

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



Plaza & Council Chambers - 500 Castro St.

5:00 PM

Tuesday, May 19, 2015

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

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

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

2. CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS (§54957.6) - Agency Designated Representative:
City of Mountain View Assistant City Manager Diaz and Human Resources Manager Rush;
Employee Organizations: Service Employees International Union (SEIU), Local 521; the EAGLES
Association; the Police Officers Association (POA); Unrepresented Fire Professionals and
Managers, Unrepresented Police Managers; Unrepresented Department Heads and Council
Appointees; and Unrepresented Confidential Employees

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of Cases: Teresi Investments III, a California Limited Partnership v. City of Mountain View,
Case No. 5:10-CV04714 EJD, United States District Court Northern District of California, and
Teresi Investments v. City of Mountain View, et al., Santa Clara County Superior Court Case No.
110CV184129; and

Charles Gardyn v. City of Mountain View, Jannie Quinn, Nicole Clemens, Kelli Casale et al., Santa
Clara County Superior Court Case No. 114CV266399

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION (54956.9) pursuant
to paragraph (4) of subdivision (d) of Govt. Code Section 54956.9: One case

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

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

2. ROLL CALL

Councilmembers Clark, Inks, Kasperzak, Rosenberg, Siegel, Vice Mayor Showalter, and Mayor McAlister

3. PRESENTATION

Santa Clara County Assessor Larry Stone's Presentation Regarding SB 661
Property Taxation: State Assessment: Commercial Air Carrier Personal Property

4. CONSENT CALENDAR

These items will be approved by one motion unless any member of the Council or audience wishes to remove an item for discussion. The reading of the full text of ordinances and resolutions will be waived unless a Councilmember requests otherwise.

4.1 Approval of Minutes.

Recommendation(s): That Council approve the following minutes:

1. April 28, 2015 City Council meeting;
2. May 5, 2015 City Council meeting;
3. February 3, 2015 Shoreline Regional Park Community meeting;
4. April 14, 2015 Shoreline Regional Park Community meeting; and
5. April 21, 2015 Shoreline Regional Park Community meeting.

Attachment(s): [04-28-15 City Council Minutes](#)
[05-05-15 City Council Minutes](#)
[02-03-15 Shoreline Minutes](#)
[04-14-15 Shoreline Minutes](#)
[04-21-15 Shoreline Minutes](#)

4.2 625-685 Clyde Avenue - Accept Public Improvements.

Recommendation(s): Accept the public improvements for the development at 625-685 Clyde Avenue, for maintenance throughout their useful lives.

Attachment(s): [Council Report](#)

4.3 365 Villa Street, Tract No. 10163 - Accept Public Improvements.

Recommendation(s): Accept the public improvements for the development at 365 Villa Street, for maintenance throughout their useful lives.

Attachment(s): [Council Report](#)

4.4 2013-14 Concrete Sidewalk and Curb Repairs and Installation of ADA Curb Ramps, Phase VII, Projects 14-06 and 12-24 - Accept Construction.

Recommendation(s): Accept 2013-14 Concrete Sidewalk and Curb Repairs and Installation of ADA Curb Ramps, Phase VII, Projects 14-06 and 12-24, and authorize the final contract payment.

Attachment(s): [Council Report](#)
[ATT 1 - Location Map](#)

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

Recommendation(s): Authorize the City Manager or his designee to execute a services agreement under which Mountain View peace officers could provide law enforcement services for the City of Hollister's Freedom Rally event.

Attachment(s): [Council Report](#)

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the agenda. Speakers are allowed to speak on any number of topics for one three-minute period during the meeting. State law prohibits the Council from acting on nonagenda items.

6. PUBLIC HEARINGS**6.1 Ordinance Amending Chapter 35, Article II, Division 3, of the Mountain View City Code Relating to Water Conservation and Midyear CIP for Drought Response.**

Recommendation(s): 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 May 26, 2015 (Attachment 1 to the Council report).

2. Approve a midyear capital improvement project, Drought Response, and transfer and appropriate \$292,000 from the Water Fund to the new project. (Five votes required)

Attachment(s): [Council Report](#)
[ATT 1 - Ordinance](#)
[ATT 2 - Current Water Use Restrictions](#)

6.2 Introduce an Ordinance Amending a Development Agreement Between the City of Mountain View and EMBP 455, L.L.C., Located at 575 East Middlefield Road.

Recommendation(s): Introduce an Ordinance Amending a Development Agreement Between the City of Mountain View and EMBP 455, L.L.C., for the Property at 575 East Middlefield Road (Attachment 1 to the Council report), to be read in title only, further reading waived, and set a second reading for June 9, 2015.

Attachment(s): [Council Report](#)
[ATT 1 - Ordinance](#)
[ATT 2 - March, 31, 2015 City Council Report](#)
[ATT 3 - Development Agreement Amendment Language](#)

7. NEW BUSINESS

7.1 Municipal Operations Climate Action Plan.

Recommendation(s): Adopt a Resolution Approving a Municipal Operations Climate Action Plan, including establishing new greenhouse gas emission reduction targets for 2025, 2030, 2035, 2040, and 2045, to be read in title only, further reading waived (Attachment 1 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Resolution](#)

7.2 Potential Amendments to the Condominium Conversion Ordinance.

Recommendation(s): Provide direction on whether or not to proceed with an amendment to the Condominium Conversion Ordinance to provide credit for any affordable housing fees previously paid as part of the development of the rental units being converted to ownership units. The credit would offset any Below-Market-Rate fees due as part of the conversion.

Attachment(s): [Council Report](#)

8. COUNCIL, STAFF/COMMITTEE REPORTS

No action will be taken on any questions raised by the Council at this time.

9. CLOSED SESSION REPORT

**IMMEDIATELY FOLLOWING THE 6:30 P.M. SESSION-
STUDY SESSION (TO BE HELD IN THE COUNCIL CHAMBERS)**

10. STUDY SESSION

10.1 Proposed Fiscal Year 2015-16 Through Fiscal Year 2019-20 Capital Improvement

Program.

Recommendation(s): The purpose of this Study Session is to present the Proposed Fiscal Year 2015-16 through Fiscal Year 2019-20 Capital Improvement Program (CIP) for City Council review, comment, and refinement.

Staff will incorporate Council-requested revisions and present the Five-Year CIP for adoption to the City Council on June 16, 2015.

Attachment(s): [Council Report](#)

[ATT 1 - Proposed Non-Discretionary Projects](#)

[ATT 2 - IT Project Request](#)

[ATT 3 - Proposed Discretionary Projects](#)

[ATT 4 - Proposed Amendments](#)

[ATT 5 - Unscheduled Projects](#)

[ATT 6 - SecondStage Addition](#)

[ATT 7 - RPMP](#)

[ATT 8 - Projects to Close](#)

[ATT 9 - Active Projects](#)

11. ADJOURNMENT

The next Council Meeting will be held on Tuesday, May 26, 2015, at 6:30 p.m. in the Council Chambers, 500 Castro Street.

NOTICE

There is a 90-day limit for the filing of a challenge in Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting. For information on the next regular or special City Council meeting, please call (650) 903-6304.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's Office, 500 Castro Street, Third Floor, during normal business hours and at the Council Chambers at City Hall, Second Floor, during the meeting. In addition, such writings and documents will be posted on the City's web site at www.mountainview.gov.

COUNCIL MEETINGS AND AGENDA

The City Council meets regularly on the second and fourth Tuesday of each month at 6:30 p.m. in the Council Chambers at City Hall, 500 Castro Street, Second Floor. Special meetings are called as necessary by the Mayor and noticed at least 24 hours in advance.

Interested parties may review the agenda, minutes and staff reports at the Mountain View Library, 585 Franklin Street, beginning the Thursday evening before each meeting and at the City Clerk's Office, 500 Castro Street, Third Floor, beginning Friday morning. Agenda materials may also be viewed electronically at www.mountainview.gov. Staff reports are also available at the Council Chambers during the meeting.

SPECIAL NOTICE—Reference: Americans with Disabilities Act, 1990. Anyone who is planning to attend the next City Council meeting who is visually or hearing-impaired or has any disability that needs special assistance should call the City Clerk's Office at 903-6304 48 hours in advance of the Council meeting to arrange for assistance. Upon request, in advance, by a person with a disability, City Council meeting agendas and writings distributed during the meeting that are public records will be made available in the appropriate alternative format. Also upon request, in advance, an assistive listening device can be made available for use during the meeting.

The Council meetings are cablecast live on Channel 26 on the Mountain View Comcast cable system and are replayed on Wednesday at 6:30 p.m. and on Saturday at 11:00 a.m. following that week's Council meeting. If there is a live Environmental Planning Commission meeting on a Wednesday, the replay of the City Council meeting will be on a Thursday at 6:30 p.m. In addition, Council Regular meetings are webcasted, and interested persons may visit the City's web site at www.mountainview.gov to watch the meetings live on their computer, laptop or PDA device. Archived broadcasts of previous meetings may also be accessed and watched on-line.

The Council may take action on any matter noticed herein, and their consideration and action on the matters noticed herein is not limited by the recommendations indicated in the Agenda or staff report(s). The Council may consider and act on items listed on the agenda in any order and thus all those interested in an item listed on the agenda are advised to be present throughout the meeting (see Policy and Procedure A-13). The reading of the full text of ordinances and resolutions will be waived unless a Councilmember requests otherwise.

By policy, no new items of business will be started after 10:00 p.m., unless an exception is made by vote of the Council.

ADDRESSING THE COUNCIL

Interested persons are entitled to speak on any action item listed on the agenda and are requested to fill out the blue cards available at the rear of the Council Chambers and deposit them with the clerk or at the podium as soon as completed. This will assure that your name and city of residence are accurately recorded in the minutes and that your interest in speaking is recognized. If you wish to speak and are not recognized by the Mayor, please approach the podium prior to completion of discussion on the item. Speakers are allowed up to three minutes each, and if a large group wishes to express its views, it is more effective to have one spokesperson.

Items on the "Consent Calendar" are not discussed individually but are approved as a group with one motion. If a citizen wishes to speak on an item on the Consent Calendar, he or she may come to the podium at the time announced by the Mayor and request that the item be pulled for discussion by the Council.

Anyone wishing to address the Council on a nonagenda item may do so during the "Oral Communications" part of the agenda. Speakers are allowed to speak one time on any number of topics for up to three minutes.

Reducing Time For Public Input: For any single agenda item and for Oral Communications from the Public, if there appears to be 15 or more speakers and the Council might not be able to conclude the scheduled agenda items for the meeting if speakers were allotted three (3) minutes each, the Mayor may reduce speaking time to no less than two (2) minutes per speaker unless there is an objection from Council, in which case majority vote shall decide the issue without debate.