

## Council Questions

### December 13, 2022 - City Council Meeting

#### ITEM 4.7 Appoint Advisory Body Members

1. There are no deadlines for applications for our advisory bodies, and yet for some of the applicants it was noted that they submitted their application past the deadline. Can staff please clarify if there are deadlines, and if not, why is it noted that an applicant submitted their application after the deadline.

In accordance with [City Council Policy K-2](#), staff advertises for upcoming vacancies around four months prior to term expirations. Advertisements list a deadline for application. Historically, the deadline for application has been the same date as the end of the advertisement period. For terms ending December 31, 2022, staff advertised vacancies between September 2 and September 29 and requested applications to be submitted by September 29. Applications received after the advertised deadline were included in reports sent to the Council Appointments Review Committee and the City Council noting the difference.

#### ITEM 4.10 Accept and File Fiscal Year 2021-22 Annual Comprehensive Financial Report and Related Auditor Reports

1. How much is each department charged each year for the Equipment Maintenance and Replacement Fund/Equipment Replacement Reserve?

Only the Equipment Maintenance cost is charged out to individual departments. The Equipment Replacement Reserve is budgeted/charged at the fund level. Three-year history of department Interfund Service Charges to the Equipment Maintenance and Replacement Fund are as follows:

<b>Department</b>	<b>FY19-20</b>	<b>FY20-21</b>	<b>FY21-22</b>
City Attorney's Office	\$ 2,208	\$ 1,895	\$ 2,391
Finance and Administrative Services	\$ 21,206	\$ 14,013	\$ 13,456
Community Development	\$ 19,343	\$ 13,871	\$ 21,633
Public Works	\$ 819,025	\$ 828,469	\$ 911,866
Community Services	\$ 369,035	\$ 397,965	\$ 493,963
Library	\$ 21,624	\$ 1,256	\$ 12,220
Fire	\$ 531,112	\$ 500,921	\$ 530,629
Police	\$ 730,223	\$ 693,570	\$ 805,224
<b>Total</b>	<b>\$ 2,513,777</b>	<b>\$ 2,451,961</b>	<b>\$ 2,791,381</b>

2. How is that charge determined?

Departments are charged on a monthly basis for the actual cost of labor, parts, and fuel for vehicle and equipment maintenance. Fleet Services prepares a billing statement which is used by Accounting to allocate the charges to the appropriate department. The Replacement Reserve amount is determined based on the total replacement cost and the useful life of the equipment, then the cost is allocated based on the positions, by fund.

#### **ITEM 4.11 Agreement with Mountain View Community Television (KMVT) for Public and Government Access Channel Management**

1. Thank you for uploading recordings of advisory bodies and other committees to the City’s YouTube channel! How can we make sure this practice continues?

Staff will continue to coordinate with the advisory body staff liaisons to ensure that videos of advisory body meetings are posted to YouTube. After the return to in-person advisory body meetings in February, this will apply only to those meetings still being video recorded (Environmental Planning Commission and Rental Housing Committee).

#### **ITEM 4.12 Santa Clara County Civil Grand Jury Report Response-Ballot Questions**

1. The turnaround time for getting ballot language finalized for publishing in the ballot is often quite tight. What is the timeline for getting ballot language approved and how would a review commission fit into this time frame?

Pursuant Elections Code section 10403, “the exact form of the question, proposition, or office to be voted upon at the election, as it is to appear on the ballot” must be filed with the County elections official at least 88 days prior to the date of the election. Thus, any review of ballot questions by a commission must account for the fact that ballot questions and accompanying ballot materials (such as the measure, and summary and impartial analysis thereof) must be approved by City Council in time to get the materials filed with the County at least 88 days prior to the date of the election.

2. What about advocating for State legislation to fix this throughout the State?

The City Council can discuss adding a legislative platform statement to Section B – Governmental Transparency and Public Access, that addresses advocating for State Legislation to fix the review and submittal of Ballot Questions throughout the State when the Council holds a study session on the 2023 Legislative Platform on January 24.

#### **ITEM 6.1 Revised 2023-2031 Draft Housing Element**

1. What is the definition of workforce housing?

Workforce housing can be defined in a number of ways. With regards to the reference in program 4.6, it relates specifically to work with large employers to support the creation of housing opportunities for their employees or populations with similar housing constraints to their employee populations.

2. What is the definition of live/work housing? How does this differ from what many people are now doing meaning remote work from home?

Live/work housing is a type of unit design that combines residential living area with commercial area to support business uses (e.g., commercial or manufacturing uses). This usually results in a unit with separate areas for residential and business (like descending from a second-level home to a ground-floor street-level shop). In contrast, working remotely (as an employee) or operating a home occupation business is secondary to the residential use and typically does not alter the residential building design such as providing a commercial storefront.

3. Did HCD indicate that more programs (like the ones starting on page 15 of the staff report) are needed in our Housing Element?

No, HCD did not indicate the alternate programs are needed for the Housing Element. The alternate programs reflect key issues that were raised in public comments and are presented to Council at this study session for another opportunity to discuss whether or not they should be included in the Housing Element.

4. How is residential FAR calculated? How is office FAR calculated? If they are determined differently, why?

Residential FAR is a “bulk and mass” calculation, while office FAR is an “employee population” calculation. This means that Residential FAR also includes any other structures (such as above-grade parking) that contribute to the size of the building. On the other hand, office FAR typically just includes the office building itself, which is the generator of traffic, employees, etc. Typically, residential FARs are much higher than office FARs in part to account for this (for example, maximum office FAR in the El Camino Real Precise Plan is 0.5, while the maximum residential FAR is 1.85). Maximum residential FARs are also typically close to the largest building envelope that can fit within the height and bulk standards established through outreach and other constraints (for example, it would be difficult to build much more than 3.5 FAR, the maximum residential FAR, in East Whisman, where there are height limits from Moffett Airfield).

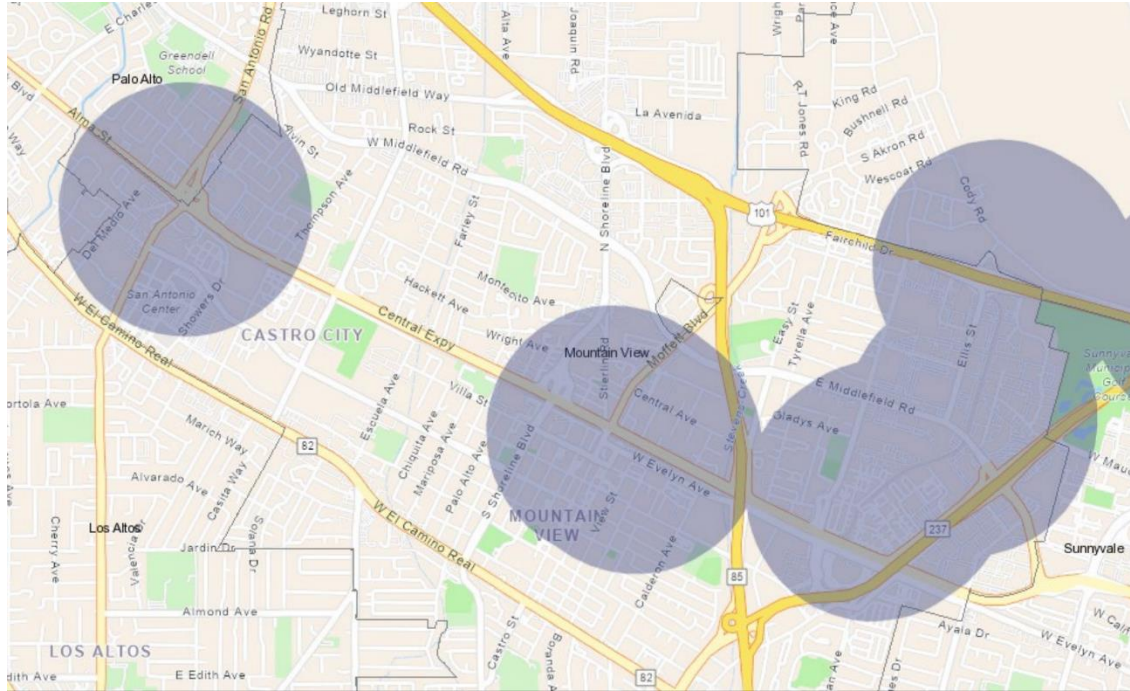
5. Under AB 2097, what is the definition of “high-quality transit corridor?” What areas of the City would be subject to AB 2097?

AB 2097 prohibits any minimum automobile parking requirements on any residential or commercial or other development project that is located within ½ mile of public transit. AB 2097 defines “public transit” as a major transit stop as defined in Section 21155 of the Public Resources Code (which references Section 21064.3) meaning a site containing any of the following:

- An existing rail or bus rapid transit station.
- A ferry terminal served by either a bus or rail transit service.
- The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.
- Any of the above that are included in the regional transportation plan.

The areas of the City that would be subject to AB 2097 (shown in Fig. 1 below on Page 4) would be within ½ mile of the two Caltrain rail stations and four VTA light rail stations, as the other types do not exist in the City.

Figure 1



6. What is the average density of affordable housing projects approved over the past 8-10 years?

The following Table shows the 100% affordable developments from the last 8-10 years (excluding 460 North Shoreline, which was an addition to an existing development).

	Units	Acres	Density
Lot 12	120	1.5	80.0
1100 La Avenida	100	0.96	104.2
1265 Montecito Ave	85	1.04	81.7
950 W El Camino Real	71	0.61	116.4
779 E Evelyn Ave	116	1.93	60.1
1701 W El Camino Real	67	0.49	136.7
819 N Rengstorff	49	0.83	59.0
1581 W El Camino Real	27	0.48	56.3
135 Franklin St	51	1.03	49.5
<b>Average</b>	<b>686</b>	<b>8.87</b>	<b>77.3</b>

7. Can staff provide a Sites Inventory map updated to exclude any properties that have been removed, including the Lozano Car Wash? What other properties have been removed?

The map posted on the project website (MVHousingElement.org) reflects the 2nd Draft (latest) that was submitted to HCD. Since then, the Lozano carwash (2690 W El Camino Real) and U-Haul (62 W El Camino Real) have been removed from the Sites Inventory. Please see attached PDFs of the Sites Inventory and Pipeline Maps reflecting these removals (Attachments 1 and 2).

8. Has an application for 89 W El Camino Real been submitted? If not, how is it listed as a proposed project?

Proposed projects are inclusive of projects with formal applications, pre-applications, master plans with development agreements and sites with 100% affordable housing developers with the intent to submit applications. Although no formal SB 35 application has been submitted for 89 W El Camino Real, a NOFA application and an informal planning application have been submitted.

9. Why isn't a discount applied to 1500 North Shoreline Boulevard? How many commercial tenants operate there, and how long are the leases?

The shopping center discount was applied to sites that have high occupancy rates and more than four tenants. The 1500 North Shoreline Blvd property is owned by and occupied by the cinema, with no other tenants and no leases (since it is owner-occupied). The owners have met with staff several times expressing interest in residential redevelopment. Therefore, the methodology used to calculate assumed residential capacity for Opportunity Sites was applied to the site and the shopping center discount was not necessary.

10. In the Racial and Ethnic Composition AFFH Metric, how much would the percentages be changed if one or more sites in Downtown were added to the Sites Inventory? For instance, Castro Commons or a City-owned surface parking lot? How would they change if sites south of El Camino Real were added? For instance, office buildings on Cuesta Drive at Miramonte, church sites (specifically Mountain View Central Seventh-day Adventist Church on Springer and the property on Cuesta Drive at Miramonte)? Finally, how would the percentages change if the 1,500 units previously entitled and constructed are excluded? *[staff notes – these are units added to the sites inventory per HCD direction and are reflected in the second Draft Housing Element. They include sites that received building permits before June 30, 2022, but did not receive final certificates of occupancy before June 30, 2022]*

Table 66 – revised to reflect changes in Site Inventory since the second Draft Housing Element sent to HCD (totals may not add to 100 due to rounding):

% Of Lower-Income Units in Sites Inventory	
Less than < 55% non-white	6%
55% - 65% non-white	75%
65% or more non-white	20%

Scenario 1: Add approx. 80-90 lower-income units on City parking lot and 10-20 units on Castro Commons (only lower-income units are counted since the rest are proposed at market-rate). (Note: Due to the small number of units that could be developed on the Cuesta/Miramonte office sites, it would not change the percentages)

Less than < 55% non-white	8%
55% - 65% non-white	73%
65% or more non-white	19%

Scenario 2A: Add approx. 20 to (Scenario 2B) - 200 lower-income units on Church sites south of El Camino Real

<b>Scenario 2A adding 20 units</b>	
Less than < 55% non-white	6%
55% - 65% non-white	74%
65% or more non-white	20%
<b>Scenario 2B adding 200 units</b>	
Less than < 55% non-white	10%
55% - 65% non-white	71%
65% or more non-white	19%

Scenario 3: Remove sites (totaling 1,500 units) that received building permits before June 30, 2022, but did not receive certificates of occupancy before June 30, 2022

Less than < 55% non-white	4%
55% - 65% non-white	76%
65% or more non-white	20%

11. When was 950 W. El Camino Real first occupied?

The first tenants moved in during Thanksgiving week of 2021. However, the final certificate of occupancy for all units was issued in August 2022.

12. Have building permits been issued for any of the sites in the Sites Inventory within the last 10 years?

Yes, there have been many building permits issued in the last 10 years, though most are very minor (such as panel upgrades or re-roofs). Several were in the \$1-3 million range (including internal tenant improvements (TI) and minor façade upgrades) and the highest value permit we found was in the \$10 million range (an internal TI for office space and labs in a fairly large Google building). As a basis of comparison, 685 E Middlefield Road, where there is an active application for residential, has had multiple TIs worth between \$1 and \$4 million in the last 10 years.

13. Have any applications for non-residential development been submitted to the City for any site in the Sites Inventory within the last 10 years?

Unfortunately, it is not possible to get a comprehensive response to this request from our tracking system in the limited time available. One project that was found was an informal review of a hotel development at 810 Miramonte Avenue from about four years ago, which did not proceed. No other projects came up in the review we could do in this time.

14. On page 4 of the Council report loss of grant eligibility is mentioned as one of the consequences of a late Housing Element. Generally, what are the various deadlines for these grants? Are they annual, rolling, or one-time opportunities?

The funding sources listed in the Council report have different deadlines. The Prohousing Designation deadline is rolling. The other grants vary annually regarding funding availability and deadlines. In 2023, the deadlines are as follows:

- Affordable Housing and Sustainable Communities Grant: March 2023
- Local Housing Trust Fund: May 2023
- Infill Infrastructure Grant: June 2023

Additionally, the One Bay Area Grant (OBAG)-3 program, which allocates federal transportation funding for Federal Fiscal Years 2022 to 2026, requires that jurisdictions acknowledge that their General Plan Housing Element must be certified by the California Department of Housing and Community Development (HCD) for 2023-31 RHNA by December 31, 2023.

15. Is getting a compliant Housing Element approved before March 31st a realistic target? If not, what is realistic?

Yes, it is very possible that the City can adopt a compliant Housing Element before March 31, 2023. Staff met with HCD reviewers on Monday 12/12 and received comments. The comments are mainly related to providing additional clarifications and information but do not require the inclusion of additional sites or new programs. Based on the HCD review, staff believes that HCD comments can be addressed, posted for public review, and returned to HCD within the second draft's 60-day review period which concludes on January 17, 2023. This timeline based on addressing HCD comments would allow the City to adopt the Housing Element by March 31, 2023.

16. Why is the deadline of January 31, 2024, unrealistic for re-zoning new inventory sites?

If the Council directs staff to identify areas for new rezonings (such as industrial areas or R3, which weren't included in the Draft EIR), staff estimates the Housing Element will take at least 6 more months to complete in order to update the analysis in the EIR and recirculate it. If that occurs, the Housing Element will not be adopted before May 31, 2023. If a Housing Element is adopted before that date, a City has three years after January 31, 2023, to complete any rezonings. If a Housing Element is adopted after that date, a City only has one year to complete any rezonings. Given the time to conduct the EIR, the former scenario is likely impossible if Council directs rezonings, so Council should assume the deadline will be January 31, 2024. The staff report made no assertions about the likelihood of meeting that deadline, but it could be a challenge depending on the scale of the rezoning.

17. 4th bullet on page 15. This is the most serious argument against. Don't understand why adding anything to the inventory necessarily triggers CEQA. Please explain. Aren't most of our sites covered by the "in-fill exemption"?

Individual projects may likely be categorically exempt ("in-fill exemption") however, the Housing Element's EIR acknowledges the cumulative effects of many redevelopment sites citywide and evaluates sites that require rezonings. The in-fill exemption only applies when a site is already zoned for the proposed project. Sites added to the inventory may involve rezoning, so the in-fill exemption cannot be used.

18. What were the major comments on the EIR? Do they mesh with HCD comments?

Comments received on the EIR included support for various mitigation measures, standard comments from regional agencies, from the High School District regarding the level of growth and impacts, recommendations that more growth should be analyzed, comments about artificial light and biological resources, and other comments about the adequacy of analysis. The Final EIR which was published on November 4, 2023, responded to all the comments. The Council will be reviewing the Final EIR when they consider adoption of the rezoning, zoning ordinance amendments and General Plan amendments on January 24, 2023 (*note: the adoption of the Housing Element will be scheduled at a later time after HCD review*). HCD reviews the Housing Element but does not typically review the environmental review.

19. Could you please clarify what action items from the Matrix study are included in the Housing Element, and which are not?

The Housing Element acknowledges the need for local processing procedure and development standards improvements and includes actions under Program 1.3 - Review and Update Ordinance and Precise Plan Residential Standards and Program 4.1 - Development Streamlining and Processing Revisions. These programs overlap with Matrix Study recommendations such as developing objective design standards, application process revisions (particularly for affordable housing), and new permitting software.

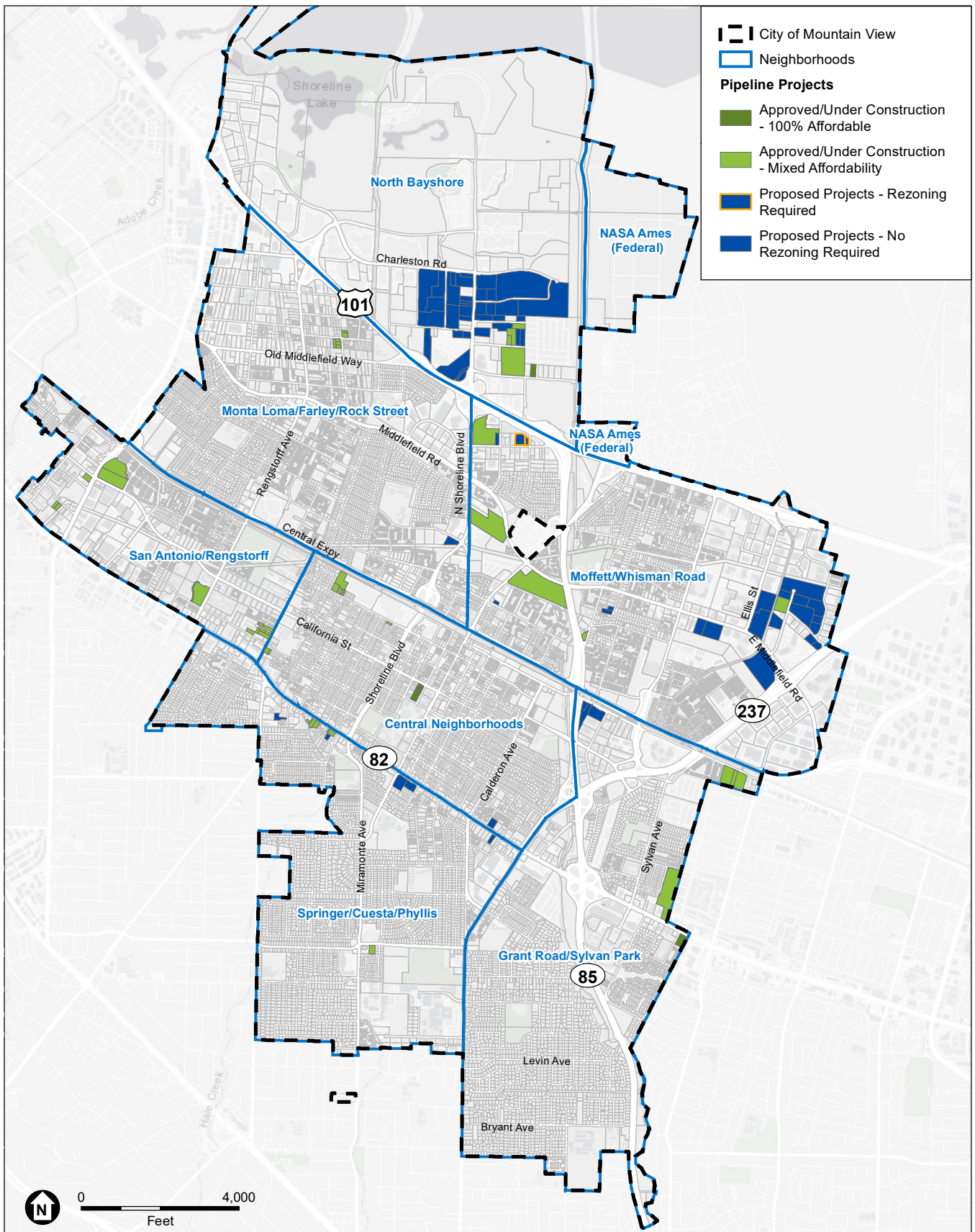
20. Can staff provide a more detailed look at racial/ethnic demographics than the categories White and Non-White to inform the analysis of where we are siting housing opportunities and whether we are affirmatively furthering fair housing? For example, the categories Black, White, Asian, Multi-Racial and Hispanic might offer a more informative picture.

Maps and analysis related to individual race and ethnicity categories are on pages 135-156 of the tracked changes version and a map of Opportunity Sites can be found attached for reference (Attachment 2). Additional maps to the AFFH analysis of the site inventory that show the Opportunity Sites along with the distribution of individual racial or ethnic groups cannot be provided at this time since they will take time to develop. There are not enough residents from other racial or ethnic groups in any Block Groups, aside from the Latino population and the Asian population, to classify as a significant geographic concentration, so the most informative maps will likely be of the Latino and Asian populations.

21. At some time, would staff be able to analyze several questions about Village Center development. First, might we need any waivers to address any lost residential capacity for SB 330 compliance or have we already covered that? Second, can we create Village Center development standards that would comply both with SB 330 and with the more granular vision (including housing, neighborhood serving retail, walkability, green spaces, etc.) we have for our Village Centers as described in the General Plan &/or by residents recently?

Rezoning related to the Housing Element (such as General Plan Village Centers) will be brought to Council on January 24, 2023. The EPC has reviewed these actions at the December 7, 2022 meeting. Briefly, the draft development standards established for the General Plan Village Centers address SB330 requirements in various ways (for example, by exempting required neighborhood commercial and associated parking from FAR and allowing an extra story). The standards also prescribe neighborhood commercial uses, publicly accessible open area, and transitions to surrounding residential uses, consistent with General Plan direction and public input. Nonetheless, the EPC recommended that the standards also allow for waivers to ensure that SB330 is not violated. More information will be provided on January 24th when Council considers the zoning ordinance amendments related to this item.



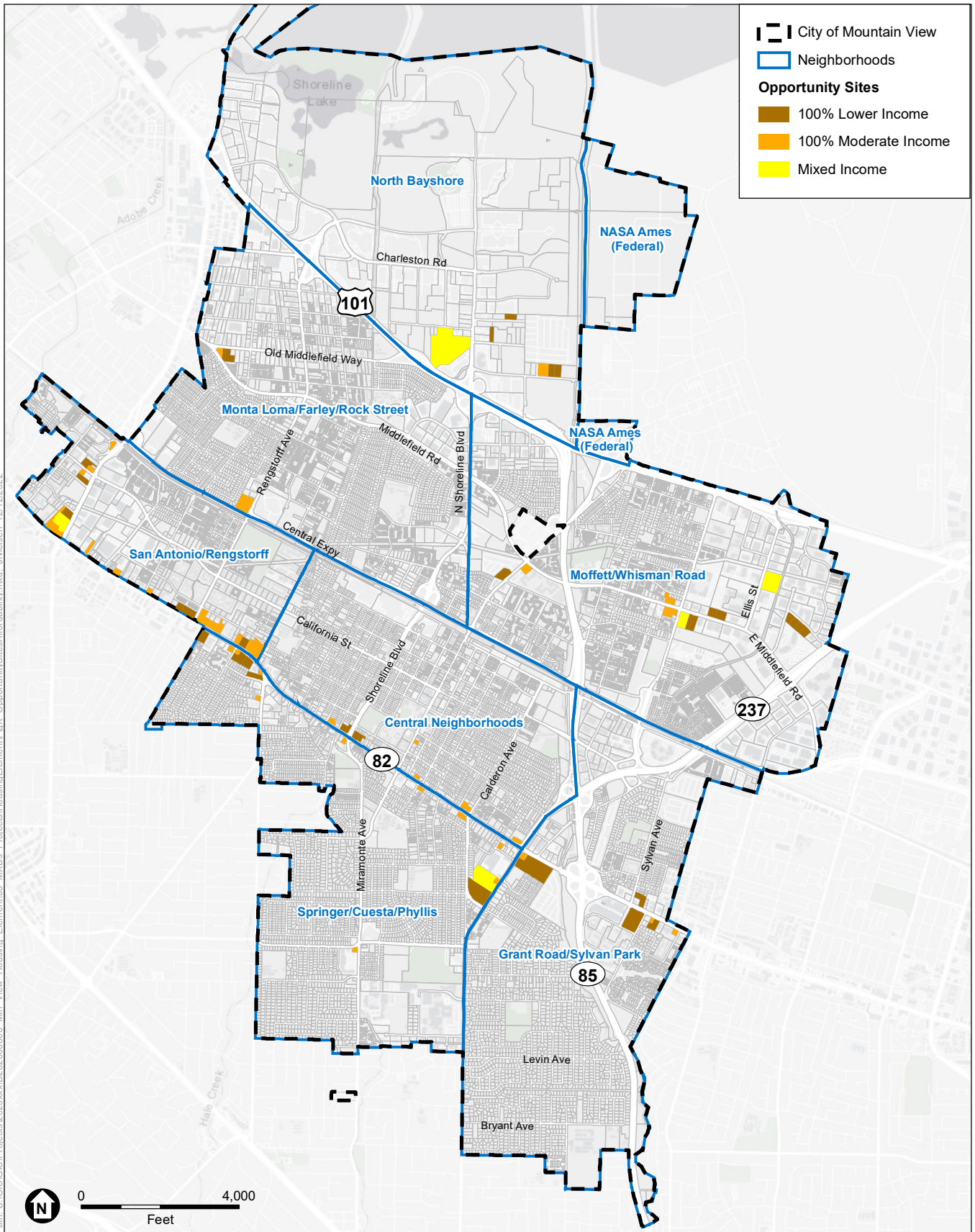


SOURCE: ESRI, 2022.

City of Mountain View

**Attachment 1**  
Summary of Parcels: Pipeline Projects





SOURCE: ESRI, 2022.

City of Mountain View

**Attachment 2**  
Opportunity Sites

