



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

September 04, 2018

Council Chambers & Plaza - 500 Castro St.

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

4:15 P.M. ANNUAL COUNCIL PHOTO (HELD IN THE COUNCIL CHAMBERS)

All Councilmembers were present in Council Chambers for the annual City Council photo.

4:30 P.M.-CLOSED SESSION (HELD IN THE PLAZA CONFERENCE ROOM)

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

At 4:30 p.m., City Attorney Jannie Quinn announced the items for Closed Session.

All Councilmembers were present.

Seeing no one from the public wishing to speak, Mayor Siegel called the meeting to order at 4:32 p.m.

2. CLOSED SESSION

2.1 Conference with Real Property Negotiator (§54956.8)—Property: 310/312 Escuela Avenue (APN 154-01-011)—Agency Negotiator: Dennis Drennan, Real Property Program Administrator—Negotiating Party: Georgia K. Hilgeman, Trustee of the Georgia K. Hilgeman Trust—Under Negotiation: Price and Terms of Payment for the Acquisition of Real Property

At 4:40 p.m. following Item 2.1, Councilmember McAlister recused himself and left the room.

2.2 Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of section 54956.9: one potential case. The City Council will confer with legal counsel regarding Fair Political Practices Commission (FPPC) Case No. 2018-00724 pertaining to a sworn complaint alleging violations of the Political Reform Act by Councilmember John McAlister and the investigation and proceedings initiated by the FPPC's Enforcement Division.

The Closed Session concluded at 4:55 p.m.

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

1. CALL TO ORDER

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

2. ROLL CALL

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

3. STUDY SESSION, PART I**3.1 North Bayshore Cost of Development Update.**

Assistant Community Development Director Wayne Chen presented the staff report. Principal Planner Martin Alkire, Consultant Libby Seifel, Seifel Consulting, City Manager Dan Rich and City Attorney Jannie Quinn provided additional information.

Public Comment opened at 5:20 p.m.

The following members of the public spoke:

Dr. Ayindé Rudolph, Superintendent, Mountain View Whisman School District
Ellen Wheeler, Member, Board of Trustees, Mountain View Whisman School District
Katia Kamangar, SummerHill Housing
Naomi Palmer, Bay Area Council
Pilar Lorenzana, SV@Home
Alison Hicks
Laura Blakely, President, Board of Trustees, Mountain View Whisman School District
Dave Hopkins, Sares Regis Group of Northern California
Tim Steele, The Sobrato Organization
Adina Levin, Friends of Caltrain
David Watson
Dr. Jeff Harding, Superintendent, Mountain View Los Altos High School District

Public Comment closed at 6:12 p.m.

The Study Session concluded at 7:49 p.m.

6:30 P.M.-SPECIAL SESSION (HELD IN THE COUNCIL CHAMBERS)**1. CALL TO ORDER**

Mayor Siegel called the meeting to order at 8:06 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Siegel led the Pledge of Allegiance.

3. ROLL CALL

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

4. CONSENT CALENDAR

Member of the public Richard Mehlinger requested to pull Item 4.2.

MOTION - MS - Abe-Koga/Clark - To approve the Consent Calendar with the exception of Item 4.2.

The motion carried by the following roll call vote:

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

4.1 Approval of Minutes.

Approve the City Council Meeting Minutes of May 8, 2018, May 15, 2018, May 22, 2018, June 5, 2018, and June 12, 2018 and the Shoreline Regional Park Community Minutes of May 8, 2018, May 15, 2018, May 22, 2018, and June 12, 2018.

4.2 Approval of Recommendations for the League of California Cities Annual Conference Resolutions for 2018.

Richard Mehlinger provided comments in opposition to League of California Cities Annual Conference resolution one.

Public Comment opened at 8:12 p.m.

The following member of the public spoke:
David Watson

Public Comment closed at 8:13 p.m.

MOTION - MS - McAlister/Matichak - To:

1. Adopt recommended positions regarding the League of California Cities Annual Conference resolutions for 2018.
2. Authorize the City's voting delegate/alternate to cast votes at the League of California Cities Annual Conference to reflect the positions adopted by the City Council.

The motion failed by the following roll call vote:

Yes: 3 - Councilmember Abe-Koga, Councilmember McAlister, Vice Mayor Matichak

No: 4 - Councilmember Clark, Councilmember Rosenberg, Councilmember Showalter, Mayor Siegel

MOTION - MS - Clark/Showalter - To:

1. Adopt recommended positions regarding the League of California Cities Annual Conference resolutions for 2018 except for resolution one, taking a negative position on resolution one.
2. Authorize the City's voting delegate/alternate to cast votes at the League of California Cities Annual Conference to reflect the positions adopted by the City Council.

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

4.3 Increase Appropriations in the Fire Department for the Sale of Surplus SCBA Equipment.

Increase appropriations by \$31,684 in the Fire Department for the sale of surplus self-contained breathing apparatus equipment, to purchase deferred Fire Department tools and equipment.

4.4 2595 California Street, Offsite Street and Utility Improvements-Accept Public Improvements.

Accept the public improvements for the development at 2595 California Street, Offsite Street and Utility Improvements for maintenance throughout their useful lives.

4.5 Sewage Pump Station and Landfill Flare Station Microturbine Maintenance and Repair, Project 16-50-Appropriate PG&E Payments.

1. Appropriate up to \$108,000 (based on actual amount received) of PG&E payments into Project 16-50, Sewage Pump Station and Landfill Flare Station Microturbine Maintenance and Repair.
2. Authorize the City Manager to appropriate future PG&E grants up to \$61,000 (based on the actual amount received) into Project 16-50.

4.6 Increase Appropriation for SMaRT® Station New Capital Project.

Increase appropriations in the Public Works Department by \$199,325 from the Solid Waste Fund for the stormwater diversion capital improvement project at the SMaRT® Station.

4.7 Consider Rescinded Resignation of Parks and Recreation Commissioner.

Accept Parks and Recreation Commissioner Paul Hepfer's request to rescind his resignation to allow him to serve the remainder of his term through December 31, 2018.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Leslie Zheng, architect, provided suggestions regarding the North Bayshore development plan.

Albert Jeans spoke regarding the reversible bus lane and provided data from a survey he conducted regarding bus traffic.

Nan McGarry, Attorney, Community Legal Services, on behalf of Royal Vikings Tenants Union, residents of 2005 Rock Street, spoke regarding the proposed development.

Mary Arnone spoke in support of the residents of 2005 and 2310 Rock Street.

Juan Luis Ortega expressed concerns regarding the proposed development at 2005 Rock Street and the impact of having to relocate his family.

Angeles Anducho expressed concerns regarding the proposed demolition of her apartment complex and the impact of having to relocate her family.

Johana Cuevas expressed concerns regarding the development plans for the Royal Vikings Apartment Complex and the impact on her family.

Adriana Tapia Medrano expressed concerns regarding the proposed demolition of 2005 Rock Street and the impact of having to relocate her family.

Alex Nunez spoke in opposition to the proposed development at 2005 Rock Street.

Jesse Cupp spoke in support of the families in the Rock Street complex.

Meghan Fraley spoke in support of the residents of the Rock Street complex and regarding emotional distress caused by being forced to relocate.

Job Lopez spoke in support of the residents of the Rock Street complex.

Joan MacDonald suggested Council study a policy of no net loss of affordable housing and suggested Council collaborate with the school district to utilize school buses to provide more transit.

Richard Mehlinger requested Council deny the development at Rock Street and spoke regarding the monument on the former Shockley Labs site and suggested Council add a plaque to acknowledge the history of Shockley's ideas.

Adina Levin, speaking for herself, spoke regarding the Shockley monument.

6. PUBLIC HEARING - None.

7. NEW BUSINESS

7.1 Comprehensive Modal Plan Work Plan.

Assistant Public Works Director Dawn Cameron presented the staff report.

Public Comment opened at 9:05 p.m.

The following members of the public spoke:

Mary Dateo

Joan MacDonald

Public Comment closed at 9:07 p.m.

MOTION - MS - McAlister/Matichak - To approve a midyear capital improvement project, Comprehensive Modal Plan, and transfer and appropriate \$350,000 from the Construction/Conveyance Tax Fund to the new project.

The motion carried by the following roll call vote:

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

7.2 Zero Waste Planning and Agreement Development Support-Authorize Professional Services Contract.

Solid Waste Program Manager Lori Topley presented the staff report.

Public Comment opened at 9:29 p.m.

The following member of the public spoke:

Joan MacDonald

Public Comment closed at 9:29 p.m.

MOTION - MS - Clark/Abe-Koga - To authorize the City Manager to execute a professional services agreement with Abbe & Associates to provide zero waste planning and new solid waste agreement development support, Projects 18-57 and 19-42, in a not-to-exceed amount of \$356,800.

The motion carried by the following roll call vote:

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

7.3 North Bayshore Trip Cap Report.

Principal Planner Martin Alkire provided the staff report. Jonathan Noble, Microsoft Corporation, City Manager Dan Rich, Dan Rubins, Traffic Engineer, Fehr & Peers

Transportation Consultants, and Community Development Director Randy Tsuda provided additional information.

Public Comment opened at 9:48 p.m.

The following members of the public spoke:

Adina Levin, Friends of Caltrain

Jeral Poskey, Google

Public Comment closed at 10:03 p.m.

MOTION - MS - Clark/Abe-Koga - To review and accept the North Bayshore Trip Cap Report.

The motion carried by the following roll call vote:

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

MOTION - MS - Clark/Rosenberg - To continue with the remainder of the meeting.

The motion carried by the following show of hands vote:

Yes: 5 - Councilmember Clark, Councilmember Rosenberg, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

No: 2 - Councilmember Abe-Koga, Councilmember McAlister

Council recessed at 10:25 p.m.

Council reconvened at 10:38 p.m. with all Councilmembers present.

8. STUDY SESSION, PART II

8.1 Policy and Program Options for a Soft-Story Retrofit Program.

Business Development Specialist Tiffany Chew provided the staff report. City Attorney Jannie Quinn, Chief Building Official Shellie Woodworth, City Manager Dan Rich, and Consultant David Bonowitz, Structural Engineer, provided additional information.

Public Comment opened at 10:44 p.m.

No speakers.

Public Comment closed at 10:44 p.m.

The Study Session concluded at 11:24 p.m.

9. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Abe-Koga provided a report on the final meeting of the Los Altos School District 10th Site Advisory Task Force.

Councilmember McAlister reported his attendance at meetings of the VTA Board in which Mountain View received \$54,659 for its bike share program, spoke regarding SB 1, and announced the Santa Clara County Transportation Fund for Clean Air Program Manager Fund (TFCA 40%) in which the City may want to participate.

Mayor Siegel reported his attendance at meetings of the Caltrain Local Policy Makers Group, the Measure A Oversight Group, the VTA Policy Advisory Committee, a regional meeting at Metropolitan Transportation Commission/Association of Bay Area Governments, the Mayor's Innovation Project in Grand Rapids, Michigan, and a meeting with Supervisor Simitian regarding Stanford's impact on housing.

Councilmember Rosenberg stated that next Sunday night is the beginning of Rosh Hashanah.

Councilmember McAlister reported his attendance at a meeting regarding Light Rail Express with VTA and a meeting with San Jose Mayor Sam Liccardo.

10. CLOSED SESSION REPORT

City Attorney Jannie Quinn reported regarding Closed Session Item 2.2, the sworn complaint against Councilmember McAlister and the FPPC enforcement action, the City Council unanimously authorized the City Attorney's Office to assist Councilmember McAlister in the enforcement matter because it is in the best interest of the City, and stated assistance will be provided through the investigation.

11. ADJOURNMENT

At 11:42 p.m., Mayor Siegel adjourned the meeting to the next Council Meeting on Tuesday, September 11, 2018, at 5:00 p.m. in the Plaza Conference Room, 500 Castro Street.

ATTEST:

APPROVED:

LISA NATUSCH
CITY CLERK

LEONARD M. SIEGEL
MAYOR