



Ellen Kamei, Mayor  
Lucas Ramirez, Vice Mayor  
Margaret Abe-Koga, Councilmember  
Alison Hicks, Councilmember  
Sally Lieber, Councilmember  
Lisa Matchak, Councilmember  
Pat Showalter, Councilmember

Kimbra McCarthy, City Manager  
Krishan Chopra, City Attorney  
Heather Glaser, City Clerk

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August 24, 2021

Video Conference with No Physical Meeting Location

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## REGULAR CITY COUNCIL MEETING

**This meeting was conducted in accordance with State of California Executive Order N-29-20, dated March 17, 2020 and State of California Executive Order N-08-21, dated June 11, 2021. All members of the City Council participated in the meeting by video conference, with no physical meeting location.**

### **5:30 P.M.-CLOSED SESSION**

At 5:30 p.m., Mayor Kamei called the meeting to order.

#### **1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)**

City Attorney Chopra announced the item listed for Closed Session.

There were no public speakers.

At 5:33 p.m., Mayor Kamei recessed the meeting to Closed Session with all Councilmembers present.

#### **2. CLOSED SESSION**

- 2.1 Public Employee Performance Evaluation (California Government Code 54957(b)(1)  
-Title: Council Appointee: City Clerk; and Conference with Labor Negotiators  
(California Government Code 54957.6(a))-Agency Designated Representative: Vice  
Mayor Ramirez; Unrepresented Employee: City Clerk**

At 6:43 p.m., Closed Session concluded.

### **6:30 P.M.-REGULAR SESSION**

#### **1. CALL TO ORDER**

At 6:53 p.m., Mayor Kamei called the meeting to order.

#### **2. PLEDGE OF ALLEGIANCE**

Mayor Kamei led the Pledge of Allegiance.

### 3. ROLL CALL

**Present:** 7 - Councilmember Abe-Koga, Councilmember Hicks, Councilmember Lieber, Councilmember Matichak, Councilmember Showalter, Vice Mayor Ramirez, Mayor Kamei

### 4. CONSENT CALENDAR

Mayor Kamei recused herself from voting on Item 4.7, Recommendation (1): South Whisman Park (Pyramid Park) Construction, Project 21-45 because her real property interest was located in close proximity to the project site.

Councilmember Hicks provided comments on Item 4.11.

Councilmember Lieber provided comments on Item 4.11 and indicated an abstain vote for Item 4.1 (except the minutes of June 22, 2021 and August 4, 2021).

Councilmember Abe-Koga provided comments on Item 4.11.

The following members of the public spoke:

Sonia Menzies indicated opposition to Item 4.5.

Bruce England provided comments on Item 4.3, indicated support for study session on Item 4.4 and indicated support for Items 4.5 and 4.11.

Eddie Keating indicated support for a study session on Item 4.4.

Jesse M. indicated opposition to Item 4.5.

Adina Levin, on behalf of Seamless Bay Area, indicated support for Item 4.11.

Kevin Ma indicated support for a study session on Item 4.4 and indicated support for Item 4.11.

Peter Katz, on behalf of the Mountain View Chamber of Commerce, indicated support for Item 4.11.

Alex Brown indicated support for a study session on Item 4.4 and indicated support for Item 4.11.

MOTION - M/S - Abe-Koga/Hicks - To approve the Consent Calendar.

### FRIENDLY AMENDMENT

Councilmember Hicks moved to amend the motion to pull Item 4.5 for individual consideration.

Councilmember Abe-Koga accepted the amendment.

Councilmember Lieber provided comments on Item 4.4.

The amended motion (noting recusals and abstentions) carried for the remainder of the Consent Calendar by the following roll call vote:

**Yes:** 7 - Councilmember Abe-Koga, Councilmember Hicks, Councilmember Lieber, Councilmember Matichak, Councilmember Showalter, Vice Mayor Ramirez, Mayor Kamei

#### **4.1 Approve Minutes**

Approve the City Council meeting minutes of August 4, 2021, June 22, 2021, April 21, 2020 and April 14, 2020.

#### **4.2 Modifying Council Policy D-10, City Manager Approval of Overhire Positions**

Adopt Resolution No. 18590 of the City Council of the City of Mountain View Modifying City Council Policy D-10, City Manager Approval of Overhire Positions.

#### **4.3 Designate a Voting Delegate and Alternate for the 2021 League of California Cities Annual Conference**

Designate Councilmember Margaret Abe-Koga as the Voting Delegate and Mayor Ellen Kamei as the Alternate for the General Assembly meeting at the 2021 League of California Cities Annual Conference.

#### **4.4 Notice of Intention to Vacate Public Street and Easements-Gamel Way**

Adopt Resolution No. 18591 of Intention of the City Council of the City of Mountain View to Vacate Public Street and Easements-Gamel Way, and set a date for a public hearing to consider the vacation for September 28, 2021.

#### **4.5 Colony Street Connection to Permanente Creek Trail, Project 18-48-Approve Plans and Specifications, and Authorize Bidding**

1. Approve plans and specifications for Colony Street Connection to Permanente Creek Trail, Project 18-48, and authorize staff to advertise the project for bids.
2. Authorize the City Manager or designee to award a construction contract to the lowest responsible bidder if the bid is within the project budget.

This item was pulled from the Consent Calendar for individual consideration by Councilmember Hicks.

Public Works Director Dawn Cameron and Principal Civil Engineer Robert Gonzales provided comments.

The following members of the public spoke:

Sonia Menzies indicated opposition to the item.

Jesse M. indicated opposition to the item.

Caller indicated support for the item.

MOTION - M/S - Hicks/Showalter - To:

1. Approve plans and specifications for Colony Street Connection to Permanente Creek Trail, Project 18-48, and authorize staff to advertise the project for bids.
2. Authorize the City Manager or designee to award a construction contract to the lowest responsible bidder if the bid is within the project budget.

The motion carried by the following roll call vote:

**Yes:** 7 - Councilmember Abe-Koga, Councilmember Hicks, Councilmember Lieber, Councilmember Matichak, Councilmember Showalter, Vice Mayor Ramirez, Mayor Kamei

**4.6 Clarification of the Employer Contribution for Employees and Retired Annuitants Under the Public Employees' Medical and Hospital Care Act with Respect to the Mountain View Professional Firefighters and Police Officers Association**

1. Adopt Resolution No. 18592 of the City Council of the City of Mountain View Fixing the Employer Contribution at an Equal Amount for Employees and Annuitants Under the Public Employees' Medical and Hospital Care Act with Respect to a Recognized Employee Organization (Group 001 Safety-Fire).
2. Adopt Resolution No. 18593 of the City Council of the City of Mountain View Fixing the Employer Contribution at an Equal Amount for Employees and Annuitants Under the Public Employees' Medical and Hospital Care Act with Respect to a Recognized Employee Organization (Group 002 Safety-Police)

**4.7 South Whisman Park (Pyramid Park), Construction, Project 21-45, and City Hall Locker Room Renovation, Project 20-54-Authorize Construction Contingency**

1. Authorize the City Manager or designee to execute an amendment to the construction contract with Marina Landscape of Orange, adding \$300,000 construction contingency for a total not-to-exceed contract amount of \$4,058,389.30 for Pyramid Park Construction, Project 21-45.
2. Authorize the City Manager or designee to execute an amendment to the construction contract with EVRA Construction, Inc., of Brisbane, adding \$36,500 construction contingency for a total not-to-exceed contract amount of \$401,000 for City Hall Locker Room Renovation, Project 20-54.

**4.8 Adopt Revised Salary Plans for Regular and Hourly Employees for Fiscal Year 2021-22**

Adopt revised salary plans for regular and hourly employees for Fiscal Year 2021-22

(Attachment 2 to the Council report).

#### **4.9 Deferred Compensation Plans and Retirement Health Savings Accounts**

Adopt Resolution No. 18594 of the City Council of the City of Mountain View Approving Adoption of Plan Documents for the City of Mountain View's Deferred Compensation Plans Under IRS Code Sections 457(b) and 401(a) and Omnibus Budget Reconciliation Act and the Retirement Health Savings Account Plan, and Authorizing the City Manager or Designee to Execute All Agreements and Other Documents Necessary to Implement Each Plan and Amendments to Implement Council-Approved Changes to Employee Compensation and Benefits and to Approve Future Revisions to the Plan Documents to Comply with IRS Regulations and Other Applicable Law.

#### **4.10 Peninsula Corridor Electrification Project-Increase Appropriation**

1. Increase appropriations by \$232,000 in Capital Improvement Program Project 14-46 for reimbursement(s) to be received from Caltrain, pertaining to the design and construction of the Peninsula Corridor Electrification Project.

2. Authorize the City Manager or designee to execute all necessary documents with the Peninsula Joint Powers Board (Caltrain) for an additional \$232,000 for City services, pertaining to the design and construction of the Peninsula Corridor Electrification Project.

#### **4.11 Support Seamless Transit Principles**

Adopt Resolution No. 18595 of the City Council of the City of Mountain View in Support of Seamless Transit Principles.

### **5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS**

Marilu Cuesta Flores, from Mountain View, requested signs and speed bumps on Latham Street.

Tim MacKenzie discussed implementation of City of Measure C and the eviction moratorium.

Steven Goldstein discussed a recent Rental Housing Committee hearing.

Christel Elkins, from Mountain View, discussed action against cat calling.

Bruce England discussed lighting ordinances, expediting the Moffett Boulevard Precise Plan and traffic calming on Latham Street.

Jeanet requested signs and speed bumps on Latham Street.

### **6. PUBLIC HEARING**

#### **6.1 Application to State Community Development Block Grant Homekey Program for the LifeMoves Mountain View Project**

Assistant Community Development Director Wayne Chen presented the staff report. Joanne Price, Vice President, Real Estate & Operations, LifeMoves provided comments. Public Works Director Cameron was available for questions.

The Council directed questions to Joanne Price and City staff.

The following members of the public spoke:

Sush from Mountain View.

Eddie Keating

Bob Benson

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

1. Having conducted a public hearing on the proposed application by the City of Mountain View to the State Community Development Block Grant Homekey Program for up to \$5 million in grant funding for LifeMoves to undertake two activities to support the interim housing project, "LifeMoves Mountain View," located at 2566 Leghorn Street:
  - a. Acquire the site located at 1950 Leghorn Street to provide additional parking for the interim housing.
  - b. Install solar panels for the interim housing to enhance environmental sustainability and lower operating costs.
2. Adopt Resolution No. 18596 of the City Council of the City of Mountain View Approving an Application for Funding and the Execution of a Grant Agreement and Any Amendments Thereto from the 2020 Community Development Block Grant Program-Coronavirus Response and/or the 2020-21 Funding Year of the State Community Development Block Grant Homekey Program.
3. Authorize the City Manager or designee to negotiate and execute an agreement, including any amendments thereto, with LifeMoves to effectuate the grant funding if awarded.

The motion carried by the following roll call vote:

**Yes:** 7 - Councilmember Abe-Koga, Councilmember Hicks, Councilmember Lieber, Councilmember Matichak, Councilmember Showalter, Vice Mayor Ramirez, Mayor Kamei

## **7. NEW BUSINESS**

### **7.1 Appointing an Extra-Help Retired Annuitant Under Government Code Sections 7522.56 and 21224**

Senior Human Resources Analyst Lindsey Bishop will present the staff report.

There were no public speakers.

MOTION - M/S - Abe-Koga/Showalter- To:

Adopt Resolution No. 18597 of the City Council of the City of Mountain View for Exception to the 180-Day Wait Period, Government Code Sections 7522.56 and 21224.

The motion carried by the following roll call vote:

**Yes:** 7 - Councilmember Abe-Koga, Councilmember Hicks, Councilmember Lieber, Councilmember Matichak, Councilmember Showalter, Vice Mayor Ramirez, Mayor Kamei

## 7.2 Lot 12 Development

Vice Mayor Ramirez disclosed he met with the applicant.

Councilmember Showalter disclosed she had a discussion with the applicant.

Assistant Community Development Director Wayne Chen and Associate Planner Krisha Penollar presented the staff report.

Assistant Community Development Director Wayne Chen clarified the proposal included 92 total residential spaces, not 95 as stated in the Council report. He also stated the proposal included a one-time upfront payment of \$10.1 million in lieu of replacing public parking spaces onsite.

Randy Tsuda, President and CEO, Alta Housing and Alex Seidel, Principal, Seidel Architects from the developer team also presented.

Ann Silverberg, CEO Northern California Affordable, Related California, Andrew Schorfhaar, Assistant Vice President, Related California, Sue Bloch and Libby Seifel, Burke, Williams & Sorensen, LLP, the City's legal and economic consultants and Assistant City Manager/Community Development Director Aarti Shrivastava were available for questions.

The Council directed questions to City staff, Alex Seidel, Andrew Schorfhaar, Sue Bloch and Randy Tsuda.

The following members of the public spoke:

James Kuszmaul, on behalf of Mountain View Coalition for Sustainable Planning, indicated support for the item.

Tim MacKenzie indicated support for the item.

Cory Wolbach, on behalf of Silicon Valley At Home, indicated support for the item.

Kelsey indicated support for the item.

Kevin Ma indicated support for the item.

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

1. Adopt Resolution No. 18598 of the City Council of the City of Mountain View Determining and Declaring the City-Owned Site Located at 907, 929, and 941 California Street and 424, 428, 444, 454, 460, and 468 Bryant Street, Referred to Collectively as “Lot 12,” to be Exempt Surplus Land Pursuant to Government Code Section 54221(f)(1)(A).
2. Approve the key negotiated business terms by and between the City and the developer, Alta Housing and Related Management Company, for the funding, development, and long-term lease of the Lot 12 site.
3. Authorize the City Manager or designee to execute a Lease Disposition, Development, and Loan Agreement with Alta Housing and Related Management Company consistent with the described key deal terms, if the City Manager or designee determines the project is exempt from review under the California Environmental Quality Act pursuant to Senate Bill 35 or other applicable exemption.
4. Authorize Alta Housing and Related Management Company to submit a formal planning application after making the design revisions identified in this report and as directed by Council, as confirmed by staff, and after full execution of the Lease Disposition, Development, and Loan Agreement.

The Council discussed the motion. By consensus, the Council indicated agreement with staff suggestions on the project design and architecture. Councilmembers also requested that the developer explore the feasibility of large trees at corners, 75% native landscaping, breaking up view of long roof on west elevation, improving the design of corner units fronting midblock garden, and incorporating creative/functional public art and distinctive tree planting.

The motion carried by the following roll call vote:

**Yes:** 7 - Councilmember Abe-Koga, Councilmember Hicks, Councilmember Lieber, Councilmember Matichak, Councilmember Showalter, Vice Mayor Ramirez, Mayor Kamei

MOTION - M/S - Ramirez/Showalter - At 10:35 p.m., to continue the meeting beyond 10:00 p.m.

The motion carried by the following roll call vote:

**Yes:** 6 - Councilmember Abe-Koga, Councilmember Hicks, Councilmember Lieber, Councilmember Showalter, Vice Mayor Ramirez, Mayor Kamei

No: 1 - Councilmember Matichak

### 7.3 Downtown Parking Garage Framework

Councilmember Abe-Koga and Councilmember Hicks announced their recusal from the item due to their real property interests located in close proximity to the project site.

At 10:37 p.m., Councilmember Abe-Koga and Councilmember Hicks left the meeting.

Principal Planner Eric Anderson presented the report. Assistant City Manager/Community Development Director Shrivastava and Public Works Director Cameron were available for questions.

The Council directed questions to staff.

The following members of the public spoke:

James Kuszmaul, on behalf of Mountain View Coalition for Sustainable Planning.

Lund Smith

Robert Cox, on behalf of the Old Mountain View Neighborhood Association Parking Subcommittee, indicated support for the item.

Salim Damerджи indicated opposition to the item.

Adina Levin, on behalf of Friends of Caltrain.

Tim MacKenzie from Mountain View.

Kevin Ma

Caller - Tim

### MOTION

Vice Mayor Ramirez moved to authorize staff to study a new five-level parking garage, with approximately 400 stalls at Lot 5, with no underground parking and no ground-floor commercial, and explore additional partnerships with developers to fund the new garage.

Councilmember Matichak offered a second if the motion were amended to exclude additional partnerships and exploration of secured bike storage and additional levels aboveground or underground were added.

The maker of the motion did not amend the motion.

Councilmember Showalter offered a second if the motion were amended to add exploration of additional levels, a rooftop garden and use of low carbon concrete.

The maker of the motion accepted the amendment.

Councilmember Showalter seconded the amended motion.

#### FRIENDLY AMENDMENT

Councilmember Matichak moved to amend the motion to add exploration of secured bike storage.

The maker and the seconder of the motion accepted the amendment.

The maker of the motion amended the original motion to add exploration of design options that allowed for repurposing the building in the future, as suggested by Mayor Kamei, and exploration of a solar component, as suggested by Councilmember Lieber.

#### SUBSTITUTE MOTION

Councilmember Matichak moved to authorize staff to study a new five-level parking garage, with approximately 400 stalls at Lot 5, with no ground-floor commercial, and explore one additional level aboveground or underground and secure bike storage.

The motion died for lack of second.

The original motion and its subsequently accepted amendments carried by the following roll call vote:

**Yes:** 3 - Councilmember Showalter, Vice Mayor Ramirez, Mayor Kamei

**No:** 2 - Councilmember Lieber, Councilmember Matichak

**Recused:** 2 - Councilmember Abe-Koga, Councilmember Hicks

### 8. COUNCIL, STAFF/COMMITTEE REPORTS

Vice Mayor Ramirez requested the Public Works Department update the Council on the results of any analysis of traffic safety near Latham Street.

Councilmember Lieber indicated support for a study session regarding projects on Gamel Way.

At 11:55 p.m., Councilmember Hicks returned to the meeting.

Councilmember Hicks indicated support for a study session regarding projects on Gamel Way.

Councilmember Matichak stated she attended a County of Santa Clara Airport Land Use Commission meeting, a Silicon Valley Regional Interoperability Authority meeting and a Bay Area Water Supply and Conservation Agency Board of Directors meeting.

A majority of the Council referred further consideration of the provisions of Chapter 5.5 of the Council Code of Conduct regarding board, commission and committee member violations of the Political Reform Act to the Council Policy and Procedures Committee.

Mayor Kamei stated she attended a Valley Transportation Authority Policy Advisory Committee meeting.

**9. CLOSED SESSION REPORT**

City Attorney Chopra stated there was no Closed Session report.

**10. ADJOURNMENT**

At 12:16 a.m. on Wednesday, August 25, Mayor Kamei adjourned the meeting.

Approved on \_\_\_\_\_.

\_\_\_\_\_  
Ellen Kamei, Mayor

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Heather Glaser, City Clerk