

City Council Questions

March 22, 2022 Council Meeting

ITEM 4.2 Resolution Opposing the Taxpayer Protection and Government Accountability Act

1. Has this initiative already qualified to be on the ballot in November?

As of today, the initiative has not qualified for the November ballot. Proponents of the initiative must submit 997,139 valid signatures to the California Attorney General by April 29, 2022 in order to qualify for the November 2022 ballot.

ITEM 4.3 2021 General Plan Annual Progress Report

1. Will someone be doing a final review of this report to correct typos, errors, etc. before it is submitted?

Staff has attached a revised report with corrections to the typos. This updated version will be sent to the Governor's Office of Planning and Research (OPR) on March 28th as noted in the staff report.

2. An issue that is coming up more frequently is trees. Where and when are we going to discuss our canopy and how to increase/protect our trees during the drought?

The Community Services Department is currently working on a scheduled 5-year update to the Community Tree Master Plan (CTMP). Staff has been working with the consultant that created the CTMP to complete the update. A tree canopy and land cover assessment summary report will be completed as part of the update. The summary report will include Mountain View's total canopy percentage, canopy health and historic changes to the canopy. The update will also include a Story Map with a priority planting plan for a focused way to increase our tree canopy coverage. Staff anticipates bringing a draft of the updated Plan for review by the Parks and Recreation Commission (PRC) in June 2022. Depending on feedback from the PRC and progress on related work plan items, staff anticipates bringing this to Council in the fall.

Protecting trees during the drought is another important issue as we head towards another dry summer. For City trees, staff purchased water gator bags for watering newly planted trees and those with less access to regular irrigation water. The gator bags apply water at a slow rate to soak the root ball during drought conditions. The City's Forestry Division is also finalizing a Tree Technical Manual with a section dedicated to Best Management Practices for tree care with watering recommendations to help educate the public. This document was developed in collaboration with the non-profit Canopy – an organization dedicated to planting and caring for trees. Canopy has been a great partner and resource related to caring for trees, including during a drought. This document will be available on the City's website soon.

The City is also working on a related project, to develop a Biodiversity Strategy to assist with landscaping standards and ordinances for City and private property. The strategy will help guide decisions related to species that will withstand climate change and aid in the preservation and rewilding of our urban forest for a more sustainable environment. Staff anticipates having a consultant team to start on this project later this year.

3. What sorts of assistance are we getting from Silicon Valley Clean Energy related to protect our housing stock and assist with conversion to higher efficiency and electrification?

Silicon Valley Clean Energy (SVCE) offers several programs that assist residents with energy efficiency upgrades and electrification of their existing homes. These programs are also available to multifamily property owners wishing to do larger-scale retrofits to rental properties.

- The FutureFit Program offers rebates for the replacement of natural gas water heaters with efficient, electric heat pump water heaters
- SVCE's eHub Appliances Assistant provides residents with resources about switching from natural gas to electric appliances and directs residents to where they can purchase electric water heaters, space heaters, dryers, cooktops, and more. There is a \$50 reward for residents who purchase induction cooktops through the eHub.
- SVCE's website contains lists of contractors that can help residents with electrification work
- The Solar+Battery Assistant connects residents with an independent energy expert to explore their options for rooftop solar and batteries from local installers. If adding a battery to their home requires a main panel upgrade, they can get \$1,000 off the installation cost.

Additional resources for home electrification are also available through BayREN.

ITEM 4.5 2021 Housing Element Annual Progress Report

1. The Annual Progress Report (Attachment 2, page 2) provides the net new units in the 570 S Rengstorff development, but the gross number in the Gamel Way/Escuela Ave development. Should the demolished units in the Gamel Way project be reflected in the unit count?

Yes. Staff reviewed Attachment 2 and made a few updates. Table A is meant to show the gross number of units approved by the City and does not subtract demolished units. Table A2 is meant to show the net increase of units. The attached tables are updated to show the correct numbers. Staff would like to note that these corrections do not change the RHNA progress.

Table A corrections:

- 570 Rengstorff Ave (new total – 85 units)
- 773 Cuesta Dr (new total – 4 units)
- 198 Easy St (new total – 5 units)

Table A2 corrections:

- 1919, et al, Gamel Way (new total - 92 units)
- 294-296 Tyrella Ave (new total - 10 units)

ITEM 4.6 McKelvey Park Detention Basin, Project 14-54 - Various Actions

1. Did RHAA Design have experience designing ballparks, prior to being retained to design McKelvey?

Valley Water led the design and construction of the McKelvey Park Flood Control Project which included the selection of the design team for the project. The main consultant of the project was a civil engineering firm (Mott MacDonald) and RHAA was a subconsultant. It is staff's understanding that RHAA has experience designing ballparks, however this project is not typical with the field being located significantly below the level of the bleachers.

2. If Valley Water paid for the original cost of design and construction of McKelvey, why are they not paying the total cost of fixing the sight lines issues, including the design and construction?

As noted by Valley Water, both agencies (Valley Water and City) approved the design and, with this approval, RHAA met their contractual obligation. In addition, Valley Water has stated that they had to increase their project budget to pay higher construction costs due to project schedule delays. Through discussions with Valley Water staff over the past few months regarding the bleacher sight line issue and the roles each agency played in the design approval process, Valley Water agreed to cost share these improvements. City staff recommends that Council approve the cost sharing arrangement so that the bleacher slight line issue can be resolved as quickly as possible.

ITEM 6.1 Council Appointee Request For Housing Assistance

1. The program that is available for non-department heads has never been used. Is that true? How long has it been in place?

The original program for employees was first established in 2009 and has never been used. The current program revisions were adopted in 2019.

2. Is it true that the loan from the City cannot be "subordinate" to any other loans? Doesn't this preclude an employee from using this program unless they have the funding on hand (cash or loan from a family member) for the balance of the cost of the property?

In the current policy, the restriction that the loan cannot be "subordinate" applies to Council Appointees and Department Heads (not All Employees or First Responders) who are eligible for either 25% or 75% of the Mountain View median home price or sales price, depending on the location of the house they purchase. For employees who are eligible for a maximum of \$250,000, the policy is silent on whether the City's loan can be subordinate, and for those eligible for a maximum of \$500,000 (if home is within a 5 mile radius for first responders), it is also silent on this issue. As a practical matter, there are few, if any, mortgage lenders that are willing to take a subordinate loan position for their loan, thereby, making it extremely difficult to take advantage of the City's program.

Since staff has learned about the challenges presented by this provision, staff will be reviewing the policy further and will bring recommended updates to the Council Policies and Procedures Committee for review.

ITEM 6.2 Recycled Water Feasibility Study Update, Project 18-71

1. What is the percent mix of highly treated water to untreated recycled water to get water at the desired salinity? For example, if you use 1.125 MGD of highly treated water, how many MGD of untreated recycle water is needed?

Salinity in recycled water is typically expressed in parts per million (ppm) of total dissolved solids (TDS). The current recycled water TDS is at about 900 ppm and the best range for landscaping is 400-600 ppm. Blending at a 1:1 ratio of highly treated to regularly treated recycled water will reduce the TDS to the range of 400-600 ppm. The Phase 1 project will produce 1.125 MGD of highly treated water, which will provide a total of 2.25 MGD once blended with 1.125 MGD of regularly treated recycled water.

2. Did the city get any notice of the change to one of the guiding principles related to the SWP tax fund was on the agenda of a Valley Water Board meeting? Was it on the agenda for a Water Commission meeting?

Staff did not receive notice of the change in the guiding principles for the SWP tax fund and is not aware of this item being discussed in a Water Commission meeting.

3. Does NASA have access to any recycled water at the present time? If so, what is the source?

NASA currently uses recycled water in the eastern area of their site (east of the airfield), mainly at a golf course, provided by the City of Sunnyvale. The Bayview project site in NASA is almost fully connected to receive recycled water from Mountain View. Staff is working with NASA on a recycled water service agreement that will eventually need approval via the City Council and Local Agency Formation Commission of Santa Clara County (LAFCO).

4. If demand (and supply) can be dramatically increased in the future, will the proposed pipes and pumps be able to handle the volume?

The proposed pipes and pumps will be sized to deliver the projected maximum demand of recycled water use based on the estimated growth projections in the General Plan and the North Bayshore and East Whisman Precise Plans. If the City proceeds to complete the recycled water system in the North Bayshore, staff plans to conduct another system size assessment before expanding to other areas in the City.

5. What is included in Necessary Subsequent Alternatives in Table 3 on page 17?

Necessary Subsequent Alternatives in Table 3 references total capital cost for each East Whisman expansion alternative (2, 3, and 4) inclusive of Alternative 1, which is proposed to be completed first. For example, the total capital cost for Alternative 2 is \$68.8 million, which consists of \$27.4 million for Alternative 1 (North Bayshore Area Expansion) plus \$41.4 million for Alternative 2 (expansion to East Whisman via NASA).

6. What is the supplemental evaluation referenced at the top of page 20 in the staff report?

Upon completion of the North Bayshore expansion (Alternative 1), staff proposes to conduct a supplemental evaluation to analyze the recycled water system and reassess demands and infrastructure needs in the East Whisman area to take into account any land use changes or other factors that may affect consumption before proceeding with further development of the expansion into East Whisman.

7. Have we approached our state representatives about funding for the advanced water purification system?

Neither Mountain View nor Palo Alto staff have approached our state representatives about funding for this project. However, as discussed in the response below, Palo Alto is applying for grants and loans to help cover the cost of the project.

8. There is a tremendous amount of funding in the Bipartisan Infrastructure Bill. What aspects are being considered to cover the cost overruns for this facility which is clearly so important for our water supply resilience against Climate Change?

Staff is actively staying apprised of state and federal funding opportunities for recycled water projects. RPPG, the City's legislative consulting firm, is helping to identify sources of potential funding for City projects as well as support the City in grant applications. The City is also a member of the Western Recycled Water Coalition, which keeps staff apprised of bills and opportunities specifically for recycled water projects. As staff understands it, the majority of funding for recycled water type projects from the Bipartisan Infrastructure Bill are given to federal agencies such as the EPA and the US Bureau of Reclamation to administer and disseminate for state and local projects.

Last week, staff submitted a grant application for the U.S. Bureau of Reclamation's WaterSMART Title XVI Water Reclamation and Reuse Program requesting \$1.24 million for the City's two recycled water projects next fiscal year. The City of Palo Alto also submitted an application for the same grant with a letter of support from Mountain View, requesting \$12.9 million to help fund the Advanced Water Purification System project. Reclamation's Title XVI program is slated to award \$240 million this year, the majority of which comes from the Bipartisan Infrastructure Bill. Funding is slated to be available for the next four years, so staff will assess the City's position to apply for additional grants each year. Palo Alto is also requesting to increase their State Revolving Fund loan amount from the State Water Resources Control Board (from the EPA) due to the increased cost of the Advanced Water Purification System project.

9. Figure 2 on page 6 is missing some labels indicating the locations of Alternatives 1 and 2.

A revised Figure 2 with the labels added is attached.

ITEM 7.1 California Senate Bill 9-Text Amendments to Chapter 28 (Subdivisions) and Chapter 36 (Zoning) of the City Code and Other Minor Text Amendments

1. Must flag lots legally have a 16 foot strip to access a back lot or can that access driveway be more narrow?

No, the access driveway would likely require an approximate width of 10'-6" to 11'-0" to allow only for a 9-foot standard driveway and fences. However, the 16-foot width developed for R1 flag lot development allows for the driveway as well as a landscape strip for trees and fences. This standard has been developed to make development more compatible in neighborhoods and staff therefore proposes to retain this requirement.

2. Why do houses have to be 800 sqft if people want smaller ones? Can we legally reduce that sqft requirement?

Under SB 9, cities must allow construction of units up to 800 square feet in size, regardless of any development standard that would be exceeded (for example, floor area ratio or FAR). The Municipal Code has been amended to allow this. However, applicants could propose units less than 800 square feet in size if they comply with building code requirements.

3. Please provide clarity on the issue of street side setback on corner lots. Is the staff report saying that the house or houses on corner lots can be much closer to the street than the houses next door that are not on corner lots?

The current zoning code requires a minimum 15' side setback along the street side for a single-family home on a corner lot. Lots that are not on corner lots are allowed smaller side setbacks of between five to seven feet depending on the lot size. SB 9 prohibits cities from requiring more than a four-foot side setbacks regardless of whether they are a corner or interior lot.

4. Why do parking spaces have to be covered? Is this a state legal requirement?

The City could allow the required parking for a DUO development to be uncovered. Staff proposes to maintain the existing requirement of one covered parking space for each unit in the R1 district. It should also be noted that SB 9 that allows the parking requirement to be waived if certain criteria are met (proximity to high-quality transit corridor or major transit stop, or if within one block of a car-share vehicle parking space) and the draft ordinance reflects these exceptions.

5. The staff report says "The provision of additional dwelling units and subdivisions under the proposed text amendments to align with SB 9 could result in higher assessed property values and marginal increases in property tax revenue to the City." Please tell me more about that.

As properties are redeveloped or improved under the provisions of SB 9, they will be reassessed by the Santa Clara County Assessor and their assessed value will likely increase based on the new improvements or additional units. An increase in assessed value of a property would lead to additional tax revenue to the City. Staff does not anticipate that development under SB 9 would generate substantial tax revenue to the City.

6. The staff report says, "No prior lot split. The lot to be subdivided shall not be a lot that was established through a prior urban lot split." Many lots in Mountain View were formed through prior urban lot splits. Does this criteria applies only to subdivisions under SB9, in other words newly minted Urban Lot Splits?

The proposed ordinance amendments establish a new "Urban Lot split" process to address SB 9. The restriction noted above refers only to lots that are created through this new "Urban Lot split" process. Previous subdivisions that were not created as "Urban Lot splits and were subject to regular subdivision requirements in the past may be eligible to be further subdivided if they meet all the other criteria required per SB 9.

7. Can we require that new homes built using SB9 must underground their utilities?

No, SB 9 prohibits the requirement of off-site public improvements including undergrounding of utilities.

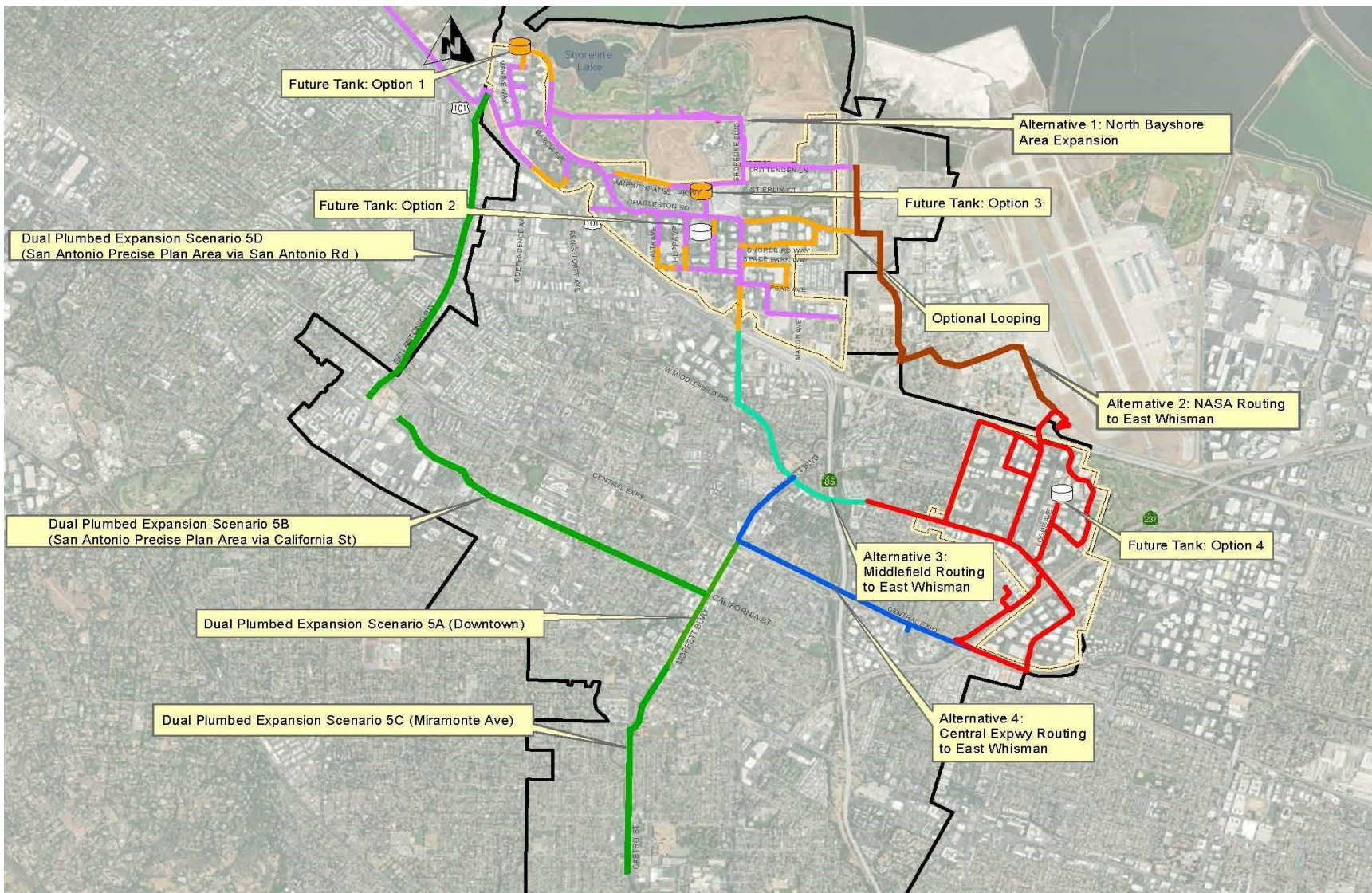


Figure 2: Recycled Water Expansion – All Alternatives