



City of Mountain View

Agenda

City Council

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

Tuesday, March 14, 2023

5:00 PM

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

JOINT MEETING OF CITY COUNCIL (REGULAR) AND SHORELINE REGIONAL PARK COMMUNITY (SPECIAL)

This meeting is being conducted with a virtual component. Anyone wishing to address the Council virtually may join the meeting online at: <https://mountainview.zoom.us/j/84351267142> or by dialing (669) 900-9128 and entering Webinar ID: 843 5126 7142. When the Mayor announces the item on which you wish to speak, click the “raise hand” feature in Zoom or dial *9 on your phone. When the Mayor calls your name to provide public comment, if you are participating via phone, please press *6 to unmute yourself.

5:00 P.M.-CLOSED SESSION

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION IN COUNCIL CHAMBERS)

2. CLOSED SESSION (PLAZA CONFERENCE ROOM)

- 2.1 Conference with Legal Counsel-Liability Claim (Government Code §54956.9(d)(2)(e) (3); Claimant: Nancy Hobbs against the City of Mountain View
- 2.2 Conference with Legal Counsel-Existing Litigation (Government Code §54956.9(d) (1)); Name of case: Kent Taylor v. City of Mountain View; et. al., Santa Clara County Superior Court, Case No. 22CV393000
- 2.3 Acting in its capacity as Board of Directors of the Shoreline Regional Park Community; Conference with Legal Counsel-Anticipated Litigation; Potential exposure to litigation pursuant to California Government Code §54956.9(d)(2) (1 potential case)

6:30 P.M.-REGULAR SESSION**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE****2. ROLL CALL****3. PRESENTATION**

This is a presentation only. The City Council will not take any action.

3.1 Proclamation in Recognition of Red Cross Month**4. CONSENT CALENDAR**

These items will be approved by one motion unless any member of the Council or audience wishes to remove an item for discussion. The reading of the full text of ordinances and resolutions will be waived unless a Councilmember requests otherwise.

4.1 Amend City Council Policy K-2, Council Advisory Bodies, and the Council Code of Conduct**Recommendation:**

1. Adopt a Resolution of the City Council of the City of Mountain View Amending City Council Policy K-2, Council Advisory Bodies, to Add Requirements for Filing Statements of Economic Interests and Brown Act Training and Removing the Ability to Appoint Alternates to Fill Potential Future Vacancies, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Adopt a Resolution of the City Council of the City of Mountain View Amending the Council Code of Conduct to Modify Section 3.6 to Clarify the Consequences of Noncompliance with Ethics Training Requirements for Boards, Commissions, and Committees, to be read in title only, further reading waived (Attachment 2 to the Council report).

Attachments:

[Council Report](#)

[ATT 1 - Council Policy K-2 Resolution](#)

[ATT 2 - Council Code of Conduct Resolution](#)

4.2 Attorneys' Fees and Costs Settlement in the Matter of *Navarro; et. al. v. City of Mountain View*

Recommendation: Adopt a Resolution of the City Council of the City of Mountain View Authorizing the City Attorney to Compromise and Settle Plaintiffs' Claim for Attorneys' Fees and Costs in the Matter of Navarro; et al. v. City of Mountain View, United States District Court Case No. 21-CV-05381, in the Amount of Seven Hundred Fifty Thousand Dollars (\$750,000) and Authorizing an Appropriation of Seven Hundred Fifty Thousand Dollars (\$750,000) from the Liability Self-Insurance Fund to Pay the Settlement, to be read in title only, further reading waived (Attachment 1 to the Council report).

Attachments: [Council Report](#)
[ATT 1 - Resolution](#)

4.3 Adopt a Resolution Acknowledging Receipt of the 2022 Senate Bill 1205 Mandatory Fire Inspection Report

Recommendation: Adopt a Resolution of the City Council of the City of Mountain View Acknowledging Receipt of a Report Made by the Mountain View Fire Chief Regarding the Required Annual Inspection of Certain Occupancies Pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code, to be read in title only, further reading waived (Attachment 1 to the Council report).

Attachments: [Council Report](#)
[ATT 1 - Resolution](#)

4.4 Resolution Opposing the Taxpayer Protection and Government Accountability Act

Recommendation: Adopt a Resolution of the City Council of the City of Mountain View to Oppose the Taxpayer Protection and Government Accountability Act, to be read in title only, further reading waived (Attachment 1 to the Council report).

Attachments: [Council Report](#)
[ATT 1 - Resolution](#)

4.5 Appoint Advisory Body Members

Recommendation: Adopt a Resolution of the City Council of the City of Mountain View Appointing Joan MacDonald to the Human Relations Commission and Appointing Carol Donahue and David Garcia to the Performing Arts Committee, to be read in title only, further reading waived (Attachment 1 to the Council report).

Attachments: [Council Report](#)
[ATT 1 - Resolution](#)

4.6 Lot 12 Affordable Housing Project Funding Appropriation and Loan Agreement

- Recommendation:**
1. Appropriate the remaining \$10.95 million in City funding for the Lot 12 affordable housing project, which is composed of \$1.0 million in Successor Agency funds, \$1.95 million in Housing Impact Fees, and \$8.0 million in Senate Bill 129 Affordable Housing Grant Fund, which will be used for the construction/permanent loan. (Five votes required)
 2. Authorize the City Manager or designee to negotiate the terms and execute the construction/permanent loan agreement with MV Lot 12 Housing Partners, L.P., in an amount up to \$12.25 million; amendments to the agreements, subject to Council appropriation of funds; and related documents necessary for City financing for the development.

Attachments: [Council Report](#)
[ATT 1 - Lot 12 Appropriation of Predevelopment Funding](#)

4.7 HOME-ARP Allocation Plan and Funding

- Recommendation:**
1. Approve the Home Investment Partnerships Program American Rescue Plan (HOME-ARP) Allocation Plan (Attachment 1 to the Council report) for submittal to the U.S. Department of Housing and Urban Development (HUD) as a Substantial Amendment to the Fiscal Year 2021-22 Annual Action Plan.
 2. Appropriate HOME-ARP funding of \$982,560 upon HUD approval of the City's HOME-ARP Allocation Plan and awarding of funds. (Five votes required)
 3. Authorize the City Manager or designee to execute and submit to HUD any required agreements and certifications related to the HOME-ARP Allocation Plan and Funding.

Attachments: [Council Report](#)
[ATT 1 - HOME-ARP Allocation Plan](#)

4.8 SB 1 Streets, Project 21-30-Authorize Amendment to Professional Services Agreement

- Recommendation:** Authorize the City Manager or designee to amend the professional services agreement with CSG Consultants, Inc., of Foster City, for SB 1 Streets, Project 21-30, to add \$50,000 for a not-to-exceed amount of \$180,000.

Attachments: [Council Report](#)

4.9 Magical Bridge All-Inclusive Playground, Project 18-36, and Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48-Tree Mitigation and Project Update

- Recommendation:**
1. Approve the removal and mitigation of seven Heritage trees at a 2:1 tree replacement ratio with 24" box trees for Magical Bridge All-Inclusive Playground, Project 18-36, and Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48.
 2. Receive an update on project status and bidding schedule.

Attachments: [Council Report](#)

4.10 Funding for Crestview Hotel Conversion to Permanent Affordable Housing

- Recommendation:**
1. Find the Crestview Hotel rehabilitation project to be statutorily exempt from the California Environmental Quality Act pursuant to Health and Safety Code Section 50775.1.4.
 2. Appropriate \$3.8 million in Rental Housing Impact Fees and Housing Impact Fees for the rehabilitation of the Crestview Hotel for permanent housing. (Five votes required)
 3. Authorize the City Manager or designee to negotiate and execute the loan agreement(s) in an amount not to exceed \$9 million with Jamboree Housing Corporation (or approved affiliate), the affordable housing regulatory agreement(s) with Jamboree Housing Corporation (or approved affiliate), and other related documents relating to this allocation of funds for the rehabilitation of the Crestview Hotel for permanent housing.
 4. Authorize the City Manager or designee to negotiate and execute amendments to the above-referenced loan agreement(s) and regulatory agreement(s) and other related documents as needed to effectuate the incorporation of expected Federal funding for the Crestview Hotel project and to offset the City Rental Housing Impact Fees and Housing Impact Fees funding.

Attachments: [Council Report](#)

4.11 Amendment of Contract with Netto Planning Services, LLC, for On-Call Planning Consulting Services

- Recommendation:**
1. Authorize expenditures by the Community Development Department in an amount not to exceed \$150,000 for Fiscal Year 2022-23 for on-call contract planning services performed by Netto Planning Services, LLC, associated with project management for planning entitlement, postentitlement, and environmental review process.
 2. Authorize the City Manager or designee to execute an amendment to the professional services agreement with Netto Planning Services, LLC, to increase maximum compensation by \$50,000 for a total not-to-exceed contract amount of \$150,000.

Attachments: [Council Report](#)

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the agenda. Speakers are allowed to speak on any topic for up to three minutes during this section. If there appears to be a large number of speakers, speaking time may be reduced to no less than 1.5 minutes. State law prohibits the Council from acting on nonagenda items.

6. PUBLIC HEARING

6.1 1020 and 1040 Terra Bella Avenue-Affordable Housing Projects and Public Storage**Recommendation:**

1. Adopt a Resolution of the City Council of the City of Mountain View Adopting the Initial Study/Mitigated Negative Declaration for the Terra Bella Public Storage and Alta Housing Affordable Housing Projects Located at 1020 Terra Bella Avenue, 1040 Terra Bella Avenue, and 1055 San Leandro Avenue Pursuant to the California Environmental Quality Act, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Adopt a Resolution of the City Council of the City of Mountain View Approving a General Plan Map Amendment From General Industrial to High-Density Residential for 1020 Terra Bella Avenue, and a General Plan Text Amendment to Allow an Increase in the Maximum Floor Area Ratio (FAR) from 0.55 FAR to 2.50 FAR in the General Industrial Land Use Designation for Uses with Limited Employees and Customers that Provide a Significant Public Benefit Toward Affordable Housing, to be read in title only, further reading waived (Attachment 2 to the Council report).
3. Introduce an Ordinance of the City of Mountain View Approving a Zoning Map Amendment from the MM (General Industrial) Zoning District to a P (Planned Community) Zoning District for the Properties Located at 1020 Terra Bella Avenue, 1040 Terra Bella Avenue, and 1055 San Leandro Avenue, to be read in title only, further reading waived, and set a second reading for March 28, 2023 (Attachment 3 to the Council report).
4. Adopt a Resolution of the City Council of the City of Mountain View Approving a Planned Community Permit and Development Review Permit to Construct a Six-Story Affordable Housing Development with 106 Affordable Rental Units and Two Manager's Units with a Two-Level Podium Garage, and a State Density Bonus with a Concession on a 1.04-Acre Project Site at 1020 Terra Bella Avenue, to be read in title only, further reading waived (Attachment 4 to the Council report).
5. Adopt a Resolution of the City Council of the City of Mountain View Approving a Planned Community Permit and Development Review Permit to Construct Six-Story and Four-Story Personal Storage Buildings with At-Grade Parking on a 3.8-Acre Project Site at 1040 Terra Bella Avenue and 1055 San Leandro Avenue, to be read in title only, further reading waived (Attachment 5 to the Council report).
6. Introduce an Ordinance of the City of Mountain View Approving a Development Agreement By and Between the City of Mountain View and Public Storage for the Terra Bella Public Storage Project for Public Storage Located at 1040 Terra Bella Avenue and 1055 San Leandro Avenue, to be read in title only, further reading waived, and set a second reading for March 28, 2023 (Attachment 6 to the Council

report).

7. Appropriate \$12.2 million in Housing Impact Funds for Alta Housing/Terra Bella II LLC's 108-unit affordable housing development located at 1020 Terra Bella Avenue. (Five votes required)

8. Authorize the City Manager or designee to negotiate the terms and execute all of the following for the affordable housing project described above: the permanent loan agreement with Alta Housing/Terra Bella II LLC, with maximum funding amounts subject to Council appropriation of funds; agreements for City acquisition of the project site and ground lease to the affordable housing developer; amendments to such agreements; and related documents necessary for City financing for the development.

Attachments:

[Council Report](#)

[ATT 1 - Resolution for IS-MND](#)

[ATT 2 - Resolution for General Plan Amendments](#)

[ATT 3 - Ordinance for a Zoning Map Amendment](#)

[ATT 4 - Resolution for 1020 Terra Bella Avenue](#)

[ATT 5 - Resolution for 1040 Terra Bella Avenue](#)

[ATT 6 - Ordinance for a Development Agreement](#)

[ATT 7 - 1020 Terra Bella Avenue Project Plans](#)

[ATT 8 - 1040 Terra Bella Avenue Project Plans](#)

[ATT 9 - Council Report Dated August 25, 2020](#)

[ATT 10 - EPC Report Dated March 23, 2022](#)

[ATT 11 - Council Report Dated April 12, 2022](#)

[ATT 12 - Council Report Dated September 13, 2022](#)

[ATT 13 - EPC Report Dated February 1, 2023](#)

[ATT 14 - ZA Report Dated February 22, 2023](#)

[ATT 15 - Density Bonus Request Letter](#)

7. NEW BUSINESS

7.1 Shoreline Wildlife Management Plan

Recommendation: Adopt the 2023 Shoreline Wildlife Management Plan (Attachment 1 to the Council report).

Attachments: [Council Report](#)
[ATT 1 - Draft 2023 Shoreline Wildlife Management Plan](#)
[ATT 2 - February 15, 2023 PRC Meeting Items](#)
[ATT 3 - March 9, 2022 PRC Meeting Items](#)

8. COUNCIL, STAFF/COMMITTEE REPORTS

No action will be taken on any questions raised by the Council at this time.

9. CLOSED SESSION REPORT**10. ADJOURNMENT**

NOTICE TO THE PUBLIC:

There is a 90-day limit for the filing of a challenge in Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting.

The agenda, reports, and any writings or documents provided to a majority of the City Council regarding any item on this agenda are posted at <https://mountainview.legistar.com> under the meeting details for the date of this meeting. The agenda may also be viewed at City Hall, 500 Castro Street, the City Clerk's Office, 500 Castro Street, Third Floor and at the Mountain View Library, 585 Franklin Street, beginning the Friday morning prior to Tuesday City Council meetings. Printed copies of the agenda, reports, and any writings or documents already provided to a majority of the City Council regarding any item on this agenda may be requested at the City Clerk's Office during normal business hours.

The Council may consider and act on items listed on the agenda in any order and thus those interested in an item listed on the agenda are advised to be present throughout the meeting. The reading of the full text of ordinances and resolutions will be waived unless a Councilmember requests otherwise. Per Council Policy A-13, no new items of business will begin after 10:00 p.m. unless an exception is made by vote of the Council.

Pursuant to the Americans with Disabilities Act (ADA), if you need special assistance in this meeting, please contact the City Clerk's Office at (650) 903-6399 or by email at city.clerk@mountainview.gov 48 hours prior to the meeting so the City can make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.160 (b) (1)). If you have a hearing or speech disability, please use the California Relay System at 711, TDD 650-967-0158 or 800-735-2929.

The City of Mountain View does not discriminate on the basis of race, color, religion, national origin, sex, disability, age, source of income, gender, gender expression or identity, or any other State or Federal protected class in any of its policies, procedures or practices. This nondiscrimination policy covers admission and access to, or treatment or employment in, the City of Mountain View programs and activities. For inquiries regarding the nondiscrimination policy, please contact the City's Section 504 Coordinator at laurel.james@mountainview.gov or 650-903-6397.

Computer-generated captioning of the City Council meeting is unedited and should neither be relied upon for complete accuracy nor used as a verbatim transcript.

ADDRESSING THE COUNCIL:

Email comments to city.council@mountainview.gov by 4:30 p.m. on the meeting date. Emails will be received directly by the City Council. Please identify the Agenda item number in the subject line of your email. Requests to show an audio or video presentation during a Council meeting should be directed to city.clerk@mountainview.gov by 4:30 p.m. on the meeting date.

Anyone wishing to address the Council in person must complete a blue speaker card indicating the name you would like to be called by when it is your turn to speak and the item number on which you wish to speak. Please complete one blue speaker card for each item on which you wish to speak. Virtual and in-person speakers will be called in order as determined by the Mayor.

Pursuant to Council Policy A-13, an individual speaker shall have up to 3 minutes to address the Council. For any agenda item or for Oral Communications on nonagenda items, if there appears to be a large number of speakers, the Mayor may reduce speaking time to no less than 1.5 minutes per speaker unless there is an objection from Council by majority vote.

If requested in advance of the public input portion of the agenda item to the Mayor or City Clerk, a speaker who represents five or more members of the public in attendance who complete cards but elect not to speak may have up to 10 minutes to address the Council, if the Mayor determines that such extension will reduce the total number of speakers who planned to speak.

An applicant and/or appellant for a zone change, precise plan or quasi-judicial hearing or appeal to the Council shall have up to 10 minutes to address the Council and, with the consent of the Council, two minutes of rebuttal at the conclusion of all public speakers.

The presiding officer may remove or cause the removal of any individual(s) for disrupting a meeting in accordance with California

Government Code section 54957.95, as may be amended from time to time. In accordance with California Government Code section 54957.9, as may be amended from time to time, the Council may order a meeting room cleared and continue in session in the event a meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of the meeting impossible, and order cannot be restored by the removal of individuals who are disrupting the meeting.

Pursuant to Government Code Section 54954.3(b)(1), at least twice the allotted speaking time will be provided to a member of the public who utilizes a translator.