kammy Lo in Recognition of Cal Cities Women's Caucus Women of Persistence 2021 Award

Ms. Kammy Lo received a certificate of recognition and was grateful for the honor.

Public Comment

Alex Brown

3.3 COVID-19 Update by City Manager Kimbra McCarthy

City Manager McCarthy provided the update.

4. CONSENT CALENDAR

Vice Mayor Ramirez pulled agenda item 4.3.

Councilmember Matichak pulled agenda item 4.10.

Councilmember Hicks made comments regarding agenda item 4.2.

City Attorney Chopra noted that no material changes could be made to the ordinance on 4.2 since this was a second reading.

Councilmember Matichak stated she would vote no on 4.1 (Minutes approval) and Councilmember Lieber said she would abstain.

Public Comment

Alex Brown

Peter Katz, Chamber of Commerce

Tim MacKenzie

Miriam C.

MOTION - M/S Ramirez/Showalter to approve the balance of the Consent Calendar except for items 4.3 and 4.10.

Motion carried by the following roll call vote:

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

No: 1- Councilmember Matichak on item 4.1

Abstained: 1- Councilmember Lieber on item 4.1

4.1 Approve Minutes

Approve City Council meeting minutes of March 23, 2021; November 5, 2019; October 15, 2019; June 25, 2019; May 21, 2019; May 14, 2019; April 30, 2019; April 2, 2019; March 26, 2019, and March 19, 2019.

Councilmember Matchak stated that she would be voting no on agenda item 4.1 (Minutes approval), and Councilmember Lieber said she would be abstaining on the same item.

4.2 Park Land Dedication or Fees In Lieu Thereof Ordinance Amendments (Second Reading)

Adopt Ordinance No. 3.21 of the City of Mountain View Amending Chapter 41 (Park Land Dedication or Fees In Lieu Thereof Ordinance) of the Mountain View City Code Relating to Park Land Dedication, to be read in title only, further reading waived (Attachment 1 to the Council report). (First reading: 5-2; Hicks, Showalter no)

4.3 Street Reconstruction Project (Park Drive, Park Court, and Sonia Way), Project 19-48-Appropriate and Transfer Funds, Approve Plans and Specifications, and Authorize Bidding

1. Appropriate and transfer from the following funds to Street Reconstruction Project (Park Drive, Park Court, and Sonia Way), Project 19-48 (five votes required):

- a. \$1,000,000 from Street Reconstruction, Project 20-45;
- b. \$360,000 from the Gas Tax Fund;
- c. \$720,000 from the Vehicle License Fee Fund; and
- d. \$190,000 from Measure B 2016 Sales Tax Fund.

2. Approve plans and specifications for Street Reconstruction Project (Park Drive, Park Court, and Sonia Way), Project 19-48, and authorize staff to advertise the project for bids.

3. Authorize the City Manager to award a construction contract to the lowest responsible bidder if the bid is within the project budget.

There was discussion on agenda item 4.3 and a suggestion to approve the item with vertical curves. Public Works Director Dawn Cameron provided input and explained the impacts.

Public Comment
Alexander Brown
Tim MacKenzie

MOTION - M/S Ramirez/Hicks to approve agenda item 4.3 using vertical curves (five votes required).

Roll call vote on the motion.

Yes: 4 - Councilmember Hicks, Councilmember Lieber, Councilmember Showalter, Vice Mayor Ramirez

No: 3 - Councilmember Abe-Koga, Councilmember Matichak, Mayor Kamei

Motion does not gain sufficient votes to pass.

MOTION - M/S Ramirez/Showalter to approve agenda item 4.3 with personal commentary on the matter from Vice Mayor Ramirez.

Motion carried by the following roll call vote:

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

4.4 Appointments to the Public Safety Advisory Board and Rental Housing Committee

1. Approve by motion the appointment of seven members to the Public Safety Advisory Board.

2. Adopt Resolution No. 18545 of the City Council of the City of Mountain View Appointing Members and an Alternate to the Rental Housing Committee, to be read in title only, further reading waived (Attachment 1 to the Council report).

4.5 Resolutions Temporarily Suspending Certain Requirements for Sidewalk Café License Renewals Pursuant to Mountain View City Code Section 36.42 and Waiving Sidewalk Café License Renewal Fee Payments Payable May 1, 2020 through April 30, 2022 to Facilitate a Consistent Outdoor Dining Program in the Downtown Area and Extending the Castro Street Closure

1. Adopt Resolution No. 18546 of the City Council of the City of Mountain View Temporarily Suspending Certain Requirements for Sidewalk Café License Renewals Pursuant to Mountain View City Code Section 36.42 and Waiving Sidewalk Café License Renewal Fee Payments Payable May 1, 2020 through April 30, 2022 to Facilitate a Consistent Outdoor Dining Program in the Downtown Area, to be read in title only, further reading waived (Attachment 1 to the Council report).

2. Adopt Resolution No. 18547 of the City Council of the City of Mountain View Amending Resolution No. 18470, as Amended By Resolution Nos. 18489 and 18496, Temporarily Suspending and Designating Parking Restrictions and Prohibitions Pursuant to Mountain View City Code Chapter 19 and Temporarily Closing the 100, 200, 300, and 400 Blocks of Castro Street Pursuant to California Vehicle Code Section 21101 to Facilitate Outdoor Dining and Outdoor Business Operations, to be read in title only, further reading waived (Attachment 2 to the Council report).

4.6 Authorization of Two Midyear Capital Improvement Program Projects-525 East Evelyn Park and 1720 Villa Park

1. Approve a midyear Capital Improvement Program project, 525 East Evelyn Park, and transfer and appropriate \$455,000 from the Park Land Dedication Fund to the new project.

(Five votes required)

2. Approve a midyear Capital Improvement Program project, 1720 Villa Park, and transfer and appropriate \$440,000 from the Park Land Dedication Fund to the new project. (Five votes required)

4.7 Annual Water and Sewer Main Replacements, Projects 19-21 and 19-22, and Miramonte Avenue Water Main Replacement, Project 21-21-Authorize Design Services

1. Authorize the City Manager to execute a professional services agreement with BKF Engineers of Redwood City to provide civil engineering services for Annual Water and Sewer Main Replacements, Projects 19-21 and 19-22, in a not-to-exceed amount of \$740,000.

2. Authorize the City Manager to execute a professional services agreement with BKF Engineers of Redwood City to provide civil engineering services for Miramonte Avenue Water Main Replacement, Project 21-21, in a not-to-exceed amount of \$285,000.

4.8 Lot 12 - Appropriation of Predevelopment Funding

1. Appropriate \$1,000,000 in the Community Development Department, Below-Market-Rate Housing Fund for predevelopment costs for the development of Lot 12, and authorize the City Manager to enter into an agreement with the selected joint developer team of Related and Alta Housing for the use of the predevelopment funds. (Five votes required)

2. Appropriate an additional \$300,000 in the Community Development Department, Below-Market-Rate Housing Fund for staff time, environmental, parking, and other special studies necessary to complete the entitlement review of this project. (Five votes required)

4.9 Approve Site License Agreement and Construction at Shoreline Amphitheatre

1. Authorize the City Manager to consent to and approve the Site License Agreement between Live Nation and Boingo Wireless, including future minor amendments to the Site License Agreement.

2. Approve the request of Live Nation, Lessee, at 1 Amphitheatre Parkway, to construct and install a Distributed Antenna System.

4.10 San Antonio Mini-Park, Project 20-48-Approve Conceptual Plan and Select Name for Park

1. Approve the recommended conceptual plan for San Antonio Mini-Park, Project 20-48.

2. Select Fayette Park as the name for the new park on Fayette Drive and rename the current Fayette Park to Fayette Greenway.

Consent Calendar item pulled by Councilmember Matichak:

MOTION - M/S Matichak/Ramirez to include (for when the item returns to Council, and for Council consideration) a 2% option (for public art) along with the 1% option.

Public Works Director Dawn Cameron, and Assistant City Manager/Community Development Director Aarti Shrivastava, confirmed staff had no concerns.

There was no public comment.

The motion carried by the following roll call votes:

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

4.11 Amend Engineering Services Contract with Telstar Instruments, Inc.

Authorize the City Manager to amend the on-call electrical and mechanical engineering services contract with Telstar Instruments, Inc., for utility and landfill control system services, increasing compensation by \$30,000, for a total contract not-to-exceed amount of \$245,000.

4.12 San Antonio Water Main Replacement, Project 21-21-Approve Emergency Project and Authorize Bidding

1. Adopt Resolution No. 18548 of the City Council of the City of Mountain View Deeming the Replacement of a Section of a Water Main on San Antonio Road of Urgent Necessity and Authorizing Award of Contract to the Lowest Responsible Bidder with Reduced Advertisement and Bidding Requirements Pursuant to Mountain View City Charter Section 1107, to be read in title only, further reading waived (Attachment 1 to the Council report). (Five votes required)

2. Approve plans and specifications for San Antonio Water Main Replacement, Project 21-21, and authorize staff to solicit bids pursuant to Mountain View City Charter Section 1107.

4.13 Live Nation Lease Amendment and LifeMoves Parking License Agreement

1. Acting as the City Council and Shoreline Regional Park Community Board, authorize the City Manager to amend the lease agreement with Live Nation related to the use of Shoreline Lot B to extend the safe parking use and authorize off-site parking for Project Homekey through December 31, 2022, and 2021, respectively, with options to extend on an annual basis through 2025, and authorize the City Manager to execute future minor amendments related to the site plan as needed for these programs.

2. Acting as the City Council and Shoreline Regional Park Community Board, authorize the City Manager to execute a license agreement with the nonprofit organization LifeMoves for the use of a designated portion of the Shoreline Lot B for Project Homekey off-site parking through December 31, 2022, with options to extend on an annual basis through 2025, and

authorize the City Manager to execute future minor amendments related to the site plan as needed.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Tim MacKenzie

Bruce England

Albert Jeans with a presentation

6. PUBLIC HEARINGS

6.1 Minor General Plan, Precise Plan, and Zoning Amendments

Principal Planner Eric Anderson presented the report with Assistant City Manager/Community Development Director Aarti Shrivastava, who was available to answer questions.

Mayor Kamei opened the public hearing.

No public comment.

Mayor Kamei closed the public hearing.

Council comments and questions.

MOTION - M/S Ramirez/Matichak to approve the item.

1. Adopt Resolution No. 18549 of the City Council of the City of Mountain View Approving General Plan Text Amendments Related to Densities and Intensities and Street Typologies and General Plan Land Use Map Amendments at 1141 West El Camino Real, 173-175 Santa Clara Avenue, and 2254 Wyandotte Street to be Consistent with the Zoning Map, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Introduce an Ordinance of the City of Mountain View Amending the Zoning Map for the Properties Located at 250 East Dana Street, 300-320 Moorpark Way, 709-711 Vaquero Drive, and 2254 Wyandotte Street to be Consistent with the General Plan Land Use Map, to be read in title only, further reading waived, and set a second reading for May 11, 2021 (Attachment 2 to the Council report).
3. Adopt Resolution No. 18550 of the City Council of the City of Mountain View Amending the P-38 (El Camino Real) Precise Plan to Modify the Character Area at 615 South Rengstorff Avenue from Residential-Only to Medium-Intensity Corridor to be Consistent with the General Plan Land Use Map, to be read in title only, further reading waived (Attachment 3 to the Council report).

Motion carried by the following roll call votes:

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

6.2 Introduce an Ordinance Prohibiting Possession of Firearms on City Property

Senior Deputy City Attorney, Megan Maverich, presented the staff report. Police Chief Hsiung was also available.

Mayor Kamei opened the public hearing.

Don Veith

Tim MacKenzie

Rachel Michelson

Kelly Traver

Miriam C

Mayor Kamei closed the public hearing.

Council discussion and questions. City Attorney Chopra responded to Council questions related to an expanded ordinance. City Manager McCarthy agreed that the expanded ordinance could be addressed at the meeting of April 27, 2021.

MOTION - M/S Abe-Koga/Showalter to:

Introduce an Ordinance of the City of Mountain View Adding Article V to Chapter 38 of the Mountain View City Code Relating to Firearms on City Property (to be read in title only, further reading waived, and set second reading for April 27, 2021)

Motion carried by the following roll call votes:

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

MOTION - M/S Abe-Koga/Ramirez to add safe storage for staff evaluation and for discussion on April 27, 2021.

Motion carried by a (unanimous) show of hands:

6.3 1255 Pear Avenue

By a (unanimous) show of hands all Councilmembers disclosed they had contact with the applicant and/or visited the site.

Advanced Planning Manager Martin Akire, presented the staff report. Tim Steele, Senior Vice President of Sobrato Organization addressed the City Council.

Mayor Kamei opened the public hearing.

Tim MacKenzie

Alex Brown

Mayor Kamei closed the public hearing.

Council questions and comments.

Assistant City Manager/Community Development Director Aarti Shrivastava, as well as Tim

Steele responded to questions.

MOTION - M/S Showalter/Hicks to approve the item with the following amendments to the Resolution for the Planned Community Permit:

1. Adopt Resolution No. 18551 of the City Council of the City of Mountain View Conditionally Approving Modifications to a previously approved planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit for a Mixed-Use Development Consisting of a 231,210 Square Foot Office Building and 635 New Multi-Family Residential Units, Retaining an Existing 156,317 Square Foot Office Building and Demolishing an Existing 103,513 Square Foot Industrial Building and the Removal of 84 Heritage Trees on a 16.2-Acre Site Bounded by La Avenida, Inigo Way, Space Park Way, and Santiago Villa Mobile Home Park (1255 Pear Avenue), to be read in title only, further reading waived (Attachment 1 to the Council report).

2. Adopt Resolution No. 18552 of the City Council of the City of Mountain View Conditionally Approving Modifications to a previously approved Tentative Map at 1255 Pear Avenue, to be read in title only, further reading waived (Attachment 2 to the Council report).

3. Addition of items as described per the City Attorney and with the following amendments to the Resolution for the Planned Community Permit:

Option 1 – Add Planning Condition:

Condition No. 5 – Office Occupancy

A certificate of occupancy for the new office building shall not be granted until after the building permit for the Phase 1 residential building has been issued and construction commenced.

AND comments per City Attorney Chopra to include the following revision to Public Works Condition #190 as follows: Revision to Condition No. 11 (renumbered from Condition No. 10) - Public Works Condition #190 in the original Planned Community Permit – SHORELINE BOULEVARD/HIGHWAY 101 (NB) OFF-RAMP (T-16) AND PLYMOUTH STREET REALIGNMENT (T-5) GATEWAY CAPACITY REQUIREMENTS:

“...Because of the above conditions, if occupancy of the office occurs prior to completion of the off-ramp realignment AND the trip-cap is exceeded after two consecutive monitoring events, then: the applicant shall fund a congestion pricing study up to \$1 million or make an equivalent contribution to the City for transportation improvements.”

Motion carried by the following roll call votes:

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

7. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Lieber asked that Council consider taking a position to support two bills

(SB 90 and AB 1416). City Manager McCarthy said that this can be achieved by aligning it with the current Workplan's legislative bills.

By straw vote, the Council consensus was unanimous.

Councilmember Matichak would like to refer to the CPPC (Council Policy and Procedures Committee) Policy K-5 regarding 1% for public art. She wants to refer 2% of a construction project towards public art, modifying the current 1% policy, and expanding it to include 2%.

By straw vote, the Council consensus was unanimous.

Councilmember Matichak participated in the Santa Clara County Airport Land Use Commission meeting. Councilmember Matichak also attended the Silicon Valley Regional Interoperability Authority meeting and reported on watching the most recent Monta Loma Working Group meeting. Councilmember Matichak would like to find out more about Mr. Jeans' tree removal concerns as she too would like to save the trees. Public Works Director Dawn Cameron said staff provided a response to his correspondence. Ms. Cameron provided details reiterating that staff will make every attempt to save the trees.

Vice Mayor Ramirez participated in the Valley Transportation Authority PAC meeting as an Alternate.

Councilmember Lieber was appointed by the ABAG Executive Committee to serve on the governing Board of the San Francisco Bay Restoration Authority.

Councilmember Abe-Koga attended the Valley Transportation Authority Board meeting.

Mayor Kamei attended the Cities Association Legislative Action Committee meeting.

Councilmember Hicks referred to a letter sent to the FAA (Federal Aviation Administration) regarding aircraft noise policy and research efforts.

8. CLOSED SESSION REPORT

City Attorney Chopra said there was no report.

9. ADJOURNMENT

Mayor Kamei adjourned the meeting at 9:58 p.m.

Silvia Vonderlinden
Interim City Clerk

Respectfully submitted for approval at the City Council meeting of April 27, 2021.