



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

Ken S. Rosenberg, Councilmember  
Patricia Showalter, Councilmember  
Lisa Matichak, Vice Mayor

Daniel H. Rich, City Manager  
Lisa Natusch, City Clerk

Leonard Siegel, Mayor

Jannie L. Quinn, City Attorney

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May 08, 2018

Council Chambers - 500 Castro St.

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

**5:00 P.M.-STUDY SESSION**

**1. CALL TO ORDER**

Mayor Siegel called the meeting to order at 5:03 p.m.

**2. ROLL CALL**

**Present:** 6 - Councilmember Abe-Koga, Councilmember Clark, Councilmember  
McAlister, Councilmember Showalter, Vice Mayor Matichak, Mayor  
Siegel

**Absent:** 1 - Councilmember Rosenberg

Councilmember Abe-Koga arrived at 5:14 p.m.

Councilmember McAlister arrived at 6:15 p.m.

**3. STUDY SESSION**

**3.1 Study Session on the Development of Commercial Cannabis Regulations.**

Associate Planner Clarissa Burke provided the staff report. Police Chief Max Bosel provided additional information.

Public Comment opened at 5:15 p.m.

The following members of the public spoke:

Victor Gomez, representing Buddy's Cannabis

Unidentified man

Sean Kali-Rai, Silicon Valley Cannabis Alliance

Jonathan Steigman

Public Comment closed at 5:23 p.m.

The Study Session concluded at 6:37 p.m.

**6:30 P.M.-REGULAR SESSION****1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor Siegel called the meeting to order at 6:55 p.m. and Elna Tynes led the Pledge of Allegiance.

**2. ROLL CALL**

**Present:** 6 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

**Absent:** 1 - Councilmember Rosenberg

**3. PRESENTATION**

3.1 Proclamation Recognizing Bike Month to be Accepted by Marc Roddin, Vice Chair, Bicycle/Pedestrian Advisory Committee

Mayor Siegel presented a proclamation recognizing Bike Month to Marc Roddin, Vice Chair, Bicycle/Pedestrian Advisory Committee.

**4. CONSENT CALENDAR**

Mayor Siegel requested to pull Item 4.6 from the Consent Calendar.

Councilmember McAlister requested to pull Items 4.6 and 4.7 from the Consent Calendar.

MOTION - MS - Showalter/Clark - To approve the Consent Calendar with the exception of Items 4.6 and 4.7.

The motion carried by the following vote:

**Yes:** 6 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

**Absent:** 1 - Councilmember Rosenberg

**4.1 Approval of Minutes.**

That City Council approve the February 13, 2018 Council meeting minutes.

**4.2 Resolution Adopting Mountain View's Annex Within the 2017 Santa Clara County Operational Area Hazard Mitigation Plan.**

Adopt Resolution No. 18204 of the City of Mountain View Adopting Volume I and Mountain View's Annex within Volume II of the 2017 Santa Clara County Operational Area Hazard Mitigation Plan, to be read in title only, further reading waived (Attachment 1 to the Council report).

**4.3 Annual Water and Sewer Main Replacements, Projects 16-21 and 16-22-Amend Project Budget**

**and Award Construction Contract.**

1. Authorize the transfer and appropriation of \$140,000 from Miscellaneous Water Main/Service Line Replacement, Project 17-21, to Miscellaneous Water Main/Service Line Replacement, Project 16-21.
2. Authorize the transfer and appropriation of \$140,000 from Miscellaneous Storm/Sanitary Sewer Main Replacement, Project 17-22, to Miscellaneous Storm/Sanitary Sewer Main Replacement, Project 16-22.
3. Award the construction contract for Annual Water and Sewer Main Replacements, Projects 16-21 and 16-22, to K. J. Woods Construction, Inc. for \$5,188,000.

**4.4 Increase Appropriations in the Fire Department for Reimbursement of Mutual-Aid Support-Southern LNU, Bear, Tubbs, and NEU Wind Complex Fires.**

Increase appropriations in the Fire Department by \$253,982 for reimbursement received from the California Office of Emergency Services for Mountain View Fire Department's staff hours expended in support of firefighting operations during the deployment to the Southern LNU, Bear, Tubbs, and NEU Wind Complex Fires in October 2017.

**4.5 Age-Friendly City Update.**

Accept a project update regarding the Community Services Department Age-Friendly initiative.

**4.6 2017 State of Mountain View Seniors Report.**

City Manager Dan Rich responded to Council questions.

Public Comment opened at 7:03 p.m.

The following member of the public spoke:  
Elna Tynes

Public Comment closed at 7:06 p.m.

MOTION - MS - McAlister/ Abe-Koga - To accept the 2017 State of Mountain View Seniors report prepared by the Senior Advisory Committee.

The motion carried by the following vote:

**Yes:** 6 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

**Absent:** 1 - Councilmember Rosenberg

**4.7 Authorization to Execute Stoppel Certificates for Ameswell Project.**

City Attorney Jannie Quinn responded to Council questions.

Public Comment opened at 7:14 p.m.

No speakers.

Public Comment closed at 7:14 p.m.

MOTION - MS - McAlister/ Showalter - To authorize the City Manager to execute estoppel certificates for the Ameswell project as required by the Disposition and Development Agreement and Ground Lease and any necessary amendments to these agreements related to participation rent.

The motion carried by the following vote:

**Yes:** 6 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

**Absent:** 1 - Councilmember Rosenberg

**4.8 Approve the Acquisition of Fee Title from Portions of 967 North Shoreline Boulevard (APN 153-16-008) and 975 North Shoreline Boulevard (APN 153-16-009 and 153-16-010) for the Shoreline Dedicated Bus Lane Project.**

1. Approve the acquisition of fee title from a portion of 967 North Shoreline Boulevard (APN 153-16-008), owned by 967 Shoreline Associates, L.P., a California limited partnership, for the amount of \$60,500.

2. Approve the acquisition of fee title from a portion of 975 North Shoreline Boulevard (APN 153-16-009 and -010), owned by Terraline Properties, LLC, for the amount of \$125,000.

3. Authorize the City Manager or his designee to execute all documents and take all necessary actions related to the acquisition of fee title from portions of 967 North Shoreline Boulevard (APN 153-16-008) and 975 North Shoreline Boulevard (APN 153-16-009 and 153-16-010) for the Shoreline Dedicated Bus Lane Project.

**4.9 Adopt Resolutions to Amend Compensation for Emergency Communications Center Personnel, Execute a Side Letter with Service Employees International Union (SEIU), Local 521, and Amend the City's Hourly Salary Plan.**

1. Adopt Resolution No. 18205 Authorizing the City Manager or His Designee to Pay a One-Time, Lump-Sum Bonus to Regular (Full-Time and Part-Time) Employees in the Positions of Public Safety Dispatcher II, Public Safety Dispatcher III, Lead Public Safety Dispatcher, and Communications Operations Supervisor, to be read in title only, further reading waived (Attachment 1 to the Council report).

2. Adopt Resolution No. 18206 Authorizing the City Manager or His Designee to Amend by a Side Letter the Memorandum of Understanding Between the Service Employees International Union (SEIU), Local 521, and the City of Mountain View, for the Period of July 1, 2017

through June 30, 2020 to Establish Communications Training Officer Pay and Extend the Probationary Period for Public Safety Dispatcher Is, to be read in title only, further reading waived (Attachment 2 to the Council report).

3. Adopt Resolution No. 18207 Authorizing the City Manager or His Designee to Revise the City's Hourly Salary Plan to Establish Overtime Pay for Qualified Hourly Public Safety Dispatcher IIs Working Full-Time for Other Agencies, Establish Communications Training Officer Pay for Qualified Hourly Public Safety Dispatcher IIs Assigned as Communications Training Officers, and Reclassify the Hourly Lead Public Safety Dispatcher Position to Hourly Public Safety Dispatcher III, to be read in title only, further reading waived (Attachment 3 to the Council report).

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

Curt Conroy spoke regarding Measure V.

William Hatcher provided comments regarding the Costa Hawkins State ballot initiative and expressed concerns regarding the operations of the Rental Housing Committee.

Poonam Ravi announced an upcoming event.

Trey Bornmann, President, Santiago Villa Neighborhood Association, provided an update on activities in North Bayshore, expressed concerns regarding the operations of the Rental Housing Committee and regarding signature gatherers for the circulating initiative petition.

## **6. PUBLIC HEARINGS**

### **6.1 Appeal of Modifications to a Conditional Use Permit for O'Malley's Sports Pub.**

Mayor Siegel announced Appellant Florence Martin O'Sullivan doing business as O'Malley's Sports Bar has filed an appeal of the Zoning Administrator's decision to modify the Conditional Use Permit for the business.

Acting Zoning Administrator Stephanie Williams presented the staff report. Senior Assistant City Attorney Krishan Chopra provided additional information.

Appellant John Kevin Crowley, attorney for O'Malley's Sports Bar, stated he filed a complete appendix with the City Clerk and provided information regarding the appeal. Mr. Crowley responded to Council questions.

Public Comment opened at 7:56 p.m.

The following member of the public spoke:  
William Hatcher

Public Comment closed at 7:59 p.m.

Appellant Rebuttal opened at 8:06 p.m.

Appellant John Kevin Crowley provided information in response to staff comments.

Appellant Rebuttal closed at 8:07 p.m.

MOTION - MS - Clark/Showalter - To Adopt Resolution No. 18208 Upholding the Zoning Administrator's Approval of Modifications to a Conditional Use Permit which Conditionally Permits a Bar and Drinking Place with Live Entertainment in an Existing Commercial Building at 2135 Old Middlefield Way, to be read in title only, further reading waived (Attachment 1 to the Council Report).

City Attorney Jannie Quinn reported a correction to the reference to a November 8 hearing date in the fourth paragraph of the resolution and stated the hearing date should be October 25.

The motion carried by the following vote:

**Yes:** 6 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

**Absent:** 1 - Councilmember Rosenberg

## **6.2 Rowhouse Development at 257 to 279 Calderon Avenue.**

Mayor Siegel announced that due to a financial interest in real property near the proposed project site he may have a conflict of interest in the governmental decision before the City Council, recused himself, and left the room.

Vice Mayor Matichak presided over the item.

Project Planner Paula Bradley presented the staff report. Acting Zoning Administrator Stephanie Williams provided additional information.

Applicant Deanna Shipman, SummerHill Homes, provided information regarding the proposed project. John Hickey, SummerHill Homes, provided additional information.

Councilmember Showalter disclosed she met with the applicant.

Public Comment opened at 8:30 p.m.

The following member of the public spoke:  
Gary Wesley

Public Comment closed at 8:32 p.m.

MOTION - MS - McAlister/Clark - To:

1. Adopt Resolution No. 18209 Conditionally Approving a Planned Unit Development Permit and a Development Review Permit to Construct a 16-Unit Rowhouse Development and a Heritage Tree Removal Permit to Remove Six Heritage Trees at 257 to 279 Calderon Avenue, to be read in title only, further reading waived (Attachment 1 to the Council report); and

2. Adopt Resolution No. 18210 Conditionally Approving a Vesting Tentative Map to Create Four Lots and Two Common Lots for Condominium Purposes at 257 to 279 Calderon Avenue, to be read in title only, further reading waived (Attachment 2 to the Council report).

Vice Mayor Matichak disclosed she met with the applicant.

The motion carried by the following vote:

**Yes:** 5 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Showalter, Vice Mayor Matichak

**Absent:** 1 - Councilmember Rosenberg

**Recused:** 1 - Mayor Siegel

## 7. NEW BUSINESS

### 7.1 Conceptual Plan for a Community Garden at South Shoreline Boulevard and Latham Street, Project 17-44.

Councilmember Clark announced he owns real property within 500 feet of the community garden, recused himself, and left the meeting at 8:40 p.m.

Mayor Siegel returned to the room and took his seat at the dais.

Councilmember McAlister announced that due to his financial interest in a business within 500 feet of the community garden he would recuse himself from participating in the item, and left the meeting at 8:40 p.m.

Senior Civil Engineer Anne Marie Starr presented the staff report. Recreation Supervisor Shaun Chilkotowsky and Recreation Manager John Marchant provided additional information.

Public Comment opened at 8:54 p.m.

The following member of the public spoke:

David King

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

1. Approve the conceptual plan for the Community Garden at South Shoreline Boulevard and Latham Street; and

2. Authorize the City Manager to execute an amendment to the professional services agreement with Verde Design, Inc. for additional landscape architecture services related to the design of the Community Garden at South Shoreline Boulevard and Latham Street, Project 17-44, increasing the contract amount by \$27,000 to \$125,000.

The motion carried by the following vote:

**Yes:** 4 - Councilmember Abe-Koga, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

**Absent:** 1 - Councilmember Rosenberg

**Recused:** 2 - Councilmember Clark, Councilmember McAlister

## 8. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Abe-Koga announced an upcoming Silicon Valley Clean Energy workshop and Board meeting.

In reference to an issue raised during Oral Communications, Councilmember Abe-Koga reported that the Council Procedures Committee has a recommendation regarding the removal process for advisory body members and requested staff and the Mayor to agendize the issue at an upcoming meeting.

Vice Mayor Matichak reported her attendance at the groundbreaking ceremony for the new school in the Whisman area, a meeting of the Ad Hoc Advisory Committee on South Flow Arrivals and the Challenge Team breakfast, and reported that she volunteered at the A la Carte & Art festival.

Councilmember Showalter reported her attendance at meeting of the Bay Conservation and Development Commission meeting and a Cities Association Board meeting. Councilmember Showalter announced the upcoming Cities Association General meeting and reported her attendance at the unveiling of the Sidewalk Studios utility box art and a "Ride with Lenny."

Mayor Siegel reported his attendance at a speaking engagement at an Institute for Real Estate Management luncheon, a corporate visit with Addepar, a meeting with Pure Storage, a meeting of the Caltrain Local Policy Maker Group, the SV@Home elected officials roundtable, a retirement event for Karin Bricker, the Los Altos School District junior olympics, a "Lenny is Listening" event at Peet's Coffee, a meeting with Google CFO Ruth Porat, a retirement event for Bruce Hurlburt, a meeting of the Ad-Hoc Subcommittee on Revenue Measures, a meeting with Kaiser, a "Ride with Lenny" event, a housing roundtable, a meeting with Synopsis, and a meeting of the Technology and Society Committee.

## 9. CLOSED SESSION REPORT

None.

## 10. ADJOURNMENT



At 9:15 p.m., Mayor Siegel adjourned the meeting to the next City Council meeting to be held on Tuesday, May 15, 2018 at 5:30 p.m. in the Council Chambers.

ATTEST:

APPROVED:

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LISA NATUSCH  
CITY CLERK

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LEONARD M. SIEGEL  
MAYOR