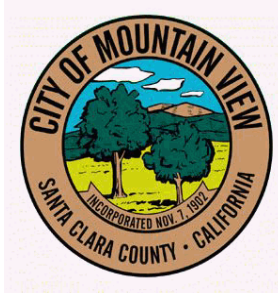


Christopher R. Clark, Councilmember  
John M. Inks, Councilmember  
R. Michael Kasperzak, Jr., Councilmember

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



Patricia Showalter, Mayor

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

Jannie L. Quinn, City Attorney

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May 24, 2016

Council Chambers - 500 Castro St.

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

**THIS SPECIAL MEETING WAS TELECONFERENCED (G.M.T. TIME ZONE)  
PURSUANT TO GOVERNMENT CODE SECTION 54953(b) WITH MAYOR  
SHOWALTER PARTICIPATING IN THE MEETING FROM WYNDHAM  
CHONGQING YUELAI HOTEL, 88 YUELAI BINJIANG AVENUE, YUBEI DISTRICT,  
CHONGQING, CHINA 401120. THE TELECONFERENCE LOCATION WAS  
ACCESSIBLE TO THE PUBLIC AND AN AGENDA FOR THE MEETING WAS  
POSTED AT THAT LOCATION PURSUANT TO GOVERNMENT CODE SECTION  
54953(b)(3). MEMBERS OF THE PUBLIC HAD THE OPPORTUNITY TO ADDRESS  
THE LEGISLATIVE BODY AT THIS LOCATION.**

**5:00 P.M.-STUDY SESSION**

**1. CALL TO ORDER**

Vice Mayor Rosenberg called the meeting to order at 5:03 p.m.

**2. ROLL CALL**

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

**3. STUDY SESSION**

**3.1 North Bayshore Precise Plan Residential Policy Options and  
Below-Market-Rate (BMR) Housing Strategy for 1255 Pear Avenue.**

Principal Planner Alkire presented an oral staff report and he, Community Development Director Tsuda, Assistant Community Development Director Blount and Assistant City Manager Ramberg, responded to Council's questions.

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

John Rahaim, City of San Francisco Planning Director. Mr. Rahaim also responded to Council's questions.

Rebecca Byrne, Housing Coalition Commission

Cliff Chambers

Greg Unangst

Deb Henigson

Rich Vasquez, UA Local 393

Alex Mlynash

John Igoe, Google Real Estate Director. Mr. Igoe also responded to Council's questions.

The Study Session concluded at 7:07 p.m.

**6:30 P.M.-REGULAR SESSION**

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

Vice Mayor Rosenberg called the meeting to order at 7:07 p.m.

Assistant City Manager Ramberg led the Pledge of Allegiance.

**2. ROLL CALL**

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

**3. PRESENTATION**

3.1 Certificates of Appreciation to outgoing Youth Advisory Committee Members

**4. CONSENT CALENDAR**

Councilmember McAlister requested that Item 4.8 be removed from the Consent Calendar.

Councilmember Siegel requested that Item 4.9 be removed from the Consent Calendar.

**MOTION - M/S Clark/Inks - To approve the Consent Calendar with the exception of Items 4.8 and 4.9. The motion approved unanimously.**

**4.1                    Approval of Minutes.**

That City Council approve the following minutes:

1. April 26, 2016 Council meeting; and
2. May 3, 2016 Council meeting.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS WITH THE MAY 3RD COUNCIL MEETING MINUTES:

Don Letcher

**4.2                    Adopt an Ordinance Relating to Purchasing and Procurements (Second Reading).**

Adopt Ordinance No. 7.16 Amending Chapter 2 of the Mountain View City Code Relating to Purchasing and Procurements and Adding Provisions Related to Procurements During a Declared Emergency or Disaster (Attachment 1 to the Council report). (First reading: 6-0-1; Kasperzak absent)

**4.3                    2016-17 Street Lane Line and Legend Repainting, Project 17-12-Approve Plans and Specifications/Authorize Bids.**

1. Approve plans and specifications for 2016-17 Street Lane Line and Legend Repainting, Project 17-12, and authorize staff to advertise the project for bids.
2. Authorize the City Manager to award the construction contract to the lowest responsible bidder if the low bid is within the project budget.

**4.4                    Final Map Approval, Tract No. 10334, 1968 Hackett Avenue and 208-210 Sierra Vista Avenue.**

Adopt Resolution No. 18054 Approving the Final Map of Tract No. 10334, 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).

**4.5                    Amendment to Agreement Allowing Mountain View Peace Officers to Serve as Santa Clara Per Diem Police Officers for Special Stadium Events.**

Authorize the City Manager or his designee to execute an amendment to the existing indemnity agreement under which Mountain View peace officers serve as Per Diem Police Officers for the City of Santa Clara and the Santa Clara Stadium Authority for events at Levi's Stadium.

**4.6                    Notice of Intention to Vacate Public Easements at 1625 Plymouth Street.**

**Adopt Resolution No. 18055 of Intention to Vacate Public Easements at 1625 Plymouth Street, to be read in title only, further reading waived, and set a date for a public hearing to consider the vacation for June 21, 2016.**

**4.7                    Appointment to the Library Board.**

**Adopt Resolution No. 18056 Appointing M. Elena Zamora Lopez to the Library Board, to be read in title only, further reading waived (Attachment 1 to the Council report).**

**4.8                    Funding for Continuation of the Bay Area Bike Share Program.**

**MOTION - M/S Clark/Kasperzak - To appropriate and transfer up to \$160,000 from the General Fund Reserve to the General Non-Operating Fund, Public Works Department, to fund the City's continued participation in the Bay Area Bike Share Program for up to a year. (Five votes required).**

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

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

**No:     2 -    Councilmember McAlister, and Councilmember Inks**

**4.9                    Castro Street Complete Streets-Modifications to Castro Street Between El Camino Real and Miramonte Avenue-Reject Bid.**

Public Works Director Fuller responded to Council's questions.

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

Thida Cornes  
John Scarboro  
Patrick Moore

**MOTION - M/S Kasperzak/Inks - To reject the bid received for the Modifications to Castro Street, between El Camino Real and Miramonte Avenue, CIP Project 14-36.**

**The motion carried unanimously.**

Council recessed at 7:31 p.m.

Mayor Showalter left the meeting at 7:31 p.m.

Council reconvened at 7:42 p.m.

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

Steve Goldstein expressed concerns with potential financial conflicts of interests and Brown Act violations of members of Council.

Don Letcher expressed concerns with encroachment onto private property by Google and Airbnbs. Mr. Letcher also wished Councilmember Inks good luck in his candidacy for Assemblymember.

Patrick Moore spoke in support of protected bike lanes, more specifically the Castro Street project.

**6. PUBLIC HEARINGS****6.1 Urban Water Management Plan.**

Vice Mayor Rosenberg opened the Public Hearing at 7:52 p.m.

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

Seeing no one wishing to speak, Vice Mayor Rosenberg closed the Public Hearing at 8:07 p.m.

**MOTION - M/S Kasperzak/Inks - To adopt Resolution No. 18057  
Adopting the City of Mountain View 2015 Urban Water Management Plan,  
to be read in title only, further reading waived (Attachment 1 to the Council  
report). The motion carried by the following vote:**

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

**Absent:** 1 - Mayor Showalter

**6.2 582 Hope Street Mixed-Use Project.**

Vice Mayor Rosenberg opened the Public Hearing at 8:09 p.m.

Senior Planner Shapiro and Sobrato Organization Senior Vice President Tim Steele presented oral reports and they, Devcon Construction Vice President of Construction Daisy Pereira, St. Joseph Parish Pastor Engel, Diocese of San Jose Chief Finance Officer Bob Serventi and Assistant Community Development Director Blount, responded to Council's questions.

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

Jerry Race  
Deb Henigson  
James Barrett

Vice Mayor Rosenberg closed the Public Hearing at 8:39 p.m.

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

**1. Adopt Resolution No. 18058 Conditionally Approving a Planned Community Permit and Development Review Permit to Construct a 96,579 Square Foot Mixed-Use Office Building with 7,589 Square Feet of Ground-Floor Retail and Three Levels of Underground Parking, 12 Residential Units, and a 3,430 Square Foot Parish Office; a Provisional Use Permit for the Parish Office and Castro Street Office Uses; and a Heritage Tree Removal Permit to Remove Four Heritage Trees at 582 Hope Street, to be read in title only, further reading waived (Attachment 1 to the Council report).**

**2. Adopt Resolution No. 18059 Conditionally Approving a Preliminary Parcel Map to Merge Two Existing Parcels into One Parcel Comprised of a 1.27-Acre Project Site at 582 Hope Street, to be read in title only, further reading waived (Attachment 2 to the Council report).**

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

**Yes:** 5 - Councilmember McAlister, Councilmember Clark, Councilmember Inks, Councilmember Kasperzak, and Councilmember Siegel

**No:** 1 - Vice Mayor Rosenberg

**Absent:** 1 - Mayor Showalter

**6.3 660 Tyrella Avenue Project.**

Vice Mayor Rosenberg opened the Public Hearing at 8:59 p.m.

Planner Ring and Warmington Residential Project Manager Don Babbitt presented oral reports and they, Assistant Director of Community Development Blount and Environmental Protection Agency Project Manager Elena Lee, responded to Council's questions.

**SPEAKING FROM THE FLOOR WITH RECOMMENDATIONS:**

Deb Henigson

Vice Mayor Rosenberg closed the Public Hearing at 9:26 p.m.

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

- 1. Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the 660 Tyrella Avenue residential project (Attachment 1 to the Council report);**
- 2. Adopt Resolution No. 18060 Conditionally Approving a Planned Community Permit to Construct a 37-Unit Rowhouse Development Project and a Heritage Tree Removal Permit to Remove Seven Heritage Trees at 660 Tyrella Avenue, with Condition of Approval No. 3 modified to read: ROOF DECK AND COURTYARD OPERATIONS: The approved hours of operation are limited to 9:00 a.m. to 9:00 p.m. Any high-noise generating activities in the courtyard and/or on roof decks shall be planned to limit disturbance to on-site residents and/or surrounding neighbors. In the event there are any problems with the hours of operation or with outdoor noise, the Zoning Administrator may hold a public hearing to review the situation and impose new or modified conditions of approval in response to the information received. The public hearing shall be conducted and noticed in accordance with Chapter 36, Article XVI, Division 6, of the City Code. (PROJECT-SPECIFIC CONDITION), to be read in title only, further reading waived (Attachment 2 to the Council report); and**
- 3. Adopt Resolution No. 18061 Conditionally Approving a Vesting Tentative Map to Create 37 Condominium Lots and 3 Common Lots for Private Streets, Open Space, and Street Dedication on a 1.84-Acre Lot at 660 Tyrella Avenue, to be read in title only, further reading waived (Attachment 3 to the Council report).**

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

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

**Absent:** 1 - Mayor Showalter

Council recessed at 9:28 p.m. and reconvened at 9:35 p.m.

**7. UNFINISHED BUSINESS****7.1 Ordinance Related to Campaign Finance Requirements and Voluntary Expenditure Limit Program and Implementation of an Electronic Filing System.**

Senior Deputy City Attorney Wright and City Attorney Quinn presented oral staff reports and they, City Clerk Brewer and City Manager Rich, responded to Council's questions.

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

Katie Zoglin, League of Women Voters. Ms. Zoglin also responded to Council's questions.

Lucas Ramirez. Mr. Ramirez also responded to Council's questions.

Thida Cornes

Emily Ramos

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

**1. Introduce an Ordinance Amending Chapter 2, Article XII of the Mountain View City Code, Related to Campaign Finance Requirements and the Voluntary Expenditure Limit Program, including the following additions and revisions:**

**- Section 2.109 shall read: "Any person who knowingly, willfully or negligently violate any provisions of this division is guilty of a misdemeanor....Any monetary penalty for such a violation shall be the maximum amount permitted by law."**

**- Section 2.110(a) shall read: "Any person who intentionally or negligently violates any provision of this division shall be liable in a civil action brought by the City Attorney. Where no specific civil penalty is provided, a person may be liable for an amount up to ten thousand dollars (\$10,000) for each violation. Upon collection, said sum shall be deposited into the general fund of the city."**

**- Section 2.110(b) shall read: "Injunctive relief. The city attorney, or a person residing within the city, may bring an action for injunction relief to enjoin violations or to compel compliance with the provision of this division if the city attorney declines to file such an action."**

**-Section 2.1110(c) shall read: "A person other than the city attorney may bring a civil action for violations under this division if the city attorney declines to file a civil action. If a judgment is entered against the defendant(s) in an action, a private plaintiff shall receive fifty percent (50%) of the amount recovered. The remaining fifty percent (50%) shall be deposited into the city's general fund"**



- Add Section 2.150(d) which shall read: "In-kind contributions, including goods or services that are required to be reported under the Political Reform Act, received by a candidate for municipal office which are used, or intended by the donor or recipient to be used, for the candidates's campaign, shall count toward the VEL and shall be valued at fair market value."; and (d) and (e) become (e) and (f).

- Section 2.106(c) shall read: "A copy of the advertisement shall be provided to the city clerk."

- Section 2.107(c) shall read: "Notwithstanding the definition of "top contributors," print advertisements in newspapers, magazines and other similar publications that are twenty (20) square inches or less shall be required to disclose only the top three (3) contributors of two thousand five hundred dollars (\$2,500) or more."

to be read in title only, further reading waived, and set second reading for June 14, 2016 (Attachment 1 to the Council report).

2. Authorize the City Clerk to select a vendor for implementation of an electronic filing system. Direct staff to prepare an ordinance requiring campaign statements and Form 700s be filed electronically voluntarily until January, 2017, at which time it will become mandatory.

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

**No:** 1 - Councilmember Inks

**Absent:** 1 - Mayor Showalter

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

Councilmember McAlister reported on his attendance at the Valley Transportation Authority State Route (SR) 85 Corridor Policy Advisory Board meeting.

Councilmember Siegel reported on his attendance at the Cities Association SV@Home workshop on housing. Councilmember Siegel also reported that he, Councilmember Kasperzak and Vice Mayor Rosenberg attended the Sustainable Silicon Valley meeting held at Intuit.

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

**10. ADJOURNMENT - At 11:17 p.m., Vice Mayor Rosenberg adjourned the meeting to the next City Council meeting to be held on Tuesday, June 7, 2016 at 6:30 p.m. in Council Chambers, 500 Castro Street.**

ATTEST:

APPROVED:

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LORRIE BREWER, MMC  
CITY CLERK

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PATRICIA SHOWALTER  
MAYOR