

City Council Questions

April 12, 2022 Council Meeting

ITEM 3.1 Fiscal Year 2022-23 Capital Improvement Program

1. At one point, Fairchild between N Whisman and National or Ellis was going to be rebuilt. Is that project still a planned project? Or has it been changed to a resurfacing project, or something else?

The Annual Street Maintenance Project will reconstruct Leong Drive (Walker Avenue to Fairchild Drive) and Fairchild Drive (Leong Drive to Ellis Street). The project is currently in design and construction is anticipated to begin in fall 2022.

2. What are the implications of pushing out the citywide trash capture, phase III project?

The City will deliver the Phase II Trash Capture Project this year. The Regional Water Quality Control Board (RWQCB) will be releasing a new Tentative Order (TO) that includes changes to trash reduction requirements. The City reported a 90% reduction in its Fiscal Year 2020-21 annual report to the RWQCB and will re-evaluate this reduction rate after the Phase II Trash Capture Project is implemented and the new trash reduction requirements are finalized. At that time, the need for the Phase III project can be reassessed.

3. What part of Mountain View, or what group of customers will be included in phase 1 of the smart metering program?

Phase 1 of the smart meter program includes installing a City-wide network to collect meter reads and upgrading the radios in newer water meters to communicate with the network. The newer meters are spread throughout the City, and initial conversions would likely prioritize routes with high water usage (such as large landscapes, large commercial and multifamily properties, and homes west of Miramonte / south of El Camino Real). All new construction would also be required to install meters with network-enabled radios.

4. Is the website upgrade/management project just moving existing content to a new CMS? If so, when will the website content/navigation/etc. be overhauled?

The website upgrade/management project involves redesigning the City's public-facing website, MountainView.gov, and the intranet, CityNet. The redesign will include an overhaul of both sites, including developing a user-centric, mobile-friendly website with updated navigation, a modern look and feel that is consistent with the City's refreshed identity, and enhanced search functionality. The MountainView.gov redesign is already underway, with staff across the organization using data and website best practices for content development. Based on the current timeline, beta testing of the new City website is anticipated to take place in fall 2022, with the new website launching in winter 2022/2023. Once the new MountainView.gov goes live, staff will begin the redesign of CityNet, which will take approximately six months to complete.

5. If the Council wanted to expedite the California Complete Streets Project – and not just the pilot – what options are available?

Staff is currently beginning final design of the Showers to Ortega portion of the California Complete Streets Project as a pilot that includes a road diet reducing the street from five lanes (2 lanes each direction and a center turn lane) to three lanes (1 lane each direction and a center turn lane) and non-permanent improvements including temporary bulb-outs and painted buffers. The consultant agreement for \$180,000 and scope of work was approved by Council on [December 7, 2021](#). As planned, staff expects the pilot to be ready for construction in 2023. The intent of the pilot is to evaluate the effectiveness of the improvements and to adjust future permanent improvements for the remainder of the corridor from Showers Drive to Shoreline Boulevard. The pilot phase also includes pre-construction monitoring and a post-construction evaluation period in terms of benefits and impacts for pedestrians, bicyclists, and motor vehicles. This pilot phrased approach is consistent with the 2015 California Complete Streets Feasibility Study.

To expedite implementation across the entire corridor, staff could expand the pilot phase to design and implement temporary improvements in one or both of the following segments:

1. Showers to Mariposa - Implement a 4-lane to 3-lane road diet pilot phase with a center turn lane. This section of California Street currently has no median and several driveways from multi-family housing, with left turns onto and from California Street from these housing developments. A road diet without the center turn lane would likely create severe back-ups of traffic on California as vehicles wait in the single through lane to make a left turn. It can also create safety conflicts for bicycles and pedestrians if vehicles rush to make their lefts to avoid backing up traffic. Staff would observe traffic operations as part of the pilot and can adjust the permanent improvements. As part of design, staff would evaluate whether there is sufficient right-of-way for a temporary parking-protected bikeway, and if not, design for a buffered bike lane.
2. Mariposa to Shoreline - Implement a 4-lane to 2-lane road diet pilot. This segment includes an existing median with trees and there are no left turn movements. As part of design, staff would evaluate whether there is sufficient right-of-way for a temporary parking-protected bikeway, and if not, design for a buffered bike lane.

The Shoreline to Castro segment of California has only two lanes (one lane in each direction) except at the transition from Shoreline Road and includes green-backed bike lanes. It is not recommended for additional improvements at this time.

The San Antonio to Showers portion of California is a potential candidate for a road diet from 4 lanes to 2 lanes in the future; however, it is not recommended as part of the pilot at this time. The planned construction of a new school and park along this segment will add in substantial construction-related traffic. Reducing California to one lane in each direction is expected to result in significant back-ups affecting both San Antonio Road and California Street west of the school site.

Should the Council provide direction to expand the pilot project limits, staff will return to Council to amend the scope of work and add funding to the consultant agreement for design and to add funding to the CIP project for the increased construction costs. If the project limits are expanded, it is anticipated this will add 2 to 4 months to the design schedule. This schedule also assumes no traffic studies or community outreach on alternatives will be included in the scope.

6. Palo Alto allows Pickleball on tennis courts. Can staff provide information about how this is done, and whether it would be feasible to provide a similar program in Mountain View?

The Recreation Division is working on a proposal to add Pickleball lines on existing tennis courts as a pilot program. The process being used is as follows:

- Recreation staff recently completed a Pickleball community input process related to adding Pickleball court lines to a select number of tennis court(s). The Community Survey was open for three weeks and closed on March 25.
- Staff just completed a Court Monitoring process on April 10 and will soon complete benchmarking with other agencies.
- Staff will be analyzing all data collected and provide a recommendation to the Tennis Advisory Board (TAB) at their next regularly scheduled meeting on May 19. Staff will then take TAB's recommendation to the Parks and Recreation Commission (PRC) at their June 22 meeting.
- Depending on recommendations from TAB and PRC, staff may move forward with the pilot program to add Pickleball lines on existing tennis courts. This would increase the total number of available Pickleball courts within the City. The cost of adding these lines is not significant and can be absorbed within Community Services Department's operating budget

7. What is the status of the Mayfield/San Antonio Ped/Bike Tunnel project?

The preliminary design phase of the Mayfield/San Antonio Ped/Bike Tunnel project is currently on hold pending City staffing resources. Another factor is the availability of Caltrain staffing for the project. This project would involve extending the existing tunnel under the Caltrain tracks to continue under Central Expressway. Caltrain will require that they be directly involved in the design and construction of the project as it affects their right-of-way. Staff is currently coordinating with Caltrain on the design of the two grade separation projects located at Rengstorff Avenue and Castro Street. Between the City's grade separation projects and the other grade separation projects in Santa Clara County and along the Peninsula, Caltrain's staffing is stretched thin. It is to the City's benefit for Caltrain to focus their staffing resources on moving the City's two grade separation projects forward to maintain VTA Measure B funding priority for these two projects.

8. Has staff explored "Quiet Zone" designations at each of the at-grade Caltrain crossings? Are these at-grade crossings eligible?

Staff has not explored "Quiet Zone" designations for the at-grade Caltrain crossings. To apply for Quiet Zones, the California Public Utilities Commission has to approve a plan, which typically includes adding medians, fencing and additional crossing gates. Construction of the Rengstorff Avenue Grade Separation will eliminate train horn noise as there will no longer be a vehicular or pedestrian crossing at-grade. While the vehicular and pedestrian crossings will be removed as part of the Castro Grade Separation Project, the train horn noise will be reduced but not eliminated. The horn is still required at this location due to the proximity to a station adjacent to Castro Street.

9. Can staff provide more information about the equity lens evaluation? If, for example, the oversized vehicle parking regulation signage CIP were evaluated through the equity lens, what would the analysis conclude?

The equity lens evaluation conducted for the CIP is similar to the equity lens being applied as part of the City's annual budget process. For each of the recommended new CIP projects and recommended major scope changes for previously approved CIP projects, staff considers the following two questions:

1. Does the project benefit communities of color and/or low-income residents? If the project is located within neighborhoods with these demographics and is providing a transportation, utility service, park or recreational, or other public services improvement, the answer is yes.
2. Does the project burden communities of color and/or low-income residents? In this case, consideration is given to whether the project is creating negative impacts within neighborhoods with these demographics. For instance, is the City locating a CIP project for a major infrastructure project (transportation, utilities, facility, etc.) that is designed to provide Citywide benefits that disproportionately burdens communities of color and/or low-income residents with additional traffic, construction impacts, or ongoing operational impacts, such as air pollution, noise, etc.

As noted in the Study Session memo and as part of last year's 5-Year CIP Council Report, staff generally found that most CIP projects are neutral in terms of burden or benefits because they are preventive maintenance, replacing end-of-life infrastructure, meeting regulatory requirements, or safety related. The locations for these projects are prioritized based on need and systematic maintenance practices Citywide. Staff has not identified any projects where the locations disproportionately burdened these community groups, and several of the projects directly benefit these residential areas.

10. Can staff provide information about traffic safety "quick-build" projects? Is this something we can explore in Mountain View?

"Quick-Build" projects involve the use of temporary improvements that can be installed relatively quickly at a low cost. These may include temporary bollards and re-striping lane lines. These projects require a discreet design phase to ensure safety for all users and are still subject to public works requirements including informal bids for projects with a construction cost under \$100,000, and Council approval of project PS&E, formal bidding and award for projects above \$100,000. Staff regularly looks for opportunities for "quick-build" projects such as the California Complete Street Pilot – Showers to Ortega project. Projects within the public right-of-way have real and significant challenges such as street safety for all uses and traffic control measures that may not always be conducive to a "quick-build" approach. Each location and needed treatment needs an evaluation to determine if "quick-build" is the appropriate approach.

11. Regarding SB1 RMRA: The staff report says, “The use of the City’s share of formula funds received from the State is primarily restricted to road infrastructure maintenance and repair.” How is road infrastructure maintenance and repair defined under SB1? Can it include bike lanes as a part of the road? Sidewalks? Planting strips?

SB1 provides funding and allows local agencies and Caltrans to fix California’s roads and bridges, reduce traffic delays, improve goods movements and increase options for transit, intercity rail and active transportation. This means that pavement improvements and bicycle and pedestrian facilities improvements are eligible for SB1 funds. Planting strips or landscaping is not specifically mentioned in the SB-1 language as an eligible project, but staff can justify that if combined with bicycle and pedestrian improvements, it is considered as enhancement to pedestrian and/or bicycle facilities.

12. Regarding the Vehicle License Fee— 2010 Measure B: How is road infrastructure maintenance and repair defined under Measure B? Can it include bike lanes as a part of the road? Sidewalks? Planting strips?

The 2010 Measure B levies a \$10 Annual Vehicle Registration Fee as a roadway improvements focused fee to pay for local transportation improvements, including pothole repair, paving, traffic control signals, and safety improvements. Striping and bike lanes can be considered as eligible improvements, whereas sidewalks and landscaping within planting strips will likely need to be locally funded.

13. Storm Drain Fund. Can these funds be used for alternative storm drain projects such as bioswales and permeable paving?

The Storm Drain Construction Fund revenues are collected from off-site drainage fees per City Code Section 28.51. The Code calls for the funds to be used for construction of storm drainage facilities to serve the drainage needs of the City of Mountain View. Staff has mainly used the funds for projects that serve citywide purposes such as the construction of trash capture devices installed in the storm drainage system. Bioswales or permeable pavement could be considered as options for the City to manage stormwater, and therefore could use the Storm Drain Construction Fund.

14. The staff report recommends a one-time increase of the annual CIP budget to \$645,000 to perform significant work on Stevens Creek Trail for trail user safety... What is the nature of the trail user safety work? Lighting? Trail widening? Something else?

The request for \$645,000 includes the base budget amount of \$458,000 for Forestry Maintenance and Street Tree Replanting. The additional one-time increase of \$187,000 will fund two additional projects for Fiscal Year 2022-23:

- The first project is for maintenance of trees along the Stevens Creek Trail. The trail system has become overgrown over the years. To date, funding has been received to trim the trees from Moffett/101 to Central Expressway. The work in these areas have not only given the trees the appropriate trimming they needed, it has also created a greater sense of safety along the trail by increasing visibility. The additional funding requested for next fiscal year will be used to trim trees along the Stevens Creek Trail from Evelyn heading south to El Camino Real.
- The second project is to continue outreach, education programs, tree plantings, tree care, environmental education programs, and advocacy for Mountain View’s urban forest through use of a non-profit organization.

15. What is “Turf Replacement—Shoreline Athletic Field”? Is it taking out used synthetic turf and putting in new synthetic turf? How do we do this? Is it recycled in any way? Should we be using this material?

The Turf Replacement – Shoreline Athletic Fields will replace the existing synthetic turf which was installed in 2016. Synthetic turf wears out and generally lasts the length of the warranty of 8 years. The turf is removed and subbase is regraded before installation of new turf. The removed materials are recycled, but the City will be installing new materials for the replacement.

16. Are Pickleball courts included in any of these projects? If not, where are they being worked on?

Staff has not requested CIP funding for Pickleball courts this year. As noted in the previous response about Pickleball courts, the Recreation Division is working on a proposal to add Pickleball lines on existing tennis courts as a pilot program. The costs to add these Pickleball lines can be absorbed in the Community Services Department budget and does not require a CIP project.

Adding separate stand-alone Pickleball courts will require a feasibility study of possible locations. This study would require a project manager from Public Works and consultant assistance to evaluate sites and provide preliminary engineering services to confirm site development feasibility and preliminary cost estimates. We do not have existing project managers who can manage a new project at this time. However, staff recommends including a feasibility study in the next cycle of the five-year CIP to be considered by Council in spring 2023, providing an opportunity to plan ahead for the new staffing resources anticipated as part of the upcoming recommended budget.

17. The Pilot Project for the bike lanes on California Ave is only for one long block. Why so short a length? How does this relate to the Complete Streets study that was done several years ago (2015)?

Please see response to Question 5.

18. Water System improvement & Recycled Water System Investigations project 23-06 Why such a small amount? What does this project cover?

The Water System Improvements and Recycled Water System Improvements, Project 23-06, is an annual non-discretionary project budget used for small system repairs and to replace water meters, which has been historically adequate. There are other projects in the CIP to work on large projects like the Annual Water Main/Service Line Replacement project or discretionary projects for specific planned projects such as relocating a water transmission main for the Castro Street Pedestrian Mall project and implementing the Recycled Water Feasibility Study recommendations.

19. What's the current status of the Bernardo undercrossing? How does this relate to the Evelyn bike land from Sunnyvale?

Bernardo Undercrossing is currently undergoing preliminary design and environmental review by the City of Sunnyvale in partnership with Mountain View. The preliminary design includes pedestrian and bicycle access considerations, which will be designed to connect to, and not preclude, potential future bikeway facilities along the north (westbound) side of Evelyn Avenue between Downtown Sunnyvale Caltrain station and Mountain View Transit Center.

ITEM 4.5 Historic Preservation Ordinance and Historic Register Update: Scope of Work and Consultant Contract

1. Will the consultant propose new incentives to improve and maintain historic resources if they are not already included in our ordinance?

Yes, the project team will update the criteria and process for designating local historic districts and implementation of historic preservation incentives using best practices.

2. How much would it cost to include the registration of the historic sites on Castro Street in the consultant contract? It seems well suited to their expertise. If the Council were to amend the scope of work to first add the 8 historic buildings in downtown to the state and national registers, how would this affect staff capacity and resources? How long would it potentially delay the broader Historic Preservation work?

Including the nomination of eight historic buildings in the downtown to the State and/or National Registers would entail additional documentation, staff time, and cost. Staff estimates an additional four to six months for the project to do so and would have to confirm the cost and time with the consultant.

This work is complicated. Staff's recommendation to conduct the first step for the local survey was to focus on the local register and historic ordinance per Council direction. Identification of buildings as historic/potentially historic has consequences for property owners since any revisions to the exterior are subject to the historic ordinance requirements or additional Californian Environmental Quality Act (CEQA) review for impacts or both, and have to go through a different review and permitting process. As a result, staff would have to work with owners who are frustrated and upset to help them understand the benefits of listing properties and identifying ways in which the ordinance can help, all of which is extremely time-consuming. Adding State and National Registration to this work adds a layer of complication during this initial phase. Any additional time spent on this project could potentially create delays for other projects on the Council's workplan.

3. The third bullet on page 2 is confusing. Please restate.

When a building/district is identified as eligible for listing on a local, State and/or National Register, property owners have two constraints to developing their property:

- They would be subject to the Historic Ordinance – In this case, remodels, additions or other changes to the exterior are subject to a Historic Preservation (HP) Permit. The exterior revisions are also guided by the Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties per the California Office of Historic Preservation. HP permits are not granted if the proposed alterations result in a substantial adverse change in the significance of the historical resource.
- They would potentially be subject to additional requirements under CEQA - Some local registers (such as ours) and the State Historic Register do not consider properties for listing on the Register if an owner objects. However, merely being eligible for listing on these Registers still subjects discretionary permits on "eligible" to additional review under the California Environmental Quality Act (CEQA). CEQA requires the project to be reviewed for potential impacts to its historic status even if it is only eligible for listing on a Register. Modifications can fall within a Categorical Exemption specifically for historic projects that follow the Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties and do not result in an a substantial adverse change to the historic resource. An EIR and Statement of Overriding Considerations would be

required when a proposed project would potentially cause a substantial adverse change to the historic resource or if it is proposed to be demolished.

The Historic ordinance will be revised to clearly lay out these procedures since the existing ordinance is not clear on these project related requirements.

ITEM 4.7 Fire Department Fleet Replacement Midyear CIP Project

1. What is the current balance in the Equipment Replacement Fund?

The current balance is \$32.1 million, but is projected to decrease to \$25.6 million after the replacement of the fire trucks and other equipment next fiscal year.

2. This is a significant expenditure. What other similar major expenditures are proposed for this fund? What was the last comparably large expenditure?

The Fire Fleet replacement is unique as the only category with this kind of significant expenditure. The other fleet vehicles are replaced individually as they reach the end of their useful lives. Historically, we have a process to replace all fire trucks at the same time for a variety of reasons including best practices in financial planning, as well as vehicle standardization, better compatibility, ease of training and more efficient maintenance. In FY 2022-23, the total preliminary amount of funding needed to replace equipment is \$12.4 million, of which \$9.0 million is for replacement of the fire trucks.

3. Even with this expenditure, the fund balance remains significant. Can staff provide information about the fund activity compared with the balance over the past decade?

The Equipment Replacement Fund has vehicles and equipment with a value of \$45.1 million. Over the past 10 years, it has funded \$5.6 million per year and had an average fund balance of \$26.3 million.

4. Do we, during our 2024 fleet replacement, expect vehicles purchased to include any increased sustainability features, and if not during our 2024 fleet replacement, then are there any increased sustainability features that may come online in the medium term and thus be available during the fleet replacement 15 years from now? By increased sustainability features I mean features like hybrid electric vehicles and smaller safer vehicles that enable and encourage narrower roads and more active transportation.

The new fleet of fire apparatus will be a direct replacement of the current fleet. As with any new technology, we expect to see improvements that will increase vehicle efficiency which will translate into energy savings; however, the amount of energy savings is unknown at this point. Fire apparatus are large commercial vehicles because of the amount of water, tools and equipment they carry. Currently, there is no opportunity to make these vehicles smaller; however, there may be opportunities to electrify the fleet in the future.

Electric fire apparatus is an emerging technology that is in the “concept” phase of development. In addition, the fire apparatus that are currently being developed as electric have diesel backup. As the technology matures, and there is wide spread adoption of it, we may be in a position to transition the fleet to electric during the next round of vehicle replacements 15 years from now. In the meantime, there are steps the City could take to prepare to transition to an electric fleet:

- Early estimates for a future electric fire apparatus are about \$1.5M, which is \$600K more than the diesel equivalent. The City could provide additional funding to the equipment replacement fund in anticipation of a higher replacement cost for the Fire fleet in 15 years.

- As the next round of replacement nears and if electric replacements appear to be viable, charging infrastructure could be added to the Fire Stations.

The Public Works Department will soon be releasing a Request for Proposals to hire a consultant that will analyze the City's fleet (all vehicles, not just Fire) and facilities in preparation to transition the City's fleet to electric as part of the City Green Fleet Initiative. The consultant will analyze current and anticipated electric vehicle (EV) technology, current and anticipated models that are suitable to replace various classes of conventional vehicles, and provide a financial tool to evaluate the life cycle cost of EV vs. conventional models. The scope of work will also include a conceptual design and cost estimate for phased installation of EV charging infrastructure for fleet vehicles at City-owned sites where fleet vehicles are stored.

5. Will the new fire trucks be electric? If not, when will electric fire trucks be available? Should we wait?

The new fire apparatus will not be electric. Electric fire apparatus is an emerging technology that is in the "concept" phase of development. As a result, there is little field data on their performance or reliability. The City of Los Angeles recently purchased the 1st electric fire truck in the United States. Its electrical range is limited so it has a small diesel engine in case it runs out of electrical power. Its reliability is also unknown because it broke down twice while it was being demonstrated for the San Jose Fire Department. Manufacturers are hoping to see similar performance to diesel fire trucks but that is yet to be seen.

Mountain View Fire Staff inspected the electric fire engine when it was showcased in Menlo Park. However, staff determined that it was not suitable for Mountain View's small Fire fleet because it only has 30 minutes of pumping capacity on electric power, 2 hours of drive time and cost almost two million dollars. Furthermore, since firefighting is a 24/7 operation, the City would need to purchase 2 electric fire engines so one is available while the other one is charging. Since they require 440 volts of electricity for battery charging, the Fire station would need to be upgraded to bring that level of electrical voltage into the apparatus bay and would cost approximately \$200k. A second fire engine is also being prototyped in Madison Wisconsin and it is also very limited compared to conventional fire engines. It has a very short battery range and it is very underpowered for regular use so it is only deployed for dumpster fires and other small fires. It also has a diesel generator to help charge the electric battery. Currently, there is no 100% electric fire engine on the market that is readily available for purchase. Fire staff concluded that the significant cost increase to purchase an electric fire apparatus, coupled with the technology just being developed along with the charging logistics, did not provide enough benefit to the City.

Although electric fire trucks are new and untested, there may be opportunity to purchase them in 15 years when the Fire fleet is replaced. As the technology matures, their capability would be better understood and improvements would have been made to optimize them for field operation.

ITEM 6.1 1020 to 1040 Terra Bella Avenue

1. Is it possible to use the new land use designation (36 to 50? du/acre) that was created for the 555 W Middlefield project for this project? If not, why not?

Currently, the project is proposing a Density Bonus of 33% on the proposed 80 du/acre designation for a total of 108 units. Reducing the density to 50 du/ acre and assuming the applicant would request the maximum allowed State Density Bonus of 80% would yield about 93 units, which would yield 15 fewer units and potentially increase the cost per unit and affect the economic viability of the project (ability to receive needed funding).

2. Is Public Storage providing additional community benefits besides the donation of land for affordable housing? In the staff report on page 5, the statement says the community benefits “include” the land dedication making it sound like there is more.

The land dedication (approximately 0.5 acres) is the entirety of the proposed community benefit referenced in this part of the report.

3. What is the Design Rule Checking process?

This is referring to the “Development Review Process.”

4. Is the requirement for 209 parking spaces for the Public Storage development, a specific requirement for personal storage developments? Or, is it for Industrial/MM zoning in general? Or something else?

The 209 parking space requirement is derived from the Zoning Code parking requirements for a personal storage use.

5. On page 12 of the staff report, staff recommends using more transparent windows as an organizing element. What is an organizing element?

Architects use design principles such as symmetry, hierarchy (of features), datum (i.e. reference or alignment points), rhythm, repetition, etc. to create visually appealing buildings. Often the best designs strike a balance between compositional order and variation and utilize one or more key building feature to create that design identity. Given the scale of the proposed buildings, staff recommends more transparent windows be used as a key design feature to bring visual relief and interest to large wall areas, and provide design features that are consistent with the newer buildings being developed in the area.

6. What are the concerns about opaque windows?

While opaque windows are better than solid walls, the concern is that they still give appearance of a blank façade, and the appearance of significant blank wall area can have the effect of making buildings seem more massive and monolithic. This is of greatest concern on buildings with less major massing breaks, upper floor stepbacks or other features providing balance and/or visual interest across large facades.

7. Some large self-storage complexes include on-site housing for an employee or two. Will this project include one or more on-site housing units?

Per the gatekeeper authorization in August 2020, the site at 1020 Terra Bella (Alta Housing) will provide an onsite unit for the Public Storage manager. If for funding purposes this is not possible, the applicant for 1040 Terra Bella (Public Storage) will update their plans to include a residential unit on site.

8. The staff report says, “Staff recommends further refinement of building accents... to diminish the appearance of prominent garage entries on Terra Bella Avenue and San Rafael Avenue.” What kind of building accents might that be?

Once staff receives Council design feedback, staff will work with the DRC and applicant team to identify and implement further design refinements along the two project frontages to enhance the pedestrian experience and reduce the visual impact of the garage entries. These could include revising: colors/materials, design and extent of trellises and paving, garage door inset and increased landscaping (particularly around the San Rafael garage ramp).

ITEM 7.1 Introduction of an Ordinance to Enact Campaign Contribution Limits, Amend Campaign Finance Reporting and Disclosure Requirements, and Repeal Political Sign Regulations

1. If a committee making independent expenditures receives a contribution \$50,000 (the state Disclose Act threshold) or more, will it be subject to the City’s disclosure requirements or only the state requirements?

State law requires the committee responsible for a campaign advertisement to disclose its top contributors when the cumulative contribution by a contributor is \$50,000 or more for the 12 months preceding the advertisement expenditure and ending seven days before the advertisement is sent to the printer. Under the City’s existing Disclosure in Advertisements Ordinance, State law requirements apply when top contributors are required to be disclosed in advertisements under State law.

2. Why is staff recommending removing the two-year time period in which the City may bring criminal charges for violations? Why allow only one year?

Upon further review by staff, it was determined that in conformance with State law the City would be subject to a one-year statute of limitations to bring criminal charges for violations of the City’s Disclosure in Advertisements Ordinance and the proposed enhanced reporting and disclosure requirements.

ITEM 8.1 Amendments to the Tenant Relocation Assistance Ordinance to Apply to Mobile Home Tenants

1. What type of regulations does the RHC need to adopt to address tenants’ first right of return in the event of other displacements, those resulting from: (a) necessary and substantial repairs requiring a temporary vacancy, (b) owner move-in to the rental unit, or (c) demolition of the rental unit? Can you provide some examples of new regulations?

Both the CSFRA (Section 1705(c) and the MHRSO (Section 46.8 (c) grant tenants a right of return in certain no fault evictions such as withdrawal from the rental market, owner move in, repairs, and demolition. The RHC is empowered to adopt regulations with respect to implementation of the right of first return for owner move in, repairs and demolition, such as specifying noticing requirements to the

former tenant, whether the right to return only applies to the specific unit that the tenant previously resided in, and the duration of the right of return after the eviction. The RHC is scheduled to hold a study session and adopt first right of return regulations before the end of 2022. However, compliance with the first right of return is required even in the absence of the regulations,

Currently, the CSFRA program requires landlords to file with the CSFRA program, any termination notice including the specific just cause for termination. Tenants are requested to fill out a form if they are interested to exercise their right of return. The relocation consultant files this information and follows up on a yearly basis with the tenant to update forwarding address and the landlord to check if the unit is still owner occupied, in repair or actually demolished. Adopting further regulations would clarify the noticing requirements, the length of time the right to return exist and the applicable rent (similarly to what has been provided in the Ellis Act and TRAO for cases of properties withdrawn from the rental market).

ITEM 8.2 Commercial Development at 590 Castro Street

1. The amount of office and retail space varies among the various documents (plans, TDM, VMT, etc.). Even the total square footage varies within the staff report (105,361 sf on page 1, 102,442 sf on page 3). What are the actual numbers for office square footage, and retail square footage?

The project proposes 91,878 square foot of office, 10,564 square foot of retail space, and 2,919 square foot of covered driveway entry area on first floor. The total proposed building square footage is 105,361 square feet. The TDM and VMT Analysis use actual office and retail use area only (total of 102,442 square feet) and not the 2,919 square foot of covered driveway space.

2. On page 2 of the staff report, it says that to the south of the project, is a five-story mixed-use building with staggered heights ranging from three to four stories. Is the maximum number of stories five or four?

The existing building is five stories at its tallest portions but has varying heights between three and five stories.

3. Who was invited to the community meeting held on October 12?

Per the existing requirements, property owners and tenants within a 750' radius of the project site were invited to the applicant-sponsored neighborhood meeting.

4. How much will the city-owned parking encroach into Pioneer Park?

The proposed extension would encroach approximately 315 square feet into Pioneer Park.

5. Is the lighting in the plaza the kind that is not harmful to birds, wildlife, and people?

Lighting shown in the plan set is conceptual and would be subject to the City's current requirements, which do not consider impacts on birds, wildlife, etc. pursuant to the International Dark-Sky Associate (IDA) Model Ordinance.

6. Where will the staging area for this project be?

The applicant has requested to lease the existing driveway on the property from the City for project construction staging as is typical for such projects. As noted in the staff report, staff is supportive of this request, which would require the applicant to enter into a license agreement with the City.

7. How does the renovation of the Chamber of Commerce fit into this?

The City does not have any active project permits for renovations to the small building currently occupied by the Chamber of Commerce.

8. What kind of retail are you expecting to attract here? What kind of guarantee is there that the retail space will be rented?

The applicant is proposing to recruit retail uses in the ground floor space along the street frontages. There is no guarantee that the retail spaces will be rented and if the applicant is unsuccessful in finding retail tenants, other ground-floor permitted uses in the Downtown Precise Plan such as restaurants, personal service, member services, art galleries, etc. would be allowed.