

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



Ken S. Rosenberg, Councilmember
Patricia Showalter, Vice Mayor
Leonard M. Siegel, Councilmember

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

John McAlister, Mayor

Jannie L. Quinn, City Attorney

July 07, 2015

Library Community Rm. & Council Chambers

**JOINT SPECIAL MEETING OF THE MOUNTAIN VIEW CITY COUNCIL AND THE
HUMAN RELATIONS COMMISSION**

**5:00 P.M.-STUDY SESSION (HELD IN THE LIBRARY COMMUNITY ROOM, 585
FRANKLIN STREET)**

1. CALL TO ORDER

Mayor McAlister called the meeting to order at 5:01 p.m.

2. ROLL CALL

Present: 6 - Councilmember Clark, Councilmember Inks, Councilmember
Rosenberg, Councilmember Siegel, Vice Mayor Showalter, and Mayor
McAlister

Absent: 1 - Councilmember Kasperzak

Present: Commissioners Baird, Langevine, Malik, Ortiz, Vice Chair Boer and Chair Ramirez

Absent: Commissioner Neal

3. STUDY SESSION

**3.1 Joint Study Session with Human Relations Commission to Discuss Becoming a
"Human Rights City".**

Community Resources Manager Castro and Human Relations Commission Chair Ramirez presented oral reports and they, City Manager Rich and City Attorney Quinn, responded to Council's and Commission's questions.

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

Gary Wesley

Shirley Lin Kinoshita, Silicon Valley United Nations Association President

Gayle Nyland

Unidentified gentleman

Larry Voytilla

Linda Curtis

Mike Fischetti

Philip Cosby

Dr. William Armaline, San Jose State Director of Human Rights Program. Dr. Armaline also responded to Council's questions.

Alison Hicks

Thida Cornes

Barbara Goodwin

Maria Maroquin

Don Bahl

Cherie Walkowiak

Serge Bonte

John Scarboro

Marilyn Winkleby

Job Lopez

The Study Session concluded at 6:33 p.m.

4. ADJOURNMENT OF THE HUMAN RELATIONS COMMISSION - At 6:33 p.m., the Human Relations Commission was adjourned to its next meeting to be held on Thursday, September 3, 2015 at 6:30 p.m. in the Plaza Conference Room, 500 Castro Street.

6:30 P.M.-SPECIAL SESSION (HELD IN THE COUNCIL CHAMBERS, 500 CASTRO STREET)

1. CALL TO ORDER

Mayor McAlister called the meeting to order at 6:48 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor McAlister led the Pledge of Allegiance.

3. ROLL CALL

Present: 6 - Councilmember Clark, Councilmember Inks, Councilmember Rosenberg, Councilmember Siegel, Vice Mayor Showalter, and Mayor McAlister

Absent: 1 - Councilmember Kasperzak

4. CONSENT CALENDAR

Vice Mayor Showalter requested that Item 4.1 be removed from the Consent Calendar in order to record a note on today's minutes to reflect that Item 4.4 - 2030 General Plan, San Antonio Change Area Subsequent Environmental Impact Report, considered on June 23rd, will be agendized again in the early fall for consideration of public comment only.

Councilmember Rosenberg abstained from acting on the June 23, 2015 Council meeting minutes, due to his absence from that meeting.

MOTION - M/S Inks/Siegel - To approve the remaining items on the Consent Calendar (Items 4.2 through 4.6). The motion carried by the following vote:

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

Absent: 1 - Councilmember Kasperzak

4.1 Approval of Minutes.

That City Council approve the June 23, 2015 Council meeting minutes.

Note: Item 4.4 - 2030 General Plan, San Antonio Change Area Subsequent Environmental Impact Report, considered on June 23rd, will be agendized again in early fall for consideration of public comment only.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Don Letcher

MOTION - M/S Clark/Kasperzak - To approve the minutes of the June 23, 2015 Council meeting. The motion carried by the following vote:

Yes: 5 - Councilmember Clark, Councilmember Inks, Councilmember Siegel, Vice Mayor Showalter, and Mayor McAlister

Absent: 1 - Councilmember Kasperzak

Abstain: 1 - Councilmember Rosenberg

4.2 Contracts for Outside Plan Checking and Inspection Consultant Services.

Authorize the City Manager to execute contracts for outside plan checking and inspection services with: Aon Fire Protection Engineering Corporation (\$200,000); CSG Consultants, Inc. (\$150,000); ESH Consultants (\$200,000); Jensen Hughes, Inc. (\$350,000); O'Brien Code Consulting, Inc. (\$300,000); and Shums Coda Associates (\$800,000) for July 1, 2015 through June 30, 2016.

4.3 Amend Professional Services Contract with Vestra Resources, Inc.

Authorize the City Manager to amend the existing professional services contract with Vestra Resources, Inc., for an additional \$27,743 for Geographic Information System services for a total contract amount of \$167,743.

4.4 Shoreline Maintenance Storage Plan, Project 14-34-Reject Bids.

Reject all bids received for the Shoreline Maintenance Storage Plan, Project 14-34.

4.5 The View Teen Center, Rock Church Refurbishment, Project 12-36-Accept Construction.

Accept The View Teen Center, Rock Church Refurbishment, Project 12-36, and authorize the final contract payment.

4.6 Public Electric Vehicle Chargers and Fees.

1. Authorize the City Manager to negotiate and execute a contract with ABM Electrical Power Services, LLC, for an amount not to exceed \$50,000 for the installation of five dual-port, Level 2 electric vehicle chargers to be located in the California/Bryant Parking Structure and four dual-port, Level 2 electric vehicle chargers to be located in the City Hall parking garage; to negotiate and execute a contract with ChargePoint, Inc., for a Master Services and Subscription Agreement for charger network services; and to accept five dual-port, Level 2 electric vehicle chargers received through a California Energy Commission grant.

2. Institute a fee for use of public Level 2 electric vehicle chargers in Mountain View.

3. Appropriate \$50,000 from the CIP Reserve to Project 16-14, Facilities Maintenance Plan, to cover expenses associated with the installation of the nine new electric vehicle chargers. (Five votes required)

SPEAKING FROM THE FLOOR EXPRESSING SUPPORT FOR THE ITEM:

Greg Coladonato

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Don Letcher expressed concerns with individuals and businesses being forced out of the city due to City policies, cost of living and greed.

Patrick Moore invited Council to attend a field trip to Davis in September to see the first protected intersection to be built in California.

Larry Voytilla requested that Council allow residents to retrieve treated wastewater from the treatment center to assist with the drought situation.

Linda Curtis encouraged all Councilmembers to read the definition of Fabian Socialism, and she also expressed concerns that citizens were not allowed to vote on representative members who serve on outside public agencies.

Naomi Nakano-Matsumoto introduced herself as the new Executive Director of Community Health Awareness Council.

Gary Wesley expressed concerns that a United Nation's Human Rights resolution provided at the previous study session was an altered version. Mr. Wesley also presented an update on the Valley Transportation Authority's recent activity regarding the Bus Rapid Transit project.

Cekrina Navarro, translated by Gabriela Fontes, expressed concerns with the high cost of living and lack of rent control in the City of Mountain View.

Concepcion Perez, translated by Gabriela Fontes, expressed concerns with the high cost of living and lack of rent control in the City of Mountain View.

Hilario Saldivar, translated by Gabriela Fontes, expressed concerns with the high cost of living and lack of rent control in the City of Mountain View.

Francisco Leon Marin, translated by Gabriela Fontes, expressed concerns with the high cost of living and lack of rent control in the City of Mountain View.

Leticia Rios, translated by Gabriela Fontes, expressed concerns with the high cost of living and lack of rent control in the City of Mountain View.

Cherie Walkowiak presented the Public Works Department with the Federal Highway Administration's Separated Bike Lanes Planning and Design Guide.

Mayor McAlister presented a slide show of Councilmember Inks' and his trip to the City of Mountain View's Sister City, Hasselt, Belgium.

6. PUBLIC HEARINGS

6.1 Regional Renewable Energy Procurement Solar Photovoltaic Contract with SolarCity.

Mayor McAlister opened the Public Hearing at 7:34 p.m.

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

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

Serge Bonte
Larry Voytilla
Patrick Moore

Mayor McAlister closed the Public Hearing at 7:52 p.m.

MOTION - M/S Showalter/Rosenberg - To:

- 1. Adopt Resolution No. 17975 Making Findings Necessary to Authorize an Energy Service Contract with SolarCity Corporation for the Installation of Solar Panels at the Municipal Operations Center, Shoreline Maintenance Facility, and Shoreline Golf Pro Shop, to be read in title only, further reading waived (Attachment 1 to the Council report); and**
- 2. Authorize the City Manager to negotiate and execute an Energy Service Contract and related agreements, including bond forms, with SolarCity, for an amount not to exceed \$1,670,283.62 for the design, construction, and installation of three Regional Renewable Energy Procurement project solar photovoltaic systems to be located at the Municipal Operations Center, Shoreline Golf Pro Shop, and Shoreline Maintenance Facility, and authorize a construction contingency of \$251,000.**

The motion carried by the following vote:

- Yes:** 6 - Councilmember Clark, Councilmember Inks, Councilmember Rosenberg, Councilmember Siegel, Vice Mayor Showalter, and Mayor McAlister
- Absent:** 1 - Councilmember Kasperzak

6.2 **Planned Community Permit and Vesting Tentative Map for 133-149 Fairchild Drive Residential Project.**

Mayor McAlister opened the Public Hearing at 7:56 p.m.

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

Senior Planner Plambaeck and Dividend Homes Inc., representative/applicant Joss Vrotsos presented oral reports and they, Public Works Director Fuller, City Manager Rich, Zoning Administrator Beaudin, Attorney Margaret Nanda and City Attorney Quinn, responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Terry Sandling

Kenneth Crim

Barbara Bryan

James Munson

Valery Rymasheuski

Lenny Siegel

Charles Wagner. Mr. Wagner also responded to Council's questions.

Linda Curtis

Jenee Santa Cruz

John Scarboro

Mayor McAlister closed the Public Hearing at 8:43 p.m.

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

- 1. Adopt a Mitigated Negative Declaration and Mitigation Monitoring Plan for the 133-149 Fairchild Drive residential project Attachment 1 to the Council report);**
- 2. Adopt Resolution No. 17976 Conditionally Approving a Planned Community Permit to Construct a 35-Unit Rowhouse Project Which Includes Adoption of Mobile Home Park Conversion Impact Report Mitigation Measures and a Heritage Tree Removal Permit to Remove Seven Heritage Trees at 133-149 Fairchild Drive, to be read in title only, further reading waived (Attachment 2 to the Council report); and**
- 3. Adopt Resolution No. 17977 Conditionally Approving a Vesting Tentative Map to Create 35 Residential Lots, 2 Common Lots for Internal Streets and Open Areas, and 1 Lot Dedicated as a 0.27-Acre Public Park on a 1.8-Acre Lot at 133-149 Fairchild Drive, to be read in title only, further reading waived (Attachment 3 to the Council report). The Planned Community Permit will include the modified conditions that were presented to Council this evening and that the mitigation measure will also include first, last and security deposit, in addition to the \$2,000 relocation costs, for all residents that live on site as of October 13, 2014, regardless of income level, and the developer's commitment to additional funding, on a per person basis, special circumstances that were mentioned in the hearing.**

The motion carried by the following vote:

Yes: 3 - Councilmember Clark, Vice Mayor Showalter, and Mayor McAlister

No: 2 - Councilmember Inks, and Councilmember Rosenberg

Absent: 1 - Councilmember Kasperzak

Recused: 1 - Councilmember Siegel

Council recessed at 9:42 p.m. and reconvened at 9:58 p.m.

6.3 1968 Hackett and 208-210 Sierra Vista Avenues Rowhouse Project.

Mayor McAlister opened the Public Hearing at 9:58 p.m.

Associate Planner Shapiro presented and Dividend Homes Inc., representative/applicant Joss Vrotsos presented oral reports and they, Zoning Administrator Beaudin and City Attorney Quinn, responded to Council's questions.

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

Anisha Dadhia. Ms. Dadhia also responded to Council's questions.

Eduardo Rufeisen

Maroo Lieuw

Gabriela Fontes

Ming Yang

Lisa Rogers

Ananth Appathurai

Kate Dochez

Mayor McAlister closed the Public Hearing at 10:25 p.m.

MOTION - M/S Inks/Rosenberg - To:

1. Adopt Resolution No. 17978 Conditionally Approving a Planned Unit Development Permit and Development Review Permit to Construct a 24-Unit Rowhouse Development Project and a Heritage Tree Removal Permit to Remove Eight Heritage Trees at 1968 Hackett Avenue and 208-210 Sierra Vista Avenue, with latitude to staff to investigate having private trash collection and/or moving the trash location, to be read in title only, further reading waived (Attachment 1 to the Council report); and

2. Adopt Resolution No. 17979 Conditionally Approving a Vesting Tentative Map to Create 27 Lots for a 24-Unit Rowhouse Project and Including 3 Common Lots for Internal Roads and Open Areas on a 1.56-Acre Project Site at 1968 Hackett Avenue and 208-210 Sierra Vista 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 - Councilmember Clark, Councilmember Inks, Councilmember Rosenberg, Vice Mayor Showalter, and Mayor McAlister

No: 1 - Councilmember Siegel

Absent: 1 - Councilmember Kasperzak

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

The motion carried by the following vote:

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

No: 1 - Councilmember Inks

Absent: 1 - Councilmember Kasperzak

6.4 Planned Community Permit and Tentative Map for Mora Drive Residential Project.

This item was continued to a future date. The Mayor opened the item for public comment only.

SPEAKING FROM THE FLOOR IN SUPPORT OF THE PROJECT:

Lucas Ramirez

7. NEW BUSINESS

7.1 Bicycle Transportation Plan Update.

Transportation and Business Manager Forsberg presented an oral staff report and she, City Manager Rich, Public Works Director Fuller, and Alta Planning & Design Senior Project Manager Alexandra Sweet, responded to Council's questions.

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

Galen Coleman
Cherie Walkowiak
Kalyanaraman Shankari
Serge Bonte
John Scarboro
Linda Curtis
Birgit Werner
Greg Unangst

No action was taken.

7.2

Adopt Resolutions Governing Compensation for the Mountain View Police Officers Association (POA), EAGLES, Service Employees International Union (SEIU) Local 521, and Unrepresented Hourly Employees.

Assistant City Manager Stevenson Diaz presented an oral staff report and responded to Council's questions.

MOTION - M/S Rosenberg/Showalter - To adopt resolutions to amend existing Memoranda of Understanding and revise the City's Salary Plan to reflect compensation changes for the Mountain View Police Officers Association (POA), EAGLES, Service Employees International Union (SEIU) Local 521, and Unrepresented hourly employees as follows:

- 1. Adopt Resolution No. 17980 Authorizing the City Manager or His Designee to Amend the Memorandum of Understanding Between the Mountain View Police Officers Association and the City, for the Period of July 1, 2015 through June 30, 2017, and to Revise the City's Salary Plan to Reflect These Compensation Changes, to be read in title only, further reading waived (Attachment 1 to the Council report);**
- 2. Adopt a Resolution No. 17981 Authorizing the City Manager or His Designee to Amend the Memorandum of Understanding Between the EAGLES and the City, for the Period of July 1, 2015 through June 30, 2017, and to Revise the City's Salary Plan to Reflect These Compensation Changes, to be read in title only, further reading waived (Attachment 2 to the Council report);**
- 3. Adopt a Resolution No. 17982 Authorizing the City Manager or His Designee to Amend the Memorandum of Understanding Between the Service Employees International Union (SEIU) Local 521 and the City, for the Period of July 1, 2015 through June 30, 2017, and to Revise the City's Salary Plan to Reflect These Compensation Changes, to be read in title only, further reading waived (Attachment 3 to the Council report);**
- 4. Adopt a Resolution No. 17983 Authorizing the City Manager or His Designee to Amend the Compensation Resolution for Unrepresented Hourly Employees for July 1, 2015 through June 30, 2017, and to Revise the City's Salary Plan to Reflect These Compensation Changes, to be read in title only, further reading waived (Attachment 4 to the Council report).**

The motion carried by the following vote:

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

Absent: 1 - Councilmember Kasperzak

8. COUNCIL, STAFF/COMMITTEE REPORTS

Mayor McAlister reported on his attendance at a meeting held at NASA Ames Research Center earlier in the day to meet the new Director Dr. Eugene L. Tu.

Councilmember Siegel reported on the efforts being made to form a public/private partnership to make Stevens Creek more friendly to the steelhead.

At 12:21 a.m., Council recessed to the Closed Session.

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

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

At 12:21 a.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--ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:
(One potential case)

At 12:22 a.m., Mayor McAlister called the meeting to order.

Present: Councilmembers Clark, Inks, Rosenberg, Siegel, Vice Mayor Showalter and Mayor McAlister.

Absent: Councilmember Kasperzak.

The Closed Session concluded at 12:25 p.m.

3. CLOSED SESSION REPORT - None.

4. ADJOURNMENT - at 12:25 a.m., Mayor McAlister adjourned the meeting to the next Council meeting to be held on Tuesday, September 8, 2015 at 6:30 p.m. in Council Chambers, 500 Castro Street.

ATTEST:

LORRIE BREWER, MMC
CITY CLERK

APPROVED:

JOHN McALISTER
MAYOR