



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

February 10, 2015

Plaza & Council Chambers - 500 Castro St.

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

5:15 P.M.-CLOSED SESSION (HELD IN THE PLAZA CONFERENCE ROOM)

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

At 5:15 p.m. an announcement was made by City Attorney Quinn, who described the items that Council would consider on the Closed Session Agenda below.

2. CLOSED SESSION

Conference with Legal Counsel--Anticipated Litigation (§54956.9)
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:
(One potential case)

Conference with Real Property Negotiator (§54956.8)—Property: (No address; adjacent to Parking Lot 11) (APN 158-13-030)—Agency Negotiator: Dennis Drennan, Real Property Program Administrator—Negotiating Party: Old Mountain View Properties LLC—Under Negotiation: Price and Terms of Payment for Acquisition of Real Property

Mayor McAlister called the meeting to order at 5:17 p.m., and seeing no one wishing to speak, closed the meeting to the public. All Councilmembers were present.

The Closed Session concluded at 5:33 p.m.

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

1. CALL TO ORDER

Mayor McAlister called the meeting to order at 5:39 p.m.

2. ROLL CALL

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

3. STUDY SESSION

3.1 El Camino Hospital Campus Update.

Study Session to introduce the El Camino Hospital Campus Update project.

Associate Planner Hagan and El Camino Hospital Chief Administrative Services Officer Ken King presented oral reports and they, Zoning Administrator Beaudin and City Manager Rich, responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

William Roberts, M.D.

The Study Session concluded at 6:34 p.m.

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

1. CALL TO ORDER

Mayor McAlister called the meeting to order at 6:43 p.m.

2. PLEDGE OF ALLEGIANCE

Margaret Capriles led the Pledge of Allegiance.

3. ROLL CALL

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

4. CONSENT CALENDAR

Councilmember Rosenberg abstained from acting on Item 4.1(3)(4)(5) and (6).

Councilmember Inks registered a "no" vote on Item 4.2

Motion - M/S Kasperzak/Inks - To approve the minutes, with Councilmember Rosenberg abstaining on item 4.1(3)(4)(5) and (6), and Councilmember Inks voting no on item 4.2. The motion carried by the following vote:

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

4.1 Approval of Minutes.

That City Council approve the following minutes:

1. City Council January 20, 2015 meeting;
2. City Council January 27, 2015 meeting;
3. Shoreline Regional Park Community June 10, 2014 meeting;
4. Shoreline Regional Park Community June 17, 2014 meeting;
5. Shoreline Regional Park Community November 25, 2014 meeting; and
6. Shoreline Regional Park Community December 16, 2014 meeting.

Councilmember Rosenberg abstained from acting on Items 4.1(3)(4)(5) and (6).

4.2 Mobile Vending and Food Establishment Ordinances Update and Amendments (Second Reading).

Adopt Ordinance No. 2.15 Amending Chapter 15 of the Mountain View City Code Relating to Food Establishments, Restaurants, and Mobile Vendors. (First reading: 5-1-1; Inks no, McAlister absent)

Councilmember Inks registered a no vote on this item.

4.3 2014-15 Concrete Sidewalk and Curb Repairs, Project 15-06-Approve Plans and Specifications/Authorize Bids.

1. Approve plans and specifications for 2014-15 Concrete Sidewalk and Curb Repairs, Project 15-06, and authorize staff to advertise the project for bids.
2. Authorize the City Manager to award the construction contract to the lowest responsible bidder if the low bid is within the project budget.

4.4 Shoreline Boulevard Storm Drain Improvements, Project 10-40 - Accept Construction.

Accept Shoreline Boulevard Storm Drain Improvements, Project 10-40, and authorize the final contract payment.

4.5 California Street/Escuela Avenue Traffic Signal Modifications, Project 10-39 - Accept Construction.

Accept California Street/Escuela Avenue Traffic Signal Modifications, Project 10-39, and authorize the final contract payment.

4.6 Shoreline Boulevard Transportation Corridor Study, Projects 14-44 and 14-43, Amend Professional Services Agreement.

Authorize the City Manager to amend the professional services agreement with Nelson\Nygaard Consulting Associates, Inc., to provide additional traffic analysis services in the amount of \$80,006, for a total not to exceed amount of \$578,445. The funding is to be provided from the Shoreline Boulevard Transportation Corridor Study, Project 14-44, and the Shoreline Transportation Improvement/North Bayshore Area Precise Plan Coordination, Project 14-43.

4.7 Safe Routes to Schools Education Program, Project 14-35-Authorize Professional Services Agreement.

Authorize the City Manager to execute a professional services agreement with Safe Moves for an amount not to exceed \$500,000 to provide bicycle and pedestrian education programs in support of the Safe Routes to Schools Education Program, Project 14-35.

4.8 Shoreline Sewage Lift Station Condition and Risk Assessment and Alternative Trunk Sewer Alignment and Constructability Study, Project 14-32 - Authorize Design Professional Services Contract.

Authorize the City Manager to execute a civil engineering services contract with Schaaf & Wheeler in a not-to-exceed amount of \$209,000 to prepare a Shoreline Sewage Lift Station Condition and Risk Assessment and Alternative Trunk Sewer Alignment and Constructability Study.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Dawen Tsien stated that he was a member of the HERO Program registered contractor in the Bay Area and he presented information regarding the program.

Elena Pacheco presented information regarding the DREAM Act and Deferred Action for Childhood Arrivals programs. Ms. Pacheco also presented information regarding the Hope Corner breakfast for the homeless held every Saturday and invited Council to attend the breakfast.

Nia G. presented information regarding her volunteer and charitable donations in the community and stated that she is nearing the point of having to receive assistance herself because of continued rent increases beyond her affordability. Ms. G also spoke in support of rent control.

Kalyanaraman Shankari suggested that all Safe Routes to School Program items be brought forward to the Bicycle/Pedestrian Advisory Committee for its review and recommendations.

Job Lopez spoke regarding an article in The Voice regarding political funding. Mr. Lopez suggested that Council consider changes to the candidate fundraising policies.

6. PUBLIC HEARING - None.

7. NEW BUSINESS**7.1 Fiscal Year 2014-15 Midyear Budget Status Report and Fiscal Year 2015-16 Preliminary General Operating Fund Forecast.**

Finance and Administrative Services Director Kong presented an oral report and she, City Manager Rich and Assistant Finance and Administrative Services Director Neiderhofer responded to Council's questions.

MOTION - M/S Clark/Inks - To:

- 1. Acknowledge and file the Fiscal Year 2014-15 Midyear Budget Status Report, the Fiscal Year 2015-16 Preliminary General Operating Fund Forecast, and the six-month status of the Fiscal Year 2014-15 Performance/Workload Measures (Attachment 1 to the Council report);**
- 2. Appropriate and transfer the remaining balance from the Fiscal Year 2013-14 Carryover of \$528,000 from the General Non-Operating Fund to the Capital Improvement Reserve. (Five votes required); and**
- 3. Adopt Resolution No. 17943 Amending the City of Mountain View Master Fee Schedule, to be read in title only, further reading waived (Attachment 2 to the Council report), related to a new fee for the Center for the Performing Arts.**

The motion carried by the following vote:

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

7.2 Potential Amendments to Council Policy K-2-Council Advisory Body Appointments.

City Attorney Quinn presented an oral staff report and she, City Manager Rich and City Clerk Brewer, responded to Council's questions.

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

Kalyanaraman Shankari

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Jim Neal
Oliver

MOTION - M/S Showalter/Kasperzak - To approve amendments to Council Policy K-2 - Council Advisory Body Appointments as set forth in Attachment 1 to the Council report, with an additional language to the proposed non-citizen oath to read: "...well and faithfully discharge the duties upon which I am about to enter and uphold the Mountain View City Charter."

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

8. COUNCIL, STAFF/COMMITTEE REPORTS

By Consensus, the City Attorney was directed to research the ability of the City to expedite the disclosure of Independent Expenditures made during elections.

Mayor McAlister reported on his attendance, as well as the attendance of Councilmembers Inks, Rosenberg, Siegel and Vice Mayor Showalter, at the 40th Anniversary Celebration of the City's Sister Cities program with Iwata, Japan.

Councilmember Siegel reported on his attendance at the Environmental Sustainability Committee meeting.

By Consensus, the City Manager was directed to prepare for the March 3rd agenda, a basic outline of the potential issues to bring forward to the City's legislative leaders at the National League of Cities Conference held in Washington D.C. in March.

9. CLOSED SESSION REPORT

City Attorney Quinn reported action taken in closed session this evening for the real property item, APN 158-13-030, property adjacent to lot 11. City action to approve the property owner's offer rendered agreement final. In September of 2014, the City Council authorized staff to exercise the City's option to purchase the 11,448 square foot parcel for a purchase price of \$1,058,000. As a part of the purchase price, the seller agreed to provide the city with an estimate for the removal of hazardous materials from the parcel. If the cost of removal exceeds \$75,000, then the City has two options to consider and decide upon within 45 days. Either terminate the agreement or agree to clean up at our own cost. The Real Property Program Administrator negotiated an offer that was not included in the agreement. The City Council approved staff's recommendation to approve the offer and complete any clean up and remediation when the entire site is developed. The City Council approved the property owner's offer to reduce the purchase price by \$75,000 and the City will conduct any necessary clean up when the site is developed. The vote to approve the offer was unanimous.

10. ADJOURNMENT - at 8:39 p.m., Mayor McAlister adjourned the meeting to the Council meeting to be held on Tuesday, February 24, 2015 at 6:30 p.m. at the Senior Center, 266 Escuela Avenue.

ATTEST:

LORRIE BREWER, MMC
CITY CLERK

APPROVED:

JOHN McALISTER
MAYOR