



Christopher R. Clark, Councilmember
John M. Inks, Councilmember
R. Michael Kasperzak, Jr., Councilmember

Ken S. Rosenberg, Vice Mayor
John McAlister, Councilmember
Leonard M. Siegel, Councilmember

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

Patricia Showalter, Mayor

Jannie L. Quinn, City Attorney

December 13, 2016

Council Chambers - 500 Castro St.

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

5:00 P.M.-STUDY SESSION

1. CALL TO ORDER

Mayor Showalter called the meeting to order at 5:06 p.m.

2. ROLL CALL

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

3. STUDY SESSION

3.1 Informal Review of a Proposed Master Plan in the North of California Street Master Plan Area.

Councilmember Inks recused himself from acting on this item and left the dais.

Planner Hodge, Greystar Real Estate Partners Representative Daniel Deibel and Seidel Architects Principal Alex Seidel presented oral reports and they, City Manager Rich, Community Development Director Tsuda, City Attorney Quinn and Assistant Community Development Director Blount, responded to Council's questions.

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

Nancy Morimoto
Stephen Friberg, Greater San Antonio Community Association President
Tanya Raschke. Ms. Raschke also responded to Council's questions.
Carolyn Herrick
Howard Meyerson
John Inks

The Study Session concluded at 6:44 p.m.

6:30 P.M.- REGULAR SESSION**1. CALL TO ORDER**

Mayor Showalter called the meeting to order at 6:55 p.m.

2. PLEDGE OF ALLEGIANCE

James Wilson led the Pledge of Allegiance.

3. ROLL CALL

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

4. CONSENT CALENDAR

MOTION - MS - Kasperzak/ Siegel - To approve the Consent Calendar with Councilmembers McAlister and Inks registering no votes on Item 4.11.

The motion carried by the following vote:

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

4.1 Approval of Minutes.

That City Council approve the following minutes:

- 1. November 22, 2016 meeting; and**
- 2. November 29, 2016 meeting.**

4.2 Ordinance Amendment Regulating the Use of City Trails (Second Reading).

Adopt Ordinance No. 20.16 Amending Chapter 38 of the Mountain View City Code, Regulating the Use of City Parks and Other City Facilities, Article IV, Regulating the Use of City Trails, to Amend Section 38.201 and Delete Section 38.202 (Attachment 1 to the Council report). (First reading: 7-0)

4.3 Zoning Text Amendments-Seismic Retrofit of Legal Nonconforming Uses and Structures (Second Reading).

Adopt Ordinance No. 21.16 Amending Article III, Section 36.06.80 and Section 36.06.85, of the Mountain View City Code, Relating to Seismic Retrofits of Legal Nonconforming Soft-Story Structures (Attachment 1 to the Council report). (First reading: 7-0)

4.4 Acceptance and Appropriation of Federal Funds Designated for the Fiscal Year 2016 Edward Byrne Memorial Justice Assistance Grant Program.

Accept \$12,485 in grant funds from the Fiscal Year 2016 Edward Byrne Memorial Justice Assistance Grant Program to support a Systems Specialist position in the Police Department.

4.5 Library Chiller Replacement, Project 15-51-Accept Construction.

Accept Library Chiller Replacement, Project 15-51, and authorize the final contract payment.

4.6 Final Map Approval, Tract No. 10373, 2025 and 2065 San Luis Avenue.

Adopt Resolution No. 18111 approving the Final Map of Tract No. 10373, 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).

4.7 City Auditor's Annual Report for Fiscal Year 2015-16 and Work Plan for Fiscal Year 2016-17.

- 1. Accept and file the City Auditor's Annual Report for FY 2015-16.**
- 2. Approve the City Auditor's Work Plan for FY 2016-17 as recommended.**

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Don Letcher

4.8 City Hall Remodel-Reception Areas for Finance and Public Works and Community Development Department Office Remodel, Project 16-64, Approve Plans and Specifications/Authorize Bidding.

- 1. Approve plans and specifications for modifications to Finance and Administrative Services and Public Works Departments reception areas and remodeling of Community Development offices and authorize staff to advertise the project for bids.**
- 2. Authorize the City Manager to award a construction contract to the lowest responsible bidder if the bid is within the project budget.**

4.9 Final Map Approval, Tract No. 10365, 1991 Sun-Mor Avenue.

Adopt Resolution No. 18112 approving the Final Map of Tract No. 10365, 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).

4.10 Authorization to Accept an \$800,000 Technology Grant from Google Inc. and Approve a Midyear Capital Improvement Project-Free Public WiFi in the Downtown Corridor.

Authorize the City Manager to accept an \$800,000 technology grant from Google Inc. for installation and maintenance of free public WiFi in the downtown corridor and appropriate the funds in a new midyear Capital Improvement Project-Free Downtown Public WiFi. (Five votes required)

4.11 Recommendation from the Council Procedures Committee Regarding Plaques.

Approve the Council Procedures Committee recommendation to add an addendum to the City Council Policy for the naming of City parks and other City facilities (Council Policy K-17) to have plaques recognize both the “authorizing” Council and the Council at the time of the dedication.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Don Letcher

Councilmembers Inks and McAlister registered no votes on this item.

4.12 Certification of Official Election Returns-November 8, 2016 General Municipal Election.

1. Adopt Resolution No. 18113 of the City Council of the City of Mountain View Declaring the Result of the Canvass of Returns of the General Municipal Election Held on November 8, 2016 for the Election of Four Members to the City Council and for Ballot Measures V and W, to be read in title only, further reading waived (Attachment 1 to the Council report).

2. Acknowledge certification from the Registrar of Voters of canvass of election returns of the November 8, 2016 General Municipal Election (Attachment 2 to the Council report).

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Don Letcher

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Bo Cheli spoke in support of businessstudy.com, which provides an opportunity to employees and residents of Mountain View to continue their college education free of charge in certain instances.

Don Letcher expressed concerns with residents of City of Mountain View potentially renting houses owned by the Santa Clara Valley Water District, loss of trees in Shoreline Regional Park Community and with the Silicon Valley Clean Energy program.

Jim Neal expressed concerns with unprovoked attacks on political minorities.

Anne Glynn expressed concerns with the lack of parking at the Senior Center.

Eddie Garcia requested that Council develop a plaque recognizing the 1975 Mountain View High School Football team CCS Championship.

6. PUBLIC HEARING - None.**7. UNFINISHED BUSINESS****7.1 Extension of an Interim Urgency Ordinance Prohibiting Outdoor Cultivation of Marijuana in the City of Mountain View.**

Senior Assistant City Attorney presented an oral staff report and he, Assistant Planner Burke, City Attorney Quinn and Police Lieutenant St. Clair, responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Neil Jensen
Don Letcher
Tesla Seppanen

MOTION - MS - Showalter/ Siegel - To adopt an Ordinance Extending the Duration of an Interim Urgency Ordinance Prohibiting the Outdoor Cultivation of Marijuana Within the City of Mountain View for 10 Months and 15 Days, to be read in title only, further reading waived, four-fifths vote required, becoming effective immediately (Attachment 1 to the Council report).

The motion failed by the following vote:

Yes: 2 - Councilmember Clark, and Councilmember Siegel

No: 5 - Councilmember Inks, Councilmember Kasperzak, Councilmember McAlister, Vice Mayor Rosenberg, and Mayor Showalter

7.2

Reappointments/Appointments to Council Advisory Bodies.

City Manager Rich and City Clerk Brewer responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Don Letcher

MOTION - MS - Kasperzak/ Siegel - To:

- 1. Adopt Resolution No. 18115 Appointing Nicole Vogt to the Library Board, to be read in title only, further reading waived (Attachment 1 to the Council report).**
- 2. Adopt Resolution No. 18116 Reappointing Robert Cox and Appointing Lucas Ramirez as an Alternate to the Environmental Planning Commission, to be read in title only, further reading waived (Attachment 2 to the Council report).**
- 3. Adopt Resolution No. 18117 Appointing Russell Devine to the Parks and Recreation Commission, to be read in title only, further reading waived (Attachment 4 to the Council report).**
- 4. Confirm the appointment of Jamil Shaikh (Old Mountain View Neighborhood's election on December 12, 2016) as the Old Mountain View Neighborhood Association's representative to the Downtown Committee for the term January 1, 2017 to December 31, 2017.**

The motion carried by the following vote:

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

MOTION - MS - Rosenberg/ Siegel - To adopt Resolution No. 18118 reappointing Kevin Boer and Jim Neal and appointing Serge Bonte to the Human Relations Commission, to be read in title only, further reading waived (Attachment 3 to the Council report).

The motion carried by the following vote:

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

MOTION - MS - Clark/ McAlister - To:

- 1. Reappoint Theron Tock and Greg Unangst and appoint Valerie Fenwick to the Bicycle/Pedestrian Advisory Committee for the term January 1, 2017 to December 31, 2020.**
- 2. Reappoint Shana Nelson to the Downtown Committee: (Downtown Property and Business Owner); Kim Copher, Tony Siress, and Julie Smiley (Business-at-Large); and Maria Lange (Community-at-Large) for the terms January 1, 2017 to December 31, 2019.**
- 3. Reappoint Jesse Cupp, Nili Helman-Caspi, and Don Whitebread and appoint Kristin Bahir to the Visual Arts Committee for the term January 1, 2017 to December 31, 2020; and**
- 4. Update Council Policy K-2 to require that Incumbents must update their applications.**

The motion carried by the following vote:

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

Council recessed at 8:37 p.m. and reconvened at 8:53 p.m.

7.3**Residential Food Scraps Collection Program.**

Solida Waste Program Manager Topley presented an oral staff report and responded to Council's questions.

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

Don Letcher

Rebecca Callister

Susanne Martinez

Lori Robbin

Chris Cahill

Nathan Sandlin

Hsi Wang

Ron Zacklin

Deb Henigson

Katlyn Edwards

Max Hauser

Andrea Bornschlegel

Ronit Bryant

Drew Williams. Mr. Williams also responded to Council's questions.

MOTION - MS - Kasperzak/ Siegel - To:

- 1. Establish a residential food scraps collection program, with weekly garbage collection; and**
- 2. Appropriate \$200,000 in the Public Works Department, Solid Waste Fund for program start-up costs. (Five votes required).**

The motion carried by the following vote:

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

By consensus, at 10:03 p.m., Council agreed to consider the remaining items on the agenda

7.4 Human Rights City Designation.

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

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

Don Letcher

Deb Henigson

Francisco Rivera. Mr. Rivera also responded to Council's questions.

Serge Bonte

MOTION - MS - Rosenberg/ Siegel - To accept the recommendation from the Human Relations Commission that the City of Mountain View adopt Resolution No. 18119 adopting the Universal Declaration of Human Rights as Guiding Principles and Declaring the City of Mountain View to be a Human Rights City (Attachment 1 to the Council report), to be read in title only, further reading waived.

The motion carried by the following vote:

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

No: 2 - Councilmember Inks, and Councilmember McAlister

7.4 Human Rights City Designation.

MOTION - MS - Rosenberg/ Showalter - To consider the recommendation from the Human Relations Commission to implement a human rights policy analysis framework as a tool to analyze the impact of policy decisions focusing on the priority areas of housing displacement, housing affordability, social equity, and economic prosperity and identify items to try this out on next year.

The motion failed by the following vote:

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

8. NEW BUSINESS**8.1 Adopt a Resolution Updating the Recreation Financial Assistance Program.**

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

MOTION - MS - McAlister/ Kasperzak - To adopt Resolution No. 18120 Changing the Recreation Financial Assistance Program from the Current Subsidy of 75 Percent with a Cap of \$400 Per Child to a Two-Tier Program Offering a 90 Percent Subsidy with a Cap of \$500 Per Child or 75 Percent Subsidy with a Cap of \$400 Per Child Based on Family Income Levels and to Enable the City to Adjust the Financial Assistance Program Through the Annual Budget Process and Update the City Master Fee Schedule, to be read in title only, further reading waived (Attachment 1 to the Council report).

The motion carried by the following vote:

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

8.2 Resolution Appointing Justine Bruce as an Extra Help Retired Annuitant under Government Code Sections 7522.56 and 21224.

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

MOTION - MS - McAlister/ Kasperzak - To adopt Resolution No. 18121 for Exception to the 180-Day Wait Period Government Code Sections 7522.56 and 21224, to be read in title only, further reading waived (Attachment 1 to the Council report).

The motion carried by the following vote:

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

9. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmember McAlister reported on his attendance at the Valley Transportation Authority Policy Advisory Board and Valley Transportation Authority State Route 85 Corridor Policy Board meetings.

Councilmember Siegel reported on his attendance at the Santa Clara Valley Water District Joint Recycled Water Advisory Committee meeting.

Staff was directed to prepare a letter for the Mayor's signature expressing the City of Mountain View's support for the San Jose Mosque.

Mayor Showalter reported on the opening of Heritage Park on Saturday. Mayor Showalter also reported on her attendance on Saturday at the opening of the German Holiday Market.

10. CLOSED SESSION REPORT - None

11. ADJOURNMENT - At 11:25 p.m., Mayor Showalter adjourned the meeting to the next City Council meeting to be held on Tuesday, January 10, 2016 at 6:30 p.m., in the Council Chambers, 500 Castro Street.

ATTEST:

APPROVED:

LORRIE BREWER, MMC
CITY CLERK

PATRICIA SHOWALTER
MAYOR