



Alison Hicks, Mayor/President
Pat Showalter, Vice Mayor/Vice President
Margaret Abe-Koga, Councilmember/Boardmember
Ellen Kamei, Councilmember/Boardmember
Lisa Matichak, Councilmember/Boardmember
Lucas Ramirez, Councilmember/Boardmember
Emily Ann Ramos, Councilmember/Boardmember

Kimbra McCarthy, City Manager/Community Manager
Jennifer Logue, City Attorney /Counsel
Heather Glaser, City Clerk/Secretary

March 14, 2023

Council Chambers and Video Conference, 500 Castro St., Mountain
View, CA 94041

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

This meeting was conducted with a virtual component. All members of the City Council/Shoreline Regional Park Community and all speakers participated in-person unless otherwise noted.

5:00 P.M.-CLOSED SESSION

At 5:00 p.m., Mayor/President Hicks called the meeting to order.

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION IN COUNCIL CHAMBERS)

City Attorney/Counsel Logue announced the items listed for Closed Session.

There were no public speakers in-person or virtually.

At 5:02 p.m., Mayor/President Hicks recessed the meeting to Closed Session with all Councilmembers/Boardmembers present.

2. CLOSED SESSION (PLAZA CONFERENCE ROOM)

2.1 Conference with Legal Counsel-Liability Claim (Government Code §54956.9(d)(2)(e)(3); Claimant: Nancy Hobbs against the City of Mountain View

2.2 Conference with Legal Counsel-Existing Litigation (Government Code §54956.9(d)(1)); Name of case: Kent Taylor v. City of Mountain View; et. al., Santa Clara County Superior Court, Case No. 22CV393000

2.3 Acting in its capacity as Board of Directors of the Shoreline Regional Park Community; Conference with Legal Counsel-Anticipated Litigation; Potential exposure to litigation pursuant to California Government Code §54956.9(d)(2) (1 potential case)

At 6:30 p.m., Closed Session concluded.

6:30 P.M.-REGULAR SESSION

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

At 6:44 p.m., Mayor/President Hicks called the meeting to order.

Mayor Hicks led the Pledge of Allegiance.

2. ROLL CALL

Present: 7 - Councilmembers/Boardmembers Abe-Koga, Kamei, Matichak, Ramirez, Ramos Vice Mayor/Vice President Showalter, Mayor/President Hicks

3. PRESENTATION

3.1 Proclamation in Recognition of Red Cross Month

Mayor Hicks presented the proclamation to Mike Kasperzak.

There were no public speakers in-person or virtually.

4. CONSENT CALENDAR

Vice Mayor Showalter pulled Item 4.5 for individual consideration. She discussed Items 4.10, 4.7 and 4.6.

Councilmember Kamei discussed Item 4.4.

The following member of the public spoke:

John Inks from Mountain View.

MOTION - M/S - Ramos/Kamei - To approve the balance of the Consent Calendar.

The motion carried, except for Item 4.5, by the following vote:

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

4.1 Amend City Council Policy K-2, Council Advisory Bodies, and the Council Code of Conduct

1. Adopt Resolution No. 18767 of the City Council of the City of Mountain View Amending City Council Policy K-2, Council Advisory Bodies, to Add Requirements for Filing Statements of Economic Interests and Brown Act Training and Removing the Ability to Appoint Alternates to Fill Potential Future Vacancies.

2. Adopt Resolution No. 18768 of the City Council of the City of Mountain View Amending the Council Code of Conduct to Modify Section 3.6 to Clarify the Consequences of Noncompliance with Ethics Training Requirements for Boards, Commissions, and Committees.

4.2 Attorneys' Fees and Costs Settlement in the Matter of *Navarro; et. al. v. City of Mountain View*

Adopt Resolution No. 18769 of the City Council of the City of Mountain View Authorizing the City Attorney to Compromise and Settle Plaintiffs' Claim for Attorneys' Fees and Costs in the Matter of *Navarro; et al. v.*

City of Mountain View, United States District Court Case No. 21-CV-05381, in the Amount of Seven Hundred Fifty Thousand Dollars (\$750,000) and Authorizing an Appropriation of Seven Hundred Fifty Thousand Dollars (\$750,000) from the Liability Self-Insurance Fund to Pay the Settlement.

4.3 Adopt a Resolution Acknowledging Receipt of the 2022 Senate Bill 1205 Mandatory Fire Inspection Report

Adopt Resolution No. 18770 of the City Council of the City of Mountain View Acknowledging Receipt of a Report Made by the Mountain View Fire Chief Regarding the Required Annual Inspection of Certain Occupancies Pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code.

4.4 Resolution Opposing the Taxpayer Protection and Government Accountability Act

Adopt Resolution No. 18771 of the City Council of the City of Mountain View to Oppose the Taxpayer Protection and Government Accountability Act.

4.5 Appoint Advisory Body Members

This item was pulled from the Consent Calendar by Vice Mayor Showalter for individual consideration.

The Council directed questions to staff.

There were no public speakers in-person or virtually.

MOTION - MS - Ramirez/Showalter - To:

Adopt Resolution No. 18772 of the City Council of the City of Mountain View Appointing Joan MacDonald to the Human Relations Commission and Appointing Carol Donahue and David Garcia to the Performing Arts Committee.

The motion carried by the following vote:

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

4.6 Lot 12 Affordable Housing Project Funding Appropriation and Loan Agreement

1. Appropriate the remaining \$10.95 million in City funding for the Lot 12 affordable housing project, which is composed of \$1.0 million in Successor Agency funds, \$1.95 million in Housing Impact Fees, and \$8.0 million in Senate Bill 129 Affordable Housing Grant Fund, which will be used for the construction/permanent loan. (Five votes required)

2. Authorize the City Manager or designee to negotiate the terms and execute the construction/permanent loan agreement with MV Lot 12 Housing Partners, L.P., in an amount up to \$12.25 million; amendments to the agreements, subject to Council appropriation of funds; and related documents necessary for City financing for the development.

4.7 HOME-ARP Allocation Plan and Funding

1. Approve the Home Investment Partnerships Program American Rescue Plan (HOME-ARP) Allocation Plan (Attachment 1 to the Council report) for submittal to the U.S. Department of Housing and Urban Development (HUD) as a Substantial Amendment to the Fiscal Year 2021-22 Annual Action Plan.
2. Appropriate HOME-ARP funding of \$982,560 upon HUD approval of the City's HOME-ARP Allocation Plan and awarding of funds. (Five votes required)
3. Authorize the City Manager or designee to execute and submit to HUD any required agreements and certifications related to the HOME-ARP Allocation Plan and Funding.

4.8 SB 1 Streets, Project 21-30-Authorize Amendment to Professional Services Agreement

Authorize the City Manager or designee to amend the professional services agreement with CSG Consultants, Inc., of Foster City, for SB 1 Streets, Project 21-30, to add \$50,000 for a not-to-exceed amount of \$180,000.

4.9 Magical Bridge All-Inclusive Playground, Project 18-36, and Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48-Tree Mitigation and Project Update

1. Approve the removal and mitigation of seven Heritage trees at a 2:1 tree replacement ratio with 24" box trees for Magical Bridge All-Inclusive Playground, Project 18-36, and Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48.
2. Receive an update on project status and bidding schedule.

4.10 Funding for Crestview Hotel Conversion to Permanent Affordable Housing

1. Find the Crestview Hotel rehabilitation project to be statutorily exempt from the California Environmental Quality Act pursuant to Health and Safety Code Section 50775.1.4.
2. Appropriate \$3.8 million in Rental Housing Impact Fees and Housing Impact Fees for the rehabilitation of the Crestview Hotel for permanent housing. (Five votes required)
3. Authorize the City Manager or designee to negotiate and execute the loan agreement(s) in an amount not to exceed \$9 million with Jamboree Housing Corporation (or approved affiliate), the affordable housing regulatory agreement(s) with Jamboree Housing Corporation (or approved affiliate), and other related documents relating to this allocation of funds for the rehabilitation of the Crestview Hotel for permanent housing.
4. Authorize the City Manager or designee to negotiate and execute amendments to the above-referenced loan agreement(s) and regulatory agreement(s) and other related documents as needed to effectuate the incorporation of expected Federal funding for the Crestview Hotel project and to offset the City Rental Housing Impact Fees and Housing Impact Fees funding.

4.11 Amendment of Contract with Netto Planning Services, LLC, for On-Call Planning Consulting Services

1. Authorize expenditures by the Community Development Department in an amount not to exceed

\$150,000 for Fiscal Year 2022-23 for on-call contract planning services performed by Netto Planning Services, LLC, associated with project management for planning entitlement, postentitlement, and environmental review process.

2. Authorize the City Manager or designee to execute an amendment to the professional services agreement with Netto Planning Services, LLC, to increase maximum compensation by \$50,000 for a total not-to-exceed contract amount of \$150,000.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

The following members of the public spoke:

Dean Birinyi from Mountain View discussed The Hadley Apartments.

Chris Martinez discussed hiring responsible contractors.

Alex Eulenberg from Mountain View discussed events at the Mountain View Center for the Performing Arts.

Ariadha Solovyova from Mountain View discussed events at the Mountain View Center for the Performing Arts.

6. PUBLIC HEARING

6.1 1020 and 1040 Terra Bella Avenue-Affordable Housing Projects and Public Storage

Councilmember Ramirez disclosed he met with both applicants. Councilmember Ramos disclosed she met with both applicants. Councilmember Matchak disclosed she met with both applicants and visited the site on her own. Councilmember Abe-Koga disclosed she met with both applicants and visited the site on her own. Vice Mayor Showalter disclosed she met with both applicants and visited the site. Councilmember Kamei disclosed she met with both applicants and visited the site. Mayor Hicks disclosed she met with both applicants and visited the site.

Senior Planner Edgar Maravilla presented the item. He indicated updates to recitals for Attachments two through five to the Council report to reference the correct hearing date of March 14 hearing date instead of March 28.

Assistant City Manager/Community Development Director Aarti Shrivastava, Public Works Director Dawn Cameron and Assistant Community Development Director Lindsay Hagan were available for questions.

Applicant Andres Friedman, Senior Vice President for Public Storage, presented.

The Council directed questions to Andres Friedman and City staff.

Applicants Carlos Castellanos, Vice President of Real Estate Development for Alta Housing and Randy Tsuda, President and CEO for Alta Housing, presented.

The Council directed questions to Randy Tsuda, Carlos Castellanos, and City staff.

The following members of the public spoke:

Albert Jeans from Mountain View.

Alex Brown from Mountain View indicated support for the project.

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

1. Adopt Resolution No. 18773 of the City Council of the City of Mountain View Adopting the Initial Study/Mitigated Negative Declaration for the Terra Bella Public Storage and Alta Housing Affordable Housing Projects Located at 1020 Terra Bella Avenue, 1040 Terra Bella Avenue, and 1055 San Leandro Avenue Pursuant to the California Environmental Quality Act.
2. Adopt Resolution No. 18774 of the City Council of the City of Mountain View Approving a General Plan Map Amendment From General Industrial to High-Density Residential for 1020 Terra Bella Avenue, and a General Plan Text Amendment to Allow an Increase in the Maximum Floor Area Ratio (FAR) from 0.55 FAR to 2.50 FAR in the General Industrial Land Use Designation for Uses with Limited Employees and Customers that Provide a Significant Public Benefit Toward Affordable Housing, amended to reference the correct hearing date of March 14, 2023.
3. Introduce an Ordinance of the City of Mountain View Approving a Zoning Map Amendment from the MM (General Industrial) Zoning District to a P (Planned Community) Zoning District for the Properties Located at 1020 Terra Bella Avenue, 1040 Terra Bella Avenue, and 1055 San Leandro Avenue, amended to reference the correct hearing date of March 14, 2023, and set a second reading for March 28, 2023.
4. Adopt Resolution No. 18775 of the City Council of the City of Mountain View Approving a Planned Community Permit and Development Review Permit to Construct a Six-Story Affordable Housing Development with 106 Affordable Rental Units and Two Manager's Units with a Two-Level Podium Garage, and a State Density Bonus with a Concession on a 1.04-Acre Project Site at 1020 Terra Bella Avenue, amended to reference the correct hearing date of March 14, 2023.
5. Adopt Resolution No. 18776 of the City Council of the City of Mountain View Approving a Planned Community Permit and Development Review Permit to Construct Six-Story and Four-Story Personal Storage Buildings with At-Grade Parking on a 3.8-Acre Project Site at 1040 Terra Bella Avenue and 1055 San Leandro Avenue, amended to reference the correct hearing date of March 14, 2023.
6. Introduce an Ordinance of the City of Mountain View Approving a Development Agreement By and Between the City of Mountain View and Public Storage for the Terra Bella Public Storage Project for Public Storage Located at 1040 Terra Bella Avenue and 1055 San Leandro Avenue, and set a second reading for March 28, 2023.
7. Appropriate \$12.2 million in Housing Impact Funds for Alta Housing/Terra Bella II LLC's 108-unit

affordable housing development located at 1020 Terra Bella Avenue. (Five votes required)

8. Authorize the City Manager or designee to negotiate the terms and execute all of the following for the affordable housing project described above: the permanent loan agreement with Alta Housing/Terra Bella II LLC, with maximum funding amounts subject to Council appropriation of funds; agreements for City acquisition of the project site and ground lease to the affordable housing developer; amendments to such agreements; and related documents necessary for City financing for the development.

The motion carried by the following vote:

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

At 8:16 p.m., Councilmember Kamei left the dais.

At 8:19 p.m., Councilmember Kamei returned to the dais.

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

Direct staff to bring back options for including a project to fund undergrounding utilities along the Terra Bella Avenue frontage for the 1020 and 1040 Terra Bella Avenue affordable housing for the Fiscal Year 2023-24 through Fiscal Year 2027-28 Capital Improvement Program study session on March 28.

The motion carried by the following vote:

Yes: 6 - Councilmember Abe-Koga, Councilmember Matichak, Councilmember Ramirez, Councilmember Ramos, Vice Mayor Showalter, Mayor Hicks

Abstain: 1 - Councilmember Kamei

7. NEW BUSINESS

7.1 Shoreline Wildlife Management Plan

Shoreline Manager Brady Ruebusch and Steve Rottenborn, Vice President/Wildlife Ecologist, H.T. Harvey & Associates, presented the item.

Community Services Director John Marchant and Public Works Director Cameron were available for questions.

The Council directed questions to staff.

The following members of the public spoke:

(Virtual) Matthew Dodder from Mountain View, on behalf of Santa Clara Valley Audubon Society.

(Virtual) Annette Herz from Mountain View.

(Virtual) KC Hetterly, on behalf of Santa Clara Valley Audubon Society.

Shani Kleinhaus

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

Acting in its capacity as Board of Directors of the Shoreline Regional Park Community, to:

1. Adopt the 2023 Shoreline Wildlife Management Plan.
2. Include an annual update presentation to the Parks and Recreation Commission.
3. Prioritize the erosion control project at the Sailing Lake Island.

The motion carried by the following vote:

Yes: 7 - Councilmembers/Boardmembers Abe-Koga, Kamei, Matichak, Ramirez, Ramos Vice Mayor/Vice President Showalter, Mayor/President Hicks

8. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Abe-Koga stated she attended a Silicon Valley Clean Energy Board of Directors meeting and a Bay Area Housing Finance Authority meeting. She stated the Cities Association of Santa Clara County contracted with Renne Public Law Group for attorney services that would be provided by Jannie Quinn. In response to Vice Mayor Showalter, by consensus, the Council directed staff to review actions creating advisory bodies and bring back on the Consent Calendar recommendations for the addition of alternates and other staff recommended changes.

Mayor Hicks stated she had a meeting with all mayors in the County of Santa Clara and had a meeting with President of Stanford University, Marc Tessier-Lavigne.

9. CLOSED SESSION REPORT

City Attorney/Counsel Logue stated there was no Closed Session report.

10. ADJOURNMENT

At 9:42 p.m., Mayor/President Hicks adjourned the meeting.