



Lucas Ramirez, Mayor
Alison Hicks, Vice Mayor
Margaret Abe-Koga, Councilmember
Ellen Kamei, Councilmember
Sally Lieber, Councilmember
Lisa Matchak, Councilmember
Pat Showalter, Councilmember

Kimbra McCarthy, City Manager
Jannie L. Quinn, Interim City Attorney
Heather Glaser, City Clerk

March 08, 2022

Video Conference with No Physical Meeting Location

REGULAR CITY COUNCIL MEETING

During this declared state of emergency, the meeting was conducted in accordance with California Government Code §54953(e) as authorized by resolution of the City Council. All members of the City Council participated in the meeting by video conference, with no physical meeting location.

6:00 P.M.-CLOSED SESSION

At 6:00 p.m., Mayor Ramirez called the meeting to order.

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

Interim City Attorney Quinn announced the item listed for Closed Session.

There were no public speakers.

At 6:02 p.m., Mayor Ramirez recessed the meeting to Closed Session with all Councilmembers present.

2. CLOSED SESSION

2.1 Conference with Legal Counsel - Existing Litigation (Government Code §54956.9(d) (1)); Name of cases: James R. Zuegel v. City of Mountain View, et al., United States District Court, Northern District of California, Case No. 5:17-cv-03249-BLF and Case No. 5:21-cv-07538-BLF

At 6:12 p.m., Closed Session concluded.

6:30 P.M.-REGULAR SESSION

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

At 6:30 p.m., Mayor Ramirez called the meeting to order.

Mayor Ramirez led the Pledge of Allegiance.

2. ROLL CALL

Present: 7 - Councilmember Abe-Koga, Councilmember Kamei, Councilmember Lieber, Councilmember Matichak, Councilmember Showalter, Vice Mayor Hicks, Mayor Ramirez

3. PRESENTATIONS

The following members of the public spoke:

Jim Zaorski discussed the Monta Loma Park Redesign.
Jessica Chohan

3.1 COVID-19 Update by City Manager Kimbra McCarthy

City Manager McCarthy presented the update.

3.2 Monta Loma Park Redesign Update by Carducci Associates

Community Services Director John Marchant introduced Vince Lattanzio and Karly Behncke from Carducci Associates, who made a presentation.

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

4. CONSENT CALENDAR

Councilmember Showalter discussed Item 4.6.

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

The motion carried by the following roll call vote:

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

4.1 Approve Minutes

Approve City Council meeting minutes of February 8, 2022.

4.2 601-649 Escuela Avenue and 1873 Latham Street Mixed-Use Project (Second Reading)

Adopt Ordinance No. 1.22 of the City of Mountain View Amending the Zoning Map from the R3-2.5 (Multi-Family Residential) Zoning District to the P(38) (El Camino Real Precise Plan) for the Property Located at 1873 Latham Street. (First reading: 7-0)

4.3 Ordinance Requiring the Safe Storage of Firearms in Residences and Vehicles

(Second Reading)

Adopt Ordinance No. 2.22 of the City of Mountain View Adding Article V to Chapter 21 of the Mountain View City Code Relating to the Safe Storage of Firearms in Residences and Vehicles in the City of Mountain View. (First reading: 7-0)

4.4 AB 361 Resolution to Continue Remote Public Meetings During State of Emergency

Adopt Resolution No. 18651 of the City Council of the City of Mountain View Authorizing and Continuing Virtual Meetings of City Council, Committees, Boards and Commissions Pursuant to AB 361 and Making Required Findings.

4.5 Program Supplement No. 000000X04 to Administering Agency-State Agreement for State-Funded Projects No. 04-5124S21 with the California Department of Transportation for the Local Road Safety Plan

Adopt Resolution No. 18652 of the City Council of the City of Mountain View Authorizing the Public Works Director to Execute Program Supplement No. 000000X04 to Administering Agency-State Agreement for State Funded Projects No. 04-5124S21 with the California Department of Transportation for the Local Road Safety Plan.

4.6 Santa Clara County Civil Grand Jury Report Response - Affordable Housing

Approve the City's response to the 2021 Santa Clara County Civil Grand Jury's final report, "Affordable Housing: A Tale of Two Cities" (Attachment 1 to the Council report).

4.7 San Antonio Mini-Park (Fayette Park), Project 20-48-Variou Actions

1. Transfer and appropriate \$450,000 from the Park Land Dedication Fund to San Antonio Mini-Park (Fayette Park), Project 21-48. (Five votes required)

2. Approve plans and specifications for Fayette Park and authorize staff to advertise the project for bids.

3. Authorize the City Manager or designee to award the construction contract to the lowest responsible bidder if the bid is within the project budget.

4.8 Plymouth/Space Park Realignment, Project 20-40-Amend Professional Services Agreement and Appropriate Funds

1. Authorize the City Manager or designee to amend the professional services agreement with BKF Engineers for an additional \$400,000 for Plymouth/Space Park Realignment, Project 20-40, for a total not-to-exceed amount of \$1,555,565.

2. Appropriate funds in the amount of \$885,952 received from Google LLC to Plymouth/Space Park Realignment, Project 20-40. (Five votes required)

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

The following members of the public spoke:

Vivek Chopra discussed the Monta Loma Park Redesign.
Tim MacKenzie discussed the Monta Loma Park Redesign.
Robin Lin discussed parks in the City.
Kristine Keller from Mountain View discussed 555 West Middlefield Road.
Alex Brown discussed Council meetings.

6. STUDY SESSION

6.1 Housing Element Update-Draft Sites Inventory and Draft Goals and Policies

The purpose of this Study Session was for staff to brief the City Council on the Draft Housing Element Sites Inventory, draft goals and policies, Council's Strategic Roadmap Action Plan (workplan) project of identifying and developing a response to R1 and R2 parcels that exceed allowed densities, and for the Council to provide feedback and policy direction on those topics.

Senior Planner Ellen Yau presented the item. Assistant City Manager/Community Development Director Aarti Shrivastava, Advance Planning Manager Eric Anderson, Housing and Neighborhood Services Manager Micaela Hellman-Tincher and Matt Kowta, Managing Principal from BAE Urban Economics were available for questions.

The following members of the public spoke:

David Watson from Mountain View.
James Kuszmaul
Ilya Gurin from Mountain View.
Robert Cox, on behalf of the Livable Mountain View Steering Committee.
Kalisha Webster, on behalf of Housing Choices.
Tim MacKenzie from Mountain View.
Marlee Smith, on behalf of Silicon Valley Leadership Group.
Miriam Connor from Mountain View.
James Nichols
Tony from Mountain View.
Philip Cosby
Kelsey Banes from Mountain View.
Salim Damerджи from Mountain View.
Kevin Ma from Mountain View.
Hala Alshahwany
Daniel Hulse from Mountain View.
Kristine Keller from Mountain View.
Raiza Singh
Alex Brown

The Council directed questions to City staff and Matt Kowta.

A majority of the Council indicated support for staff's sites inventory methodology and recommended the following amendments: 1) add shopping centers (where General Plan allows residential) in the sites inventory; and 2) depending on the work required, for either the sites inventory, "Back-Pocket" or neither, and whether a General Plan amendment is needed or whether Housing and Community Development will support the sites, staff to explore the following: a) other shopping centers (where General Plan does not allow residential); b) South Drive area; c) non-historic churches (in R districts); d) non-historic/underutilized government sites; e) proactively reach out and collaborate with property owners (to extent feasible given time limitations); and f) remove Target site from inventory.

A majority of the Council indicated support for "Back-Pocket" rezoning areas (keep Transit Center, Village Centers and Moffett Boulevard).

A majority of the Council indicated support for the draft list of Goals and Policies and recommended the following amendments: 1) amend wording of goals to be more concrete and less aspirational; 2) amend Goal 1 to better define "meet the needs"; 3) amend Goal 1 Policy 8 to add water and energy efficiency to sustainability policy; 4) amend Goal 1 to include active nodes, walkable neighborhoods with amenities and services; and 5) amend Goal 2 Policy 7 to add individuals with developmental and intellectual disabilities.

A majority of the Council indicated support for staff to explore and evaluate whether to add the following policies/programs to the Housing Element and make recommendations on whether they should be located elsewhere (Strategic Roadmap Action Plan – existing or future): 1) reduce parking requirements for 100% affordable housing; 2) adopt local Senate Bill 330 (replacement and first right of return); 3) efficiency studios; 4) Community Opportunity to Purchase/Tenant Opportunity to Purchase; 5) community land trusts; and 6) affordable housing overlay (e.g. for churches).

By consensus, the Council indicated support for staff's recommendation to study targeted updates to the nonconforming section of the Zoning Code to preserve units in R1 and R2 zones.

MOTION - M/S - Ramirez/Showalter - At 11:25 p.m., to continue the meeting beyond 10:00 p.m.

Yes: 5 - Councilmember Kamei, Councilmember Lieber, Councilmember Showalter, Vice Mayor Hicks, Mayor Ramirez

No: 2 - Councilmember Abe-Koga, Councilmember Matichak

At 11:26 p.m., Mayor Ramirez recessed the meeting. The meeting reconvened at 11:35 p.m. with all Councilmembers present.

7. PUBLIC HEARING - None.

8. NEW BUSINESS**8.1 Consideration of Assembly Bill 571 Contribution Limits for City Council Candidates and Future Campaign Finance Ordinance Amendments**

City Clerk Glaser and Senior Assistant City Attorney Nicole Wright presented the item. Assistant City Attorney Diana Fazely was available for questions.

The Council directed questions to staff.

The following members of the public spoke:

Emily Ann Ramos

Katie Zoglin from Mountain View, on behalf of the League of California Women Voters of Los Altos-Mountain View Area.

Tim MacKenzie

Salim Damerджи

Kevin Ma

Alex Brown

Kristine Keller

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

1. Direct staff to return with an ordinance that establishes candidate campaign contribution limits of \$1,000 for candidates that accept and adhere to the voluntary expenditure limit and \$500 for candidates that reject the voluntary expenditure limit or do not adhere to limit.
2. Direct staff to return with an ordinance that includes the recommended Disclosure in Advertisements Ordinance amendments.
3. Direct staff to return with an ordinance that requires reporting and disclosure requirements for local committees that receive contributions or make expenditures in excess of \$500.
4. Direct staff to return with process for reporting non-candidate controlled committee non-filers to the Fair Political Practices Commission.

The motion carried by the following roll call vote:

Yes: 4 - Councilmember Abe-Koga, Councilmember Lieber, Vice Mayor Hicks, Mayor Ramirez

No: 3 - Councilmember Kamei, Councilmember Matichak, Councilmember Showalter

A majority of the Council indicated support for staff bringing the political sign ordinance

back to be repealed.

9. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Matchak stated she attended a County of Santa Clara Airport Land Use Commission meeting and a Council Finance Committee meeting.

Councilmember Abe-Koga stated she attended a County of Santa Clara Hate Crimes Task Force meeting.

In response to Councilmember Abe-Koga, City Clerk Glaser stated staff would work to bring a proclamation condemning anti-Semitism to the Council at its next meeting.

10. CLOSED SESSION REPORT

Interim City Attorney Quinn stated that, in accordance with California Government Code § 54957.1, approval was given to legal counsel to refrain from seeking appellate review of the order issued by the judge on the Motion for Judgment as a Matter of Law in Zuegel vs. City of Mountain View et al, case number 5:17cv03249BLF and 9th circuit case number 21-162276. This a federal civil rights court case involving the issue of consent.

11. ADJOURNMENT

At 12:40 a.m. on Wednesday, March 9, Mayor Ramirez adjourned the meeting.

Approved on April 12, 2022.

Lucas Ramirez, Mayor

Heather Glaser, City Clerk