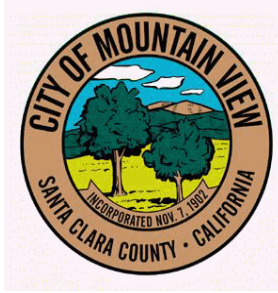


Christopher R. Clark, Councilmember  
John M. Inks, Councilmember  
R. Michael Kasperzak, Jr., Councilmember



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

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May 19, 2015

Plaza & Council Chambers - 500 Castro St.

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

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

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

At 5:00 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**

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

Mayor McAlister called the meeting to order at 5:01 p.m.

Councilmembers Clark, Inks, McAlister, Siegel, Vice Mayor Showalter and Mayor McAlister were present.

Councilmember Rosenberg was absent.

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

Bruce Hurlburt  
Chris Costanzo  
Cynthia Palacio

The meeting was closed to the public at 5:10 p.m.

The Closed Session concluded at 6:43 p.m.

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

##### **1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor McAlister called the meeting to order at 6:53 p.m.

Assistant City Manager Stevenson Diaz led the Pledge of Allegiance.

##### **2. ROLL CALL**

**Present:** 6 - Councilmember Clark, Councilmember Inks, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor Showalter, and Mayor McAlister

**Absent:** 1 - Councilmember Rosenberg

##### **3. PRESENTATION - Santa Clara County Assessor Larry Stone presented information and responded to Council's questions regarding SB 661 - Property Taxation: State Assessment - Commercial Air Carrier Personal Property.**

##### **4. CONSENT CALENDAR**

Councilmember Siegel recused himself from acting on item 4.3.

**MOTION - M/S Kasperzak/Inks - To approve the Consent Calendar with Councilmember Siegel recused from acting on Item 4.3. The motion carried by the following vote:**

**Yes:** 6 - Councilmember Clark, Councilmember Inks, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor Showalter, and Mayor McAlister

**Absent:** 1 - Councilmember Rosenberg

**4.1            Approval of Minutes.**

**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.**

**4.2            625-685 Clyde Avenue - Accept Public Improvements.**

**Accept the public improvements for the development at 625-685 Clyde Avenue, for maintenance throughout their useful lives.**

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

**Accept the public improvements for the development at 365 Villa Street, for maintenance throughout their useful lives.**

Councilmember Siegel recused himself from acting on this item.

**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.**

**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.**

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

**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.**

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

Don Letcher presented information on a census survey he completed and requested to see if the City received a copy of the survey results. Mr. Letcher also expressed concerns with gentrification in the City of Mountain View.

Greg Coladonato expressed concerns with the Council taking action in support of the Valley Transportation Authority's Bus Rapid Transit Project, and he requested that Council reconsider the item.

Jim Neal expressed concerns with the City voting in support of the Valley Transportation Authority's Bus Rapid Transit project.

Judy Fawcett expressed concerns with the City voting in support of the Valley Transportation Authority's Bus Rapid Transit project, and requested that Council reconsider the item.

Scott Stauter expressed concerns with the Valley Transportation Authority's Bus Rapid Transit project, and requested that Council reconsider the item.

Melinda Mandell expressed concerns with the Valley Transportation Authority's Bus Rapid Transit project, and requested that Council reconsider the item.

Gary Wesley presented information regarding the rules for reconsidering legislative items. Mr. Wesley also requested that Councilmember Showalter share the information she stated she received that led her to vote for the Valley Transportation Authority's Bus Rapid Transit project.

**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.**

Mayor McAlister opened the Public Hearing at 7:19 p.m.

Water Conservation Coordinator Flegel presented an oral staff report and she, Assistant Public Works Director Hosfeldt and Public Works Director Fuller, responded to Council's questions.

Seeing no one wishing to speak, Mayor McAlister closed the Public Hearing at 7:40 p.m.

**MOTION - M/S Clark/Inks - To:**

**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; and 3) Direct staff to review the potential of a performance-based system and the mandatory use of recycled water on construction projects, and bring back the item to Council at the earliest opportunity for its review and consideration.**

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

**Yes: 5 - Councilmember Clark, Councilmember Inks, Councilmember Kasperzak, Vice Mayor Showalter, and Mayor McAlister**

**No: 1 - Councilmember Siegel**

**Absent: 1 - Councilmember Rosenberg**

**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.**

**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.**

Mayor McAlister opened the Public Hearing at 8:31 p.m.

Senior Planner Plambaeck, EFL Development representative Frank Kalcic and Symantec Global Space Planning and Projects Director Karminder Singh, presented oral reports and they, and City Attorney Quinn, responded to Council's questions.

Seeing no one wishing to speak, Mayor McAlister closed the Public Hearing at 8:43 p.m.

**MOTION - M/S Kasperzak/Inks - To 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, with a correction to Section 5.2(a) add "7. Owner shall convey an emergency vehicle access easement (EVAE) to the EFL property through Owner's parcel by December 7, 2015." (Attachment 1 to the Council report), to be read in title only, further reading waived, and set a second reading for June 9, 2015.**

**Yes: 5 - Councilmember Clark, Councilmember Inks, Councilmember Kasperzak, Vice Mayor Showalter, and Mayor McAlister**

**No:** 1 - Councilmember Siegel

**Absent:** 1 - Councilmember Rosenberg

Council recessed at 8:43 p.m. and reconvened at 8:53 p.m.

## 7. NEW BUSINESS

### 7.1 **Municipal Operations Climate Action Plan.**

Environmental Sustainability Coordinator Attinger presented an oral staff report and responded to Council's questions.

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

Thida Cornes  
Mike Palma

**MOTION - M/S Clark/Showalter - To adopt Resolution No. 17950 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).**

**Yes:** 6 - Councilmember Clark, Councilmember Inks, Councilmember Kasperzak, Councilmember Siegel, Vice Mayor Showalter, and Mayor McAlister

**Absent:** 1 - Councilmember Rosenberg

### 7.2 **Potential Amendments to the Condominium Conversion Ordinance.**

City Attorney Quinn presented an oral staff report and she, and Community Development Director Tsuda, responded to Council's questions.

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

Jim Neal

**MOTION - M/S McAlister/Inks - To provide direction 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.**

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

**Yes:** 3 - Councilmember Clark, Councilmember Inks, and Mayor McAlister

**No:** 3 - Councilmember Kasperzak, Councilmember Siegel, and Vice Mayor Showalter

**Absent:** 1 - Councilmember Rosenberg

By consensus, staff was directed to provide a memo regarding the existing condominium policy.

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

By consensus, staff was directed to review what is being proposed regionally for mass transit along Highway 85 and the possibility of participating in a joint resolution, and return the item to Council for its review and consideration.

Vice Mayor Showalter provided information on the Stevens Creek Trail Joint Cities Feasibility Study and future public review meetings.

Councilmember Clark reported on his attendance at the Silicon Valley Regional Interoperability Authority and Valley Transportation Authority Policy Advisory Committee meetings.

Mayor McAlister reported on his attendance at the President's Dinner at Saint Francis High School, as well as Councilmembers Inks' and Kasperzak's and his attendance at the Police Department's Service Awards Recognition Ceremony.

Vice Mayor Showalter reported that she, Councilmember Kasperzak and Mayor McAlister attended the Silicon Valley Leadership Business Climate Summit. Vice Mayor Showalter also reported on her attendance at the Girl Scout's Silver and Gold Awards Ceremony.

By consensus, Council agreed to continue the meeting past 10:00 p.m. to consider Item 10.1.

## **9. CLOSED SESSION REPORT - None.**

### **STUDY SESSION (HELD IN THE COUNCIL CHAMBERS)**

## **10. STUDY SESSION**

### **10.1 Proposed Fiscal Year 2015-16 Through Fiscal Year 2019-20 Capital Improvement Program.**

Assistant Public Works Director Solomon presented an oral staff report and she, Police Chief Bosel, Public Works Director Fuller and Finance and Administrative Services Director Kong, responded to Council's questions.

Councilmember Inks recused himself from participating in the discussion on the Mora/Ortega Park, Design and Construction project and left the dais.

Councilmembers Clark and Siegel recused themselves from participating in the discussions on the Latham/Church Bike Blvd., and Calderon Avenue Bike Lane projects and left the dais.

**11. ADJOURNMENT - At 10:26 p.m., Mayor McAlister adjourned the meeting to the next meeting to be held on Tuesday, May 26, 2015 in the Council Chambers, 500 Castro Street.**

ATTEST:

\_\_\_\_\_  
LORRIE BREWER, MMC  
CITY CLERK

APPROVED:

\_\_\_\_\_  
JOHN McALISTER  
MAYOR