



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

R. Michael Kasperzak, Jr., Councilmember  
John McAlister, Vice Mayor  
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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Council Chambers - 500 Castro Street

5:00 PM

Tuesday, February 11, 2014

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**5:00 P.M.-STUDY SESSION (HELD IN THE PLAZA CONFERENCE ROOM)**

**1. CALL TO ORDER**

**2. ROLL CALL**

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

**3. STUDY SESSION**

**3.1 Rengstorff Avenue Grade Separation Study, Multimodal Concepts, Project 09-28.**

*Recommendation(s):* The purpose of the Study Session is to receive feedback and direction from Council on Rengstorff Avenue grade-separation concepts to improve pedestrian and bicycle access and connectivity in association with the Council-adopted Rengstorff Avenue Grade-Separation Policy.

*Attachment(s):* [Study Session Memo](#)

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

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

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

**4. CONSENT CALENDAR**

These items will be approved by one motion unless any member of the Council or audience wishes to remove an item for discussion. The reading of the full text of ordinances and resolutions will be waived unless a Councilmember requests otherwise.

**4.1 Approval of Minutes.**

**Recommendation(s):** Approve Minutes for the Special Council Meeting of January 21, 2014, the Regular Council Meeting of January 28, 2014, and the Special Mountain View Shoreline Regional Community Meeting of October 22, 2013.

**Attachment(s):** [ATT 1 - 01-21-14 Council Minutes](#)  
[ATT 2 - 01-28-14 Council Minutes](#)  
[ATT 3 - 10-22-13 Shoreline Minutes](#)

**4.2 McKelvey Park Detention Basin (SCVWD Coordination), Project 14-54-Increase Appropriation.**

**Recommendation(s):** Appropriate \$175,000 to McKelvey Park Detention Basin, Project 14-54, for revenue received from the Santa Clara Valley Water District to fund expenses related to project plan check, inspection, and coordination. (Five votes required)

**Attachment(s):** [Council Report](#)  
[ATT 1 - May 14, 2013 Council Report](#)

**4.3 Call for Applications for SecondStage Home Companies Status at Mountain View Center for the Performing Arts.**

**Recommendation(s):** Direct staff to implement an open call for applications for SecondStage Home Companies.

**Attachment(s):** [Council Report](#)  
[ATT 1 - October 9, 2012 Council Report](#)  
[ATT 2 - Draft Call for Applications](#)

**4.4 Street Closure, Sound Amplification, Festival Area Designation, and Animal Ban for A La Carte and Art in Mountain View.**

**Recommendation(s):**

1. Adopt a Resolution Approving the Closure of Certain Streets in the Downtown Area from 2:00 a.m., Saturday, May 3, 2014, to 10:00 p.m., Sunday, May 4, 2014, for the A La Carte and Art Festival in Mountain View, to be read in title only, further reading waived.
2. Approve the operation of a sound amplification device by the applicant between 9:00 a.m. and 6:00 p.m. on Saturday, May 3, 2014, and Sunday, May 4, 2014, within the festival area, under conditions as specified.
3. Approve a festival area designation for the area of the street closure.
4. Approve an animal ban as requested by the applicant within the festival area designation.

*Attachment(s):* [Council Report](#)  
[ATT 1 - Resolution](#)  
[ATT 2 - Special Event Application](#)  
[ATT 3 - Financial Disclosure Form](#)  
[ATT 4 - Public Notification Letter](#)

**4.5 Street Closure, Parking Lot Closure, Sound Amplification, and Festival Area Designation for the First Annual Silicon Valley Irish Festival and Fleadh.**

*Recommendation(s):* Adopt a Resolution to Approve the Closure of Certain Streets in the Downtown Area and Lot No. 5 on Saturday, May 17, 2014, at 2:30 a.m. until Sunday, May 18, 2014, at 10:00 p.m. for the First Annual Silicon Valley Irish Festival and Fleadh, to be read in title only, further reading waived (Attachment 1 to the Council report).

*Attachment(s):* [Council Report](#)  
[ATT 1 - Resolution](#)  
[ATT 2 - Special Event Application](#)  
[ATT 3 - Public Notification Letter](#)

**4.6 Street Closure, Sound Amplification, and Festival Area Designation for the 36th Annual Downtown Parade.**

*Recommendation(s):* 1. Adopt a Resolution to Approve the Closure of Certain Streets in the Downtown Area on Saturday, April 26, 2014, from 7:00 a.m. to 2:00 p.m., for the 36th Annual Downtown Parade, to be read in title only, further reading waived (Attachment 1 to the Council report).

2. Approve the operation of a sound amplification device by the applicant between 11:00 a.m. and 4:00 p.m. within the festival area, under conditions specified.

3. Approve a festival area designation for the area of street closure and Pioneer Park.

*Attachment(s):* [Council Report](#)  
[ATT 1 - Resolution](#)  
[ATT 2 - Special Event Application](#)  
[ATT 3 - Public Notification Letter](#)

**4.7 Middlefield Road Median Island Reconstruction, Project 12-32.**

- Recommendation(s):** 1. Transfer and appropriate \$103,000 from the following projects to Middlefield Road Median Island Reconstruction, Project 12-32:
- \$25,000 from Miscellaneous Storm/Sanitary Sewer Main Replacement, Project 14-22;
  - \$30,000 from Concrete Sidewalk and Curb Repair, Project 14-06;
  - \$13,000 from Street Lane Line and Legend Repainting, Project 14-12;  
and
  - \$35,000 from Biennial Installation of ADA Curb Ramps, Project 14-24.
- (Five votes required)
2. Approve plans and specifications for Middlefield Road Median Island Reconstruction, Project 12-32, 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.

**Attachment(s):** [Council Report](#)

**4.8 Well No. 9 Abandonment, Project 13-04-Approve Plans and Heritage Tree Removal.**

- Recommendation(s):** 1. Approve plans and specifications for the Well No. 9 Abandonment, a project funded by the annual Water System Improvements, Project 13-04, and authorize staff to advertise the project for bids.
2. Authorize the City Manager to award the construction contract to the lowest responsible bidder if the low bid is within the project budget.
3. Approve the removal of and mitigation for one Heritage tree.

**Attachment(s):** [Council Report](#)  
[ATT 1 - UFB Memo - 1-15-2014](#)

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

- Recommendation(s):**
1. Increase appropriations \$585,000 in the Community Development Department, Building Services Fund, for building inspection and fire plan checking and inspection contract services. (Five votes required)
  2. Authorize the City Manager to execute an amendment to increase consultant contracts for outside building and fire plan checking and inspection services with Shums Coda Associates (SCA) from \$650,000 to \$1,650,000, O'Brien Code Consultants (OCC) from \$400,000 to \$700,000, and Hughes & Associates from \$125,000 to \$260,000 for July 1, 2013 through June 30, 2014.

**Attachment(s):** [Council Report](#)

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

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the agenda. Speakers are allowed to speak on any number of topics for one three-minute period during the meeting. State law prohibits the Council from acting on nonagenda items.

## 6. PUBLIC HEARINGS

### 6.1 Ordinance of the City of Mountain View Adding Article V to Chapter 16 of the Mountain View City Code Related to Use of Polystyrene Foam Food Service Ware by Food Providers.

- Recommendation(s):**
1. Adopt the Negative Declaration related to the use of polystyrene foam food service ware by food providers, in accordance with the California Environmental Quality Act (Attachment 1 to the Council report).
  2. Introduce an Ordinance of the City of Mountain View Adding Article V to Chapter 16 of the Mountain View City Code Related to Use of Polystyrene Foam Food Service Ware by Food Providers, to be read in title only, further reading waived, and set a second reading for February 25, 2014 (Attachment 2 to the Council report).

**Attachment(s):** [Council Report](#)  
[ATT 1 - City of San Jose Negative Declaration](#)  
[ATT 2 - Proposed Ordinance](#)  
[ATT 3 - Optional Ordinance Language](#)  
[ATT 4 - CESC Minutes - 11/18/13](#)

## 7. NEW BUSINESS

### 7.1 Central Expressway Sidewalk Improvements, Project 11-44.

- Recommendation(s):**
1. Adopt the Mitigated Negative Declaration of Environmental Impact for the Central Expressway Sidewalk Improvements, Project 11-44, and find that the Initial Study reflects the independent judgment of the City Council in accordance with the California Environmental Quality Act.
  2. Approve the removal of up to five Heritage trees and replacement at a 3 to 1 ratio (a total of 15) with 24" box trees.
  3. Approve plans and specifications for Central Expressway Sidewalk Improvements, Project 11-44, and authorize staff to advertise the project for bids.
  4. Authorize the City Manager to award the construction contract to the lowest responsible bidder if the low bid is within the project budget.

**Attachment(s):** [Council Report](#)  
[ATT 1 - Initial Study](#)  
[ATT 2 - Mitigated Negative Declaration](#)

#### CITY COUNCIL AND SHORELINE REGIONAL PARK COMMUNITY

**7.2 Fiscal Year 2013-14 Midyear Budget Status Report and Fiscal Year 2014-15 Preliminary General Operating Fund Forecast.**

- Recommendation(s):**
1. Acknowledge and file the Fiscal Year 2013-14 Midyear Budget Status Report, the Fiscal Year 2014-15 Preliminary General Operating Fund (GOF) forecast, and the six-month status of the Fiscal Year 2013-14 Performance/Workload Measures (Attachment 1).
  2. Appropriate and transfer \$1.2 million from the General Fund Reserve to the Capital Improvement Reserve. (Five votes required)
  3. Approve the addition of one Recreation Supervisor position in the Community Services Department as part of the Department reorganization (Attachment 2).
  4. Increase appropriations in the Shoreline Regional Park Community Fund, Community Services Department, \$32,000 for additional personnel costs to the end of the fiscal year resulting from the reorganization.
  5. Increase appropriations \$397,724 in the Solid Waste Management Fund for prior fiscal year SMaRT® Station operating expenses resulting from the Fiscal Year 2012-13 fiscal year-end reconciliation. (Five votes required)
  6. Acknowledge and file the Fiscal Year 2013-14 Council Major Goals Work Plan Mid-Year Update (Attachment 3).

*Attachment(s):* [Council Report](#)  
[ATT 1 - Performance Workload Measures](#)  
[ATT 2 - CSD Reorganization Memo](#)  
[ATT 3 - FY13-14 Council Goals Work Plan Update](#)

## 8. COUNCIL, STAFF/COMMITTEE REPORTS

No action will be taken on any questions raised by the Council at this time.

## 9. CLOSED SESSION REPORT - None.

## 10. ADJOURNMENT - At 8:37 p.m., Mayor Clark adjourned the meeting to the next regularly scheduled meeting to be held on Tuesday, February 25, 2014 in the Council Chambers at 500 Castro Street.

The next Council Meeting will be held on Tuesday, February 25, 2014, at 6:30 p.m. in the Council Chambers, 500 Castro Street.

There is a 90-day limit for the filing of a challenge in Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting. For information on the next regular or special City Council meeting, please call (650) 903-6304.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's Office, 500 Castro Street, Third Floor, during normal business hours and at the Council Chambers at City Hall, Second Floor, during the meeting. In addition, such writings and documents will be posted on the City's web site at [www.mountainview.gov](http://www.mountainview.gov).

## COUNCIL MEETINGS AND AGENDA

The City Council meets regularly on the second and fourth Tuesday of each month at 6:30 p.m. in the Council Chambers at City Hall, 500 Castro Street, Second Floor. Special meetings are called as necessary by the Mayor and noticed at least 24 hours in advance.

Interested parties may review the agenda, minutes and staff reports at the Mountain View Library, 585 Franklin Street, beginning the Thursday evening before each meeting and at the City Clerk's Office, 500 Castro Street, Third Floor, beginning Friday morning. Agenda materials may also be viewed electronically at [www.mountainview.gov](http://www.mountainview.gov). Staff reports are also available at the Council Chambers during the meeting.

**SPECIAL NOTICE**—Reference: Americans with Disabilities Act, 1990. Anyone who is planning to attend the next City Council meeting who is visually or hearing-impaired or has any disability that needs special assistance should call the City Clerk's Office at 903-6304 48 hours in advance of the Council meeting to arrange for assistance. Upon request, in advance, by a person with a disability, City Council meeting agendas and writings distributed during the meeting that are public records will be made available in the appropriate alternative format. Also upon request, in advance, an assistive listening device can be made available for use during the meeting.

The Council meetings are cablecast live on Channel 26 on the Mountain View Comcast cable system and are replayed on Wednesday at 6:30 p.m. and on Saturday at 11:00 a.m. following that week's Council meeting. If there is a live Environmental Planning Commission meeting on a Wednesday, the replay of the City Council meeting will be on a Thursday at 6:30 p.m. In addition, Council Regular meetings are webcasted, and interested persons may visit the City's web site at [www.mountainview.gov](http://www.mountainview.gov) to watch the meetings live on their computer, laptop or PDA device. Archived broadcasts of previous meetings may also be accessed and watched on-line.

The Council may take action on any matter noticed herein, and their consideration and action on the matters noticed herein is not limited by the recommendations indicated in the Agenda or staff report(s). The Council may consider and act on items listed on the agenda in any order and thus all those interested in an item listed on the agenda are advised to be present throughout the meeting (see Policy and Procedure A-13). The reading of the full text of ordinances and resolutions will be waived unless a Councilmember requests otherwise.

By policy, no new items of business will be started after 10:00 p.m., unless an exception is made by vote of the Council.

## ADDRESSING THE COUNCIL

Interested persons are entitled to speak on any action item listed on the agenda and are requested to fill out the blue cards available at the rear of the Council Chambers and deposit them with the clerk or at the podium as soon as completed. This will assure that your name and city of residence are accurately recorded in the minutes and that your interest in speaking is recognized. If you wish to speak and are not recognized by the Mayor, please approach the podium prior to completion of discussion on the item. Speakers are allowed up to three minutes each, and if a large group wishes to express its views, it is more effective to have one spokesperson.

Items on the "Consent Calendar" are not discussed individually but are approved as a group with one motion. If a citizen wishes to speak on an item on the Consent Calendar, he or she may come to the podium at the time announced by the Mayor and request that the item be pulled for discussion by the Council.

Anyone wishing to address the Council on a nonagenda item may do so during the "Oral Communications" part of the agenda. Speakers are allowed to speak one time on any number of topics for up to three minutes.

**Reducing Time For Public Input:** For any single agendized item and for Oral Communications from the Public, if there appears to be 15 or more speakers and the Council might not be able to conclude the scheduled agenda items for the meeting if speakers were allotted three (3) minutes each, the Mayor may reduce speaking time to no less than two (2) minutes per speaker unless there is an objection from Council, in which case majority vote shall decide the issue without debate.