



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

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December 05, 2023

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

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## SPECIAL MEETING

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

### **5:15 P.M.-STUDY SESSION**

#### **1. CALL TO ORDER**

At 5:15 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 Gatekeeper Process Updates**

The purpose of this Study Session was to obtain Council direction on updates to requirements for legislative Gatekeeper projects, including review procedures, streamlined projects, criteria, and community design principles.

Assistant Community Development Director Lindsay Hagan presented the item.

Assistant Community Development Director Amber Blizinski was available for questions.

The following members of the public spoke:

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

(Virtual) Bruce England from Mountain View.

(Virtual) Robert Cox, on behalf of Livable Mountain View.

(Virtual) April Webster from Mountain View.

A majority of the Council indicated support for Gatekeeper Review Process A, and reclassifying net-zero as a

Community Design Principle rather than Qualifying Criteria.

By consensus, the Council indicated support for Project Type A - 100% affordable housing, as Streamlined Gatekeepers, the Community Design Principles, as well as the following modifications to Qualifying Criteria: to add a criteria regarding business retention with rent stabilization; to expand on affordable housing to add affordable housing ownership target; to add a criteria for transportation; to expand on the community facilities criteria to allow Transfer of Development Rights programs that apply to other public schools (not just Los Altos School District); and to add a criteria for historic preservation which could be funding for a structure in a location other than the project site.

By consensus, the Council provided additional direction to staff to: look at renaming the Qualifying Criteria reference to “community benefits” to a different term so as not to confuse the use of community benefits in Precise Plans; to provide more detail and specificity in Qualifying Criteria and Design Principles when preparing the draft Policy (in particular, define public recreational areas, define spot-zoning, community facility should be city managed – either dedicated or leased for \$1, complete streets should mention “complete and green street principles”); and to do more stakeholder/community outreach.

A majority of the Council supported direction to establish two Council Authorization hearings a year, one focused on larger projects and one focused on smaller projects and zoning text amendment projects, and to schedule a review of the updated Gatekeeper process 2 years after implementation.

At 8:20 p.m., the Study Session concluded.

### **6:30 P.M.-SPECIAL SESSION**

#### **1. CALL TO ORDER**

At 8:31 p.m., Mayor Hicks called the meeting to order.

#### **2. PLEDGE OF ALLEGIANCE**

Mayor Hicks led the Pledge of Allegiance.

#### **3. ROLL CALL**

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

#### **4. CONSENT CALENDAR**

Vice Mayor Showalter discussed Items 4.4. and 4.7.

Councilmember Abe-Koga pulled Item 4.1. for questions.

There were no public speakers in-person or virtually.

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

The motion carried, except for Item 4.1, by the following vote:

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

**4.1 Modifications to City Council Policy A-6-Election of Mayor and Vice Mayor**

This item was pulled from the Consent Calendar by Councilmember Abe-Koga for individual consideration.

There were no public speakers in-person or virtually.

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

Adopt Resolution No. 18855 of the City Council of the City of Mountain View Amending City Council Policy A-6 Election of Mayor and Vice Mayor to Clarify the Elections Process and to add a Dais Seating Chart.

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 - Abe-Koga/Matichak - To:

Direct the Council Policy and Procedures Committee to seek clarification on how to address seniority between Councilmembers with multiple consecutive terms over those who had a break in service.

The motion carried by the following vote:

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

**Abstain:** 1 - Councilmember Ramos

**4.2 Adopt a Resolution Amending the Fiscal Year 2023-24 Budget to Appropriate One Million Dollars (\$1,000,000) from the Liability Self Insurance Fund (Fund No. 754) and Two Hundred Ten Thousand Dollars (\$210,000) from the Wastewater Fund (Fund No. 602) for Litigation Expenses**

Adopt Resolution No. 18854 of the City Council of the City of Mountain View Amending the Fiscal Year 2023-24 Budget to Appropriate One Million Dollars (\$1,000,000) from the Liability Self Insurance Fund (Fund No. 754) and Two Hundred Ten Thousand Dollars (\$210,000) from the Wastewater Fund (Fund No. 602) for Litigation Expenses.

**4.3 Fiscal Year 2022-23 Annual Compliance Report for Development Impact Fees and Capacity Charges; and Informational Reporting of Park Land Dedication Fee**

1. Review the Fiscal Year 2022-23 Annual Compliance Report for the Citywide Transportation Impact, Housing Impact, Rental Housing Impact, North Bayshore Development Impact, Water Development Impact, Sewer Development Impact, Water Capacity Charges, and Sewer Capacity Charges Funds.
2. Review the Fiscal Year 2022-23 informational reporting for the Park Land Dedication Fund.

#### **4.4 Addendum No. 12 to Regional Water Quality Control Plant Basic Agreement**

1. Authorize the City Manager or designee to execute Addendum No. 12 to the Basic Agreement between the cities of Palo Alto, Mountain View, and Los Altos for the City of Palo Alto to construct the Joint Intercepting Sewer Rehabilitation Phase 1 Project at the Regional Water Quality Control Plant with a cost-share not-to-exceed amount of \$5,159,619 from the City of Mountain View.
2. Appropriate \$235,500 in the Public Works Department in the Wastewater Fund for the Joint Intercepting Sewer Rehabilitation Phase I Project. (Five votes required)

#### **4.5 Construction Engineering Services-Professional Services Agreement**

1. Appropriate \$75,000 from the Development Services Fund for the Public Works Department for consultant support services. (Five votes required)
2. Authorize the City Manager or designee to amend the Fiscal Year 2023-24 professional services agreement with Tanner Pacific, Inc., for an additional \$315,000 to provide construction engineering services in a not-to-exceed contract amount of \$715,000.

#### **4.6 Rengstorff Park Aquatics Center Replacement, Project 18-38-Various Actions**

1. Authorize the City Manager or designee to amend the professional services agreement with ELS, a California corporation, for Rengstorff Park Aquatics Center Replacement, Project 18-38, to add \$90,000 for a not-to-exceed amount of \$2,401,855.
2. Authorize the City Manager or designee to amend the professional services agreement with Griffin Structures, Inc., for Rengstorff Park Aquatics Center Replacement, Project 18-38, to add \$190,000 for a not-to-exceed amount of \$1,050,000.
3. Authorize the City Manager or designee to amend the construction contract with Bobo Construction, Inc., for Rengstorff Park Aquatics Center Replacement, Project 18-38, to add \$300,000 for a not-to-exceed amount of \$21,788,000.

#### **4.7 Vision Zero Outreach, Marketing, and Engagement, Project 20-99-Professional Services Agreement**

Authorize the City Manager or designee to execute a professional services agreement with Moore Iacofano Goltsman, Incorporated, to provide professional services for Vision Zero Outreach, Marketing, and Engagement, Project 20-99, in a not-to-exceed amount of \$255,000.

#### **4.8 2580-2590 California Street and 201 San Antonio Circle; and 1998-2024 Montecito Avenue-Public Improvements**

1. Accept the public improvements for the development at 2580-2590 California Street and 201 San Antonio Circle for maintenance throughout their useful life.
2. Accept the public improvements for the development at 1998-2024 Montecito Avenue for maintenance throughout their useful life.

**5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS**

There were no public speakers in-person or virtually.

**6. PUBLIC HEARING**

**6.1 Amendments to Chapter 8 (Buildings), Chapter 25 (Neighborhood Preservation), Chapter 28 (Subdivisions), Chapter 32 (Trees, Shrubs and Plants), Chapter 35 (Water, Sewage and Other Municipal Services), and Chapter 36 (Zoning) of the City Code**

Senior Planner Krisha Penollar presented the item.

Assistant Community Development Director Lindsay Hagan, Assistant Community Development Director Amber Blizinski, Public Works Director Dawn Cameron, and Senior Assistant City Attorney Sandy Lee were available for questions.

The following member of the public spoke:

(Virtual) Leona Pearce from Mountain View.

A majority of the Council indicated support for staff to:

Have Environmental Planning Commission as a review body for Development Agreements;

Modify the Dual Urban Opportunity (DUO) development standards to permit second-story balconies;

Hold community meetings/informational meetings on future zoning text amendments to allow for public feedback on any item that is discretionary;

Coordinate on the Homelessness Response Strategy to look at any additional criteria, standards or considerations the City should be adding into the zoning code with the low-barrier navigation centers (especially where the land use is allowed in zoning districts beyond state minimums – ie. industrial/commercial zones);

Provide more clarity on discretionary vs. nondiscretionary considerations on subdivision map extensions; develop web content or other informational resources; and

Look at Assembly Bill 1033 (subdivision of Accessory Dwelling Units) as part of future amendments – staff noted this will be looked at as part of a Housing Element Program related to Senate Bill 9 subdivision.

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

1. Find the proposed amendments to Chapters 8 (Buildings), 25 (Neighborhood Preservation), 28 (Subdivisions), 32 (Trees, Shrubs and Plants), 35 (Water, Sewage and Other Municipal Services), and 36 (Zoning) of the Mountain View City Code to be exempt under the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061, Subsections (b)(1) through (b)(3), as the amendments are to align with State legislation, implement adopted Housing Element programs, relate to ministerial activities otherwise categorically exempt under the CEQA Guidelines, and are otherwise covered by the common-sense exemption that the amendments will not result in a significant effect on the environment. Amended to increase the height allowance of all single-family and multifamily detached ADUs from 18' up to 28' to match DUO development heights

2. Introduce an Ordinance of the City of Mountain View Amending Chapter 36 (Zoning) of the City Code to Align with Recently Enacted State Law and to Implement 2023-2031 Housing Element Programs, Including Updates to Accessory Dwelling Unit and Junior Accessory Dwelling Unit Regulations, the Land Use Tables and Development Standards in Residential, Commercial, and Industrial Zones Related to Low-Barrier Navigation Centers, Child Day-Care, Employee Housing, and Other Residential Uses, and Parking Requirements, and Provisions for Micro-Enterprise Home Kitchen Operations and Hydrogen Fueling Stations; to Modify Provisions Related to Entitlement Applications, Development Review, Hearing and Extension Processes; to Clarify or Streamline Existing Procedures and Practices; to Incorporate Permit Provisions for Moving Buildings; and to Make Modifications, Clarifications, and Technical Corrections (with modifications as described in the staff Supplemental Memo: to revise Section 36.12.75.d to refer to Section 36.12.85 for applicable height limits for multifamily residential ADUs; to revise the commercial land use table in Section 36.18.05; to address Residential care home as a permitted use in the CN, CS, and CRA zoning districts per state law; and to delete Section 36.56.12 in its entirety regarding a one application filing limitation) and amended to increase the height allowance of all single-family and multifamily detached ADUs from 18' up to 28' to match DUO development heights and add "voluntary" to description of preapplication.

3. Introduce an Ordinance of the City of Mountain View Approving Amendments to Chapter 8 (Buildings), Chapter 25 (Neighborhood Preservation), Chapter 32 (Trees, Shrubs and Plants), and Chapter 35 (Water, Sewage and Other Municipal Services) to Replace References to the Development Review Committee with Design Review, Align with State Laws on Electric Vehicle Charging Requirements and Micro-Enterprise Home Kitchen Operations, and Relocate Certain Accessory Dwelling Unit Provisions from Chapter 36 into Chapter 8; and Amendments to Chapter 28 (Subdivisions) to Modify Lot Line Adjustment Procedures and Clarify Existing Subdivision Map Extension Procedures.

4. Adopt Resolution No. 18856 of the City Council of the City of Mountain View Making Findings required by California Public Utilities Code Section 21676 and notifying the Santa Clara County Airport Land Use Commission (ALUC) of the City's Intention to Find the Proposed Zoning Ordinance Text Amendments to Chapter 36 (Zoning) of the City Code to Align with Recently Enacted State Law, Implement 2023-2031

Housing Element Programs, Modify and Clarify Administrative and Development Review Procedures, and Make Other Nonsubstantive Amendments, are Consistent with the Purposes Set Forth in California Public Utilities Code Section 21670 and Overrule the ALUC Determination that the Proposed Zoning Ordinance Text Amendments are Inconsistent with Certain Policies in the Comprehensive Land Use Plan for Moffett Federal Airfield.

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 10:10 p.m., to continue the meeting beyond 10:00 p.m.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Ramirez

## **7. NEW BUSINESS**

### **7.1 Public Safety Building, Project 20-49-Conceptual Design and Public Art Budget**

Principal Project Manager David Printy and Assistant Public Works Director Ed Arango presented the item.

Nathan Herrero, Principal, SVA Architects, Public Works Director Dawn Cameron, Police Chief Michael Canfield, and Fire Chief Juan Diaz were available for questions.

The following members of the public spoke:

Alex Brown  
(Virtual) Jesse Cupp  
(Virtual) Albert Jeans

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

1. Approve the revised project scope and site plan.
2. Select the Civic Americana architectural conceptual design for the building.
3. Approve a Public Art budget increase from \$400,000 to \$1 million.

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**

Councilmember Abe-Koga stated she attended a CalTrain Local Policymakers workshop.

Councilmember Matichak stated she attended the National League of Cities City Summit, participated in a Silicon Valley Regional Interoperability Authority meeting, a Council Policy and Procedures Committee meeting, and a Council Transportation Committee meeting.

Councilmember Ramos stated she attended an Avenidas Board of Directors meeting.

Councilmember Kamei stated she attended a Council Transportation Committee meeting.

**9. CLOSED SESSION REPORT**

City Attorney Logue stated there was no Closed Session report.

**10. ADJOURNMENT**

At 11:05 p.m., Mayor Hicks adjourned the meeting.