



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

Daniel H. Rich, City Manager
Jannie L. Quinn, City Attorney
Lisa Natusch, City Clerk

February 26, 2019

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

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

5:00 P.M.-CLOSED SESSION (PLAZA CONFERENCE ROOM)

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

At 5:00 p.m., City Attorney Jannie Quinn announced the items for Closed Session.

2. CLOSED SESSION

Seeing no one from the public wishing to speak, Mayor Matichak called the meeting to order.

All Councilmembers were present. Councilmember McAlister arrived at 5:08 p.m.

2.1 Conference with Legal Counsel - Existing Litigation (Paragraph (1) of subdivision (d) of Government Code §54956.9); Name of Case: Zuegel v. City of Mountain View, Officer Patrick Ward, Officer Britton Moore, Detective Marco Garcia, Case No. 5:17-CV-173249, United States District Court

2.2 Conference with Legal Counsel - Liability Claims (Government Code §54956.95) Claimant: Ming Mou against the City of Mountain View

The Closed Session concluded at 5:27 p.m.

5:30 P.M.-STUDY SESSION (COUNCIL CHAMBERS)

1. CALL TO ORDER

Mayor Matichak called the meeting to order at 5:31 p.m.

2. ROLL CALL

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

Councilmember McAlister arrived at 5:32 p.m.

3. STUDY SESSION

3.1 701-747 West Evelyn Avenue Parking and Design

Senior Planner Eric Anderson presented the staff report and reported that the reference to sidewalk width in the Council report should be 13 feet, not 11 feet. Planning Manager/Zoning Administrator Stephanie Williams provided additional information.

Kathy Thibodeaux, KM Thibodeaux Consulting, provided information regarding the proposed project. Tim McEnerty, Marwood Management, Steve Raney, Altrans, and Elizabeth Hughes, TDM Specialists, provided additional information.

Public Comment opened at 5:53 p.m.

The following members of the public spoke:

Bruce Humphrey, President/CEO, Mountain View Chamber of Commerce
Sarah Astles, Board President, Central Business Association
Cliff Chambers, Mountain View Coalition for Sustainable Planning
Mary Hodder, Livable Mountain View

Public Comment closed at 6:00 p.m.

Mayor Matichak summarized the City Council input provided: in terms of architecture, Council likes the direction the project is going but would like additional ideas explored related to activation along Evelyn, articulation along Evelyn, and working on the corner of Evelyn and Blossom; and that at least three Councilmembers are amenable to a smaller building. Regarding parking, three Councilmembers support no reduction in parking and four Councilmembers support the staff recommendation for parking.

The Study Session concluded at 7:00 p.m.

6:30 P.M.-REGULAR SESSION (COUNCIL CHAMBERS)

1. CALL TO ORDER

Mayor Matichak called the meeting to order at 7:01 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Matichak led the Pledge of Allegiance.

3. ROLL CALL

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

Mayor Matichak announced that Item 6.2, 950 El Camino Real Affordable Housing, has been removed from the agenda and will not be considered tonight. Mayor Matichak stated

that public comment will be taken on the item, but there will be an opportunity for public comment when the item is considered by Council at a future date.

4. **CONSENT CALENDAR**

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

The motion carried by the following vote:

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

4.1 **Approve Meeting Minutes**

Approve City Council Meeting Minutes of February 12, 2019 and Shoreline Regional Park Community Minutes of January 22, 2019 and February 12, 2019.

4.2 **Approve Project for the 2017 Road Repair and Accountability Act (SB 1)**

Following action on the Consent Calendar, Council took separate action on this item in order to read the title of the resolution.

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

Adopt Resolution No. 18298 Adopting a Project for Fiscal Year 2019-20 Funded by the Road Repair and Accountability Act of 2017, read in title only, further reading waived (Attachment 1 to the Council report).

The motion carried by the following show of hands vote:

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

4.3 **Increase Appropriations in the Police Department for Reimbursement of Amphitheatre Event Support**

Increase appropriations by \$170,155 in the Police Department for overtime staff hours expended in support of the 2018 event season at Shoreline Amphitheatre and reimbursed by Live Nation and increase budgeted revenue by the \$195,678 in reimbursements received over the Adopted Budget.

4.4 **Amend Professional Services Contracts and Increase Appropriations-Land Development Engineering**

1. Authorize the City Manager to amend the existing professional services contract with CSG Consultants for an additional \$250,000 for land development engineering services, for a total contract amount of \$350,000.

2. Authorize the City Manager to amend the existing professional services contract with

Freyer & Laureta for an additional \$70,000 for land development engineering services, for a total contract amount of \$170,000.

3. Increase appropriations \$170,000 in the Public Works Department, Development Services Fund.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Councilmember McAlister announced the Mountain View High School boys basketball team won their division and CCS as Division 2 champions and they are moving on to NorCal.

Philip Faillace, Mountain View Los Altos School District Board President, expressed appreciation to the City Council.

Joyce Reynolds Sinclair, Chair of the Board, Magical Bridge Foundation, requested additional financial support from the City for the playground project.

Miguel Sanchez spoke regarding an immigration incident that occurred earlier in the day.

Tania O'Connell, Co-Founder, Vistas Mountain View, requested Council retain the goal of protecting vulnerable populations as they consider goals for the coming year.

Geri Weizzman, Rapid Response Network in Santa Clara County, with IdaRose Sylvester, spoke regarding the immigration incident that occurred earlier in the day and requested Council provide support to the Rapid Response Network in Santa Clara County.

Fernando Romero spoke regarding the importance of protecting vulnerable populations.

George Rascon spoke regarding the proposed project at 2310 Rock Street and the impact on the residents, and requested Council vote against the project.

Bee Hanson, Mountain View Mobile Home Alliance and Santiago Villa, spoke regarding mobile home space rent.

Job Lopez spoke regarding an immigration incident that occurred earlier in the day and urged Council to continue to protect vulnerable populations in the upcoming City Council goal setting session.

Trey Bornmann, President, Mountain View Mobile Home Alliance, spoke regarding litigation related to mobile homes, and encouraged Council support of mobile home park residents at their upcoming City Council goal setting session.

Unidentified woman spoke regarding an immigration incident earlier in the day and requested Council protect vulnerable populations.

6. PUBLIC HEARINGS

6.1 Appeal of Conditional Use Permit Approval for a Large Family Day Care at 1880 Miramonte Avenue

Assistant Planner Erin Horan presented the staff report. Planning Manager/Zoning Administrator Stephanie Williams, City Attorney Jannie Quinn and Senior Assistant City Attorney Krishan Chopra provided additional information.

Appellant representatives Tim Petersen, Edward Tam, William Yu and Anne Marie Pelella provided information regarding the appeal, copies of a petition and written materials.

Appellant Anne Marie Pelella responded to Council questions.

Public Hearing opened at 8:01 p.m.

The following member of the public spoke:

Applicant Karina Makushenka provided information regarding the large family day care.

Public Hearing closed at 8:05 p.m.

Appellant representatives Tim Petersen, Anne Marie Pelella and William Yu provided additional comments.

In response to Council questions, Applicant Karina Makushenka stated she was amenable to planting shrubs to mitigate noise.

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

Adopt Resolution No. 18299 Upholding the Zoning Administrator's Approval of a Conditional Use Permit which Conditionally Permits a Large Family Day Care for Up to 14 Children in an Existing Single-Family Residence at 1880 Miramonte Avenue, read in title only, further reading waived (Attachment 1 to the Council report).

FRIENDLY AMENDMENT: Councilmember Kamei offered a friendly amendment to include some type of noise mitigation as a Condition of Approval with the ability to reach out to the Zoning Administrator should there be any other concerns.

Councilmember Clark declined to accept the friendly amendment.

The motion carried by the following vote:

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

Council recessed at 8:18 p.m.

Council reconvened at 8:33 p.m. with all Councilmembers present.

6.2 950 El Camino Real Affordable Housing [THIS ITEM HAS BEEN REMOVED FROM THE AGENDA AND A PUBLIC HEARING WILL NOT BE HELD. THE ITEM WILL BE RE-NOTICED AND RESCHEDULED TO A FUTURE DATE.]

Mayor Matchak announced this item would not be considered tonight, but public comment would be heard and an opportunity for public comment would be provided when the item is considered by the City Council at a future date.

Councilmember Clark stated he owns real property within 500 feet of the site, recused himself, and took a seat in the audience.

Public Comment opened at 8:34 p.m.

No speakers.

Public Comment closed at 8:34 p.m.

Councilmember Clark returned to his seat at the dais.

7. NEW BUSINESS

7.1 North Bayshore Precise Plan Bonus Floor Area Ratio (FAR) Requalifications

Principal Planner Martin Alkire presented the staff report. City Attorney Jannie Quinn and City Manager Dan Rich provided additional information.

Michael Tymoff, Mountain View District Development Director, Google, provided a presentation regarding Google's proposal.

Bill Vierra, SyWest Development, and David Sabalvaro, STUDIOS Architecture, provided a presentation regarding SyWest's proposal.

Public Comment opened at 9:41 p.m.

The following members of the public spoke:

Ayindé Rudolph, Superintendent, Mountain View Whisman School District

Devon Conley, Mountain View Whisman School District Board

Denise Salles

Unidentified man

Luis Argueno

Joan Brodovsky, on behalf of Balanced Mountain View

Enrique Arguello, and submitted written materials

Matt Regan, Bay Area Council

Ryan Globus, Silicon Valley Young Democrats

Laura Blakely, Mountain View Whisman School Board

Sandy Perry, President, Affordable Housing Network of Santa Clara County

Pat Showalter

Julie Mahowald, Housing Trust Silicon Valley

Kriti Garg, Policy and Outreach Associate, Silicon Valley@Home
Nathan Ho, Senior Director of Housing and Community Development, Silicon Valley Leadership Group
Bruce Humphrey, President/CEO, Mountain View Chamber of Commerce
Jeffrey Buchanan, Policy Director, Working Partnerships USA, representing Silicon Valley Rising Coalition
Alexander Gratun, Silicon Valley Young Democrats
David Watson
Nikita Sinha, Greenbelt Alliance
Cliff Chambers, Mountain View Coalition for Sustainable Planning
Helen Wolter, Community for Green Foothills
Phil Faillace, Board President , Mountain View Los Altos School District
Lauren Mitchell, Santa Clara Valley Audubon Society
Shani Kleinhaus, Santa Clara Valley Audubon Society
Laura Droicic, Field Representative, Carpenters Union
Linda Ruthruff, California Native Plant Society, Santa Clara Valley Chapter
Bee Hanson, Santiago Villa
Trey Bornmann, Santiago Villa
Alexander Brown, Santiago Villa
Guadalupe Rojas, Santiago Villa
Jose Cabrera, Carpenters Union
Eric Kuxhausen

Public Comment closed at 10:48 p.m.

Jeff Harding, Superintendent, Mountain View-Los Altos High School District, responded to Council questions.

Council recessed at 10:50 p.m.

Council reconvened at 10:58 p.m. with all Councilmembers present.

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

1. Adopt Resolution No. 18300 Denying Both of the North Bayshore Precise Plan Bonus Floor Area Requalification Requests from SyWest and Google, read in title only, further reading waived (Attachment 1 to the Council report); and
2. Direct staff to initiate a City-led Gateway Master Plan process using the SyWest, and if interested, the Google proposals for the gateway site as a basis for that master planning process.

FRIENDLY AMENDMENT: Councilmember McAlister offered a friendly amendment to give Google and SyWest two weeks to decide if they will agree to mediation.
Vice Mayor Abe-Koga accepted the friendly amendment.

Following discussion, Vice Mayor Abe-Koga restated the motion including the friendly amendment:

Adopt Resolution No. 18300 Denying Both of the North Bayshore Precise Plan Bonus Floor Area Requalification Requests from SyWest and Google, read in title only, further reading waived (Attachment 1 to the Council report); and give both parties up to two weeks to respond as to whether they would be interested in a mediation process, and if they either or both decline, the City would move into initiating a City-led Gateway Master Plan process.

Following discussion, Vice Mayor Abe-Koga stated her motion also includes that the basis for the City-led master plan would be the concepts in SyWest's proposal, and if Google is interested in moving forward with their part of the gateway, the concepts they submitted, as a basis for master planning.

Following discussion, City Manager Rich recommended staff come back to Council with a work plan.

Following further discussion, Vice Mayor Abe-Koga removed the portion of the motion related to using the proposals as the basis for the City-led master plan.

The motion carried by the following vote:

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

No: 1 - Councilmember Ramirez

8. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember McAlister reported his attendance at a meeting of the VTA State Route (SR) 85 Corridor Policy Advisory Board at which he was re-elected as Chair, and reported he was appointed Vice Chair of the VTA Congestion Management Program and Planning Committee.

Mayor Matichak reported her attendance at the VTA Policy Advisory Committee meeting in which bus routes were discussed, the State of the Valley Conference, and the Cities Association Board meeting.

Vice Mayor Abe-Koga reported her attendance at a meeting of the Cities Association Legislative Action Committee in which a position paper on housing was discussed, and reported the item will be agendaized on March 5, 2019 for City Council comment. Vice Mayor Abe-Koga reported her attendance at the Silicon Valley Leadership Group Local Government Day.

9. CLOSED SESSION REPORT

None.

10. ADJOURNMENT

At 12:15 a.m., Mayor Matichak adjourned the meeting to the next Council Meeting to be held on Thursday, February 28, 2019, at 5:15 p.m. in the Plaza Conference Room, 500 Castro Street.