



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, December 8, 2015

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

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

1. CALL TO ORDER

2. ROLL CALL

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

3. STUDY SESSION

3.1 Comprehensive Annual Financial Report and Other Related Reports for the Fiscal Year Ended June 30, 2015.

Recommendation(s): Hear a presentation by, and ask questions of, staff and the City's external auditor regarding the City's Comprehensive Annual Financial Report (CAFR) and other related reports for the Fiscal Year ended June 30, 2015.

Attachment(s): [Study Session Memo](#)
[ATT 1 - 2015 CAFR](#)
[ATT 2 - 2015 Single Audit](#)
[ATT 3 - 2015 Appropriations Limit](#)
[ATT 4 - 2015 TDA](#)
[ATT 5 - 2015 MOIC](#)

5:30 P.M. OR IMMEDIATELY THEREAFTER - CLOSED SESSION (TO BE HELD IN THE PLAZA CONFERENCE ROOM)

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

2. CLOSED SESSION

2.1 Conference with Real Property Negotiator (§54956.8)—Property: City-owned properties located on Hope Street between W. Evelyn Avenue and Villa Street and identified as Parking Lot 4 (no street number; APN 158-20-069) and Parking Lot 8 (no street number; APN 158-20-004)—Agency Negotiator: Randal Tsuda, Community Development Director—Negotiating Party: The Robert Green Company—Under Negotiation: Price and Terms of Payment for Lease of Real Property and Property: 682 Villa Street; APN 158-20-003; Agency Negotiators: Randal Tsuda, Community Development Director, Dennis Drennan, Real Property Program Administrator—Negotiating Party: 682 Villa, LLC—Under Negotiation: Price and Terms of Payment for Purchase of Real Property

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

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

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

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 Ordinance Amending Chapter 9, Article II, of the Mountain View City Code Relating to Massage Establishments and Practitioners (Second Reading).

Recommendation(s): Adopt an Ordinance Amending Chapter 9, Article II, of the Mountain View City Code Relating to Massage Establishments and Practitioners (Attachment 1 to the Council report). (First reading: 6-0-1; Rosenberg absent)

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

4.2 Adopt an Ordinance Adding Chapter 43 to the Mountain View City Code Regarding Written Residential Rental Leases (Second Reading).

Recommendation(s): Adopt an Ordinance Adding Chapter 43 to the Mountain View City Code Regarding Written Residential Rental Leases (Attachment 1 to the Council Report). (First reading: 6-1; Inks no)

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

4.3 Annual Compliance Report for Development Impact Fees and Informational Reporting of Other Fee as of June 30, 2015.

- Recommendation(s):* 1. Acknowledge and file the Fiscal Year 2014-15 Annual Compliance Report for the Below-Market-Rate Housing, Housing Impact, Rental Housing Impact, Downtown Parking In-Lieu, and Wastewater Development Impact Funds.
2. Acknowledge and file the Fiscal Year 2014-15 informational report for the Park Land Dedication Fund.
3. Adopt a Resolution Finding There Remains a Reasonable Relationship Between Current Needs for the Housing Impact Funds and the Purposes for Which They Were Originally Charged (GC 66000 et seq.), to be read in title only, further reading waived (Attachment 1 to the Council report).

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

4.4 San Antonio Apartments-2650 and 2656 El Camino Real West Improvements-Accept Public Improvements.

- Recommendation(s):* Accept the public improvements for the development at 2650 and 2656 El Camino Real West for maintenance throughout their useful lives.

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

4.5 Increase Appropriations in the Police Department for AB 109 Funds Received from Santa Clara County.

- Recommendation(s):* Increase appropriations \$103,696 in the Police Department for funds received on July 7, 2015 from Santa Clara County for Mountain View's share of the State-allocated Assembly Bill 109 funding. (Five votes required)

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

4.6 Shoreline Athletic Fields, Project 11-33-Accept Construction.

- Recommendation(s):* Accept Shoreline Athletic Fields, Project 11-33, and authorize the final contract payment.

Attachment(s): [Council Report](#)
[ATT 1 - Site Plan](#)
[ATT 2 - Summary](#)

4.7 Annual Report of the Investment Review Committee for Fiscal Year 2014-15.

- Recommendation(s):** 1. Accept the Annual Report of the Investment Review Committee for Fiscal Year 2014-15.
2. Adopt a Resolution of the City Council Modifying City Council Policy B-2, Investment Policy, to add Subsections 10.1.13 and 11.15 to allow Supra National securities as a permitted investment, to be read in title only, further reading waived (Attachment 1 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Resolution with Council Policy B-2 redlined](#)
[ATT 2 - Annual Report of the IRC](#)

4.8 Collection of Utility Users Tax on Prepaid Mobile Telephony Services.

- Recommendation(s):** 1. Adopt a Resolution of the City of Mountain View Authorizing City Manager to Execute Agreement with the State Board of Equalization for Implementation of the Local Prepaid Mobile Telephony Services Collection Act, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Adopt a Resolution Authorizing the Examination of Prepaid Mobile Telephony Services Surcharge and Local Charge Records, to be read in title only, further reading waived (Attachment 2 to the Council report).
3. Authorize the City Manager or designee to execute documents necessary to participate in the new program and collect such tax.

Attachment(s): [Council Report](#)
[ATT 1 - Resolution - Authorizing Execution of Agreement](#)
[ATT 2 - Resolution - Authorizing Examination](#)
[ATT 3 - MTS Rates](#)
[ATT 4 - Agreement](#)
[ATT 5 - Certification](#)

4.9 Accepting City of Mountain View Comprehensive Annual Financial Report and Various Other Related Reports.

Recommendation(s): Accept, acknowledge, and file the following financial and independent auditor's reports pertaining to Fiscal Year 2014-15:

- City of Mountain View Comprehensive Annual Financial Report and Independent Auditor's Report
- Single Audit Report
- Confirmation Report of Appropriations Limit Calculation
- Bicycle/Pedestrian Projects
- Memorandum on Internal Control and Required Communications from Independent Auditors

These reports are not attached as they were distributed to Council with the Study Session report prior to this item on the agenda tonight. They are available for public review in the City Clerk's Office, the Library, and on the Council Agenda page of the City's website at:
<<http://mountainview.gov/depts/fasd/forms.asp>>.

Attachment(s): [Council Report](#)
[ATT 1 - Analysis of FY 2014-15 Audited Financial Results](#)

4.10 Dana Street Reconstruction, Project 13-28-Accept Construction.

Recommendation(s): Accept Dana Street Reconstruction, Project 13-28, and authorize the final contract payment.

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

4.11 2013-14 Street Resurfacing and Slurry Seal Programs, Projects 14-01 and 14-03-Accept Construction.

Recommendation(s): Accept 2013-14 Street Resurfacing and Slurry Seal Programs, Projects 14-01 and 14-03, and authorize the final contract payment.

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

4.12 Google Green Loop-Accept Public Improvements.

Recommendation(s): Accept the public improvements for the development at 1010 and 1015 Joaquin Road for maintenance throughout their useful lives.

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

4.13 Final Map Approval, Tract No. 10286, 1101 West El Camino Real.

Recommendation(s): Adopt a Resolution Approving the Final Map of Tract No. 10286, Accepting Dedications and Making Findings as Required by the City Code, to be read in title only, further reading waived (Attachment 1 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Resolution](#)
[ATT 2 - Final Map](#)
[ATT 3 - Tentative Map Conditions](#)

4.14 Professional Services Contract with Hatch Mott MacDonald.

Recommendation(s): 1. Appropriate \$250,000 from the Development Services Fund to the Public Works Land Development Engineering Operating Budget. (Five votes required)

2. Authorize the City Manager to execute a professional services contract with Hatch Mott MacDonald for \$345,000 for engineering services.

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

4.15 Ordinance Amending Article I of Chapter 38-Regulating the Use of City Parks.

Recommendation(s): Introduce an Ordinance Amending Article I of Chapter 38 of the Mountain View City Code Related to Regulating the Use of City Parks, to be read in title only, further reading waived, and set second reading for January 12, 2016 (Attachment 1 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Ord Amending Article 1 of Chapter 38 of the MV City Code](#)
[ATT 2 - City Code, Chap 5, Sec 5.61, Dogs in Posted Off-leash Areas](#)

4.16 City Auditor's Annual Report for Fiscal Year 2014-15 and Work Plan for Fiscal Year 2015-16.

Recommendation(s): 1. Accept and file the City Auditor's Annual Report for Fiscal Year 2014-15.

2. Approve the City Auditor's Work Plan for Fiscal Year 2015-16 as recommended.

Attachment(s): [Council Report](#)
[ATT 1 - Agreed-Upon Procedures](#)

4.17 Reappointments/Appointments to Council Advisory Bodies.

- Recommendation(s):***
1. Adopt a Resolution Reappointing Randall Stock to the Library Board, to be read in title only, further reading waived (Attachment 1 to the Council report).
 2. Adopt a Resolution Appointing Andrew Heaton and Preeti Hehmeyer to the Environmental Planning Commission, to be read in title only, further reading waived (Attachment 2 to the Council report).
 3. Adopt a Resolution Reappointing Helen Wolter to the Parks and Recreation Commission, to be read in title only, further reading waived (Attachment 3 to the Council report).
 4. Approve by motion reappointment of Marc Roddin to the Bicycle/Pedestrian Advisory Committee for the term January 1, 2016 to December 31, 2019 and appointment of Valerie Fenwick as an alternate if a vacancy occurs before the yearly recruitment process.
 5. Approve by motion appointment of Rick Meyer to the Downtown Committee (Business-at-Large) and Merry Yen to the Downtown Committee (Community-at-Large) for the terms January 1, 2016 to December 31, 2018.
 6. Approve by motion reappointments of Jerome Galli and Roger Petersen to the Senior Advisory Committee for the terms January 1, 2016 to December 31, 2019.
 7. Approve by motion reappointment of Melanie Demers and Janis Zinn and appointment of Madhavi Chodankar to the Visual Arts Committee for the terms January 1, 2016 to December 31, 2019.

Attachment(s): [Council Report](#)
[ATT 1 - Resolution—Library Board](#)
[ATT 2 - Resolution—Environmental Planning Commission](#)
[ATT 3 - Resolution—Parks and Recreation Commission](#)

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 HEARING - None.**7. NEW BUSINESS****7.1 Gatekeeper Requests, December 2015.**

Recommendation(s): Staff recommends that the City Council take the following actions on the Gatekeeper requests:

1. 360 South Shoreline Boulevard (Mountain View Academy)-Authorize the assignment of staff resources for consideration of an application for a P-Zone (Planned Community District) to add seven townhouse-style residential units to a site that contains a private college-preparatory high school.
2. 500 Moffett Boulevard (Shenandoah Housing Site)-Authorize the assignment of staff resources for the creation of a Precise Plan and the consideration of an application for a Planned Community Permit, including an annexation request, to allow the demolition of the existing residential buildings on a 17-acre site and the construction of a multi-family residential project (work on the application to begin July 1, 2016).
3. 777 West Middlefield Road (Fortbay)-Authorize an alternative(s) to previously authorized Gatekeeper applications to amend the General Plan and Zoning Map to allow the demolition of the residential buildings on a 9.84-acre site and the construction of a high-density, multi-family residential project (two alternatives proposed).
4. 1696/1698/1700/1734 Villa Street (Prometheus)-Do not authorize the assignment of staff resources for consideration of an application to amend the General Plan and Zoning Map to allow the demolition of the residential buildings on a combination of sites totaling 3.36 acres and the construction of a three- to five-story, multi-family residential project.
5. 1001 North Shoreline Boulevard (Calvano/CRP Mountain View)-Do not authorize the assignment of staff resources for consideration of an application to amend the General Plan and Zoning Map to allow a mixed-use project (office, residential, and retail) on a 7.15-acre site.
6. 350 Ellis Street (Symantec Corporation)-Do not authorize the assignment of staff resources for consideration of an application to amend the Zoning Map to add additional office space and structured parking (increasing the floor area ratio permitted from 0.5 to 1.0) to a site with existing office buildings.
7. 2044 Old Middlefield Road (Evolution Trainers)-Do not authorize the assignment of staff resources for consideration of an application to amend the General Plan and Zoning Map to allow the demolition of the existing commercial building and the construction of a three-story, multi-family residential project (up to 50 units) on a 0.75-acre site.

8. 901-987 Rengstorff Avenue (Ambra/Alsman)-Do not authorize the assignment of staff resources for consideration of an application to amend the General Plan and Zoning Map to allow the construction of a high-density, multi-family residential project.

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

[ATT 1 - Map—December 2015 Gatekeeper Requests](#)

[ATT 2 - November 2015 Planning Division Update](#)

[ATT 3 - GR: 360 S. Shoreline Blvd \(Mountain View Academy\)](#)

[ATT 4 - GR: 500 Moffett Blvd \(Shenandoah Housing Site\)](#)

[ATT 5 - GR: 777 W. Middlefield Rd \(Fortbay\)](#)

[ATT 6 - GR: 1696/1698/1700/1734 Villa St \(Prometheus\)](#)

[ATT 7 - GR: 1001 N. Shoreline Blvd \(Calvano/ CPR Mountain View\)](#)

[ATT 8 - GR: 350 Ellis St \(Symantec Corporation\)](#)

[ATT 9 - GR: 2044 Old Middlefield Rd \(Evolution Trainers\)](#)

[ATT 10 - GR: 901-987 Rengstorff Av \(Ambra/Alsman\)](#)

8. COUNCIL, STAFF/COMMITTEE REPORTS

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

9. CLOSED SESSION REPORT

10. ADJOURNMENT

The next Council Meeting will be held on Tuesday, January 5, 2016, 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.