



Alison Hicks, Mayor
Pat Showalter, Vice Mayor
Margaret Abe-Koga, Councilmember
Ellen Kamei, Councilmember
Lisa Matichak, Councilmember
Lucas Ramirez, Councilmember
Emily Ann Ramos, Councilmember

Kimbra McCarthy, City Manager
Jennifer Logue, City Attorney
Heather Glaser, City Clerk

September 26, 2023

Council Chambers and Video Conference, 500 Castro St., Mountain
View, CA 94041

REGULAR MEETING

This meeting was conducted with a virtual component. All members of the City Council and all speakers participated in-person unless otherwise noted.

6:00 P.M.-CLOSED SESSION

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

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

City Attorney Logue announced the items listed for Closed Session.

There were no public speakers in-person or virtually.

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

2. CLOSED SESSION (PLAZA CONFERENCE ROOM)

2.1 Conference with Legal Counsel-Existing Litigation (Government Code §54956.9(d)(1)); Name of case: Gulay Mehbalyeva v. City of Mountain View; et. al., Santa Clara County Superior Court, Case No. 23-CV-418256

2.2 Conference with Legal Counsel-Existing Litigation (Government Code §54956.9(d)(1)); Name of case: Ella Kobzanets v. City of Mountain View; et. al., Santa Clara County Superior Court, Case No. 23-CV-420311

2.3 Conference with Legal Counsel-Liability Claims (Government Code §54956.9(d)(2),(e)(3)); Claimant: Manuel Garcia against the City of Mountain View

At 6:20 p.m., Closed Session concluded.

6:30 P.M.-REGULAR SESSION

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

Mayor Hicks led the Pledge of Allegiance.

2. ROLL CALL

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

3. PRESENTATION**3.1 Arts & Humanities Month Proclamation**

Mayor Hicks presented the proclamation to Sukanya Kumar, Chair of the Performing Arts Committee.

4. CONSENT CALENDAR

The following member of the public spoke:

Margaret Petros from Los Altos discussed Item 4.1.

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

The motion carried by the following vote:

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

4.1 Firearm Safety Ordinances (Second Reading)

1. Adopt Ordinance No. 10.2023 of the City of Mountain View Amending Chapter 18 of the Mountain View City Code to Add Article II "Firearm Dealers" to Impose Local Permit Requirements on Firearm Dealers Operating Within the City of Mountain View. (First reading: 6 ayes, 0 nays, 1 absent)

2. Adopt Ordinance No. 11.2023 of the City of Mountain View Amending Chapter 36, Zoning, of the Mountain View City Code to Add Firearms and Ammunition Retailing as a Prohibited Home Occupation Use. (First reading: 6 ayes, 0 nays, 1 absent)

4.2 Shoreline Lake Improvements, Project 20-36, and Intersection Traffic Signal System Major Replacements and Upgrades (Shoreline Boulevard and Villa Street), Project 16-27-Construction Acceptance

1. Accept Shoreline Lake Improvements, Project 20-36, and authorize the final contract payment.

2. Accept Intersection Traffic Signal System Major Replacements and Upgrades (Shoreline Boulevard and Villa Street), Project 16-27, and authorize the final contract payment.

4.3 SB-1 Streets, Projects 22-03 and 23-03-Professional Services Agreement

Authorize the City Manager or designee to execute a professional services agreement with BKF Engineers, a California corporation, to provide design and construction support services for SB-1 Streets, Projects 22-03 and 23-03, in a not-to-exceed amount of \$435,710.

4.4 Construction Engineering Services, Tanner Pacific Inc.-Professional Services Agreement

Authorize the City Manager or designee to amend the existing professional services agreement with Tanner Pacific, Inc., for an additional \$300,000 to provide construction engineering services in a not-to-exceed amount of \$400,000.

4.5 982 Bonita Avenue; 349 Martens Avenue; and 900 and 1001 Alta Avenue-Public Improvements

1. Accept the public improvements for the development at 982 Bonita Avenue for maintenance throughout their useful life.

2. Accept the public improvements for the development at 349 Martens Avenue for maintenance throughout their useful life.

3. Accept the public improvements for the development at 900 and 1001 Alta Avenue for maintenance throughout their useful life.

4.6 Fiscal Year 2022-23 Annual Compliance Report for In-Lieu Parking Fees

Make available to the public the Fiscal Year 2022-23 Annual Compliance Report for In-Lieu Parking Fees and place the report on the agenda for the October 24, 2023 City Council meeting.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

The following members of the public spoke:

Mark Taylor from Mountain View, on behalf of Adam Sandhu, discussed the car wash at 2378 Old Middlefield Way.

Margaret Petros from Los Altos discussed a 911 call placed to the Mountain View Police Department on September 15, 2021.

Lourdes Rangel from Mountain View discussed tree removal at Rengstorff Park.

John Stalcup from Mountain View discussed tree removal at Rengstorff Park.

6. STUDY SESSION**6.1 Draft Economic Vitality Strategy**

Spanish translation services were available for this item.

The purpose of this Study Session was for the City Council to provide direction to staff on the Economic Vitality Strategy, including goals and strategies to further support the small business community.

Economic Vitality Manager John Lang presented the item.

Assistant City Manager/Community Development Director Aarti Shrivastava and Chris Mefford, President, Community Attributes, Inc. were available for questions.

At 6:59 p.m., Councilmember Ramirez left the dais.

At 7:04 p.m., Councilmember Ramirez returned to the dais.

The following members of the public spoke:

Peter Katz, on behalf of the Mountain View Chamber of Commerce.

(Virtual) Robert Cox

(Virtual) Jesse Cupp

Mayor Hicks recused herself from participating in any discussion about Goal 1 of the Draft Economic Vitality Strategy due to the proximity of her personal residence to the Downtown Plan Area.

Councilmember Abe-Koga recused herself from participating in any discussion about Goal 1 of the Draft Economic Vitality Strategy due to the proximity of her personal residence to the Downtown Plan Area.

At 7:27 p.m., Councilmember Abe-Koga and Mayor Hicks left the dais.

The Council determined to broaden Goal 1 to apply beyond the Downtown Plan Area.

At 7:34 p.m., Councilmember Abe-Koga and Mayor Hicks returned to the dais.

By consensus, the Council indicated support for including equity action items in the City's Race, Equity and Inclusion Action Plan.

A majority of the Council indicated support for an item to come back to the Council during a study session that included:

1. Revisions to the Vision Statement to make it more specific to the City's values surrounding economic development specifically.
2. Revisions to the Equity Statement to remove strong language and replace with more practical language; revise to equity lens.
3. The Draft Economic Vitality Strategy with the following revisions:
 - a. Create measurable quantifiable goals with milestones.
 - b. Create an Implementation and Action Plan Table – with Immediate, Short-term, Medium-term, and Long-term timelines listed at the action level and not the goal level.
 - c. Expand Goal 1 to be Citywide.
 - d. Prioritize Strategy 4.3 with an Immediate timeline for the creation of a Rapid Response Team to help businesses with permitting.
 - e. Use Vacancy tax as a last resort to reduce vacancies.
 - f. Add Acton Item - Creation of Enhanced Infrastructure Financing District (not short-term or immediate;

provide additional information for priority decision).

g. Add Action Item - Placemaking: Branding, differentiation for Downtown and other Village Centers and new districts created in Precise Plans such as North Bayshore, East Whisman, and San Antonio. Include upgraded signage, façade improvements, and design assistance.

MOTION - M/S - Showalter/Ramos - At 9:49 p.m., to continue the meeting beyond 10:00 p.m.

The motion carried by the following vote:

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

At 9:50 p.m., Mayor Hicks recessed the meeting. The meeting reconvened at 10:01 p.m. with all Councilmembers present.

7. PUBLIC HEARING - None.

8. NEW BUSINESS

8.1 Selection of Preferred and Alternate Development Teams for 87 East Evelyn Avenue Affordable Housing Project

Senior Housing Officer Deanna Talavera presented the item. She indicated an update to Table 1 on page seven of the Council report regarding the development cost information for Alta Housing, Bridge Housing and Charities Housing. She stated the information was correct in the report narrative.

James Silverwood, President, Affirmed Housing, and Stephen Ellis, Partner, Van Meter Williams Pollack LLP, presented.

The Council directed questions to City staff, James Silverwood, Rob Wilkins, Vice President, Affirmed Housing, and Makinya Ward, Chief Executive Officer, Kids Konnect.

Marvel Ang, Associate Director of Development, Charities Housing, presented.

The Council directed questions to City staff, Kathy Robinson, Director of Development, Charities Housing, and Marvel Ang.

At 11:25 p.m., Councilmember Abe-Koga left the dais.

Carlos Castellanos, Vice President of Real Estate Development, Alta Housing, presented.

At 11:29 p.m., Councilmember Abe-Koga returned to the dais.

The Council directed questions to Carlos Castellanos.

Jonathan Stern, Director of Acquisitions and Planning, Bridge Housing, and Alex Seidel, Principal, Seidel Architects, presented.

At 11:47 p.m., Councilmember Kamei left the dais.

At 11:49 p.m., Councilmember Kamei returned to the dais.

Rich Truempler, Senior Vice President, The Core Companies and Dixie Baus, Director of Real Estate Development, Eden Housing, made remarks.

The following members of the public spoke:

Nels DeLander from Mountain View, on behalf of Local 405.

Tom Myers, on behalf of Community Services Agency.

Alex Brown from Mountain View.

(Virtual) James

Councilmember Matichak, Councilmember Kamei, Vice Mayor Showalter, Mayor Hicks, and Councilmember Ramirez disclosed they each met with four of the applicants.

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

1. Select Affirmed Housing as the preferred development team for the 87 East Evelyn Avenue affordable housing residential development.
2. Authorize the City Manager or designee to negotiate and execute an Exclusive Right to Negotiate Agreement (ERNA) with the selected development team and commence the negotiation process for the lease disposition, development, and loan agreement (LDDLA) and ground lease for the 87 East Evelyn Avenue site, and direct staff to bring back any substantial changes to the proposed project for Council consideration.
3. Authorize the City Manager or designee to execute an amendment to the ERNA to extend the initial 90-day term for an additional 90 days if negotiations are not completed in the initial term but are progressing.
4. If, after selection of Affirmed Housing as the preferred development team, the City and Affirmed Housing are unable to come to an agreement, authorize the City Manager or designee to enter into an ERNA and commence negotiations with Charities Housing as the alternate development team.
5. Adopt Resolution No. 18836 of the City Council of the City of Mountain View Declaring the City-Owned Site at 87 East Evelyn Avenue to be Exempt Surplus Land Pursuant to the Surplus Land Act.

The motion carried by the following vote:

Yes: 4 - Councilmember Abe-Koga, Councilmember Kamei, Councilmember Ramirez, Mayor Hicks

No: 3 - Councilmember Matichak, Councilmember Ramos, Vice Mayor Showalter

9. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Matichak stated she attended a Silicon Valley Regional Interoperability Authority Strategic Planning Session and a Council Policy and Procedures Committee meeting.

Councilmember Ramos stated she attended the Cal Cities Annual Conference.

Councilmember Kamei stated the Community Health Awareness Council convened Task Force 2. She announced she was the new president of Cal Cities Peninsula Division.

Councilmember Abe-Koga stated she attended a Cities Association of Santa Clara Executive Board of Directors meeting.

Vice Mayor Showalter stated she attended a San Francisco Bay Conservation and Development Commission Sediment and Beneficial Reuse Commissioner Working Group meeting.

10. CLOSED SESSION REPORT

City Attorney Logue stated that in Closed Session the Council took final action on Item 2.3 on the Closed Session agenda, which was a conference with legal counsel regarding a liability claim filed by Manual Garcia against the City of Mountain View. She stated Mr. Garcia's claim demanded \$10,000,000 in damages for injuries he sustained as a result of a trip and fall incident at Shoreline Amphitheatre. She stated the Council voted with 7 ayes, 0 noes and 0 abstentions to deny the claim.

11. ADJOURNMENT

At 1:06 a.m. on Wednesday, September 27, Mayor Hicks adjourned the meeting.