



Margaret Abe-Koga, Councilmember  
Christopher R. Clark, Councilmember  
John McAlister, Councilmember

Ken S. Rosenberg, Councilmember  
Patricia Showalter, Councilmember  
Lisa Matichak, Vice Mayor

Daniel H. Rich, City Manager  
Lisa Natusch, City Clerk

Leonard Siegel, Mayor

Jannie L. Quinn, City Attorney

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October 09, 2018

Plaza Conference Room & Council Chambers, 500 Castro St.,  
Mountain View

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

**4:30 P.M.-CLOSED SESSION (PLAZA CONFERENCE ROOM)**

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

At 4:33 p.m., Senior Assistant City Attorney Krishan Chopra announced the items for Closed Session.

Public Comment opened at 4:35 p.m.

The following members of the public spoke:

Ayinde Rudolph  
Dale Kuersten  
Laura Blakely  
Ellen Wheeler

Public Comment closed at 4:43 p.m.

**2. CLOSED SESSION**

Mayor Siegel convened the meeting to Closed Session at 4:43 p.m. and Council proceeded with Item 2.2.

Councilmembers McAlister and Showalter were recused from participating in Item 2.2. All other Councilmembers were present.

- 2.1 Conference with Real Property Negotiator (§54956.8)—Property: (Vacant parcel of land at the easterly end of Bryant Avenue having no street address) (APN 197-06-004)—Agency Negotiator: Dennis Drennan, Real Property Program Administrator—Negotiating Party: Mountain View Los Altos High School District—Under Negotiation: Price and Terms of Payment for the Lease of Real Property

- 2.2 Conference with Real Property Negotiator (§54956.8)—Properties: Cooper School, 333 Eunice Avenue (APN 197-32-001) and portion of Cooper Park, no street address (APN 197-28-001) 777 W. Middlefield (APN 153-24-005)—Agency Negotiator: Daniel H. Rich, City Manager—Negotiating Party: Mountain View Whisman School District—Under Negotiation: Price and Terms of Payment for the Lease or Exchange of Real Property
- 2.3 Conference with Labor Negotiators (§54957.6(a))—Agency Designated Representative: Vice Mayor Matichak; Unrepresented Employees: City Manager, City Attorney, and City Clerk

The Closed Session concluded following discussion of Item 2.2 at 5:29 p.m.

Closed Session Items 2.1 and 2.3 were discussed in Closed Session immediately following the regular meeting.

### **5:00 P.M.-STUDY SESSION (COUNCIL CHAMBERS)**

#### **1. CALL TO ORDER**

Mayor Siegel called the meeting to order at 5:34 p.m. in Council Chambers.

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

**Present:** 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Rosenberg, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

#### **3. STUDY SESSION**

##### **3.1 Direction on Development Priorities for Lot 12**

Assistant Community Development Director Wayne Chen presented the staff report. City Manager Dan Rich and Economic Development Manager Alex Andrade provided additional information.

Public Comment opened at 5:54 p.m.

The following members of the public spoke:

David Meyer, SV@Home and Mountain View resident  
Thida Cornes  
Serge Bonte  
Stacy

Public Comment closed at 6:01 p.m.

The Study Session concluded at 7:05 p.m.

### **6:30 P.M.-REGULAR SESSION (COUNCIL CHAMBERS)**

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

Mayor Siegel called the meeting to order at 7:07 p.m. in Council Chambers and led the Pledge of Allegiance.

## 2. ROLL CALL

**Present:** 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Rosenberg, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

## 3. PRESENTATION

### 3.1 Breast Cancer Awareness Month

Mayor Siegel provided comments in recognition of Breast Cancer Awareness Month and the efforts of the City's Fire and Police Departments to raise money in support of breast cancer awareness.

Mayor Siegel announced a National Walk to a Park Day challenge with the City of Palo Alto.

## 4. CONSENT CALENDAR

Councilmember McAlister and Councilmember Showalter requested to pull Item 4.2 from the Consent Calendar.

MOTION - M/S - Abe-Koga/Matichak - To approve the Consent Calendar with the exception of Item 4.2.

The motion carried by the following vote:

**Yes:** 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Rosenberg, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

### 4.1 Approve Meeting Minutes

Approve the Council Meeting Minutes of October 2, 2018 and the Shoreline Regional Park Community Minutes of October 2, 2018.

### 4.2 Parking and Tow Code Amendments.

Councilmember McAlister provided comments.

Councilmember Showalter provided comments.

Public Works Director Mike Fuller responded to Council questions.

Public Comment opened at 7:17 p.m.

The following members of the public spoke:

Mike Fischetti

Marilyn Winkleby

Christian Chamberlayne

Thida Cornes, Vice President, Shoreline West Neighborhood Association, on behalf of the Association

Frank Wood

Public Comment closed at 7:26 p.m.

MOTION - Councilmember Showalter moved to keep the ordinance process and not use a resolution.

Following discussion, Councilmember Showalter clarified the motion is to reject the item and direct staff to come back to Council with the same material in ordinance form.

The motion died due to lack of a second.

MOTION - M/S - Clark/Matichak - To:

1. Introduce an Ordinance Amending Chapter 19 of the Mountain View City Code Related to Towing of Vehicles and Stopping, Standing, and Parking, to be read in title only, further reading waived, and set second reading for November 13, 2018 (Attachment 1 to the Council report), with revisions to change the word "citizen" to "person" to update the terminology in the code in Sec. 19.62.2 and Sec. 19.62.3.

2. Adopt Resolution No. 18250 Prohibiting and Restricting Parking on Designated Streets, or Portions Thereof, to be read in title only, further reading waived (Attachment 2 to the Council report).

The motion carried by the following vote:

**Yes:** 6 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Rosenberg, Vice Mayor Matichak, Mayor Siegel

**No:** 1 - Councilmember Showalter

**4.3 Fiscal Year 2017-18 Annual Compliance Report for Development Impact Fees and Capacity Charges; and Informational Reporting of Park Land Dedication Fee**

Make available to the public the Fiscal Year 2017 18 Annual Compliance Report for Development Impact Fees and Capacity Charges; and Informational Reporting of Park Land Dedication Fee and place the reports on the agenda for the November 13, 2018 Regular Meeting.

Following action on Item 4.2, Council recessed at 7:41 p.m.

Council reconvened at 7:56 p.m. with all Councilmembers present.

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

Angeles Anducho spoke regarding the proposed development of the Royal Viking

Apartments and the impact on the residents and the community.

Philip Cosby read a letter from the Mountain View Whisman School District in support of the contributions of Angeles Anducho and her family, and submitted a copy of the letter.

Ming Jone spoke in support of the residents of 2005 Rock Street and read a letter from a Nurse Practitioner at the VA Hospital in support of the contributions of Adriana Tapia.

Dora Flores spoke regarding the proposed demolition of the Rock Street Apartments and the impact on her family.

Leticia Diaz spoke regarding the proposed development of 2005 Rock Street and the impact on her family.

**6. PUBLIC HEARING - None.**

Mayor Siegel announced Item 8.1 would be taken out of order.

**7. UNFINISHED BUSINESS**

**7.1 Update on Safe Parking**

This item was considered following action on Item 8.1.

Assistant to the City Manager Kimberly Thomas presented the staff report. Assistant Community Development Director Wayne Chen, City Manager Dan Rich and Police Chief Max Bosel provided additional information.

Amber Stime, Program Manager, Lots of Love, provided information regarding the program.

Michelle Covert, Santa Clara County Office of Supportive Housing, provided information regarding the County's funding of Lots of Love.

Georgina Mascarenhas, Interim CEO and VP, Property Management, Palo Alto Housing Corporation provided information regarding the status of the development of the property.

Tom Myers, Executive Director, Community Services Agency, responded to Council questions.

Public Comment opened at 9:08 p.m.

The following members of the public spoke:

Georgina Mascarenhas, Interim CEO and VP, Property Management, Palo Alto Housing Corporation

Phil Mastrocola, Winter Faith Collaborative

Joan Brodovsky

Joan MacDonald  
My-Kel Hall, Project WeHOPE  
Leslie Murdock  
Kathy Hall

Public Comment closed at 9:25 p.m.

MOTION - M/S - McAlister/Matichak - To:

1. Approve permitting direction for the short term use of private property owned by the Palo Alto Housing Corporation (PAHC) located at 1020 Terra Bella Avenue for a safe parking program, with PAHC and MOVE as grantees, and use the recommended options if future properties are identified.
2. Approve options for grants for site preparation and operations for the PAHC site to implement recommendations, and direct staff to return with an appropriation consistent with approved recommendations; and
3. Direct staff to review parking options around all parks.

Following discussion, Councilmember McAlister revised the motion to direct staff to bring Council a comprehensive parking review and to include seeking funding from other sources as part of the appropriation.

Following discussion, City Manager Rich stated staff would come back in Quarter 1 of 2019 with a comprehensive review of parking and enforcement issues, in the context of homelessness and RV parking issues. City Manager Rich stated it would be a follow up to what staff brought to Council in March 2018, which is looking at a range of options related to enforcement and parking restrictions.

SUBSTITUTE MOTION - M/S - Rosenberg/Showalter - To approve the staff recommendation:

1. Approve permitting direction for the short term use of private property owned by the Palo Alto Housing Corporation (PAHC) located at 1020 Terra Bella Avenue for a safe parking program, with PAHC and MOVE as grantees, and use the recommended options if future properties are identified.
2. Approve options for grants for site preparation and operations for the PAHC site to implement recommendations, and direct staff to return with an appropriation consistent with approved recommendations.

The substitute motion failed by the following vote:

**Yes:** 3 - Councilmember Rosenberg, Councilmember Showalter, Mayor Siegel

**No:** 4 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Vice Mayor Matichak

The main motion carried by the following vote:

**Yes:** 5 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Rosenberg, Vice Mayor Matichak

**No:** 2 - Councilmember Showalter, Mayor Siegel

MOTION - M/S - Clark/McAlister - To continue the meeting past 10 p.m.

The motion carried by a majority show of hands vote.

Council recessed at 10:31 p.m.

Council reconvened at 10:44 p.m. with all Councilmembers present.

## **7.2 Short-Term Rental Ordinance**

Senior Assistant City Attorney Lynn Dobson and Principal Management Analyst Melvin Gaines presented the staff report. City Manager Dan Rich provided additional information.

Public Comment opened at 11:15 p.m.

The following members of the public spoke:

Dave King

Serge Bonte

Dan Norton

Unidentified woman

Public Comment closed at 11:24 p.m.

Following Council discussion related to Accessory Dwelling Units, Senior Assistant City Attorney Krishan Chopra suggested language could be added to Section 44.4.b(3) to read "all accessory dwelling units shall be considered hosted if the owner or tenant is located on the property," or present. Councilmember Clark confirmed that the definition should be the same as the definition of hosted anywhere else; that someone has to be on the property for it to be considered hosted.

MOTION - M/S - Clark/Rosenberg - To:

1. Introduce an Ordinance Adding Chapter 44 to the Mountain View City Code Related to Short Term Rental of Residential Property with a modification to Sec. 44.4(b)3 as stated earlier where all ADUs would be considered hosted as long as the owner or tenant is present on the property, or whatever the definition we use for hosted is elsewhere, to be read in title only, further reading waived, and set second reading for October 23, 2018 (Attachment 1 to the Council report);

2. Adopt Resolution No. 18251 Amending the City of Mountain View Master Fee Schedule to Add a Short Term Rental Registration Fee, to be read in title only, further reading waived (Attachment 2 to the Council report).
3. Appropriate \$80,000 in the City Manager's Office for a third party compliance vendor to assist with the implementation and monitoring of short term rentals.
4. Authorize the addition of 0.5 FTE Account Clerk I/II position and appropriate \$66,000 in the Finance and Administrative Services Department for the administration and collection of short term rental fees and other related items.

AMENDMENT - M/S - Siegel/Matichak - To change the 90 days to 60 days.

The motion to amend carried by the following vote:

- Yes:** 4 - Councilmember Abe-Koga, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel
- No:** 3 - Councilmember Clark, Councilmember McAlister, Councilmember Rosenberg

Mayor Siegel clarified the amendment and following discussion with staff, bifurcated the actions on the recommendations:

MOTION - M/S - Siegel/Matichak - To:

1. Introduce an Ordinance Adding Chapter 44 to the Mountain View City Code Related to Short Term Rental of Residential Property with a modification to Sec. 44.4(b)3 as stated earlier where all ADUs would be considered hosted as long as the owner or tenant is present on the property, or whatever the definition we use for hosted is elsewhere, and a modification to change 90 days to 60 days, to be read in title only, further reading waived, and set second reading for October 23, 2018 (Attachment 1 to the Council report);

The motion carried by the following vote:

- Yes:** 4 - Councilmember Abe-Koga, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel
- No:** 3 - Councilmember Clark, Councilmember McAlister, Councilmember Rosenberg

Following action on Staff Recommendation 1, Council considered Recommendations 2 - 4:

MOTION - M/S - Clark/Rosenberg - To:

2. Adopt Resolution No. 18251 Amending the City of Mountain View Master Fee Schedule



to Add a Short-Term Rental Registration Fee, to be read in title only, further reading waived (Attachment 2 to the Council report).

3. Appropriate \$80,000 in the City Manager's Office for a third-party compliance vendor to assist with the implementation and monitoring of short-term rentals.
4. Authorize the addition of 0.5 FTE Account Clerk I/II position and appropriate \$66,000 in the Finance and Administrative Services Department for the administration and collection of short-term rental fees and other related items.

The motion carried by the following vote:

**Yes:** 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Rosenberg, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

## **8. NEW BUSINESS**

### **8.1 Public Meeting on Downtown Business Improvement Areas (BIAs)**

This item was considered immediately following the Oral Communications portion of the agenda.

Business Development Specialist Tiffany Chew presented the staff report. Economic Development Manager Alex Andrade and City Manager Dan Rich provided additional information.

Public Comment opened at 8:17 p.m.

The following member of the public spoke:  
Ray Meyer

Public Comment closed at 8:19 p.m.

MOTION - M/S - Showalter/Matichak - To:

1. Hold a public meeting on the Downtown Business Improvement Areas.
2. Preliminarily approve the Central Business Association Annual Report.
3. Adopt Resolution No. 18252 of the City Council Declaring Its Intention to Levy Assessments for the Downtown Mountain View Business Improvement Area No. 1, to be read in title only, further reading waived, and set a public hearing date of November 13, 2018 (Attachment 1 to the Council report).
4. Adopt Resolution No. 18253 of the City Council Declaring Its Intention to Levy

Assessments for the Downtown Mountain View Business Improvement Area No. 2, to be read in title only, further reading waived, and set a public hearing date of November 13, 2018 (Attachment 2 to the Council report).

The motion carried by the following vote:

**Yes:** 7 - Councilmember Abe-Koga, Councilmember Clark, Councilmember McAlister, Councilmember Rosenberg, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

Following action on Item 8.1, Council considered Item 7.1.

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

This item was handled following action on Item 7.2.

Vice Mayor Matichak offered a proposal to balance items on upcoming agendas by potentially rescheduling some study sessions to 2019 in order to only ever have one study session per Council meeting. Vice Mayor Matichak suggested the study sessions for the El Camino Real Streetscape Plan, Downtown Precise Plan, the Ordinance Revision to MVCC Chapter 19, Article VI or the Vision Zero Policy could be rescheduled

Following discussion, City Manager Dan Rich suggested Council could give direction to he, the Mayor and Vice Mayor to rearrange some of the upcoming items.

Councilmember Abe-Koga inquired about the status of the Los Altos School District item scheduled for October 16 based on the recent Los Altos School District Board action. City Manager Rich provided an update.

By show of hands, Council unanimously supported the proposal to reschedule the study sessions for the El Camino Real Streetscape Plan, Downtown Precise Plan, and the Vision Zero Policy and to give direction to the city manager to work with the Mayor and Vice Mayor to rearrange upcoming agenda items.

**MOTION - M/S - Abe-Koga/Clark - To remove the Los Altos School District item from the October 16 until the prior direction is fulfilled.**

The motion carried by the following vote:

**Yes:** 6 - Councilmember Abe-Koga, Councilmember Clark, Councilmember Rosenberg, Councilmember Showalter, Vice Mayor Matichak, Mayor Siegel

**Abstain:** 1 - Councilmember McAlister

City Manager Rich suggested delaying the study session regarding 777 W. Middlefield by one week, and suggested the SummerHill Gatekeeper may be able to be added to the

calendar.

Vice Mayor Matichak reported her attendance at a computer science roadshow by Google at Mariano Castro Elementary School and the Sierra Club Guardians of Nature event.

Councilmember Rosenberg reported he will officiate a wedding this weekend for two Mountain View residents.

Councilmember Abe-Koga reported an upcoming Fit to Fight Yoga & Zumba for a Cure event of the Mountain View Firefighters Random Acts in recognition of Breast Cancer Awareness Month.

Councilmember Showalter reported her attendance at the San Francisco Bay Conservation and Development Commission Environmental Justice Meeting and the Sierra Club Guardians of Nature event.

Mayor Siegel reported his attendance at a tour of the Google Bay View campus construction site.

#### **10. CLOSED SESSION REPORT**

None.

#### **11. ADJOURNMENT**

Senior Assistant City Attorney Chopra reported that the Closed Session items were announced and an opportunity was provided for public comment earlier in the evening.

At 12:10 a.m., Mayor Siegel adjourned the meeting to Closed Session in the Plaza Conference Room for discussion of Closed Session Items 2.1 and 2.3.

The Closed Session regarding Items 2.1 and 2.3 concluded at 12:25 a.m.

ATTEST:

APPROVED:

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LISA NATUSCH  
CITY CLERK

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LEONARD M. SIEGEL  
MAYOR