



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

June 11, 2019

Council Chambers, 500 Castro St., Mountain View, CA 94041

SPECIAL MEETING OF SHORELINE REGIONAL PARK COMMUNITY

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

President Matichak called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

2. ROLL CALL

Present: 7 - Boardmember Clark, Boardmember Hicks, Boardmember Kamei, Boardmember McAlister, Boardmember Ramirez, Vice President Abe-Koga, President Matichak

4. CONSENT CALENDAR

Member of the public Lenny Siegel requested to pull Item 4.4 from the Consent Calendar and provided comments.

Boardmember Clark stated his vote on the Consent Calendar would be a recusal on Item 4.6, Resolution 2 due to his interest in real property near Project 20-61, El Camino Real Bike Improvements, Design, and Project 22-46, El Camino Real Bike Improvements, Shoreline/Miramonte-Rengstorff, Construction.

Vice President Abe-Koga requested to record a no vote on Item 4.6, Resolution 1, Project 20-59, Automated Guideway Transportation Phase II, Feasibility Study and stated her vote on Resolution 3, Project 20-66, Downtown Precise Plan Update would be a recusal due to her interest in real property in the downtown area.

Boardmember Kamei stated her vote on the Consent Calendar would be a recusal on Item 4.6, Resolution 1, Projects 20-59, Automated Guideway Transportation Phase II, Feasibility Study and Project 24-40, Moffett Boulevard Class IV Bikeway, Middlefield-Clark, Preliminary Design due to real property leased near the areas.

Boardmember Hicks stated her vote on the Consent Calendar would be a recusal on Item 4.6, Resolution 3, Project 20-66, Downtown Precise Plan Update, due to her interest in real property in the downtown area.

President Matichak requested to record a no vote on Item 4.6, Resolution 1, Project 20-59, Automated Guideway Transportation Phase II, Feasibility Study.

Boardmember McAlister stated his vote on the Consent Calendar would be a recusal on Item 4.6, Resolution 2 due to his interest in real property near Project 20-61, El Camino Real Bike Improvements, Design, and Project 22-46, El Camino Real Bike Improvements, Shoreline/Miramonte-Rengstorff, Construction.

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

The motion carried by the following vote:

Yes: 7 - Boardmember Clark, Boardmember Hicks, Boardmember Kamei, Boardmember McAlister, Boardmember Ramirez, Vice President Abe-Koga, President Matichak

4.3 Ordinance Amending Chapter 15, Article II of the Mountain View City Code Related to Mobile Vendors (Second Reading)

Adopt Ordinance No. 7.19 Amending Chapter 15, Article II of the Mountain View City Code Related to Mobile Vendors, read in title only, further reading waived.

4.4 Amendments to Cannabis Business Regulations (Second Reading)

1. Adopt Ordinance No. 8.19 Amending Cannabis Regulations in Article IX, Division 21 of Chapter 36, to Prohibit Storefront Retail Cannabis Businesses within the City, Maintain Existing Sensitive Use Buffers, Establish a Minimum Distance of 600' between Cannabis Businesses, and Establish a Maximum Number of Nonstorefront Cannabis Businesses to Three in the City, read in title only, further reading waived.

2. Introduce an Ordinance Amending Cannabis Regulations in Article V, Division 2, and Article VI, Divisions 2 and 3, of Chapter 36 to Amend Land Use and Permitting Requirements to Prohibit Storefront Retail Cannabis Businesses within the City, read in title only, further reading waived, and set a second reading for June 25, 2019.

3. Adopt Resolution No. 18347 Amending the P-19 (Downtown) Precise Plan, the P-38 (El Camino Real) Precise Plan, and the P-39 (North Bayshore) Precise Plan to Prohibit Storefront Retail Cannabis Businesses within their Boundaries, read in title only, further reading waived.

4. Adopt Resolution No. 18348 Amending the City of Mountain View Master Fee Schedule to Modify the Cannabis Business Registration Fee, read in title only, further reading waived.

5. Adopt Resolution No. 18349 Establishing a Cannabis Tax Rate of 9 Percent of Gross Receipts, read in title only, further reading waived.

4.6 Proposed Fiscal Years 2019-20 through 2023-24 Capital Improvement Program

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

1. Adopt a Resolution Approving Capital Improvement Projects 20-59, Automated Guideway Transportation Phase II, Feasibility Study, and 24-40, Moffett Boulevard Class IV Bikeway, Middlefield-Clark, Preliminary Design, Identified in the Fiscal Years 2019-20 through 2023-24 Capital Improvement Program, read in title only, further reading waived.

For Project 20-59, Automated Guideway Transportation Phase II, Feasibility Study, the motion carried by the following vote:

Yes: 4 - Boardmember Clark, Boardmember Hicks, Boardmember McAlister, Boardmember Ramirez

No: 2 - Vice President Abe-Koga, President Matichak

Recused: 1 - Boardmember Kamei,

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

1. Adopt a Resolution Approving Capital Improvement Projects 20-59, Automated Guideway Transportation Phase II, Feasibility Study, and 24-40, Moffett Boulevard Class IV Bikeway, Middlefield-Clark, Preliminary Design, Identified in the Fiscal Years 2019-20 through 2023-24 Capital Improvement Program, read in title only, further reading waived.

For Project 24-40, Moffett Boulevard Class IV Bikeway, Middlefield-Clark, Preliminary Design, the motion carried by the following vote:

Yes: 6 - Boardmember Clark, Boardmember Hicks, Boardmember McAlister, Boardmember Ramirez, Vice President Abe-Koga, President Matichak

Recused: 1 - Boardmember Kamei

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

2. Adopt Resolution No. 18350 Approving Capital Improvement Projects 20-61, El Camino Real Bike Improvements, Design, and 22-46, El Camino Real Bike Improvements, Shoreline/Miramonte-Rengstorff, Construction, Identified in the Fiscal Years 2019-20 through 2023-24 Capital Improvement Program, read in title only, further reading waived.

The motion carried by the following vote:

Yes: 5 - Boardmember Hicks, Boardmember Kamei, Boardmember Ramirez, Vice President Abe-Koga, President Matichak

Recused: 2 - Boardmember Clark, Boardmember McAlister

5. Adopt Resolution No. S-161 Approving the Proposed Fiscal Years 2019-20 through 2023-24 Capital Improvement Program for the Shoreline Regional Park Community, Including Amendments to Existing Projects, read in title only, further reading waived.

The motion carried by the following vote:

Yes: 7 - Boardmember Clark, Boardmember Hicks, Boardmember Kamei, Boardmember McAlister, Boardmember Ramirez, Vice President Abe-Koga, President Matichak

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Albert Jeans expressed safety concerns regarding traffic at Shoreline and Terra Bella, and displayed a video.

Ilya Gurin spoke regarding City Council actions related to cannabis businesses.

Kristen Anderson spoke in support of providing services to the homeless.

Alex Brown spoke in support of providing services to the homeless and in support of a referendum regarding retail cannabis businesses.

Meghan Fraley spoke regarding civility.

6. PUBLIC HEARING

6.1 Public Hearing for the Fiscal Year 2019-20 Proposed Budget

Community Manager Dan Rich presented the staff report. Treasurer Jesse Takahashi, Fire Chief Juan Diaz and Interim Community Services Director John Marchant provided additional information.

Public Hearing opened at 7:26 p.m.

The following members of the public spoke:

Steven Nelson

Robert Pollak

Nadia Mora, on behalf of the Spanish Leadership Academy

Fernando Romero

Adina Levin, Friends of Caltrain

Bruce Naegel

Public Hearing closed at 7:39 p.m.

By consensus, Council affirmed support for the budget follow up items:

- Childcare subsidies: \$100,000 (Childcare Commitment Reserve for the next 5 years)
- Feminine Hygiene Products at City Facilities: Option 2
- Friends of Caltrain: \$5,000 (GOF ongoing)
- Community Outreach (Multilingual) Coordinator 0.25 FTE limited-period position, with direction to staff to come back to Council with information regarding how an increase to a 0.50 FTE limited-period position or additional program funding could be used.

7. UNFINISHED BUSINESS

7.1 Approve Direction for a Safe Parking Program on City Lots and Safe Parking Ordinance Parameters

Assistant to the Community Manager Kimberly Thomas presented the staff report. Assistant Counsel Nicole Wright, Counsel Jannie Quinn, Planning Manager/Zoning Administrator Stephanie Williams, Community Manager Dan Rich, Assistant Community Manager/Community Development Director Aarti Shrivastava and Police Sergeant Wahed Magee provided additional information.

Ky Le, Director, County of Santa Clara Office of Supportive Housing, provided additional information.

Public Comment opened at 8:57 p.m.

The following members of the public spoke:

Louise Katz, on behalf of Livable Mountain View

Mary Hodder, on behalf of Livable Mountain View

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

Arpenny Hart

Roger Newby Simmie

Suhas Patil

Steven Peters

Reverend Lisa McIndoo, St. Timothy's Episcopal Church

Steven Nelson

Janet Stevens, and submitted written materials

Angel Santvario

Lester Fraim

David Low, Destination: Home

Dave Arnone, on behalf of five others present, and provided a PowerPoint presentation

Heather Bucy, LifeMoves

Joan MacDonald, on behalf of Advocates for Affordable Housing

Job Lopez

Matthew Pataky

Lenny Siegel, on behalf of seven others present, and provided a PowerPoint presentation
David Bengel
Shari Emling
Robert Pollak, and submitted written materials
Mitch Mankin, SV@Home
Unidentified Man, Patrick Ewell
Gil Eakins

Public Comment closed at 10:26 p.m.

Following discussion, President Matichak summarized the Board's direction on the parameters and permit process for a Safe Parking Ordinance to be brought back to the Board in the fall: Question 1, permitting approach: tie it to the shelter crisis and take a look at whether it is possible to extend that action; permits would be by right for churches and private lots in non-residential areas; if in areas adjacent to or in a residential area, Option 1 provided on page 4 of the staff report; Question 2, funding: Board is willing to fund services with a desire to seek partners; Question 3, vehicle ownership: include rented vehicles as long they are habitable; for Question 4, preferences: students in the Mountain View Los Altos school districts, consider live/work preferences, seniors, and persons with disabilities, applicable on City sites and not necessarily on private sites.

Community Manager Rich additionally summarized general Council consensus for expanding the zones to other parts of the City, agreement to pursue a State exemption but not necessarily as a high priority, and support for the concept of a task force but questions regarding the City's role.

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

Adopt Resolution No. 18353 for City Safe Parking Program Operations for Shoreline Amphitheatre Lot B and the Pioneer/Evelyn Lot Once Permitted under a Lease Agreement with the Valley Transportation Authority, read in title only, further reading waived.

Authorize the Community Manager to execute a contract with the County of Santa Clara to continue a case worker for Permanent Supportive Housing for chronically homeless for an amount not to exceed \$125,000.

The motion carried by the following vote:

Yes: 7 - Boardmember Clark, Boardmember Hicks, Boardmember Kamei, Boardmember McAlister, Boardmember Ramirez, Vice President Abe-Koga, President Matichak

MOTION - M/S - Clark/Matichak - To continue with the remainder of the agenda.

The motion carried by the following show of hands vote:

Yes: 4 - Boardmember Clark, Boardmember Hicks, Boardmember Ramirez, President Matichak

No: 3 - Boardmember Kamei, Boardmember McAlister, Vice President Abe-Koga

The Board recessed at 11:29 p.m.

The Board reconvened at 11:42 p.m. with all Boardmembers present.

7.2 Oversized Vehicle Parking Prohibition Ordinance

Assistant to the Community Manager Kimberly Thomas and Assistant Counsel Nicole Wright presented the staff report. Counsel Jannie Quinn and Community Manager Dan Rich provided additional information.

Public Comment opened at 12:02 a.m.

The following members of the public spoke:

Lenny Siegel, Housing Justice Coalition

Blaine Dewonczyk

Janet Stevens

Liza Mawedor, Associated Students of Foothill College

Devon Johnson

Michael Kahan, Housing Justice Coalition

Fred Turner

Steven Nelson

Michael Trujillo, Staff Attorney, Law Foundation of Silicon Valley

Juliet Brodie, Stanford Community Law Clinic

Taylor Williams, Stanford Community Law Clinic

Joan MacDonald, on behalf of Advocates for Affordable Housing

Tom Myers, Executive Director, Community Services Agency

Connor O'Brien

Anne Fischer

Graham Poor

Brian Leong, Pastor, Lord's Grace Christian Church and President, MOVE Mountain View

David Bengel

Shari Emling

Amber Stime, Lots of Love, speaking for herself

Angel Santvario

Helen Ciernick

Public Comment closed at 12:46 a.m.

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

1. Introduce an Ordinance Amending Articles I, VIII, and IX of Chapter 19 of the Mountain View City Code Related to Oversized Vehicle Parking, read in title only, further reading waived, and set a second reading for June 25, 2019 (Attachment 1 to the Council report), with an enforcement date of November 15, 2019;
2. Adopt a Resolution Amending the City of Mountain View Master Fee Schedule, to be read in title only, further reading waived;
3. Introduce an Ordinance Amending Section 19.70.1 to Chapter 19, Division 2, of the Mountain View City Code Related to the Parking of Vehicles that Discharge Domestic Sewage on the Public Right of Way, read in title only, further reading waived, and set a second reading for June 25, 2019; and

Item 2 from the draft motion as proposed by Boardmember Ramirez: Direct staff to return to the Board 6 months after the effective date of the Ordinance with an evaluation of the effectiveness of the Ordinance.

Item 5 from the draft motion as proposed by Boardmember Ramirez: In the context of City Council Major Goals Work Plan project 2.19, "Update City documents per new housing laws," and future regularly scheduled modifications to the Zoning Ordinance, as appropriate, direct staff to return to Council with recommendations to allow emergency shelter as a permitted or conditional use in additional Zoning Districts and Precise Plan areas; and

Item 6 from the draft motion as proposed by Boardmember Ramirez: Direct staff to return to the Board no later than May 2020 with a progress report regarding efforts to increase emergency shelter capacity, consistent with Resolution No. 18301, including recommendations for possible action to increase capacity to accommodate unmet need for shelter.

Community Services Agency Executive Director Tom Myers responded to the Board's questions.

FRIENDLY AMENDMENT: Boardmember Kamei offered a friendly amendment to change the time to 2:00 a.m. - 6:00 a.m. and modify the enforcement date to January 1, 2020.

Following discussion, President Matichak accepted the friendly amendment regarding the enforcement date with a modification to set the enforcement date to December 31, 2019.

Vice President Abe-Koga accepted the friendly amendment.

SUBSTITUTE MOTION - M/S - McAlister/Kamei - To:

1. Introduce an Ordinance Amending Articles I, VIII, and IX of Chapter 19 of the Mountain View City Code Related to Oversized Vehicle Parking, read in title only, further reading waived, and set a second reading for June 25, 2019, with an enforcement date of December 31, 2019 and the alternative language for 19.72.1(b), hours as listed on Attachment 5 to the staff report: "No person

shall park any oversized vehicle on any street except as provided in subsection (c) below from 2:00 a.m. to 6:00 a.m. Parking restrictions of oversized vehicles shall not apply to El Camino Real and other Caltrans rights-of-way in Mountain View, unless and until Caltrans approves the parking restrictions or delegates the authority to enact such restrictions to the City of Mountain View, pursuant to Vehicle Code Sec. 22506;”

2. Adopt a Resolution Amending the City of Mountain View Master Fee Schedule, to be read in title only, further reading waived;

3. Introduce an Ordinance Amending Section 19.70.1 to Chapter 19, Division 2, of the Mountain View City Code Related to the Parking of Vehicles that Discharge Domestic Sewage on the Public Right of Way, read in title only, further reading waived, and set a second reading for June 25, 2019; and

Item 2 from the draft motion as proposed by Boardmember Ramirez: Direct staff to return to Council 6 months after the effective date of the Ordinance with an evaluation of the effectiveness of the Ordinance.

Item 5 from the draft motion as proposed by Boardmember Ramirez: In the context of City Council Major Goals Work Plan project 2.19, “Update City documents per new housing laws,” and future regularly scheduled modifications to the Zoning Ordinance, as appropriate, direct staff to return to Council with recommendations to allow emergency shelter as a permitted or conditional use in additional Zoning Districts and Precise Plan areas; and

Item 6 from the draft motion as proposed by Boardmember Ramirez: Direct staff to return to Council no later than May 2020 with a progress report regarding efforts to increase emergency shelter capacity, consistent with Resolution No. 18301, including recommendations for possible action to increase capacity to accommodate unmet need for shelter.

The substitute motion failed by the following vote:

Yes: 2 - Boardmember Kamei, Boardmember McAlister

No: 5 - Boardmember Clark, Boardmember Hicks, Boardmember Ramirez, Vice President Abe-Koga, President Matichak

The main motion failed by the following vote:

Yes: 3 - Boardmember Kamei, Vice President Abe-Koga, President Matichak

No: 4 - Boardmember Clark, Boardmember Hicks, Boardmember McAlister, Boardmember Ramirez

MOTION - Boardmember Ramirez moved to:

1. Introduce an Ordinance Amending Articles I, VIII, and IX of Chapter 19 of the Mountain View City Code Related to Oversized Vehicle Parking, to be read in title only, further reading waived, and set a second reading for June 25, 2019.

- a. Incorporate the alternative language (provided in Attachment 5 to the Council report) for Section 19.72.1(b), prohibiting parking between 2:00 a.m. and 6:00 a.m.
- b. Incorporate language staff feels appropriate to prohibit parking in residential zones, which would mean opening up industrial areas to parking.
- c. Upon the expiration of Resolution No. 18301, "Declaring a Shelter Crisis" direct staff to return to Council for a check-in, and at that time determine the effective date of the ordinance.

2. Direct staff to return to Council 6 months after the effective date of the Ordinance with an evaluation of the effectiveness of the Ordinance.

3. Adopt a Resolution Amending the City of Mountain View Master Fee Schedule, read in title only, further reading waived.

4. Introduce an Ordinance Amending Section 19.70.1 to Chapter 19, Division 2, of the Mountain View City Code Related to the Parking of Vehicles that Discharge Domestic Sewage on the Public Right-of-Way, read in title only, further reading waived, and set a second reading for June 25, 2019.

5. In the context of City Council Major Goals Work Plan project 2.19, "Update City documents per new housing laws," and future regularly scheduled modifications to the Zoning Ordinance, as appropriate, direct staff to return to Council with recommendations to allow emergency shelter as a permitted or conditional use in additional Zoning Districts and Precise Plan areas.

6. Direct staff to return to Council no later than May 2020 with a progress report regarding efforts to increase emergency shelter capacity and alleviate the shelter crisis, consistent with Resolution No. 18301, including recommendations for possible action to increase capacity to accommodate unmet need for shelter.

7. Direct staff to work with the County of Santa Clara, CSA, LifeMoves, Destination: Home, and other service providers to reduce barriers and identify opportunities to increase transitional housing supply, shelter capacity, and permanent supportive housing; and

Direct staff to enhance the traffic engineer's ability to apply timed parking restrictions and other regulations to improve safety; and

Direct staff to return to Council with additional recommendations as appropriate in order to address public health and safety.

Following discussion, Boardmember Ramirez withdrew the motion.

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

Direct staff to: bring back in the fall restrictions addressing key public health and safety concerns related to oversized vehicles near driveways, pedestrian crossings, key bike and pedestrian corridors, and daytime restrictions in certain areas around Eagle Park and Rengstorff Park; bring back what restrictions in residential zones would look like; bring back an ordinance with an effective date of January 1, 2020 for an overnight ban on oversized vehicles parking from 2:00 a.m. - 6:00 a.m.; and, return with data on the program in March/April 2020 and to consider adoption of an ordinance for a full ban effective July 1, 2020, at the end of the initial shelter crisis and school year, in order to move to the next phase if Council chooses; and

Introduce an Ordinance Amending Section 19.70.1 to Chapter 19, Division 2, of the Mountain View City Code Related to the Parking of Vehicles that Discharge Domestic Sewage on the Public Right of Way, read in title only, further reading waived, and set a second reading for June 25, 2019; and

Include recommendations 5, 6, and 7 of the draft motion proposed by Boardmember Ramirez dated June 11, 2019 and provided to the Board at the dais:

5. In the context of City Council Major Goals Work Plan project 2.19, "Update City documents per new housing laws," and future regularly scheduled modifications to the Zoning Ordinance, as appropriate, direct staff to return to Council with recommendations to allow emergency shelter as a permitted or conditional use in additional Zoning Districts and Precise Plan areas.

6. Direct staff to return to Council no later than May 2020 with a progress report regarding efforts to increase emergency shelter capacity and alleviate the shelter crisis, consistent with Resolution No. 18301, including recommendations for possible action to increase capacity to accommodate unmet need for shelter.

7. Direct staff to work with the County of Santa Clara, CSA, LifeMoves, Destination: Home, and other service providers to reduce barriers and identify opportunities to increase transitional housing supply, shelter capacity, and permanent supportive housing.

The motion carried by the following vote:

Yes: 6 - Boardmember Clark, Boardmember Hicks, Boardmember Kamei, Boardmember McAlister, Boardmember Ramirez, Vice President Abe-Koga

No: 1 - President Matichak

10. ADJOURNMENT - At 3:24 a.m., President Matichak adjourned the meeting.

LISA NATUSCH
SECRETARY