



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  
Lisa Natusch, City Clerk

Leonard Siegel, Mayor

Jannie L. Quinn, City Attorney

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December 11, 2018

Council Chambers - 500 Castro St.

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

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

**1. CALL TO ORDER**

Mayor Siegel called the meeting to order at 5:00 p.m.

**2. ROLL CALL**

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

**3. STUDY SESSION**

**3.1 Google Landings**

Senior Planner Matt VanOosten presented the staff report. Public Works Director Mike Fuller, Planning Manager/Zoning Administrator Stephanie Williams and City Manager Dan Rich provided additional information.

Drew Wenzel, Development Executive, Google, and Eliot Postma, Design Lead, Heatherwick Studio provided information regarding the proposed project. Jeral Poskey, Program Manager, Transportation Planning, Google, Ryan Gilpin, Project Arborist, HortScience and James Lord, Principal, Surface Design provided additional information.

Public Comment opened at 5:22 p.m.

The following members of the public spoke:

Eileen McLaughlin, Citizens Committee to Complete the Refuge  
Linda Ruthruff, California Native Plant Society, Santa Clara Valley Chapter  
Gita Dev, Sierra Club, Loma Prieta Chapter  
Dashiell Leeds, Santa Clara Valley Audubon Society

Public Comment closed at 5:31 p.m.

Councilmember McAlister disclosed he met with the applicant.

Councilmember Abe-Koga disclosed she met with the applicant.

The Study Session concluded at 6:53 p.m.

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

#### **1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor Siegel called the meeting to order at 7:11 p.m. and 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

#### **3. PRESENTATIONS**

##### **3.1 Presentation of the Healthy Cities Award by the Santa Clara County Public Health Department**

Bonnie Broderick, Senior Health Care Program Manager, Chronic Disease and Injury Prevention Unit, County of Santa Clara Public Health Department presented the City with a 2018 Exemplary City Supporting Healthy Cities Award.

##### **3.2 Bay Area Water Supply and Conservation Agency (BAWSCA) Update by BAWSCA Board Member Mike Kasperzak**

BAWSCA Board Member Mike Kasperzak provided an update from the Bay Area Water Supply and Conservation Agency.

#### **4. CONSENT CALENDAR**

Mayor Siegel announced regarding Item 4.10, Confirmation of Appointment to Downtown Committee (Neighborhood Category), that Jamil Shaikh was elected by the Old Mountain View Neighborhood Association to the neighborhood liaison position on December 10, 2018.

Councilmember McAlister requested to pull Items 4.9 and 4.11 from the Consent Calendar.

Vice Mayor Matichak requested to pull Item 4.11 from the Consent Calendar.

Councilmember Rosenberg provided comments regarding Item 4.8.

MOTION - M/S - Clark/Abe-Koga - To approve the Consent Calendar with the exception of Items 4.9 and 4.11.

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

**4.1 Approve Meeting Minutes**

Approve the Council Meeting Minutes of December 4, 2018 and the Shoreline Regional Park Community Minutes of November 27, 2018 and December 4, 2018.

**4.2 700 East Middlefield Road Office Project (Second Reading)**

1. Adopt Ordinance No. 15.18 Amending the Zoning Map for the Property Located at 700, 800 East Middlefield Road and 1101 Maude Avenue from the ML (Limited Industrial) Zoning District to the P (Planned Community) Zoning District, read in title only, further reading waived (Attachment 1 to the Council report).

2. Adopt Ordinance No. 16.18 Approving a Development Agreement by and Between the City of Mountain View and LinkedIn Corporation for the LinkedIn Middlefield Campus, read in title only, further reading waived (Attachment 2 to the Council report).

**4.3 Amendment to Contracts for Outside Plan Checking, Inspection, and Administrative Services**

1. Increase appropriations in the amount of \$2,940,000 in the Community Development Department, Development Services Fund, for building and fire plan checking, inspection, and administrative services.

2. Authorize the City Manager to execute amendments to increase consultant contracts for outside building and fire plan checking, inspection, administrative, and digital imaging services with: CSG Consultants, Inc., from \$200,000 to \$500,000; ESH Consultants from \$125,000 to \$300,000; Fire & Risk Alliance, LLC, from \$125,000 to \$300,000; O'Brien Code Consulting, Inc., from \$150,000 to \$250,000; Shums Coda Associates, Inc., from \$750,000 to \$3,000,000, for services rendered July 1, 2018 through June 30, 2019, for a total increase of \$3,000,000.

**4.4 Latham Community Garden at South Shoreline Boulevard and Latham Street, Project 17-44-Amend Project Budget, Award Construction Contract, and Designate Time-Restricted Parking**

1. Appropriate and transfer \$470,000 from the Park Land Dedication Fund (Fees received from December 2016 to January 2018) to the Community Garden at Shoreline Boulevard and Latham Street, Project 17-44, for a total project budget of \$990,000.

2. Award the construction contract for the Community Garden at Shoreline Boulevard and Latham Street, Project 17-44, to the responsible low bidder, Suarez and Munoz Construction, Inc., for \$649,000. This contract amount includes a \$59,188 construction contingency and \$71,280 for the inclusion of staff-recommended Add Alternate Bid Items 1A, 2A, 9A, 10A, and 14A.

3. Adopt Resolution No. 18285 Rescinding Table 19.95.2 from Resolution No. 18250 and Adopting a Revised Resolution Designating a New Table 19.95.2, Two-Hour, Twenty-Four Hour a Day Parking Zones, Pursuant to Mountain View City Code Section 19.95.2, read in title only, further reading waived (Attachment 1 to the Council report).

**4.5 Amend Professional Services Contract with Mott MacDonald**

Authorize the City Manager to amend the existing professional services contract with Mott MacDonald, in the Planned and Emergency Facilities, Project 19-18, for an additional \$250,000 for facilities project management engineering services through December 31, 2019, for a total contract amount of \$350,000.

**4.6 Amend Professional Services Contracts with Vali Cooper & Associates - Construction Engineering Section**

Authorize the City Manager to amend the existing professional services contract with Vali Cooper & Associates for an additional \$100,000 for construction engineering services, for a total contract not-to-exceed amount of \$200,000.

**4.7 City Auditor's Annual Report for Fiscal Year 2017-18**

Accept and file the City Auditor's Annual Report for Fiscal Year 2017-18.

**4.8 Annual Report of the Investment Review Committee for Fiscal Year 2017-18**

1. Accept the Annual Report of the Investment Review Committee for Fiscal Year 2017-18.
2. Adopt Resolution No. 18286 of the City Council Modifying City Council Policy B-2, Investment Policy, read in title only, further reading waived (Attachment 1 to the Council Report).
3. Approve the Investment Review Committee's recommendation to divest the City's holdings in Chevron and Exxon Mobil Corporate Notes as soon as possible.

**4.9 Wildlife Management Enhancements at Shoreline at Mountain View Park**

Councilmember McAlister provided comments.

Public Comment opened at 7:32 p.m.

The following members of the public spoke:

Shani Kleinhaus, Santa Clara Valley Audubon Society, and on behalf of others in the audience

Serge Bonte

Public Comment closed at 7:33 p.m.

MOTION - M/S - Showalter/Clark - To:

1. Approve the installation of approximately 6,000 linear feet of 6' chain link fence and associated gates around the Northeast Meadowlands of Shoreline at Mountain View to reduce disturbances upon wildlife, specifically burrowing owls.
2. Appropriate \$250,000 received from Google to meet the required building permit conditions of the Charleston East project to a new midyear Capital Improvement Project for installation of fencing in the Northeast Meadowlands of Shoreline at Mountain View.
3. Authorize the City Manager to award a contract to the lowest responsible bidder if the bid is within the project budget.

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

**4.10 Confirmation of Appointment to Downtown Committee (Neighborhood Category)**

Confirm the appointment of Jamil Shaikh as the Old Mountain View Neighborhood Association's representative to the Downtown Committee (Neighborhood Category) for the term January 1, 2019 to December 31, 2019.

**4.11 Appropriate Funding and Approve Nonprofit Grants for Safe Parking Site Implementation**

Councilmember McAlister provided comments.

Assistant to the City Manager Kimberly Thomas responded to Council questions. City Manager Dan Rich and City Attorney Jannie Quinn provided additional information.

Public Comment opened at 7:42 p.m.

The following member of the public spoke:  
Mark Darrell Cox

Public Comment closed at 7:44 p.m.

MOTION - M/S - Rosenberg/Showalter - To:

1. Appropriate and transfer \$154,750 into the General Operating Fund, Community Development Department, from General Operating Fund Reserve.
2. Authorize the City Manager to execute grant agreements and offset associated permit fees as a City contribution consistent with approved recommendations with the nonprofit Palo Alto Housing Corporation (PAHC), located at 1020 Terra Bella Avenue, for safe parking site preparation, up to \$82,500.

3. Authorize the City Manager to execute a grant agreement consistent with approved recommendations with the nonprofit MOVE Mountain View (MOVE) for safe parking operations, up to \$72,250.

Vice Mayor Matichak inquired if the maker of the motion would modify the motion to make it RVs.

Councilmember Rosenberg declined to modify the motion.

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

#### **4.12 Certification of Official Election Returns-November 6, 2018 General Municipal Election**

Adopt Resolution No. 18287 of the City Council of the City of Mountain View Declaring the Result of the Canvass of Returns of the General Municipal Election Held on November 6, 2018 for the Election of Three Members to the City Council and for Ballot Measure P (Business License Tax) and Ballot Measure Q (Cannabis Tax), read in title only, further reading waived (Attachment 1 to the Council report).

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

Curt Conroy spoke regarding rent control.

Joan MacDonald, on behalf of Advocates for Affordable Housing, spoke regarding a report by CASA, Committee to House the Bay Area.

Mark Darrell Cox addressed the Council.

Tino Barragan spoke regarding comments made at a Rental Housing Committee meeting.

### **6. PUBLIC HEARING**

#### **6.1 Residential Development at 2005 Rock Street**

This item was considered following action on Item 8.1.

Senior Planner Matt VanOosten presented the staff report. Planning Manager/Zoning Administrator Stephanie Williams, City Attorney Jannie Quinn, City Manager Dan Rich and Acting Community Development Director Wayne Chen provided additional information.

Applicant Josh Vrotsos, Director, Land Acquisitions, Dividend Homes, provided information regarding the proposed project.

Vice Mayor Matichak disclosed she met with the applicant and with tenants of the Royal

Viking Apartments.

Councilmember Clark disclosed he met with the applicant and with tenants of the Royal Viking Apartments.

Public Hearing opened at 8:20 p.m.

The following members of the public spoke:

Nan McGarry

Nazanin Salehi

Tino Barragan

Job Lopez

Steven Goldstein

David Meyer, SV@Home

Raul Peraza

Mark Darrell Cox

Angeles A.

Jackie Cashen

Mary Helen Weinstein

Zoe Delgado

Mark Mollineaux

Ashley Morales

Steven Peters

Serge Bonte

Mike Dunham

Rocio Carrillo

Alex Nunez

Francisco

Brian Leong

Dave Arnone

Sally Lieber

Eddie Keating

Aboubacar Ndiaye

Unidentified man

Fernando Romero

Manuel Chino

Maria Martinez

Joan MacDonald, on behalf of Advocates for Affordable Housing

Daniel Saver

Adriana Tapia

Reyna Dominguez

Unidentified woman

Public Hearing closed at 9:38 p.m.

Council recessed at 9:38 p.m.

Council reconvened at 9:53 p.m. with all Councilmembers present.

Councilmember Abe-Koga disclosed she met with the applicant and with tenants of the Royal Viking Apartments.

MOTION - M/S - Matichak/McAlister - To:

1. Adopt Resolution No. 18288 Conditionally Approving a Planned Unit Development Permit and a Development Review Permit to Construct a 15-Unit Rowhouse and Townhouse Development and a Heritage Tree Removal Permit to Remove Six Heritage Trees Located at 2005 Rock Street, read in title only, further reading waived (Attachment 1 to the Council report).
2. Adopt Resolution No. 18289 Conditionally Approving a Vesting Tentative Map to Create 15 Lots and Four Common Lots Located at 2005 Rock Street, read in title only, further reading waived (Attachment 2 to the Council report).

Applicant Josh Vrotsos responded to Council questions.

Member of the public Daniel Saver responded to Council questions.

Councilmember Clark offered a modification to the motion to add a condition of approval that the developer will offer the tenants an extension to December 31, 2019 to relocate, and continue with the same tenant relocation package offered in the letter attached to the staff report.

Vice Mayor Matichak accepted the modification.

Councilmember McAlister accepted the modification.

The motion carried by the following vote:

- Yes:** 4 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Vice Mayor Matichak
- No:** 3 - Councilmember Rosenberg, Councilmember Showalter, Mayor Siegel

MOTION - M/S - Rosenberg/Siegel - To continue with the remainder of the meeting.

The motion carried.

Council recessed at 12:04 a.m.

Council reconvened at 12:13 a.m. with all Councilmembers present.

## 7. UNFINISHED BUSINESS

### 7.1 Agreement with the Los Altos School District to Partially Fund the Acquisition of Joint-Use Open Space and Recreational Facilities at a Future School Site and a Public Park in Mountain



**View**

Councilmember McAlister stated he would recuse himself from participation in this item to avoid any appearance of conflict of interest due to his financial interest in property or leasehold interest in school district property, and left the meeting at 12:15 a.m.

Deputy Zoning Administrator Rebecca Shapiro presented the staff report. City Manager Dan Rich and City Attorney Jannie Quinn provided additional information. City Manager Rich distributed draft proposed agreement language for discussion:

The parties agree that upon opening, the school at this site will be used to serve the Mountain View community surrounding the site in order to accommodate the increased enrollment from development in the area. To that end, LASD agrees the school will serve one or a combination of public school uses:

1. An elementary school open to neighborhood students
2. A junior high school open to neighborhood students
3. A choice or charter school if it has a preference for neighborhood students

The District will partner with the City of Mountain View to design the open space and recreation facilities; provided, however, that all improvements on the site shall be subject to oversight and approval by the Division of State Architect. Should the school not be open by fall 2024, the District agrees to develop and allow City use of the open space area and recreational facilities by that time. For purposes of this provision, recreational facilities do not include the gym. The gym will be constructed during school construction.

To the extent permitted by law, LASD shall use the school site as described above. The parties acknowledge many factors may impact school enrollment and boundaries, including changes in demographics and student generation rates, and changes in the state law.

Should the District use the school site for a purpose other than public school uses described above, at the City's option, LASD shall pay the City the value of the City's contribution for the acquisition of 4 acres pursuant to an amortization schedule.

Jessica Speiser, President, Los Altos School District Board, provided a presentation and responded to Council questions. Jeff Baier, Superintendent, Los Altos School District, provided additional information.

Public Comment opened at 12:44 a.m.

The following members of the public spoke:

Nancy Morimoto

Alice Lee, and submitted a neighborhood petition

Colleen Farley

Barry Austin

Jan Baer  
Anthony Shortland  
Tanya Raschke  
Unidentified man  
Millie Gong  
Serge Bonte  
Unidentified man  
Gary Johnson  
Bill Garrett

Public Comment closed at 1:10 a.m.

Bryan Johnson, Los Altos School District, responded to Council questions.

MOTION - M/S - Showalter/Matichak - To:

1. Authorize the City Manager to execute a Funding and Joint Use Agreement between the Los Altos School District (LASD) and the City of Mountain View for the acquisition and maintenance of joint use open space and recreation facilities of the school site.
2. Appropriate up to \$23.0 million in the Park Land Dedication Fund per the Funding and Joint Use Agreement.
3. Authorize the City Manager to execute a Land Transfer Agreement with LASD for the acquisition of two acres of land for a City park, adjacent to the new LASD school site.
4. Appropriate \$3.0 million in the Open Space Acquisition Reserve and \$17.0 million in the Park Land Dedication Fund. Funds are to be returned to these sources from the Park In-Lieu Fees to be paid by Greystar for the 2580 California Street project.

With the following additions to the agreement language as discussed:

-In the opening paragraph include, "... the increased enrollment from development in the area north of El Camino Real."

-Include in the last paragraph a right of first refusal to the school site to the extent permitted by law, as well as a credit for what the City has contributed; if it's only purchasing the facilities the credit would be based on the \$23 million, and if it is for purchasing the entire site, the credit would be based on the total value of the City's contribution including the transferable development rights (TDRs).

-Regarding school size, include "substantially similar in size based on existing district policies."

And provide direction to staff to finesse the wording as necessary based on this intent.

The motion carried by the following vote:

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

**Recused:** 1 - Councilmember McAlister

Following action on Item 7.1, Council considered Item 8.2.

## 8. NEW BUSINESS

### 8.1 Resolution Appointing an Extra Help Retired Annuitant under Government Code Sections 7522.56 and 21224

This item was considered following the Oral Communications portion of the agenda.

Senior Human Resources Analyst Lindsey Bishop presented the staff report.

Public Comment opened at 7:57 p.m.

No speakers.

Public Comment closed at 7:57 p.m.

MOTION - M/S - Clark/Matichak - To:

Adopt Resolution No. 18290 for Exception to the 180 Day Wait Period Government Code Sections 7522.56 and 21224, read in title only, further reading waived (Attachment 1 to the Council report).

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

Following action on Item 8.1, Council considered Item 6.1.

### 8.2 Police/Fire Administration Building Expansion Study Update

This item was considered following action on Item 7.1.

Public Works Director Mike Fuller presented the staff report. Police Chief Max Bosel provided additional information.

Public Comment opened at 2:08 a.m.

No speakers.

Public Comment closed at 2:08 a.m.

MOTION - M/S - Showalter/Abe-Koga - To authorize staff to issue a Request for Proposals to prepare a preliminary design for a renovation/addition as well as evaluation of a new Police/Fire Administration Building, Project 19-60, and direct staff to return with a midyear CIP to advance the Police staffing study to Fiscal Year 2018-19; and give staff flexibility to include looking at other sites.

The motion carried by the following vote:

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

**Absent:** 1 - Councilmember McAlister

## 9. COUNCIL, STAFF/COMMITTEE REPORTS

Mayor Siegel reported a visit to FabMo, a SV@Home parking workshop, his attendance at a Cities Association holiday party, a visit to Kodiak, the opening of the German Holiday Market, a Human Rights Day event, a "Lenny is Listening" session with vehicle dwellers, and a promotion ceremony at the Mountain View Police Department.

Vice Mayor Matichak reported her attendance at Breakfast with Santa, a promotion ceremony at the Mountain View Police Department, the German Holiday Market and a walking tour of painted signal boxes.

Councilmember Rosenberg reported the 70th Anniversary of the adoption of the Universal Declaration of Human Rights and reported he was a keynote speaker at related events at the United Nations Association Bay Area Chapter, a reception at the County of Santa Clara, and at the Church of Scientology.

Councilmember Clark reported he was appointed to the National League of Cities Steering Committee for LGBT elected officials and reported his attendance at a recent committee event.

Councilmember Abe-Koga reported a meeting with Boy Scouts working on their merit badge, her attendance at the Foothill-De Anza Community College District swearing-in ceremony, and announced an upcoming meeting of the Silicon Valley Clean Energy Board.

Councilmember Showalter reported her attendance at meetings of the San Francisco Bay Conservation and Development Commission, the Cities Association holiday party, a meeting with Councilmember-Elect Lucas Ramirez, a meeting with a school board member, and a workshop on Collaborative Governments for Climate Resilience.

## 10. CLOSED SESSION REPORT

None.

**11. ADJOURNMENT**

At 2:28 a.m., Mayor Siegel adjourned the meeting to the next City Council Meeting on Thursday, January 3, 2019, at 4:00 p.m. in the Atrium Conference Room, 500 Castro Street.

ATTEST:

APPROVED:

\_\_\_\_\_  
LISA NATUSCH  
CITY CLERK

\_\_\_\_\_  
LEONARD M. SIEGEL  
MAYOR