



Lisa Matichak, Mayor
Margaret Abe-Koga, Vice Mayor
Christopher R. Clark, Councilmember
Alison Hicks, Councilmember
Ellen Kamei, Councilmember
John McAlister, Councilmember
Lucas Ramirez, Councilmember

Daniel H. Rich, City Manager
Krishan Chopra, City Attorney
Lisa Natusch, City Clerk

September 24, 2019

Plaza Conference Room and Council Chambers, 500 Castro St.,
Mountain View, CA 94041

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

5:00 P.M.-CLOSED SESSION (PLAZA CONFERENCE ROOM)

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

At 5:00 p.m., City Attorney Krishan Chopra announced the items for Closed Session.

Public Comment opened at 5:01 p.m.

The following member of the public spoke:
M. Le, regarding Item 2.2

Public Comment closed at 5:08 p.m.

2. CLOSED SESSION

Mayor Matichak called the meeting to order.

All Councilmembers were present. Councilmember McAlister arrived at 5:48 p.m.

2.1 Conference with Real Property Negotiator (California Government Code §54956.8)

-Property: City Lot 4 (no street address), APN 158-20-072; 701 W. Evelyn Avenue, APN 158-20-066; 727-747 W. Evelyn Avenue, APN 158-20-015-Agency Negotiator: Dennis Drennan, Real Property Program Administrator-Negotiating Party: Marwood Assets Management, LLC -Under Negotiation: Price and Terms of Payment for the Sale of Property Rights

2.2 Conference with Real Property Negotiator (California Government Code §54956.8)

-Property: Portion of Blossom Lane, APN 158-20-072; 740-746 Villa Street, APN 158-20-009-Agency Negotiator: Dennis Drennan, Real Property Program Administrator-Negotiating Party: Calvano Development-Under Negotiation: Price and Terms of Payment for an Exchange of Real Property

2.3 Public Employee Appointment (California Government Code §54957) - Title of Position: City Manager; and Conference with Labor Negotiators (California Government Code

§54957.6(a))-Agency Designated Representative: City of Mountain View Human Resources Manager Sue Rush; Unrepresented Employee: City Manager

The Closed Session concluded at 7:01 p.m.

6:30 P.M.-REGULAR SESSION (COUNCIL CHAMBERS)

1. CALL TO ORDER

Mayor Matichak called the meeting to order at 7:06 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Matichak led the Pledge of Allegiance.

3. ROLL CALL

Present: 7 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

4. CONSENT CALENDAR

MOTION - M/S - Clark/Ramirez - To approve the Consent Calendar.

The motion carried by the following vote:

Yes: 7 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

4.1 Approve Meeting Minutes

Approve Shoreline Regional Park Community Meeting Minutes of September 3, 2019.

4.2 Approval of Recommendations for the League of California Cities Annual Conference Resolutions for 2019

1. Adopt recommended positions regarding the League of California Cities Annual Conference Resolutions for 2019.

2. Authorize the City's voting delegate/alternate to cast votes at the League of California Cities Annual Conference to reflect the positions adopted by the City Council.

4.3 SB 2 Planning Grant Authorization-R3 Zoning Code Update

1. Adopt Resolution No. 18380 of the Mountain View City Council Authorizing the Application for, and Receipt of, SB 2 Planning Grant Program Funds, read in title only, further reading waived.

2. Authorize the City Manager or designee to execute an SB 2 funding agreement with the State of California.

4.4 Resolution Approving Salary Plan Documents from Fiscal Year 2014-15 through Fiscal Year 2019-20 to Comply with Public Employees' Retirement Law

Adopt Resolution No. 18381 Approving Salary Plan Documents from Fiscal Year 2014-15 through Fiscal Year 2019-20 to Comply with the Public Employees' Retirement Law Definition of "Compensable Earnings" as Defined by Government Code Section 20636 and the Definition of "Publicly Available Pay Schedules" Defined by California Code of Regulations Section 570.5(a)(8), read in title only, further reading waived.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Melisse Leib spoke regarding climate change and requested City Council endorse H.R. 763, the Energy Innovation and Carbon Dividend Act.

Joan MacDonald spoke regarding compassion and empathy.

6. PUBLIC HEARING-None.

By consensus, Council proceeded to consider Item 8.1, Resolution Appointing an Extra Help Retired Annuitant Under Government Code Sections 7522.56 and 21224 prior to Item 7, Unfinished Business.

7. UNFINISHED BUSINESS

Following action on item 8.1, City Manager Dan Rich provided introductory comments regarding Items 7.1 and 7.2.

7.1 Oversized Vehicle Parking Restrictions

Assistant to the City Manager Kimberly Thomas presented the staff report. Public Works Director Mike Fuller, City Manager Dan Rich and Assistant City Attorney Nicole Wright provided additional information.

Public Comment opened at 7:33 p.m.

The following members of the public spoke:

IdaRose Sylvester, Mountain View Coalition for Sustainable Planning

Dave Arnone

Mark Lentzner

Remy Goldsmith

Arnold Leon, and submitted written materials

Lenny Siegel, on behalf of five others present, and provided a PowerPoint presentation

Alice Rosenbach

Barton Lunsford

Adel

Rebecca Wright

Janet Lafleur

Rachel Gilbert

Jan Stevens
Job Lopez
Connor O'Brien
Michael Szeto
Diego Delgado
Ayindé Rudolph, Superintendent, Mountain View Whisman School District
Jonathan Luxton
Anne Fischer
Michael Kahan
Paul Weiss
Alex Nunez
Michael Trujillo, on behalf of the Law Foundation of Silicon Valley, ACLU of Northern California and disability rights advocates
Hala Alshahwany
Steven Peters
Leona Pearce
Joan Betts
Marilyn Winkleby
Joan MacDonald
Shari Emling
Meghan Fraley
Phil Mastrocola, Winter Faith Collaborative
Devon Johnson
Susan Barkan
Mike Fischetti
Malia Pires
Amanda Cole

Public Comment closed at 8:41 p.m.

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

1. Bicycle Lane Safety:

a. Introduce an Ordinance Amending Articles I and VIII of Chapter 19 of the Mountain View City Code Related to Oversized Vehicle Parking on Certain Streets Adjacent to Class II Bikeways, read in title only, further reading waived, and set second reading for October 22, 2019.

b. Direct staff to evaluate certain streets adjacent to Class II Bikeways and return before the end of the year with a resolution prohibiting parking of oversized vehicles on specified streets adjacent to Class II bikeways.

Vice Mayor Abe-Koga stated the motion includes the corrected definition of oversized

vehicles as provided by staff.

The motion carried by the following vote:

Yes: 7 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

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

2. Narrow Streets:

a. Introduce an Ordinance Amending Articles I and VIII of Chapter 19 of the Mountain View City Code Related to Oversized Vehicle Parking on Narrow Streets, read in title only, further reading waived, and set second reading for October 22, 2019 or another suggested date, with an effective date tied to the end of the shelter crisis.

b. Direct staff to evaluate narrow streets Citywide and return with a resolution, prior to the implementation of the ordinance, prohibiting parking of oversized vehicles on specified streets, or portions thereof, less than or equal to 40' wide, with streets with a center line exempt, and provide a list of those streets for Council consideration at that time.

c. Direct staff to return with an analysis of existing restricted parking on City streets greater than 40' wide.

3. Direct staff to add a work plan item to return with recommendations to address parking, generally, adjacent to and along the frontage of parks Citywide.

SUBSTITUTE MOTION - M/S - McAlister/Matichak - To:

2. Narrow Streets:

a. Introduce an Ordinance Amending Articles I and VIII of Chapter 19 of the Mountain View City Code Related to Oversized Vehicle Parking on Narrow Streets, read in title only, further reading waived, and set second reading for October 22, 2019, with an effective date of June 30, 2020.

b. Direct staff to evaluate narrow streets Citywide and return with a resolution, prior to the implementation of the ordinance, prohibiting parking of oversized vehicles on specified streets, or portions thereof, less than or equal to 40' wide.

c. Direct staff to return with an analysis of existing restricted parking on City streets greater than 40' wide.

3. Direct staff to add a work plan item to return with recommendations to address parking,

generally, adjacent to and along the frontage of parks Citywide.

The substitute motion carried by the following vote:

Yes: 4 - Councilmember Kamei, Councilmember McAlister, Vice Mayor Abe-Koga, Mayor Matichak

No: 3 - Councilmember Clark, Councilmember Hicks, Councilmember Ramirez

MOTION - M/S - Ramirez/Abe-Koga - To continue the meeting past 10:00 p.m.

By majority show of hands vote, Council proceeded with the remaining agenda items.

Council recessed at 9:59 p.m.

Council reconvened at 10:14 p.m. with all Councilmembers present.

7.2 Safe Parking Ordinance, Amendments to the Emergency Shelter Regulations, Other Related Minor Text Amendments, and Direction Associated with Safe Parking

Assistant to the City Manager Kimberly Thomas presented the staff report. Ky Le, Director, Office of Supportive Housing, County of Santa Clara, Planning Manager/Zoning Administrator Stephanie Williams, Tom Myers, Executive Director, Community Services Agency, City Attorney Krishan Chopra, Assistant City Attorney Nicole Wright and Community Development Director Aarti Shrivastava provided additional information.

Public Comment opened at 10:37 p.m.

The following members of the public spoke:

Tom Myers, Executive Director, Community Services Agency

Dave Arnone

Marcus Givens, Director, Dignity on Wheels, Project WeHOPE

Rich Tanner

Lenny Siegel, on behalf of more than five others present, and provided a PowerPoint presentation

Brian Leong, Pastor, Lord's Grace Christian Church

Ray Bramson, Destination: Home

Jonathan Luxton

Mark Mollineaux

Steve Peters

Ayindé Rudolph, Superintendent, Mountain View Whisman School District

Shari Emling

Phil Mastrocola, Winter Faith Collaborative

Ky Le, Director, Office of Supportive Housing, County of Santa Clara

Joan MacDonald

Alex Brown, Santiago Villa

Malia Pires

Alex Nunez

David Bengel
Unidentified woman

Public Comment closed at 11:50 p.m.

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

1. Introduce an Ordinance Amending Chapter 36, Articles XVII, IX, XVI, IV, V, VI, and VIII and Chapter 19, Article VIII, of the Mountain View City Code Related to Safe Parking and Emergency Shelters, read in title only, further reading waived, and set a second reading for October 22, 2019.
2. Adopt Resolution No. 18382 Amending the P-39 (North Bayshore) Precise Plan Related to Safe Parking, read in title only, further reading waived.
3. Approve direction for the Human Relations Commission to have a role in safe parking outreach and provide quarterly updates on their progress.
4. Authorize the use of \$100,000 for safe parking from the \$200,000 included in the Fiscal Year 2019-20 Adopted Budget originally authorized for Homeless Enforcement Initiatives.
5. Authorize the City Manager to execute an agreement with the County of Santa Clara for a total not to exceed \$285,000, which includes \$100,000 to increase the safe parking capacity; \$125,000, as previously approved, to continue a case worker for permanent supportive housing for chronically homeless; and \$60,000 for case management and outreach.

Following discussion, Councilmember McAlister amended the motion to change the hours of operation from 7:00 p.m. to 7:00 a.m. to 5:00 p.m. to 9:00 a.m.
Mayor Matichak accepted the amendment.

Assistant City Attorney Wright stated the change in hours to 5:00 p.m. to 9:00 a.m. will be reflected in the ordinance on page 3, Section 36.32.10 Standards, a. Hours of operation.

Councilmember Ramirez suggested amendments to increase the shelter bed maximum from 78 to 150 and to direct staff to work with the County to identify potential space for emergency shelters for domestic violence survivors and for families.

Following discussion, Councilmember Ramirez suggested directing staff to work with the school district to identify potential space for emergency shelters for domestic violence survivors and for families.

Councilmember McAlister and Mayor Matichak accepted the amendment to increase the shelter bed maximum from 78 to 150.

Assistant City Attorney Wright stated the change in the shelter bed maximum from 78 to 150 will be reflected in the ordinance on page 7, Section 36.28.70 f. Maximum number of persons/bed.

City Manager Rich summarized that the motion includes the staff recommendation with the addition of quarterly updates from the Human Relations Commission, changing the hours of operation to 5:00 p.m. to 9:00 a.m., increasing the shelter bed maximum to up to 150, and directing staff to have conversations with the school district regarding the possibility of using gyms as emergency shelters.

The motion carried by the following vote:

Yes: 7 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

8. NEW BUSINESS

8.1 Resolution Appointing an Extra Help Retired Annuitant Under Government Code Sections 7522.56 and 21224

This item was considered following Oral Communications.

Senior Human Resources Analyst Lindsey Bishop presented the staff report.

Public Comment opened at 7:16 p.m.

No speakers.

Public Comment closed at 7:16 p.m.

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

Adopt Resolution No. 18383 for Exception to the 180 Day Wait Period, Government Code Sections 7522.56 and 21224, read in title only, further reading waived.

The motion carried by the following vote:

Yes: 7 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

Following action on Item 8.1, Council proceeded with Item 7, Unfinished Business, and the regular order of the agenda.

8.2 Adjust Compensation for City Clerk and City Manager

Vice Mayor Abe-Koga provided a brief report and stated the the Brown Act requires the City Council to orally report a summary of Council action on the salaries, salary schedules, or

fringe benefits of Council Appointees during the open meeting in which the final action is to be taken. Vice Mayor Abe-Koga reported a 3.0 percent cost-of-living increase for FY 2019-20 is being recommended for the City Clerk and City Manager. For the City Clerk, a 4.0 percent merit increase, a 3.0 percent equity adjustment to bring compensation for the position in line with the market, and a one-time contribution of 21 hours of leave time for FY 2019-20 is also recommended. The one-time contribution of 21 hours of leave time must be used by Pay Period 2 of 2020 or any balance will be cashed out with Pay Period 2 payroll. The compensation adjustments will be retroactive to June 30, 2019 which is the effective date for compensation adjustments for the other unrepresented employees.

Public Comment opened at 12:35 a.m.

No speakers.

Public Comment closed at 12:35 a.m.

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

Adopt Resolution No. 18384 Approving Compensation Increases for the City Clerk and City Manager for Performance During Fiscal Year 2018-19, and Adopting a Revised Salary Plan Listed as Exhibit A to Reflect these Compensation Changes, read in title only, further reading waived.

The motion carried by the following vote:

Yes: 7 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

9. COUNCIL, STAFF/COMMITTEE REPORTS

MOTION TO RECONSIDER - M/S - Clark/McAlister - To reconsider September 10, 2019 Council Meeting Item 7.2, 1255 Pear Avenue-Amend Gateway Capacity Condition, with the action deferred to the date the minutes come to Council for approval, October 1, 2019.

Public Comment opened at 12:40 a.m.

The following member of the public spoke:

Alex Brown

Public Comment closed at 12:40 a.m.

The motion to reconsider carried by the following vote:

Yes: 7 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

Mayor Matichak reported her attendance at a meeting of the Bay Area Water Supply &

Conservation Agency Board.

Mayor Matichak inquired about potential endorsement of H.R. 763, mentioned by a speaker during the Oral Communications portion of the agenda.

City Manager Dan Rich provided comments.

By consensus, Council directed staff to review H.R. 763 and bring back an item to Council for discussion should it not meet the standard scope of authority to take a position.

Councilmember Hicks reported her attendance at a meeting of the Grand Boulevard Initiative Task Force.

Councilmember McAlister inquired about the timing for bringing the parking in-lieu fee to Council for consideration.

City Manager Dan Rich provided comments.

By majority show of hands, Council directed staff to bring the parking in-lieu fee to Council for consideration prior to the budget process.

Councilmember McAlister reported his attendance at meetings of the Valley Transportation Authority Board and the Valley Transportation Authority State Route (SR) 85 Corridor Policy Advisory Board.

10. CLOSED SESSION REPORT

City Attorney Krishan Chopra reported there is no Closed Session report.

11. ADJOURNMENT

At 12:50 a.m., Mayor Matichak adjourned the meeting to the next Council Meeting on Tuesday, October 1, 2019, at 6:30 p.m. in the Council Chambers, 500 Castro Street.