



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

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

Daniel H. Rich, City Manager
Wanda Wong, Interim City Clerk

Leonard Siegel, Mayor

Jannie L. Quinn, City Attorney

March 20, 2018

Council Chambers & Plaza - 500 Castro St.

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

5:00 P.M.-STUDY SESSION (HELD IN THE COUNCIL CHAMBERS)

1. CALL TO ORDER

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

2. ROLL CALL

Present: 6 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Rosenberg, Councilmember Showalter, Vice Mayor Matchak

Absent: 1 - Mayor Siegel

Councilmember Clark arrived at 5:07 p.m.

3. STUDY SESSION

3.1 Preliminary Review of the Fiscal Year 2018-19 Capital Improvement Program.

Public Works Director Fuller presented an oral report and he, Assistant Public Works Director Solomon, and Community Services Director de la Montaigne responded to Council's questions.

Vice Mayor Matchak opened public comment at 5:14 p.m.

No speakers.

Vice Mayor Matchak closed public comment at 5:14 p.m.

Councilmember Clark stated he would recuse himself from participating in the discussion of Question No. 4A regarding the Community Garden at Shoreline Boulevard and Latham out of an abundance of caution as he owns real property near the site.

Councilmember McAlister stated he would recuse himself from participating

in the discussion of Question No. 4A regarding the Community Garden at Shoreline Boulevard and Latham as he owns a business near the property.

Councilmembers Clark and McAlister left the Council Chambers.

Councilmembers Clark and McAlister returned to the Council Chambers at 5:24 p.m. and took their seats at the dais.

The Study Session concluded at 5:52 p.m.

6:30 P.M.-SPECIAL SESSION (HELD IN THE COUNCIL CHAMBERS)

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

Bruce Humphrey, President and Head of Government Affairs, Mountain View Chamber of Commerce, led the Pledge of Allegiance.

2. ROLL CALL

Present: 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Rosenberg, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

Mayor Siegel arrived at 6:49 p.m.

3. PRESENTATION

3.1 Vice Mayor Matichak presented a Proclamation Recognizing Red Cross Month to Stephanie Charles, Chair, Government Operations, Red Cross.

4. CONSENT CALENDAR

Councilmember Abe-Koga stated her vote would be a recusal on Item 4.2.

MOTION - MS - Clark/Showalter - To approve the Consent Calendar with Councilmember Abe-Koga recused on Item 4.2.

The motion carried by the following vote:

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

Absent: 1 - Mayor Siegel

4.1 Approval of Minutes.

That City Council approve the January 16, 2018 Council meeting minutes.

4.2 East Whisman Area Transit-Oriented Development (TOD) Improvements, Phase I: Middlefield Road Improvements, Project 16-48-Approve Plans and Specifications, Authorize Bids, and Authorize Award.

1. Approve plans and specifications for East Whisman Area Transit-Oriented Development (TOD) Improvements, Phase I: Middlefield Road Improvements, Project 16-48, 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 bid is within the Phase I project budget.

4.3 Water Main to Serve 750 Moffett Boulevard, Project 15-21 (previously 14-21)-Accept Construction.

Accept Water Main to Serve 750 Moffett Boulevard, Project 15-21 (previously 14-21), and authorize the final contract payment.

4.4 2016-17 Street Lane Line and Legend Repainting, Project 17-12-Accept Construction.

Accept 2016-17 Street Lane Line and Legend Repainting, Project 17-12, and authorize the final contract payment.

4.5 San Antonio Area Sewer Improvements-Design, Project 17-50-Authorize Design Professional Services Contract.

Authorize the City Manager to execute a professional services agreement with West Yost Associates of Davis, California, to provide civil engineering services for San Antonio Area Sewer Improvements-Design, Project 17-50, in a not-to-exceed amount of \$250,000.

4.6 Shorebird Way and Charleston Road Recycled Water Extension and Water System Improvements, Project 18-42-Authorize Design Services.

Authorize the City Manager to execute a design services agreement with Mott McDonald Consulting Civil Engineers of San Jose in a not-to-exceed amount of \$370,000 to provide design engineering services and prepare construction documents for the Shorebird Way and Charleston Road Recycled Water Extension and Water System Improvements, Project 18-42.

4.7 Approve a Midyear Capital Improvement Project-Recycled Water Feasibility Study Update and Authorize Professional Services Agreement.

1. Approve a midyear capital improvement project, Recycled Water Feasibility Study Update, and transfer and appropriate \$140,000 from the Water Fund to the new project.

2. Authorize the City Manager or his designee to enter into a professional services agreement with Carollo Engineers for the Recycled Water Study Update in an amount not to exceed \$111,000.

4.8 Approve Amendment to the Regional Water Quality Control Plant Basic Agreement.

Authorize the City Manager to execute Addendum No. 9 to the Basic Agreement between the cities of Palo Alto, Mountain View, and Los Altos to allow an alternate strategy for funding the planning/design costs for the primary sedimentation tank rehabilitation, fixed film reactor rehabilitation, and the laboratory/environmental services building.

4.9 Water and Sanitary Sewer Main Replacement Crossing U.S. 101, Project 16-61-Authorize Design Services.

Authorize the City Manager to execute a professional services agreement with AECOM in a not-to-exceed amount of \$694,080 to design and prepare construction documents for Water and Sanitary Sewer Main Replacement Crossing U.S. 101, Project 16-61.

4.10 Villa Street Water and Sanitary Sewer Main Replacement, Projects 13-21A and 13-22A-Approve Plans and Specifications/Authorize Bidding.

1. Authorize the transfer and appropriation of \$280,000 from Miscellaneous Storm/Sanitary Sewer Main Replacement, Project 17-22, to Miscellaneous Storm/Sanitary Sewer Main Replacement, Project 13-22.
2. Approve plans and specifications for Villa Street Water and Sewer Main Replacement, Projects No. 13-21A and 13-22A, and authorize staff to advertise the projects for bids.
3. Authorize the City Manager to award a construction contract to the lowest responsible bidder if the bid is within the project budget.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Don Letcher expressed concerns regarding the handling of a motion at a prior meeting.

Alex Nunez spoke regarding comments made by a speaker at a previous meeting and expressed concerns regarding the actions of the Rental Housing Committee.

Joan MacDonald stated she would prefer summary minutes of Council meetings.

6. PUBLIC HEARING - None.

7. NEW BUSINESS

7.1 Short-Term Rental Regulations.

Principal Management Analyst Gaines presented an oral report and he, City Attorney Quinn, City Manager Rich, and Finance and Administrative Services Director Kong responded to Council's questions.

The following members of the public spoke:

Sarah McDermott, United Here Local 19

Alex Nunez

Sheryl Sinclair

David Heller

Joan MacDonald

Following discussion, the general consensus of Council was to allow and regulate short term rentals; explore enforcement issues related to limiting the number of days that a property may be used as a short term rental in a year, and/or distinguish between hosted and/or unhosted rentals; require operators to certify that they have attained proper insurance but expressed interest in verifying what insurance Airbnb or other platforms provide; require operators to provide a local contact person to adjacent properties for complaints/concerns; explore negotiating Voluntary Collection Agreements with hosting platforms; develop a permit and registration process with a cost recovery fee; and explore opportunities to contract with vendors who provide short term rental registration and regulation compliance services.

City Manager Rich added that staff can bring back a draft ordinance with a blank number of days that a property may be used as a short term rental in a year, and the number of days can be decided at that time.

7.2

Terra Bella Area Visioning and Guiding Principles Scope of Work.

Senior Planner Pancholi and Principal Planner Alkire presented oral reports and they and City Manager Rich responded to Council's questions.

The following members of the public spoke:

Andres Friedman, Public Storage

Nicole Montojo, SV@Home

Sue Russell, League of Women Voters

Joan MacDonald

MOTION - MS - Rosenberg/Showalter - To:

1. Appropriate an additional \$35,000 in the Development Services Fund from the Land Use Document Reserve for the Terra Bella Area Visioning.
2. Authorize the City Manager or designee to execute a contract with Raimi + Associates, a planning consulting firm, to prepare a Terra Bella Area Visioning

and Guiding Principles Plan in an amount not to exceed \$185,000.

The motion carried by the following vote:

Yes: 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Rosenberg, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

Council recessed at 8:27 p.m.

Council reconvened at 8:45 p.m. with all Councilmembers present.

7.3 Friends of Stevens Creek Trail Fish Passage Funding Request.

Public Works Director Fuller presented an oral report and responded to Council's questions.

The following member of the public spoke:

Aaron Grossman, Executive Director of Friends of Stevens Creek Trail

MOTION - MS - Abe-Koga/Matichak - To allocate \$9,900 for the Friends of Steven Creek Trail's grant application to the Santa Clara Valley Water District for fish passage improvements on Stevens Creek at Deep Cliff Golf Course.

The motion carried by the following vote:

Yes: 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Rosenberg, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

7.4 Appointment to the Los Altos School District Site Advisory Task Force.

City Manager Rich presented an oral report and he and Randy Kenyon, Assistant Superintendent, Los Altos School District, responded to Council's questions.

MOTION - MS - McAlister/Siegel - To appoint Councilmember Clark to the Los Altos School District Site Advisory Task Force.

The motion failed by the following vote:

Yes: 2 - Councilmember McAlister, Mayor Siegel

No: 4 - Councilmember Abe-Koga, Councilmember Rosenberg, Councilmember Showalter, Vice Mayor Matichak

Abstain: 1 - Councilmember Clark

MOTION - MS - Showalter/Rosenberg - To appoint Councilmember Abe-Koga to the Los Altos School District Site Advisory Task Force.

The motion carried by the following vote:

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

No: 1 - Vice Mayor Matichak

Abstain: 1 - Councilmember Abe-Koga

MOTION - MS - Abe-Koga/Showalter - To authorize the Mayor to send a letter to the Los Altos School District designating Councilmember Abe-Koga as the City of Mountain View representative and strongly urging the Los Altos School District to allow the Advisory Task Force to make recommendations upon analysis of the information, and stating that it is the Council's understanding and expectation that Councilmember Abe-Koga will strongly advocate for that outcome.

The motion carried by the following vote:

Yes: 6 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Rosenberg, Councilmember Showalter, Mayor Siegel

No: 1 - Vice Mayor Matichak

8. COUNCIL, STAFF/COMMITTEE REPORTS

Mayor Siegel reported his attendance at a VTA Policy Advisory Committee meeting, the Moffett Quarterly meeting, an Arbor Day celebration, Little League opening day, the Quota Club fashion show, and the National League of Cities conference.

Councilmember McAlister reported his attendance at the National League of Cities conference and reported he was appointed Chair of the Silicon Valley Animal Control Authority (SVACA) Board of Directors.

Councilmember Rosenberg reported his attendance at the student walkout at Mountain View High School, the Local Government Commission's Policymakers Conference, and the Human Relations Commission's Civility Roundtable.

Councilmember Abe-Koga reported her attendance at the Silicon Valley Clean Energy Board meeting, MVLA Softball opening day, the Quota Club fashion show, and student walkout at Mountain View High School.

Vice Mayor Matichak reported her attendance at the National League of Cities conference and the Ad Hoc Advisory Committee on South Flow Arrivals.

Councilmember Showalter reported her attendance at a meeting of the Cities Association of Santa Clara County, the National League of Cities conference, and the Environmental Sustainability Subcommittee

meeting.

Councilmember Clark reported his attendance at the Community and Economic Development Federal Advocacy Committee meeting held during the National League of Cities Conference.

Mayor Siegel expressed appreciation to Deputy City Clerk Wanda Wong who served as Interim City Clerk while the City was recruiting for a City Clerk.

IMMEDIATELY FOLLOWING THE SPECIAL SESSION-CLOSED SESSION (HELD IN THE PLAZA CONFERENCE ROOM)

9. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

City Attorney Quinn announced the items that Council would consider in Closed Session and stated that she did not anticipate having a closed session report.

Council proceeded to convene to Closed Session in the Plaza Conference Room.

10. CLOSED SESSION

10.1 Conference with Real Property Negotiator §54956.8—Property: (City owned property adjacent to Alta Vista High School) (APN 197-06-004)—Agency Negotiators: JP de la Montaigne, Community Services Director, Dennis Drennan, Real Property Program Administrator—Negotiating Party: Mountain View Los Altos High School District—Under Negotiation: Price and Terms of Payment for Lease of Real Property

10.2 Conference with Real Property Negotiator §54956.8—Property: 87 East Evelyn Avenue, APN 160-65-008—Agency Negotiators: Wayne Chen, Acting Assistant Community Development Director; Vera Gil, Project Manager – Affordable Housing; Dennis Drennan, Real Property Program Administrator—Negotiating Party: Santa Clara Valley Transportation Authority —Under Negotiation: Price and Terms of Payment for Sale or Lease of Real Property

The Closed Session concluded at 10:18 p.m.

11. CLOSED SESSION REPORT - None.

12. ADJOURNMENT - At 10:18 p.m., Mayor Siegel adjourned the meeting to the next City Council meeting to be held on Tuesday, March 27, 2018 at 5:30 p.m. in the Plaza Conference Room.

ATTEST:

APPROVED:

WANDA WONG
INTERIM CITY CLERK

LEONARD M. SIEGEL
MAYOR