



Margaret Abe-Koga, Mayor  
Ellen Kamei, Vice Mayor  
Chris Clark, Councilmember  
Alison Hicks, Councilmember  
Lisa Matichak, Councilmember  
John McAlister, Councilmember  
Lucas Ramirez, Councilmember

Kimbra McCarthy, City Manager  
Krishan Chopra, City Attorney  
Lisa Natusch, City Clerk

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May 19, 2020

Video Conference with No Physical Meeting Location

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## SPECIAL MEETING OF THE CITY COUNCIL

**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.**

### **6:30 P.M.-SPECIAL SESSION (by Video Conference)**

#### **1. CALL TO ORDER**

Mayor Abe-Koga called the meeting to order at 6:30 p.m.

#### **2. ROLL CALL**

**Present:** 7 - Councilmember Clark, Councilmember Hicks, Councilmember Matichak, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Kamei, Mayor Abe-Koga

City Manager Kimbra McCarthy provided an update on COVID-19.

#### **3. CONSENT CALENDAR**

Councilmember Matichak provided comments on Item 3.2.

Public Comment opened at 6:38 p.m.

No speakers.

Public Comment closed at 6:38 p.m.

MOTION - M/S - Ramirez/Hicks - To approve the Consent Calendar.

Councilmember McAlister stated he will vote no on Item 3.2.

The motion carried by the following vote:

**Yes:** 7 - Councilmember Clark, Councilmember Hicks, Councilmember Matichak, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Kamei, Mayor Abe-Koga

#### **3.1 Approve Meeting Minutes**

Approve the City Council meeting minutes of May 12, 2020.

### **3.2 Professional Services Agreement for Consulting Legal Services**

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

Authorize the City Manager, or her designee, to expend an amount not to exceed \$150,000 in relation to a professional services agreement with Goldfarb & Lipman, LLC, to provide consulting legal services.

The motion carried by the following vote:

**Yes:** 6 - Councilmember Clark, Councilmember Hicks, Councilmember Matichak, Councilmember Ramirez, Vice Mayor Kamei, Mayor Abe-Koga

**No:** 1 - Councilmember McAlister

### **3.3 Notice of Intention to Vacate Public Easements at 1860-2159 Landings Drive**

Adopt Resolution No. 18458, A Resolution of Intention to Vacate Public Easements at 1860-2159 Landings Drive, read in title only, further reading waived, and set a date for a public hearing to consider the vacation for June 23, 2020.

### **3.4 Immediate Repairs to Sewage Pump Station, Project 17-48-Amend Professional Services Contract**

1. Authorize the appropriation of \$100,000 from the Wastewater Loan proceeds to Immediate Repairs to Sewage Pump Station, Project 17-48.

2. Authorize the City Manager to amend the professional services contract with Tanner Pacific, Inc., for construction management and inspection services for Immediate Repairs to Sewage Pump Station, Project 17-48, increasing compensation by \$100,000 for a total contract amount of \$310,000.

### **3.5 Increase Appropriations in the Public Works Department Wastewater Fund**

Increase appropriation of \$165,000 in the Public Works Department Wastewater Fund.

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

No speakers.

## **5. PUBLIC HEARING**

### **5.1 Rowhouse Development at 1555 West Middlefield Road**

Mayor Abe-Koga announced the availability of Spanish translation. Community Outreach team member Elena Garcia provided information regarding accessing the translated meeting in Zoom.

Mayor Abe-Koga disclosed she met with the applicant.

Councilmember McAlister disclosed he spoke with the applicant.

Councilmember Hicks disclosed she met with the applicant.

Councilmember Ramirez disclosed he met with the applicant.

Councilmember Matichak reported she exchanged emails with the applicant.

Councilmember Clark disclosed he had a phone call with the applicant.

Vice Mayor Kamei disclosed she met with the applicant and visited the site.

Planner Margaret Netto presented the staff report. Assistant City Manager/Community Development Director Aarti Shrivastava, Planning Manager/Zoning Administrator Stephanie Williams and City Attorney Krishan Chopra provided additional information.

Applicant John Hickey, SummerHill Housing, provided information regarding the proposed project.

Public Hearing opened at 7:12 p.m.

The following members of the public spoke:

Alex Nunez

Bruce England

Cynthia Lindsay Christensen, Lindsay Properties

Albert Jeans, and displayed written materials

Alex Brown

Jesse Cardenas

Adrienne Lewis

City Clerk Lisa Natusch read emails into the record from the following members of the public:

Joan MacDonald

Chuck Neder

Public Hearing closed at 7:37 p.m.

Applicant John Hickey provided additional information regarding the proposed project.

Following discussion, staff provided information regarding how the proposed modifications discussed by Council would be reflected, if approved:

City Attorney Chopra stated the proposed Condition of Approval to be added to the project regarding a 3-month extension would read as follows: The Developer has voluntarily offered a 3-month grace period to current tenants of Meadowood. To ensure compliance with the Ellis Act, the 3-month period until February 1, 2021 will not be considered an extension of the lease, but the grace period will be formalized for interested tenants through individual written confirmations.

Assistant City Manager/Community Development Director Shrivastava confirmed that the enhanced voluntary TRAO would be added as an acknowledgement of the voluntary TRAO benefits for the project, as listed in the staff report.

Planning Manager/Zoning Administrator Williams stated a Condition of Approval would be added in the Landscaping section of the resolution to specify an increase in the size of the street trees from a minimum 24-inch box to 36-inch box.

Regarding the increase in tree size, Assistant City Manager/Community Development Director Shrivastava suggested the addition of “to the extent feasible,” in order for staff to confirm with the Public Works Department that the utilities will allow it.

Applicant John Hickey confirmed agreement with the three additions by raising his hand.

MOTION - M/S - McAlister/Matichak - To:

1. Approve a Mitigated Negative Declaration for the 1555 West Middlefield Road Residential Project (Attachment 1 to the Council report).
2. Adopt Resolution No. 18459 Conditionally Approving a Planned Unit Development Permit and Development Review Permit to Construct a 115-Unit Rowhouse Development Project and a Heritage Tree Removal Permit to Remove 55 Heritage Trees at 1555 West Middlefield Road, read in title only, further reading waived.
3. Adopt Resolution No. 18460 Conditionally Approving a Vesting Tentative Map for Condominium Purposes for a 115-Unit Residential Project Creating 20 Lots and Seven Common Lots on a 5.44-Acre Lot at 1555 West Middlefield Road, read in title only, further reading waived; including the additions discussed.

The motion carried by the following roll call vote:

**Yes:** 5 - Councilmember Clark, Councilmember Matichak, Councilmember McAlister, Vice Mayor Kamei, Mayor Abe-Koga

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

Council recessed at 8:17 p.m.

Council reconvened at 8:25 p.m. with all Councilmembers present.

**6. NEW BUSINESS****6.1 Selection of Lot 12 Preferred Development Team**

Assistant Community Development Director Wayne Chen presented the staff report. Consuelo Hernandez, Acting Deputy Director, Office of Supportive Housing, County of Santa Clara, Dr. Mary Ann Dewan, County Superintendent of Schools, Santa Clara County Office of Education, Libby Seifel, Seifel Consulting, and Assistant City Manager/Community Development Director Aarti Shrivastava provided additional information.

Scott Johnson, Director of Business Development, Northern California, EAH, presented the EAH proposal. EAH team members Dave Egan, Kristin Taylor and Veronica Hinckley Reck provided additional information.

Andrea Osgood, Vice President of Real Estate, Eden Housing, presented the Eden Housing proposal. Eden Housing team members Susie Criscimagna, Tanis Crosby and William Duncanson provided additional information.

Jan Lindenthal, Chief Real Estate Development Officer, MidPen, presented the MidPen proposal. MidPen team members Felix AuYeung, John Onken, Mollie Naber and Nevada Merriman provided additional information.

Councilmember Matichak disclosed she met with MidPen.

Randy Tsuda, President and CEO, PAHC, presented the Related/PAHC proposal. Related/PAHC team members Ann Silverberg and Bill Witte provided additional information.

Councilmember McAlister disclosed he met with Related/PAHC.

Councilmember Matichak disclosed she met with Related/PAHC.

Councilmember Ramirez disclosed that he met with all of the developers.

Vice Mayor Kamei disclosed she met with Mid Pen and Related/PAHC.

Public Comment opened at 10:56 p.m.

The following members of the public spoke:

Dr. Mary Ann Dewan, County Superintendent of Schools, Santa Clara County Office of Education

Mary Guan

Bruce England

Michael Garcia, Director, Child Care Planning & Support, Santa Clara County Office of

Education

Dr. Ayindé Rudolph, Superintendent, Mountain View Whisman School District

Chen Wang

Alex Brown

Louise Katz

Kim Donovan

JH

Dan

City Clerk Lisa Natusch read an email into the record from the following member of the public:

Steve Chandler

Public Comment closed at 11:24 p.m.

Council recessed at 11:24 p.m.

Council reconvened at 11:30 p.m. with all Councilmembers present.

MOTION - M/S - McAlister/Matichak - To:

1. Select the preferred development team for the Lot 12 residential/mixed-use development: Related/PAHC.
2. Authorize the City Manager, or her designee, to execute an Exclusive Right to Negotiate Agreement with the selected development team and commence the negotiation process for development of Lot 12.
3. Authorize the City Manager, or her designee, to execute an amendment to the Exclusive Right to Negotiate Agreement to extend the term for an additional 60 days if negotiations are not complete but are progressing.
4. Adopt Resolution No. 18461 Reserving \$1,000,000 from the Low- and Moderate-Income Housing Asset Fund to Assist in the Development of Affordable Housing on Lot 12, read in title only, further reading waived.

Randy Tsuda, PAHC, responded to Council questions.

Councilmember Hicks disclosed she met with all applicants except for Eden.

Councilmember McAlister clarified that his motion includes Scenario 1.

Following discussion, Councilmember McAlister removed Scenario 1 from the motion for discussion at a later date.

The motion carried by the following roll call vote:

**Yes:** 7 - Councilmember Clark, Councilmember Hicks, Councilmember Matichak, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Kamei, Mayor Abe-Koga

MOTION - M/S - Abe-Koga/Matichak - To continue with the remaining agenda items.

**Yes:** 6 - Councilmember Clark, Councilmember Hicks, Councilmember Matichak, Councilmember Ramirez, Vice Mayor Kamei, Mayor Abe-Koga

**No:** 1 - Councilmember McAlister

## **7. COUNCIL, STAFF/COMMITTEE REPORTS**

Vice Mayor Kamei announced an upcoming Tele-Town Hall co-hosted by the Counties of Santa Clara and San Mateo.

Mayor Abe-Koga reported her attendance at a meeting of the VTA Policy Advisory Committee in which project funding was discussed.

Mayor Abe-Koga reported her attendance at a meeting of the Silicon Valley Clean Energy Board in which COVID-19 relief fund programs were approved.

Mayor Abe-Koga reported her attendance at a meeting of the Cities Association of Santa Clara County Legislative Action Committee in which an opposition position was taken on AB 1279, and a meeting of the Cities Association of Santa Clara County Selection Committee in which Councilmember Matichak was appointed to the Airport Land Use Commission.

Mayor Abe-Koga reported her attendance at weekly meeting with Santa Clara County Supervisor Cindy Chavez and other Mayors in the County regarding COVID-19 testing sites.

## **8. CLOSED SESSION REPORT**

City Attorney Chopra stated there was no Closed Session report.

## **9. ADJOURNMENT**

Mayor Abe-Koga adjourned the meeting at 12:16 a.m.