



Lisa Matichak, Mayor
Margaret Abe-Koga, Vice Mayor
Christopher R. Clark, Councilmember
Alison Hicks, Councilmember
Ellen Kamei, Councilmember
John McAlister, Councilmember
Lucas Ramirez, Councilmember

Daniel H. Rich, City Manager
Krishan Chopra, City Attorney
Lisa Natusch, City Clerk

November 12, 2019

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

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

4:00 P.M.-CLOSED SESSION (PLAZA CONFERENCE ROOM)

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

At 4:00 p.m., City Attorney Krishan Chopra announced the item for Closed Session.

All Councilmembers present.

2. CLOSED SESSION

**2.1 Public Employee Appointment (California Government Code §54957) - Title of Position:
City Manager/Interim City Manager**

The Closed Session concluded at 5:00 p.m.

5:00 P.M.-STUDY SESSION (PLAZA CONFERENCE ROOM)

Mayor Matichak called the Study Session to order at 5:03 p.m.

1. CALL TO ORDER

2. ROLL CALL

All Councilmembers present.

3. STUDY SESSION

**3.1 Conduct Environmental Planning Commission Applicant Interviews and Provide Direction on
Upcoming Absences for a Current Commissioner**

Council interviewed three applicants for the upcoming Environmental Planning Commission vacancies and discussed a current commissioner's request for leave of absence due to her upcoming absences.

MOTION – M/S – Kamei/Abe-Koga – To appoint Preeti Hehmeyer and Robert Holbrook and accept the leave of absence request from Commissioner Margaret Capriles.

Following discussion, Councilmember Kamei withdrew her motion and by consensus, Council continued the discussion until after the City Council meeting.

6:30 P.M.-REGULAR SESSION (COUNCIL CHAMBERS)

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Matichak called the meeting to order at 6:49 p.m. and led the Pledge of Allegiance.

2. ROLL CALL

Present: 7 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

3. PRESENTATION

3.1 Census 2020 Update

Raymond Mueller, Partner Specialist with Northern California, California Bureau of the Census, provided an update on the 2020 Census.

4. CONSENT CALENDAR

Councilmember McAlister provided comments on Item 4.2.

Councilmember Clark provided comments on Item 4.2.

City Attorney Krishan Chopra and Chief Building Official Shellie Woodworth responded to Council questions regarding Item 4.2.

Vice Mayor Abe-Koga provided comments on Item 4.2.

MOTION - MS - Abe-Koga/ Hicks - To Approve the Consent Calendar.

The motion carried by the following vote:

Yes: 7 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

4.1 Amendment to Contracts for Outside Plan Checking, Inspection, and Administrative Services

1. Increase appropriations in the amount of \$3,560,000 in the Community Development Department, Development Services Fund, for building and fire plan checking and inspection services. (Five votes required)

2. Authorize the City Manager to execute amendments to increase consultant contracts for outside building and fire plan checking and inspection services with: CSG Consultants, Inc., from \$200,000 to \$400,000; ESH Consultants from \$100,000 to \$275,000; Fire & Risk Alliance, LLC, from \$100,000 to \$300,000; Shums Coda Associates, Inc., from \$650,000 to \$3,650,000, for services rendered July 1, 2019 through June 30, 2020, for a total increase of \$3,575,000.

4.2 Amend Chapters 8, 14, and 24 of the City Code to Adopt the 2019 California and 2018

International Codes, Incorporating by Reference Other Uniform Codes, and Adopt Reach Codes (Second Reading)

1. Adopt Ordinance No. 17.19 Amending Chapter 8, Articles I through XIV, of the Mountain View City Code, Relating to the Adoption of the 2019 California Building Codes, Incorporating by Reference Other International and Uniform Codes, and Adoption of the 2018 International Property Maintenance Code and 1997 Uniform Code for the Abatement of Dangerous Buildings (Attachment 1 to the Council report). (First reading: 7-0)
2. Adopt Ordinance No. 18.19 Amending Chapter 14, Articles I and II, of the Mountain View City Code, Relating to the Adoption of the 2018 International Fire Code, Incorporating by Reference the Amendments Adopted by the State of California to Establish the 2019 California Fire Code (Attachment 2 to the Council report). (First reading: 7-0)
3. Adopt Ordinance No. 19.19 Amending Chapter 24, Article I, of the Mountain View City Code, Relating to Hazardous Materials (Attachment 3 to the Council report). (First reading: 7-0)

4.3 Audio-Visual System Replacement for the Mountain View Senior Center, Project 19-31-Amend Project Budget

Authorize the transfer and appropriation of \$125,000 from the Construction/Conveyance Tax Fund to the Audio-Visual System Replacement for the Mountain View Senior Center, Project 19-31, for a total project budget of \$345,000. (Five votes required)

4.4 Fiscal Year 2018-19 Annual Compliance Report for Development Impact Fees and Capacity Charges; and Informational Reporting of Park Land Dedication Fee

1. Review the Fiscal Year 2018-19 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 (Attachment 1 to the Council report).
2. Review the Fiscal Year 2018-19 informational reporting for the Park Land Dedication Fund (Attachment 1 to the Council report).

3. Adopt Resolution No. 18400 Making Findings with Respect to the Unexpended Balance of the Sewer Development Impact Fund (California Government Code Section 66001(d)), to be read in title only, further reading waived (Attachment 2 to the Council report).

4.5 Approve the Acquisition of Fee Title from a Portion of 917/943 North Shoreline Boulevard (APN: 153-16-045) for the Shoreline Boulevard Reversible Transit Lane Project, Project 18-47

1. Approve the Acquisition of Fee Title, together with a Temporary Construction Easement, from a portion of 917/943 North Shoreline Boulevard (APN: 153-16-045), owned by Harry K. Wong and Rosemary T. Wong, husband and wife, in the amount of \$235,000, and dismissal of the eminent domain proceedings against the property once acquired.

2. Authorize the City Manager or his designee to execute all documents and take all necessary actions related to the acquisition of fee title and a Temporary Construction Easement from portions of 917/943 North Shoreline Boulevard (APN: 153-16-045) for the Shoreline Boulevard Reversible Transit Lane Project, Project 18-47.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Bee Hanson

6. PUBLIC HEARING-None.

7. UNFINISHED BUSINESS

7.1 Potential 2020 Community Stabilization and Fair Rent Act Amendments

Potential 2020 Community Stabilization and Fair Rent Act (CSFRA) Amendments

Housing and Neighborhood Services Manager Tim Wong presented the staff report. Assistant Community Development Director Wayne Chen, City Manager Dan Rich, Karen Tiedemann, Goldfarb & Lipman LLP, and CSFRA Program Manager Anky van Deursen provided additional information.

Vice Mayor Abe-Koga and Councilmember Clark responded to questions on behalf of the CSFRA Council Ad Hoc Subcommittee.

Public Comment

Bee Hanson, Mountain View Mobile Home Alliance

Deb Henigson, Mountain View Coalition for Sustainable Planning

Alex Nunez

Serge Bonte

Joan MacDonald, League of Women Voters and Advocates for Affordable Housing

Tim MacKenzie

Philip Cosby, Cafecito, St. Athanasius Parish

Carol Meyer

Alex Brown, Mountain View Mobile Home Alliance

Andrew

Reyna Dominguez

Lenny Siegel, former Mayor

There was discussion about the proposed ballot language.

MOTION - MS - Clark/ Abe-Koga - To: 1. Adopt a methodology to set the Annual General Adjustment of rent in the Community Stabilization and Fair Rent Act.

2. Approve the draft amendments to the Community Stabilization and Fair Rent Act incorporating the revisions as stated by staff.

3. Approve the ballot question incorporating the changes as stated by staff and placement of the City Initiated Community Stabilization and Fair Rent Act Charter amendment on the ballot for March 2020.

a. Adopt Resolution No.18401 Calling for the Holding of a Special Municipal Election on Tuesday, March 3, 2020 and Requesting the Board of Supervisors of the County of Santa Clara to Consolidate the Special Municipal Election with the Statewide Primary Election to be Held on that Date Pursuant to §10403 of the Elections Code for the Purpose of Submitting to the Voters a Proposed Charter Amendment and Related Actions, to be read in title only, further reading waived (Attachment 6 to the Council report).

b. Direct the City Attorney to prepare an impartial analysis of the ballot measure.

c. Determine that the full text of the amendment will not be printed in the Voter Information Guide.

d. Direct the City Clerk and the City Attorney to take all necessary related actions for submitting the measure to the voters on March 3, 2020.

4. Take no action on the Voter Initiated “The Mountain View Homeowner, Renter, and Taxpayer Protection Initiative” Community Stabilization and Fair Rent Act Charter amendment.

5. Appropriate \$225,100 from the General Operating Fund Reserve for the Community Stabilization and Fair Rent Act amendments. (Five votes required)

Direct staff to bring back the mobile home ordinance in Q1 of 2020.

The motion carried by the following vote:

Yes: 5- Councilmember Clark, Councilmember Kamei, Councilmember McAlister, Vice Mayor Abe-Koga, and Mayor Matichak

No: 2- Councilmember Hicks and Councilmember Ramirez

MOTION - MS - Clark/Abe-Koga - To: Have Council submit an argument related to the ballot measure and designate Vice Mayor Abe-Koga, Councilmember Ramirez and Councilmember Clark to write the argument and determine the signers.

The motion carried by the following vote:

Yes: 7- Councilmember Clark, Councilmember Hicks, Councilmember Kamei, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

MOTION - M/S Ramirez/Matchak - To extend the meeting past 10:00 p.m.
The motion carried by a majority show of hands.

8. NEW BUSINESS

8.1 R3 Zoning Code Update: Scope of Work

Senior Planner Matt VanOosten presented the staff report. Advanced Planning Manager Martin Alkire and City Manager Dan Rich provided additional information.

The following members of the public spoke:

Deb Henigson, Mountain View Coalition for Sustainable Planning
Joan MacDonald

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

1. Approve the proposed scope of work for the City-initiated R3 Zoning Code Update project.
2. Authorize the City Manager or designee to approve a professional services contract with Opticos Design, Inc. for the R3 Zoning Code Update in an amount not to exceed \$1.15 million.
3. Appropriate and transfer \$310,000 from the Development Services Fund to the R3 Zone Update, CIP Project 20-67; and

Explore incorporating or looking at how a discretionary process in this context could help the City implement or achieve displacement goals, and state that the City is not interested in looking at a minimum density requirement.

The motion carried by the following vote:

Yes: 7 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei,
Councilmember McAlister, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor
Matichak

IMMEDIATELY FOLLOWING THE REGULAR SESSION - STUDY SESSION (COUNCIL CHAMBERS)

9. STUDY SESSION

9.1 Residential Parking Permit Program

Public Works Director Mike Fuller presented the staff report. Senior Traffic Engineer Lorenzo Lopez, City Manager Dan Rich and City Attorney Krishan Chopra provided additional information.

The purpose of this Study Session is to provide an overview and update on the City's Residential Parking Permit (RPP) Program and to obtain City Council direction on possible

changes to program criteria.

The following speakers spoke:

Robert Cox, The Old Mountain View Neighborhood Association

Dennis Goldwater

Nancy Weed

Albert Jeans

Alex Brown, Santiago Villa

Mayor Matichak summarized the Council input provided.

10. COUNCIL, STAFF/COMMITTEE REPORTS

Mayor Matichak reported her attendance at a Santa Clara County Emergency Operational Area Council meeting.

Mayor Matichak also reported on a recent meeting of the Council Appointment Review Committee (CARC) and how its recommendations will come to the City Council.

11. CLOSED SESSION REPORT

City Attorney Chopra announced that there was a Closed Session but because of the importance of the matter the Mayor would report out. Mayor Matichak stated Council met in Closed Session earlier this evening and by unanimous vote appointed Police Chief Max Bosel as Interim City Manager effective upon the retirement of City Manager Dan Rich, and shall continue until the hiring of a new City Manager and he/she commences employment with the City of Mountain View.

12. ADJOURNMENT

At 12:42 a.m., Mayor Matichak announced that the Council would adjourn to the Plaza Conference Room to continue the earlier Study Session and stated the next City Council Meeting will be held on Monday, November 18, 2019, at 6:30 p.m. in the Council Chambers, 500 Castro Street.

At the Study Session the City Council directed staff to reopen the recruitment.

LISA NATUSCH
CITY CLERK