



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

January 24, 2017

Plaza & Council Chambers - 500 Castro St.

Due to circumstances beyond her control, Councilmember Abe-Koga was unable to participate by teleconference.

4:00 P.M.-CLOSED SESSION (HELD IN THE PLAZA CONFERENCE ROOM)

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

At 4:01 p.m., an announcement was made by Senior Deputy City Attorney Wright, who described the item that Council would consider on the Closed Session Agenda below.

2. CLOSED SESSION

2.1 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Government Code Section 54956.9 (d) (1)

Name of case: California Apartment Association v. City of Mountain View, Santa Clara County Superior Court Case No. 16-CV-304253

Mayor Rosenberg called the meeting to order at 4:02 p.m.

Present: Councilmembers Clark (arrived at 4:11 p.m.), Matichak, McAlister, Showalter, Vice Mayor Siegel and Mayor Rosenberg

Absent: Councilmember Abe-Koga

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

Curtis Conroy
Gary Wesley
Steven Goldstein
Kacey Carpenter
Daniel Debolt
Marilu Delgado

Mayor Rosenberg closed the meeting to the public at 4:15 p.m.

The Closed Session concluded at 5:16 p.m.

5:00 P.M.-REGULAR SESSION (HELD IN THE COUNCIL CHAMBERS)**1. CALL TO ORDER**

Mayor Rosenberg called the meeting to order at 5:35 p.m.

2. PLEDGE OF ALLEGIANCE

Dr. Mike Fischetti led the Pledge of Allegiance.

3. ROLL CALL

Present: 6 - Councilmember Clark, Councilmember McAlister, Councilmember Matichak, Councilmember Showalter, Vice Mayor Siegel, and Mayor Rosenberg

Absent: 1 - Councilmember Abe-Koga

4. CONSENT CALENDAR

Councilmember McAlister requested that Item 4.4 be removed from the Consent Calendar.

MOTION - MS - Showalter/ Clark - To approve the Consent Calendar with the exception of Item 4.4.

The motion carried by the following vote:

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

Absent: 1 - Councilmember Abe-Koga

Councilmember Clark read the resolution titles for Items. 4.2 and 4.5 and made the following motion.

MOTION - MS - Clark/ McAlister - To approve Items 4.2 and 4.5 on the Consent Calendar.

The motion carried by the following vote:

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

Absent: 1 - Councilmember Abe-Koga

4.1 Approval of Minutes.

That City Council approve the January 10, 2017 Council meeting minutes.

4.2 Street Closure, Parking Lot Closure, Sound Amplification, and Festival Area Designation for the Fourth Annual Silicon Valley Irish Festival and Fleadh.

Adopt Resolution No. 18122 to Approve the Closure of Certain Streets in the Downtown Area and Lot No. 5 on Saturday, May 13, 2017, at 2:30 a.m. until Sunday, May 14, 2017, at 10:00 p.m. for the Fourth Annual Silicon Valley Irish Festival and Fleadh, to be read in title only, further reading waived (Attachment 1 to the Council report).

4.3 715 East El Camino Real-Accept Public Improvements.

Accept the public improvements for the development at 715 East El Camino Real, for maintenance throughout their useful lives.

4.4 Castro Street Complete Street-Modification to Castro Street Between El Camino Real and Miramonte Avenue, Project 14-36-Amend Budget and Award Construction Contract.

SPEAKING FROM THE FLOOR IN SUPPORT:

Gloria Miller

MOTION - MS - Clark/ McAlister - To:

- 1. Transfer and appropriate \$280,000 from the Construction/Conveyance Tax Fund to Castro Street Complete Street-Modification to Castro Street Between El Camino Real and Miramonte Avenue, Project 14-36. (Five votes required); and**
- 2. Award the construction contract for the Castro Street Complete Street-Modification to Castro Street Between El Camino Real and Miramonte Avenue, Project 14-36, to JJR Construction, Inc., of San Mateo, for the low bid price of \$1,172,018.46.**

The motion carried by the following vote:

Yes: 6 - Councilmember Clark, Councilmember McAlister, Councilmember Matchak, Councilmember Showalter, Vice Mayor Siegel, and Mayor Rosenberg

Absent: 1 - Councilmember Abe-Koga

4.5 2016 Housing-Related Parks Grant.

- 1. Adopt Resolution No. 18123 of the Mountain View City Council Authorizing an Application for the 2016 Housing-Related Parks Program Grant, to be read in title only, further reading waived (Attachment 1 to the Council report).**
- 2. Allocate the 2016 Housing-Related Parks Program Grant funds to Rengstorff Park for Community Center upgrades and improvements.**

4.6 Approval of Business Terms and Contracting Authority for Short-Term Homeless Initiatives.

Approve business terms with Santa Clara County and the Community Services Agency, and authorize the City Manager to execute agreements and potential extensions for short-term homeless initiatives to assist the residents living in vehicles and unstably housed.

SPEAKING FROM THE FLOOR EXPRESSING APPRECIATION AND PROVIDING INFORMATION:

Mike Fischetti

4.7 Contribution to the Housing Trust Silicon Valley.

Authorize the City Manager to execute an agreement with the Housing Trust Silicon Valley for a City contribution of \$150,000 in Fiscal Year 2016-17.

4.8 Annual Water and Sewer Main Replacements-Leong Drive, Projects 16-21 and 16-22-Authorize Design Services.

Authorize the City Manager to execute a design services contract with Schaaf & Wheeler Consulting Civil Engineers of Santa Clara in a not-to-exceed amount of \$893,094 to provide civil engineering services to design and prepare construction documents for the Annual Water and Sewer Main Replacements-Leong Drive, Projects 16-21 and 16-22.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Joan MacDonald expressed appreciation to Council for its unanimous vote to defend Measure V in court.

6. PUBLIC HEARING - None.**7. COUNCIL, STAFF/COMMITTEE REPORTS**

Councilmember McAlister reported on his attendance at the California League of Cities Transportation Committee meeting.

Councilmember Clark reported on his attendance at the Mayor's Innovation Project Conference in Washington D.C.

Vice Mayor Siegel reported on his attendance at the Permanente Creek Flood Protection Project Groundbreaking event.

Councilmember Matichak reported on her attendance at the League of California Cities New Mayors and Councilmembers Academy in Sacramento.

Mayor Rosenberg reported on his attendance at the Mayor's Innovation Project Conference and the U.S. Conference of Mayors event, both of which were held in Washington D.C.

8. CLOSED SESSION REPORT

Note that this item was considered out of agenda order.

City Attorney Quinn reported that the City has been sued by the California Apartment Association (Case #16CV304253). The lawsuit challenges the constitutionality of several provisions of the Mountain View Community Stabilization and Fair Rent Act, which establishes rent control and just cause eviction, as approved by the voters in the November election, as well as the City's Urgency Just Cause Eviction Ordinance.

In tonight's closed session, the City Council directed the City Attorney to answer the complaint filed by the CAA and oppose their request for a preliminary injunction. The City Council approved this action by a unanimous vote of 6 - 0, with Councilmember Abe-Koga absent.

9. NEW BUSINESS (HELD IN THE PLAZA CONFERENCE ROOM)

9.1 Community Stabilization and Fair Rent Act Rental Housing Committee Candidate Interview Process.

Housing and Neighborhood Services Manager Chen and Associate Planner van Deursen presented oral staff reports and they, City Manager Rich and City Attorney Quinn, responded to Council's questions.

MOTION - M/S Siegel/Showalter - To refer the issue of publically releasing advisory body applications to the Council Procedures Committee.

The motion carried by the following vote:

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

Absent: 1 - Councilmember Abe-Koga

MOTION - M/S Siegel/Clark - That after tonight's meeting all remaining applicants will be afforded an opportunity to withdraw their applications prior to releasing the additional application information, as described by the City Attorney, on January 31st.

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

Absent: 1 - Councilmember Abe-Koga

Council decided by majority to ask the applicants questions 2 and 5 and conducted interviews of the following 17 applicants:

Tom Means, Barbara Kuang, Vera Szepesi, James Leonard, Robin Booth, Steven Hochstadt, Evan Ortiz, Frances Johnson, Joan MacDonald, Emily Ann Ramos, Julian Pardo de Zela, Patrick Moore, Fred Kiani, Gene Lee, Angel Santaurio, Matthew Grunewald and Philip Marechal.

MOTION - M/S Seigel/McAlister - To conduct a second round of interviews with the ten applicants selected: Tom Means, Vera Szepesi, James Leonard, Steven Hochstadt, Evan Ortiz, Joan MacDonald, Emily Ann Ramos, Julian Pardo de Zela, Gene Lee and Matthew Grunewald.

Yes: 5 - Councilmember Clark, Councilmember McAlister, Councilmember Showalter, Vice Mayor Siegel, and Mayor Rosenberg

No: 1 - Councilmember Matichak

Absent: 1 - Councilmember Abe-Koga

10. ADJOURNMENT - At 9:25 p.m., Mayor Rosenberg adjourned the meeting to the next Council Meeting to be held on Tuesday, January 31, 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