

City Council Questions

September 8, 2020 Council Meeting

ITEM 4.3 East Whisman Area Transit-Oriented Development Improvements, Phase II: Ellis Street Improvements, Project 16-48-Various Actions

1. Was the \$90,000 tied to any project?

This is new voluntary funding from Google provided for augmenting the design of the Ellis Street Improvements to include the multi-use pathway.

2. Is Google paying 100% of the Manila Bicycle Connector?

Google is paying 100% of the design and construction costs for the improvements on Manila, except for the street light poles and fixtures. The City would be providing these materials, but Google would install as part of the project.

ITEM 4.4 Citywide Outdoor Business Operations Program

1. Is any entertainment allow downtown?

Only light amplified music is allowed on Castro Street in a manner that does not disturb the adjacent businesses. Other than that, live performances, dancing, etc. are not allowed by the County's order and mandatory directive for outdoor dining.

2. Can we modify the NO amplified Speakers rule?

Staff used the guidelines for Castro StrEATs as a model for the outdoor dining and services requirements. However, some revisions were made to adjust for the fact that outdoor services requirements would apply on a City-wide basis and that many commercial areas are adjacent to residential neighborhoods. The goal was to have a simplified process that balanced the need for businesses to operate in a manner that was respectful to adjoining businesses and adjacent neighborhoods and one that did not involve constant staff monitoring. The Castro StrEATs program is limited to Castro Street, which is not directly adjacent to neighborhoods. Even so, it has involved a considerable amount of staff time to monitor and make adjustments, which would not be possible on a City-wide basis due to limited staffing.

ITEM 7.1 Options for Extending the Safe Parking Program

1. Does staff know if it would be possible for private lots to partner with the county and run 24/7 like our city-owned lots do?

The County staff has indicated this is a possibility. The County has done this at the Alta Housing / Terra Bella lot and continues to work to foster other private lots.

2. The staff report says that other cities don't have safe lots serving as many vehicle residents as Mountain View. Does staff know the capacity of other city's other emergency shelter services like shelter space, permanent supportive housing, SROs, trailer parks, etc., or will this be a subject in coming reports back to Council on the homeless and vulnerably housed?

City staff has only surveyed on safe parking – not Countywide programs. Please see attachment 2 and the supplement noted below to question 3 showing further detail for safe parking in Santa Clara County. The County does periodic updates on all programs that show city participation as a part of their Annual Report(s). The most recent report available at this time is as of 2018:

<https://www.sccgov.org/sites/osh/ContinuumofCare/ReportsandPublications/Documents/EndingHomelessness2018.pdf>

- The spreadsheet in Attachment 2 says several cities have 15, 10 or 4 vehicles per lot. But does staff know how many lots do they have or what their total lot capacity is?

The numbers included in Attachment 2 reflected the survey data staff was able to determine through our research as to what is allowed on the lots in the region. Staff includes a more detailed summary chart here to supplement Attachment 2, which includes additional clarification on the capacity in Santa Clara County as of March 2020 (Source: County). The maximum parking capacity for non-Mountain View lots is not known to City staff (e.g., the number of passenger or oversized vehicles that may fit on each lot).

Summary of Safe Parking Programs in Santa Clara County as of March 2020					
Name	Site(s)	City/Cities	Agency	Static Capacity	
				Passenger Cars	RVs
Posada Project	VTA lot - Tully	San Jose	Amigos de Guadalupe	15	0
Posada Project	Franklin-McKinley School District	San Jose		5	Allowed
Posada Project	Alum Rock United Methodist Church	San Jose		15	0
Posada Project	Hope Lutheran Church (families only)	Santa Clara		0	5
Focus Safe Parking Program	Morgan Hill Bible Church	Morgan Hill	Gilroy Compassion Center	8	Allowed
Lots of Love	Shoreline - Oversized vehicle spots	Mountain View	Move Mountain View	Allowed, up to 15% of spaces	29
Lots of Love	VTA lot - Evelyn - Oversized vehicle spots	Mountain View		Allowed, up to 15% of spaces	30
Lots of Love	PAHC Terra Bella	Mountain View		1	8
Lots of Love	Lord's Grace Christian Church	Mountain View		4	0

Lots of Love	St. Timothy's Church (*when in service)	Mountain View		4	0
Rotating Safe Car Park	Rotating sites - 1-2 months per site: Prince of Peace Lutheran Church, West Valley College, and 4 others	Cupertino/Saratoga	n/a - organized by volunteers	20-25, Limited to 30 people	0
Silicon Valley Safe Parking	Rotating sites - 1-2 months per site: First Congregational Church of San Jose, Bellarmine College Prep, Christ the Good Shepherd Church, Cornerstone Church of Silicon Valley, WestGate Church, Campbell UCC, Menlo Church	Campbell/San Jose	n/a - organized by volunteers	15	0
LifeMoves Safe Parking	Roosevelt Community Center	San Jose	LifeMoves	24	Up to 4 considered
LifeMoves Safe Parking	Southside Community Center	San Jose		24	Up to 4 considered

4. The staff reports says, “The community benefit funding is dependent on the Google Landings project moving forward and would be paid when building permits are pulled. Given this timing, this funding could be utilized for the later years of HomeKey Mountain View.” Given the changes wrought by Covid-19, what is the chance Google will move forward on this project in time for project HomeKey?

These are understandably uncertain times, but Google has indicated to staff that they are evaluating impacts of the pandemic on all of their current real estate holdings as well as their development projects, but are anticipating that this project will move forward. Regardless, as noted in the staff report, the City’s commitment provides a significant opportunity to leverage external funding.

5. Since the setup of our Shoreline, Evelyn and Terra Bella safe lots, has there been any successful housing participants? What are the numbers on that, if any?

Available exit data is included in the Council report and more information (success stories, etc.) has been requested of the MOVE-MV for the forthcoming homeless memo referenced in the report, or as it is available.

6. In future reports, can we get statistics on why people in our safe lots have become unstably housed?

Yes, staff can seek more data from MOVE-MV and the County.

7. Chart on page 7 of staff report – how many of the individuals and households that have been housed, were living in vehicles (cars, RVs, etc.) prior to be housed?

The chart is a broad program summary of homeless programs. The description the County tracks that may include “vehicle” is: “Place not meant for habitation” (e.g., a vehicle, an abandoned building, bus/train/subway station/airport or anywhere outside).

8. Page 13 of staff report – what is the additional cost (staff time and expenditures) of increased monitoring of the landfill and a post-closure use application?

The costs are anticipated to be less than \$5,000 for the monitoring and yearly application. Staff time to complete a surface sweep weekly, excluding weekends and holidays, should not exceed 500 hours annually. These costs and increased inspections can be absorbed by the current Postclosure budget, along with the staff hours spent on the application for Public Works Department and City Manager’s Office. The provider will be implementing the participant vehicle monitoring program which will not impact City staff time.

9. What is the number of commuter vehicles that need to be accommodated at the Evelyn lot to have the safe parking lot be self-parked, and not relying on using the public right of way? Is it 29? Why is staff recommending that commuter vehicles continue to be allowed to park in the public right way even though the nearby businesses say it is impacting their business?

No other program in Santa Clara County has the ability to offer commuter parking spaces on the safe lot. Staff provided a balanced recommendation to address the need for on-lot parking and providing more living spaces during the COVID-19 crisis.

The number of participants with secondary vehicles will likely fluctuate over time, but the data so far shows a the majority of current RV participants have a second vehicle; as of August, the 23 participants each had 1 commuter vehicle and 3 had more than 1 commuter vehicle. The City’s street count indicates that nearly 50 percent of RV occupants are believed to have commuter cars, with 80 of 191 in the most recent count having “associated vehicles” that were located near the RVs, but did not appear to be used for living purposes. The 15 commuter spaces for the 30 RVs addresses 50 percent of the RV need.

10. Page 18 of the staff report – what activity is the additional \$150,000 being taken from?

A new appropriation of \$150,000 is recommended from the General Non-Operating Fund. It is from the unallocated balance in the General Non-Operating Fund.

11. Pages 19/20 of the staff report – what is the total community benefit amount from the Google Landings project, and how much of it has already been allocated to various projects? And what are those projects?

Answer is on next page.

Community Benefit		Value
1	Permanente Creek Enhancement and Adjacent Open Space	\$15,000,000
2	Net Zero Water	\$5,800,000
3	Transportation Programs & Infrastructure	\$19,237,000
4	Rengstorff Avenue Signal Timing	\$1,200,000
5	Magical Bridge Park	\$900,000
6	Homeless Initiatives	\$2,500,000
TOTAL		\$44,637,000

12. For participants who have exited the program to interim housing, permanent housing, and emergency shelter, what was the typical length of participation?

The average length of stay for the safe parking program so far has been 129 days. The available exit data thus far is included in the report. Follow-up information is tracked by Santa Clara County if the participant transitioned to another County program.

13. Can you help me understand why a portion of the balance of Shoreline Parking Lot B can't be used for auxiliary vehicle parking? Isn't this lot ordinarily used for passenger vehicle parking anyway?

Any expansion of safe parking further into B-Lot would require approval of Live Nation as they have the right to use these lots for concert/event parking per lease. They have been very supportive of the City's efforts and agreed to decrease their overall parking capacity in the B-lot to accommodate this program. Due to COVID-19, Live Nation has not completed a concert season while the safe parking program has been in operation, and have requested to not expand the existing footprint of safe parking until impacts can be assessed based on current footprint.

14. Why can't we just tell Move MV the rules and let them figure out the optimal site layout and configuration based on their experience operating the safe parking program? Why do we need to be prescriptive about the number of auxiliary vehicles vs. inhabited vehicles?

Staff is confident in the abilities of MOVE-Mountain View to operate the program delivery successfully, but there is no ability for the contract specification or the lot layout be left open-ended for the program operator to manage. This is due to the specific needs associated with commuter vehicle vs. a lived in vehicles that require a 10 ft. buffer, making it less able to flex the configuration.

In addition, Move-Mountain View is a program contractor operating the lots to City specifications. The City is required to define the specifications and contract terms clearly for the various agreements that allow the program to operate.

As noted in the alternatives section, the Council could change the numbers for living vs. commuter vehicles. Staff provided a balanced recommendation to address the need for 50 percent of the on-lot parking for participants with RV's and a commuter vehicle, and more living spaces for participants living in passenger vehicles.

15. Are cars permitted at the edges of the lots? If not, why not?

Staff’s recommendation uses all available space on the lots up to the edges of the Shoreline-Crittenden lot and the former VTA-Evelyn lot, while providing for safe ingress/egress.

16. If there are 5 disabled participants, why are there vacant ADA spots?

The data shows the program since its start. Serving five self-identified disabled of which only two had a “State of California disabled person placard or license plate” to park in the signed space. As applicable, the operator will assist clients that may need access to a placard or license plate, if applicable.

17. Can Move MV provide the Council an update regarding their experience in operating the lots during the 9/8 Council meeting?

Amber Stime, Executive Director, Move-MV’ Michael Love, Operations Manager, Move-MV and Hilary Barroga, Senior Programs Manager III, County OSH (County staff liaison to MV on Safe Parking) are confirmed to be at the Zoom meeting Tuesday.

18. Page 12 of the staff report mentions exit data. Could staff clarify on how many individuals overall have used the lots as it looks like there has been some turnover?

MOVE-Mountain View has clarified that the participant data provided for the Council report inadvertently omitted the participants that exited the program. Staff has updated the participant data here, and will include the update in the presentation tonight. This shows the participants overall:

Updated Participants Preferences	No. of Participants
Families with students in MV school districts	13
Live/work in MV	61
Seniors	12
The disabled	5
(By family, some participants qualify in more than one category)	
a. No. of students in MV school districts	17

19. What critique is used to terminate the local emergency?

The Aug 25th Council Questions addressed this question in relation to the Eviction Moratorium:

The City will evaluate the conditions impacting the health, safety, and welfare safety of persons and property which were caused by COVID-19. With regard to residential tenants, specific impacts included significant income loss caused by layoffs and business closures or curtailment of operations. However, the declaration of emergency extends to cover additional impacts and allows for emergency actions such as requesting mutual aid, obtaining vital supplies and equipment, and deploying City employees for work related to the emergency, etc.

There is no set criteria to evaluate if emergency conditions still exist, but a review of the primary impacts of COVID-19 would be undertaken to see if conditions have improved significantly resulting in a return to normalcy and safe operations for a majority of residents, businesses, schools, health-care providers, and other institutions in the City.

Examples of criteria which could lead to a determination to end the emergency include: a significant drop in community transmission rates and active cases of the coronavirus; changes in State and County Orders which allow a majority of personal and business activities to resume normal operations; data which shows a majority of people unemployed during the pandemic have returned to work, etc.

20. What happens if Concerts are allowed before June?

Safe parking is not expected to impact concerts whenever they resume. LiveNation has requested the City not expand the existing footprint of safe parking until impacts can be assessed based on current footprint. The staff recommendation stays within the current footprint.

21. How much funding to date has MV put to safe parking?

\$544,450 with details below.

Agency	Classification for Report	Period of services	FY	Contract Amount	Services Offered
CSA	CSA programs except rent relief	Jul 2017 - Jun 2019	2017-2019	75,000	Funding to implement the outreach program including an outreach vehicle, insurance, technical and supply needs, and administrative support for data entry. Unused amount reprogrammed recently for Safe parking manager under new agreement (June 2020)
County	Contribution for SP		2019-2020	100,000	City's increased contribution to safe parking paid via agreement with County
PAHC	Alta Housing	May 2019 - May 2020	2018-20	93,900	Grant funds of 82,500 for site improvements at 1020 Terra Bella Avenue to operate a Safe Parking program. Amendment for additional funds of \$11,400 underway
MOVE	MOVE Safe Parking Program	Jun - Sep 2018	2018-19	28,300	Funds for a startup safe parking pilot program including insurance
MOVE	MOVE Safe Parking Program	Mar 2019 - Apr 2020	2018-20	72,250	For operation of safe parking program at 1020 Terra Bella Ave

MOVE	MOVE Safe Parking Program	Mar - Dec 2019	2018-20	30,000	Funds for ongoing operations of safe parking pilot
MOVE	MOVE Safe Parking Program	Jan - Jun 2020	2019-20	145,000	Funding to operate a safe parking program at two City owned/leased lots (pending execution)
<u>Total amount spent on safe parking related services since FY 2016</u>				<u>544,450</u>	

22. What was the Google community benefits of \$2.4 M earmarked for?

Homeless Initiatives. See question 11 for more on the summary of the public benefits.

23. What is meant by “unsheltered and unhoused” and the difference?

The former refers to the absence of temporary shelter, and the latter is the absence of fixed housing.

24. Can an exact number be used for the number of RV occupants that have commuter cars instead of “a large portion”?

The report noted:

Commuter Vehicles	Shoreline Lot B	Evelyn Lot
Participants who have at least one commuter vehicle	26	23
Participants who have more than one commuter vehicle?	6	3

The number of safe parking participants with secondary vehicles will likely fluctuate over time, but the data shown in the staff report shows a the majority of current RV participants have a second vehicles. The City’s street count indicates that a nearly 50 percent of RV occupants are believed to have commuter cars, with 80 of 191 in the most recent count having “associated vehicles” that were located near the RVs, but did not appear to be used for living purposes.

25. If safe parking lots are supposed to be a transition to more permanent housing, is there a time limit for staying in the lots?

There is no time limit at present as long as participants meet the program guidelines. The path to housing can take upwards of 18 months or more. It is a long process, but safe parking plays an important role in stabilizing residents.

26. Who runs “Move-MountainView”?

Amber Stime, Executive Director, and the MOVE-Mountain View Board of Directors.

27. Are we providing Wi-Fi?

Not at the safe lots. City-provided public WiFi locations are provided information packet distribution, both via flyer and in the online resource map. Hope’s Corner is providing solar cell power banks for laptops and cell phones to the vulnerable population in Mountain View and recharges their devices, and the County has provided solar cell chargers as well for safe parking participants.

28. Chart on page 11 of staff report, what is different between “individuals and Household “?

Individuals are one person, and households are individuals living together as a unit.

29. What other items than bottle water is the city providing?

Prior to the temporary water service being installed at the three City secured lots, donated bottled water was provided to participants. Other services are being provided on the lot by the County and operator.

30. What is the cost from Santa Clara County Environmental Health Dept for a Post-closure use application?

The application is approximately \$1,000 per year.

31. Does other cities/county refer RV dwellers to MV?

There is referral process for Mountain View safe parking lots, where the participant must meet the City’s preferences. The program provider and the County must comply with the City Safe Parking Ordinance:

Program Participation Preferences: (1) families with students in Mountain View school districts; (2) those who live/work in Mountain View; (3) seniors; and (4) the disabled. The safe parking program provider is required to award available parking spaces based on these preferences. The live/work preference provides a preference to anyone who currently works in Mountain View or had a legal address or resident address for purposes of voter registration in Mountain View within the past five years.

32. If we did not allow commuter cars, how much space would open up for RV and cars dwellers?

The report indicated alternate options to the staff recommendation. This or other variations of the lot could be implemented if the lot(s) were reconfigured. As a guide, the 10 ft. buffers required for living generally cut the space availability in half for passenger vehicles and RV’s take more than double the space of a passenger vehicle.

<p>4 NEW RECOMMENDED parking spaces for passenger vehicle living with 10’ occupied buffers can be added safely to this lot <i>within</i> the existing footprint.</p>	<p>21 NEW RECOMMENDED parking spaces for passenger vehicle living with 10’ occupied buffers, can be added safely to this lot inside (3 spaces) and <i>outside</i> the existing footprint, along the area (18) facing the office complex.</p>
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<p>Alternatively, 2 Oversized Vehicle parking spaces could be added. This would also require a restructuring of the existing lot configuration.</p>	<p>Alternatively, 11 OV parking spaces could be added. This would also require a restructuring of the existing lot configuration, and would result in safe parking participants using public parking for their commuter vehicles.</p>
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33. On page 14, it mentions an additional \$150k, were is the funding coming for this?

A new appropriation of \$150,000 is recommended from the General Non-Operating Fund. It is coming from the unallocated balance in the General Non-Operating Fund.

34. Can the City issue a “need of necessity” (not sure of wording) to obtain more lots?

There is no authority that staff is aware of like that can compel a private lot to be used for safe parking.

35. Why wasn’t MV included on attachment 2?

Data is included in the report. Please see question 9 for a supplemental summary of Santa Clara County showing Mountain View.

ITEM 8.1 Plan Bay Area/Regional Housing Needs Allocation

1. The staff report says, “The City has rezoned areas, such as North Bayshore and East Whisman, to accommodate up to approximately 15,000 new units. However, staff also notes that it may be challenging to meet a much higher RHNA obligation because it is unclear how much of these areas the State would allow to be counted as new housing sites since these areas allow both office and residential uses.” Can you explain this further? Why might the state not count these as new housing sites? Is it because it is unclear whether they are to become housing or office? If so, how might we change the plans to be more definite and thus be counted? Or how could we clarify with the state to see if they currently count?

These Precise Plans allow sites in mixed use areas to be developed flexibly—as either residential or office. So the State Department of Housing and Community Development (HCD), which reviews Housing Elements, may question how many sites might actually redevelop into housing given that the existing sites have economically feasible office uses. However, the policy in the East Whisman Precise Plan, includes a jobs-housing connection requirement. Additionally, the North Bayshore Precise Plan’s Bonus FAR strategy for allowing additional office, and recent Council discussions on NBS development, make it clear that future office in the area must also help produce housing. These could be factors which would help to convince HCD to accept some or all of the proposed sites in the Housing Element. Staff will work closely with the State on this issue during the Housing Element update and will share this information with Council.

2. Can we change any of our zoning from office/commercial to housing?

Staff presented an analysis of this issue in 2015 (see attached staff report – Study Session Memo). From that 2015 Council meeting, Council directed staff to proceed with the Terra Bella Vision Plan (which Council ultimately did not endorse).

Staff will further analyze this topic during the Housing Element process, depending on our housing sites analysis and Council direction. The R3 update may also provide an additional opportunity to identify sites for housing. If the recently updated Precise Plans (North Bayshore, San Antonio, East Whisman, El Camino) and the R3 update does not result in identifying sites to allow the requisite number of housing units in our RHNA, the City may have to look at additional sites to rezone.

3. Is ABAG/MTC making any attempt to adjust plans to align with changing needs due to remote work? Or do they have any plans to pause and reassess?

After the onset of the pandemic, MTC/ABAG adjusted telecommuting trends in Plan Bay Area to accelerate adoption of partial or full telecommuting post-2020. PBA 2050 assumes that approx. 30% of the office workforce would work from home on a typical weekday.

MTC/ABAG staff are proposing that the Final Blueprint integrate a 60% telecommute mandate for major office-based employers by 2035 (i.e., require that the average employee work from home 3 days per week), which should push the region closer to a 25% telecommute mode share.

4. Can the R3 Zoning District update help us achieve the RHNA requirements?

Yes, the R3 Zoning District could help us achieve our RHNA requirements. We will consider potential upzoning or other policy changes as part of this work item, and it will feed into our Housing Element update process.

5. Page 4 last sentence says including SF and Oak and, was there more?

No. The 'and' was put there before the last bullet point.

6. What are some examples of MV "making substantial investment in sustainable multi-modal transportation infrastructure"?

Examples include the planned Steven Creek trail extensions; the North Shoreline Boulevard reversible transit lane project, including cycle tracks along the street; the existing Permanente Creek bike/pedestrian bridge over Highway 101, and the proposed new bike/pedestrian bridge over 101 adjacent to Shoreline Boulevard; the planned El Camino Real protected bikeways; the planned new bike/pedestrian undercrossing of Caltrain and Central Expressway at Bernardo; the Transit Center Grade Separation and Access Project, and various smaller bike and pedestrian improvement projects throughout the city.

7. On attachment 2, Council voted to discontinue applying Human Rights city analysis, since the city own process included the same criteria?

That is correct. Staff reported back to Council on the pilot application of a Human Rights analysis framework and Council voted to not continue the pilot since staff analysis already addresses impacts. Thus, this project is completed and will be noted as such in the project list updated as of the end of FY 2019-20.