

City Council Questions

February 9, 2021 Council Meeting

ITEM 4.5 Amendment to Contracts for Outside Plan Checking, Inspection, and Administrative Services

1. What is the plan check turnaround times in days for development projects?

The plan check turnaround times for development projects range from same day over-the-counter (for small projects) to about seven weeks (for large projects).

ITEM 6.1 Density Bonus Ordinance

1. How does State Density Bonus Law define “major transit stop”? The ‘Transit Areas’ map in the Draft Administrative Guidelines does not include 522 or 22 bus stops, which are high-frequency stops.

“Major transit stop” refers to:

- 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.

El Camino Real does not include any major transit stops, because the 22 and 522 are not “intersecting”. There are no bus routes with 15-minute or less frequency that cross route 22 or route 522 in the City.

2. Page 13 of the Draft Administrative Guidelines indicates that “it may be more difficult to determine reasonable need for some waivers if the project does not propose bonus density or incentives/concessions.” Does the SDBL require developers to use a density bonus? Or, as long as the required affordable units are included (regardless of density bonus utilization), does the SDBL allow developers to request waivers?

The SDBL does not require a developer to request a density bonus in order to access other parts of the SDBL for which the project may be eligible. As long as the project meets the minimum eligibility requirements of providing the requisite number of affordable units, the developer can request any of the following: density bonus, waivers, certain number of incentives/concessions, and parking reductions.

3. Can staff provide more information about the child care element of the density bonus ordinance? Can developers seek waivers or incentives/concessions when they incorporate a child care component into their project?

See answer to Question 6 below.

4. Page 7 – if an applicant can waive providing an HOA reserve for lower-income for sale units, does that mean the City is will have to fund the HOA reserve for projects that waive providing an HOA reserve?

Should a project receive a waiver or incentive/concession related to the HOA reserve, the City would not be required fund the reserve. However, the City may separately consider alternatives to establish a fund.

5. Attachment 1, page 8, SEC. 36.48.85., a. – can we require that all affordable rental units be affordable in perpetuity?

The City is not able to require all affordable rental units to be affordable in perpetuity due to constraints established in SDBL that limit the affordability term to 55 years (or longer under specified circumstances). However, if units are being used to also satisfy BMR requirements, then those units shall carry an affordability term in perpetuity.

6. Attachment 1, page 10, f– how do childcare facilities play into the density bonus?

Projects that incorporate a childcare facility that meets the specifications established in State Density Bonus Law would be eligible for a density bonus equal to the square feet of the childcare facility. They would also be eligible for an additional incentive/concession to address standards that impact the economic feasibility of the childcare facility's construction.

7. Incentives/concessions and waivers seem very similar. Is there really a difference? If so, what is it?

Incentives/concessions focus on modifications to development standards that reduce a project's cost. The number of incentives/concessions a project is entitled to depends on the amount and depth of affordability of units provided. An example would be: not requiring the affordable units be comparable to the unit mix of the overall project by allowing smaller affordable units which directly reduces the costs to provide those units.

Waivers focus on modifications to development standards that would physically preclude the project at the density allowed. Examples include setback reductions, height increases, etc., as they often directly impact the ability to deliver the additional units granted through a density bonus. The number of waivers a project may receive are not limited in State Density Bonus Law.

ITEM 7.1 Legislative Program Priorities for 2021

1. What specifically will the legislative advocacy firm do? Track bills? Analyze bills? Advocate on the city's behalf?

Proposed services to support the City's legislative priorities at a state and federal level could include the following assistance with State and Federal legislation:

- Legislative Tracking and Updates
- Legislative Analysis
- Legislative Strategy and Advocacy Plan Development
- Legislative Advocacy, which may include, but is not limited to:
 - Interagency efforts and relationships
 - Direct advocacy, advocacy trips, and position letters
 - Stakeholder engagement for advocacy purposes

2. Will regional leaders include ABAG, MTC?

Intergovernmental legislative outreach and engagement will occur with all regional agencies, boards, and local government service providers that engage with the City, including ABAG and MTC. For Councilmember Committee assignments, staff is assigned to committees to assist the Council with monitoring, analyzing, and engaging with regional policy actions.

3. Bimonthly can mean twice a month or every other month – which definition is meant for updates in the Council Connection?

Staff proposes that legislative updates will be included in the Council Connection at least twice a month.

4. How are Sustainability bills tracked? Please add climate resilience package proposed by Senator Dave Cortese and bills proposed by Senator Josh Becker. Also these bills proposed by bike advocate:
AB 122 Boerner Horvath - Bikes May Treat Stop Signs as Yield Signs
AB 117 Boerner Horvath - Electric Bike Purchase Incentive

Staff monitors and tracks sustainability bills identified by Council in the adopted Legislative Priorities Platform and any bills that staff determines to align with the City's legislative priorities. For all bills, staff monitors each bill and drafts advocacy position letters for the Mayor's signature when bills move through the legislative process. Staff will add the proposed climate resilience and biking legislation for analysis, advocacy and tracking at the City Council's direction.

5. Would like to understand better how Mountain View collaborates with neighboring cities to track issues and lobby other than through the Cities Assn.

City staff regularly collaborates with neighboring cities to share resources and track issues through formal and informal groups and associations. The City Manager's Office staff regularly attends the monthly Santa Clara County City Manager's Association (SCCCMA), Santa Clara County Assistant City Managers Association (SCCACMA), and Regional Government Relations meetings and tracks the agendas and actions of the Cities Association. The regional association meetings are used as a resource to provide staff with the opportunity to share or inquire about agency updates, highlight issues happening within the community, and discuss proposed programs, policies, or actions to be considered by the City Council. Department Heads and their deputies also attend regional meetings or associations that offer the opportunity to discuss, share, and collaborate on multiple issues, programs, or policy actions that would benefit Mountain View.

ITEM 7.2 Fiscal Year 2020-21 Midyear Budget Status Report, Recommended Midyear Adjustments, Fiscal Year 2021-22 Preliminary General Operating Fund Forecast, and Fiscal Year 2020-21

1. Can staff provide an update regarding how the "equity lens" is likely going to be operationalized for the budget process?

The use of an equity lens was approved by Council in November as a means to identify potential disparate impacts to communities of color and low-income residents during the budget development process. Using this concept, departments were instructed to address for new requested items the following questions:

- Does the request benefit communities of color and/or low-income residents?
- Does the request burden communities of color and/or low-income residents?

Answers to these questions are part of the department budget request to the City Manager and Budget Review Team, which will be discussed along with an explanation of the supporting reasons behind their answers. Because we have limited resources compared to much larger cities that have established their own separate offices/departments of racial equity, the intent was to take initial steps to introduce the City to the concept of looking at equity as part of the budget development process. Over time, we may incorporate additional questions and further refine the equity lens.

2. How are these performance measures/workload measures determined?

Each department recommends their performance/workload measures with City Management approval/review during the budget process.

3. Has an outside consultant ever been used to evaluate these measures?

The last formal review using an outside consultant was possibly over 20 years ago.

4. When would be a good opportunity for the Council to provide input on the measures that are used?

It would be best to modify any measures so that they begin with the start of a new fiscal year. Therefore, if council wished to modify these measures, direction could be provided to the City Manager any time prior to the adoption of the budget in June.

5. What is the definition of administrative costs as it pertains to reimbursement for costs when city employees work for others?

It would depend on what is allowed by the other party. The City works with various entities and they all vary to some degree in what is reimbursable. It may be salary, salary and benefits, and/or a specified percentage of salary. For Fire Admin costs, it differs from the other types of administrative costs as it is dictated by CalOES rules.

6. When the city is reimbursed for costs when city employees work for others (e.g., CalOES, Shoreline Amphitheater, Levi's Stadium, etc.) does the reimbursement cover additional Calpers contributions, additional Calpers benefits upon retirement, etc.? Is the city made completely whole?

Again, it depends on what is allowed and the type of pay the City's employing is receiving, but generally reimbursements cover such costs either directly or through indirect cost allowances. For CalOES events, the City is allowed a 34.7% indirect administrative cost rate in addition to the direct costs incurred such that the City fully recovers its costs.

7. Has the city ever not been reimbursed for costs when city employees work for others?

Not that we are aware of, other than if there are restrictions and receiving a lesser amount.

8. The Hope Street hotel/office and replacement parking is a very large project. Am I reading the staff report correctly on page 34 that this project will be completed in FY 21-22?

This project has been delayed and it is currently unknown exactly if and when it may resume and be completed. There are many uncertainties surrounding the project that make it difficult to know when this will be completed. For forecasting purposes, the debt service is assumed to be delayed another year due to the ongoing pandemic. The City's obligation to issue the debt is tied into the developer's ability to secure financing for the project per the DDA, and this is still unknown whether this may occur.

9. Have any department budgets ever gone down over the past 5 or so years?

For the GOF, Council reduced their travel budget by \$22,100 for FY20-21 due to covid considerations with virtual conferences and meetings. Otherwise, not since the last recession between FY09-10 and FY12-13.

10. Attachment 1, page 9 – On MTC’s website the PCI scale is the following. This is different than what is shown in the city’s document for a 70-79 rating. And at 61, the MTC chart says pavement is Fair and is significantly distressed. While our spending on pavement is scheduled to increase, will it be enough to move the city into at least the Good category with a score of 70-79?

Very Good-Excellent (PCI = 80-100)	Newly constructed for resurfaced pavement with few signs of distress.
Good (PCI = 70-79)	Pavement requiring mostly preventive maintenance and showing only low levels of distress.
Fair (PCI = 60-69)	Pavement at the low end of this range is significantly distressed and may require a combination of rehabilitation and preventive maintenance.
At Risk (PCI = 50-59)	Deteriorated pavement requiring immediate attention, including rehabilitative work.
Poor (PCI = 25-49)	Pavement showing extensive distress and requiring major rehabilitation or reconstruction.
Failed (PCI = 0-24)	

The PCI scale language in the City’s document appears to not have been updated to be consistent with MTC’s PCI scale. The City’s document should read “70-100 being good to excellent” and staff will revise future reporting documents for consistency. The 2019 Pavement Management Program (PMP) provided budget scenarios for different PCI levels, including one scenario for increasing PCI by 5 points over five years with approximately \$30M of funding. Based on the PCI of 61 and continuing the consistent funding amounts, staff anticipates it will take approximately 8-10 years to increase the PCI to the Good category of at least 70.