



Lucas Ramirez, Mayor/President
Alison Hicks, Vice Mayor/Vice President
Margaret Abe-Koga, Councilmember/Boardmember
Ellen Kamei, Councilmember/Boardmember
Sally Lieber, Councilmember/Boardmember
Lisa Matichak, Councilmember/Boardmember
Pat Showalter, Councilmember/Boardmember

Kimbra McCarthy, City Manager/Community Manager
Jennifer Logue, City Attorney/Counsel
Heather Glaser, City Clerk/Secretary

December 06, 2022

Video Conference with No Physical Meeting Location

JOINT SPECIAL MEETING OF CITY COUNCIL AND SHORELINE REGIONAL PARK COMMUNITY

During this declared state of emergency, the meeting was conducted in accordance with California Government Code §54953(e) as authorized by resolution of the City Council. All members of the City Council/Shoreline Regional Park Community participated in the meeting by video conference, with no physical meeting location.

5:00 P.M.-CLOSED SESSION

At 5:00 p.m., Mayor/President Ramirez called the meeting to order.

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

City Attorney/Counsel Logue announced the items listed for Closed Session.

There were no public speakers.

At 5:03 p.m., Mayor/President Ramirez recessed the meeting to Closed Session with all Councilmembers/Boardmembers present.

2. CLOSED SESSIONS

2.1 Acting in its capacity as Board of Directors of the Shoreline Regional Park Community; Conference with Real Property Negotiators (Government Code §54956.8); Property: Portion of 1345 Shorebird Way; Agency Negotiators: Angela LaMonica, Real Property Program Administrator and Dawn Cameron, Public Works Director; Negotiating Party: Google, LLC; Under Negotiation: Price and Terms of Purchase

2.2 Conference with Legal Counsel - Existing Litigation (Government Code §54956.9(d)(1)); Name of case: Celerina Navarro, Janet Stevens, Armando Covarrubias, Evelyn Estrada, Gabriel Rangel Jaime, Alma Aldaco, and all others similarly situated v. City of Mountain View, United States District Court, Northern District of California, San Jose Division, Case No. 5:21-CV-05381-NC

At 5:55 p.m., Closed Session concluded.

6:30 P.M.-SPECIAL SESSION

1. CALL TO ORDER

At 6:30 p.m., Mayor Ramirez called the meeting to order.

2. PLEDGE OF ALLEGIANCE

Mayor Ramirez led the Pledge of Allegiance.

3. ROLL CALL

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

4. CONSENT CALENDAR

Councilmember Showalter discussed Items 4.1, 4.3, and 4.9.

The following member of the public spoke:

Bruce England from Mountain View discussed Item 4.7.

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

The motion carried by the following roll call vote:

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

4.1 Modifications to City Council Policy A-13, City Council Meetings, and the City Council Code of Conduct

1. Adopt Resolution No. 18739 of the City Council of the City of Mountain View Amending City Council Policy A-13, City Council Meetings, to Modify Provisions Governing Attendance, Parliamentary Procedure, Decorum, and Written Communications.

2. Adopt Resolution No. 18740 of the City Council of the City of Mountain View Amending the City Council Code of Conduct to Modify Provisions Governing Rules of Procedure and Decorum.

4.2 Adopt a Resolution Modifying Council Policy D-13, Mountain View Employee Homebuyer and Relocation Assistance Program

Adopt Resolution No. 18741 of the City Council of the City of Mountain View Modifying City Council- Policy D-13, Mountain View Employee Homebuyer and Relocation Assistance Program.

4.3 Application for State's ProHousing Designation Program

Adopt Resolution No. 18742 of the City Council of the City of Mountain View Authorizing Application to and Participation in the Prohousing Designation Program.

4.4 2023 City Council Meeting Schedule

Approve the 2023 City Council meeting schedule.

4.5 MV Community Shuttle EV Charging Units, Project 22-44-Various Actions

1. Authorize the City Manager or designee to execute a professional services agreement with Commonwealth Associates, Inc., of Jackson, Michigan, to provide design services for MV Community Shuttle EV Charging Units, Project 22-44, in a not-to-exceed amount of \$143,000.
2. Accept \$209,798 in Transportation Fund for Clean Air grant funds and appropriate the grant funds to MV Community Shuttle EV Charging Units, Project 22-44. (Five votes required)
3. Authorize the City Manager or designee to execute all documents and agreements and take all necessary actions related to the Transportation Fund for Clean Air grant.

4.6 Mountain View Child-Care Center Operator Agreement Modifications

1. Authorize the City Manager or designee to execute an amendment to the Mountain View Child-Care Center Operating Agreement with Ability Path to waive the Consumer Price Index increases in operator payments in the aggregate amount of \$41,507 for Fiscal Years 2020-21, 2021-22, and 2022-23 to provide the operator with flex time days for seven days at the Center with early closure/half-days and to include the addition of Juneteenth as a holiday when the Center will be closed.
2. Authorize the City Manager or designee to execute future minor amendments to the Operating Agreement as appropriate that do not affect the financial terms, including compensation.

4.7 2310 Rock Street-Accept Public Improvements

Accept the public improvements for the development at 2310 Rock Street for maintenance throughout their useful life.

4.8 Annual Water Main/Service Line Replacement, Project 17-21, and Interceptor Force Trunk Main Rehabilitation, Project 20-42-Accept Construction

1. Accept Annual Water Main/Service Line Replacement, Project 17-21, and authorize the final contract payment.
2. Accept Interceptor Force Trunk Main Rehabilitation, Project 20-42, and authorize the final contract payment.

4.9 Fiscal Year 2021-22 Annual Compliance Report for Development Impact Fees and Capacity Charges; and Informational Reporting of Park Land Dedication Fee

1. Review the Fiscal Year 2021-22 Annual Compliance Report for the Citywide Transportation Impact, Housing Impact, Rental Housing Impact, North Bayshore Development Impact, Water Development Impact, Sewer Development Impact, Water Capacity Charges, and Sewer Capacity Charges Funds.
2. Review the Fiscal Year 2021-22 informational reporting for the Park Land Dedication Fund.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

The following members of the public spoke:

Steven Goldstein discussed the Community Services Agency rental assistance program.
Alex Gotsis from Mountain View discussed recreational vehicle parking on Ortega Avenue.
Natalia Kliushkina from Mountain View discussed graffiti in the City.
Peggy Murphy from Mountain View discussed recreational vehicle parking on Ortega Avenue.
Meghan Fraley from Mountain View discussed recreational vehicle parking on Ortega Avenue.
Tim MacKenzie discussed recreational vehicle parking in the City.
Marguerite from Mountain View discussed recreational vehicle parking on Ortega Avenue.
Bruce England discussed recreational vehicle parking in the City.
Dennis from Mountain View discussed recreational vehicle parking on Ortega Avenue.
Alex Brown from Mountain View discussed recreational vehicle parking in the City.

6. NEW BUSINESS

6.1 Valley Transportation Authority Board of Directors-Mountain View Nominee for Alternate

There were no public speakers.

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

Nominate Councilmember Kamei to stand for election as the Santa Clara Valley Transportation Authority Board Member Alternate from the Group 2 Cities for the two-year term beginning January 1, 2023.

The motion carried by the following roll call vote:

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

7. PUBLIC HEARINGS

7.1 ~~Downtown Precise Plan Temporary Office Limit and Phase 2 Prioritization~~

THIS ITEM WILL NOT BE HEARD ON DECEMBER 6, 2022. THIS ITEM WILL BE RE-NOTICED FOR DISCUSSION ON A FUTURE DATE.

7.2 1265 Montecito Avenue Affordable Housing Development and Funding Appropriation

Mayor Ramirez disclosed he met with the applicant. Councilmember Matichak disclosed she met with the applicant and visited the site on her own. Councilmember Kamei disclosed she met with the applicant and visited the site. Councilmember Abe-Koga disclosed she met with the applicant and visited the site. Vice Mayor Hicks disclosed she met with the applicant and visited the site. Councilmember Showalter disclosed she met with the applicant and visited the site.

Senior Planner Edgar Maravilla and Senior Housing Officer Deanna Talavera presented the item.

Kathy Robinson, Director of Development, Charities Housing (applicant) and Kevin Bussett, Architect, Studio E

Architects made a presentation.

Assistant City Manager/Community Development Director Aarti Shrivastava and Public Works Director Dawn Cameron were available for questions.

The Council directed questions to City staff and Kathy Robinson.

The following members of the public spoke:

Ali Sapirman, on behalf of the Housing Action Coalition, indicated support for the item.

James Kuszmaul, on behalf of himself and Mountain View Yes In My Back Yard, indicated support for the item.

David Watson from Mountain View indicated agreement with James Kuszmaul.

Bruce England, on behalf of Mountain View Coalition for Sustainable Planning, indicated support for the item.

Jordan Grimes, on behalf of Greenbelt Alliance, indicated support for the item.

Ingrid Granados, on behalf of Destination: Home, indicated support for the item.

Silja Paymer indicated support for the item.

Jessica Martin, on behalf of Silicon Valley at Home, indicated support for the item.

Alex Brown indicated agreement with previous speakers.

Hala Alshahwany from Mountain View indicated support for the item.

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

1. Adopt Resolution No. 18743 of the City Council of the City of Mountain View Adopting the Initial Study/Negative Declaration for the 1265 Montecito Avenue Residential Project Pursuant to the California Environmental Quality Act.
2. Adopt Resolution No. 18744 of the City Council of the City of Mountain View Approving a General Plan Map Amendment from Neighborhood Commercial to High-Density Residential for the Property Located at 1265 Montecito Avenue.
3. Introduce an Ordinance of the City of Mountain View Approving a Zoning Map Amendment from the CN (Neighborhood Commercial) Zoning District to the R4 (High-Density Residential) Zoning District for the Property Located at 1265 Montecito Avenue.
4. Adopt Resolution No. 18745 of the City Council of the City of Mountain View Approving a Development Review Permit to Construct a Five-Story Affordable Housing Development with 84 Affordable Rental Units and One Manager's Unit with At-Grade Parking and a State Density Bonus with a Development Concession and a Heritage Tree Removal Permit to Remove Six Heritage Trees at 1265 Montecito Avenue.
5. Appropriate \$14.7 million in Housing Impact funds for Charities Housing/Montecito Charities LLC's 85-unit affordable housing development located at 1265 Montecito Avenue. (Five votes required)
6. Authorize the City Manager or designee to negotiate the loan and agreement terms and execute a funding

commitment letter, loan agreement, and related loan documents.

The motion carried by the following roll call vote:

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

7.3 Downtown Precise Plan Update (Phase 1)

Senior Planner Edgar Maravilla and Advanced Planning Manager Eric Anderson presented the item.

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:

Bruce England from Mountain View, on behalf of Mountain View Coalition for Sustainable Planning and GreenSpacesMV.

James Kuszmaul

Peter Katz, on behalf of the Mountain View Chamber of Commerce.

Carlos Valdez, on behalf of Carpenters Local 405.

Robert Cox, on behalf of Livable Mountain View.

Hala Alshahwany from Mountain View indicated support for the item.

Alex Brown

MOTION - M/S - Lieber/Kamei - To:

1. Adopt the Addendum to the 1999 and 2004 Downtown Precise Plan Initial Study/Negative Declarations and the Mountain View 2030 General Plan and Greenhouse Gas Reduction Program Final Environmental Impact Report, in compliance with the California Environmental Quality Act Guidelines Sections 15162 and 15164 (Attachment 1 to the Council report).
2. Adopt Resolution No. 18746 of the City Council of the City of Mountain View Amending the Downtown P(19) Precise Plan to Update Design Standards and Guidelines in Areas A, G, and H and Disallow Administrative Office Use in Ground Floors of Castro Street and Side Streets of Area H.
3. Direct staff to follow up on items to be addressed by the Castro Pedestrian Mall (related to public realm), Economic Vitality Strategy and Downtown Precise Plan Phase 2 (DTPP Phase 2) as applicable:
 - a. Review wider sidewalks and internal pathways particularly where taller buildings are allowed in the DTPP Phase 2.
 - b. Evaluate best practice tools in the Economic Vitality Strategy to deal with blight related to vacant

properties, ranging from incentives such as grants for façade improvements to stricter measures such as code enforcement and vacancy tax.

c. Follow up for ground floor windows: whether mirrored/non-transparent glass was allowed on an existing approved project and follow up with code enforcement if applicable; review whether art displays can be required on ground floor of vacant property; follow up with code enforcement related to windows that are dirty and boarded up; and review whether any additional standards can be added to the Downtown Precise Plan Phase 2 to help with the issue of vacant windows and mirrored windows in existing buildings.

d. Address lighting for security in public areas (Public Works to follow up with Lighting Study findings and related CIP program recommendations), and review new security lighting and Dark Sky requirements in DTPP Phase 2.

e. Follow up on an eminent domain option for blighted site(s) in the downtown.

f. Review limits on the width of ground floor lobbies along Castro Street frontage with the intent to ensure an active streetscape (DTPP Phase 2).

g. Evaluate disallowing non-public food uses on the ground floor frontage along Castro Street and key streets (DTPP Phase 2).

h. Evaluate requirements for building entrances and ground floor uses along the street to be at or generally near grade level (DTPP Phase 2).

The motion carried by the following roll call vote:

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

8. COUNCIL, STAFF/COMMITTEE REPORTS

Mayor Ramirez stated he attended the National League of Cities City Summit. He thanked the staff involved in putting on the Community Tree Lighting Celebration.

Councilmember Matichak thanked staff involved in putting on the Community Tree Lighting Celebration. She stated she attended the National League of Cities City Summit, a Silicon Valley Regional Interoperability Authority meeting, a Santa Clara County Airport Land Use Commission meeting, an Interim Castro Street Pedestrian Mall Ad Hoc Committee meeting and a Council Finance Committee/Investment Review Committee meeting.

MOTION - M/S - Ramirez/Abe-Koga - At 10:37 p.m. to continue the meeting beyond 10:00 p.m.

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

Councilmember Abe-Koga stated she attended the National League of Cities City Summit and a meeting of the

Santa Clara Valley Transportation Authority Ad Hoc Committee on Grade Separations. She thanked staff involved in putting on the Community Tree Lighting Celebration. She stated she attended the Mountain View Police Department and Mountain View Public Safety Foundation 21st Annual Cops + Gobblers event.

Councilmember Showalter stated she attended the National League of Cities City Summit, a San Francisco Bay Conservation and Development Commission meeting and a Council Neighborhoods Committee meeting.

Councilmember Kamei stated she attended the National League of Cities City Summit, a Council Appointments Review Committee meeting and a Community Health Awareness Council Finance Committee meeting.

Councilmember Lieber requested the Council support for the Pregnant Workers Fairness Act (H.R.1065).

In response to Councilmember Lieber, City Manager McCarthy stated staff would check with Renne Public Policy Group, the City's legislative advocacy firm, for input on whether Pregnant Workers Fairness Act (H.R.1065) was consistent with the City's platform.

9. CLOSED SESSION REPORT

City Attorney Logue reported the Council took final action on Item 2.2 on the Closed Session agenda, which was a conference with legal counsel regarding the existing class action lawsuit filed by Plaintiffs Celerina Navarro, Janet Stevens, Armando Covarrubias, Evelyn Estrada, Gabriel Rangel Jaime, Alma Aldaco, and all others similarly situated against the City of Mountain View. She stated the Council voted to approve settlement of the claim for costs and attorney's fees submitted by legal counsel for plaintiffs in the amount of \$750,000. She stated the vote passed with six ayes and one no vote by Councilmember Showalter. She stated the settlement of the claim for costs and attorney's fees in the amount of \$750,000 would require final approval by the United States District Court.

10. ADJOURNMENT

At 10:55 p.m., Mayor Ramirez adjourned the meeting.

Approved on February 14, 2023.

Alison Hicks, Mayor/President

Heather Glaser, City Clerk/Secretary