



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
Silvia Vonderlinden, Interim City Clerk

December 14, 2021

Video Conference with No Physical Meeting Location

REGULAR CITY COUNCIL MEETING

This meeting was conducted in accordance with City of Mountain View City Council Resolution No. 18618 in accordance with Assembly Bill 361. 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 5:01 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 5:04 p.m., Mayor Kamei recessed the meeting to Closed Session with all Councilmembers present.

2. CLOSED SESSION

2.1 Public Employee Appointment (California Government Code 54957); Title of Position: City Attorney

At 6:35 p.m., Closed Session concluded.

6:30 P.M.-REGULAR SESSION

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

At 6:45 p.m., Mayor Kamei called the meeting to order.

Mayor Kamei led the Pledge of Allegiance.

2. ROLL CALL

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

3. PRESENTATIONS

There were no public speakers.

3.1 Proclamation in Recognition of City Attorney Krishan Chopra on His Retirement

Mayor Kamei presented the proclamation to City Attorney Chopra.

3.2 COVID-19 Update by City Manager Kimbra McCarthy

City Manager McCarthy presented the update.

4. CONSENT CALENDAR

Councilmember Hicks discussed Items 4.14 and 4.10.

Councilmember Matichak pulled Item 4.7 for individual consideration.

Councilmember Abe-Koga discussed Items 4.10 and 4.8.

Councilmember Showalter discussed Item 4.9.

Councilmember Lieber discussed Items 4.14 and 4.9. She indicated an Abstain vote on Item 4.6.

The following members of the public spoke:

Michael Abramson discussed Item 4.8.

Bruce England, on behalf of the Mountain View Coalition for Sustainable Planning and Green Spaces Mountain View, discussed Item 4.6.

Eileen McLaughlin, on behalf of the Citizens Committee to Complete the Refuge, discussed Item 4.9.

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

The motion carried, except for Items 4.6 and 4.7, by the following roll call vote:

4.1 Approve Minutes

Approve the City Council meeting minutes of November 8, 2021 and November 9, 2021.

4.2 Food Service Ware Ordinance (Second Reading)

Adopt Ordinance No. 10.21 of the City of Mountain View Repealing and Replacing Article V of Chapter 16 of the Mountain View City Code Related to Food Service Ware. (First reading: 7-0)

4.3 Mandatory Organic Waste Disposal Reduction Ordinance (Second Reading)

Adopt Ordinance No. 11.21 of the City of Mountain View Adding Article VI to Chapter 16 of the Mountain View City Code to Mandate Organic Waste Disposal Reduction. (First reading: 7-0)

4.4 Minor Affordable Housing Code Amendments (Second Reading)

Adopt Ordinance No. 12.21 of the City of Mountain View Amending Article XIV of Chapter 36 (Zoning) of the City Code Related to the Application of Affordable Housing Program Standards and Exemptions and Finding that the Amendments Are Exempt from Review Under the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15061(b)(3). (First reading: 7-0)

4.5 AB 361 Resolution to Continue Remote Public Meetings During State of Emergency

Adopt Resolution No. 18629 of the City Council of the City of Mountain View Directing All Legislative Bodies of the City of Mountain View Subject to the Brown Act to Continue to Meet Remotely in Accordance with AB 361 and Making Findings Pursuant to AB 361.

4.6 Extension of the Castro Street Closure, Extension of the Fee Waiver and Suspension of the Renewal Requirements for Sidewalk Café Licenses, and Amendment of Professional Services Agreement, Project 20-58

1. Adopt Resolution No. 18630 of the City Council of the City of Mountain View Amending Resolution No. 18470, as Amended By Resolution Nos. 18489, 18496, 18547, and 18576, Temporarily Suspending and Designating Parking Restrictions and Prohibitions Pursuant to Mountain View City Code Chapter 19 and Temporarily Closing the 100, 200, 300, and 400 Blocks of Castro Street Pursuant to California Vehicle Code Section 21101 to Facilitate Outdoor Dining and Outdoor Business Operations.

2. Adopt Resolution No. 18631 of the City Council of the City of Mountain View Amending Resolution No. 18546, as Amended by Resolution No. 18577, Temporarily Suspending Certain Requirements for Sidewalk Café License Renewals Pursuant to Mountain View City Code Section 36.42 and Waiving Sidewalk Café License Renewal Fee Payments, May 1, 2020 through April 30, 2023, to Facilitate a Consistent Outdoor Dining Program in the Downtown Area.

3. Transfer and appropriate \$363,000 from the Construction/Conveyance Tax Fund to Castro Pedestrian Mall Feasibility Study, Project 20-58, increasing the project budget from \$265,000 to \$628,000. (Five votes required)

4. Authorize the City Manager or designee to amend the professional services agreement with Gehl Studio, Inc., for Castro Pedestrian Mall Feasibility Study, Project 20-58,

increasing compensation by \$298,000 for a not-to-exceed amount of \$523,000.

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

Abstain: 1 - Councilmember Lieber

4.7 Potential Transient Occupancy Tax Revenue Ballot Measure for 2022 Election

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

The Council directed questions to staff.

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

Authorize the City Manager or designee to execute contracts with consultants to study and prepare for the possible placement of a Transient Occupancy Tax revenue ballot measure for the November 8, 2022 election.

The motion carried by the following roll call vote:

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

No: 1 - Councilmember Matichak

4.8 Mountain View Community Shuttle - Various Actions

1. Increase appropriations of \$447,101 in the General Fund Transportation Reserve for Mountain View Community Shuttle operations. (Five votes required)

2. Authorize the City Manager or designee to execute an amendment to the agreement with the Mountain View Transportation Management Association increasing compensation by \$447,101 for a not-to-exceed amount of \$3,091,101 for Fiscal Year 2021-22, extending the term to June 30, 2024, and committing the City to assume responsibility for new leased vehicles should the agreement be terminated before 2024 or not be extended beyond 2024.

3. Approve a midyear Capital Improvement Program project, Mountain View Community Shuttle Charging and Storage, and transfer and appropriate \$425,000 from the General Fund Transportation Reserve to the new project. (Five votes required)

4.9 South Bay Salt Pond Restoration, Project 18-53-Agreements with U.S. Fish and Wildlife Service

Authorize the City Manager or designee to execute a Memorandum of Agreement and a Habitat Easement Deed and Habitat Maintenance Agreement with the U.S. Fish and Wildlife

Service to design, construct, and maintain the portions of the project components on City property for the South Bay Salt Pond Restoration Project Phase II Alviso Pond complex at Pond A2W.

4.10 MTC Mobility Hub Pilot Grant Program-Mountain View Transit Center Mobility Hub

Adopt Resolution No. 18632 of Local Support of the City Council of the City of Mountain View Authorizing the Filing of an Application for Funding Assigned to the Metropolitan Transportation Commission and Committing Any Necessary Matching Funds and Stating Assurance to Complete the Project.

4.11 Installation of Solar Panels at Three City Facilities, Project 16-42-Accept Construction and Approve Professional Services Agreement

1. Accept Installation of Solar Panels at Three City Facilities, Project 16-42, and authorize the final contract payment.

2. Authorize the City Manager or designee to execute a professional services agreement with Optony Inc. for professional and technical services for solar system installation and performance monitoring in a not-to-exceed amount of \$100,000, for a total compensation amount of \$146,252.

4.12 Authority to Participate in National Opioids Settlements

Authorize the City of Mountain View to participate in the National Opioids Settlements and authorize the City Manager or designee to execute related settlement participation forms and agreements, including future agreement(s) with the State or County for use of settlement proceeds without further Council action.

4.13 Revised Salary Plan for Regular and Hourly Employees for Fiscal Year 2021-22

Adopt Resolution No. 18633 of the City Council of the City of Mountain View Adopting Revised Salary Plans for Regular and Hourly Employees for Fiscal Year 2021-22.

4.14 Amend Council Policies A-13, City Council Meetings, and K-2, Council Advisory Bodies

Adopt Resolution No. 18634 of the City Council of the City of Mountain View Amending Council Policy A-13, City Council Meetings, and Council Policy K-2, Council Advisory Bodies.

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

Authorize additional expenditures by the Community Development Department in an amount not to exceed \$125,000, for a total not-to-exceed amount of \$426,100, 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, including services for Google Master Plan projects.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Devon Conley discussed a health clinic in the north Santa Clara County, and, on behalf of the Digital Equity Coalition, she discussed a municipal internet service provider.

Steven Goldstein discussed continued eviction protections.

Steven Nelson discussed the vote taken for Item 4.7.

6. STUDY SESSION**6.1 Google North Bayshore Master Plan**

The purpose of this Study Session was to receive Council input on the proposed Google North Bayshore Master Plan.

Associate Planner Krisha Penollar presented the memo. Michael Tymoff, Google District Development Director, Real Estate at Google and Jeff Hosea, Google Urban Planning Lead, presented. Assistant City Manager/Community Development Director Aarti Shrivastava, Public Works Director Dawn Cameron and Andrew Chappell, Lendlease Head of Development for Mountain View and Sunnyvale, were available for questions.

The following members of the public spoke:

Giulianna Pendleton, on behalf of the Santa Clara Valley Audubon Society.

Salim Damerджи from Mountain View indicated support for the Master Plan.

David Meyer, on behalf of Silicon Valley At Home, indicated support for the Master Plan.

Vince Rocha, on behalf of Silicon Valley Leadership Group, indicated support for the Master Plan.

Cliff Chambers, on behalf of the Mountain View Coalition for Sustainable Planning, indicated support for the Master Plan.

Eileen McLaughlin, on behalf of Citizens Committee to Complete the Refuge.

Albert Jeans from Mountain View.

Daniel Hulse indicated support for the Master Plan.

Ayinde Rudolph

Laura Blakely, on behalf of the Mountain View Whisman School Board of Trustees.

Kalisha Webster, on behalf of Housing Choices, indicated support for the Master Plan.

Steve Nelson indicated support for the Master Plan.

Erica Valentine, on behalf of the United Association of Journeymen and Apprentices Local Union 393 and the MEP Coalition.

Laura Berman, on behalf of the Mountain View Whisman School Board of Trustees.

Kevin Ma from Mountain View.

Raiza Singh from Mountain View indicated support for the Master Plan.

Gita Dev, on behalf of the Sierra Club Loma Prieta Chapter, indicated support for the Master Plan.

Bee Hanson from Mountain View, on behalf of the Santiago Villa Neighborhood Association, indicated support for the Master Plan.

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Alex Brown from Mountain View indicated agreement with Bee Hanson, Giulianna Pendleton, Albert Jeans and Daniel Hulse.

Sandy Sommer from Mountain View.

The Council directed questions to City staff and Jeff Hosea, Michael Tymoff and Andrew Chappell.

The Council indicated support for the staff recommendations regarding overall land use, district parking and phasing as well as the tree removal and replacement framework. The Council provided the following additional direction for staff: 1) prioritize delivery of affordable housing in the phasing plan; 2) prioritize delivery of the Eco Gem in the phasing plan; 3) incorporate updated lighting standards in the Master Plan; 4) strategize on providing a school site (3-acres for school and 1-acre of joint use open space) at Shorebird Yards; 5) include a tree canopy monitoring plan and updates to the tree palette as necessary to ensure that they are suitable for the area and climate; 6) explore moving the locations of the green loop within the privately owned publicly accessible open space areas to ensure usability of the open space; and 7) explore opportunity for public access to Lot C district parking garage (in the daytime in addition to non-business hours).

The Council indicated support for the staff recommendation regarding the streamlining process and Development Agreement terms and benefits. The Council provided the following additional direction for staff: 1) explore options to incorporate updates to project requirements in the Master Plan through the timeline of the Development Agreement, to be consistent with requirements in the Precise Plan as they are updated over time (such as lighting standards, plant palette, sustainability and Transportation Demand Management; 2) explore fixed timelines for the life of the Planned Community Permit entitlements following the Master Plan approval; 3) include a clear amendment process in the Development Agreement to allow both the parties to initiate amendments; 4) provide additional assessment and comparison of the project public benefits to those offered by similar projects in other cities to ensure that the public benefits provided are comparable; and 5) build in a reporting requirement to provide periodic status updates on the implementation of the Master Plan and Development Agreement.

MOTION - M/S - Ramirez/Kamei - At 11:31 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, Vice Mayor Hicks, Councilmember Lieber, Councilmember Showalter, Mayor Ramirez, Councilmember Kamei

No: 1 - Councilmember Matichak

At 11:32 p.m., Mayor Kamei recessed the meeting. The meeting reconvened at 11:37 p.m. with all Councilmembers present.

7. PUBLIC HEARING

7.1 Commercial Development at 747 West Dana Street

There were no Councilmember disclosures.

Associate Planner Krisha Penollar presented the item. Ken Rodrigues, applicant from KRP Architects presented.

The Council directed questions to Ken Rodrigues and City staff.

The following member of the public spoke:

Robert Cox, on behalf of Livable Mountain View.

The Council directed questions to Ken Rodrigues.

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

Adopt Resolution No. 18635 of the City Council of the City of Mountain View Conditionally Approving a Planned Community Permit and Development Review Permit to Construct a New Three-Story Building with 7,000 Square Feet of Office Above 1,600 Square Feet of Ground-Floor Retail Space and Finding the Project to be Categorically Exempt Pursuant to Section 15332 (“In-Fill Development Projects”) of the California Environmental Quality Act at 747 West Dana Street.

The motion carried by the following roll call vote:

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

8. NEW BUSINESS

8.1 Resolution Appointing a Retired Annuitant as Interim City Attorney Under Government Code Section 21221(h)

Human Resources Director Sue Rush presented the item.

The following member of the public spoke:

Alex Brown

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

Adopt Resolution No. 18636 of the City Council of the City of Mountain View Appointing Jannie Quinn as an Interim City Attorney under Government Code Section 21221(h).

The motion carried by the following roll call vote:

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

9. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Showalter discussed a Bay Trail-Group Ride that took place on December 11.

Councilmember Matichak discussed refinancing a series of callable Shoreline bonds.

By consensus, the Council directed staff to bring back an item with a proposed timeline for refinancing callable Shoreline bonds and to consider adding the project to the Strategic Roadmap Action Plan in February 2022.

Mayor Kamei stated she attended a Community Health Awareness Council meeting and a Santa Clara Valley Transportation Authority Policy Advisory Committee meeting.

10. CLOSED SESSION REPORT

City Attorney Chopra stated there was no Closed Session report.

11. ADJOURNMENT

At 12:15 a.m. on Wednesday, December 15, Mayor Kamei adjourned the meeting.

Approved on January 25, 2022.

Lucas Ramirez, Mayor

Heather Glaser, City Clerk