

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

October 27, 2015

Plaza & Council Chambers

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

1. CALL TO ORDER

Mayor McAlister called the meeting to order at 5:00 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

3.1 580 and 620 Clyde Avenue Office Project.

Associate Planner Eric Anderson, Renault & Handley Realtors Managing Broker Dave Conklin, The Guzzardo Partnership, Inc., owner Paul Lettieri, Arc Tec, Inc., architect John Duquette and TDM Specialists, Inc., President Elizabeth Hughes presented oral reports and they, Public Works Director Fuller, Assistant Community Development Director Blount and City Attorney Quinn, responded to Council's questions.

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

Linda Curtis

At 6:30 p.m., Council recessed to the 6:30 p.m. session.

3.2 City Council Goal to Improve Transportation by Enhancing Mobility and Connectivity.

Item 3.2 was considered out of agenda order.

Transportation and Business Manager Forsberg presented an oral staff report and she, Public Works Director Fuller and City Manager Rich, responded to Council's questions.

The Study Session concluded at 11:55 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

Mountain View/Los Altos High School Superintendent Jeff Harding led the Pledge of Allegiance and introduced himself to the community.

3. ROLL CALL

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

4. CONSENT CALENDAR

Vice Mayor Showalter recused herself from acting on Item 4.4.

Mayor McAlister announced that Item 4.2 will be revised to reflect Councilmember Kasperzak as the alternate voting delegate in place of Councilmember Siegel.

MOTION - M/S Clark/Rosenberg - To approve the Consent Calendar with a revision to Item 4.2 reflecting Councilmember Kasperzak as the alternate voting delegate in place of Councilmember Siegel, and with Vice Mayor Showalter recused from acting on Item 4.4.

The motion carried unanimously.

4.1 Approval of Minutes.

That City Council approve the October 6, 2015 City Council minutes.

4.2 Designation of Two Voting Delegates for the National League of Cities Annual Congress of Cities and Exposition.

Designate Mayor John McAlister as the voting delegate and Councilmember R. Michael Kasperzak, Jr., as the alternate delegate for the Annual Business Meeting to be held at the conclusion of the National League of Cities Annual Congress of Cities and Exposition.

4.3 Fiscal Year 2014-15 Annual Compliance Report for Development Impact Fees and Informational Reporting of Other Fee.

Staff recommends making available to the public the Fiscal Year 2014-15 Annual Compliance Report for Development Impact Fees and Informational Reporting of Other Fee, and agendaize the report for the December 8, 2015 Regular Meeting.

4.4 Santa Clara County Multi-Jurisdictional Program for Public Information Regarding Flood Risk.

Approve the Santa Clara County Multi-Jurisdictional Program for Public Information Regarding Flood Risk.

Vice Mayor Showalter recused herself from acting on this item.

4.5 Clarification of the Employer Contribution for Employees and Retired Annuitants Under the Public Employees' Medical and Hospital Care Act With Respect to the International Association of Firefighters and Police Officers Association.

1. Adopt Resolution No. 17997 Fixing the Employer Contribution at an Equal Amount for Employees and Annuitants Under the Public Employees' Medical and Hospital Care Act With Respect to a Recognized Employee Organization (Group 001 Safety-Fire), to be read in title only, further reading waived (Attachment 1 to the Council report);

2. Adopt Resolution No. 17998 Authorizing the City Manager or His Designee to Execute a Side Letter Amending the Memorandum of Understanding Between the International Association of Firefighters, Local 1965, and the City of July 1, 2012 through June 30, 2017, to be read in title only, further reading waived (Attachment 2 to the Council report);

3. Adopt Resolution No. 17999 Fixing the Employer Contribution at an Equal Amount for Employees and Annuitants Under the Public Employees' Medical and Hospital Care Act With Respect to a Recognized Employee Organization (Group 002 Safety-Police), to be read in title only, further reading waived (Attachment 3 to the Council report); and

4. Adopt Resolution No. 18000 Authorizing the City Manager or His Designee to Execute a Side Letter Amending the Memorandum of Understanding Between the Police Officers Association and the City, for the Period of July 1, 2015 through June 30, 2017, to be read in title only, further reading waived (Attachment 4 to the Council report).

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Mike Fischetti presented information on an article printed in The Voice regarding a family of four that had to live in their recreational vehicle after their landlord raised their rent. Mr. Fischetti also expressed concerns with the rise in homelessness in the City and requested that Council consider this issue as a future agenda item.

Maria Marroquin asked Council what is being done with respect to the evidence she presented last week regarding a rent increase situation at 333 N. Rengstorff.

6. PUBLIC HEARINGS

6.1 Minimum Wage-Update on Regional Efforts and Introduce an Ordinance Amending Section 42.14 of the Mountain View City Code Related to the Citywide Minimum Wage.

Mayor McAlister opened the Public Hearing at 7:00 p.m.

Deputy City Manager McCarthy presented an oral staff report and she, Senior Assistant City Attorney Chopra and City Attorney Quinn, responded to Council's questions.

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

Margaret Abe-Koga

Meghan Fraley, Raise the Wage Coalition

Randall Jones

Noveed Safipour, Peninsula Young Democrats President

Matt Savage. Mr. Savage also responded to Council's questions.

Alex Nunez

Sarah McDermott, Unite Here Local 19 Research Analyst

David Urhausen. Mr. Urhausen also responded to Council's questions.

Jeremy Brousse

Maria Noel Fernandez, Working Partnerships USA. Ms. Fernandez also responded to Council's questions.

Dave Offen

Alex Park

Marilyn Winkleby

Mario Cedillo

Sara

Alisa Barnhart

Alison Hicks

Nazli Kaplankirin

Job Lopez

Julie Conde

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

Carolyn Hopkins-Vasquez, representing The Tied House. Ms. Hopkins-Vasquez also responded to Council's questions.

Carol Lewis

Omar Vasquez, Sacred Heart Community Service

Thomas Atwood, Fool's Mission Co-Founder

Poncho Guevara, Sacred Heath Community Service Executive Director

Mehmet Vural, restaurateur. Mr. Vural also responded to Council's questions.

Scott Myers-Lipton, San Jose State Professor

Gary Wesley

Ellen Kamei

Barbara Goodwin

Rebeca Armendariz, SEIU Local Union 521. Ms. Armendariz also responded to Council's questions.

Mike Fischetti. Mr. Fischetti also responded to Council's questions.

Hicam Essadki

Lucas Ramirez

Jim Neal

Stephanie Munoz

Thida Cornes

Sally Lieber

Joan MacDonald

Julie Smiley, Mountain View Central Business Association Executive Director

Jessica Lynam, California Restaurant Association Director of Local Government Affairs

Saru Jayaraman, Center for Labor Research and Education Director

Alice Smith

Mayor McAlister closed the Public Hearing at 8:36 p.m.

Mayor McAlister recused himself from participating on the motion on the issue of "carve outs" and left the dais.

MOTION - M/S Kasperzak/Siegel - That there be no carve outs.

The motion carried by the following vote:

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

No: 1 - Councilmember Inks

Recused: 1 - Mayor McAlister

MOTION - M/S Showalter/Rosenberg - To:

Introduce an Ordinance Amending Section 42.14 of the Mountain View City Code Related to the Citywide Minimum Wage to \$11 in January 1, 2016, to \$13.00 in January 1, 2017, to \$15 in January 1, 2018 and include a Urban Wage Earners and Clerical Workers, San Francisco-Oakland-San Jose, California Consumer Price Index increase (Attachment 1 to the Council report), to be read in title only, further reading waived, and set a second reading for November 10, 2015.

The motion carried by the following vote:

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

No: 2 - Councilmember Inks, and Mayor McAlister

Council recessed at 9:20 p.m. and reconvened at 9:32 p.m.

6.2 Urgency Ordinance to Require a Written Residential Rental Lease with a Specified Term.

Mayor McAlister opened the Public Hearing at 9:32 p.m.

City Attorney Quinn presented an oral staff report and she, 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:

Gary Wesley
Ana Uriostegui, speaking in English, translated in Spanish.
Philip Cosby
Angel Santuario
Lucas Ramirez
Jacob Mandell
Joan MacDonald

Mayor McAlister closed the Public Hearing at 10:04 p.m.

MOTION - M/S Clark/Kasperzak - To introduce and adopt an Urgency Ordinance of the City Council of the City of Mountain View to Require a Written Residential Rental Lease with a Specified Term and the following revisions:

- 1) Section 2(c)(ii) to read "...30 consecutive days...";
- 2) Section 3(a) strike the word either and add "...six months and one year at tenant's election...";
- 3) Section 3(e) strike section iv;
- 4) Section 3(f)(i) add: "...45 days..."; and
- 5) Section 9, strike the first sentence and the last line will read: "As an urgency ordinance this ordinance becomes effective immediately upon its adoption at a first reading by a five of seven vote of the City Council and shall be of no further force and effect as of February 1, 2016."

to be read in title only, further reading waived.

MOTION - M/S Siegel/Rosenberg - To table the motion.

The motion failed by the following vote:

Yes: 2 - Councilmembers Rosenberg and Siegel
No: 5 - Councilmembers Inks, Kasperzak, Clark, Vice Mayor Showalter and Mayor McAlister

The original motion failed by the following vote (five votes required):

Yes: 4 - Councilmember Clark, Councilmember Kasperzak, Vice Mayor Showalter, and Mayor McAlister
No: 3 - Councilmember Inks, Councilmember Rosenberg, and Councilmember Siegel

MOTION - M/S Clark/Kasperzak - To continue the meeting past 10:00 p.m. to consider the remaining items on the agenda.

The motion carried unanimously.

7. NEW BUSINESS

7.1 771 North Rengstorff Avenue - Immigrant House Designation.

Senior Planner Williams and Assistant Community Development Director Blount responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT OF STAFF'S RECOMMENDATION:

- Robert Cox
- Mary Kay Marinovich
- Diane Solomon
- Carol Lewis

MOTION - M/S Rosenberg/Kasperzak - To adopt Resolution No.18001 Conditionally Approving a Historic Preservation Permit to Add the Structure Known as the Immigrant House, Which Will be Located at 771 North Rengstorff Avenue, to the Mountain View Register of Historic Resources, to be read in title only, further reading waived (Attachment 1 to the Council report).

The motion carried unanimously.

8. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember Inks reported on his attendance at the Council Technology Committee meeting earlier in the day.

9. CLOSED SESSION REPORT - None.

10. ADJOURNMENT - At 11:55 p.m., Mayor McAlister adjourned the meeting to the next Council meeting to be held on Tuesday, November 10, 2015 at 6:30 p.m. in the Council Chambers, 500 Castro Street.

ATTEST:

APPROVED:

LORRIE BREWER, MMC
CITY CLERK

JOHN MCALISTER
MAYOR