



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

May 17, 2016

Plaza & Council Chambers - 500 Castro St.

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

5:30 P.M.-CLOSED SESSION (HELD IN THE PLAZA CONFERENCE ROOM)

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

At 5:31 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

At 5:31 p.m., Mayor Showalter called the meeting to order, and seeing no one wishing to speak, closed the meeting to the public.

Councilmembers Clark (arrived at 6:00 p.m.), Inks, McAlister, Siegel, Vice Mayor Rosenberg and Mayor Showalter were present.

Councilmember Kasperzak was absent.

The Closed Session concluded at 6:19 p.m.

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

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Showalter called the meeting to order at 6:31 p.m.

Kathy Thibodeaux led the Pledge of Allegiance.

2. ROLL CALL

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

Absent: 1 - Councilmember Kasperzak

3. PRESENTATION

3.1 Mayor Showalter presented a Proclamation recognizing Affordable Housing Week to Keri Lung and Kathy Thibodeaux, SV@Home Board Members

4. CONSENT CALENDAR

Councilmember Siegel requested that Item 4.2 be removed from the Consent Calendar and Councilmember McAlister requested that Item 4.3 be removed from the Consent Calendar.

MOTION - M/S Clark/Rosenberg - To approve the remaining items on the Consent Calendar (Items 4.1 and 4.4).

The motion carried by the following vote:

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

Absent: 1 - Councilmember Kasperzak

4.1 Amend Ordinance Relating to Purchasing and Procurements.

Introduce an Ordinance Amending Chapter 2 of the Mountain View City Code Relating to Purchasing and Procurements and Adding Provisions Related to Procurements During a Declared Emergency or Disaster, to be read in title only, further reading waived, and set second reading for May 24, 2016 (Attachment 1 to the Council report).

4.2 Street Closure, Parking Lot Closure, Sound Amplification, and Festival Area Designation for the 4th Annual Oktoberfest.

Recreation Manager Marchant, City Manager Rich and City Attorney Quinn responded to Council's questions.

MOTION - M/S Inks/McAlister - To:

1. Adopt Resolution No. 18049 to Approve the Closure of Certain Streets in the Downtown Area and Lot No. 2 on Saturday, October 1, 2016, at 2:30 a.m., until Sunday, October 2, 2016, at 10:00 p.m., for the 4th Annual Oktoberfest, to be read in title only, further reading waived (Attachment 1 to the Council report); and

2. Approve the operation of a sound amplification device by the applicant between 11:00 a.m. and 7:00 p.m. on Saturday, October 1, and Sunday, October 2, 2016, within the event area, under conditions as specified.

The motion carried by the following vote:

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

Absent: 1 - Councilmember Kasperzak

4.3 Contribution to the Housing Trust Silicon Valley.

Senior Planner Adams responded to Council's questions.

MOTION - M/S McAlister/Inks - To authorize the City Manager to execute an agreement with the Housing Trust Silicon Valley for a City contribution of \$150,000 in Fiscal Year 2015-16.

The motion carried by the following vote:

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

Absent: 1 - Councilmember Kasperzak

4.4 Lease of Unimproved Real Property (no street address; APN 158-22-028).

1. Approve the lease of a 16,100 square foot vacant parcel of land located near the intersection of Villa Street and View Street (APN 158-22-028) for temporary public parking and other purposes.

2. Authorize the City Manager, or his designee, to execute a five-year ground lease with Castle Farms, LP, a Nevada limited partnership.

3. Authorize the City Manager to sublet the property for periods of time when it is in the best interest of the City to do so.

4. Appropriate \$125,000 in the Strategic Property Acquisition Reserve Fund for the first-year rental payments. (Five votes required)

5. Appropriate and transfer \$50,000 from the Strategic Property Acquisition Reserve Fund to Street Resurfacing and Slurry Seal Program, Project 16-01, for future improvements to the parking lot. (Five votes required)

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS - None.

6. PUBLIC HEARINGS

6.1 186 East Middlefield Road and 129 Flynn Avenue Project.

Mayor Showalter opened the Public Hearing at 6:54 p.m.

Associate Planner Anderson and Architect Bill Maston presented oral reports and they, and DeNardi Homes Developer Kevin DeNardi, responded to Council's questions.

Seeing no one wishing to speak, Mayor Showalter closed the Public Hearing at 7:13 p.m.

MOTION - M/S Inks/McAlister - To:

1. Adopt Resolution No. 18050 Conditionally Approving a Development Review Permit and Planned Unit Development Permit to Construct an Eight-Unit Residential Condominium Development and Modify an Existing Three-Unit Multi-Family Building, and a Heritage Tree Removal Permit to Remove Four Heritage Trees at 186 East Middlefield Road, including a determination that the project is categorically exempt pursuant to Section 15332 ("Infill Development") of the CEQA Guidelines, to be read in title only, further reading waived (Attachment 1 to the Council report); and

2. Adopt Resolution No. 18051 Conditionally Approving a Vesting Tentative Map to Create Two Lots and Eight Condominiums on a 0.85-Acre Lot at 186 East Middlefield Road, 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 McAlister, Mayor Showalter, Councilmember Clark, Councilmember Inks, and Vice Mayor Rosenberg

No: 1 - Councilmember Siegel

Absent: 1 - Councilmember Kasperzak

6.2 Economic Development Subsidy Report and Disposition and Development Agreement and Ground Leases for Hope Street Lots 4 and 8.

Mayor Showalter opened the Public Hearing at 7:27 p.m.

Economic Development Manager Andrade presented an oral staff report and he, City Attorney Quinn and Finance and Administrative Director Kong, responded to Council's questions.

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

Cliff Chambers

Sarah McDermott, Unite Here Local 19

Mayor Showalter closed the Public Hearing at 7:46 p.m.

MOTION - M/S Clark/Inks - To:

1. Adopt Resolution No. 18052 of the City of Mountain View Regarding the Lease and Development of Hope Street Lots 4 and 8 (Attachment 2 to the Council report); and

3. Authorize the City Manager to execute the Disposition and Development Agreement and Ground Leases with The Robert Green Company (RGC) for the development of Hope Street Lots 4 and 8 consistent with the business terms negotiated during the Exclusive Right to Negotiate Period and approved by the City Council on May 3, 2016 (Attachment 3 to the Council report).

The motion carried by the following vote:

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

Absent: 1 - Councilmember Kasperzak

6.3 Public Meeting - Downtown Parking Maintenance and Operation Assessment District for Fiscal Year 2016-17.

Mayor Showalter opened the Public Hearing at 7:53 p.m.

Economic Development Manager presented an oral staff report.

Seeing no one wishing to speak, Mayor Showalter closed the Public Hearing at 7:57 p.m.

MOTION - M/S McAlister/Inks - To adopt Resolution No. 18053 Preliminarily Approving the Annual Engineer's Report for the Downtown Parking Maintenance and Operation Assessment District for Fiscal Year 2016-17, to be read in title only, further reading waived. The motion carried by the following vote:

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

Absent: 1 - Councilmember Kasperzak

7. NEW BUSINESS**7.1 Bay Area Bike Share Program.**

Transportation and Business Manager Forsberg presented an oral report and she, City Manager Rich and City Attorney Quinn, responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT OF THE PROJECT AND RESPONDING TO COUNCIL'S QUESTIONS:

Tom Herrington, Transportation Management Association

MOTION - M/S Clark/Siegel - To:

- 1. Authorize the City Manager, or his designee, to negotiate and execute, if appropriate, agreements with Bay Area Motivate, LLC, for the City of Mountain View's continued participation in the Bay Area Bike Share Program through November 30, 2016, and possibly June 30, 2017.**
- 2. Appropriate and transfer up to \$160,000 from the General Fund Reserve to the General Non-Operating Fund, Public Works Department, to fund the City's costs of participating in the Bay Area Bike Share Program. (Five votes required)**
- 3. Accept \$60,000 from the Mountain View Transportation Management Association (TMA) to be used towards bike share programs.**
- 4. Direct staff to partner with the Mountain View TMA, interested Peninsula cities, and other interested stakeholders during the next 12 months to explore bike share program options/solutions.**

The motion failed by the following vote due to the five vote requirement for action item 2:

Yes: 4 - Mayor Showalter, Councilmember Clark, Vice Mayor Rosenberg, and Councilmember Siegel

No: 2 - Councilmember McAlister, and Councilmember Inks

Absent: 1 - Councilmember Kasperzak

MOTION - M/S Siegel/Rosenberg - To authorize the City Manager, or his designee, to negotiate and execute, if appropriate, agreements with Bay Area Motivate, LLC, for the City of Mountain View's continued participation in the Bay Area Bike Share Program through November 30, 2016, and possibly June 30, 2017. The motion carried by the following vote:

Yes: 4 - Mayor Showalter, Councilmember Clark, Vice Mayor Rosenberg, and Councilmember Siegel

No: 2 - Councilmember McAlister, and Councilmember Inks

Absent: 1 - Councilmember Kasperzak

MOTION - M/S Siegel/Clark - To:

1. Accept and appropriate \$60,000 from the Mountain View Transportation Management Association (TMA) to be used towards bike share programs; and

2. Direct staff to partner with the Mountain View TMA, interested Peninsula cities, and other interested stakeholders during the next 12 months to explore bike share program options/solutions.

The motion carried by the following vote:

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

No: 1 - Councilmember Inks

Absent: 1 - Councilmember Kasperzak

MOTION - M/S Clark/Siegel - To bring back the item on a Consent Calendar on May 24th or June 7th for consideration of action item 2 in the staff report.

The motion carried by the following vote:

Yes: 4 - Mayor Showalter, Councilmember Clark, Vice Mayor Rosenberg, and Councilmember Siegel

No: 2 - Councilmember McAlister, and Councilmember Inks

Absent: 1 - Councilmember Kasperzak

7.2 **South Bay Salt Pond Restoration Project-Phase 2, Final Environmental Impact Statement/Report Comments.**

Mayor Showalter disqualified herself from acting on this item and left the meeting.

Public Works Director Fuller and South Bay Salt Pond Restoration Project Executive Project Manager John Bourgeois presented oral reports and they, and Project Manager Wong, responded to Council's questions.

Seeing no one wishing to speak, Vice Mayor Rosenberg closed the public comment period.

MOTION - M/S McAlister/Clark - To:

- 1. Endorse Alternative B of the Environmental Impact Statement/Report (EIS/EIR), which proposes to improve Ponds A1 and A2W, but does not include Charleston Slough.**
- 2. Authorize the Vice Mayor to submit the proposed City staff comments to the South Bay Salt Pond Restoration Project-Phase 2, Final EIS/EIR to the California State Coastal Conservancy; and**
- 3. Authorize the Vice Mayor to submit an endorsement letter to support the project.**

The motion carried by the following vote:

Yes: 4 - Councilmember McAlister, Councilmember Clark, Vice Mayor Rosenberg, and Councilmember Siegel

No: 1 - Councilmember Inks

Absent: 1 - Councilmember Kasperzak

Recused: 1 - Mayor Showalter

8. COUNCIL, STAFF/COMMITTEE REPORTS

This item was considered out of agenda order.

Councilmember Inks reported on his attendance at the Moffett Restoration Advisory Board meeting.

Councilmember McAlister reported on his attendance at the Community Choice Energy Joint Powers Authority Board meeting, Valley Transportation Authority Policy Committee meeting, and the City's Earth Day celebration.

Mayor Showalter reported on her attendance at the SV@Home breakfast, Leadership Mountain View Graduation Ceremony, the Cities Association of Santa Clara County meeting, and corporate visits to 23andMe, Intuit, Fogarty Institute for Innovation and Barron Park Plumbing.

Council discussed the June 28th meeting and the potential attendance conflicts of three Councilmembers and agreed to reschedule that meeting to June 22nd.

9. CLOSED SESSION REPORT - None.

10. ADJOURNMENT - At 9:45 p.m., Mayor Showalter adjourned the meeting to the next Council meeting to be held on Tuesday, May 24, 2016 in Council Chambers, 500 Castro Street.

ATTEST:

APPROVED:

LORRIE BREWER, MMC
CITY CLERK

PATRICIA SHOWALTER
MAYOR