

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

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

John McAlister, Mayor

Ken S. Rosenberg, Councilmember
Patricia Showalter, Vice Mayor
Leonard M. Siegel, Councilmember

Jannie L. Quinn, City Attorney

December 01, 2015

Plaza & Council Chambers - 500 Castro St.

3:00 P.M.-STUDY SESSION, PART 1 (HELD IN THE PLAZA CONFERENCE ROOM)

1. CALL TO ORDER

Mayor McAlister called the meeting to order at 3:00 p.m.

2. ROLL CALL

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

3. STUDY SESSION

3.1 Environmental Planning Commission Candidate Interviews.

Council conducted the interviews for the Environmental Planning Commission and by consensus recommended that Andrew Heaton and Preeti Hehmeyer be approved to serve.

The Study Session concluded at 4:52 p.m.

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 item that Council would consider on the Closed Session Agenda below.

2. CLOSED SESSION

2.1 Conference with Real Property Negotiator (§54956.8)—Property: Portion of Mora Drive to be vacated (no street address and no APN)—Agency Negotiator: Dennis Drennan, Real Property Program Administrator—Negotiating Party: Lennar Homes—Under Negotiation: Price and Terms of Payment for the Sale of Real Property

Mayor McAlister opened the meeting for public comment and seeing no one wishing to speak, closed the meeting to the public at 5:03 p.m.

All Councilmembers were present.

The Closed Session concluded at 5:20 p.m.

5:30 P.M.-STUDY SESSION, PART 2 (HELD IN THE COUNCIL CHAMBERS)

1. CALL TO ORDER

Mayor McAlister called the meeting to order at 5:30 p.m.

2. ROLL CALL

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

3. STUDY SESSION

3.1 Four Cities Coordinated Stevens Creek Trail Feasibility Study.

Recreation Manager Marchant and Vice Mayor Showalter presented oral reports and they, City Manager Rich and Public Works Director Fuller, responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT AND WITH RECOMMENDATIONS:

Ross Heitkamp

The Study Session concluded at 6:15 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 6:30 p.m.

Midpeninsula Regional Open Space Director Curt Riffle led the Pledge of Allegiance.

2. ROLL CALL

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

3. PRESENTATION

3.1 Midpeninsula Regional Open Space Director Curt Riffle presented an update and responded to Council's questions regarding Measure AA Projects.

4. CONSENT CALENDAR

MOTION - M/S Kasperzak/Inks - To approve the Consent Calendar.

The motion carried unanimously.

4.1 Approval of Minutes.

That Council approve the following minutes:

- 1. November 10, 2015 Council meeting; and**
- 2. November 17, 2015 Council meeting.**

4.2 2016 Council Meeting Schedule.

Confirm the schedule for City Council meetings and Study Sessions for the 2016 calendar year.

4.3 1958 Rock Street (Tract 10212)-Accept Public Improvements.

Accept the public improvements for the development at 1958 Rock Street (Tract 10212) for maintenance throughout their useful lives.

4.4 2014-15 Concrete Sidewalk and Curb Repairs, Project 15-06-Accept Construction.

Accept 2014-15 Concrete Sidewalk and Curb Repairs, Project 15-06, and authorize the final contract payment.

4.5 Shorebird Way and Charleston Road Improvements-Accept Public Improvements.

Accept the public improvements for the sidewalk along Shorebird Way and Charleston Road for maintenance throughout their useful lives.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

Rae Tso expressed concerns with the permit processing backlog and provided recommendations to resolve the issues. Ms. Tso also expressed appreciation for the services she has received from Associate Planner Anderson in processing her permit.

Elena Pacheco presented historical information regarding her efforts to apply for below market rate housing, and she expressed concerns with the reasons cited for denial of her application.

Marilu Delgado spoke in support of having all rent relief information provided in Spanish. Ms. Delgado also responded to Council's questions.

Job Lopez expressed concerns that the community present to speak with regard to rent relief were not allowed to speak until the end of the meeting.

6. PUBLIC HEARING**6.1 Charleston Retention Basin Project.**

Mayor McAlister opened the Public Hearing at 7:01 p.m.

Senior Planner Williams, Google Real Estate Director John Igoe and Google Real Estate Project Executive Rachel Grossman presented oral reports and responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT OF THE PROJECT AND/OR WITH RECOMMENDATIONS:

Ralph Schardt, Santa Clara Valley Audubon Society Executive Director
Eileen McLaughlin, Citizens Committee to Complete the Refuge, Sierra Club Loma Prieta Chapter and the Committee for Green Foothills
Linda Ruthruff, California Native Plant Society

SPEAKING FROM THE FLOOR IN OPPOSITION TO THE PROJECT AND EXPRESSING CONCERNS:

Paulo Gutsa
Olga Zamaraeva
Elena Tolstova

Mayor McAlister closed the Public Hearing at 7:24 p.m.

MOTION - M/S Siegel/Kasperzak - To:

- 1. Approve a Mitigated Negative Declaration for the Charleston Retention Basin Improvement Project (Attachment 1 to the Council report); and**
- 2. Adopt Resolution No. 18009 for a Planned Community Permit for a Habitat Expansion and Restoration Project and a Heritage Tree Removal Permit to Allow the Removal of 119 Heritage Trees at the Charleston Retention Basin, to be read in title only, further reading waived (Attachment 2 to the Council report).**

The motion carried unanimously.

7. UNFINISHED BUSINESS**7.1 Consideration of Rent Relief Options.**

Neighborhood and Administrative Services Manager Lauzze and City Attorney Quinn presented oral staff reports and they, City Manager Rich, Community Services Agency Executive Director Tom Myers and Project Sentinel Dispute Resolution and Housing Counseling Programs Director Martin Eichner, responded to Council's questions.

Council recessed at 8:41 p.m. and reconvened at 8:50 p.m.

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

Steve Welter. Mr. Welter also responded to Council's questions.

Evan Ortiz. Mr. Ortiz also responded to Council's questions.

Edie Keating

Joan MacDonald, Advocates for Affordable Housing. Ms. MacDonald also responded to Council's questions.

Jessica Epstein, Silicon Valley Association of Realtors. Ms. Epstein also responded to Council's questions.

Mario Agustin. Mr. Agustin also responded to Council's questions.

Suzette Spencer. Ms. Spencer also responded to Council's questions.

Philip Cosby

Marc Bryman. Mr. Bryman also responded to Council's questions.

Jackie

Cybele

Mike Fischetti

Barbara Williams, Silicon Valley Association of Realtors

Joshua Howard, California Apartment Association

Kathryn Tomaino

Job Lopez

Amy Sung

Diane Gass

MOTION - M/S Clark/Showalter - To:

1. Introduce an Ordinance Adding Chapter 43 to the Mountain View City Code Regarding Written Residential Rental Leases, to be read in title only, further reading waived, and set the second reading for December 8, 2015 (Attachment 1 to the Council report), with the following additions:

- March 1, 2016 effective date for landlords to offer leases to their tenants who are on existing month-to-month rental agreements;**
- To authorize the City Attorney to make two sets of changes; allowing that if the tenant rejects a six-month or twelve-month lease, any other mutually agreed upon term of the lease is acceptable; and to clarify the language that six-month and twelve-month leases are offered, not "either/or;"**
- To strike the registration provision.**

The motion carried by the following vote:

- Yes:** 6 - Mayor McAlister, Vice Mayor Showalter, Councilmember Clark, Councilmember Kasperzak, Councilmember Rosenberg, and Councilmember Siegel
- No:** 1 - Councilmember Inks

MOTION - M/S Clark/Kasperzak - To:

1. Appropriate \$150,000 in the Below-Market-Rate Housing Fund for rental assistance and authorize the City Manager to enter into an agreement with the Community Services Agency of Mountain View, Los Altos, and Los Altos Hills (CSA) to administer a rent increase gap funding program. (Five votes required).

The motion carried by the following vote:

- Yes:** 6 - Mayor McAlister, Vice Mayor Showalter, Councilmember Clark, Councilmember Kasperzak, Councilmember Rosenberg, and Councilmember Siegel
- No:** 1 - Councilmember Inks

A majority of the Council directed the City Attorney to bring back a draft ordinance for consideration by Council, outlining binding three step mediation process with arbitration by a 3rd party that complies with the Costa-Hawkins Rental Housing Act, including the following disputes subject to mediation:

- Rent increase;
- Security deposit;
- Service reduction and repairs;
- Break in lease; and
- Notice to vacate.

A majority of the Council directed staff to continue to review the issue of a safe parking program for recreational vehicles/vehicles and return to Council with an update.

8. COUNCIL, STAFF/COMMITTEE REPORTS - None.

9. CLOSED SESSION REPORT - None.

10. ADJOURNMENT - At 11:31 p.m., Mayor McAlister adjourned the meeting to the next City Council meeting to be held on Tuesday, December 8, 2015 at 6:30 p.m. in the Council Chambers, 500 Castro Street.

ATTEST:

APPROVED:

LORRIE BREWER, MMC
CITY CLERK

JOHN MCALISTER
MAYOR