

Council Questions
May 27, 2025 - City Council Meeting

ITEM 4.1 AB 481 Military Equipment Annual Report and Policy Adoption (Second Reading)

1. When was the Mobile Command Vehicle last updated?

The Mobile Command Vehicle was purchased in 2016 and has not been updated since.

ITEM 4.2 Centralized Purchasing System Ordinance and Council Policy A-10 Amendments

2. Has the City entered into any agreements or contracts, or completed transactions or purchases, in violation of the dollar thresholds in the City Charter? If yes, can staff list these agreements, contracts, transactions, and purchases? And could staff share the implications/legal risks of these violations, if there were any?

Staff are not aware of any instances where the City has entered into agreements or contracts, or completed transactions or purchases, in violation of the dollar thresholds in the City Charter.

3. How was the Dollar amount established for approving contracts?

The Council Finance and Investment Review Subcommittee revised Council Policy A-10 last year based on California Uniform Public Construction Accounting Act limits (CUPCAA) thresholds at the time and survey of surrounding agencies.

4. Why are dollar amounts compared to specific years?

Regarding City Code 2.200 where the \$100,000 is indexed to 2011 dollars and City Charter 1107(a) where \$15,000 is indexed to 1978 dollars, staff is not certain, but we believe this may be indexed to the year after the item went to Council. City Code 2.2000 was revised on 12/10/2010.

5. Is an inflation % included in future contracts limits?

Yes, per Council Policy A-10 updated last year, CPI-U for San Francisco-Oakland-San Jose.

ITEM 4.4 Economic Vitality Strategy Annual Progress Report

6. Will the EVS be reviewed and prioritize the action items to make the report timelier? There are a lot of action items. Example is page 7 under year 2 work plan, under Innovation and Entrepreneurship Support, two actions listed, how were they pick? Were they prioritized over the other 6 remaining action items?

The EVS already includes a certain degree of prioritization through the classification of action items by Immediate (less than 1 year), Short-Term (1 to 2 years), Mid-Term (3 to 5 years), and Long-Term (more than 5 years). Still, EVS is intended to be a living document, and staff are continuously assessing and prioritizing action items based on changing conditions, opportunities, and available resources.

The Year 2 Work Plan reflects a targeted set of actions chosen from the broader Strategy. The selected actions were identified based on their designation in the EVS as immediate or short-term opportunities, their alignment with current staff capacity, and feasibility factors such as funding availability and market conditions. Staff will continue to review and refine the work plan on an annual basis.

7. Is there a SGF or number of units that has been determined to create a “critical mass “of retail stores?

The EVS does not establish a specific square footage or number of retail units that constitutes a “critical mass.” Instead, the EVS recognizes that persistent vacancies—especially in Downtown and other mixed-use centers—undermine vitality and that retail success is driven by a mix of quality tenants, foot traffic, walkability, visibility, and the right size/configuration of spaces. The City is pursuing strategies to reduce vacancy, provide flexibility around retail uses, and support retail activation citywide.

8. What is considered the” level of activity “to meet typical retail locations demands?

“Level of activity” refers to pedestrian traffic, customer spending potential, and the presence of complementary businesses. For example, the EVS notes that the absence of daytime workers due to a shift to remote work—particularly from tech campuses—has impacted Downtown retail. Retailers often seek areas with consistent foot traffic throughout the day and week. The EVS includes actions to strengthen connections between employment centers and downtown, enhance placemaking and activation, and attract retailers that complement the existing mix of Downtown businesses.

9. Are there any thoughts on reviewing the Vision statement?

Revising the EVS is not currently prioritized as a Council Work Plan item. The Vision Statement was developed through stakeholder engagement and the public process for adoption of the EVS.

10. What does it mean a” global leader”?

In the context of the EVS, “global leader” refers to Mountain View’s position at the forefront of innovation and technology through its role as home to major tech firms and a diverse startup ecosystem. The phrase also signals the City’s commitment to model balanced growth, advancing economic, environmental, and community goals in a way that is forward-thinking and equitable.

11. Define a Flourishing Economy.

A flourishing economy is one that supports business growth, innovation, and entrepreneurship across sectors and scales (from very small to very large businesses) to the; provides quality jobs; and fosters prosperity that is broadly shared. In Mountain View, this includes helping small and local businesses thrive, enabling new industries to take root, and ensuring residents of all income levels can access opportunity.

12. Words like Thriving Community or Flourishing Economy are vague, would language more focus give a better sense on what we are trying to achieve?

These phrases are intentionally broad and aspirational to encompass the City’s economic and community development goals. However, the EVS does connect them with specific strategies and actions—such as addressing vacancies, attracting targeted industries, supporting equitable workforce development, and improving permitting and zoning.

As detailed in Attachment 1 to the staff report for the EVS strategy annual report, EVS also includes a set of performance metrics that track progress on key objectives—such as commercial vacancy rates, sales tax, business support, and equitable access to resources. These metrics provide a more performance-oriented framework to illustrate how the City’s goals are being implemented and translate into tangible outcomes. Council may provide feedback on whether different indicators should be monitored in future annual reports to demonstrate whether the City’s efforts are leading to a thriving community and a flourishing economy.

13. Action 1B.1- Starts my saying “Support neighborhood -serving businesses”, which is great. Does the city have a strategy to accomplish this action item?

Action 1B.1 falls under Strategy 1B: “Multimodal access – Accelerate Mountain View’s transition toward increased walkability and convenient, multimodal access to daily goods and services.” The City is working on a number of multimodal strategies that will support access to neighborhood-serving businesses including enhancing bike and pedestrian infrastructure while increasing safety and exploring micro-mobility (bike and scooter share programs) and first/last-mile connections (Community Shuttle). These investments not only promote sustainable travel but also support neighborhood-serving businesses by making it easier for nearby residents and workers to reach them without relying on a car. In addition, the City’s more recent precise plans adopted and in development, as well as the R3 zoning update, have focused on mixed use land use as an opportunity to conveniently locate access to employment, goods, and services to residents in Mountain View.

Staff are also aligning economic development tools—such as technical assistance and small business grant programs—with these multimodal investments to help neighborhood-serving businesses thrive in walkable, connected environments.

14. Are there examples to show the “extensive data analysis” stated that was done?

As part of developing the Economic Vitality Strategy, the City completed a comprehensive [Landscape Assessment and Existing Conditions](#) report in 2023. This report includes updated demographic, economic, and market data—such as industry composition, commercial vacancy trends, workforce characteristics, and retail spending patterns. The findings from this data-driven analysis directly informed EVS’s goals, priorities, and recommended actions.

15. On May 20, 2025, memo, instead of using percentages to describe vacancy, could there be actual number of units?

Staff typically relies on data sources like CoStar, which primarily report commercial vacancy in terms of square footage and vacancy rates. When feasible, staff can work to provide estimated numbers of vacant units for specific commercial areas (like Downtown) in addition to percentages in future updates.

16. There is a box showing Cities' roles. One of the Cities' roles is investing in public amenities; would a public restroom be one of those. Maybe in the city's own parking garage?

Public restrooms are considered a public amenity and are often evaluated by Cities alongside other elements like seating, shade, and wayfinding when designing accessible and welcoming public spaces. Although Mountain View is not currently pursuing restroom installation in its existing parking garages, staff could explore the feasibility of such an improvement as part of the ongoing Downtown Precise Plan.

17. What were the "evolving retail trends" for Downtown?

The EVS identifies several evolving retail trends that are shaping Downtown's commercial landscape, including:

- A shift toward experiential and service-based businesses (e.g., fitness, entertainment, personal services)
- A slower return of daytime foot traffic due to hybrid work patterns
- Rising interest in food-and-beverage concepts
- Desire for flexible, smaller-format storefronts

18. What "enhance opportunities" for new businesses locate Downtown?

The EVS includes several actions to enhance opportunities for new businesses Downtown, such as:

- Streamlining permitting and zoning processes to reduce barriers to entry
- Offering technical assistance and small business grants
- Improving the usability of available retail and commercial spaces
- Investing in public realm enhancements that boost foot traffic and curb appeal
- Exploring temporary activation tools like pop-ups to test new concepts and support entrepreneurs

19. What methods were used to collect data that "high-earning professionals were coming Downtown?"

This insight was derived from multiple sources, including anonymized mobile location data, sales tax trends, and advanced demographic analysis. The analysis leveraged ESRI Tapestry Segmentation data, which provides detailed demographic and lifestyle profiles of U.S. communities. ESRI (Environmental Systems Research Institute) is a leading geographic information systems (GIS) company that specializes in mapping and spatial data analysis.

Its Tapestry Segmentation dataset combines information from the U.S. Census Bureau, the American Community Survey, MRI-Simmons consumer surveys, and ESRI's own demographic modeling team. These combined sources helped create a nuanced picture of Downtown's visitor base, particularly highlighting the presence and spending potential of high-earning professionals.

20. What is the status of the new Downtown parking Strategies?

The City has onboarded a parking program management firm to assist in moving forward with the Downtown Parking Strategy's recommendations. As part of this effort, staff are currently collecting and analyzing updated data on current Downtown parking conditions (the last parking data were collected prior to strategy adoption in 2021).

21. How was Downtown determine as a "premier regional destination"?

The description of Downtown as a "premier regional destination" in the EVS reflects both its current role and its potential, as identified through stakeholder feedback, data analysis, and performance indicators. Downtown Mountain View serves as a unique gathering place, offering a walkable environment, diverse dining and entertainment options, cultural institutions, and convenient transit access via Caltrain, VTA, and shuttles.

This characterization is supported by several factors:

- **Stakeholders and community input** emphasizing Downtown's vibrancy and role as a cultural and commercial hub;
- **Comparative benchmarking** with other downtowns in the region;
- **Economic indicators**, such as taxable sales, visitor foot traffic, and strong demand for restaurant and entertainment uses;
- **Strategic location**, with proximity to major employment centers and transit, making it accessible to both residents and regional visitors; and
- **Anonymized cell phone data**, shown in Attachment 3, Figure 1, demonstrates that Downtown Mountain View draws not only from local residents but also from a broad regional area.

While the term is aspirational, it is grounded in Downtown's existing strengths and the City's commitment to continued investment and improvement in the area.

22. If volunteers were willing to do Art downtown could the city move forward on painting maybe the Bollards or other clear Walls?

There are important considerations that make utilizing volunteers challenging. Some of the key considerations are summarized below.

First, volunteers require substantial coordination with and oversight by the original artist(s) to guide volunteers in executing the work—especially for projects like bollard painting that require design fidelity and quality control. This approach would also require additional staff capacity to recruit, organize, and manage volunteer participation.

Second, the City would need to secure intellectual property (IP) rights from the artist(s) to reproduce or maintain the artwork over time. Most professional artists are not likely to grant those rights if they are not directly compensated for or involved in the work, which complicates the volunteer-based approach.

In short, while there may be some benefits to the City from using volunteers to contribute to public art, the logistical complexities, need for artistic oversight, and IP constraints make this option impractical without further resources. Staff continue to monitor the legislative landscape and explore paths forward that support public art.

23. The Downtown website needs to be updated; it states that the Bollards will be painted by Fall of 2024.

Thank you for flagging this. Staff are working to keep the Downtown webpage as current as possible and will update that section shortly to reflect on the latest project timeline.

24. Why was a call for Artist stopped?

City public art projects were on hold due to a complication regarding State contractor requirements (i.e. artists required to have a contractor's license). The City is supporting legislation to resolve this complication, and in the interim, staff have identified a solution so that artists can move forward with implementing certain existing and future art projects, particularly installations of sculptural artwork.

25. Who and why does the Comprehensive Precise Plan Update need Up to 40 stakeholders' engagements?

The Downtown Precise Plan Comprehensive update will include approximately 40 stakeholder outreach meetings to ensure the process is inclusive, transparent, and reflective of the broad community interest in the future of Downtown Mountain View which is a critical investment in ensuring the success and long-term viability of the Plan.

A robust outreach strategy, which was reviewed by the Council with the budget and scope, was developed to engage a wide range of stakeholders throughout the planning process. Downtown Mountain View is the civic, economic, and cultural heart of the city, and its future affects the entire community. Stakeholders include residents, businesses, property owners, and community-based organizations from across the city, each offering valuable perspectives and differing priorities. The stakeholder meetings will be conducted across various phases of the planning process, including initial visioning, development of alternatives, and focused topical discussions. These meetings will: Ensure broad and inclusive community participation; Build public trust through open and transparent engagement; and allow staff to explain complex planning issues such as development intensities and objective development standards.

26. The Downtown Construction projects map shows 881 Castro as under Construction, has this project been approved by Council?

The Downtown Construction Map is intended as a planning tool to help visualize the timing and potential impacts of both approved and anticipated projects. While 881 Castro is shown on the map, the proposed project has not yet been scheduled for final consideration by Council. Its inclusion reflects its status in the pipeline and helps staff and stakeholders anticipate future construction activity if the project moves forward.

ITEM 4.5 Safe Routes to School Program-Professional Services Agreement

27. The last time CTC heard a report about Safe Routes to School (SRTS) was in 2022, yet BPAC has heard it 4 times. Are these correct?

Correct. Since 2022, Staff have provided three annual updates on SRTS activities to the Bicycle/Pedestrian Advisory Committee (BPAC) on April 26, 2023, March 27, 2024, and March 11, 2025.

BPAC has a current workplan item as approved by City Council: “J- Monitor performance measures, trends, and targets to assess progress in improving the number of students walking or bicycling to school.” Staff have been bringing annual updates to BPAC on the SRTS Program to fulfill this workplan item.

28. Does the school district contribute any money to SRTS?

Mountain View Whisman School District contributes \$50,000 for the school crossing guard program.

ITEM 4.6 City Hall Remodel (Community Development Department Reception Area Phase), Project 16-64; Street Reconstruction Project (Park Drive, Park Court, and Sonia Way), Project 19-48; Plymouth Street to Space Park Way Realignment (Building Demolition Phase), Project 20-40-Construction Acceptance

29. Why was the budget for the City Hall Remodel (Community Development Department Reception Area Phase), Project 16-64, so much higher than the actual expenditure? Can staff provide information about the other “subprojects” and clarify what the total budget is for?

The budget is higher than actual expenditures for City Hall Remodel (Community Development Department Reception Area Phase), Project 16-64, because the project includes subprojects. The total budget includes the design and construction of the following sub projects:

1. Previous Phase: (status = complete)

- a. Finance and Administrative Services Department – Reception area security glass partitions and card key access to staff areas.
- b. Public Works Department – Reception area security glass partitions and card key access to staff areas.

- c. Community Development Department – Addition of workstations to various sections and modification of the building inspectors’ work area.
- d. City Hall first floor – Modifications and conversion of an existing storage areas to Information Technology equipment rooms to accommodate technology needs.

2. Current Phase: Community Development Department Reception Area Phase.

There continues to be various interior space needs to accommodate various Department’s work areas. Staff are still determining the project scope details for future phases, but those may include interior space modification needs for the Human Resources and Public Works Departments.

ITEM 6.1 Commercial Development at 365-405 San Antonio Road and 2585-2595 California Street

30. Will this building be dual plumbed to use recycled water when recycled water is available here?

Yes, this project is conditioned to incorporate dual plumbing in the building to allow for recycled water use when recycled water is available.

31. Pg 16 Please tell us more about how the Voluntary Shared Parking Proposal will work. This might be best to do as part of the presentation.

The proposed project would integrate the existing Ph. 2 and proposed Ph. 3 parking, as part of the overall Village at San Antonio development, providing voluntary shared parking for the Ph. 3 project in the following manners:

- The underground office parking levels in the Ph. 3 development will be connected to and accessed through the existing Ph. 2 office garage, with sufficient parking available to all office tenants. Additional parking in the office garage may also be made available, on a valet-basis, if needed to support retail-commercial parking for the Village at San Antonio development.
- Ph. 3 retail-commercial customers and other visitors will have access to the surface parking and aboveground parking garage in the Village at San Antonio development, including the Ph. 2 aboveground parking garage located immediately adjacent to the project site.

Originally, the above-described shared parking was analyzed as part of the project request for a parking reduction. However, since the original project submittal and EPC recommendation on the project, the City has adopted updated parking regulations to implement Assembly Bill 2097, which limits the City’s ability to apply minimum parking standards to the project, thereby removing the need for a parking reduction request. The project’s shared parking analysis showed that there would be adequate parking on-site to meet the cumulative parking demand of the development, with the proposed Ph. 3 underground parking supply and TDM Program implementation.

32. Pg 17 Will the trees that are recommended be good in the climate we expect to have in 25 yrs?

The proposed planting plan includes a mix of public/private street trees and accent trees in onsite planting areas, featuring a mix of California Native and climate adapted or compatible trees. In general, the planting plan for the proposed project matches tree species already planted along existing street frontages, including City-required Street tree plantings and onsite areas of the Village at San Antonio.

33. How does TDR programming intersect with state bonus density law? Can it give us more design control?

State Density Bonus Law provides varying bonus density for qualifying residential projects. The density bonus which a qualifying residential project is eligible to receive is applied to the base density for the project site, based on the amount and type of affordable housing provided in the project. A transfer of development rights (TDR) program allows developable area (i.e. square footage) to be transferred from one property (a “sending site”) to another project site (“receiving site”). There is no specific regulatory intersection between the City’s TDR program and State Density Bonus Law, including related to design review considerations. The City’s past practice has been to authorize use of the TDR for a specific project through a Gatekeeper-like authorization process, and to conduct design review on the TDR projects. There has been limited interest from residential developers in using TDR and a project utilizing State Density Bonus Law would still have limitations on design review authority.

In the case of the subject TDR project, no residential development is proposed, and State Density Bonus Law is not applicable to the project. The City retains significant design review authority over the proposed project given it is a commercial project without the same set of limitations applicable to design review for projects including residential development.

34. What was the reason for wanting office uses to be distributed across the SAPP area instead of more concentrated?

During the San Antonio Precise Plan (SAPP) process, the City Council identified objectives to limit the overall amount of office development in the SAPP area based on concerns with the possibility of creating a closed campus feel in San Antonio Center and priorities for new residential development and maintaining a retail-commercial core in the area. Office development was considered a complementary and valuable component for supporting the redevelopment goals of the City given the strong market for office development at that time.

Ultimately, SAPP was adopted with a 600,000 square foot cap on net new office development. The Merlone Geier Phase 2 development (adjacent to this subject project) was already underway and would use a little more than 1/3 of the allowed office development under the SAPP office development cap. While some additional office area was contemplated in this portion of San Antonio Center, Council expressed an interest in allowing other properties and property owners the ability to leverage office development in other areas of the SAPP.

35. Why were 7 years used for the Development agreement? This project started in 2018.

The proposed DA has a term of seven (7) years, which has been a common term for a Development Agreement (DA) in Mountain View in recent years. For reference, without a DA, a project would need to pull building permits and begin construction within four (4) years of Council approval, including – per City Code – an initial two (2) year entitlement period and a two-year extension possible, if needed. The primary purpose of a DA is to assure that the project can proceed without disruption caused by any change in a City’s planning policies and requirements, following the approval, and to assure that the community benefits committed by the developer are received by the City in a timely manner.

The additional three years allowed by this DA, beyond the entitlement period permitted by the City Code, also provides flexibility to the applicant to develop the project in light of market uncertainties for such projects as result of the Covid pandemic and other economic conditions.

36. The proposed DA, with a 7-year timeline, has a 2-year extension. Why is there a need for a 2-year extension? If the city wants projects done, why does the city continue to allow projects to keep going?

As noted above, there are many reasons the City may consider approving a DA, including providing terms of approval greater than the standard two-year approval with potential two-year extension. This includes the practical challenges with executing construction of large projects, such as preparation of detailed construction plans and completing the building permit review process, along with the financing challenges that can sometimes arise due to economic factors beyond an applicant's control.

The proposed DA has a seven (7) year term, with no discretionary extensions. The only extension of the DA that may occur is if the City approval is set aside due to legal action or referendum. In such case, the term of the DA is extended by the number of days between the start and end of the litigation and, in no event, extending the DA for longer than two (2) years. If no DA is approved for the project, then the project approval would be valid for a period of two years from the date of the Council approval and may be extended for up to an additional two years per the permit extension provisions of the City Code (for a total entitlement period of four years).

ITEM 7.1 Tobacco and Electronic Cigarette Regulations and Restrictions

37. Has YAC discussed this? If so, what did they say?

YAC has not been contacted about this topic. They will be involved in the educational rollout if the ordinance is moved forward. The Youth in Mountain View do receive regular education and guidance about tobacco and vaping dangers through our Youth Services Officers and the programs they participate in through the school. Additional outreach will be conducted while the ordinance language and MOU are finalized with the County over the upcoming months.

38. What kind of public outreach was conducted for this besides talking to the business owners?

A very long list of health organizations and tobacco prevention groups (American Heart Association, Tobacco Free Kids, American Cancer Society, etc.) was notified of the ordinance and encouraged to provide feedback about the ordinance or attend the council meeting.

39. What kind of vaping use are we seeing at our local high schools and community colleges?

Our School Resources Officers deal with this issue frequently. Not only in the high schools, but in the middle school. The focus in schools is on preventative education and encouragement to make better choices prior to trying tobacco for the first time.

40. Is the El Camino Hospital District involved in this effort?

ECH personnel were contacted and encouraged to provide either written feedback or in-person feedback at the Council meeting. ECH has also published information about the harmful effects of vaping, which can be found here <https://www.elcaminohealth.org/stay-healthy/blog/lung-health-serious-risks-vaping>

41. Is this a Cities Association effort?

No. This topic is not listed as any of their operations goals or Board of Directors goals.

42. What are LCCs?

LCC is an acronym for “little cigars and cigarillos”. The sale of flavored versions of LCC’s have been banned since 2022 when the state flavored tobacco ban took effect.

43. The staff report says, “a Significant Tobacco Retailer is only allowed in a CRA Zone and requires approval of a Conditional Use Permit.” Do you feel CRA zones are changing in nature these days with a recent focus on more walking, biking and housing uses in those zones?

The staff report incorrectly indicates that these uses are only allowed in CRA. They are also allowed in the El Camino Real Precise Plan. In addition, there are only several small areas of the CRA (Commercial-Residential Arterial) zone remaining in the City – several parcels near the corner of West Middlefield and Old Middlefield; one parcel at Old Middlefield and North Rengstorff; and Moffett Boulevard, which is planned for a new Precise Plan.

Planning policy throughout the City is increasingly focused on walkability, sustainability, and housing development, including the CRA and the El Camino Real Precise Plan. This shift aligns with broader goals related to climate action, public health, and housing affordability. In this context, Significant Tobacco Retailers may be less compatible with the emerging character of these areas, particularly as communities prioritize health and family-friendly environments.

The Conditional Use Permit process remains an important tool to evaluate such uses on a case-by-case basis, ensuring such uses are considered carefully and in alignment with community priorities. It's a mechanism that allows for discretion, transparency, and public input before rendering a decision which is particularly important in evolving neighborhoods.

44. How are police decoy operations carried out?

The Police Department utilizes explorers, volunteers, or Police Assistants that are over 18 but under the legal age of 21 to purchase tobacco. Under close supervision, these people are sent into tobacco retailers make an attempt to purchase tobacco, or flavored tobacco which is already prohibited under state law. If the business sells to the minor, the business issued a citation for the violation.

45. Who would be considered stakeholders?

Businesses in Mountain View that sell e-cigarette devices, youth tobacco prevention groups, Santa Clara County Health Department (department who runs the Retail Tobacco Permit Partnership), Police Departments regarding enforcement, and youth groups in Mountain View. Additional outreach will be conducted with stakeholders while the ordinance language and MOU are finalized with the County over the upcoming months.

46. Does the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) have any laws that relate to this subject?

The ATF does not directly regulate the retail sale of flavored tobacco or vaping products. The ATF does enforce the Prevent All Cigarette Trafficking (PACT) Act, which requires, among other things, all distributors of cigarettes, including Electronic Nicotine Delivery Systems (e-cigarette devices) and other smokeless tobacco products, such as chewing tobacco, who sell or advertise in interstate commerce to register with and report certain information to ATF and the tax administrators of the states where shipments of tobacco are made or advertised.

47. After reading the staff report and ordinance, it seems that under the proposed ordinance you could still go to a Mountain View convenience store and purchase highly carcinogenic traditional cigarettes, but you wouldn't be able to purchase less carcinogenic unflavored nicotine vaping products. Is that correct? For example, if a smoker is still addicted to nicotine but in the process of trying to limit cancer risk and quit smoking by switching from cigarettes to vaping (as a somewhat less carcinogenic/unhealthy steppingstone toward quitting), their only retail purchase option in Mountain View short of exempted FDA approved nicotine replacement products) would be cigarettes?

The proposed ordinance, mirrored from the County ordinance, would restrict the sale of flavored and unflavored vaping fluid. However, any FDA approved cessation products (patches, gum, etc.) would be exempt from the ordinance.

There are also currently not any e-cigarettes or vapes that are FDA approved as cessation products. FDA has authorized only a small number (less than 20 products) of modified risk tobacco products (MRTPs) which contain less nicotine. Still, those products are not FDA approved as tobacco cessation products.

Unable to weigh in on which product is more or less harmful, as research is still ongoing regarding the dangers of nicotine vaping products compared to traditional tobacco products. Also, the research is unsettled about whether an adult cigarette smoker could have success quitting or titrating down by using e-cigarettes. According to the County, their decision to ban all vaping fluid was a question of whether it's more important to protect youth from such products than to allow adult access.