



Margaret Abe-Koga, Councilmember
Christopher R. Clark, Councilmember
John McAlister, Councilmember

Lisa Matichak, Councilmember
Patricia Showalter, Councilmember
Leonard Siegel, Vice Mayor

Daniel H. Rich, City Manager
Lorrie Brewer, City Clerk

Ken S. Rosenberg, Mayor

Jannie L. Quinn, City Attorney

March 21, 2017

Council Chambers & Plaza - 500 Castro St.

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

5:00 P.M.-STUDY SESSION (HELD IN THE COUNCIL CHAMBERS)

1. CALL TO ORDER

Mayor Rosenberg called the meeting to order at 5:02 p.m.

2. ROLL CALL

Present: 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember Matichak, Councilmember McAlister, Councilmember Showalter, Vice Mayor Siegel, and Mayor Rosenberg

3. STUDY SESSION, PART I

3.1 240-Unit Residential Development at 1696-1758 Villa Street.

Senior Planner Anderson and Prometheus Real Estate Group Executive Vice President Jon Moss presented oral reports and they, Assistant Community Development Director Blount and City Attorney Quinn, responded to Council's questions.

**SPEAKING FROM THE FLOOR EXPRESSING CONCERNS AND/OR WITH
RECOMMENDATIONS:**

Jack Miller. Mr. Miller also responded to Council's questions.

Mike McDowell

Carol Maxwell

Josh Levy. Mr. Levy also responded to Council's questions.

Kathie McLellan

Anita Umesh

Hober Duarte

John Carpenter

Krishnan Yegnashankaran

Aeticia Lagos

Lance Wang

Unidentified woman

6:30 P.M.-REGULAR SESSION (HELD IN THE COUNCIL CHAMBERS)**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor Rosenberg called the meeting to order at 7:37 p.m., and led the Pledge of Allegiance.

2. ROLL CALL

Present: 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember Matchak, Councilmember McAlister, Councilmember Showalter, Vice Mayor Siegel, and Mayor Rosenberg

3. PRESENTATION

Mayor Rosenberg presented a Proclamation Recognizing Red Cross Month to Volunteer Leader Stephanie Charles.

4. CONSENT CALENDAR

Note that a second motion to approve the Consent Calendar was taken in order to record the titles of the ordinances and resolutions for all items on the Consent Calendar. The first motion was disregarded.

MOTION - MS - Siegel/ Clark - To approve the Consent Calendar.

The motion carried by the following vote:

Yes: 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember Matchak, Councilmember McAlister, Councilmember Showalter, Vice Mayor Siegel, and Mayor Rosenberg

4.1 Approval of Minutes.

That City Council and the Shoreline Regional Park Community Members approve the following minutes:

- 1. February 28, 2017 Council meeting;**
- 2. March 7, 2017 Council meeting; and**
- 3. March 7, 2017 Shoreline Regional Park Community meeting.**

4.2 Adopt a Resolution Modifying Council Policy A-2 Governing Expenses of the Council.

Adopt Resolution No. 18129 of the City Council Modifying City Council Policy A-2, City Council Policy Governing Expenses of the Council. (Attachment 1 to the Staff Report).

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Don Letcher

4.3 Introduce Ordinance Reauthorizing and Readopting the City's Public, Educational, and Governmental Access Support Fee.

Introduce an Ordinance Amending Chapter 37 of the Mountain View City Code, Reauthorizing and Readopting the City's Public, Educational, and Governmental Access Support Fee, to be read in title only, further reading waived, and set second reading for March 28, 2017 (Attachment 1 to the Council report).

Councilmember McAlister requested that this item be pulled from the Consent Calendar.

City Attorney Quinn responded to Council's questions, and then the item was considered as part of the Consent Calendar in its entirety.

4.4 Annual Traffic Studies/NTMP Improvements, Project 17-15-Approve Plans and Specifications and Authorize Bidding.

1. Authorize the transfer and appropriate the remaining balances of approximately \$49,331 from Project 15-15, Annual Traffic Studies/NTMP Improvements, and approximately \$127,139 from Project 16-15, Annual Traffic Studies/NTMP Improvements, to Project 17-15 Annual Traffic Studies/NTMP Improvements. (Five votes required)

2. Approve plans and specifications for Annual Traffic Studies/NTMP Improvements, Project 17-15, and authorize staff to advertise the project for bids.

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

Public Works Director Fuller and Senior Traffic Engineer Lopez responded to Council's questions

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Ron Shipper
Susan Weber

4.5 Rengstorff Park Community Center, Design, Project 15-43, and Construction, 17-32-Various Actions.

- 1. Approve plans and specifications for the first phase of the Rengstorff Park Community Center, Project 17-32, to construct a new traffic signal and various off-site utilities titled Rengstorff Avenue at Stanford Avenue/Mountain View Community Center (MVCC) Driveway New Traffic Signal Installation and Rengstorff Avenue at Leland Avenue Traffic Signal Modification, and authorize staff to advertise the project for bids.**
- 2. Approve the Responsible Bidders List for the second phase of construction of the Mountain View Community Center Remodel, Project 17-32.**
- 3. Approve plans and specifications for the second phase of construction of the Mountain View Community Center Remodel, Project 17-32, to remodel and expand the existing MVCC and associated on-site improvements and authorize staff to solicit monetary bids from responsible bidders.**
- 4. Authorize the City Manager to award the construction contracts to the lowest responsible bidders if the low bid is within the project budget.**
- 5. Approve the removal of and mitigation for 16 Heritage trees and replacement at a ratio of 2 to 1 with 24" box trees.**
- 6. Authorize the City Manager to amend the civil engineering professional services agreement with TJKM in the amount of \$20,100 for a not-to-exceed fee of \$120,000 using existing funds in Rengstorff Park Community Center-Design, Project 15-43.**
- 7. Authorize the City Manager to amend the electrical engineering professional services agreement with Alliance Engineering Consultants, Inc., in the amount of \$25,000 for a not-to-exceed fee of \$123,300 using existing funds in Rengstorff Park Lighting, Project 15-42.**
- 8. Authorize the City Manager to execute an amended architectural professional services agreement with Dahlin Group, Inc., in the amount of \$200,000 for a not to exceed fee of \$1,673,285 using existing funds in the Rengstorff Park Community Center-Construction, Project 17-32.**
- 9. Authorize the City Manager to execute an amended construction management professional services agreement with Cumming Construction Management, Inc., in the amount of \$200,000 using existing funds in the Rengstorff Park Community Center-Construction, Project 17-32 for a not to exceed amount of \$850,000.**

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Don Letcher
Irene Schwartz

4.6 Authorization to Execute Funding Agreement with Caltrans, Approval of Project Scope of Work, and Authorization to Execute Consultant Services Agreement for the El Camino Real Streetscape Plan, Project 16-67.

- 1. Adopt Resolution No. 18130 Authorizing the City Manager to Execute a Master Administrating Agency-State Agreement (04-5124F15) and a Program Supplement (No. F024) with the California Department of Transportation (Caltrans) for the El Camino Real Streetscape Plan, Project 16-67, to be read in title only, further reading waived (Attachment 1 to the Council report).**
- 2. Approve the Project Scope of Work for the El Camino Real Streetscape Plan.**
- 3. Authorize the City Manager to execute a consultant services agreement in an amount not to exceed \$300,000.**

4.7 Shoreline Boulevard Bus Lane and Utility Improvements, Project 16-58-Certify Addendum to the FEIR for the North Bayshore Precise Plan.

Adopt Resolution No. 18131 Certifying an Addendum to the North Bayshore Precise Plan Final Environmental Report for the Shoreline Boulevard Bus Lane and Utility Improvements, Project 16-58, to be read in title only, further reading waived (Attachment 1 to the Council report).

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Adina Levin spoke in support of Mountain View adopting the newer Environmental Impact Report Vehicle Miles Travelled analysis as soon as practical, since those methods of analysis and mitigation are more compatible with the values and policies held by the City of Mountain View for multi-modal transportation and vehicle trip reduction. Ms. Levin also responded to Council's questions.

Ron Shipper expressed concerns with traffic impacts and pedestrian safety at the intersection of Cuesta and Springer, and he urged Council to discuss this issue with the Mountain View Public Works Department and the City of Los Altos.

6. PUBLIC HEARING

6.1 Introduce an Ordinance Amending Chapter 14, Article I, and Chapter 15, Article II Relating to On-Demand Mobile Fueling.

Mayor Rosenberg opened the public hearing at 8:32 p.m.

Fire Marshal Wentker presented an oral staff report and he, Fire Chief Diaz, City Attorney Quinn, City Manager Rich and Finance and Administrative Services Director Kong, responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS WITH THE ORDINANCE AND/OR WITH RECOMMENDATIONS:

Anthony Gallego. Mr. Gallego also responded to Council's questions.

Michael Buhr, Filld CEO and President. Mr. Buhr also responded to Council's questions

Mike Kasperzak

Joel Sipe, Exponent Fire Protection Engineer. Mr. Sipe also responded to Council's questions.

Nick Alexander, Yoshi, Inc., Co-founder. Mr. Alexander also responded to Council's questions.

Frank Mycroft, Boosters Fuel Chief Executive Officer. Mr. Mycroft also responded to Council's questions.

John Carpenter

Mayor Rosenberg closed the public hearing at 9:04 p.m.

MOTION - MS - Siegel/ Abe-Koga - To:

1. Introduce an Ordinance Amending Chapter 14, Article I, and Chapter 15, Article II, of the Mountain View City Code, Relating to On-Demand Mobile Fueling, to be read in title only, further reading waived, and set a second reading for March 28, 2017 (Attachment 1 to the Council report); and

2. Adopt Resolution No. 18132 Amending the City of Mountain View Master Fee Schedule to Include On-Demand Mobile Fueling and Related Permits, Plan Review and Inspection Fees, to be read in title only, further reading waived (Attachment 2 to the Council report), and request that staff report back to Council within one year on how the program has worked, and how the industry standard has progressed or has not progressed.

The motion carried by the following vote:

Yes: 6 - Councilmember Abe-Koga, Councilmember Clark, Councilmember Matichak, Councilmember Showalter, Vice Mayor Siegel, and Mayor Rosenberg

No: 1 - Councilmember McAlister

7. STUDY SESSION, PART II

7.1 Mountain View Transit Center Master Plan.

Consultant Jim Lightbody and Kimley Horn Traffic Engineer Adam Dankberg presented oral reports and they, Public Works Director Fuller, City Manager Rich and Community Development Director Tsuda, responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS AND/OR WITH RECOMMENDATIONS:

Tom Harrington, Mountain View Transportation Management Association Chair

Jeff Thompson. Mr. Thompson also responded to Council's questions

Cliff Chambers

Joan MacDonald

Adina Levin

Elizabeth Scanlon, Caltrain Planning Manager. Ms. Scanlon also responded to Council's questions.

John Carpenter

Cherie Walkowiak

8. COUNCIL, STAFF/COMMITTEE REPORTS

This item was considered out of agenda order.

Vice Mayor Siegel reported on his attendance at the National League of Cities Conference and various meetings with Federal agencies.

Councilmember Showalter reported on her attendance at the National League of Cities Conference and her meeting with the Department of Interior.

Councilmember McAlister reported on his attendance at the National League of Cities Conference and his meeting with the Department of Labor.

Councilmember Matichak reported on her attendance at the National League of Cities Conference. Councilmember Matichak also reported on her attendance at the Avenidas Board of Directors meeting.

Councilmember Clark reported on his attendance at the National League of Cities Conference. Councilmember Clark also reported on his attendance at the Association of Bay Area Governments Executive Board meeting.

Mayor Rosenberg reported on his attendance at the National League of Cities Conference and a meeting at the White House.

Councilmember Abe-Koga reported on her attendance at the first meeting of the Spanish Civic Leadership Academy and meetings with Mountain View Whisman School District Superintendent Dr. Ayinde Rudolph and Valley Transportation Authority General Manager Nuria Fernandez.

Staff was directed to provide a memo regarding increasing noticing to 500 feet for projects that affect neighborhoods.

9. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

At 11:18 p.m., an announcement was made by City Attorney Quinn, who described the item that Council would consider on the Closed Session Agenda below.

10. CLOSED SESSION

10.1 Conference with Legal Counsel – Anticipated Litigation pursuant to Government Code Section 54956.9 (d) (4) County of Santa Clara v. Donald J. Trump, President of the United States of America, John F. Kelly, in his official capacity as Secretary of the United States Department of Homeland Security, Jefferson B. Sessions, in his official capacity as Attorney General of the United States, John Michael “Mick” Mulvaney, in in his official capacity as Director of the Office of Management and Budget and Does 1 -50. Case No. 17-cc-00574-WHO; U.S. District Court, Northern District of California
Consideration whether to participate in this litigation as amicus curiae in support of the plaintiff County of Santa Clara.

City Attorney Quinn presented a brief report and responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT OF JOINING THE AMICUS CURIAE:

Adina Levin
Ronit Bryant
Alexandra Willis
Barbara Goodwin
Joan MacDonald
Jeff Thompson

At 11:31 p.m., Mayor Rosenberg closed the public comment period and recessed the meeting.

Mayor Rosenberg called the Closed Session meeting to order in the Plaza Conference Room at 11:32 p.m. All Councilmembers were present.

The Closed Session concluded at 11:51 p.m.

11. CLOSED SESSION REPORT

City Attorney Quinn reported that the City Council decided by an unanimous vote to join an amicus brief in the County of Santa Clara v. Donald J. Trump, President of the United States, et al lawsuit. Santa Clara County is seeking a preliminary injunction to prohibit enforcement of Executive Order 13768 on a nationwide basis.

12. ADJOURNMENT - At 11:51 p.m., Mayor Rosenberg adjourned the meeting to the next City Council meeting to be held on Tuesday, March 28, 2017 at 5:30 p.m. in the Plaza Conference Room, 500 Castro Street.

ATTEST:

APPROVED:

LORRIE BREWER, MMC
CITY CLERK

KEN S. ROSENBERG
MAYOR