



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

June 23, 2015

Council Chambers & Plaza Conf. Rm.

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

THIS MEETING WAS TELECONFERENCED PURSUANT TO GOVERNMENT CODE SECTION 54953(b) WITH MAYOR MCALISTER PARTICIPATING IN THE MEETING FROM HOTEL LONDRES EIFFEL, 1 RUE AUGEREAU 75007, PARIS, FRANCE; AND COUNCILMEMBER INKS FROM THE FARTHINGS GUESTHOUSE B&B, 5 NUNTHORPE AVENUE, YORK YO23 1F, UNITED KINGDOM. THE TELECONFERENCE LOCATION WAS ACCESSIBLE TO THE PUBLIC AND AN AGENDA FOR THE MEETING WAS POSTED AT THESE LOCATIONS PURSUANT TO GOVERNMENT CODE SECTION 54953(b)(3). MEMBERS OF THE PUBLIC HAD THE OPPORTUNITY TO ADDRESS THE LEGISLATIVE BODY AT THESE LOCATIONS.

5:00 P.M.-STUDY SESSION (HELD IN THE COUNCIL CHAMBERS)

1. CALL TO ORDER

Vice Mayor Showalter called the meeting to order at 5:05 p.m.

2. ROLL CALL

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

Absent: 1 - Councilmember Rosenberg

Councilmember Inks and Mayor McAlister attended via teleconference.

3. STUDY SESSION

3.1 Community Tree Master Plan.

Parks Manager Hurlburt and Davey Resource Group Community Forestry Specialist Tina McKeand presented oral reports and they, Zoning Administrator Beaudin, City Attorney Quinn, City Manager Rich and Community Services Director de la Montaigne, responded to Council's questions.

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

Helen Wolter
Serge Bonte
Linda Curtis

3.2 750 Moffett Boulevard - Moffett Gateway Project.

Senior Planner Williams, Broadreach Capital Partners Managing Director Craig Vought and WRNS Studios Founding Partner Bryan Shiles presented oral reports and they, City Manager Rich, Community Development Director Tsuda and Zoning Administrator Beaudin, responded to Council's questions.

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

Richard McMurtry
Lucas Ramirez
Greg Unangst
Ross Heitkamp
Serge Bonte
Patrick Grant

The Study Session concluded at 7:05 p.m.

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

1. CALL TO ORDER

Vice Mayor Showalter called the meeting to order at 7:05 p.m.

2. PLEDGE OF ALLEGIANCE

Vice Mayor Showalter led the Pledge of Allegiance.

3. ROLL CALL

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

Absent: 1 - Councilmember Rosenberg

Councilmember Inks and Mayor McAlister attended via teleconference.

4. CONSENT CALENDAR

Councilmember Siegel requested that Item 4.4 be removed from the Consent Calendar.

Councilmember Inks recused himself from acting on Item 4.4.

MOTION - M/S Kasperzak/Clark - To approve the remaining items on the Consent Calendar.

The motion carried by the following vote:

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

Absent: 1 - Councilmember Rosenberg

4.1 **Adopt an Ordinance Amending a Development Agreement Between the City of Mountain View and EMBP 455, L.L.C., Located at 575 East Middlefield Road (Second Reading).**

Adopt Ordinance No. 4.15 Amending a Development Agreement Between the City of Mountain View and EMBP 455, L.L.C., for the Property at 575 East Middlefield Road. (First reading: 5-1-1; Siegel no; Rosenberg absent)

4.2 **Adopt Amendments to City Code, Chapter 38 (Second Reading).**

Adopt Ordinance No. 5.15 Amending Chapter 38, Regulating the Use of City Parks and Other City Facilities, to Add Article IV, Regulating the Use of City Trails. (First reading: 7-0)

4.3 **Law Enforcement Services Agreement to Provide Police Services for Super Bowl 50.**

Authorize the City Manager or his designee to execute a law enforcement services agreement under which Mountain View peace officers could provide supplemental police service for the City of Santa Clara and the Santa Clara Stadium Authority for Super Bowl 50 events at Levi's Stadium and the surrounding area.

4.4 **2030 General Plan, San Antonio Change Area Subsequent Environmental Impact Report.**

Councilmember Inks recused himself from acting on this item.

MOTION - M/S Kasperzak/Clark - To Adopt Resolution No.17970 Certifying the City of Mountain View 2030 General Plan and Greenhouse Gas Reduction Program, San Antonio Change Area Subsequent Environmental Impact Report and Adopting CEQA Findings, a Statement of Overriding Considerations, Mitigation Measures, and a Mitigation Monitoring and Reporting Program, to be read in title only, further reading waived (Attachment 1).

The motion carried by the following vote:

Yes: 3 - Councilmember Clark, Councilmember Kasperzak, and Mayor McAlister

No: 2 - Councilmember Siegel, and Vice Mayor Showalter

Absent: 1 - Councilmember Rosenberg

Recused: 1 - Councilmember Inks

4.5 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 engineering services through December 31, 2015 for a total contract amount of \$475,908. In addition, there is a contract with Hatch Mott MacDonald for traffic engineering services of \$95,000 charged to Public Works and various CIPs.**

4.6 771 North Rengstorff Avenue Park Design, Project 15-41-Apply for Historical Heritage Grant.

- 1. Adopt Resolution No. 17971 Approving the City's Application for a County of Santa Clara Historical Heritage Grant for Immigrant House Rehabilitation Project in the New Park to be Constructed at 771 North Rengstorff Avenue, to be read in title only, further reading waived (Attachment 1 to the Council report).**
- 2. Authorize the City Manager, or his designee, to execute required documents and agreements, and take all necessary action necessary related to the acceptance of grant funding.**

4.7 Tennis Court Resurfacing and Pathway Reconstruction at Cooper, Stevenson, Sylvan, and Whisman, Project 14-27-Reject All Bids.

- 1. Reject all bids for Tennis Court Resurfacing and Pathway Reconstruction at Cooper, Stevenson, Sylvan, and Whisman, Project 14-27, and authorize staff to reduce the project scope and re-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.**

- 4.8 **Doane and Drew Avenues Reconstruction, Projects 14-29 and 15-27.**
1. Approve plans and specifications for Doane and Drew Avenues Reconstruction, Projects 14-29 and 15-27.
 2. Authorize the City Manager to award the construction contract to the lowest responsible bidder if the low bid is within the project budget.
- 4.9 **Deer Hollow Farm Agreement-Midpeninsula Regional Open Space District.**
- Authorize the City Manager to enter into a five-year agreement, with an option to extend for one additional five-year period, between the City of Mountain View and the Midpeninsula Regional Open Space District regarding the funding and operation of Deer Hollow Farm.
- 4.10 **Legal Advertising.**
- Authorize the City Manager or his designee to award the contract for legal advertising for Fiscal Year 2015-16 to the San Jose Post Record as the lowest responsible bidder.
- 4.11 **AB 1234 State-Mandated Ethics Training-Requirements and Enforcement Policy.**
- That Council approve revisions to the Council Code of Conduct setting forth AB 1234 State-Mandated Ethics Training Requirements and Enforcement Policy.
- 4.12 **Priority Development Area Planning Grant Acceptance-East Whisman Precise Plan.**
- Accept the Valley Transportation Authority (VTA) Priority Development Area Planning Grant Award of \$498,000 and authorize the City Manager or designee to execute a funding agreement with VTA for development of the East Whisman Precise Plan.

4.13 Amend Design Professional Services Agreement with NV5 and Amend Project Budget for Annual Sewer Main Replacement, Project 14-22.

- 1. Transfer and appropriate \$200,000 from the Wastewater Fund to the Annual Sewer Main Replacement, Project 14-22. (Five votes required)**
- 2. Authorize the City Manager to amend the professional services agreement with NV5 for the Annual Water and Sewer Main Replacement, Projects 14-21 and 14-22, increasing compensation by \$102,030 for Project 14-22 for a total contract amount not to exceed \$502,030.**

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Lucas Ramirez spoke in support of Council agendizing an item to consider potential transit projects that will be funded through the Valley Transportation Authority's ballot measure process.

6. PUBLIC HEARINGS

6.1 Downtown Parking Maintenance and Operation Assessment District for Fiscal Year 2015-16.

Mayor Showalter opened the Public Hearing at 7:28 p.m.

Business Development Specialist Chew presented an oral staff report.

Mayor Showalter and City Clerk Brewer read statements outlining the public hearing and protest process.

MOTION - M/S Clark/Kasperzak - To:

- 1. Waive the reading of the Statement of the Engineer of Record; and**
- 2. Adopt Resolution No. 17972 Adopting the Engineer's Report for the Downtown Parking Maintenance and Operation Assessment District for Fiscal Year 2015-16 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 by the following vote:

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

Absent: 1 - Councilmember Rosenberg

7. NEW BUSINESS**7.1 Adopt Resolutions Governing Compensation for Unrepresented Employees and Modifying the Hourly Employee Salary Plan.**

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

MOTION - M/S Kasperzak/Clark - To:

1. Adopt Resolution No. 17973 Authorizing the City Manager or His Designee to Set the Compensation for Unrepresented Employees, Including Confidential Employees, Fire Managers and Professionals, Police Managers, Department Heads, and Council Appointees, for July 1, 2015 through June 30, 2017, and Revise the City of Mountain View'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 Resolution No. 17974 Authorizing the City Manager or His Designee to Amend the City of Mountain View's Salary Plan for Hourly Employees to Ensure All Classifications Reflect Citywide Minimum Wage Ordinance (Chapter 42, Article II of the Mountain View City Code) on an Ongoing Basis and Add a New Hourly Classification of Library Technician, to be read in title only, further reading waived (Attachment 2 to the Council report).

The motion carried by the following vote:

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

Absent: 1 - Councilmember Rosenberg

Councilmember Inks left the meeting at 7:45 p.m.

Council recessed at 7:46 p.m. and reconvened at 8:00 p.m.

7.2 Proposed New Community Garden Site.

Parks Manager Marchant presented an oral staff report and he, City Manager Rich and Community Services Director de la Montaigne, responded to Council's questions.

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

Larry Rippere.
Judy Levy
Tian Harter
Dorothy Meier
Andrea Pletcher
Paul Davis
Lubab Sheet

MOTION - M/S Kasperzak/Clark - To approve the City-owned property at Shoreline Boulevard and Latham Street to become a future community garden location, as recommended by the Parks and Recreation Commission, with ten plots at the site on a short-term basis and to direct staff to look into financial assistance for low-income families.

The motion carried by the following vote:

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

Absent: 2 - Councilmember Inks, and Councilmember Rosenberg

Mayor McAlister left the meeting at 8:32 p.m.

7.3 North Bayshore Trip Cap Report.

Principal Planner Alkire presented an oral staff report and he, Community Development Director Tsuda and AECOM Technology Corporation Transportation Planning Manager Greg Gleichman, responded to Council's questions.

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

Tian Harter

MOTION - M/S Kasperzak/Clark - To accept the North Bayshore Trip Cap Report.

The motion carried by the following vote:

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

Absent: 3 - Councilmember Inks, Councilmember Rosenberg, and Mayor McAlister

7.4 Silicon Valley Regional Interoperability Authority Memorandum of Understanding.

Interim Public Safety Support Services Manager Copeland presented an oral staff report and she, and Acting Support Services Manager Doug Kiner, responded to Council's questions.

MOTION - M/S Clark/Kasperzak - To authorize the City Manager to enter into a Memorandum of Understanding and execute related documents between the City of Mountain View and the Silicon Valley Regional Interoperability Authority relating to the building, financing, and maintenance of the new Silicon Valley Regional Communications System.

The motion carried by the following vote:

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

Absent: 3 - Councilmember Inks, Councilmember Rosenberg, and Mayor McAlister

8. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Kasperzak reported on his attendance at the National League of Cities' board meeting in Salt Lake City two weeks ago.

Councilmember Clark reported on his attendance at the Local Government Commission's Energy and Sustainability Summit last week in Sacramento.

Vice Mayor Showalter reported on her attendance at the Climate Change Summit sponsored by Congresswoman Eshoo and Assemblymember Gordon last week at NASA.

At 9:09 p.m., Vice Mayor Showalter recessed the 6:30 p.m. session to convene a Closed Session.

FOLLOWED THE REGULAR SESSION - CLOSED SESSION (HELD IN THE PLAZA CONFERENCE ROOM)

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

At 9:10 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
(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: Zachary Platt v. City of Mountain View; Katherine Lynn Stahl, et al.
Santa Clara Superior Court Case No. 114CV272157

2.2 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: One Potential case

2.3 CONFERENCE WITH REAL PROPERTY NEGOTIATOR (§54956.8)—Property: Portion of Mora Drive to be vacated (no street address and no APN)—**Agency Negotiator:** Dennis Drennan, Real Property Program Administrator—**Negotiating Party:** Lennar Homes—**Under Negotiation:** Price and Terms of Payment for the Sale of Real Property

Vice Mayor Showalter called the meeting to order at 9:14 p.m.

Councilmembers Clark, Kasperzak, Siegel and Vice Mayor Showalter were present.

Councilmembers Inks, Rosenberg and Mayor McAlister were absent.

The Closed Session concluded at 9:45 p.m.

3. CLOSED SESSION REPORT - None.

4. ADJOURNMENT - At 9:45 p.m., Vice Mayor Showalter adjourned the meeting to the next Special meeting to be held on Thursday, July 2, 2015 at 6:30 p.m. in the Council Chambers, 500 Castro Street.

ATTEST:

LORRIE BREWER, MMC
CITY CLERK

APPROVED:

JOHN McALISTER
MAYOR