



Margaret Abe-Koga, Councilmember  
Ronit Bryant, Councilmember  
John M. Inks., Councilmember

R. Michael Kasperzak, Jr., Councilmember  
John McAlister, Vice Mayo  
Jac Siegel, Councilmember

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

Christopher R. Clark, Mayor

Jannie L. Quinn, City Attorney

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December 09, 2014

Council Chambers

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### **5:30 P.M.-CLOSED SESSION (HELD IN THE PLAZA CONFERENCE ROOM)**

#### **1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)**

At 5:31 p.m., an announcement was made by City Attorney Quinn, who described the item that Council would consider on the Closed Session Agenda below.

#### **2. CLOSED SESSION**

2.1 Conference with Real Property Negotiator (§54956.8)—Property: 750 Moffett Boulevard (APN 153-19-007)—Agency Negotiators: Alex Andrade, Economic Development Manager, Randy Tsuda, Community Development Director, Dennis Drennan, Real Property Program Administrator, and Melissa Stevenson Diaz, Assistant City Manager—Negotiating Parties: Broadreach Capital Partners and California Department of Transportation— Under Negotiation: Price and Terms of Payment for Lease of Real Property

Mayor Clark called the meeting to order at 5:34 p.m. All Councilmembers were present.

Seeing no one wishing to speak, Mayor Clark closed the meeting to the public.

The Closed Session concluded at 5:59 p.m.

### **6:30 P.M.-REGULAR SESSION (HELD IN THE COUNCIL CHAMBERS)**

#### **1. CALL TO ORDER**

Mayor Clark called the meeting to order at 6:30 p.m.

#### **2. PLEDGE OF ALLEGIANCE**

Mayor Clark led the Pledge of Allegiance.

#### **3. ROLL CALL**

Present: Councilmembers Abe-Koga, Bryant, Inks, Kasperzak, Siegel, Vice Mayor McAlister and Mayor Clark.

#### 4. CONSENT CALENDAR

Councilmember Inks requested that Items 4.7 and 4.8 be pulled from the Consent Calendar, registered no votes on Items 4.2 and 4.3, and recused himself from acting on Items 4.4 and 4.5.

Vice Mayor McAlister recused himself from acting on items 4.1 and 4.2.

Mayor Clark requested that item 4.11 be removed from the Consent Calendar and recused himself from acting on Item 4.2.

**MOTION - M/S Siegel/Abe-Koga - To approve the balance of the Consent Calendar with Councilmembers Inks registering no votes on items 4.2 and 4.3 and recused from acting on Items 4.4 and 4.5, Vice Mayor McAlister recused from acting on Items 4.1 and 4.2 and Mayor Clark recused from acting on Item 4.2. The motion carried by the following vote:**

**Yes: 7 - Abe-Koga, Bryant, Councilmember Inks, Councilmember Kasperzak, Siegel, Mayor McAlister, and Councilmember Clark**

#### 4.1 Rezoning for 1101 El Camino Real West (Second Reading).

**Adopt Ordinance No. 18.14 Amending the Zoning Map of the City of Mountain View for the Rear Portion of the Property at 1101 El Camino Real West from the R2-9sd (One- and Two-Family Residential-Special Design) District to the CRA (Commercial/Residential-Arterial) District. (First reading: 5-1-1; Siegel no, McAlister recused)**

Vice Mayor McAlister recused himself from acting on this item.

#### 4.2 El Camino Real Precise Plan (Second Reading).

**1. Adopt Ordinance No. 19.14 Amending the Zoning Map for the Properties Located in the El Camino Real Precise Plan Area from CRA (Commercial/Residential-Arterial), R3 (Multiple-Family Residential), P(10) Ortega-El Camino Real Precise Plan, P(15) Clark-Marich Precise Plan, P(16) El Monte-El Camino Precise Plan, P(36) Americana Center Precise Plan, and P (Planned Community) to P(38) El Camino Real Precise Plan. (First reading: 4-1-2; Inks no, Clark, McAlister abstained); and**

**2. Adopt Ordinance No. 20.14 Amending Chapter 36 of the Mountain View City Code Relating to the El Camino Real Village Center Floating District. (First reading: 4-1-2; Inks no, Clark, McAlister abstained)**

Councilmember Inks registered a no vote on this item.

Vice Mayor McAlister and Mayor Clark recused themselves from acting on this item.

City Attorney Quinn responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Paul Donahue

**4.3                    North Bayshore Precise Plan (Second Reading).**

**Adopt Ordinance No. 21.14 Amending the Zoning Map for the Areas Located in the North Bayshore Precise Plan Area from ML (Limited Industrial); MM-40 (General Industrial); P(1) Shoreline West Precise Plan; P(2) Charleston South Industrial Precise Plan; P(3) North Shoreline Boulevard Precise Plan; P(33) L'Avenida South Precise Plan; P(34) North Bayshore Precise Plan; and the State of California Remnant Parcel Adjacent to the Highway 101 Northbound On-Ramp/Shoreline Boulevard, to a New P(39) North Bayshore Precise Plan. (First Reading: 6-1, Inks no)**

Councilmember Inks registered a no vote on this item.

City Attorney Quinn responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Don Letcher  
Paul Donahue

**4.4                    San Antonio Precise Plan (Second Reading).**

**Adopt Ordinance No. 22.14 Amending the Zoning Map for the Properties Located in the San Antonio Precise Plan Area from CRA (Commercial/Residential-Arterial), P (Planned Community), P(8) San Antonio Station Precise Plan, P(9) San Antonio Center Precise Plan, P(11) California Street-Showers Drive Precise Plan, and P(12) 394 Ortega Avenue Precise Plan to P(40) San Antonio Precise Plan. (First reading: 6-0; Inks abstained)**

Councilmember Inks recused himself from acting of this item.

**4.5                    405 San Antonio Road - Phase II (Second Reading).**

**Adopt Ordinance No. 23.14 Amending the Zoning Map for the Properties Located at 405-425 San Antonio Road, 377 San Antonio Road, 391 San Antonio Road, and 455 San Antonio Road (North Parcel Only) from the San Antonio Center Precise Plan (P(9)) Zoning District to P Zoning District. (First reading: 6-0-1; Inks abstained)**

Councilmember Inks recused himself from acting on this item.

**4.6                    Amendment to Contracts for Outside Plan Checking and Inspection Services.**

- 1. Increase appropriations \$740,000 in the Community Development Department, Development Services Fund, for building inspection and fire plan checking and inspection contract services. (Five votes required); and**
  
- 2. Authorize the City Manager to execute amendments to increase consultant contracts for outside building and fire plan checking and inspection services with Shums Coda Associates from \$650,000 to \$1.8 million; ESH Consultants from \$90,000 to \$170,000; and Hughes & Associates from \$125,000 to \$295,000 for July 1, 2014 through June 30, 2015, for a total increase of \$1.4 million.**

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Don Letcher

4.7

**Reappointments/Appointments to Council Advisory Bodies.****MOTION - M/S Kasperzak/Inks - To:**

- 1. Adopt Resolution No. 17930 Appointing Max Beckman-Harned and Paul Donahue to the Library Board, to be read in title only, further reading waived (Attachment 1 to the Council report);**
- 2. Adopt Resolution No. 17931 Reappointing Margaret Capriles and John Scarboro to the Environmental Planning Commission, to be read in title only, further reading waived (Attachment 2 to the Council report);**
- 3. Adopt Resolution No. 17932 Reappointing Aila Malik and Evan Ortiz, and Appointing Pamela Baird, Josette Langevine, and Jim Neal to the Human Relations Commission, to be read in title only, further reading waived (Attachment 3 to the Council report);**
- 4. Adopt Resolution No. 17933 Appointing Paul Hepfer to the Parks and Recreation Commission, to be read in title only, further reading waived (Attachment 4 to the Council report);**
- 5. Approve by motion appointment of Kalyanaraman Shankari to the Bicycle/ Pedestrian Advisory Committee for the term January 1, 2015 to December 31, 2018;**
- 6. Approve by motion reappointment of Ron Manabe to the Downtown Committee-Downtown Property and Business Owner for the term January 1, 2015 to December 31, 2017;**
- 7. Approve by motion reappointment of Daniel Palay and appointment of Carol Donahue and Lucia Williams to the Performing Arts Committee for the terms January 1, 2015 to December 31, 2018; and**
- 8. Confirm the appointment of Jamil Shaikh as the neighborhood association's representative to the Downtown Committee for the term January 1, 2015 to December 31, 2015 as recommended by the Old Mountain View Neighborhood Association.**

**The motion carried by the following vote:**

**Yes:** 7 - Abe-Koga, Bryant, Councilmember Inks, Councilmember Kasperzak, Siegel, Mayor McAlister, and Councilmember Clark

4.8 **771 N. Rengstorff Avenue Park Design, Project 15-41 - Authorize Professional Services Agreement.**

1. **Authorize the City Manager to execute a professional services agreement with Callander Associates, Inc., to provide design services for 771 N. Rengstorff Avenue Park, Project 15-41, in an amount not to exceed \$168,100.**
2. **Extend the deadline for the raising of private funds for renovation of the Immigrant House from January 2015 to September 2015.**

Public Works Director Fuller responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Don Letcher

**MOTION - M/S Siegel/Inks - To:**

1. **Authorize the City Manager to execute a professional services agreement with Callander Associates, Inc., to provide design services for 771 N. Rengstorff Avenue Park, Project 15-41, in an amount not to exceed \$168,100; and**
2. **Extend the deadline for the raising of private funds for renovation of the Immigrant House from January 2015 to September 2015.**

**The motion carried by the following vote:**

**Yes: 7 - Abe-Koga, Bryant, Councilmember Inks, Councilmember Kasperzak, Siegel, Mayor McAlister, and Councilmember Clark**

4.9 **Interceptor Sewer Trunk Main Manhole Construction, Project 14-33 - Amend Project Budget and Award Construction Contract.**

1. **Appropriate and transfer \$210,000 from the Wastewater Fund to Interceptor Sewer Trunk Main Manhole Construction, Project 14-33. (Five votes required); and**
2. **Award the construction contract for Interceptor Sewer Trunk Main Manhole Construction, Project 14-33, to Ranger Pipeline, Inc., of San Francisco for the low bid price of \$471,030 that includes a construction contingency of \$60,000.**

**4.10**                    **Dana Street Reconstruction, Project 13-28 - Approve Plans and Specifications and Authorize Bidding.**

- 1. Appropriate and transfer \$70,000 into Dana Street Reconstruction, Project 13-28, from the Storm Drain Construction Fund. (Five votes required);**
- 2. Approve plans and specifications for Dana Street Reconstruction, Project 13-28, and authorize staff to advertise the project for bids; and**
- 3. Authorize the City Manager to award the construction contract to the lowest responsible bidder if the low bid is within the project budget including a 10 percent construction contingency.**

**4.11**                    **2015 Council Meeting Schedule.**

City Manager Rich responded to Council's questions.

**MOTION - M/S Clark/Inks - To adopt the schedule for City Council meetings and Study Sessions for the 2015 calendar year as presented in the staff report, with the exception of leaving in the meetings of January 27th and February 3rd. The motion carried by the following vote:**

**Yes:** 6 - Abe-Koga, Councilmember Inks, Councilmember Kasperzak, Siegel, Mayor McAlister, and Councilmember Clark

**Abstain:** 1 - Bryant

**4.12**                    **Certification of Official Election Returns-November 4, 2014 General Municipal Election.**

- 1. Acknowledge certification from the Registrar of Voters of canvass of election returns of the November 4, 2014 General Municipal Election (Attachment 1 to the Council report); and**
- 2. Adopt Resolution No. 17934 of the City Council of the City of Mountain View Declaring the Result of the Canvass of Returns of the General Municipal Election Held on November 4, 2014 for the Election of Three Members to the City Council and for Ballot Measure A, to be read in title only, further reading waived (Attachment 2 to the Council report).**

**5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS**

Don Letcher spoke in support of the City hiring an independent auditor.

Larry Voytilla presented recommendations regarding safe crossing access for all City schools.

Linda Curtis presented recommendations regarding safe crossing access for all City schools.

**6. PUBLIC HEARINGS****6.1 801 El Camino Real West - Greystar.**

Mayor Clark opened the Public Hearing at 6:59 p.m.

Senior Planner Williams and Olympic Residential Group President Daniel Deibel presented oral reports and they, Zoning Administrator Beaudin, City Manager Rich and City Attorney Quinn, responded to Council's questions.

**SPEAKING FROM THE FLOOR IN SUPPORT OF THE PROJECT AND/OR EXPRESSING CONCERNS:**

Manny Ramirez, Chamber of Commerce

Grace Kay, Housing Action Coalition

Lucas Ramirez, Mountain View Coalition for Sustainable Planning

John D'Ambrosio, Frankie, Johnnie & Luigi Too. Mr. D'Ambrosio also responded to Council's questions.

Richard Woolley

Sheryl Stark

Larry Voytilla

Chrisula Bloore

Linda Curtis

Jim Neal

**SPEAKING FROM THE FLOOR IN OPPOSITION TO THE PROJECT AND/OR WITH RECOMMENDATIONS**

Ron Sackman

Mayor Clark closed the Public Hearing at 7:52 p.m.

**MOTION - M/S Inks/Kasperzak - To:**

- 1. Adopt Resolution No. 17935 Approving the 801 El Camino Real West Mixed-Use Project Environmental Impact Report, CEQA Findings, and Mitigation Monitoring and Reporting Program, to be read in title only, further reading waived (Attachment 1 to the Council report);**
  
- 2. Introduce an Ordinance Amending the Zoning Map for the Properties Located at 801/805/809/813 El Camino Real West and 1032/1044/1060 Castro Street from the CRA (Commercial/Residential-Arterial) Zoning District to the P (Planned Community) Zoning District, to be read in title only, further reading waived, and set a second reading for January 13, 2015 (Attachment 2 to the Council report); and**
  
- 3. Adopt Resolution No. 17936 Conditionally Approving a Planned Community Permit and Development Review Permit for a Mixed-Use Project with 164 Apartment Units and 10,800 Square Feet of Commercial Space, and a Heritage Tree Removal Permit for the Removal of Three Heritage Trees at 801 El Camino Real West, with a modification to Condition No. 54 to read: "The City will accept 5 units, comprised of 4 - 1-bedrooms and 1 - 2-bedrooms, as an alternative to the payment of the Rental Impact Fee," to be read in title only, further reading waived (Attachment 3 to the Council report).**

**The motion carried by the following vote:**

- Yes:** 4 - Bryant, Councilmember Inks, Councilmember Kasperzak, and Councilmember Clark
- No:** 3 - Abe-Koga, Siegel, and Mayor McAlister

Council recessed at 8:35 p.m. and reconvened at 8:49 p.m.

**6.2 Potential Increases to Affordable Housing Fees.**

Mayor Clark opened the Public Hearing at 8:49 p.m.

Administrative and Neighborhood Services Manager Lauzze presented an oral staff report and she, Community Development Director Tsuda, City Manager Rich and City Attorney Quinn, responded to Council's questions.

## SPEAKING FROM THE FLOOR IN SUPPORT AND/OR WITH RECOMMENDATIONS:

Nadia Aziz, Law Foundation of Silicon Valley

Greg Unangst

Esha Menon, Working Partnerships USA. Ms. Menon also responded to Council's questions.

Edie Keating

Uri Pachter, Greenbelt Alliance

Philip Cosby, St. Athanasius PIA

Aracely Mondragon

Donna Yobs, League of Women Voters

## SPEAKING FROM THE FLOOR WITH INFORMATION:

Tom Myers, Community Services Agency Executive Director

## SPEAKING FROM THE FLOOR IN OPPOSITION AND/OR EXPRESSING CONCERNS:

Dennis Martin, NAIOP Silicon Valley Chapter

Jessica Epstein, Silicon Valley Association of Realtors. Ms. Epstein also responded to Council's questions.

Jim Pollart, Classic Communities

Mayor Clark closed the Public Hearing at 9:31 p.m.

**MOTION - M/S Kasperzak/Siegel - To:**

**1. Adopt Resolution No. 17937 to Amend the Existing Rental Housing Impact Fee Schedule for New Apartment Development, to Increase the Fee from \$10.26 Per Habitable Square Foot to \$17.00 Per Habitable Square Foot, with a correction to Item 8. Effective Date to read: "This resolution shall take effect on February 7, 2015, but shall not apply to any rental projects entitled prior to December 10, 2014 or a project that has filed a formal application that includes a master plan and is entitled by June 30, 2015.", to be read in title only, further reading waived (Attachment 2 to the Council report); and**

**2. Adopt Resolution No. 17938 to Amend the Existing Housing Impact Fee Schedule for New Nonresidential Development, to Increase the Fee on Office, High-Tech, and Industrial Developments from \$10.26 Per Net Square Foot to \$25.00 Per Net Square Foot on Building Area More than 10,000 Square Feet and Half of that Fee on Building Area up to 10,000 Square Feet, with a correction to Item 2. Effective Date to read: The effective date of this resolution is February 7, 2015, but shall not apply to any office, high tech or industrial projects entitled prior to December 10, 2014.", to be read in title only, further reading waived (Attachment 3B to the Council report).**

**The motion carried by the following vote:**

**Yes:** 6 - Abe-Koga, Bryant, Councilmember Kasperzak, Siegel, Mayor McAlister, and Councilmember Clark

**No:** 1 - Councilmember Inks

**7. COUNCIL, STAFF/COMMITTEE REPORTS**

Councilmember Inks reported that on Monday, the Council Finance and Investment Review Committee interviewed 4 potential audit firms and that next week Council will be receiving a letter setting forth the Committee's recommendations.

**8. CLOSED SESSION REPORT**

None.

**9. ADJOURNMENT - At 10:52 p.m., Mayor Clark adjourned the meeting to the next Council meeting to be held on Tuesday, December 16, 2014 in Council Chambers, 500 Castro Street.**

ATTEST:

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LORRIE BREWER, MMC  
CITY CLERK

APPROVED:

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CHRISTOPHER R. CLARK  
MAYOR