



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

Kimbra McCarthy, City Manager  
Krishan Chopra, City Attorney  
Silvia Vonderlinden, Interim City Clerk

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December 08, 2020

Video Conference with No Physical Meeting Location

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**JOINT MEETING OF THE CITY COUNCIL AND SHORELINE REGIONAL PARK  
COMMUNITY**

**This meeting was conducted in accordance with State of California Executive Order N-29-20, dated March 17, 2020. All members of the City Council participated in the meeting by video conference, with no physical meeting location.**

**6:30 P.M.-REGULAR SESSION**

**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor Abe-Koga called the meeting to order at 6:30 p.m. The two translators (Chinese and Spanish) gave instructions about the translation process. Mayor Abe-Koga led the pledge of allegiance.

**2. ROLL CALL**

Present: Councilmembers Clark, Hicks, Matichak, McAlister, Ramirez, Vice Mayor Kamei, and Mayor Abe-Koga.

**3. PRESENTATIONS**

**3.1 Proclamation in Recognition of Police Chief Max Bosel on His Retirement**

Mayor Abe-Koga presented a proclamation to Chief Bosel and read it.

The Mayor announced speakers will be given 1 ½ minutes during public comment.

The following members of the public spoke:

Alex Brown  
Valerie Fernwick

Chief Bosel appreciated the comments and thanked the City Council and his colleagues for having served in such an exceptional organization.

**3.2 COVID-19 Update by City Manager Kimbra McCarthy**

City Manager McCarthy provided an update on Covid-19.

The following members of the public spoke:

Steve Chessin  
Trey Bormann  
Eva Tang

#### **4. CONSENT CALENDAR**

Councilmember Hicks pulled Agenda item 4.7 for discussion.

The following members of the public provided comments on the Consent Calendar:

Karin Dillon  
David Arnone  
Ellen McCormick  
Valerie Fernwick  
Alex Brown  
Cheryl Ho  
Jason Wellcome  
Lenny Siegel  
Eva Tang  
Trey Bornmann  
George Duque

MOTION - M/S Ramirez/Hicks to approve the Consent Calendar, with the exception of Consent Calendar Item 4.7.

The motion carried by the following roll call vote:

Yes: 7 - Councilmembers Clark, Hicks, Matichak, McAlister, Vice Mayor Kamei, Mayor Abe-Koga but Councilmember Ramirez recused on agenda item 4.10. (Appointment to the Visual Arts committee).

Vice Mayor Kamei made comments about agenda items 4.4 and 4.6 thanking staff for all the hard work and sharing how much she enjoyed the process and all the players involved. Mayor Abe-Koga thanked the Vice Mayor for leading the Youth Services Committee.

#### **4.1 Approve Meeting Minutes**

Approve City Council meeting minutes of December 1, 2020 and the Shoreline Minutes of June 30, 2020.

#### **4.2 44-Unit Condominium Project at 2645 and 2655 Fayette Drive (Second Reading)**

Adopt Ordinance No. 13.20 of the City of Mountain View Amending the Zoning Map for the Properties Located at 2645 and 2655 Fayette Drive from the R3-D (Multi-Family Residential) Zoning District to the P-40 (San Antonio) Precise Plan, to be read in title only, further reading waived (Attachment 1 to the Council report). (First reading: 6-1)

#### **4.3 600 Ellis Street-Development Agreement (Second Reading)**

Adopt Ordinance No. 14.20 of the City of Mountain View Approving a Development Agreement for 600 Ellis Street and 636 Ellis Street, Mountain View, California, to be read in title only, further reading waived.

**4.4 Authorize a Funding Agreement with El Camino Health for a Cuesta Park Fitness Court**

Authorize a Funding Agreement with El Camino Health for a Cuesta Park Fitness Court  
Recommended Action

1. Create a midyear Capital Improvement Project entitled Cuesta Park Fitness Court.
2. Authorize the City Manager to execute a funding agreement with El Camino Health for \$150,000 toward the design and construction of the Cuesta Park Fitness Court.
3. Appropriate and transfer \$201,500 from the Park Land Dedication Fund and appropriate \$150,000 to be received from El Camino Health to the new project. (Five votes required)

**4.5 Certification of the Official Election Returns-November 3, 2020 General Municipal Election**

Adopt Resolution No. 18525 of the City Council of the City of Mountain View Declaring the Result of the Canvass of Returns of the General Municipal Election Held on November 3, 2020 for the Election of Four Members to the City Council and for Ballot Measure C, to be read in title only, further reading waived (Attachment 1 to the Council report).

**4.6 Purchase of New Records Management System**

Authorize the City Manager to approve and execute an agreement between the City of Mountain View and Sun Ridge Systems, Inc., for the purchase of Police Records Management System software, hardware, maintenance, and support services in conjunction with the cities of Palo Alto and Los Altos (Attachment 1 to the Council report).

**4.7 Live Nation Rent Modification Due to COVID-19**

Discussion on Pulled Consent Calendar Agenda item 4.7

Councilmember Hicks would like to have staff explore more safe parking spots. John Marchant, Development Director, provided details on the implications of this approach. City Manager McCarthy explained this item includes an environmental component as well as other implications for storage on the site.

M/S Hicks/Ramirez to include negotiating with Live Nation for more parking spaces. Brian Rutkowski, a representative with LiveNation addressed Council.

Councilmember Clark offered a friendly amendment to approve the item as submitted on 4.7 and have staff discuss/explore the possibility of safer parking spots in the future, if it is a part of the strategy and not a requirement.

The maker and second agreed with the friendly amendment.

Authorize the City Manager and, acting as the Shoreline Regional Park Community Board,

authorize the Shoreline Regional Park Community Executive Director to modify the existing agreement with Live Nation to reduce rent for the 2020 concert season by 50 percent due to economic impacts of COVID-19. (item pulled for discussion)

Motion passes by roll call vote:

Yes: 7 - Councilmembers Clark, Hicks, Matichak, McAlister, Ramirez, Vice Mayor Kamei, and Mayor Abe-Koga.

#### **4.8 Accept and File the Comprehensive Annual Financial Report and Related Auditor Reports**

Accept, acknowledge, and file the following financial and independent auditor's reports pertaining to Fiscal Year 2019-20.

- City of Mountain View's Comprehensive Annual Financial Report with Independent Auditor's Report
- Article XIII-B Appropriations Limit Agreed-Upon Procedures Report
- Report to the City Council-Required Communications

#### **4.9 North Bayshore Circulation Feasibility Study, Project 19-54-Contract Amendment**

North Bayshore Circulation Feasibility Study, Project 19-54-Contract Amendment  
Recommended Action

1. Acting in its capacity as Board of Directors of the Shoreline Regional Park Community, transfer and appropriate \$192,000 from the Shoreline Regional Park Community Fund to the North Bayshore Circulation Feasibility Study, Project 19-54.
2. Authorize the City Manager to execute an amendment to a professional services agreement with TJKM Transportation Consultants to provide additional scope to study Congestion Pricing as part of the North Bayshore Circulation Feasibility Study, at an additional cost of \$180,000, for a total contract amount not to exceed \$1,250,000.

#### **4.10 Appoint Advisory Body Members**

Adopt Resolution No. 18526 of the City Council of the City of Mountain View Reappointing Nicole Vogt to the Library Board of Trustees, Appointing Sharon Su as an Alternate to the Library Board of Trustees Should a Vacancy Occur Before the Annual Recruitment Process, Appointing Hank Dempsey to the Environmental Planning Commission, Appointing Sandra Sommer to the Parks and Recreation Commission, and Appointing Robert Cox as an Alternate to the Parks and Recreation Commission Should a Vacancy Occur Before the Annual Recruitment Process, to be read in title only, further reading waived (Attachment 1 to the Council report).

#### **4.11 Amendment of Savvy Cellar Wines, Inc., Lease**

1. Approve the transfer of the Savvy Cellar Wines, Inc., lease from Holly and John Orchard to David Koehler, Rick Menard, and James Yang.
2. Authorize the City Manager to execute an amendment to the Savvy Cellar Wines, Inc., lease to reflect new ownership of David Koehler, Rick Menard, and James Yang.
3. Authorize the City Manager, or designee, to approve assignments, sales, subleases, or transfers of the lease if there is no change in the permitted use and amend the lease terms to

include this authority.

**4.12 East Whisman Area Transit-Oriented Development Improvements, Phase II: Ellis Street Improvements, Project 16-48-Amend Professional Services Agreement**

Authorize the City Manager to amend the professional services agreement with BKF Engineers for the East Whisman Area Transit-Oriented Development Improvements, Phase II: Ellis Street Improvements, Project 16-48, to add an additional amount of \$105,000, for a total agreement amount of \$664,000.

**4.13 Shoreline Boulevard Transit Lane and Utility Improvements, Project 18-43-Amend Project Budget and Award Construction Contract**

1. Acting in its capacity as Board of Directors of the Shoreline Regional Park Community, transfer and appropriate \$1,197,000 of Shoreline Regional Park Community 2018 Series A Bond Proceeds from Shoreline Boulevard at Highway 101 Bicycle/Pedestrian Bridge, Construction, Project 20-38, to the Shoreline Boulevard Transit Lane and Utility Improvements, Project 18-43.

2. Award the construction contract for the Shoreline Boulevard Transit Lane and Utility Improvements, Project 18-43, to Granite Rock Company for \$14,518,586, and approve an additional construction contingency of \$300,000 for a total not-to-exceed amount of \$14,818,586.

**4.14 Youth Mental Health Council Goal**

Approve programs recommended by the CYSC to support Youth Mental Health efforts. Approve the Council Youth Services Committee's recommendations of short-term and long-term actions related to the City Council's Major Goal to assess gaps in youth mental health services.

**4.15 Additional Expenditures for Legal Services by Burke, Williams & Sorensen, LLP**

Additional Expenditures for Legal Services by Burke, Williams & Sorensen, LLP  
Recommended Action

1. Authorize expenditures by the Community Development Department in an amount not to exceed \$455,000 for outside legal services performed by Burke, Williams & Sorensen, LLP, associated with Notice of Funding Availability projects, Lot 12, general matters related to housing programs and transactions, general planning, and land use.

2. Appropriate and transfer \$108,000 from the General Non-Operating Fund to the Planning Division, Community Development Department, and appropriate \$45,000 in the Below-Market-Rate Fund, Community Development Department, to fund these services for Fiscal Year 2020-21. (Five votes required)

**4.16 Adopt a Resolution to Endorse the Community Plan to End Homelessness 2020-2025**

Adopt Resolution No. 18527 of the City Council of the City of Mountain View Supporting the Community Plan to End Homelessness in Santa Clara County 2020-2025, to be read in title only, further reading waived (Attachment 1 to the Council report).

**4.17 Housing Element Update Scope of Work**

1. Approve the proposed Scope of Work for the City's 2023-2031 Housing Element.
2. Authorize the City Manager or designee to approve a professional services contract with BAE in an amount not to exceed \$300,000.
3. Approve a midyear Capital Improvement Project, 2023-2031 Housing Element, and transfer and appropriate \$300,000 from the Long-Range Document Fee Fund to the new project. (Five votes required.)

**4.18 Authorization to Access Criminal History Information for Prospective Employees, Volunteers, or Contractors**

Adopt Resolution No. 18528 of the City Council of the City of Mountain View Authorizing the Human Resources Director, or Designee, to Access Criminal History Information for Prospective Employees, Volunteers, or Contractors Through the Department of Justice, to be read in title only, further reading waived (Attachment 1 to the Council report).

**5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS**

Tim MacKenzie  
Lenny Siegel  
Joho M  
Sabah Munawar  
Eva Tang  
Scott Haiden  
Alex Brown  
Trey Bornmann

**6. PUBLIC HEARINGS**

**6.1 Residential Development at 325-339 Franklin Street**

Rebecca Shapiro presented (presentation on file) to Council.  
Councilmember Matichak and Mayor Abe-Koga visited the site independently.  
Councilmember Hicks visited the site on Google earth.  
Applicant Johnny DaRosa gave a presentation.  
Various Councilmembers asked questions of the applicant. The applicant provided additional information.  
Council asked questions of staff as well regarding various project items and staff gave details.

The following members of the public spoke:

Tim Mckenzie  
Alex Brown  
Valerie Fernwick  
MaryBeth  
Trey Bornmann  
Joe MacDonald  
Mayor Abe-Koga closed public comment

MOTION M/S Clark/McAlister to Adopt Resolutions No. 18529 and 18530 and approve the item as submitted.

1. Adopt Resolution No. 18529 of the City Council of the City of Mountain View Approving a Planned Community Permit and Development Review Permit to Construct a 15-Unit Residential Condominium Project Over One Level of Underground Parking and a Heritage Tree Removal Permit to Remove Three Heritage Trees at 325-339 Franklin Street, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Adopt Resolution No. 18530 of the City Council of the City of Mountain View Approving a Tentative Map to Allow a One-Lot Condominium Subdivision for 15 Residential Condominium Units at 325-339 Franklin Street, to be read in title only, further reading waived (Attachment 2 to the Council report).

Motion carried by unanimous roll call vote:

Yes: 7 - Councilmembers Clark, Hicks, Matichak, McAlister, Ramirez, Vice Mayor Kamei, and Mayor Abe-Koga.

The City Council took a break at 9:05 p.m. and the meeting resumed at 9:15 p.m.

## **6.2 Mixed-Use Project at 676 West Dana Street**

Councilmembers Kamei, Matichak, Hicks and Mayor Abe-Koga disclosed they visited the site on their own.

Krishna Penollar presented the staff report.

The applicant, Bill Maston and Poko Klein were present. One Councilmember had questions about the signage to recognize parking and the applicant offered to work with staff on improving it.

Public Comment

X870 (phone number) spoke

The Mayor closed the public comment.

One Councilmember alluded to utilizing additional architectural styles, and another shared concerns with the loss of parking in the project.

MOTION M/S McAlister/Clark to approve the item.

1. Adopt Resolution No.18531 approving a planned community permit and development review permit to construct a 4-story, mixed-use project with seven residential units above 4,540 square feet of ground-floor commercial space and two levels of underground parking at 676 West Dana Street, to be read in title only, further reading waived (Attachment 1 to the Council report).

2. Adopt Resolution No. 18532 Approving a tentative map to create nine condominium lots and one common lot at 676 West Dana Street, to be read in title only, further reading waived (Attachment 2 to the Council Report).

The motion carries by roll call vote:

Yes: 7 - Councilmembers Clark, Hicks, Matichak, McAlister, Ramirez, Vice Mayor Kamei, and Mayor Abe-Koga.

## 7. NEW BUSINESS

### 7.1 Eden Housing Notice of Funding Availability Proposal-1100 La Avenida

Councilmember Ramirez disclosed he spoke with the applicant. Councilmember Clark met with the applicant and spoke with him pre-Covid 19. Vice Mayor Kamei met with the applicant virtually and Councilmember Matichak visited the site on her own and had an email exchange with applicant and shared it with staff. Councilmember Hicks met with the applicant and visited the site on Google earth. Mayor Abe-Koga disclosed she visited the site and received an email but did not respond.

Vera Gil and Clarissa Burke presented the staff report.

Mr. Nolan, the applicant, Tom Myers and Joel and Daniel with David Baker Architects explained the mission of Eden Housing (presentation on file). Joel Millar presented to the City Council. Linda Mandonilli also answered questions.

Councilmembers posed questions related to the project, funds and specific calculations.

The following members of the public spoke:

Ray Bramson  
Tim MacKenzie  
Trey Bornmann  
Velerie Fernwick  
Salim Damerdji  
David Watson  
Peying Lee  
Alex Brown  
Eva Tang

M/S Ramirez/Hicks to approve the staff recommendation.

The Notice of Funding Availability Review Committee recommends that the City Council:

1. Reserve \$15,000,000 in Below-Market-Rate funds for the Eden Housing Notice of Funding Availability application.

Staff recommends the City Council appropriate the following funds from the \$15,000,000 reservation:

1. Appropriate \$1,000,000 in Below-Market-Rate funds to predevelopment costs and authorize the City Manager to enter into an agreement with Eden Housing for the use of the predevelopment funds. (Five votes required)
2. Appropriate an additional \$300,000 in Below-Market-Rate funds for staff time, environmental, parking, and other special studies for this project. (Five votes required)

Other Councilmembers commented on design, light, and how the presentation showed the progression of change. The ownership and perpetuity issues were discussed as these related to the County of Santa Clara County. Vera Gil provided some additional details regarding



the funding source and the "in perpetuity" request. Consuelo Hernandez, with the County of Santa Clara County addressed the Council and reiterated that the discussion will continue with staff.

Vote on the motion by roll call:

Yes: 7 - Councilmembers Clark, Hicks, Matichak, McAlister, Ramirez, Vice Mayor Kamei, and Mayor Abe-Koga.

M/S Clark/Kamei to extend the meeting past 10:00 p.m.

Motion carries by roll call vote:

Six in favor - Clark, Hicks, Matichak, McAlister, Vice Mayor Kamei and Mayor Abe-Koga,  
One opposing - Councilmember Ramirez.

## **8. UNFINISHED BUSINESS**

### **8.1 Oversized Vehicle Parking on Narrow Streets**

Item translated into two additional languages (Chinese [Mandarin] and Spanish)

Dawn Cameron, Public Works Director, provided the report (on file). She clarified that in cross checking the map of the 444 City streets impacted, two segments (Bay Street and Linda Vista Ave) were omitted from the map but not excluded from the resolution.

Council asked questions about the funding options. Ms. Dawn provided details about the various funding options. The notification process was discussed. The Council discussed the complexities of implementation and Assistant to the City Manager Thomas provided details. City Manager McCarthy said that a Bill was introduced today to extend the moratorium through December 2021. The Federal Housing Law was also touched upon.

One Councilmember asked for a March check in. Enforcement was discussed and Officer Scott Nelson provided details. Police Chief Hsiung also provided additional information.

The following members of the public spoke:

Catherine Hedges  
Kevin Ma  
Tim MacKenzie  
Tal  
Leslie  
Robert Cox  
Scott Haiden  
Cheryl Ho  
Leslie Murdock  
Blaine Dzwonczyk  
KD  
Albert Jeans  
Sally Lieber  
Meghan Fraley

Eva Tang  
Steve Chessin  
Tessa K  
Joho M  
Roni Zaggar  
Kelsey Banes  
Connor O'Brien  
Lenny Siegel  
Salim Damerdji  
Valerie Fenwick  
Ana  
Peying Lee  
Robin Ghosh  
Trey Bornmann  
Meri Beth  
Shari Emling  
Jordan Grimes  
Alex Brown  
George Duque  
Arnold Leon

Mayor Abe-Koga Closed Public Comment at 12:00 midnight.

Councilmember Hicks would like a quarterly check in on the implementation. The installation timing and funding were discussed. Mayor Abe-Koga thanked staff for all the hard work on this matter. She also thanked the Council for its actions leading to what is before Council. The Mayor suggested starting the outreach to RV owners and getting them signed up for Homekey. Councilmember Matichak agreed with this approach and providing better housing options so people are not living on the streets in vehicles.

M/S Matichak/McAlister moved the staff recommendation.

Councilmember Clark said he originally was not in favor of this ordinance. He is sad that this is the last major vote he will take as a Councilmember. He spoke about the voter turnout regarding this item and how he does not take it lightly. He says he has an obligation to implement the will of the people. Councilmember Ramirez expressed similar sentiments. He suggested pairing the implementation of this program with the Project Homekey so that people have a place to go. Vice Mayor Kamei is seeking to find a balance to respect the voters and the residents as well as the unprecedented times of the pandemic. She would like to have an implementation timeline that incorporates care, consideration and collaboration with key agencies.

MOTION M/S Matichak/McAlister to approve the staff recommendation.

1. Adopt Resolution No. 18533 of the City Council of the City of Mountain View Designating Streets, or Portions Thereof, Where Oversized Vehicle Parking on Narrow

Streets is Prohibited Pursuant to Mountain View City Code Section 19.79.4, to be read in title only, further reading waived (Attachment 1 to the Council report).

2. Approve a midyear Capital Improvement Project, Narrow Streets Sign Installation, and transfer and appropriate \$485,000 from the Construction/Conveyance Tax Fund and \$485,000 from the General Fund-Transportation Reserve to the new project. (Five votes required)
3. Acting in its capacity as Board of Directors of the Shoreline Regional Park Community, transfer and appropriate \$10,000 from the Shoreline Regional Park Community Fund to the new Narrow Streets Sign Installation project.
4. Approve the plans and specifications for Narrow Streets Sign Installation and authorize staff to advertise the project for bids.
5. Authorize the City Manager to award the construction contract to the lowest responsible bidder if the low bid is within the project budget.

Mayor Abe-Koga asked that staff provide periodic updates. Ms. McCarthy said that updates are doable but not having a full Study Session, and an Informational Memo to Council and the community were suggested.

Motion carries by roll call vote:

Yes: 7 - Councilmembers Clark, Hicks, Matichak, McAlister, Ramirez, Vice Mayor Kamei, and Mayor Abe-Koga.

## **9. COUNCIL, STAFF/COMMITTEE REPORTS**

Councilmember McAlister attended a VTA meeting.

He congratulated the re-elected and incoming Councilmembers on the election results. He also thanked the full Council and staff as well as Joan MacDonald.

Mayor Abe-Koga thanked the outgoing Councilmembers for their 8 years of dedicated service. She appreciates their dedication, the good humor, and contributions.

She wished everyone Happy Holidays and adjourned the meeting at 1:10 a.m.

## **10. CLOSED SESSION REPORT**

No Closed Session report.

None.

## **11. ADJOURNMENT**

Mayor Abe-Koga adjourned the meeting at 1:11 a.m.

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Silvia Vonderlinden, Interim City Clerk