



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

September 28, 2021

Video Conference with No Physical Meeting Location

**JOINT MEETING OF THE CITY COUNCIL (REGULAR) AND SHORELINE REGIONAL
PARK COMMUNITY (SPECIAL)**

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.

5:00 P.M.-CLOSED SESSION

At 5:00 p.m., Mayor Kamei called the meeting to order.

There were no public speakers.

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

City Attorney Chopra announced the item listed on the posted agenda.

At 5:03 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 Manager; and Conference with Labor Negotiators (California Government Code 54957.6(a)) - Agency Designated Representative: Vice Mayor Ramirez; Unrepresented Employees: City Manager, City Attorney and City Clerk; and Public Employee Appointment (California Government Code 54957(b)(1)) - Title of Position: City Attorney**

At 7:01 p.m., Closed Session concluded.

6:30 P.M.-REGULAR SESSION

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

At 7:10 p.m., Mayor Kamei called the meeting to order.

Mayor Kamei led the Pledge of Allegiance.

2. ROLL CALL

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

3. PRESENTATION

There were no public speakers.

3.1 National Hispanic Heritage Month Proclamation

Mayor Kamei presented the proclamation to María Marroquín, Executive Director of the Day Worker Center of Mountain View.

4. CONSENT CALENDAR

Councilmember Matichak pulled Item 4.5 for further consideration and indicated a No vote on Item 4.2.

The following member of the public spoke:

Bruce England discussed Item 4.5.

MOTION - M/S - Ramirez/Hicks - To approve the balance of the Consent Calendar.

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

4.1 Approve Minutes

Approve the City Council meeting minutes of September 14, 2021 and February 1, 2020 and Shoreline Regional Park Community meeting minutes of June 22, 2021 and June 8, 2021.

4.2 Mobile Home Rent Stabilization Ordinance (Second Reading), Urgency Ordinance Enacting Eviction Protections, and Funding Request for Future Actions

1. Adopt Ordinance No. 8.21 of the City of Mountain View Enacting Mobile Home Rent Stabilization, to be read in title only, further reading waived (Attachment 1 to the Council report). (First reading: 6-1; Matichak no)

2. Adopt Urgency Ordinance No. 9.21 of the City of Mountain View Protecting Mobile Home Residents from Eviction Until the Ordinance Enacting Mobile Home Rent Stabilization Becomes Effective, to be read in title only, further reading waived (Attachment

2 to the Council report). (Five votes required)

3. Authorize expenditures for legal services, in an amount not to exceed \$101,900, with Burke, Williams & Sorensen, LLP, to complete actions associated with the Ordinance Enacting Mobile Home Rent Stabilization.

4. Appropriate \$100,000 in the City Attorney's Office General Non-Operating Fund for legal and consulting costs to complete actions associated with the Ordinance Enacting Mobile Home Rent Stabilization. (Five votes required)

4.3 Amend Exhibit A to City Council Policy A-10, Authorization to Execute City Contracts and Agreements and Increase Certain Limited Appropriations

Adopt Resolution No. 18602 of the City Council of the City of Mountain View Amending Exhibit A to City Council Policy A-10, Authorization to Execute City Contracts and Agreements and Increase Certain Limited Appropriations, to be read in title only, further reading waived (Attachment 1 to the Council report).

4.4 AB 361 Resolution Adopting Findings to Continue Virtual Public Meetings During State of Emergency

Adopt Resolution No. 18603 of the City Council of the City of Mountain View Making Findings Pursuant to AB 361 to Continue Virtual Public Meetings for the City Council and City Boards, Commissions, and Committees During the COVID-19 State of Emergency, to be read in title only, further reading waived (Attachment 1 to the Council report).

4.5 Approval of Council Advisory Body Work Plans

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

Assistant City Manager/Chief Operating Officer Audrey Seymour Ramberg was available for questions.

The Council directed questions to staff.

MOTION

Councilmember Lieber moved to approve the Council Advisory Body Work Plans for Fiscal Year 2021-22 with the addition of having the Public Safety Advisory Board review the Mountain View Police Department budget.

FRIENDLY AMENDMENT

Councilmember Showalter moved to amend the motion to update the Public Safety Advisory Board work item 3 language to state "Explore existing and alternative responses to persons experiencing mental health crisis."

The maker of the motion accepted the amendment.

The motion died due to lack of a second.

MOTION

Councilmember Matchak moved to approve the Council Advisory Body Work Plans for Fiscal Year 2021-22 and: 1) update the Human Relations Commission ongoing work item B language to state "Respond to City Council or City Council Subcommittee referrals regarding topics and issues of mutual interest."; 2) reduce the number of Civility Roundtables held by the Human Relations Commission in Fiscal Year 2021-22 to two; 3) update the Public Safety Advisory Board work item 3 language to state "Explore existing and alternative responses to persons experiencing mental health crisis."; and 4) have staff present the Mountain View Police Department budget to the Public Safety Advisory Board as capacity allows.

Councilmember Hicks seconded the motion.

The Council discussed the motion.

Councilmember Matchak amended the motion to add a third Civility Roundtable to the Human Relations Commission work items to be held in Fiscal Year 2022-23.

The seconder of the motion accepted the amendment.

There was no additional public comment.

The amended motion carried by the following roll call vote:

Yes: 5 - Councilmember Abe-Koga, Councilmember Hicks, Councilmember Matchak, Vice Mayor Ramirez, Mayor Kamei

No: 2 - Councilmember Lieber, Councilmember Showalter

4.6 Additional Expenditures for Legal Services by Burke, Williams & Sorensen, LLP

Authorize expenditures by the Community Development Department in an amount not to exceed \$301,100 for outside legal services performed by Burke, Williams & Sorensen, LLP, associated with Notice of Funding Availability projects, Lot 12, general matters related to housing programs and transactions, general planning, and land use.

4.7 Charleston Road Crossing at Permanente Creek Trail, Project 14-38-Accept Construction

Accept Charleston Road Crossing at Permanente Creek Trail, Project 14-38, and authorize the final contract payment.

4.8 Amend Professional Services Agreement with Tanner Pacific, Inc., for Construction Engineering Services

Authorize the City Manager or designee to amend the existing professional services agreement with Tanner Pacific, Inc., for an additional \$300,000 to provide construction engineering services in a not-to-exceed amount of \$400,000

4.9 Shoreline Lake Improvements, Construction, Project 20-36-Variou Actions

1. Acting as the Board of Directors of the Shoreline Regional Park Community, appropriate and transfer \$900,000 from the Shoreline Regional Park Community Fund to Shoreline Lake Improvements, Construction, Project 20-36, increasing the project budget from \$2,500,000 to \$3,400,000.

2. Approve plans and specifications for Shoreline Lake Improvements, Construction, Project 20-36, and authorize staff to advertise the project for bids.

3. Authorize the City Manager or designee to award a construction contract to the lowest responsible bidder if the low bid is within the project budget.

4. Authorize the City Manager or designee to execute a design professional services contract with Moffatt & Nichol of Walnut Creek to provide bid support, construction support, environmental monitoring, and coordination with regulatory agencies for Shoreline Lake Improvements, Construction, Project 20-36, in a not-to-exceed amount of \$150,000.

5. Authorize the City Manager or designee to execute a professional services contract with Tanner Pacific, Inc., to provide construction engineering services for Shoreline Lake Improvements, Construction, Project 20-36, in a not-to-exceed amount of \$250,750.

4.10 Well Abandonments 10, 17, and 20, Project 19-39-Reject Bid and Authorize for Rebid

1. Reject the bid received for Well Abandonments 10, 17, and 20, Project 19-39.

2. Appropriate and transfer \$280,000 from Water System Improvements, Project 18-04, to Well Abandonments 10, 17 and 20, Project 19-39, increasing the project budget from \$650,000 to \$930,000. (Five votes required)

3. Authorize staff to rebid the project with modifications.

4. Authorize the City Manager or designee to award the construction contract to the lowest responsible bidder if the low bid is within the project budget.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Emily Staats Hislop from Mountain View discussed staffing needs to support the Community Stabilization and Fair Rent Act.

Ronit Bryant discussed the end of the eviction moratorium.

Alex Brown indicated agreement with Emily Staats Hislop.

6. STUDY SESSION

6.1 Guaranteed Basic Income Pilot

The purpose of this Study Session was to receive Council input on staff recommendations for the design of a Guaranteed Basic Income pilot program.

Assistant to the City Manager Kimberly Thomas, Economic Vitality Manager John Lang and Management Fellow Harsha Ramchandani presented the memo. Staff indicated an update to Figure 3 as it was listed in the Council report and noted that enrollment into the program usually included some survey components.

The Council directed questions to staff and Cameron Burns from Mayors for a Guaranteed Income.

The following members of the public spoke:

Bruce Karney

Lelan Anders, on behalf of NOVAworks, indicated support for Guaranteed Basic Income pilot program.

Steve Chessin from Mountain View indicated support for Guaranteed Basic Income pilot program.

A majority of the Council indicated agreement with the staff recommendations for goals, design, and anticipated outcomes for the Guaranteed Basic Income pilot program.

A majority of the Council indicated agreement with the staff recommendations to fund the Benefits Conservation Fund and the research design and evaluation component, as well as looking to philanthropic and corporate sponsors for additional funding.

A majority of the Council indicated interest in staff continuing to monitor the statewide basic income program requirements for funding opportunities and exploring whether there are linkages with the County of Santa Clara basic income program (such as youth ageing out of foster care) or the proposed State basic income program (such as pregnant people and/or youth ageing out of foster care).

6.2 Mountain View Solidarity Fund

The purpose of this Study Session was to receive Council input on the City's award of funding to enhance the Mountain View Solidarity Fund program.

Assistant to the City Manager Christina Gilmore presented the memo.

The following members of the public spoke:

Lucila Hernandez
Anthony Chang

The Council directed questions to Adin Miller, Executive Director of Los Altos Mountain View Community Foundation.

By consensus, the Council indicated support for the staff recommended parameters for use of City funds to support an enhanced Mountain View Solidarity Fund program and agreement terms with the Los Altos Mountain View Community Fund as the Mountain View Solidarity Fund fiscal sponsor.

7. PUBLIC HEARING

7.1 Residential Development at 1919-1945 Gamel Way, 574 Escuela Avenue, and 1970 Latham Street

Councilmember Abe-Koga, Councilmember Matichak, Councilmember Showalter, Vice Mayor Ramirez and Mayor Kamei each disclosed they met with the applicant.

Senior Planner Margaret Netto presented the report. She noted two proposed modifications to Clause 2a and 2b in key terms for the sale in recommendation three and two proposed modifications to Condition of Approval 64(a) and 64(b) in the Resolution referenced in recommendation six:

Modification 1 - Revise Condition of Approval 64(a) in the Resolution referenced in recommendation six and Clause 2a in key terms for the sale in recommendation three:

42 months of rent subsidy for each qualifying tenant household (with a household income of up to 120% Area Median Income plus \$5,000, as set forth in the Tenant Relocation Assistance Ordinance) in the amount of the difference between a tenant's current monthly rent and the comparable market rent. (Note: This replaces the current Tenant Relocation Assistance Ordinance benefit of three months of rent.) In lieu of the 42 months of rent subsidy, each qualifying tenant household (with a household income of up to 120% Area Median Income plus \$5,000, as set forth in the Tenant Relocation Assistance Ordinance) who does not exercise the right of first refusal, as stated in (b) below, may elect to have the applicant provide them a relocation unit at a comparable rent. If the relocation unit is at a higher rent, a rent subsidy to cover the difference, up to the amount specified above, will be provided. The relocated unit will be provided for a period of 42 months. If the lease of the relocated unit is terminated prior to the expiration of the 42 month period, the qualifying tenant household shall be entitled to receive the rent subsidy specified above for any remaining months of the 42 month period.

Modification 2 - Revise Condition of Approval 64(b) in the Resolution referenced in recommendation six and Clause 2b in key terms for the sale in recommendation three:

Tenant has the first right of refusal to a newly constructed unit at an affordable price (up to 120% Area Median Income). If the Tenant household earns above 120% Area Median Income, the first right of refusal is required but the affordable price limit does not apply. If there are Very Low Income or Low Income units remaining after the first list of tenants who received a Notice of Intent dated on or after January 3, 2020 exercise their first refusal to purchase a unit, then current tenants who did not receive a Notice of Intent on or after 1/3/2020 will get a right of first refusal to purchase a unit.

Bill Maston, Principal Architect, and Max Ermolenko, Project Manager from William Maston Architect & Associates presented.

Assistant City Manager/Community Development Director Aarti Shrivastava, Planning Manager/Zoning Administrator Stephanie Williams and Public Works Director Dawn Cameron as well as the applicant, Kevin DeNardi, and the applicant's Landscape Architect, Erik Plato from ANLA Associates, were available for questions.

The Council directed questions to staff and the applicant.

The following members of the public spoke:

Azucena Castanon

Emily Ann Ramos, on behalf of Silicon Valley At Home, indicated support for the project.

Tim MacKenzie from Mountain View indicated support for the project.

Isaac Stone indicated support for the project.

Eddie Keating indicated support for the project.

Gael Sisich from Mountain View indicated support for the project.

Kevin Ma from Mountain View.

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

1. Find the proposed project to be exempt from review under the California Environmental Quality Act pursuant to CEQA Guidelines Section 15332 ("In-Fill Development Projects").
2. Adopt Resolution No. 18604 of the City Council of the City of Mountain View Ordering the Conditional Vacation of Gamel Way as a Public Street and Public Easements Thereon.
3. Approve the Key Terms for the Sale, modified as proposed, of 26,008 Square Feet of a Former City Street and Easements Upon the Vacation of Gamel Way to D/S Gamel Way LLC for \$4,800,000 plus enhanced tenant relocation benefits.
4. Authorize the City Manager or designee to negotiate and execute a Purchase and Sale Agreement and take all necessary actions related to the sale of the City-owned portion of Gamel Way upon the vacation of Gamel Way to D/S Gamel Way LLC.

5. Adopt Resolution No. 18605 of the City Council of the City of Mountain View Declaring the City-Owned Portion of Gamel Way to be Exempt Surplus Land Pursuant to Government Code Section 54221(f)(1)(E) Upon the Vacation of Gamel Way as a Public Street.
6. Adopt Resolution No. 18606 of the City Council of the City of Mountain View, modified as proposed, Conditionally Approving a Planned Unit Development and Development Review Permit for a Four-Story, 121-Unit Residential Condominium Project with a State Density Bonus and a Heritage Tree Removal Permit to Remove 12 Heritage Trees at 1919-1945 Gamel Way, 574 Escuela Avenue, and 1970 Latham Street.
7. Adopt Resolution No. 18607 of the City Council of the City of Mountain View Conditionally Approving a Vesting Tentative Map to Create 121 Condominiums and One Common Lot at 1919-1945 Gamel Way, 574 Escuela Avenue, and 1970 Latham Street.
8. Direct staff to negotiate with the applicant for a voluntary contribution for the City's tree planting fund.
9. Direct staff to determine whether additional assistance is needed to facilitate tenant transition and bring a funding appropriation back to the Council for consideration.

FRIENDLY AMENDMENT

Councilmember Matichak moved to amend the motion to increase native landscaping to 75% and to increase the number of oak trees to be planted from two to four.

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

FRIENDLY AMENDMENT

Councilmember Hicks moved to amend the motion to direct staff to work with the applicant to explore converting the plastic turf in courtyard to a natural planting surface.

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

The amended 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

8. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Hicks provided an update on Avenidas programming.

Councilmember Abe-Koga discussed a recent Metropolitan Transportation Commission meeting. She stated she attended the Cal Cities, formerly League of California Cities,

Annual Conference.

Councilmember Matchak stated she attended a County of Santa Clara Airport Land Use Commission meeting and a Bay Area Water Supply and Conservation Agency Board of Directors meeting.

Mayor Kamei stated she attended the Cal Cities Annual Conference.

9. CLOSED SESSION REPORT

City Attorney Chopra stated there was no Closed Session report.

10. ADJOURNMENT

At 10:34 p.m., Mayor Kamei adjourned the meeting.