

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 12, 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.

5:00 P.M.-CLOSED SESSION

At 5:00 p.m., Mayor Hicks called the meeting to order.

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

City Attorney Logue announced the item listed for Closed Session.

There were no public speakers in-person or virtually.

At 5:03 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: Alice Okuno v. City of Mountain View; et. al., Santa Clara County Superior Court, Case No. 22CV405643

At 5:08 p.m., Closed Session concluded.

5:05 P.M.-STUDY SESSION

1. CALL TO ORDER

At 5:11 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 Potential Revenue Ballot Measure for 2024

The purpose of this Study Session was to provide the City Council with an overview of potential revenues to consider placing on the ballot in 2024, including major considerations associated with each revenue type. Staff sought Council feedback related to the revenue options presented and selection of an ad hoc committee to assist staff during the yearlong ballot initiative process.

Assistant City Manager Arn Andrews and Deputy City Manager Kimberly S. Thomas presented the item.

There were no public speakers in-person or virtually.

A majority of the Council indicated support for:

1. Continuing to explore the feasibility of a 2024 revenue measure.
2. Creating a 2024 Revenue Ballot Measure Ad Hoc Committee consisting of Councilmembers Matichak, Ramirez, Ramos.
3. Focusing on general tax initiative (50 + 1) revenue types like Transient Occupancy Tax and Utility User Tax (by utility type).

Some Councilmembers expressed interest in exploring a commercial office space parcel tax and a gross receipts business license tax.

At 6:08 p.m., the Study 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. PRESENTATIONS

3.1 Friends of Stevens Creek Trail 30th Anniversary Proclamation

Mayor Hicks presented the proclamation to Greg Unangst, President of Friends of Stevens Creek Trail.

3.2 National Hispanic Heritage Month Proclamation

Spanish translation services were available for this item.

Mayor Hicks presented the proclamation to Carmen Quintana, Spanish Language Civic Leadership Academy

ambassador and graduate and Community Action Team member.

The following member of the public spoke:

(Virtual) Valeria Andersen discussed Item 3.2.

4. CONSENT CALENDAR

Mayor Hicks stated the Council took action on Item 4.5 at its June 27, 2023 City Council meeting and pulled the item off the agenda.

Councilmember Kamei recused herself from participating in Item 4.12 regarding acceptance of construction for well abandonments and Pyramid Park due to the proximity of her residence to Pyramid Park.

Councilmember Matichak discussed Item 4.14.

MOTION - M/S - Matichak/Ramos - To postpone Item 4.14 to a date uncertain.

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

Vice Mayor Showalter discussed Items 4.7, 4.8, 4.9, 4.11 and 4.15.

There were no public speakers in-person or virtually.

MOTION - M/S - Abe-Koga/Kamei - To approve the balance of the Consent calendar.

The motion carried, except for Items 4.5, 4.12 and 4.14, by the following vote:

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

4.1 Approve Minutes

Approve City Council meeting minutes of June 29, 2023.

4.2 Employer Health Contribution for Safety Employees and Retired Annuitants Under the Public Employees' Medical and Hospital Care Act

1. Adopt Resolution No. 18828 of the City Council of the City of Mountain View Fixing the Employer Contribution at an Equal Amount for Employees and Annuitants Under the Public Employees' Medical and Hospital Care Act with Respect to a Recognized Employee Organization (Group 001 Safety-Fire).

2. Adopt Resolution No. 18829 of the City Council of the City of Mountain View Fixing the Employer Contribution at an Equal Amount for Employees and Annuitants Under the Public Employees' Medical and

Hospital Care Act with Respect to a Recognized Employee Organization (Group 002 Safety-Police).

4.3 Americans with Disabilities Act Self-Evaluation and Transition Plan Professional Services Agreement and Appropriation

Adopt Resolution No. 18830 of the City Council of the City of Mountain View Appropriating \$390,949 to the City Manager's Office from the General Non-Operating Fund for an Americans with Disabilities Act Self-Evaluation and Transition Plan, and Authorizing the City Manager or Designee to Execute a Professional Services Agreement with Bureau Veritas Technical Assessments LLC to Develop an Americans with Disabilities Act Self-Evaluation and Transition Plan, in an Amount not to Exceed \$390,949. (Five votes required)

4.4 570 South Rengstorff Avenue, Tract No. 10584-Final Map

Adopt Resolution No. 18831 of the City Council of the City of Mountain View Approving the Final Map of Tract No. 10584, 570 South Rengstorff Avenue, Accepting Dedications, Making Findings as Required by Chapter 28 of the Mountain View City Code, and Making Appropriate California Environmental Quality Act (CEQA) Findings.

4.5 Final 2020 and Preliminary 2021 Community Greenhouse Gas Emissions Inventories

The Council took action on this item at the June 27, 2023 City Council meeting. This item was pulled off the agenda by Mayor Hicks.

4.6 Voting Delegate and Alternate for the 2023 Cal Cities Annual Conference

Designate Councilmember Emily Ann Ramos as the voting delegate and Councilmember Ellen Kamei as the alternate for the General Assembly meeting at the 2023 Cal Cities Annual Conference.

4.7 Fiscal Year 2023-24 Council Advisory Body Work Plan Approval

Approve the Council advisory body work plans for Fiscal Year 2023-24.

4.8 Charleston Pump Station Realignment, Project 20-44-Professional Services Agreement

Authorize the City Manager or designee to execute a professional services agreement with GHD, Inc., to provide design engineering, environmental clearance, and permitting services for Charleston Pump Station Realignment, Project 20-44, in a not-to-exceed amount of \$1,800,000.

4.9 Lower Stevens Creek Levee Improvements, Project 18-52-Professional Services Agreement

Authorize the City Manager or designee to execute a professional services agreement with Schaaf & Wheeler, Consulting Civil Engineers, to provide design engineering, environmental clearance, and permitting services for Lower Stevens Creek Levee Improvements, Project 18-52, in a not-to-exceed amount of \$1,250,000.

4.10 Workforce Development and Small Business Assistance Funding Rebudget

Adopt Resolution No. 18832 of the City Council of the City of Mountain View Appropriating \$771,975 in the General Non-Operating Fund for Workforce Development and Job Training Programs and Small Business Assistance Programs. (Five votes required)

4.11 Authorization of an Agreement with Strategic Energy Innovations to Host Two Climate Corps Fellows

Authorize the City Manager or designee to execute an agreement with Strategic Energy Innovations in an amount not to exceed \$137,100 to host two Climate Corps Fellows.

4.12 Well Abandonments 10, 17, and 20, Project 19-39, and South Whisman Park (Pyramid Park), Project 21-45-Construction Acceptance

1. Ratify acceptance of construction for Well Abandonments 10, 17, and 20, Project 19-39, and authorization of the final contract payment.

2. Accept South Whisman Park (Pyramid Park), Project 21-45, and authorize the final contract payment.

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

Recused: 1 - Councilmember Kamei

4.13 Utility Services Agreement with Palo Alto

Adopt Resolution No. 18833 of the City Council of the City of Mountain View Authorizing the City Manager or Designee to Enter into an Agreement with the City of Palo Alto to Provide Water and Sanitary Sewer Services Outside of the Corporate Limits of the City of Mountain View.

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

This item was postponed to a date uncertain.

4.15 Application to the Community Resilience Centers Implementation Grant Program to Establish the Senior Center as a Resilience Center

1. Authorize the City Manager or designee to submit an application to the Community Resilience Centers Implementation Grant Program from the California Strategic Growth Council and execute all related documents if awarded.

2. Adopt Resolution No. 18834 of the City Council of the City of Mountain View Authorizing the City Manager or the City Manager's Designee to Apply for and Accept Grant Funds from the California Strategic Growth Council for the Community Resilience Center Implementation Grant in an Amount up to \$10 Million and Negotiate and Execute any Related Documents Necessary to Accept These Grant Funds.

4.16 Youth Advisory Committee Member Appointment

Appoint Shahana Rajasekaran to a vacancy on the Youth Advisory Committee for the 2023-24 school year term.

4.17 1720 Villa Street; 525, 555, 769 East Evelyn Avenue; and 2601 Garcia Avenue-Public Improvements

1. Ratify acceptance of public improvements for the development at 1720 Villa Street for maintenance throughout their useful life.

2. Ratify acceptance of public improvements for the development at 525, 555, and 769 East Evelyn Avenue for maintenance throughout their useful life.

3. Accept the public improvements for the development at 2601 Garcia Avenue for maintenance throughout their useful life.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

The following members of the public spoke:

James Zaorski from Mountain View, on behalf of Zoe Zaorski, Vivek Chopra, Anita Stewart, Vicki Lee and Amparo Del Rio, discussed the Parks and Recreation Strategic Plan.

Steve Minden from Mountain View discussed tree removal required by San Francisco Public Utilities Commission at Rengstorff Park for the Magical Bridge Playground project.

Alex Brown from Mountain View discussed parks in the City.

(Virtual) Shani Kleinhaus discussed the Parks and Recreation Strategic Plan.

(Virtual) Rashmi Sahai discussed tree removal required by San Francisco Public Utilities Commission at Rengstorff Park for the Magical Bridge Playground project.

6. STUDY SESSION

6.1 Gatekeeper Process Updates

The purpose of this Study Session was to obtain Council direction on the timing of future Gatekeeper authorization hearings, future modifications to the Zoning Ordinance (Chapter 36 of the City Code) regarding Gatekeeper exemptions from Council authorization hearings, and updates to the Gatekeeper Amendment Authorization Criteria.

Assistant Community Development Director Lindsay Hagan and Assistant City Manager/Community Development Director Aarti Shrivastava presented the item.

Assistant Community Development Director Amber Blizinski was available for questions.

At 7:17 p.m., Councilmember Ramirez left the dais.

At 7:19 p.m., Councilmember Ramirez returned to the dais.

The following members of the public spoke:

Peter Katz from Mountain View.

Manuel Salazar from Antioch.

Bill Maston from Mountain View.

(Virtual) Robert Cox

(Virtual) Louise Katz

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

At 8:17 p.m., Councilmember Abe-Koga returned to the dais.

At 8:22 p.m., Councilmember Kamei left the dais.

At 8:23 p.m., Councilmember Kamei returned to the dais.

A majority of the Council indicated support for:

1. One or more Gatekeeper authorization hearings per year.
2. All Gatekeepers to require an authorization hearing.
3. A modification to Gatekeeper exemption Category D allowing 100% affordable housing projects with or without City funding, on a parcel less than 2 acres, to be exempt.
4. Requiring all Gatekeepers to propose community benefits.
5. Staff to return with a Council Policy and options for Gatekeeper provisions, statement-based criteria, procedures, etc., that are tied to existing Council/City Goals (e.g. adopted City plans, policies, strategies, programs, etc.).

7. PUBLIC HEARING

7.1 CalPERS Contract Amendment for All Unrepresented Safety PEPRA Employees

Human Resources Manager Lindsey Bishop presented the item.

There were no public speakers in-person or virtually.

MOTION - M/S - Kamei/Ramos - To:

1. Adopt Resolution No. 18835 a Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City Council City of Mountain View.
2. Introduce an Ordinance of the City of Mountain View Authorizing an Amendment to the Contract Between the City Council of the City of Mountain View and the Board of Administration of the California Public Employees' Retirement System, and set second reading for October 10, 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

At 9:29 p.m., Mayor Hicks recessed the meeting. The meeting reconvened at 9:45 p.m. with all Councilmembers present except Councilmember Kamei.

8. NEW BUSINESS

8.1 Discontinuation of School Field Joint Use Agreement Between the City and Mountain View Whisman School

District

City Manager Kimbra McCarthy, City Attorney Jennifer Logue and Assistant City Manager Audrey Seymour Ramberg presented the item.

Community Services Director John Marchant was available for questions.

The Council directed questions to City staff and Mountain View Whisman School District Superintendent Ayindé Rudolph.

The following members of the public spoke:

Laura Ramirez Berman from Mountain View.

Laura Blakely from Mountain View.

Brian Cullinane from Mountain View indicated opposition to the item.

Mark Jamtgaard from Mountain View indicated opposition to the item.

Former Mountain View Whisman School District Trustee Nelson from Mountain View.

(Virtual) Devon Conley

(Virtual) Jill Rakestraw indicated opposition to the item.

(Virtual) Christopher Viaggi indicated opposition to the item.

(Virtual) Tim MacKenzie from Mountain View.

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

1. Authorize the City Manager to direct City staff to terminate the 2000 Joint Use Agreement between the City and Mountain View Whisman School District and determine the timing and actions necessary to have a transition in maintenance and scheduling responsibilities to the District for the school fields and facilities at the Bubb, Castro, Imai, Landels, Vargas, Monta Loma, Stevenson, and Crittenden Schools.
2. Affirm the City Council's continued commitment to the current agreements governing the Mountain View Sports Pavilion at Graham Middle School, Graham Middle School Maintenance Agreement, Mountain View Sports Center at Crittenden Middle School, and the easement agreement between the City and Mountain View Whisman School District for the City's use of land at Crittenden School for the extension of the Permanente Creek Trail providing a safe route to school.
3. Approve the Mayor sending a letter communicating these actions to the Mountain View Whisman School District Board of Trustees (Attachment 1 to the Council report).

AMENDMENT

Councilmember Ramirez moved to amend the motion to direct staff to work with the Mayor to send a letter inviting the Mountain View Whisman School District Board of Trustees to respond to the City's terms for a successor Joint Use Agreement.

The amendment died for lack of a second.

Councilmember Matichak amended the motion to:

1. Authorize the City Manager to direct City staff to terminate the 2000 Joint Use Agreement between the City and Mountain View Whisman School District and determine the timing and actions necessary to have a transition in maintenance and scheduling responsibilities to the District for the school fields and facilities at the Bubba, Castro, Imai, Landels, Vargas, Monta Loma, Stevenson, and Crittenden Schools unless the Mountain View Whisman School District Board of Trustees accepts on or before December 31, 2023, a successor Joint Use Agreement with terms and conditions to be proposed by the City.
2. Affirm the City Council's continued commitment to the current agreements governing the Mountain View Sports Pavilion at Graham Middle School, Graham Middle School Maintenance Agreement, Mountain View Sports Center at Crittenden Middle School, and the easement agreement between the City and Mountain View Whisman School District for the City's use of land at Crittenden School for the extension of the Permanente Creek Trail providing a safe route to school.
3. Approve the Mayor sending a letter communicating these actions to the Mountain View Whisman School District Board of Trustees.

The seconder of the motion accepted the amendment.

The amended motion carried by the following vote:

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

At 11:57 p.m., Councilmember Ramirez left the dais.

MOTION - M/S - Abe-Koga/Ramos - At 11:58 p.m. to continue the meeting beyond 10:00 p.m.

The motion carried by the following vote:

Yes: 4 - Councilmember Abe-Koga, Councilmember Matichak, Councilmember Ramos, Mayor Hicks

No: 1 - Vice Mayor Showalter

At 11:58 p.m., Mayor Hicks recessed the meeting. The meeting reconvened at 12:10 a.m. on Wednesday, September 13, with all Councilmembers present except Councilmember Kamei.

8.2 Firearm Safety Ordinances

Assistant City Attorney Diana Fazely presented the item.

The Council directed questions to staff.

There were no public speakers in-person or virtually.

MOTION

Councilmember Abe-Koga moved to:

1. Introduce an Ordinance 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, and set a second reading for September 26, 2023.
2. Introduce an Ordinance 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, and set a second reading for September 26, 2023.
3. Councilmember Abe-Koga amended the motion to add direction to staff to explore adding prohibition of firearm dealers within 250 feet of government buildings, places of worship, public parks and trails, businesses providing activities to minors, and residential zoning districts and return to Council for further discussion.

Councilmember Abe-Koga withdrew the motion.

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

1. Introduce an Ordinance 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, and set a second reading for September 26, 2023.
2. Introduce an Ordinance 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, and set a second reading for September 26, 2023.

The motion carried by the following vote:

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

9. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Ramirez stated he attended the Mayors Innovation Project Summer 2023 Meeting.

Vice Mayor Showalter stated she attended the National League of Cities Summer Meeting. She stated she attended San Francisco Bay Conservation and Development Commission meetings.

Councilmember Matichak stated she attended the Mayors Innovation Project Summer 2023 Meeting, a County of Santa Clara Airport Land Use Commission meeting, and a Bay Area Water Supply and Conservation

Agency Board of Directors meeting.

Councilmember Abe-Koga stated she attended the Silicon Valley Bicycle Coalition Bike Summit, a California Asian & Pacific Islander Legislative Caucus Leadership Academy, and a Cities Association of Santa Clara County Housing Symposium. She stated Silicon Valley Clean Energy Chief Executive Officer Girish Balachandran announced his retirement.

In response to Councilmember Abe-Koga, City Manager McCarthy stated staff would meet with members of the public regarding the tree plan for the Magical Bridge Playground. She stated future community meetings and surveys regarding the Parks and Recreation Strategic Plan would include more robust options reflective of the Council's vision and priorities.

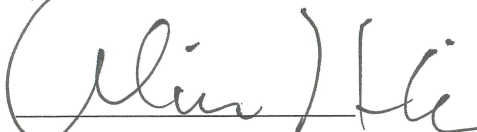
10. CLOSED SESSION REPORT


City Attorney Logue stated there was no Closed Session report.

11. ADJOURNMENT

At 12:42 a.m. on Wednesday, September 13, Mayor Hicks adjourned the meeting.

Approved on October 10, 2023.


Alison Hicks, Mayor


Heather Glaser, City Clerk