



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

Council Chambers, 500 Castro St., Mountain View

5:00 PM

Tuesday, October 23, 2018

**JOINT MEETING OF THE CITY COUNCIL (REGULAR), SHORELINE REGIONAL
PARK COMMUNITY (SPECIAL), AND THE CITY OF MOUNTAIN VIEW CAPITAL
IMPROVEMENTS FINANCING AUTHORITY (SPECIAL)**

**TELECONFERENCE NOTICE: COUNCILMEMBER JOHN MCALISTER WILL
PARTICIPATE IN THE MEETING BY TELECONFERENCE PURSUANT TO GOVERNMENT
CODE SECTION 54953(b) FROM THE HILTON HAWAIIAN VILLAGE, 2005 KALIA ROAD,
TIARE SUITE, HONOLULU, HAWAII 96815. THE TELECONFERENCE LOCATION WILL BE
ACCESSIBLE TO THE PUBLIC AND THE AGENDA FOR THE MEETING WILL BE POSTED
AT THAT LOCATION PURSUANT TO GOVERNMENT CODE SECTION 54953(b)(3).
MEMBERS OF THE PUBLIC HAVE THE OPPORTUNITY TO ADDRESS THE LEGISLATIVE
BODY AT THIS LOCATION.**

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

1. CALL TO ORDER

2. ROLL CALL

3. STUDY SESSION

3.1 777 West Middlefield Road-Modifications to Residential Gatekeeper Project

Recommendation(s): Discuss modifications to certain elements of the original Gatekeeper proposal, including affordable housing, community benefits, and parking for the residential development at 777 West Middlefield Road.

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

[ATT 1 - Location Map](#)

[ATT 2 - Project Proposal](#)

[ATT 3 - Applicant Request](#)

[ATT 4 - Affordable Housing Proposal](#)

[ATT 5 - Reduced Parking Request](#)

6:30 P.M.-REGULAR SESSION (COUNCIL CHAMBERS)

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**2. ROLL CALL****3. PRESENTATION****3.1 Proclamation in Recognition of Community Development Director Randy Tsuda on His Retirement****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 Approve Meeting Minutes

Recommendation(s): Approve the Council Meeting Minutes of October 16, 2018 and the Shoreline Regional Park Community Minutes of October 16, 2018.

Attachment(s): [10-16-18 Council Minutes](#)
[10-16-18 Shoreline Minutes](#)

4.2 Establishment of Cannabis Business Regulation Ordinances (Second Reading)

Recommendation(s): 1. Adopt an Ordinance Repealing Ordinance No. 1.18, an Interim Urgency Ordinance Extending the Prohibition of Commercial Cannabis Activity in All Zoning Districts within the City, Excluding Cannabis Delivery Services from State and Locally Licensed Cannabis Retailers with Physical Premises Located Outside of the City of Mountain View and Provided Deliveries Are Conducted in Accordance with the Licensing Jurisdictions' Rules for Cannabis Delivery for Ten (10) Months and Fifteen (15) Days, and Amending Article V, Division 2, Article VI, Divisions 2 and 3, Article VII, Section 36.22.10, Article IX, Division 11, and Article XVII, Division 2, and adding Division 21 to Article XIV to Establish Cannabis Regulations, to be read in title only, further reading waived (Attachment 1 to the Council report). (First reading: 5-2, Abe-Koga, Matichak no)

2. Adopt an Ordinance Repealing Chapter 9, Article IV Regarding Medical Marijuana Dispensaries and Replacing It with a New Chapter 9, Article IV Regarding Cannabis Businesses, to be read in title only, further reading waived (Attachment 2 to the Council report). (First reading: 5-2, Abe-Koga, Matichak no)

Attachment(s): [Council Report](#)
[ATT 1 - Ordinance Amending Chapter 36](#)
[ATT 2 - Ordinance Amending Chapter 9](#)

4.3 Continue Second Reading of Ordinance Adding Chapter 44 to the Mountain View City Code Related to Short-Term Rental of Residential Property

Recommendation(s): Continue the second reading of the Ordinance Adding Chapter 44 to the Mountain View City Code Related to Short-Term Rental of Residential Property to November 13, 2018.

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

4.4 Adoption of an Ordinance of the City of Mountain View Amending Procedures for Leasing Property in Excess of 55 Years (Second Reading)

Recommendation(s): Adopt an Ordinance of the City of Mountain View Amending Procedures for Leasing Property in Excess of 55 Years, to be read in title only, further reading waived (Attachment 1 to the Council report). (First Reading: 7-0)

Attachment(s): [Council Report](#)
[ATT 1 - Ordinance](#)

4.5 1991 Sun-Mor Avenue-Accept Public Improvements

Recommendation(s): Accept the public improvements for the development at 1991 Sun-Mor Avenue for maintenance throughout their useful lives.

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

4.6 Notice of Intention to Vacate Public Service Easements at 700 and 800 East Middlefield Road and 1100 Maude Avenue

Recommendation(s): Adopt a Resolution of Intention to Vacate Public Service Easements at 700 and 800 East Middlefield Road and 1100 Maude Avenue, to be read in title only, further reading waived (Attachment 1 to the Council report), and set a date for a public hearing to consider the vacation for November 27, 2018.

Attachment(s): [Council Report](#)
[ATT 1 - Resolution](#)

4.7 Final Map Approval, Tract No. 10427, 858 Sierra Vista Avenue

Recommendation(s): Adopt a Resolution Approving the Final Map of Tract No. 10427, Accepting Dedications and Making Findings as Required by the City Code, to be read in title only, further reading waived (Attachment 1 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Resolution](#)
[ATT 2 - Final Map](#)
[ATT 3 - Tentative Map Conditions](#)

4.8 Updated Master Agreement Administering Agency-State Agreement for Federal-Aid Projects No. 04-5124R

Recommendation(s): Adopt a Resolution Approving Updated Master Agreement Administering Agency-State Agreement for Federal-Aid Projects No. 04-5124R, to be read in title only, further reading waived (Attachment 1 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Resolution](#)

4.9 Community Garden at South Shoreline Boulevard and Latham Street, Project 17-44-Approve Plans and Specifications and Garden Name

Recommendation(s): 1. Approve plans and specifications for the construction of a new community garden at the corner of South Shoreline Boulevard and Latham Street and authorize the project for bidding.

2. Approve “Latham Community Garden” as the name of the new community garden.

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 topic for one three-minute period during this section. State law prohibits the Council from acting on nonagenda items.

6. PUBLIC HEARING

6.1 1255 Pear Avenue Mixed-Use Development Project, Summary Vacation of Public Easements, and Direction Regarding Potential Amendments to the Parkland Dedication Ordinance

Recommendation(s): 1. Approve the Initial Study of Environmental Significance for the mixed-use multi-family and office development project at 1255 Pear Avenue, pursuant to Section 15168 of the California Environmental Quality Act (CEQA) (Attachment 1 to the Council report).

2. Adopt a Resolution Conditionally Approving a Planned Community Permit and a Development Review Permit for a New Mixed-Use Development Consisting of a 231,210 Square Foot Office Building and 635 New Multi-Family Residential Units, Retaining an Existing 156,317 Square Foot Office Building and Demolishing an Existing 103,513 Square Foot Industrial Building at the Site, and a Heritage Tree Removal Permit to Remove 84 Heritage Trees at 1255 Pear Avenue, to be read in title only, further reading waived (Attachment 2 to the Council report).

3. Adopt a Resolution Conditionally Approving a Tentative Subdivision Map at 1255 Pear Avenue, to be read in title only, further reading waived (Attachment 3 to the Council report).
4. Adopt a Resolution Ordering the Summary Vacation of Public Easements at 1255 Pear Avenue, to be read in title only, further reading waived (Attachment 4 to the Council report).
5. Direct staff to review the Parkland Dedication Ordinance to develop a framework of credits for publicly accessible private open space, and provide Sobrato a credit for this project if it qualifies.

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

[ATT 1 - Initial Study of Environmental Significance](#)

[ATT 2 - Resolution Conditionally Approving a PCP, DRP, & HTP](#)

[ATT 3 - Tentative Map Reso](#)

[ATT 4 - Vacation Resolution](#)

[ATT 5 - Letter from Lozeau Drury](#)

[ATT 6 - Project Plans](#)

[ATT 7 - DRC Public Comments Summary](#)

[ATT 8 - School District Letter](#)

[ATT 9 - David J. Powers Letter](#)

[ATT 10 - January 20, 2016 EPC Report](#)

7. UNFINISHED BUSINESS

7.1 Authorization to Execute and Deliver an Installment Sale Agreement and Assignment Agreement to Fund Wastewater Infrastructure Capital Projects

Recommendation(s): City of Mountain View Actions:

1. Adopt a Resolution Approving an Installment Sale Agreement and Approving Final Form of Financing Documents and Official Actions, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Appropriate up to \$300,000 in the Wastewater Fund for interest expense for Fiscal Year 2018-19 and other related costs for the loan. (Five votes required)

City of Mountain View Capital Improvements Financing Authority
Actions:

3. Adopt a Resolution of the Board of Directors of the City of Mountain

View Capital Improvements Financing Authority Approving an Installment Sale Agreement and Assignment Agreement and Approving Final Form of Financing Documents and Official Actions, to be read in title only, further reading waived (Attachment 2 to the Council report).

4. Adopt a Resolution of the Board of Directors of the City of Mountain View Capital Improvements Financing Authority Setting Time and Place of Regular Meetings, to be read in title only, further reading waived (Attachment 3 to the Council report).

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

[ATT 1 - Reso Approving an Installment Sale Agreement](#)

[ATT 2 - Reso of the Board of Directors of the City of MVCIFA](#)

[ATT 3 - Reso of the Board of Directors of the City of MVCIFA](#)

[ATT 4 - Draft Installment Sale Agreement](#)

[ATT 5 - Draft Assignment Agreement](#)

8. NEW BUSINESS

8.1 Transfer of Michaels at Shoreline Restaurant Operations to Touchstone Golf, LLC

- Recommendation(s):*
1. Approve the request of the tenant to terminate the Michaels at Shoreline lease between the City of Mountain View and The Faravelli Company, Inc., to be effective December 31, 2018.
 2. Approve a payment of \$88,000 as full satisfaction for the acquisition of all tangible and intangible assets of Michaels at Shoreline, following satisfaction of rents owed to the City by the tenant.
 3. Approve an amendment to the Golf Course Management Agreement between the City of Mountain View and Touchstone Golf, LLC, to incorporate the terms and conditions recommended in this report.
 4. Increase budgeted revenues and appropriate \$825,000 in expenditures in the Shoreline Golf and Restaurant Fund for operations of the restaurant for the period of January 1, to June 30, 2019. (Five votes required)
 5. Acting in its capacity as Board of Directors of the Shoreline Regional Park Community, appropriate \$1,100,000 from the Shoreline Regional Park Community to Planned and Emergency Facilities Projects, Project 19-18, to refurbish Michaels at Shoreline.
 6. Acting in its capacity as Mountain View City Council, appropriate \$88,000 from the General Fund Reserve Account as compensation to The Faravelli Company, Inc. for the acquisition of assets of Michaels at

Shoreline. (Five votes required)

7. Authorize the City Manager or his designee to execute all documents and take all necessary actions related to the approved recommendations contained in this report.

Attachment(s): [Council Report](#)
[ATT 1 - Current Condition Photos](#)

8.2 Adjust Compensation for City Attorney, City Clerk, and City Manager

Recommendation(s): Adopt a Resolution Approving Annual Compensation Increases for the City Attorney, City Clerk, and City Manager, to be read in title only, further reading waived (Attachment 1 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Resolution](#)

9. COUNCIL, STAFF/COMMITTEE REPORTS

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

10. CLOSED SESSION REPORT

11. ADJOURNMENT

The next Council Meeting will be held on Tuesday, November 13, 2018, 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 on the City website at www.mountainview.gov.

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, Second 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 also webcast live and archived on the City's web site at www.mountainview.gov.

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 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 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 or at the podium. This will assure that your name is accurately recorded in the minutes. 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.

For any agenda item or for Oral Communications from the Public on Nonagenda Items, if there appear to be 15 or more speakers and the Council may not be able to conclude the scheduled agenda items 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.