



Lisa Matichak, Mayor
Margaret Abe-Koga, Vice Mayor
Christopher R. Clark, Councilmember
Alison Hicks, Councilmember
Ellen Kamei, Councilmember
John McAlister, Councilmember
Lucas Ramirez, Councilmember

Daniel H. Rich, City Manager
Jannie L. Quinn, City Attorney
Lisa Natusch, City Clerk

Council Chambers, 500 Castro St., Mountain View,
CA 94041

5:30 PM

Thursday, May 23, 2019

JOINT SPECIAL MEETING OF CITY COUNCIL AND SHORELINE REGIONAL PARK COMMUNITY

5:30 P.M.-SPECIAL MEETING

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. 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 topic for up to three minutes during this section. If there appears to be a large number of speakers, speaking time may be reduced to no less than 1.5 minutes. State law prohibits the Council from acting on nonagenda items.

5. PUBLIC HEARING

5.1 Adopt Resolutions of Necessity and Authorize the Initiation of Eminent Domain Proceedings

Recommendation(s): Open the hearing on the Resolutions of Necessity, take testimony, close the hearing, and consider adopting the following Resolutions authorizing the acquisition of the identified properties by eminent domain for the Shoreline Boulevard Reversible Transit Lane Project:

1. Adopt a Resolution to Determine the Necessity to Acquire a Portion of Property Located at 790 Shoreline Boulevard (APN 150-31-002) by Eminent Domain for the Construction of the Shoreline Boulevard Reversible Bus Lane Project; to Authorize Commencement of Litigation to Acquire Property by Eminent Domain; and to Seek an Order of Possession (Code of Civil Procedure Section 1245.220), to be read in title only, further reading waived (Attachment 1 to the Council report).

(Five votes required)

2. Adopt a Resolution to Determine the Necessity to Acquire a Portion of Property Located at 807 Shoreline Boulevard (APN 153-16-001) by Eminent Domain for the Construction of the Shoreline Boulevard Reversible Bus Lane Project; to Authorize Commencement of Litigation to Acquire Property by Eminent Domain; and to Seek an Order of Possession (Code of Civil Procedure Section 1245.220), to be read in title only, further reading waived (Attachment 2 to the Council report). (Five votes required)

3. Adopt a Resolution to Determine the Necessity to Acquire a Portion of Property Located at 808 Shoreline Boulevard (APN 153-14-002) by Eminent Domain for the Construction of the Shoreline Boulevard Reversible Bus Lane Project; to Authorize Commencement of Litigation to Acquire Property by Eminent Domain; and to Seek an Order of Possession (Code of Civil Procedure Section 1245.220), to be read in title only, further reading waived (Attachment 3 to the Council report). (Five votes required)

4. Adopt a Resolution to Determine the Necessity to Acquire a Portion of Property Located at 883 Shoreline Boulevard Common Area (APN 153-16-021 through 153-16-044) by Eminent Domain for the Construction of the Shoreline Boulevard Reversible Bus Lane Project; to Authorize Commencement of Litigation to Acquire Property by Eminent Domain; and to Seek an Order of Possession (Code of Civil Procedure Section 1245.220), to be read in title only, further reading waived (Attachment 4 to the Council report). (Five votes required)

5. Adopt a Resolution to Determine the Necessity to Acquire a Portion of Property Located at 917/943 Shoreline Boulevard (APN 153-16-045) by Eminent Domain for the Construction of the Shoreline Boulevard Reversible Bus Lane Project; to Authorize Commencement of Litigation to Acquire Property by Eminent Domain; and to Seek an Order of Possession (Code of Civil Procedure Section 1245.220), to be read in title only, further reading waived (Attachment 5 to the Council report). (Five votes required)

6. Authorize the City Attorney to take all steps necessary to commence legal proceedings in a court of competent jurisdiction to acquire the portions of the properties described herein by eminent domain, if necessary, and petition the court for immediate Order of Possession.

Attachment(s): [Council Report](#)[ATT 1 - Resolution of Necessity, 790 Shoreline Blvd.](#)[ATT 2 - Resolution of Necessity, 807 Shoreline Blvd.](#)[ATT 3 - Resolution of Necessity, 808 Shoreline Blvd.](#)[ATT 4 - Resolution of Necessity, 883 Shoreline Blvd. common area](#)[ATT 5 - Resolution of Necessity, 917/943 Shoreline Blvd.](#)**6. UNFINISHED BUSINESS****6.1 Consider Adoption of Amendments to the Cannabis Regulations****Recommendation(s):** The Environmental Planning Commission recommends the City Council:

1. Adopt a Resolution Amending the P-40 (San Antonio) Precise Plan to Prohibit Cannabis Businesses within the San Antonio Precise Plan Boundaries, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Introduce an Ordinance Amending Article IX, Division 21, to Limit Storefront Retail Businesses to a Maximum of One in the P-19 (Downtown) Precise Plan Boundaries (Chapter 36 of the City Code), to be read in title only, further reading waived, and set a second reading for June 11, 2019 (Attachment 2 to the Council report).
3. Introduce an Ordinance Amending Article IX, Division 21, to Establish a Minimum 600' Distance between Cannabis Businesses (Chapter 36 of the City Code), to be read in title only, further reading waived, and set a second reading for June 11, 2019 (Attachment 3 to the Council report).

Staff also requests the City Council provide policy direction on how to proceed with the cannabis business permitting process.

Attachment(s): [Council Report](#)[ATT 1 - Resolution—San Antonio Precise Plan Amendments](#)[ATT 2 - Ordinance—Limit Downtown Businesses to One](#)[ATT 3 - Ordinance—Distance between Cannabis](#)[ATT 4 - Survey Results](#)[ATT 5 - Community Outreach Meeting Results](#)[ATT 6 - Map—Existing Buffers and Eligible Applications](#)[ATT 7 - EPC Staff Report—April 24, 2019](#)[ATT 8 - Sensitive Use Buffers in Other Jurisdictions](#)[ATT 9 - Map—600' School/Child-Care Buffer](#)[ATT 10 - Map—San Jose Model Buffers](#)[ATT 11 - Map—750' and 1,000' School/Child-Care Buffers](#)[ATT 12 - Map—1,000' School Buffer/250' Child-Care Buffer](#)[ATT 13 - Map—1,000' School Buffer/600' Child-Care Buffer](#)**7. CLOSED SESSION REPORT****8. ADJOURNMENT**

The next Council Meeting will be held on Tuesday, June 4, 2019, at 5:00 p.m. in the Council Chambers, 500 Castro Street.

NOTICE TO THE PUBLIC:

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.

The agenda and staff reports may be viewed 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 prior to Tuesday City Council meetings. Agenda materials may also be viewed online at mountainview.legistar.com.

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 during normal business hours and at the Council Chambers at City Hall, 2nd Floor, during the meeting.

City Council meetings are broadcast live on Comcast Channel 26 and replayed on Thursday at 6:30 p.m., Saturday at 10:00 a.m., and Sunday at 5:00 p.m. In addition, Council meetings are webcast live and archived at mountainview.legistar.com.

The Council may consider and act on items listed on the agenda in any order and thus those interested in an item listed on the agenda are advised to be present throughout the meeting. The reading of the full text of ordinances and resolutions will be waived unless a Councilmember requests otherwise. Per Council Policy A-13, no new items of business will begin after 10:00 p.m. unless an exception is made by vote of the Council.

Pursuant to the Americans with Disabilities Act (ADA), if you need special assistance in this meeting, please contact the City Clerk's Office at (650) 903-6399. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.160 (b) (1))

ADDRESSING THE COUNCIL:

Anyone wishing to address the Council is requested to fill out a blue speaker card and deposit it with the City Clerk to ensure that your name is accurately recorded in the minutes.

Pursuant to Council Policy A-13, an individual speaker shall have up to 3 minutes to address the Council. For any agenda item or for Oral Communications on nonagenda items, if there appears to be a large number of speakers, the Mayor may reduce speaking time to no less than 1.5 minutes per speaker unless there is an objection from Council by majority vote.

If requested in advance of the public input portion of the agenda item to the Mayor or City Clerk, a speaker who represents five or more members of the public in attendance who complete cards but elect not to speak may have up to 10 minutes to address the Council, if the Mayor determines that such extension will reduce the total number of speakers who planned to speak.

An applicant and/or appellant for a zone change, precise plan or quasi-judicial hearing or appeal to the Council shall have up to ten (10) minutes to address the Council and, with the consent of the Council, 2 minutes of rebuttal at the conclusion of all public speakers.

Pursuant to Government Code Section 54954.3(b)(1), at least twice the allotted speaking time will be provided to a member of the public who utilizes a translator.