



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

May 09, 2023

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

REGULAR CITY COUNCIL MEETING

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

5:00 P.M.-STUDY SESSION

1. CALL TO ORDER

At 5:02 p.m., Mayor Hicks called the meeting to order.

2. ROLL CALL

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

3. STUDY SESSION

3.1 Recommended Fiscal Year 2023-24 through Fiscal Year 2027-28 Capital Improvement Program

The purpose of this Study Session was to present the Recommended Fiscal Year 2023-24 through Fiscal Year 2027-28 Capital Improvement Program for City Council review, comment, and refinement.

Assistant Public Works Director Ed Arango presented the item.

Public Works Director Dawn Cameron was available for questions.

There were no speakers in-person or virtually.

Councilmember Kamei recused herself from discussion of the Underground Utilities at 1020 Terra Bella project due to her employment as an External Affairs Manager with AT&T, an international telecommunications company.

At 5:12 p.m., Councilmember Kamei left the dais.

At 5:13 p.m., Councilmember Kamei returned to the dais.

By consensus, the Council indicated support for:

1. Closing, defunding, and deferring the Mayfield/San Antonio Bike/Ped, Tunnel, Preliminary Design and reallocating the \$4.1 million to the California Green Complete Street Permanent Improvements.
2. Using State Water Project Tax Funds (GP5) for the Advanced Metering Infrastructure Project and other recycled water capital projects.
3. Recommended nondiscretionary and discretionary projects for the five-year Capital Improvement Program.
4. Recommended amendments to existing projects as listed in Table 3 of the Memorandum.

At 5:54 p.m., the Study Session concluded.

6:30 P.M.-REGULAR SESSION

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

At 6:33 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. PRESENTATIONS

3.1 Bike Month Proclamation

Mayor Hicks presented the proclamation to Bicycle/Pedestrian Advisory Committee Chair James Kuzmaul and Caltrans District 4 Bicycle Advisory Committee member, Silicon Valley Bicycle Coalition Policy Advisory Committee member, and Metropolitan Transportation Commission Active Transportation Working Group Co-chair April Webster.

3.2 100th Anniversary of the Mountain View Academy Proclamation

Mayor Hicks presented the proclamation to Mountain View Academy Principal Marc Andres.

The following member of the public spoke:

(Virtual) Bruce England discussed Item 3.1.

4. CONSENT CALENDAR

Councilmember Kamei stated she was recusing herself from participation in Item 4.9, Scope of Services for a Broadband Needs Assessment and Gap Analysis Professional Services Request for Proposal, due to her employment as an External Affairs Manager with AT&T, an international telecommunications company.

Vice Mayor Showalter discussed Items 4.4 and 4.7.

At 6:58 p.m., Councilmember Kamei left the dais.

Councilmember Matichak discussed Item 4.9.

Assistant to the City Manager Christina Gilmore was available for questions.

At 7:00 p.m., Councilmember Kamei returned to the dais.

The following member of the public spoke:

Alex Brown discussed Item 4.4.

Councilmember Kamei discussed Item 4.8.

Public Works Director Cameron stated Items 4.1 and 4.6 needed to be pulled for individual consideration.

MOTION - M/S - Ramos/Ramirez - To approve the balance of the Consent Calendar.

The motion carried, except Items 4.1, 4.6, and 4.9, by the following vote:

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

4.1 Notice of Intention to Vacate Street Right-of-Way and Public Easements within the North Bayshore Master Plan, a 153-Acre Area Generally Located North of U.S. 101 Bounded by Charleston Road to the North, Stevens Creek to the East, Space Park Way to the South, and Huff Avenue to the West

City staff requested this item be pulled from the Consent Calendar for individual consideration.

Assistant Public Works Director Ed Arango indicated revisions to Table 1: Summary of Easements Proposed for Vacation on page three of the Council Report and Exhibits A and B to the Resolution (Attachment 2 to the Council report), as outlined in the distributed Supplemental Council report.

There were no public speakers in-person or virtually.

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

Adopt Resolution No. 18788, as amended by staff, a Resolution of Intention of the City Council of the City of Mountain View to Vacate Street Right-of-Way and Public Easements within the North Bayshore Master Plan Bounded by Charleston Road to the North, Stevens Creek to the East, Plymouth Street and Space Park Way to the South, and Huff Avenue to the West, and set a date for a public hearing to consider the vacation for June 13, 2023.

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

4.2 Adopt Project List for Senate Bill 1-Road Repair and Accountability Act of 2017

Adopt Resolution No. 18789 of the City Council of the City of Mountain View Adopting a List of Projects for Funding to Be Allocated During Fiscal Year 2023-24 from Senate Bill 1-the Road Repair and Accountability Act of 2017.

4.3 Applying for and Establishing Local Housing Trust Fund and Reprogramming Approved Appropriations for Affordable Housing Projects

1. Adopt Resolution No. 18790 of the City Council of the City of Mountain View Authorizing Application to the Local Housing Trust Fund Program and Certifying to the California Department of Housing and Community Development Compliance with the Local Housing Trust Fund Program Requirements.

2. Adopt Resolution No. 18791 of the City Council of the City of Mountain View Establishing the City of Mountain View Local Housing Trust Fund.

3. Approve \$5 million in transfer of funds relating to depositing funds from the Housing Impact Fees Fund to the new Local Housing Trust Fund to serve as the matching funds for the Local Housing Trust Fund grant. (Five votes required)

4. Reprogram approved appropriations from the Housing Impact Fees Fund to the Below-Market-Rate Housing In-Lieu Fees Fund for the following projects:

a. \$13.5 million for Alta Housing/Terra Bella II LLC's 108-unit affordable housing development located at 1020 Terra Bella Avenue; and

b. \$10 million for the Alta Housing 70-unit affordable housing development located at 1012 Linda Vista Avenue. (Five votes required)

4.4 Plymouth Street to Space Park Way Realignment, Project 20-40-Various Actions

1. Adopt Resolution No. 18792 of the City Council of the City of Mountain View Adopting an Addendum to the North Bayshore Precise Plan Subsequent Final Environmental Impact Report for Plymouth Street Realignment, Project 20-40.

2. Approve removal of 86 Heritage trees and the first-stage mitigation replacement with 84 new 24" box trees for Plymouth Street to Space Park Way Realignment, Project 20-40.

3. Approve plans and specifications for tree removal and demolition of existing buildings located at 1600 and 1616 North Shoreline Boulevard, for Plymouth Street Realignment, Project 20-40, and authorize staff to advertise for bids.

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

4.5 Final Map Approval, Tract No. 10575, 773 Cuesta Drive

Adopt Resolution No. 18793 of the City Council of the City of Mountain View Approving the Final Map of Tract No. 10575, 773 Cuesta Drive, Accepting Dedications, and Making Findings as Required by the City Code.

4.6 Appointment of a Representative to the Bay Area Water Supply and Conservation Agency Board of Directors and Bay Area Regional Water System Financing Authority

City staff requested this item be pulled from the Consent Calendar for individual consideration.

Public Works Director Cameron stated the recommendation needed to be modified to appoint Councilmember Matichak to a four-year term ending June 30, 2027.

Councilmember Matichak stated it was her intention to resign the seat at the end of her current term on the City Council.

There were no speakers in-person or virtually.

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

Appoint Councilmember Lisa Matichak as the City of Mountain View's representative to the Bay Area Water Supply and Conservation Agency Board of Directors and related Bay Area Regional Water System Financing Authority for a four-year term starting on July 1, 2023 through June 30, 2027.

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

4.7 North Bayshore Trip Cap Monitoring Reports and Fiscal Year 2023-24 Professional Services Agreement

1. Review and accept the fall 2022 and spring 2023 North Bayshore Trip Cap Reports.

2. Authorize the City Manager or designee to enter into a professional services agreement with Fehr and

Peers, Inc., to provide transportation consulting services for North Bayshore District Transportation Monitoring for Fiscal Year 2023-24, in an amount not to exceed \$160,400.

4.8 Evelyn Park, Project 21-60-Approve Conceptual Plan, Select Name, and Make Findings

1. Approve the recommended conceptual plan for Evelyn Park, Project 21-60.
2. Select Evelyn Park as the name for the new park.
3. Find that in accordance with the California Environmental Quality Act (CEQA) requirements, the project is categorically exempt as Class 4, Minor Alterations to Land, under CEQA Guidelines Section 15304.

4.9 Scope of Services for a Broadband Needs Assessment and Gap Analysis Professional Services Request for Proposal

Approve the scope of services for a broadband needs assessment and gap analysis Request for Proposals.

Yes: 6 - Councilmember Abe-Koga, Councilmember Matichak, Councilmember Ramirez, Councilmember Ramos, Vice Mayor Showalter, Mayor Hicks

Recused: 1 - Councilmember Kamei

4.10 Amend the Agreement with Midpeninsula Regional Open Space District for Emergency and Nonemergency Communication Services

Authorize the City Manager or designee to execute an extension to the agreement to provide communication services for Midpeninsula Regional Open Space District for five years through June 30, 2028.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

The following member of the public spoke:

(Virtual) Steven Goldstein discussed the San Francisco Baykeeper lawsuit against the City.

6. PUBLIC HEARING

6.1 Downtown Outdoor Patio and Sidewalk Café Program

Transportation Planner Aruna Bodduna presented the item.

Public Works Director Cameron and Economic Vitality Manager John Lang were available for questions.

The following members of the public spoke:

(Virtual) Bruce England from Mountain View.

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

(Virtual) Robert Cox

(Virtual) Jesse Cupp

(Virtual) Tim MacKenzie

The Council directed questions to staff.

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

1. Find the proposed amendments to Chapters 15 (Food Establishments, Restaurants, and Mobile Vendors), 25 (Neighborhood Preservation), 26 (Public Amusements), 27 (Streets and Sidewalks), and 36 (Zoning) of the City Code and Downtown (P-19) Precise Plan text amendments to be exempt under California Environmental Quality Act Guidelines Section 15061(b)(3) (the “common sense exemption”) as the amendments modify design guidelines and procedures to already-existing outdoor activities, with some modification thereof, and make other minor amendments, including those for consistency.
2. Introduce an Ordinance of the City of Mountain View Repealing Article XV of Chapter 36 (Zoning) of the Mountain View City Code to Repeal Sidewalk Cafés in the Downtown Area, Amending Section 36.44.65 (Development Review Procedures) Related to Outdoor Dining and Merchandise Displays, and Amending Other Sections of Chapter 36 for Consistency and Minor Amendments, and set a second reading for May 23, 2023.
3. Introduce an Ordinance of the City of Mountain View Repealing Article III (Merchant Vendors in Downtown Area) of Chapter 15 and Adding a New Section to Chapter 27 (Streets and Sidewalks) to Repeal the Sidewalk Café and Merchant Vendor Provisions and Replace Them with a New Outdoor Patio Program in the Downtown Area; and Amending Chapter 25 (Neighborhood Preservation), Chapter 26 (Public Amusements), and Chapter 27 (Streets and Sidewalks) for Consistency, and set second reading for May 23, 2023.
4. Adopt Resolution No. 18794 of the City Council of the City of Mountain View Amending the Downtown (P-19) Precise Plan to Add an Outdoor Activities Section Authorizing Outdoor Dining and Merchandise Displays on Private Property, Repeal and Replace Sidewalk Café References with Outdoor Activities, and Make Other Minor Amendments.
5. Adopt Resolution No. 18795 of the City Council of the City of Mountain View Adopting the Downtown Mountain View Outdoor Patio Standards/Guidelines and Authorizing the Public Works Director to Make Minor Amendments to the Standards/Guidelines.
6. Adopt Resolution No. 18796 of the City Council of the City of Mountain View Amending the City of Mountain View Master Fee Schedule by Repealing and Replacing Sidewalk Café and Merchant Vendor Fees with Outdoor Patio Application and Rental Fees.
7. Adopt Resolution No. 18797 of the City Council of the City of Mountain View Repealing Resolution No. 18546 and All Subsequent Amendments Thereto, Including, but not Limited to, Resolution Nos. 18577, 18631, and 18726, which Suspended Sidewalk Café Program Requirements and Authorized Application of

the Castro StrEATs Outdoor Dining Program Throughout Downtown, Effective November 1, 2023.

8. Approve recommendations for Castro Street/Dana Street and Castro Street/Villa Street intersection operations.

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

7. NEW BUSINESS

7.1 American Rescue Plan Act Funding for Small Businesses

Economic Vitality Manager Lang and Assistant City Manager/Community Development Director Aarti Shrivastava presented the item.

At 8:06 p.m., Councilmember Ramirez left the dais.

At 8:14 p.m., Councilmember Ramirez returned to the dais.

At 8:14 p.m., Councilmember Abe-Koga left the dais.

At 8:16 p.m., Councilmember Abe-Koga returned to the dais.

The Council directed questions to staff.

The following members of the public spoke:

(Virtual) Bruce England from Mountain View.

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

(Virtual) Jesse Cupp

MOTION - MS - Ramirez/ Kamei - To:

1. Authorize use of the American Rescue Plan Act Funding for small businesses in the form of a \$200,000 facade improvement grant program, a \$200,000 outdoor equipment grant program and a \$25,000 social media training program.

2. Authorize the City Manager or designee to execute an amendment to the agreement with Clean Water Fund for technical assistance for the ReThink Disposable program to increase the amount by \$75,000 and extend the contract through Fiscal Year 2023-24 for a total not-to-exceed contract amount of \$149,497.

FRIENDLY AMENDMENT

Mayor Hicks moved to amend the motion to add window display improvement to tier one of the Facade Grant Program.

The maker and seconder of the motion accepted the amendment.

The amended motion carried by the following vote:

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

7.2 American Rescue Plan Act Funding for Workforce Development

Spanish translation services were available for this item.

Principal Management Analyst Laurel James presented the item.

At 8:47 p.m., Councilmember Matichak left the dais.

At 8:49 p.m., Councilmember Matichak returned to the dais.

The Council directed questions to staff.

The following members of the public spoke:

Jose Cabrera

Louise Auerhahn, on behalf of Working Partnerships USA.

Karen Routt from Redwood City.

Jedit Centeno Vasquez from Mountain View.

Malia Pires from Mountain View.

Sandra Esparza from Mountain View.

Amada Bautista from Mountain View.

Angela Contreras from Mountain View.

Gloria Arias from Mountain View.

Diana Pinto from Mountain View.

Helen Ayala from Mountain View.

Dulle Refugio from Mountain View.

Angelica Gabriel from Mountain View.

Amadeni Guzman Mordler from Mountain View.

Rubidia Ayoho from Mountain View.

Hector Sanchez from Mountain View.

Solomge Cavalcomte

Rosa Arellano from Mountain View.

(Virtual) Jesse Cupp indicated support for the item.

(Virtual) Reyna Dominguez

MOTION - M/S - Ramirez/Showalter - To:

1. Allocate \$169,075 in one-time American Rescue Plan Act funding to Library workforce development programs.
2. Award \$426,900 in one-time American Rescue Plan Act funding appropriated for workforce development to Working Partnerships USA; Mountain View Los Altos Union High School District and Mountain View Whisman School District; Foothill College; NOVAworks; Los Altos Mountain View Community Foundation and Reach SV; and Day Worker Center of Mountain View.
3. Adopt Resolution No. 18798 of the City Council of the City of Mountain View: (1) Appropriating and Increasing Expenditures by \$95,975 in the General Non-Operating Fund for Workforce Development and Job Training Programs; (2) Authorizing the City Manager or Designee to Negotiate and Execute a Professional Services Agreement with Working Partnerships USA to Provide the Trades Orientation Program to Mountain View Residents in an Amount Not to Exceed \$100,000; and (3) Authorizing Execution of Other Related Agreements as Necessary for the Disbursement of the Funding. (Five votes required)

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

7.3 Assembly Bill 481 Military Equipment Policy Renewal and Annual Report Review

At 9:42 p.m., Councilmember Kamei left the dais.

Interim Police Chief Max Bosel presented the item.

At 9:44 p.m., Councilmember Kamei returned to the dais.

The Council directed questions to staff.

The following member of the public spoke:

(Virtual) Tim MacKenzie

MOTION - MS - Showalter/Matichak - To:

Adopt Resolution No. 18799 of the City Council of the City of Mountain View Renewing Ordinance No. 7.22, Approving Mountain View Police Department Policy 709, Military Equipment, and Determining that, Based on the 2022 Assembly Bill 481 Military Equipment Annual Report, Each Type of Military Equipment Has Complied with Ordinance No. 7.22.

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

MOTION - M/S - Ramos/Ramirez - At 10:00 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

8. COUNCIL, STAFF/COMMITTEE REPORTS

Vice Mayor Showalter discussed recent meetings of the San Francisco Bay Conservation and Development Commission and the National League of Cities Energy, Environment and Natural Resources Policy Committee.

Councilmember Abe-Koga stated she attended a Metropolitan Transportation Committee workshop and a meeting of the Santa Clara Valley Transportation Authority Ad Hoc Committee on Grade Separations. She announced the Cities Association Annual Membership Dinner on June 15 at the Los Altos Community Center.

Councilmember Matichak stated she attended a County of Santa Clara Airport Land Use Commission meeting.

In response to Councilmember Matichak, by consensus, the Council directed staff to return with amendments to City Council Policy A-13 to clarify the Council must always vote to continue a meeting beyond 10:00 p.m. and clarify that Council report outs under Item 8 only include the requirements outlined in City Council Policy A-2 and brief comments on attendance at meetings of regional bodies.

9. CLOSED SESSION REPORT

City Attorney Logue stated there was no Closed Session report.

10. ADJOURNMENT

At 10:15 p.m., Mayor Hicks adjourned the meeting.