

## Council Questions

### February 27, 2024 – City Council Meeting

#### ITEM 4.5 Public Art Approval for Evelyn Park, Project 21-60

1. Given the height and placement of the butterflies, how much of the tops of the butterflies will be seen by people in the park?

The tops of the butterflies will be visible from a distance. The top of the butterfly is a solar panel that is harnessing energy for LED lights located underneath the panels. The solar panels will have a decal over the top of the panel in the form of a monarch butterfly. The highest butterfly will be approximately 25 feet in the air with the lowest butterfly approximately 10 feet in the air.

2. What is the underside of the butterflies trying to show? What is the material?

The underside of the butterflies (solar panels) are LED lights that are angled to face the ground and will display patterns of migrating butterflies. As individuals pass underneath the butterfly structure, it will be as if they are seeing butterflies in the sky when they look up.

3. Where are the migration patterns in the art? Are they on the ground? If so, are they painted/etched/etc.?

The pattern is a visual display using colored LED lights intending to show butterflies migrating/flying over the park. The lights will create a fluttering effect that will represent the butterflies. The color light from the LEDs will not be projected on the ground. The visual display will be viewed from underneath the butterflies' structures. The cement pad that anchors the structure will also include stamped butterfly impressions.

4. The VAC briefly discussed the dark skies ordinance that is being developed. Would this art need to be changed in any way to be compliant with a dark skies ordinance?

The LED lights are facing downward and can be programmed to be dimmed or turn off at a certain time and therefore can align with a future dark skies ordinance.

#### ITEM 4.6 Public Art Approval for Rengstorff Park Maintenance and Tennis Buildings Replacement, Project 21-48

1. Why did the VAC seek the feedback of the YAC and the SAC on the public art for the art on the new buildings at Rengstorff Park?

When Project 21-48, Rengstorff Park Maintenance and Tennis Buildings Replacement, came to the Visual Arts Committee (VAC) for developing a call for artists, VAC members discussed the proximity of the park to both the Mountain View Senior and Teen Centers. The VAC thought it would be good to get input from stakeholders and therefore suggested the artists solicit themes from both the Senior and Youth Advisory Committees. A call for artists was issued outlining that a selected artist(s) would meet with both the Senior and Youth Advisory Committees to discuss themes.

The VAC selected Harumo Sato and Fernanda Martinez and both artists heard themes and feedback from both Committees to shape the design concepts that VAC reviewed and is recommending to City Council.

#### **ITEM 4.7 Annual Report of the Investment Review Committee for Fiscal Year 2022-23**

1. What is the City's policy with respect to Environmental, Social and Corporate Governance Investment?

Please see Section 6 of the City's Investment Policy, Council Policy B-2, which can be found [here](#).

#### **ITEM 4.9 Fayette Park, Project 20-48 - Construction Acceptance**

1. At the opening of Fayette Park, there was discussion about tilting the flower shade structure so that it provided shade in the afternoon rather than the morning. Has this change been made? If not, will it be possible to make this change?

After reviewing the installation specifics of the flower shade structure, staff noted that tilting the shade structure would require rotating the entire structure at the base connection with the foundation. The base is bolted to a foundation approximately 1 foot below the surface and a concrete seat wall is constructed on top of the concrete foundation under the structure. Rotation of the structure would require significant disruption to the park due to the need to demolish the concrete seat wall and base, as well as added costs for this work. For these reasons, staff has not pursued efforts to rotate the structure. Please see the image below:



**ITEM 6.1 Fiscal Year 2023-24 Midyear Budget Status Report and Adjustments, Fiscal Years 2023-25 Council Work Plan: Six-Month Project Updates, and Fiscal Year 2024-25 Preliminary General Operating Fund Forecast**

1. How much is in the Open Space Acquisition Reserve? How much is in SPAR?

The Open Space Acquisition Reserve has a balance of \$3.5M and SPAR has an estimated balance of \$17.5M as of June 30, 2024, not including the proposed transfer from the midyear budget update.

2. Can staff share why the recommendation is to transfer \$3 million to the Open Space Acquisition Reserve and not to SPAR? Could funding in SPAR be used also for the acquisition of open space?

The General Fund Open Space Acquisition Reserve is to acquire open space to meet the needs of the City, and the General Fund Strategic Property Acquisition Reserve is to set aside specific funds for the City to use to acquire strategic properties. Staff Recommends \$3M to the Open Space Acquisition Reserve because potential upcoming property purchases are specifically for open space use. In addition, staff believes the Open Space Acquisition Reserve balance of \$3.5M is currently insufficient given the current cost of land in Mountain View.

3. Can staff share the new performance and workload measures?

The new performance measures are currently being developed by every department with the help of a consultant and the City Manager and Budget Team is still reviewing the drafts. The final version of the new measures will be included in the Recommended Budget for Council review. Staff will also include updates on the current workload and performance measures with the Recommended Budget.

4. In the Work Plan Update attachment, the report mentions that the Council provided feedback on the draft Economic Vitality Strategy on “September 26, 2023, and January 23, 2024.” I don’t remember a session on January 23, 2024. Is this an error?

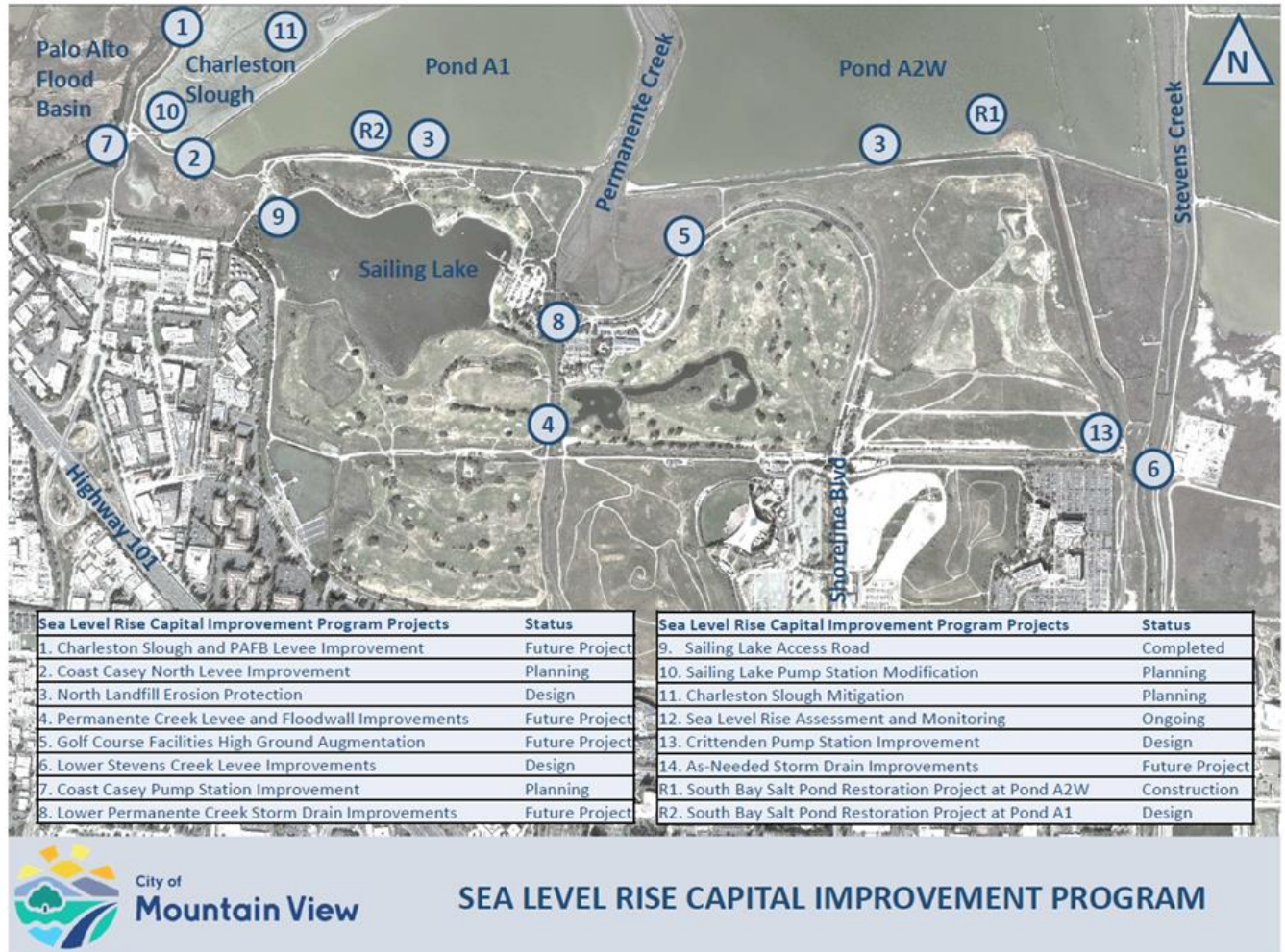
Staff anticipated having a follow up study session on the Economic Vitality Strategy with City Council on January 23, 2024. The study session was rescheduled for April 23, 2024; therefore, the reference to January 23, 2024, was an inadvertent error.

5. Also in the Work Plan Update attachment, the report mentions that staff plans to bring the R3 zoning district update to EPC in “Q1 2024 and as a Council Work Session in Q4 2024.” This previously was scheduled to go to Council in Q2 2024. Why is there a significant delay between EPC and Council hearings?

Staff will hold a Study Session with the EPC on the R3 Project in March 2024 and with the Council in April 2024. Staff will then return to the EPC and Council in Q4 2024 or Q1 2025 for additional direction on the project.

6. It seems like the sea level rise projects are moving at a slow pace. What is the rationale for the timing of implementing the sea level rise projects? Can they be done more quickly?

The following figure summarizes the status of the projects in the Sea Level Rise Capital Improvement Program.



The priority and schedule to implement the projects in the Sea Level Rise Capital Improvement Program are based on several factors including:

- Projected sea level elevation that triggers a project to manage flood risk;
- Opportunities to collaborate and leverage regional efforts;
- Need to address existing infrastructure improvement needs;
- Project sequencing to streamline construction and minimize adverse temporary impacts;
- Need to meet environmental regulatory permitting requirements; and
- Available resources including funding and staff capacity.

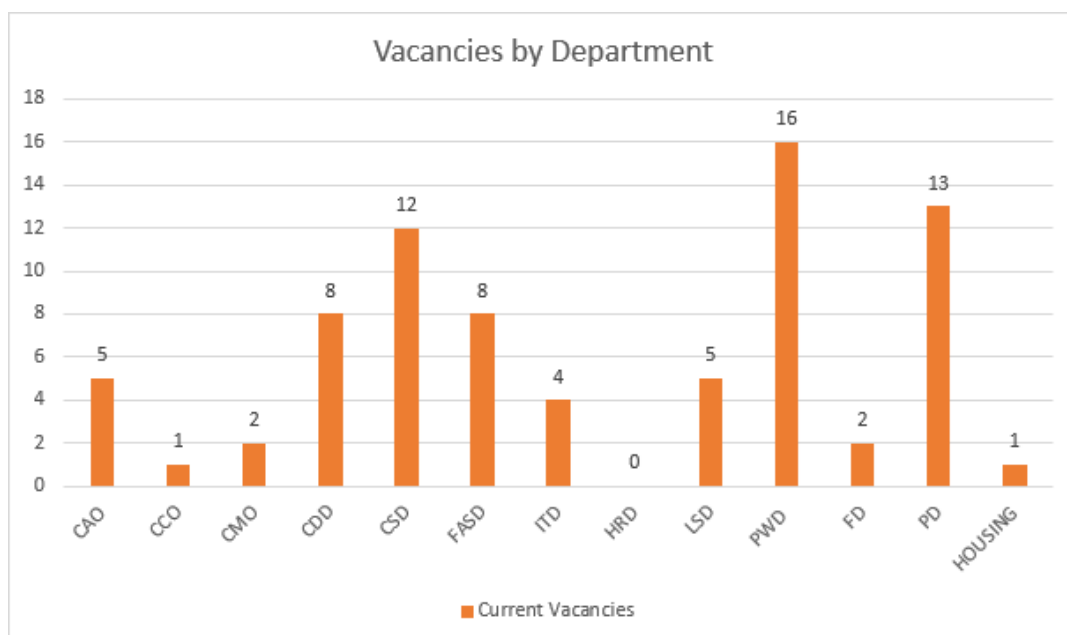
In addition, the implementation plan needs to minimize the City's exposure to infrastructure management risk. Sea level rise projection is an evolving science influenced by our improved understanding of climate change impacts, new observation data, and regional policy planning and guidance. Early project implementation could increase the risk of less optimum design and reduce a project's usable service life. Late implementation increases flood risk in the City and potentially increases construction costs. The current implementation plan is based on the balance of these factors. Staff continues to manage, monitor, and evaluate the implementation plan, to efficiently execute the projects and maintain the existing infrastructure.

Updates on current active projects include:

- On September 12, 2023, City Council approved design agreements with two engineering firms for the design work of the Lower Stevens Creek Levee Improvement (Project 6) and the Crittenden Pump Station Improvement (Project 13). Design work on these two projects is underway.
- City Council approved a Memorandum of Agreement with the California State Coastal Conservancy on January 23, 2024, for the design and construction of the erosion control levee and Bay Trail work associated with Pond A2W (Project R1). The design work is 60% complete.
- The U.S. Fish and Wildlife Service and California State Coastal Conservancy's South Bay Salt Pond Restoration Project's material import and construction at Pond A2W is expected to continue this year.
- Staff are in discussions with the California State Coastal Conservancy for a new agreement for the levee work at Pond A1 (Project R2).
- Staff are working on the design to replace six tide gates at the northern end of Charleston Slough (not shown in the figure).
- Staff are developing an integrated solution to address sea level rise, coastal flood risk vulnerability, and habitat restoration needs in the Coast Casey area. The approach will combine multiple projects in the area to minimize environmental and construction impacts, and leverage partnerships with local and regional stakeholders.

7. What is the number of vacancies by department if the total is 77?

The 77 vacancies by department reported are as follows.



We are actively working to fill our current 77 vacancies, with 37 recruitments underway. It's important to remember that some of these recruitments address multiple openings resulting in recruitments in progress intended to fill current and anticipated vacancies.

8. Recology pays penalties for missed pickups. How many missed pickups have they had by year, and what is the total dollar amount of the penalty by year?

The Recology contract does allow the City to assess penalties if the contractor fails to achieve the specified performance measures and levels. To date, the City has not assessed penalties. The performance measure for missed pickups are set at less than 150 per month, and penalties are set at \$100 per event over 150 once the City provides Recology a notice. A notice of intent to assess penalties needs to be provided by the City to allow the contractor an opportunity to remedy and respond before the City makes a determination to assess a penalty. Staff needs more time to collect and provide the performance data for the current Fiscal Year as some data is missing from Recology's computer system outage in fall 2023. For the Fiscal Year 2021-22 and 2022-23 the average monthly missed pick-ups was 141 and 293, respectively, but is combined with both missed pickups from Recology and customer service issues (i.e. carts not placed out on time, blocked carts, etc.). Staff will be working with Recology to identify missed pickups separately from customer service issues. Recology recently hired a new General Manager and staff will be reviewing with them past contractual performance issues so they may have an opportunity to resolve in a timely manner prior to the City providing Recology a notice of intent.

9. The parental leave program was originally positioned as a pilot program. How will this program be evaluated in order to determine if it should be a permanent program?

Staff's intent for this new pilot program is to review the utilization and program parameters as well as funding in the first few years. This data will inform staff's recommendation regarding establishment of an ongoing paid parental leave program proven to meet the needs of employees and goals of the organization.

10. Why has the adopted budget for contract services for plan checking/inspections been steady for 5 years when actuals have been so much higher in each of those 5 years? And why has the adopted budget for this category declined over the past 10 years in light of actuals almost always being above budget?

Since development is based on economic factors and activities by private parties, the City has always taken a conservative approach to budgeting for building and fire plan checking/inspection contract services. Over the last 10 years, the City has budgeted \$2 million or less for these services so as not to overcommit funds to a single City business activity at the beginning of a fiscal year. Based on permit trends within the fiscal year, City staff returns to Council to appropriate additional funds as needed. Table 2 on page 31 of the Council Report reflects this City practice.

11. Does the \$20,000 in the GNOF from the Fee Study that is proposed to be used for the Performance Measure Redesign project need to be in Exhibit A to Attachment 2?

City Council previously approved \$100,000 limited-period funding for the Fee Study. The actual contract amount was lower which resulted in a \$20,000 savings. Staff is recommending repurposing \$20,000 of the budgeted \$100,000 to the Performance Measures Redesign project. There is no formal budget action required since this is a repurpose of appropriations within the same fund and department.

12. What is the difference between open space and park space?

The City currently uses these two terms interchangeably.

13. Is the 1.0 FTE Project Manager position that is proposed to be reclassified to a 1.0 FTE Rent Stabilization Manager position already in the Housing Department, meaning the headcount in the department remains the same? Is this position paid for by fees levied on rental units/spaces?

Yes, this is a request to reclassify an existing position and it would not increase the headcount of the Housing Department. The current Project Manager position/Rent Stabilization Manager reclassification request is and would continue to be paid through the CSFRA/MHRSO cost recovery annual fees.

14. How many people/positions are in the Housing Department at present? If it had been a separate department in the past few years, how many people/positions would have been in the department by year, separated out between people supporting rental units/spaces and others?

Year	Affordable Housing Division (Total FTEs)	Rent Stabilization Division (Total FTEs)
FY 17-18	5	4
FY 18-19	6 (1 FTE added)	4 (no FTE added)
FY 21-22	6 (no FTE added)	5 (1 FTE added)
FY 22-23	6 (no FTE added)	7 (1 FTE CSFRA & 1 FTE MHRSO added)
<b>Total</b>	<b>6 Total FTEs</b>	<b>7 Total FTEs</b>

The two Divisions ended FY 22-23 with 13 total FTEs. With the formation of the Housing Department in FY 23-24, 1 FTE was added, and another 0.5 FTE was assigned to the Department for a total of 14.5 total FTEs as summarized below and depicted on the City’s Organizational chart found here:

<https://www.mountainview.gov/home/showpublisheddocument/7731/638315067014970000>:

- 1 FTE - Housing Director
- 0.5 FTE - Analyst I/II (two existing Analysts partially assigned to support Housing Department in FY 23-24)
- 6 FTE – Affordable Housing Division (1 new FTE added in FY 23-24)
- 7 FTE – Rent Stabilization Division
- 14.5 total FTEs

15. What are the near-term actions for the Castro Pedestrian Mall, meaning what is planned prior to the two major construction phases?

The two major construction phases referenced in Attachment 1 relate to the estimated construction activity for City capital projects and private development projects in the Downtown area for the time periods of 2024-2026 and 2026-2028. Castro Pedestrian Mall improvements included in the 2024-2026 phase include decorative street treatments along the central walkway, wayfinding signage, and improvements for the Castro Street intersections with Villa, Dana, and California streets.

This is in addition to finishing the setup of the outdoor patio areas, providing the public seating and games areas, and adding new flowers/plantings this spring.

16. When is the Citywide Transportation Demand Management Ordinance expected to come before Council?

Staff anticipates bringing the framework for Transportation Demand Management (TDM) Ordinance to City Council for consideration as part of a Study Session in Q2 2024.

17. When is the Parks and Recreation Strategic Plan expected to come before Council?

The Parks and Recreation Strategic Plan is currently in the final stages of gathering public input. To date, several public and stakeholder meetings have been held to seek feedback. A project webpage, [ImagineMVParks.com](https://www.imagineMVParks.com), was launched and actively receives ideas weekly from residents for the future of Mountain View's parks and recreation. The statistically reliable and community surveys will be launched next month and will help shape the needs assessment of the plan. The consultant team has reviewed relevant City documents and policies and is completing an assessment of all City parks and recreation programs. Another round of community meetings will be held in the spring for the consultant to share findings related to existing conditions, site and program assessments, and a summary of the public input received since the process was launched in August 2023. As the consultant completes the public input phase and their assessment of Mountain View Parks and Recreation programs and facilities, they will begin shifting to developing the plan's recommendations in the second half of the calendar year, bringing the plan to the Parks and Recreation Commission and City Council by the end of the calendar year.

18. Please explain the Development Services category?

Development Services is to facilitate better tracking for private development activity, which includes planning, building plan check and inspection services, land development, fire plan check and inspection services, traffic, and public works inspection services, etc.

19. Do we have any understanding about how the unemployment rate in Mountain View varies between AMI groups?

We currently do not have this data but can research how to get it.



20. Development revenues are down because the initiation of new construction is down. Besides the increased cost of funds and the uncertainty of the office market, what is the cause?

Development revenues are down based on current economic factors, such as declining property sales, increased interest rates, changes in office employee behaviors, etc. This has impacted the number of new permit applications submitted to the City (for Planning, Building, and Public Works), as well as slowed the pace at which applicants are pursuing their building/public works permits following planning entitlement. This has resulted in a decline in development services revenue. In addition, the revenues being collected by the City are not adequately recovering actual staff cost, as many of the fees have not been adjusted in 10 to 20 years. This is what the Master Fee Study will rectify so the City can achieve cost recovery.

21. What is the golf course's use of water? Interested in % of operating costs and mix of potable and recycled.

In Fiscal Year 22-23, the average mix was 62% recycled and 38% potable. This resulted in water being 18% of golf's total expenditures for that year. It was also a lower year for water usage due to the wet winter. The mix so far, this fiscal year is on pace to be about 60% recycled and 40% potable and is currently budgeted to be 20% of total expenditures in FY23-24. Once the salt-removal facility at the Regional Water Quality Control Plant is completed, staff anticipates increasing the percentage of recycled water used at the golf course.

22. What are Supplemental taxes? page 19

Supplemental property taxes are from reappraisal due to a change in ownership or due to the completion of new construction resulting from activities after the January 1 lien date.

23. The staff report says, "Of note, the State has previously shown an interest in challenging the continued distribution of Educational Revenue Augmentation Fund (ERAF) monies to recipient cities like Mountain View. If the State were to pursue this budget balancing option, it would have a significant impact on the City's finances." Please tell us more about ERAF and its impact both on Mountain View and our school districts.

In 1992, the California State Legislature permanently redirected a significant portion of property tax revenue from cities, counties, and special districts to schools and community colleges. The redirected revenue is deposited into a countywide account known as ERAF. Revenue from ERAF is allocated to schools and community colleges to offset the funding these entities otherwise would receive from the State General Fund. In five counties (Marin, Napa, San Francisco, San Mateo, and Santa Clara), ERAF revenue is more than enough to offset all the General Fund monies allocated to schools and community colleges. In the mid-1990s, the Legislature enacted a law shifting the portion of ERAF not needed for schools and community colleges to other agencies in the County. The revenue shifted through this process is known as excess ERAF. Excess ERAF is first allocated to fund special education programs in the county and the rest is shifted back to the county, cities, and special districts. The City's General Fund has received between \$36 thousand and \$8.3 million annually from FY 2013-14 through FY 2022-23. This revenue stream is not budgeted as the amount is unknown until received, is not guaranteed, and is susceptible to challenge.

Fiscal Year	General Fund Excess ERAF Revenue
2013-14	36,495.87
2014-15	983,254.47
2015-16	1,086,457.82
2016-17	779,677.31
2017-18	1,589,625.08
2018-19	3,233,338.65
2019-20	4,706,825.60
2020-21	6,841,404.74
2021-22	8,259,877.16
2022-23	8,156,584.26

24. Why have we budgeted \$1,340,000 for Contract Services for Plan Checking/Inspections for five years in a row when the actual amount has never been that low?

Please see response to Question 10

25. Regarding A7 – What does the Shoreline Area Plan update entail and who initiated it? Did Council or someone else?

The concept of the Shoreline Area Plan update was introduced by staff to the Education Enhancement Reserve Joint Powers Authority during the November 29, 2022, meeting (item 5.3). The update was recommended to address elements of the EER JPA negotiations underway at that time as they relate to the original 1977 Shoreline Area Plan.

26. Regarding A9 – What’s the difference between the Local Road Safety/Vision Zero Action Plan and the Active Transportation Plan? Is there some amount of overlap?

The Vision Zero Action Plan (VZAP) / Local Road Safety Plan (LRSP) is based on collision analysis and a systemic safety analysis for all modes of transportation, including motor vehicles and transit. The VZAP/LRSP will result in identification of safety corridors, a prioritized list of intersections and roadway segments, and non-infrastructure recommendations consistent with the Safe Systems Approach and the 7Es approach (Engineering, Education, Encouragement, Engagement, Enforcement/Emergency Response, Equity and Evaluation). These recommendations will help the City move towards elimination of fatal traffic collisions consistent with Council’s Vision Zero Policy. In addition, cities must have an adopted LRSP to be eligible for certain transportation grant funds.

The Active Transportation Plan (ATP) will update the City’s Pedestrian Master Plan and Bicycle Transportation Plan, including integration of green streets and habitat corridors. The ATP will result in infrastructure recommendations, including advancement of concepts along some infrastructure corridors identified in the VZAP/LRSP, with high level feasibility analysis and cross-sections for up to twenty initial projects. Additionally, the ATP will include policy recommendations related to active transportation and green streets.

27. Regarding A10—Expanding the Safe Routes to School Program. Is this completed? If not, how much more is there to go?

Yes, the expansion to the program is complete. On May 23, 2023, Council authorized the City Manager to execute a professional services agreement for Safe Routes to School (SRTS) for FY 2024-25. This agreement has expanded SRTS program offerings and extended services to all schools, including public and private schools in Mountain View. As part of the operating budget deliberations, Council also authorized expansion the City's crossing guard program from 15 crossing guards in School Year 2023-24, to 21 guards in 2024-25. In addition to expansion of the City's SRTS consultant contract and crossing guard program, City staff involvement in SRTS has expanded in terms of collaboration with school districts, principals, and parents, as well as outreach and safety training at City events such as Monster Bash, Shoreline Celebration, and the Tree Lighting event.

28. Regarding A13—Who initiated the Cost Allocation Plan and Master Fee Study? Did Council or someone else?

The Cost Allocation Plan and Master Fee Study has been on FASDs informal workplan for a few years and Council included it on the Work Plan due to its importance to the Council priority of Organizational Strength and Good Governance. This project is necessary for the City to collect appropriate fees and revenue. After analyzing the development impact fees, staff have determined that costs are not aligned with 100% cost recovery, and an update to the cost allocation plan and a study of the City's current master fee schedule was necessary, including analyzing the potential for new (or reduced) fees in some areas. The last citywide cost allocation plan was conducted in 2014 and is significantly overdue to be re-examined. The intention is to bring this to Council for adoption with the Recommended Budget or shortly thereafter.

29. Regarding A20—Who initiated the online permitting system? Did Council or someone else?

The need to accommodate paperless permitting during COVID-19 necessitated the City pursue online permitting technologies. In addition to being a Council Work Plan project, an online permitting system is a recommendation from the 2021 Matrix Consulting Group's Development Review Study (Recommendation No. 17) and is an implementation milestone for Program 4.1 (Development Streamlining and Processing Revisions) from the City's 2023-2031 Housing Element. Additionally, with the adoption of [SB 2234](#), all cities are required to have an online permitting system in place by January 1, 2024. The City met this state law with implementation of online building permits through [ePermitsMV](#) in April 2023, which City staff is expanding to include Planning and Public Works permits in 2024.

30. Regarding B32, developing a strategy to facilitate low- and middle-income homeownership —Aren't COPA and CLTs part of this too?

Yes, a Community Opportunity to Purchase Act (COPA) program could help facilitate the acquisition/preservation of existing housing and convert the units into homeownership opportunities. More generally, Opportunity to Purchase Act (OPA) programs require property owners to provide notices to qualified organizations such as a community land trust (CLT), non-profit developer, or tenant groups before they sell their building.

Qualified organizations or tenant groups have the right to purchase the building at market price before the property goes on the market (first right to purchase) or the right to match a third-party offer for the property after property is on the open market (first right of refusal).

Both the COPA and CLT concepts will be evaluated further as part of the City's displacement response strategy and community ownership action plan process as discussed in the City's 2023-31 Housing Element. However, these topics will overlap with B32.

31. Regarding B36—Can you give us a few bullet points describing the Citywide Travel Demand update in a little more detail?

The project updates the Citywide Travel Demand model used in transportation planning and analysis. Travel Demand models are:

- Used to forecast traffic flows for future land use plans that are implemented over time, including long range transportation conditions and impacts in conformance with CEQA.
- Needed to measure transportation system changes, transportation projects that induce vehicle travel, transit projects, and projects that generate regional travel (stadiums, event centers, sports complexes, private schools, regional hospitals, regional shopping malls).
- Used to inform and develop infrastructure needs to address impacts.
- Used to provide traffic volumes to measure noise and air quality impacts.

Staff began data collection in September 2023 for turning movement counts at signalized intersections in preparation for future traffic volume updates of the model.

A request for proposals for consulting services to update the model is expected to be released in summer 2024.

32. Regarding C38—Isn't a large part of this to be about zoning for childcare and coordinating with the county initiative?

Explore Strategies for Enhancing Childcare (Priority C) - The staff has begun preliminary actions to begin to analyze strategies for enhancing child-care options. Childcare is already allowed in practically every zoning district and there are no apparent zoning issues to address, but there is a need to enhance content for our website about childcare regulations and resources to increase awareness. This goal also includes engagement with the County of Santa Clara on grant options, developing an updated analysis of the childcare landscape in Mountain View, and adopting a resolution in "Support of Child Care for All" established by Build the Future Santa Clara County. In addition, as part of the City's ongoing Legislative Platform, the City incorporated supporting child-care proposals. Future milestones will include an anticipated contract extension for the Child-Care Center Operator and subsidy for low-income residents at the Center by the end of Q2 2024. This project is anticipated to be completed by the end of Q2 2025.

33. If we were to limit or ban new artificial turf, how would you suggest we do that – as part of the Biodiversity Plan, as a standalone ordinance, or in some other way?

The City is currently developing the Parks and Recreation Strategic Plan. An outcome of the Plan may include a recommendation that staff complete a review and analysis of synthetic turf and its use for future park locations and at other city facilities.