



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

Kimbra McCarthy, City Manager  
Krishan Chopra, City Attorney  
Heather Glaser, City Clerk

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September 14, 2021

Video Conference with No Physical Meeting Location

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## REGULAR CITY COUNCIL MEETING

**This meeting was conducted in accordance with State of California Executive Order N-29-20, dated March 17, 2020 and State of California Executive Order N-08-21, dated June 11, 2021. All members of the City Council participated in the meeting by video conference, with no physical meeting location.**

### **5:00 P.M.-CLOSED SESSION**

At 5:05 p.m., Mayor Kamei called the meeting to order.

#### **1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)**

City Attorney Chopra announced the item listed for Closed Session.

There were no public speakers.

At 5:07 p.m., Mayor Kamei recessed the meeting to Closed Session with all Councilmembers present.

#### **2. CLOSED SESSION**

- 2.1 Public Employee Performance Evaluation (California Government Code 54957(b)(1) -Title: Council Appointee: City Attorney; and Conference with Labor Negotiators (California Government Code 54957.6(a))-Agency Designated Representative: Vice Mayor Ramirez; Unrepresented Employee: City Attorney; and Public Employee Appointment (California Government Code 54957(b)(1)) - Title of Position: City Attorney**

At 6:18 p.m., Closed Session concluded.

### **6:30 P.M.-REGULAR SESSION**

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

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

Mayor Kamei led the Pledge of Allegiance.

## 2. ROLL CALL

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

## 3. PRESENTATIONS

There were no public speakers.

### 3.1 2021 Pacific Gas and Electric Company Community Wildfire Safety Program Update

Daniel Cedeño, Pacific Gas and Electric Company Government Relations Representative and Kevin Conant, Pacific Gas and Electric Company Senior Public Safety Specialist presented the update.

### 3.2 Santa Clara Valley Water District Update on the Drought Emergency

Don Rocha, Santa Clara Valley Water District Deputy Administrative Officer of Government Relations and Gary Kremen, Santa Clara Valley Water District Board of Directors Vice Chair presented the update. Public Works Director Dawn Cameron and Water Resources Manager Elizabeth Flegel were available for questions.

The Council directed questions to City staff and Gary Kremen.

### 3.3 Suicide Prevention Month Proclamation

Mayor Kamei presented the proclamation to William Blair, Mountain View-Los Altos High School District Wellness Coordinator.

## 4. CONSENT CALENDAR

Councilmember Matichak pulled Item 4.2 from the Consent Calendar for individual consideration.

There were no public speakers.

MOTION - M/S - Showalter/Abe-Koga - To approve the balance of the Consent Calendar.

The 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

### 4.1 Approve Minutes

Approve the City Council meeting minutes of August 24, 2021.

**4.2 El Camino Real Pedestrian and Bicycle Improvement, Projects 20-61 and 22-29-Variou Actions**

1. Authorize the City Manager or designee to execute a cooperative agreement with the California Department of Transportation for El Camino Real Pedestrian and Bicycle Improvement, Projects 20-61 and 22-29, for a not-to-exceed total contribution from the City of Mountain View of \$6,700,000.
  
2. Authorize the City Manager or designee to execute a 2016 Measure B Bicycle and Pedestrian Capital Projects Competitive Grant Program Funding Agreement with Santa Clara Valley Transportation Authority for El Camino Real Pedestrian and Bicycle Improvement, Projects 20-61 and 22-29.
  
3. Adopt a Resolution of the City Council of the City of Mountain View to Remove On-Street Parking Along Portions of State Route 82, El Camino Real, in Conjunction with the El Camino Real Pedestrian and Bicycle Improvement Project, to be read in title only, further reading waived (Attachment 1 to the Council report).
  
4. Support the Los Altos City Council approving the removal of on-street parking along El Camino Real, between Rengstorff Avenue and Cesano Court, to install new bicycle facilities in conjunction with the Caltrans repaving project.

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

Public Works Director Cameron was available for questions.

The Council directed questions to City staff.

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

1. Authorize the City Manager or designee to execute a cooperative agreement with the California Department of Transportation for El Camino Real Pedestrian and Bicycle Improvement, Projects 20-61 and 22-29, for a not-to-exceed total contribution from the City of Mountain View of \$6,700,000.
  
2. Authorize the City Manager or designee to execute a 2016 Measure B Bicycle and Pedestrian Capital Projects Competitive Grant Program Funding Agreement with Santa Clara Valley Transportation Authority for El Camino Real Pedestrian and Bicycle Improvement, Projects 20-61 and 22-29.
  
3. Adopt Resolution No. 18599 of the City Council of the City of Mountain View to Remove On-Street Parking Along Portions of State Route 82, El Camino Real, in Conjunction with the El Camino Real Pedestrian and Bicycle Improvement Project, to be read in title only, further reading waived (Attachment 1 to the Council report).

4. Support the Los Altos City Council approving the removal of on-street parking along El Camino Real, between Rengstorff Avenue and Cesano Court, to install new bicycle facilities in conjunction with the Caltrans repaving project.

The 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

#### **4.3 San Antonio Water Main Replacement, Project 21-21-Accept Construction**

Accept San Antonio Water Main Replacement, Project 21-21, and authorize the final contract payment.

#### **4.4 Approval of Recommendation for the League of California Cities Annual Conference Resolutions for 2021**

1. Adopt recommended positions regarding the League of California Cities Annual Conference Resolution for 2021.
2. Authorize the City's voting delegate/alternate to cast a vote at the League of California Cities Annual Conference to reflect the position adopted by the City Council.

#### **4.5 257-279 Calderon Avenue, 100 and 420-430 Ferguson Drive—Accept Public Improvements**

1. Accept the public improvements for the development at 257-279 Calderon Avenue for maintenance throughout their useful lives.
2. Accept the public improvements for the development at 100 and 420-430 Ferguson Drive for maintenance throughout their useful lives.

#### **4.6 Letter to the San Francisco Airport Community Roundtable Supporting the Expansion of Roundtable Membership to Include the City of Mountain View**

Authorize the Mayor to submit a letter to the San Francisco Airport Community Roundtable supporting the expansion of Roundtable membership to include the City of Mountain View.

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

Bruce England  
Albert Jeans  
Vishal Mishra  
Seema Bhat

### **6. PUBLIC HEARING**

#### **6.1 Rowhouse Development at 570 South Rengstorff Avenue**

Vice Mayor Ramirez, Councilmember Matichak, Councilmember Showalter,

Councilmember Abe-Koga and Mayor Kamei disclosed each met with the applicant.

Assistant City Manager/Community Development Director Aarti Shrivastava presented the report. Applicants Kevin DeNardi and Albert Wang from DeNardi Wang Homes also presented.

Planning Manager/Zoning Administrator Stephanie Williams, Senior Planner Carolyn Fahey, Community Stabilization and Fair Rent Act Program Manager Anky van Deursen, Eric Phillips from the firm Burke, Williams & Sorensen, LLP, the City's Special Counsel for Rent Stabilization Matters, as well as other members of the applicant team, Robert Lee, Lee Rosenblat, Megan Alferness and Eddie Beckhusen were available for questions.

The Council directed questions to the applicant team, City staff and Eric Phillips.

The following members of the public spoke:

Jackie Cashen from Mountain View  
Jonah Mann from Mountain View  
Emily Ann Ramos, on behalf of Silicon Valley At Home.  
Alex Brown indicated opposition to the item.  
Salim Damerdji indicated opposition to the item.  
Eddie Keating indicated opposition to the item.  
Reyna Dominguez

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

1. Adopt Resolution No. 18600 of the City Council of the City of Mountain View Conditionally Approving a Planned Unit Development Permit and Development Review Permit to Construct an 85-Unit Rowhouse Development to Replace 70 Apartment Units and a Heritage Tree Removal Permit to Remove 38 Heritage Trees, and Finding the Project to be Exempt from Review Under the California Environmental Quality Act Pursuant CEQA Guidelines Section 15332 ("Infill Development Projects") at 570 South Rengstorff Avenue, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Adopt Resolution No. 18601 of the City Council of the City of Mountain View Conditionally Approving a Vesting Tentative Map to Create 11 Lots and Seven Common Lots for Condominium Purposes, and Finding the Project to be Exempt from Review Under the California Environmental Quality Act Pursuant to CEQA Guidelines Section 15332 ("Infill Development Projects") at 570 South Rengstorff Avenue, to be read in title only, further reading waived (Attachment 2 to the Council report).

The Council directed questions to City staff, Kevin DeNardi and Matthew Francois, Rutan & Tucker, LLP.

The motion carried by the following roll call vote:

**Yes:** 4 - Councilmember Abe-Koga, Councilmember Matichak,  
Councilmember Showalter, Mayor Kamei

**No:** 3 - Councilmember Hicks, Councilmember Lieber, Vice Mayor Ramirez

## 7. UNFINISHED BUSINESS

### 7.1 Introduction of an Ordinance Enacting Mobile Home Rent Stabilization

City Attorney Chopra made opening remarks. Eric Phillips from the firm Burke, Williams & Sorensen, LLP, Special Counsel for Rent Stabilization Matters for the City presented the report.

The Council directed questions to Eric Phillips and City Attorney Chopra.

The following members of the public spoke:

Cory Wolbach, on behalf of Silicon Valley at Home, indicated support for the ordinance.

Tim MacKenzie from Mountain View indicated support for rent control.

Doug Johnson, on behalf of Western Manufactured Housing Communities Association, indicated opposition to rent control and support for a mobile home park memorandum of understanding.

Chris Chian indicated support for the ordinance.

Tim Larson indicated support for rent control and opposition to a mobile home park memorandum of understanding.

Beelia

Salim Damerджи indicated support for the ordinance.

Kevin Ma indicated support for the ordinance.

Alex Brown indicated support for the ordinance.

Frank Kalcic indicated opposition to rent control and support for a mobile home park memorandum of understanding.

Joho, Silicon Valley Chapter of the Democratic Socialists of America, indicated support for the ordinance.

Anna Marie indicated support for the ordinance.

## MOTION

Councilmember Matichak moved to introduce on first reading an Ordinance of the City of Mountain View Enacting Mobile Home Rent Stabilization, replacing the exemption with a memorandum of understanding similar to the one adopted in Sunnyvale, which would also apply to mobile home renters.

## SUBSTITUTE MOTION

Councilmember Showalter moved to introduce on first reading an Ordinance of the City of Mountain View Enacting Mobile Home Rent Stabilization, without the accord exemption

referenced in Section 46.4 of the ordinance.

Councilmember Abe-Koga seconded the original motion.

Councilmember Hicks seconded the substitute motion.

The Council discussed the substitute motion.

#### FRIENDLY AMENDMENT

Councilmember Lieber moved to amend the substitute motion to: 1) introduce on first reading an Ordinance of the City of Mountain View Enacting Mobile Home Rent Stabilization, as presented in the Council Report; and 2) direct staff to bring back: a) emergency protection from eviction until the ordinance effective date; b) amendments to the Tenant Relocation Assistance Ordinance process to provide relocation protections to those evicted without fault; and c) tenants right of return to units added to the market that had previously been removed from the market.

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

The Council discussed the substitute motion as amended.

#### FRIENDLY AMENDMENT

Councilmember Abe-Koga moved to amend the amended substitute motion to alter the accord to be between the mobile home park owner and the City, in a form approved by the City Council at a later date.

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

The Council discussed the substitute motion as amended.

#### FRIENDLY AMENDMENT

Vice Mayor Ramirez moved to amend the amended substitute motion to: 1) change the roll back date to May 21, 2019; 2) reduce the allowable rent increase after a vacancy from 10% to the Consumer Price Index; and 3) require the accord to be ratified by each resident of a mobile home park.

The maker and seconder accepted the second and third amendments proposed by Vice Mayor Ramirez.

The Council discussed the substitute motion as amended.

Eric Phillips clarified an approved accord would apply to both renters of mobile home park spaces and mobile home park homes. He stated Section 46.4(d) of the ordinance would be amended to read, "A mobile home park that is subject to an accord shall be temporarily exempt from the provisions of this chapter so long as the accord is in effect." He stated the definition of "accord" would be amended to read, "A written agreement between the park owner and the City, the form of which has been adopted by the City Council and approved by all residents in a mobile home park."

#### FRIENDLY AMENDMENT

Councilmember Abe-Koga moved to amend the amended substitute motion to require the accord to be ratified by 80% of the residents of a mobile home park.

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

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

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

**No:** 1 - Councilmember Matichak

MOTION - M/S - Ramirez/Showalter - At 11:38 p.m., to continue the meeting beyond 10:00 p.m.

The motion carried by the following roll call vote:

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

**No:** 2 - Councilmember Hicks, Councilmember Matichak

## 8. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Abe-Koga discussed Silicon Valley Clean Energy Authority Board rates. She stated the Cities Association of Santa Clara County would discontinue fiscal sponsorship of the Santa Cruz/Santa Clara Counties Airport/Community Roundtable at the end of 2021.

Councilmember Showalter discussed National League of Cities Energy, Environment and Natural Resources Committee resolutions that would be considered at the upcoming City Summit.

Mayor Kamei stated she attend a Valley Transportation Authority Policy Advisory Committee meeting and a Cities Association of Santa Clara County Legislative Action Committee meeting.

**9. CLOSED SESSION REPORT**

City Attorney Chopra stated there was no Closed Session report.

**10. ADJOURNMENT**

At 11:43 p.m., Mayor Kamei adjourned the meeting.

Approved on \_\_\_\_\_.

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Ellen Kamei, Mayor

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Heather Glaser, City Clerk