

City Council Questions

May 12, 2020 Council Meeting

ITEM 3.1 NORTH BAYSHORE CIRCULATION AND FEASIBILITY STUDY

1. With the recommendation to focus on the Charleston Bridge crossing of Stevens Creek, is there a need for both a pedestrian/bicycle crossing at La Avenida and Charleston? Has staff approached Google to consolidate efforts at Charleston in public/private partnership?

Each location provides a more direct route for certain commuters, though staff has not specifically analyzed how many riders would be best served by each. These locations are a ½-mile apart and providing bicycle crossings at both locations could help promote more bicycle use by shortening bicycle travel distances. Google is aware of the City's study of the bridge at Charleston Road and has not expressed any interest in consolidating their effort at La Avenue with the City's at Charleston.

2. Are there any environmental implications for having a bike/pedestrian bridge at both La Avenida and Charleston?

Each location has potential environmental implications, though the environmental evaluation has not yet been conducted.

3. How many transit passenger trips per day and during the peak hour are projected for the Charleston Bridge crossing based on the modeling results? How many buses per day and during the peak hour does this equate to?

Detailed ridership projections would be part of planned further analysis. It is expected that private buses, MVgo shuttles, and potentially VTA transit will use the bridge. Google has indicated they would have about 50 buses per hour in each direction in the AM and PM peak periods, which would result in about 1000+ buses per day.

4. Would VTA buses utilize the Charleston transit bridge crossing, based on VTA long range transit planning projections? Will it be primarily utilized by private buses?

VTA has previously explored a connection from the NASA light rail station to North Bayshore, but does not have a specific plan for that at this time. The bridge would primarily be used by private buses and possibly MVgo service.

5. With the substantial proposed parking at Landings, and with "last mile" circulation throughout North Bayshore being non-auto modes, how does the Landings project affect bike/ped and transit demand for the bike/ped and transit bridge crossing of Stevens Creek at Charleston?

That has not been looked at in detail, but could be explored further.

6. Did the Precise Plan identify and include Rengstorff intersection improvements similar to the Alternative Rengstorff Avenue Interchange Project proposed by staff here? If yes, what are the differences between the original project and this new proposal?

Other than the Charleston undercrossing of 101, the Precise Plan only identified a general Rengstorff Avenue corridor study. The proposed Ramp Realignment project was identified through the current study as a lower cost and more feasible alternative.

7. Does the capacity increase of 1,000 peak hour vehicles in the Rengstorff interchange project (p17 of the staff report) completely offset the capacity provided with the Charleston Undercrossing based on the modeling results?

More study would be needed, but it appears the interchange project provides a comparable increase in capacity.

8. How much auto demand reduction in the 45% SOV goal (as well as residential TDM targets) would be required to eliminate the need for the Charleston Undercrossing? The Rengstorff Interchange improvements?

That question has not been analyzed but could be explored in the next phase of the study

9. What are the long-range implications of development at NASA/ AMES relevant to the North Bayshore Circulation Study? Has the potential long-range closing of the gates at NASA/ AMES been considered in the demand projections? What are the bicycle/pedestrian infrastructure implications along Moffett Blvd relevant to the staff recommendations on the Stevens Creek bridge crossing demand?

We understand that the R.T. Jones route connecting to the proposed bridge will remain open to the public. Next phase of the study can further explore the bicycle/pedestrian infrastructure plans on the east side of Stevens Creek (including Moffett Blvd) outside of the City's jurisdiction to confirm connectivity to the bridge.

10. Would it be possible for staff to conduct a congestion pricing study as an alternative to the significant Rengstorff interchange improvements? Comment: It would really make sense to explore demand strategies before massive infrastructure investments.

Congestion pricing was listed in the Precise Plan as an option that could be studied should TDM and other strategies not prove to be effective in managing traffic demand. A congestion pricing study is not part of the current study scope of work. However, a recommendation regarding congestion pricing may be an element of the North Bayshore Circulation and Feasibility Study's recommendations for full Precise Plan build-out, along with enhanced TDM strategies and lower SOV use requirements. Also, the Rengstorff interchange realignment would address issues that cannot be solved through congestion pricing, such as operational problems related to the ramp merges and improving conditions for bicyclists by removing conflicts.

11. Can staff provide an estimate of how much an increase in telecommuting could reduce trips? For instance, if 20 - 25% of workers continued to telecommute after the shelter in place order is lifted, how much of an impact on trips would that have for each of the gateways?

This is not determined yet, but will be explored in the next phase. 25% of telecommuters (compared to 5% previously) would be a significant shift, assuming most are current auto trips and the number of employees is not increased to fully utilize the building space

12. The staff memo recognizes that the long-term impact of COVID-19 is unknown. This could have major implications for the need for some of these extremely costly transportation improvements. Does staff have milestones/metrics we can use to determine whether an improvement is still necessary? If trips remain considerably lower by the end of the year, or even by the end of next year, how might this impact whether we would want to continue to invest \$10million+ into major interchange projects?

The ongoing gateway monitoring will provide data about the "rebound" of trips after the COVID-related shutdowns are lifted. Implementation of these projects will take a number of years, so there is time for reassessment of the need for the project at each major project development milestone.

13. Were other stakeholders, such as Sierra Club, Audubon Society, etc., also included as stakeholder? If not, why not?

The Sierra Club and Audubon Society have been informed of the project and were provided links to the staff report. Further engagement with environmental groups has not yet occurred because the formal environmental analysis has not begun and characteristics of the bridge(s) such as height, visibility of structural elements, construction staging and other details that are of interest to these groups have not yet been developed. Opportunities for engagement with environmental groups will arise as the project progresses and staff recognizes that significant issues could arise with some of the alternatives during the environmental review process.

Staff engaged with the other stakeholders (Valley Water, PG&E, NASA Ames and Google) because, even at this very preliminary stage, significant issues could be identified by these organizations.

14. How many bridges were studied in the EIR for the North Bayshore Precise Plan?

The only bridge studied with the North Bayshore Precise Plan is the bicycle/pedestrian bridge over Highway 101 near Shoreline Boulevard. The Charleston transit/pedestrian/bike bridge was identified for further study in the Precise Plan, which is one of the purposes of the current study.

15. Why is Google being allowed to "develop" a bridge at La Avenida? Is this intended to be a public bridge? Does the Council have final approval authority of this bridge?

Google is interested in developing a bridge at La Avenida to facilitate active transportation between its buildings in Sunnyvale and North Bayshore. The bridge would be available to the public and would therefore serve others as well. Google must obtain permits from agencies that may include, but not necessarily limited to, Valley Water and the City of Mountain View. The City does not have a defined process for approval of such a bridge, as voluntary construction of such improvements outside of the typical development review process is unusual. Staff will bring this project to Council for consideration at a future date.

ITEM 6.1 RENEWAL OF DOWNTOWN PARKING MAINTENANCE AND OPERATION ASSESSMENT DISTRICT NO. 2 FOR FISCAL YEAR 2020-21

1. Since the parking assessment is typically passed on to tenants, and this year is posing challenges for our downtown businesses, if the Council decided to not do an assessment this year, or do a reduced assessment, what would be the implications for the City? Would we really need to find an alternative source of revenue for just one year?

The parking district assessments can be reduced or suspended without voter approval. Staff is not aware that assessments have been reduced/suspended in the past. Reducing or suspending the assessment would not prevent the City from collecting other Parking District revenue sources, including parking permit revenue and interest earnings. Staff estimates that the other revenues can cover the proposed FY 2020-21 expenditures for the parking district.

ITEM 6.2 TENANT RELOCATION ASSISTANCE ORDINANCE MODIFICATIONS

1. Given that staff has identified that many of the provisions in SB 330 are stronger than the existing TRAO, and particularly since SB 330 expires in 5 years, why wouldn't we codify the SB 330 provisions in the Zoning Code, as the EPC suggested?

The City must adhere to SB 330 requirements because it is State law, whether or not it is incorporated into the zoning code. The EPC took a straw poll to consider potential future TRAO modifications. The EPC articulated that it wished to better understand the requirements of SB 330 before recommending that they be codified in the TRAO, as SB 330 is a new law and is complex and that the current five year sunset period provides time to further evaluate SB 330. However, that is a policy determination the Council can make.

2. The TRAO requires the landlord to provide a notice of intent to all tenants. The TRAO does not specify whether the notice must be provided in the preferred/primary language of the tenant. What languages are landlords currently providing the notice of intent in?

The Notice of Intent (NOI) is primarily sent to tenants in English. However, when staff is aware that there is a large population of non-native English speakers, staff has sent a combined English-Spanish NOI, as was done at the Gamel Way project.

If a landlord or tenant request a notice be sent or re-sent to a tenant in any language other than English, this request is accommodated by staff.

In the past, when a tenant needs translation assistance on a more individualized basis, staff has reached out to the Mountain View Outreach team to provide translation assistance in languages such as Russian or Chinese. In addition, the relocation assistance agent has Spanish speaking staff on hand at all times.

3. The TRAO SEC. 36.38.45 (Alternate mitigation) allows the Council to approve an alternative mitigation strategy. Given the new reference to state and federal law, would it be helpful to clarify that any alternative mitigation strategy must also be in compliance with relevant state and federal law?

Generally, if both State law and the City's TRAO apply, state law preempts the TRAO, which is an operation of law and does not need to be specified in the ordinance. This is the case for not just the alternative mitigation provision, but the entire ordinance. The language added to the definition of the TRAO's relocation assistance was intended to clarify that where both the TRAO and state law apply, the stricter of the requirements would apply to provide a tenant the greatest benefits available. Like other aspects of the overlap between the TRAO and State law when both apply, the City would need to review these on a case by case basis to assess the required provision of relocation benefits. At a minimum, any proposed TRAO alternate mitigation would also be evaluated against the requirements of SB 330.

4. Was there a straw vote on the EPC for interest in integrating some of the SB 330 requirements into potential future TRAO revision? If so, what was the vote? If not, how many EPC members expressed this interest?

During the EPC discussion, they did conduct a straw poll about potentially adopting SB 330 requirements into future TRAO modifications, and the vote was unanimous. They did not take a straw vote to incorporate SB 330 requirements for these TRAO modifications because they wished to have a greater understanding of the SB 330 requirements because it is a new law and is complex, and the five year sunset period provides time for further evaluation.

5. On page 4 of the staff report in the Eligibility section, can you provide more explanation for items 3 and 4? Does item 3 mean, for example, that if a low or very low income household lived in a unit 4 years ago, but has since moved out, and the new tenant earns 200% of AMI, the low income tenant needs to be found and provided with SB 330 relocation benefits? Does item 4 mean, for example, that low income tenants who lived in units that were removed from the market via the Ellis Act nine years ago need to be found and provided with SB 330 relocation benefits? Neither of these scenarios make sense but that is what SB 330 seems to say. Please provide examples in the response to these questions.

SB 330 states that relocation benefits are available to the "occupants of any protected units." Staff has consulted with outside legal counsel and it has been interpreted that language to mean that relocation benefits are only paid to residents actually occupying the units at the time of the application. So if the unit was occupied four years ago but has been vacant, there would not be any relocation benefits owed, but there would still be replacement obligation and the replacement units would have to be affordable if the household that previously lived there was very low or low income. Similarly with an Ellis Act eviction unit, if the unit is still vacant, then there is no relocation owed but replacement of the unit is required.

6. The TRAO applies to more than just CSFRA covered units, correct? Shouldn't the table on page 5 of the staff report in the Unit Eligibility row also include 3 or more units on a parcel that are not covered by the CSFRA?

That is correct. The table should have included that eligibility criteria.

7. On page 7 of the staff report, in section 3b, what is the definition of location? Can the tenant specify more than one location?

“Location” is not defined. The displaced tenant could use the service to relocate within or outside the City. The tenant is limited to five rounds of housing referrals.

8. Does the tenant need to be current on rent to be eligible for relocation assistance? If that is not in the ordinance, can we require that and include it in the ordinance?

The TRAO relocation benefits apply to tenants who are displaced from their units. If a tenant is not current on their rent, they would not be considered displaced and would therefore not qualify for the benefits. This is in the ordinance currently.

However, it is staff’s understanding that if a unit is also covered under SB 330, a tenant may receive relocation assistance if they are behind in rent but are still occupying the unit, but would not receive assistance if they are behind in rent and have already been evicted from the unit.