

**MEMORANDUM**

Council Policy and Procedures Committee
Community Development Department

DATE: September 28, 2022

TO: Council Policy and Procedures Committee

FROM: John Lang, Economic Vitality Manager
Aarti Shrivastava, Assistant City Manager/Community Development Director

VIA: Kimbra McCarthy, City Manager

SUBJECT: **Downtown Committee Bylaws—Composition**

INTRODUCTION

The purpose of this memo is to provide the Council Policy and Procedures Committee (CPPC) with potential changes to the Bylaws for consideration at a future City Council meeting.

BACKGROUND

The Downtown Committee (Committee) was established in 1998 as a City Council advisory body on matters relating to the downtown area. The Committee has a set of Bylaws which defines its purpose, downtown boundaries, membership, meeting structure, and duties. The purpose of the Committee is to “promote the vitality of Downtown Mountain View through recommendations to the City Council on programs, projects, and policies for economic development, a quality downtown environment, and the maintenance and development of parking facilities.” The Downtown Committee Bylaws were last amended in January 2020. The downtown property and/or business and business-at-large categories were changed to attract more applicants and provide flexibility as to who can participate.

There are currently 11 seats on the Committee composed of stakeholders representing a cross section of downtown Mountain View and the greater Mountain View community. The Committee is composed of members from the following categories: four downtown property and/or business owners, four business-at-large (including the Downtown Business Association and Chamber of Commerce), two community-at-large, and one neighborhood representative (appointed by the Old Mountain View Neighborhood Association).

ANALYSIS

Currently, there is one vacant seat in the following category: business-at-large for the Downtown Business Association (DBA). The business-at-large DBA seat has been vacant for over two years as the DBA went through a transition. In 2021, the Downtown Business Association officially moved under the Chamber of Commerce. However, one representative from the Chamber staff continued to sit on the Downtown Committee. On April 5, 2022, the Downtown Committee had a preliminary discussion about the current Bylaws and how to allow both organizations to sit on the Committee. Then, at the May 3, 2022, Downtown Committee meeting, the Bylaws change was approved (Attachment 2—Downtown Committee-approved minutes, May 3, 2022). Table 1 provides a summary of the current Bylaws language and considerations.

Table 1: Downtown Committee Current Bylaws and Considerations

Current Bylaws	Considerations
<i>Article IV—Membership, Section 1: Composition</i>	
a. Four members who own property and/or a business in downtown. (Members should represent diverse types of businesses and properties.)	Move the Downtown Business Association seat to under the downtown category so there is some separation between the DBA and Chamber of Commerce. This would change the number of seats from four to five. The total number of Downtown Committee seats would remain the same—11.
b. Four business-at-large members with one representative each from the Downtown Business Association (the representative may be the Executive Director), the Chamber of Commerce (the Executive Director, or a business representative outside the downtown), and two businesses not in downtown.	Remove the Downtown Business Association. This would change the number of seats from four to three. The total number of Downtown Committee seats would remain the same—11.

RECOMMENDATION

Staff recommends the CPPC discuss and provide direction on the Downtown Committee Bylaws considerations. Any potential changes recommended by the CPPC will be considered at a Q4 2022 City Council meeting.

JL-AS/1/CDD/819-09-28-22M

- Attachments:
1. Downtown Committee Bylaws (red-lined version)
 2. May 3, 2022—Downtown Committee Approved Minutes

BYLAWS OF THE CITY OF MOUNTAIN VIEW DOWNTOWN COMMITTEE

ARTICLE I — NAME

The name of the Committee is the City of Mountain View Downtown Committee, hereinafter referred to as the “Downtown Committee.”

ARTICLE II — PURPOSE

To promote the vitality of downtown Mountain View through recommendations to the City Council on programs, projects, and policies for economic development, a quality downtown environment, and the maintenance and development of parking facilities.

ARTICLE III — DOWNTOWN AREA

Downtown Mountain View is generally defined as the area bounded by Evelyn Avenue and El Camino Real to the north and south, and View Street and Franklin Street to the east and west, as more specifically shown on Figure 1 and hereinafter referred to as the “Downtown.” The Downtown encompasses the Downtown Parking District and Downtown Precise Plan areas.

ARTICLE IV — MEMBERSHIP

Section 1. Composition. Members of the Downtown Committee shall be appointed by the Mountain View City Council upon recommendation from the Council Appointments Review Committee. The Downtown Committee shall consist of eleven (11) members who represent a cross section of the Mountain View community, including business and property owners within the Downtown. The composition of the Downtown Committee shall be as follows.

a. ~~Four (4)~~Five (5) members who are property owners and/or representatives of a business in the Downtown- with one (1) representative from the Downtown Business Association. (Members should represent diverse types of businesses and properties. The Downtown Business Association may recommend an alternative member appointed by the City Council when the primary member is unavailable to attend.)

b. Two (2) community-at-large members who are residents of Mountain View and do not own a Downtown business or property.

c. ~~Four (4)~~Three (3) business-at-large members with one (1) representative ~~each~~ from ~~the Downtown Business Association and~~ the Chamber of Commerce (~~both organizations~~the Chamber of Commerce may recommend an alternate member appointed by the City Council

when the primary member is unavailable to attend),⁷ and two (2) businesses not in the Downtown.

d. One (1) neighborhood association member who is the President of the Old Mountain View Neighborhood Association (or other representative selected by the Association).

Section 2. Parking District Representation. A minimum of three (3) members who have a seat on the Downtown Committee as Downtown business owners and/or property owners must live or own a business or property within the Downtown Parking District.

Section 3. Limitation on Membership. There shall be no more than one (1) Downtown Committee member from a single property, including the property owner(s), business owner(s), or resident(s) of that property.

Section 4. Term of Membership. All Downtown Committee members will serve three-year terms with a maximum of two (2) consecutive terms. The City Council shall have the authority to extend a member's term pursuant to Council Policy K-2. Members who have served their maximum terms may be reappointed after two (2) years off the Downtown Committee. The neighborhood association representative may serve for only one (1) year if the association president changes or an alternate representative is selected by the association. For the first appointments to the Downtown Committee, the terms of membership will be staggered to include one-third (1/3) of the members appointed for one- (1) year terms; another one-third appointed for two- (2) year terms; and the remaining one (1) third appointed for three- (3) year terms. The Council Appointments Review Committee shall designate the appointments to the different terms.

Section 5. Voting Rights. Each member shall be entitled to one (1) vote on each matter submitted to a vote of the members. Voting by proxy shall not be permitted.

Section 6. Transfer of Membership. Membership or its privileges is not transferable or assignable.

Section 7. Resignation and Termination of Membership. Any member may resign by filing a written resignation with the Chairperson of the Downtown Committee. Any member with three (3) consecutive unexcused absences shall be deemed to have resigned.

Section 8. Vacancies. All vacancies on the Committee shall be filled by appointment of the City Council. When a vacancy leaves an unexpired portion of a term, any appointment to fill the vacancy shall be for the unexpired portion of that term. If the unexpired term is more than one (1) half of the three (3) year term, it shall be considered a full term for the purposes of reappointment.

ARTICLE V — MEETINGS OF MEMBERSHIP

Section 1. Meetings. The Downtown Committee shall establish a meeting schedule for the full Committee membership, the Executive Committee, and subcommittees through adoption of the annual work program. The Downtown Committee shall hold at least one (1) meeting each year.

Section 2. Special Meetings. The Chair, through a majority vote of the Committee members, may call special meetings of the Downtown Committee.

Section 3. Place of Meetings. The Downtown Committee shall meet at a regular location within the City of Mountain View and may change the meeting location for special meetings as needed.

Section 4. Notice of Meetings. Notice stating the place, day, and hour of any meeting of the Downtown Committee shall be delivered either personally, or by mail, to each member not less than 72 hours before the meeting date and shall comply with the Ralph M. Brown Act (Government Code Section 54950, *et seq.*).

Section 5. Quorum. A quorum shall constitute seven (7) members appointed to the Downtown Committee.

ARTICLE VI — DUTIES OF THE DOWNTOWN COMMITTEE

The Downtown Committee shall be an advisory body to the City Council on matters relating to the Downtown. The duties of the Downtown Committee shall include:

a. Recommending programs, projects, and policies that create a new vision for the Downtown which:

(1) Encourage economic development and promote a variety of businesses, services, and activities.

(2) Promote code compliance and attractive buildings.

(3) Support the maintenance and operations of well-designed and efficient parking facilities.

(4) Provide the City Council with recommendations on the assessment districts—the Business Improvement Districts and Parking Maintenance Operations Assessment District.

(5) Support Downtown pedestrian- and bicycle-friendly infrastructure.

(6) Encourage collaboration between the Downtown and public transit.

- b. Meeting periodically with the City Council to discuss activities, plans, and policies for the Downtown.
- c. Developing and recommending to the City Council an annual work program that prioritizes programs, projects, and policies; assigns these projects to the subcommittees, Executive Committee, and/or Downtown Committee; and establishes a meeting schedule.
- d. Electing a Chairperson and Vice Chairperson annually.

ARTICLE VII — OFFICERS

Section 1. Officers. The Officers of the Downtown Committee shall be a Chairperson and Vice Chairperson. A City of Mountain View staff person shall provide staff support to the Committee.

Section 2. Election of Officers. The Officers shall be elected annually by the Downtown Committee members from their own membership at the first meeting of the calendar year.

Section 3. Duties. The Chairperson shall preside at all meetings of the members and the Vice Chairperson, in the absence of the Chairperson, shall perform the duties of the Chairperson. The City of Mountain View staff person shall record minutes for the meetings of the Downtown Committee.

ARTICLE VIII — SUBCOMMITTEES

Section 1. Executive Committee. The Executive Committee shall consist of four (4) members, including the Chairperson, the Vice Chairperson, and the Chairpersons of the subcommittees. The duties of the Executive Committee shall be to facilitate the activities of the Downtown Committee.

Section 2. Other Subcommittees. The Downtown Committee shall have two (2) subcommittees: a Parking Subcommittee and an Economic Development Subcommittee. The Downtown Committee shall determine whether any changes should be made to the purpose, duties, and membership of the subcommittees two (2) years after adoption of these Bylaws and shall make a recommendation to the City Council on any proposed changes to the Bylaws based on this review.

a. Duties. Each subcommittee will make recommendations to the Downtown Committee concerning the following issues as may be more specifically defined by the Downtown Committee's annual work program.

(1) Parking Subcommittee. Responsible for recommending projects, programs, and policies to develop and maintain adequate, affordable, well-designed, and conveniently located

parking facilities for Downtown customers and employees, both in the Downtown Parking District and throughout the Downtown.

(2) Economic Development Subcommittee. Responsible for developing and recommending projects, programs, and policies that create and maintain an attractive, clean, high-quality Downtown District and encourage new Downtown investments and businesses that provide a variety of goods and services.

b. Delegation of Routine Tasks. In accordance with the work program, the Downtown Committee may delegate authority to a subcommittee to act on routine matters without recommendation or referral to the whole Committee membership for those items that do not require action by the Downtown Committee or a recommendation to the City Council. The subcommittees shall present an annual report to the Downtown Committee on the tasks that have been delegated to them.

c. Membership. Each subcommittee will have seven (7) members who are members of the Downtown Committee and are appointed by the Downtown Committee Chairperson according to the following guidelines.

(1) Parking Subcommittee. Three (3) members from within the Downtown Parking District (either Downtown business owners or Downtown property owners) and three (3) members from the Downtown Committee.

(2) Economic Development Subcommittee. Six (6) members from the Downtown Committee.

d. Parking Subcommittee Recommendations. The recommendations of the Parking Subcommittee concerning parking issues requiring City Council action shall be specifically noted in any report submitted by the Downtown Committee to the City Council.

e. Terms of Subcommittees. Each member of a subcommittee shall be appointed for renewable one- (1) year terms.

f. Chairperson. One (1) member of each subcommittee shall be selected Chairperson by a majority vote of members of that subcommittee and the Chairperson shall be a member of the Executive Committee.

g. Quorum. A majority of the appointed members of a subcommittee currently seated shall constitute a quorum.

ARTICLE IX — BOOKS AND RECORDS

The Downtown Committee shall keep correct and complete books of records of minutes of the meetings of the Downtown Committee's members and subcommittees and the names and addresses of the members entitled to vote.

ARTICLE X — DISSOLUTION

The Mountain View City Council may dissolve the Downtown Committee upon determination that it is in the best interest of the Downtown or the City of Mountain View that the Downtown Committee be dissolved.

ARTICLE XI — AMENDMENTS

These Bylaws may be altered, amended, or repealed and new Bylaws may be adopted by a majority vote of the City Council. The Downtown Committee may recommend to the City Council that the Bylaws be amended or repealed and new Bylaws be adopted by a majority vote of the general membership in any meeting, provided that at least seven (7) days' written notice be given of the intention to recommend that the Bylaws be altered, amended, repealed, or that new Bylaws be adopted.

JL/1/CDD
819-09-28-22B-so



DOWNTOWN COMMITTEE

MINUTES

REGULAR MEETING – TUESDAY, MAY 3, 2022
VIRTUAL MEETING WITH NO PHYSICAL MEETING LOCATION
10:00 A.M.

1. CALL TO ORDER

The meeting was called to order at 10:02 a.m. by Chair Mike Kasperzak.

2. ROLL CALL

Present: Committee members Erik Cormier, Raghav Gupta (arrived 10:13 a.m.), Maria Lange, Kira Pascoe (arrived 10:07 a.m.), Jamil Shaikh, Merry Yen (arrived 10:04 a.m.), Vice Chair Pamela Baird, and Chair Mike Kasperzak.

Absent: None.

Staff Present: John Lang, Economic Vitality Manager; Tiffany Chew, Business Development Specialist; Krisha Penollar, Associate Planner; Kristine Crosby, Recreation Manager; and Aruna Bodduna, Transportation Planner.

3. MINUTES APPROVAL

The minutes of the April 5, 2022 meeting were distributed prior to the meeting and approved as distributed.

Motion—M/S Cormier/Lange—Carried 6-0-2; Gupta and Pascoe absent—To approve the minutes of the April 5, 2022 meeting.

4. UPCOMING AGENDA TOPICS

- Discuss on impact of homelessness on downtown
- Music and entertainment in downtown

5. ORAL COMMUNICATIONS FROM THE PUBLIC

Bruce England provided the Committee an update on the planning of the Green Streets JAMS open streets event. The event planning is scaling back from a closed-street bike event

to a coordinated ride between Sunnyvale and Mountain View on June 26, 2022 with activations occurring in Washington Park in Sunnyvale and Castro Street and California Street in Mountain View.

6. UNFINISHED BUSINESS

6.1 DOWNTOWN DEVELOPMENT UPDATE

Planning Division staff provided an update on downtown development projects.

Public Comment: None.

No action taken.

6.2 CASTRO STREET UPDATE

Economic Development Division staff provided an update on the latest efforts along Castro Street related to the Pedestrian Mall Feasibility Study. Staff provided a brief update on outreach to property owners and businesses in the 100 to 300 blocks of Castro Street on the forthcoming Pedestrian Mall Study.

Public comment: None.

No action taken.

6.3 DOWNTOWN COMMITTEE BYLAWS

Economic Development Division staff provided an update on the proposed bylaw changes. Staff provided a summary of the current bylaw language and the recommended change. Move the Downtown Business Association seat from the business-at-large category to the downtown business/property owner category so there is separation between the DBA and Chamber. This would change the number of seats in the downtown category from four to five and business-at-large category from four to three. The total number of Downtown Committee seats would remain the same—11. The next steps if the Committee supports the changes is to take the changes to the Council Policy and Procedures Committee for review.

Public Comment: A member of the public provided an update on when the next Council Policy and Procedures Committee meeting might take place.

Motion—M/S Baird/Yen—Carried 7-0-1; Gupta abstain—To approve bylaw change as recommended by staff.

6.4 JOINT MEETING WITH THE VISUAL ARTS COMMITTEE

Economic Development Division staff provided an update on the recent Joint Meeting with the Visual Arts Committee. Detailed meeting minutes will be forthcoming at the next regularly scheduled Downtown Committee meeting. The feedback from the joint Committee meeting will help inform the next fiscal year work plans.

Visual Arts Work Plan Topics:

- Phantom galleries;
- Art in Windows;
- Projection/Wraps/Art/Functional art;
- Mural process improvements (consistency); and
- Kid-friendly art.

Downtown Work Plan Topics:

- Vacant storefronts;
- Inclusive downtown;
- Spring cleaning/beautification of downtown (flowers/newsracks);
- Pedestrian Mall guidelines; and
- Music in downtown.

Mutual Interest:

- Functional Art/Pedestrian Mall;
- Art in Windows program;
- Improved mural program for downtown walls; and
- Art in MV program (Sharks/Peanuts/Hearts/Bears, etc.).

Public Comment: None.

No action taken.

7. NEW BUSINESS

7.1 DOWNTOWN SUMMER EVENTS

Community Services Department staff provided an update to upcoming downtown summer events on the Civic Center Plaza (500 Castro Street)—Kid Stock—Saturday, May 21, June 18, and July 16; and Concerts on the Plaza—every Friday, June through September, from 6:00 p.m. to 7:30 p.m. Tech Showcase will take place on July 19, from 11:00 a.m. to 2:00 p.m. Yoga on the Plaza on June 21 and July 23, and nonprofit and/or community groups can reserve the plaza for events. The Farmers' Market will also bring back the Thursday seasonal market at Parking Lot 12 (Bryant Street between Mercy Street and California Street).

Public Comment: None.

No action taken.

7.2 DOWNTOWN PARKING DISTRICT ANNUAL RENEWAL

Economic Development Division staff provided an overview of the annual renewal. Staff recommends the annual renewal of the Downtown Parking Maintenance and Operation Assessment District No. 2 (Parking District) for Fiscal Year 2022-23 be renewed with no changes to the assessment formula and no increase to the number of parcels assessed from the last year. The assessment total of \$158,606 will continue to be spread out amongst the parcels with the Parking District.

Public Comment: None.

Motion—M/S Yen/Lange—Carried 8-0—To support the annual renewal of the Downtown Parking District as recommended by staff.

7.3 DEVELOP AN AD HOC COMMITTEE

Economic Development Division staff provided guidance from the City Clerk's Office on the process for establishing an ad hoc committee. The Committee discussed the opportunity to create an ad hoc committee to support the beautification of downtown.

Public Comment: None.

No action taken.

8. **COMMITTEE/STAFF COMMENTS, QUESTIONS, COMMITTEE REPORTS**—None.

9. **ADJOURNMENT**

The meeting adjourned at 11:40 a.m.

TC/4/CDD

822-05-03-22mn