



Christopher R. Clark, Councilmember  
John M. Inks, Councilmember  
R. Michael Kasperzak, Jr., Councilmember

Ken S. Rosenberg, Vice Mayor  
John McAlister, Councilmember  
Leonard M. Siegel, Councilmember

Daniel H. Rich, City Manager  
Lorrie Brewer, City Clerk

Patricia Showalter, Mayor

Jannie L. Quinn, City Attorney

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June 14, 2016

Plaza & 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.-CLOSED SESSION (HELD IN THE PLAZA CONFERENCE ROOM)**

**1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)**

At 5:00 p.m., an announcement was made by City Attorney Quinn, who described the item that Council would consider on the Closed Session Agenda below.

**2. CLOSED SESSION**

2.1 CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (§54956.9(d)(1))  
Name of case: Annie Lohman v. City of Mountain View and Max Bosel, Santa Clara County  
Superior Court Case No. 16CV292398

Seeing no one wishing to speak, Mayor Showalter closed the meeting to the public and called the meeting to order at 5:02 p.m.

All Councilmembers were present.

The Study Session concluded at 5:35 p.m.

**5:30 P.M.-STUDY SESSION (HELD IN THE COUNCIL CHAMBERS)**

**1. CALL TO ORDER**

Mayor Showalter called the meeting to order at 5:36 p.m.

**2. ROLL CALL**

**Present:** 7 - Councilmember McAlister, Mayor Showalter, Councilmember Clark,  
Councilmember Inks, Councilmember Kasperzak, Vice Mayor  
Rosenberg, and Councilmember Siegel

### 3. STUDY SESSION

#### 3.1 Environmental Sustainability Action Plan 3.

Meeting went into Recess

Meeting Reconvened

Environmental Sustainability Coordinator Attinger presented an oral staff report and he, Assistant Community Development Director Blount and City Manager Rich, responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT OF THE PROGRAM AND/OR WITH RECOMMENDATIONS:

Bruce Karney. Mr. Karney also responded to Council's questions.

Mike Balma

Marianna Grossman

James Tuleya

Bruce Naegel

Lucas Ramirez

At 6:20 p.m., Council recessed for a ceremonial flag raising of the Pride flag to half-staff in honor of the victims of the tragic event taking place in Orlando, Florida on Sunday.

Council reconvened at 6:30 p.m.

The Study Session concluded at 7:03 p.m.

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

##### 1. CALL TO ORDER

Mayor Showalter called the meeting to order at 7:03 p.m.

##### 2. PLEDGE OF ALLEGIANCE

Mayor Showalter led the Pledge of Allegiance at the flag raising event.

##### 3. ROLL CALL

**Present:** 7 - Councilmember McAlister, Mayor Showalter, Councilmember Clark, Councilmember Inks, Councilmember Kasperzak, Vice Mayor Rosenberg, and Councilmember Siegel

#### 4. CONSENT CALENDAR

Councilmember Inks registered a no vote on Item 4.2 and Councilmember Siegel registered a no vote on Item 4.4.

**MOTION - M/S Rosenberg/Kasperzak - To approve the Consent Calendar, with Councilmember Inks registering a no vote on Item 4.2 and Councilmember Siegel registering a no vote on Item 4.4.**

The motion carried unanimously.

**4.1 Approval of Minutes.**

That City Council and Shoreline Regional Park Community Boardmembers approve the following minutes:

1. May 24, 2016 Council meeting; and
2. May 24, 2016 Shoreline Regional Park Community meeting.

**4.2 Ordinance Amending Campaign Finance Requirements and the Voluntary Expenditure Limit Program (Second Reading).**

Adopt Ordinance No. 8.16 Amending Chapter 2, Article XII of the Mountain View City Code, Related to Campaign Finance Requirements and the Voluntary Expenditure Limit Program (Attachment 1 to the Council report). (First reading: 5-1-1--Inks no; Showalter absent)

Councilmember Inks registered a no vote on this item.

**4.3 Companion Unit Ordinance Update and Other Potential Text Amendments (Second Reading).**

1. Adopt Ordinance No. 9.16 Amending Sections 36.12.70 and 36.60.09 of Chapter 36 of the Mountain View City Code Related to Companion Unit Regulations. (First reading: 7-0).
2. Adopt Ordinance No. 10.16 Amending Section 41.6 of Chapter 41 of the Mountain View City Code Related to Dwelling Density and In-Lieu Fees for Companion Units. (First reading: 7-0)

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS AND/OR WITH RECOMMENDATIONS:

Janet Per Lee  
Matt Grunewald

**4.4                    580 and 620 Clyde Avenue Office Project (Second Reading).**

**Adopt Ordinance No. 11.16 Amending the Zoning Map of the City of Mountain View for the Properties Located at 580 and 620 Clyde Avenue from the ML (Limited Industrial) Zoning District to the P (Planned Community) Zoning District, and Adopting P District Standards (Attachment 1 to the Council report). (First reading: 6-1; Siegel no)**

Councilmember Siegel registered a no vote on this item.

**4.5                    Legal Advertising.**

**Authorize the City Manager or his designee to award the contract for legal advertising for Fiscal Year 2016-17 to the San Jose Post Record as the lowest responsible bidder.**

**4.6                    Final Map Approval, Tract No. 10317, 400 Pacific Drive (Antenna Farm).**

**Adopt Resolution No. 18066 Approving the Final Map of Tract No. 10317, 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).**

**4.7                    Landfill Gas Flare Replacement, Project 14-52-Accept Construction.**

**Accept Landfill Gas Flare Replacement, Project 14-52, and authorize the final contract payment.**

**4.8                    Contracts for Outside Plan Checking and Inspection Consultant Services.**

**Authorize the City Manager to execute contracts for outside plan checking and inspection services with: CSG Consultants, Inc. (\$200,000); ESH Consultants (\$200,000); Fire Risk Alliance, LLC (\$150,000); Jensen Hughes, Inc. (\$125,000); O'Brien Code Consulting, Inc. (\$300,000); Shums Coda Associates (\$600,000); and Telecommunications Engineering Associates (\$125,000) for July 1, 2016 through June 30, 2017.**

**4.9                    Amend Professional Services Contract with Hatch Mott MacDonald.**

- 1. Appropriate \$300,000 from the development revenues received in the Development Services Fund in excess of budget to the Public Works Land Development Engineering Operating Budget. (Five votes required)**
- 2. Authorize the City Manager to amend the existing professional services contract with Hatch Mott MacDonald for an additional \$300,000 for land development engineering services, and an additional \$64,000 for traffic engineering services through June 30, 2017, for a total contract amount of \$709,000.**

**4.10**                    **Amendment to the Silicon Valley Regional Interoperability Authority Agreement.**

**Authorize the City Manager to approve and execute related documents amending the agreement between the City of Mountain View and the Silicon Valley Regional Interoperability Authority to accommodate a new member, the Santa Clara Valley Transportation Authority.**

**4.11**                    **Law Enforcement Service Agreement Between the City of Hollister and the City of Mountain View.**

**Authorize the City Manager to execute an agreement with the City of Hollister to provide law enforcement services during the Freedom Rally over the July 4th weekend.**

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Don Letcher

**4.12**                    **General Municipal Election - November 8, 2016.**

- 1. Adopt resolutions pertaining to the 2016 General Municipal Election as follows:**
  - a. Resolution No. 18067 and Order of the City Council of the City of Mountain View Calling a General Municipal Election to Be Held on Tuesday, November 8, 2016, and Related Actions, for the Purpose of Electing Four (4) Members of the City Council, to be read in title only, further reading waived (Attachment 1 to the Council report);**
  - b. Resolution No. 18068 Requesting the Board of Supervisors to Authorize the Registrar of Voters to Contract for Election Services and Authorizing the City Clerk to Contract with the County of Santa Clara Pertaining to Services to Be Performed by the County in Connection with the General Municipal Election to Be Held on Tuesday, 11/8/16, to be read in title only, further reading waived (Attach. 2 to the Council report); and**
  - c. Resolution No. 18069 Adopting a 200-Word Maximum for a Candidate's Statement of Qualifications and Charging Each Candidate for a Fixed Share of Costs of the Printing and Handling for the General Municipal Election to Be Held on Tuesday, November 8, 2016, to be read in title only, further reading waived (Attachment 3 to the Council report).**
  
- 2. Direct the City Clerk and the City Attorney to take all necessary actions to do the following:**
  - a. Call a General Municipal Election;**
  - b. Request the Board of Supervisors of the County of Santa Clara to consolidate a General Municipal Election with the Statewide election to be held on Tuesday, November 8, 2016; and**
  - c. Take related actions.**

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

Don Letcher read excerpts from the 2015 Comprehensive Financial Statement and 1969 Assembly Bill 1027.

Robert Greene spoke in support of extending advanced wi-fi capabilities into the Mountain View mobile home communities.

Joan Brodovsky spoke in support of extending advanced wi-fi capabilities into the Mountain View mobile home communities.

Janet Per Lee expressed concerns with the proposal to raise the utility rates in the City of Mountain View, and requested that Council consider a senior rate.

Daniel DeBolt, speaking on behalf of the Mountain View Tenants Coalition, presented information about the Rent Stabilization Initiative Petition process, and he urged the City Council to take an opposing position on Governor Brown's housing bill.

## 6. PUBLIC HEARINGS

### 6.1 881 Castro Street/Fairmont Avenue Mixed-Use Project.

Mayor Showalter opened the Public Hearing at 7:33 p.m.

Associate Planner Hagan and Architect Bill Maston presented oral staff reports and they, and GPR Ventures Founding Member Glen Yonekura, responded to Council's questions.

#### SPEAKING FROM THE FLOOR EXPRESSING CONCERNS AND/OR WITH RECOMMENDATIONS:

Jawad Effadki, Morocco's Restaurant

Max Hauser

Robert Cox

Thida Cornes

George Offen. Mr. Offen also responded to Council's questions.

Ben Dodson

Deb Henigson

David Lewis

Carol Lewis

Armando Ricordes, Small Business Development Center. Mr. Ricordes also responded to Council's questions.

Michael Ritter. Mr. Ritter also responded to Council's questions.

Mayor Showalter closed the Public Hearing at 8:18 p.m.

### **MOTION - M/S Kasperzak/Inks - To:**

**1. Adopt Resolution No. 18070 Conditionally Approving a Provisional Use Permit and Planned Community Permit to Construct a 4-Story, Mixed-Use Building with 14 Condominium Units and 4 Townhome Units, 8,500 Square Feet of Ground-Floor Commercial Space, and a 2-Level Underground Parking Garage at 843, 871, and 881 Castro Street and 750 Fairmont Avenue, with a new Condition 67 to read: "ROOFTOP DECK: The CC&Rs must regulate the operational use, hours, and appearance of the rooftop amenity area so as to reduce impact to adjacent residential neighbors. Activity is prohibited on the rooftop deck after 10:00 p.m., Sunday through Thursday, and after 11:00 p.m., Friday and Saturday. Amplified sound is permitted. In the event problems arise with the hours of operation or amplified noise, the Zoning Administrator may hold a public hearing to review the situation and impose new or modified conditions of approval in response to the information received. The public hearing shall be conducted and noticed in accordance with Chapter 36, Article XVI, Division 6 of the City Code. (PROJECT-SPECIFIC CONDITION)," to be read in title only, further reading waived (Attachment 1 to the Council report); and**

**2. Adopt Resolution No. 18071 Conditionally Approving a Tentative Tract Map to Create 24 Lots, Including 23 Condominium Lots (18 Residential and Up to 5 Commercial) and One Common Lot, at 843, 871, and 881 Castro Street and 750 Fairmont Avenue, to be read in title only, further reading waived (Attachment 2 to the Council report).**

**The motion carried by the following vote:**

**Yes:** 5 - Mayor Showalter, Councilmember Clark, Councilmember Inks, Councilmember Kasperzak, and Councilmember Siegel

**No:** 2 - Councilmember McAlister, and Vice Mayor Rosenberg

Council recessed at 8:47 p.m. and reconvened at 9:01 p.m.

## **6.2 Public Hearing for the Fiscal Year 2016-17 Proposed Budget.**

Mayor Showalter opened the Public Hearing at 9:04 p.m.

Finance and Administrative Services Director Kong and City Manager Rich presented oral staff reports and they, Water Conservation Coordinator Flegel, Police Captain Nowaski, Public Works Director Fuller and Community Development Director Tsuda, responded to Council's questions.

Seeing no one wishing to speak, Mayor Showalter closed the Public Hearing at 9:41 p.m.

**6.3                    Adopt a Resolution Declaring the Existence of a Stage 1 Water Shortage  
Emergency Condition and Directing Implementation of Stage 1 Water Demand  
Reduction Measure.**

Mayor Showalter opened the Public Hearing at 9:56 p.m.

Water Conservation Coordinator Flegel presented an oral staff report and she, and City Manager Rich, responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS AND WITH  
RECOMMENDATIONS:

Deb Henigson

Mayor Showalter closed the Public Hearing at 10:11 P.M.

**MOTION - M/S Kasperzak/Inks - To:**

- 1. Modify the current Stage 2 water shortage to a Stage 1 water shortage;  
and**
- 2. Adopt Resolution No. 18072 Declaring the Existence of a Stage 1 Water  
Shortage Emergency Condition and Directing Implementation of Stage 1  
Water Demand Reduction Measures, to be read in title only, further  
reading waived (Attachment 1 to the Council report).**

**The motion carried by the following vote:**

- Yes:** 6 - Councilmember McAlister, Mayor Showalter, Councilmember Clark, Councilmember Inks, Councilmember Kasperzak, and Councilmember Siegel
- No:** 1 - Vice Mayor Rosenberg

**MOTION - M/S Clark/Siegel - To continue the meeting past 10:00 p.m. to  
consider the remaining items on the agenda.**

**The motion carried by the following vote:**

- Yes:** 6 - Mayor Showalter, Councilmember Clark, Councilmember Inks, Councilmember Kasperzak, Vice Mayor Rosenberg, and Councilmember Siegel
- No:** 1 - Councilmember McAlister



**6.4 Downtown Parking Maintenance and Operation Assessment District for Fiscal Year 2016-17.**

Mayor Showalter opened the Public Hearing at 10:20 p.m.

Business Development Specialist Chew presented an oral staff report.

**MOTION - M/S McAlister/Kasperzak - To waive the reading of the Statement of the Engineer of Record.**

**The motion carried unanimously.**

City Clerk Brewer read a statement outlining the Public Hearing process.

Seeing no one wishing to speak, Mayor Showalter closed the Public Hearing at 10:25 p.m.

**MOTION - M/S McAlister/Kasperzak - To adopt Resolution No. 18073 Adopting the Engineer's Report for the Downtown Parking Maintenance and Operation Assessment District for Fiscal Year 2016-17 and Authorizing its Delivery to Santa Clara County, to be read in title only, further reading waived (Attachment 1 to the Council report).**

**The motion carried unanimously.**

**7. NEW BUSINESS**

**7.1 Calderon Avenue Bike Lane Improvements, Project 16-39-Various Actions.**

Councilmember Siegel recused himself from acting on this item and left the dais.

Junior Engineer Gabon presented an oral staff report and she, Public Works Director Fuller and Assistant Public Works Director Solomon, responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS AND/OR WITH RECOMMENDATIONS:

Deb Henigson  
Tushar Moorti

**MOTION - M/S Kasperzak/Rosenberg - To:**

- 1. Authorize the transfer and appropriate \$200,000 from the following projects to Calderon Ave. Bike Lane Improvements, Project 16-39:  
- \$110,000 from Street Resurfacing Program, Project 14-01; and  
- \$90,000 from Green Bike Lane Pilot, Project 15-48.**
- 2. Approve the removal of three Heritage trees and replacement at a 2 to 1 ratio with 24" box trees.**

**3. Approve plans and specifications for Calderon Avenue Bike Lane Improvements, Project 16-39, and authorize staff to advertise the project for bids.**

**4. Authorize the City Manager to award the construction contract to the lowest responsible bidder if the low bid is within the project budget.**

**The motion carried by the following vote:**

**Yes:** 6 - Councilmember McAlister, Mayor Showalter, Councilmember Clark, Councilmember Inks, Councilmember Kasperzak, and Vice Mayor Rosenberg

**Recused:** 1 - Councilmember Siegel

**8. COUNCIL, STAFF/COMMITTEE REPORTS**

Mayor Showalter reported on her attendance at the Cities Association of Santa Clara County meeting, as well as the Chat with Pat event.

Vice Mayor Rosenberg reported on his meeting with Shula Koenig, Founder of PDHRE, People's Movement for Human Rights Learning.

Councilmember McAlister reported on his attendance at the Community Choice Aggregation Joint Powers Authority Board meeting.

**9. CLOSED SESSION REPORT - None.**

**10. ADJOURNMENT - At 10:49, Mayor Showalter adjourned the meeting to the next Council meeting to be held on Tuesday, June 21, 2016 at 6:30 p.m. in Council Chambers, 500 Castro St.**

ATTEST:

APPROVED:

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LORRIE BREWER, MMC  
CITY CLERK

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PATRICIA SHOWALTER  
MAYOR