



Margaret Abe-Koga, Councilmember
Ronit Bryant, Councilmember
John M. Inks, Councilmember

R. Michael Kasperzak, Jr., Councilmember
John McAlister, Vice Mayor
Jac Siegel, Councilmember

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

Christopher R. Clark, Mayor

Jannie L. Quinn, City Attorney

April 01, 2014

Council Chambers - 500 Castro Street

5:00 P.M.-CLOSED SESSION (HELD IN THE PLAZA CONFERENCE ROOM)

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

At 5:02 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

Mayor Clark called the meeting to order at 5:06 p.m. All Councilmembers were present.

2.1 Conference with Legal Counsel--Anticipated Litigation--Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9: One potential case

2.2 Conference with Labor Negotiators (§54957.6) - Agency Designated Representative: City of Mountain View Assistant City Manager Melissa Stevenson Dile; Employee Organizations: Service Employees International Union(SEIU), Local 521; the EAGLES Association; the Police Officers Association (POA); International Association of Firefighters (IAFF), Local 1965; Unrepresented Fire Managers;Unrepresented Police Managers; Unrepresented Department Heads and Council Appointees; and Unrepresented Confidential Employees

The Closed Session concluded at 6:28 p.m.

6:00 P.M.-STUDY SESSION (HELD IN THE PLAZA CONFERENCE ROOM)

1. CALL TO ORDER

Mayor Clark called the meeting to order at 6:34 p.m.

2. ROLL CALL

Present: 7 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Inks, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor McAlister, and Mayor Clark

3. STUDY SESSION

3.1 Recycled Water System - Current Operations and Expansion Feasibility Study Results.

This memorandum provides a report on the status of the City's recycled water system operations and an overview of the system expansion feasibility study.

Assistant Public Works Director Hosfeldt presented an oral staff report and he, and Public Works Director Fuller, responded to Council's questions.

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

Brian Schmidt, Santa Clara Valley Water District Board Director. Mr. Schmidt also responded to Council's questions.

Don Bahl

The Study Session concluded at 6:58 p.m.

7:00 P.M.-REGULAR SESSION (HELD IN THE COUNCIL CHAMBERS)

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Clark called the meeting to order at 7:18 p.m., and led the Pledge of Allegiance.

2. ROLL CALL

Present: 7 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Inks, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor McAlister, and Mayor Clark

3. PRESENTATIONS

3.1 The American Society of Civil Engineers has awarded the final reach of the Stevens Creek Trail the 2014 Outstanding Bikeways and Trails Project in the State of California

Mayor Clark presented Public Works Director Fuller with the American Society of Civil Engineers' 2014 Outstanding Bikeways and Trails Project in the State of California award for the Stevens Creek Trail recent reach.

3.2 New City Website Preview

The City launched its new City Website beta version and requested public input.

4. CONSENT CALENDAR

**MOTION - M/S Abe-Koga/Bryant - To approve the Consent Calendar.
The motion carried by the following vote:**

Yes: 7 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Inks, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor McAlister, and Mayor Clark

4.1 Approval of Minutes.

Approve the Minutes for the Special Council Meeting of March 18, 2014.

4.2 Service Level Agreement for the Silicon Valley Regional Interoperability Authority Computer-Aided Dispatch Interface.

Authorize the City Manager or his designee to execute a Service Level Agreement between the City of Mountain View and the County of Santa Clara on behalf of the Silicon Valley Regional Interoperability Authority for a Computer-Aided Dispatch interface.

4.3 Intergovernmental Agreement Regarding Participation in the South Bay Information Sharing System.

Authorize the City Manager to execute an intergovernmental agreement to allow the Police Department's continued participation in the South Bay Information Sharing System, and the authority to execute amendments to the agreement in accordance with Council Policy A-10.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Lucas Ramirez, Human Relations Committee Vice Chair, expressed appreciation to all the attendees, staff and the Milk Pail, for all their efforts and participation at the Civility Roundtable event held last week.

Jim Neal expressed concerns with the parking situation at the San Antonio Project, specifically with regard to the Milk Pail. Mr. Neal also spoke to the community benefits provided by the Milk Pail.

6. PUBLIC HEARINGS

6.1 Proposed Animal Ordinance.

Introduce an Ordinance Deleting Chapter 5 in its Entirety and Adding a New Chapter 5 to the Mountain View City Code Related to Animals, to be read in title only, further reading waived, and set second reading for April 8, 2014 (Attachment 1 to the Council Report).

Mayor Clark opened the Public Hearing at 7:43 p.m.

Police Captain Bosel and Senior Assistant City Attorney Dobson presented oral staff reports and they, City Manager Rich, Silicon Valley Animal Control Authority Executive Director Dan Soszynski, City Attorney Quinn and Recreation Supervisor Marchant, responded to Council's questions.

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

Carol Hyde, Palo Alto Humane Society Executive Director

Leonar Delgado, Palo Alto Humane Society Humane Educator. Ms. Delgado also responded to Council's questions.

Jim Neal

Eileen McLaughlin, Citizen Committee to Complete the Refuge

Ivor Durham, Fat Cat Rescue

Antonia d'Amato

Carol Moholt

Brian Schmidt, Santa Clara Valley Water District Board Director

Stephanie Ellis, Santa Clara Valley Audubon Society Executive Director

Shani Kleinhaus, Santa Clara Valley Audubon Society Environmental Advocate

Christina Peck. Ms. Peck also responded to Council's questions.

Mayor Clark closed the Public Hearing at 8:54 p.m.

MOTION - M/S Kasperzak/Clark - To introduce an Ordinance Deleting Chapter 5 in its Entirety and Adding a new Chapter 5 to the Mountain View City Code related to Animals, to be read in title only, further reading waived, and set a second reading for April 8, 2014, with the following exceptions:

- Use Section 5.15, as proposed on June 4, 2013;
- Add an exception for vaccinations, if the veterinarian deems it unsafe for the pet;
- Correct Section 5.52 to add a comma instead of a period and add the words: "...unless otherwise approved by the State Department of Public Health."; and
- Strike Chlamydia from Section 5.82.

The motion FAILED by the following vote:

Yes: 2 - Councilmember Kasperzak, and Mayor Clark

No: 5 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Inks, Councilmember Siegel, and Vice Mayor McAlister

MOTION - M/S Bryant/Siegel - To direct staff to collect information in order to quantify the feral cat population problem in the North Bayshore and creek areas, and to convene a stakeholders group, to be defined, to make recommendations on how to better control the feral cat populations and protection of wildlife.

The motion FAILED by the following vote:

- Yes:** 3 - Councilmember Bryant, Councilmember Siegel, and Vice Mayor McAlister
- No:** 4 - Councilmember Abe-Koga, Councilmember Inks, Councilmember Kasperzak, and Mayor Clark

MOTION - M/S Kasperzak/Abe-Koga - To Introduce an Ordinance Deleting Chapter 5 in its Entirety and Adding a New Chapter 5, with the exception of Sections 5.8, 5.15, and 5.26, to the Mountain View City Code Related to Animals, to be read in title only, further reading waived, and set a second reading for April 8, 2014, with the following exceptions:

- Correct Section 5.8 by retaining only the first sentence;
- Remove "Chylamydia" from the list of vaccinations in Section 5.82;
- Correct Section 5.52 to add a comma instead of a period, and add the words: "...unless otherwise approved by the State Department of Public Health."; and
- Direct staff to collect information in order to quantify the feral cat population problem in North Bayshore and the creek areas, and to convene a stakeholders group, to be defined, to make recommendations on how to better control the feral cat populations and protection of wildlife.

The motion carried by the following vote:

- Yes:** 6 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor McAlister, and Mayor Clark
- No:** 1 - Councilmember Inks

MOTION - M/S Bryant/Clark - To continue the meeting past 10:00 p.m. in order to consider the remaining items on the agenda. The motion carried by the following vote:

- Yes:** 7 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Inks, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor McAlister, and Mayor Clark

Council recessed at 10:09 p.m. and reconvened at 10:22 p.m.

**6.2 Ordinance to Amend Chapter 35, Article II of the City Code, and
Resolution to Declare a Stage 1 Water Shortage Emergency Condition.**

1. Introduce an Ordinance Amending Chapter 35, Article II, Division 3, of the Mountain View City Code Relating to Water Conservation, to be read in title only, further reading waived, and set the second reading for April 8, 2014 (Attachment 1 to the Council report).

2. Adopt a Resolution Declaring the Existence of a Stage 1 Water Shortage Emergency Condition and Directing Implementation of Stage 1 Water Demand Reduction Measures, effective upon adoption of the ordinance amending Chapter 35, Article II, Division 3, of the Mountain View City Code, related to water conservation, to be read in title only, further reading waived (Attachment 2 to the Council report).

Mayor Clark opened the Public Hearing at 10:22 p.m.

Water Conservation Coordinator Flegel presented an oral staff report and she, Assistant Public Works Director Hosfeldt, City Manager Rich and Senior Deputy City Attorney Wright, responded to Council's questions.

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

Don Bahl
Brian Schmidt, Santa Clara Valley Water District Board Director
Jim Neal

Mayor Clark closed the Public Hearing at 10:40 p.m.

MOTION - M/S - Kasperzak/Siegel - To:

1. Introduce an Ordinance Amending Chapter 35, Article II, Division 3, of the Mountain View City Code Relating to Water Conservation, to be read in title only, further reading waived, and set the second reading for April 8, 2014 (Attachment 1 to the Council report); and

2. Adopt Resolution No. 17844 Declaring the Existence of a Stage 1 Water Shortage Emergency Condition and Directing Implementation of Stage 1 Water Demand Reduction measures, effective upon adoption of the Ordinance Amending Chapter 35, Article 11, Division 3, of the Mountain View City Code, related to water conservation, to be read in title only, further reading waived (Attachment 2 to the Council report).

The motion carried by the following vote:

Yes: 7 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Inks, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor McAlister, and Mayor Clark

7. NEW BUSINESS

7.1 Amend City Council Policy H-4, Use of Civic Center Plaza; Adopt City Council Policy-Commercial Use of City Parks; Amend Master Fee Schedule; and Amend City Code Chapter 38.

1. Adopt a Resolution Amending City Council Policy H-4, Use of Civic Center Plaza; Adopting City Council Policy-Commercial Use of City Parks; and Amending the City of Mountain View Master Fee Schedule-Community Services, to be read in title only, further reading waived.

2. Introduce an Ordinance Amending Chapter 38 of the Mountain View City Code Relating to Regulating the Use of City Parks and Other City Facilities, to be read in title only, further reading waived, and set second reading for May 13, 2014 (Attachment 1 to the Council report).

Recreation Manager Marchant presented an oral staff report and he, City Manager Rich and City Attorney Quinn, responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Don Bahl

MOTION - M/S Kasperzak/Bryant - To:

1. Adopt Resolution No. 17845 Amending City Council Policy H-4, Use of Civic Center Plaza; Adopting City Council Policy-Commercial Use of City Parks; and Amending the City of Mountain View Master Fee Schedule-Community Services, to be read in title only, further reading waived; and

2. Introduce an Ordinance Amending Chapter 38 of the Mountain View City Code Relating to Regulating the Use of City Parks and Other City Facilities, to be read in title only, further reading waived, and set the second reading for April 22, 2014 (Attachment 1 to the Council report).

MOTION - M/S McAlister/Siegel - To amend the main motion to delete Section 38.21, Powers of Arrest, from Chapter 38.

The motion to amend FAILED by the following vote:

Yes: 2 - Councilmember Siegel, and Vice Mayor McAlister

No: 5 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Inks, Councilmember Kasperzak, and Mayor Clark

The main motion carried by the following vote:

Yes: 5 - Councilmember Abe-Koga, Councilmember Bryant, Councilmember Kasperzak, Councilmember Siegel, and Mayor Clark

No: 2 - Councilmember Inks, and Vice Mayor McAlister

8. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Bryant reported that the Grand Boulevard Initiative has distributed four studies, which she left with the City Clerk for Council's review.

Mayor Clark reported on his trip with the Silicon Valley Leadership Group last week to Washington D.C. to lobby for Patent Reform and Control, and Immigration Reform.

9. CLOSED SESSION REPORT - None.

10. ADJOURNMENT - At 11:24 p.m., Mayor Clark adjourned the meeting to the next Council meeting to be held on Tuesday, April 8, 2014 at 6:30 p.m., in the Council Chambers located at 500 Castro Street.