



Margaret Abe-Koga, Councilmember  
Christopher R. Clark, Councilmember  
John McAlister, Councilmember

Lisa Matichak, Councilmember  
Patricia Showalter, Councilmember  
Leonard Siegel, Vice Mayor

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

Ken S. Rosenberg, Mayor

Jannie L. Quinn, City Attorney

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June 06, 2017

Plaza & Council Chambers - 500 Castro St.

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

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

**1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)**

At 5:01 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**

2.1 Conference with Labor Negotiators (§54957.6) - Agency Designated Representatives: City of Mountain View Assistant City Manager Audrey Seymour Ramberg, Human Resources Manager Sue Rush, and Charles Sakai – Renne Sloan Holtzman Sakai LLP; Employee Organizations: Service Employees International Union (SEIU), Local 521; the EAGLES Association; the Police Officers Association (POA); the International Association of Fire Fighters (IAFF), Local 1965; Unrepresented Fire Professionals and Managers; Unrepresented Police Managers; and Unrepresented Confidential Employees

2.2 Conference with Legal Counsel—Existing Litigation (§54956.9(d)(1))  
Name of case: Nicholas Emmerling v. City of Mountain View; Santa Clara Superior Court Case No. 115CV280920

Mayor Rosenberg called the Closed Session to order at 5:02 p.m., and seeing no one wishing to speak, closed the meeting to the public.

All Councilmembers were present.

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

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

**1. CALL TO ORDER**

Mayor Rosenberg called the meeting to order at 6:35 p.m.

## 2. PLEDGE OF ALLEGIANCE

Community Development Director Randy Tsuda led the Pledge of Allegiance.

## 3. ROLL CALL

**Present:** 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember Matchak, Councilmember McAlister, Councilmember Showalter, Vice Mayor Siegel, and Mayor Rosenberg

## 4. CONSENT CALENDAR

**MOTION - MS - Clark/McAlister - To approve the Consent Calendar, with Item 4.11 removed.**

**The motion carried by the following vote:**

**Yes:** 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember Matchak, Councilmember McAlister, Councilmember Showalter, Vice Mayor Siegel, and Mayor Rosenberg

### 4.1 Approval of Minutes.

**That City Council and Shoreline Regional Park Community Boardmembers approve the following minutes:**

1. **May 16, 2017 Council meeting;**
2. **May 23, 2017 Council meeting;**
3. **May 16, 2017 Shoreline Regional Park Community meeting; and**
4. **May 23, 2017 Shoreline Regional Park Community meeting.**

### 4.2 Introduce an Ordinance Repealing the Right-To-Lease Ordinance and Rental Housing Dispute Resolution Program.

1. **Introduce an Ordinance Repealing the Right-To-Lease Ordinance and the Rental Housing Dispute Resolution Program, Mountain View City Code Sections 43.1-43.6 and 43.20-43.32, and set a second reading for June 13, 2017.**
2. **Direct staff to eliminate the Rental Housing Dispute Resolution Program Fee from the Master Fee Schedule for Fiscal Year 2017-18.**

**4.3 Increase Appropriations in the Fire Department for Reimbursement of Mutual Aid Support Wildland Fires.**

1. Increase appropriations by \$483,706 in the Fire Department for reimbursements received from the California Office of Emergency Services for Mountain View Fire Department's staff hours expended in support of fire fighting operations during the first deployment to the Soberanes Fire in July 2016, the second deployment Soberanes Fire in August 2016, and the August and September 2016 Gap Fire. (Five votes required)

2. For reimbursements not received by June 30, 2017, transfer and appropriate from the General Non-Operating Fund the following amounts: \$47,067 for the Blue Cut Fire; and \$74,072 for the Cedar Fire. (Five votes required)

3. Rebudget Fire mutual aid/strike team vehicle and administration reimbursements up to \$110,574 received and pending for Fire vehicle-related purchases to be completed in Fiscal Year 2017-18. (Five votes required)

**4.4 Designation of a Voting Delegate and Alternate for the League of California Cities Annual Conference.**

It is recommended that the City Council designate Mayor Ken S. Rosenberg as the Voting Delegate and Vice Mayor Lenny Siegel as the Alternate for the Business Session of the League of California Cities Annual Conference.

**4.5 Law Enforcement Service Agreement Between the City of Hollister and the City of Mountain View.**

Authorize the City Manager to execute a law enforcement services contract with the City of Hollister to provide Police services at the motorcycle rally in Hollister from June 30, 2017 through July 2, 2017.

**4.6 Professional Services Contract with Michael Baker International.**

Authorize the City Manager, or his designee, to enter into a professional services contract with Michael Baker International for planning services from July 1, 2017 through June 30, 2018, for a total contract amount of \$260,000.

**4.7 771 North Rengstorff Avenue Park (Heritage Park), Project 16-33-Accept Construction.**

Accept 771 North Rengstorff Avenue Park (Heritage Park), Project 16-33, and authorize the final contract payment.

**4.8 Authorization to Execute an Agreement with KMVT for Public and Government Access Channel Management.**

Authorize the City Manager or his designee to execute an agreement with KMVT Community Television for public and government access channel management.

**4.9 Bubb Park Off-Leash Hours.**

- Permanently adopt the hours at Bubb Park Off-Leash Area to be seven days a week from 6:00 a.m. to 10:00 a.m. and 5:00 p.m. to sunset.
- Provide staff authority to make operational modifications for off-leash areas that do not require a change in the City Code.

**4.10 Appointments to the Human Relations Commission.**

Adopt Resolution No. 18141 Appointing Linda Batton and Arti Sharma to the Human Relations Commission, to be read in title only, further reading waived (Attachment 1 to the Council report).

**4.11 Proposed Fiscal Years 2017-18 Through 2021-22 Capital Improvement Program Adoption.**

Councilmember Abe-Koga and Clark and Vice Mayor Siegel recused themselves from acting on Item 4.11, Resolution No. 1 and left the dais.

City Manager Rich and Assistant Public Works Director Solomon responded to Council's questions.

**MOTION - MS - Showalter/Rosenberg - To approve the proposed Fiscal Years 2017-18 through 2021-22 Capital Improvement Program (CIP) by taking the following action:**

- 1. Adopt Resolution No. 18142 Approving Capital Improvement Projects 19-35 Latham/Church Bike Boulevard and 20-33 Calderon Bike Lanes, Phase 2, Identified in the Fiscal Years 2017-18 through 2021-22 Capital Improvement Program (Attachment 1 to the Council report), to be read in title only, further reading waived.**

**The motion carried by the following vote:**

**Yes:** 4 - Councilmember Matichak, Councilmember McAlister, Councilmember Showalter, and Mayor Rosenberg

**Recused:** 3 - Councilmember Abe-Koga, Councilmember Clark, and Vice Mayor Siegel

**MOTION - MS - Clark/Abe-Koga - To approve the proposed Fiscal Years 2017-18 through 2021-22 Capital Improvement Program (CIP) by taking the following actions:**

**2. Adopt Resolution No.18143 Approving the Remainder of the Fiscal Years 2017-18 Through 2021-22 Capital Improvement Program, Including Amendments to Existing Projects, Excluding the Shoreline Regional Park Community (Attachment 2 to the Council report), to be read in title only, further reading waived.**

**3. Adopt Resolution No. S-155 Approving the Proposed Fiscal Years 2017-18 through 2021-22 Capital Improvement Program for the Shoreline Regional Park Community, Including Amendments to Existing Projects (Attachment 3 to the Council report), to be read in title only, further reading waived.**

**The motion carried by the following vote:**

**Yes: 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember Matichak, Councilmember McAlister, Councilmember Showalter, Vice Mayor Siegel, and Mayor Rosenberg**

## **5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS**

Adina Levin presented information regarding Caltrain's business planning exercise that they are working on this summer, with a goal to set service goals and look at operating expenses and capital needs.

## **6. PUBLIC HEARING**

### **6.1 2300 West El Camino Real Hotel Project.**

**Mayor Rosenberg called the meeting to order at 7:01 p.m.**

**Associate Planner Pancholi and BPR Properties Partner Perry Patel presented oral reports and they, and Community Development Director Tsuda, responded to Council's questions.**

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

**Adina Levin**

**Mayor Rosenberg closed the Public Hearing at 7:23 p.m.**

**MOTION - MS - McAlister/Siegel - To:**

1. **Approve an Initial Study of Environmental Significance for the four-story, 157-room hotel development project at 2300 West El Camino Real, pursuant to Section 15168 of the California Environmental Quality Act (Attachment 1 to the Council report);**
2. **Adopt Resolution No.18144 Approving a Planned Community Permit, a Provisional Use Permit, a Development Review Permit to Construct a New Four-Story, 75,824 Square Foot, 157-Room Hotel Project with a One-Level Underground Parking Garage, and a Heritage Tree Removal Permit to Remove One Heritage Tree on a 0.97-Acre Project Site Located at 2300 West El Camino Real, with a revision to Condition 71 to read: “NOTICE TO POTENTIAL BUYERS AND EMPLOYEES: In addition to the required legal disclosures, the applicant’s sales staff shall notify potential buyers and permanent employees about any known environmental contamination issues and the project site’s environmental cleanup status with the DTSC.”(Attachment 2 to the Council report); and**
3. **Adopt Resolution No.18145 Ordering the Vacation of Public Service Easement at 2300 West El Camino Real (Attachment 3 to the Council report).**

**The motion carried by the following vote:**

**Yes:** 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember Matichak, Councilmember McAlister, Councilmember Showalter, Vice Mayor Siegel, and Mayor Rosenberg

## **7. NEW BUSINESS**

### **7.1 North Bayshore Trip Cap Report.**

**Principal Planner Alkire presented an oral report and he, Community Development Director Tsuda and AECOM Transportation Planner Michael Cornfield, responded to Council's questions.**

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

**Karen deMoor, Center for Balance. Ms. deMoor also responded to Council's questions.**

**MOTION - MS - Clark/Abe-Koga - To accept the North Bayshore Trip Cap Report.**

**The motion carried by the following vote:**

**Yes:** 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember Matichak, Councilmember McAlister, Councilmember Showalter, Vice Mayor Siegel, and Mayor Rosenberg

## **8. COUNCIL, STAFF/COMMITTEE REPORTS**

Mayor Rosenberg announced that he has signed onto the Mayors National Climate Action Agenda.

Councilmember Abe Koga reported on her attendance at the Association of Bay Area Governments General Assembly meeting.

Vice Mayor Siegel reported on his attendance at the CalMod Local Policymakers Group meeting, the Google sponsored Bike Tour on Saturday, and the Santa Clara Valley Water District Joint Recycled Water Advisory Committee meeting.

Councilmember Matichak reported on her tour of the Silicon Valley Water Purification Center in San Jose, as well as her attendance at the Faith Community Leaders meeting.

Councilmember Showalter reported on her attendance at the groundbreaking for the Palo Alto Regional Treatment Plant Sludge Dewatering Facility.

Mayor Rosenberg reported on his attendance at the following events:

- Silicon Valley@Home Policy Breakfast
- Inspire Mountain View Grant Awards
- Spanish Civic Leadership Academy Graduation
- Fire Department Promotional Ceremony
- Leadership Mountain View Graduation
- Senior Center Annual Meet & Greet
- Leadership Mountain View Community Luncheon
- Leadership Mountain View 2017 Education Foundation Scholarship Awards
- Faith Community Leaders Meeting
- Jewish Community Panel Discussion for Shavuot

## **9. CLOSED SESSION REPORT**

City Attorney Quinn provided the following report:

The City and the International Association of Firefighters 1965 have concluded negotiations and have reached an agreement for Fiscal Year 2017/2018 through 2019/20. The specific terms of the Memorandum of Understanding will be brought before the City Council on June 13, 2017.

Nicholas Emmerling filed a lawsuit (Santa Clara County Superior Court Case No. 115CV280920), alleging the City improperly terminated his employment. On February 7, 2017, the court granted the City's summary judgment motion. Plaintiff has filed an appeal. The City Council has given approval to defend the appeal.

**10. ADJOURNMENT - At 8:39 p.m., Mayor Rosenberg adjourned the meeting to the next City Council meeting to be held on Tuesday, June 13, 2017 at 5:30 p.m. in the Council Chambers, 500 Castro Street.**

ATTEST:

APPROVED:

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LORRIE BREWER, MMC  
CITY CLERK

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KEN S. ROSENBERG  
MAYOR